

DIVISION V FINAL

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

(1) paragraph 4 of section 2 comes into force on (*insert the date occurring 30 months after the date of coming into force of this Regulation*);

(2) sections 4 to 6 come into force on (*insert the date occurring 18 months after the date of coming into force of this Regulation*).

8365

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, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation deals, among other things, with the purchase of an area change licence for restricted moose hunting, the establishment of a licence authorizing the killing of a second white-tailed deer in certain areas, the sharing of a hunting licence for female moose in wildlife sanctuaries, the requirement to declare the calibre of the firearm and the vehicle licence plate number on registration of a big game kill, the requirements for hunters of wild turkey, the incorporation into the Regulation respecting hunting activities of the standards in the Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting, and the consequential revocation of that Regulation.

Study of the matter has shown no negative impact on enterprises, including small and medium-sized businesses. The proposed amendments will benefit hunters by affording them more opportunities to hunt.

Further information concerning the draft Regulation may be obtained by contacting Serge Bergeron, Direction des territoires fauniques et de la réglementation, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 2^e étage, Québec (Québec) G1S 4X4; telephone: 418 627-8691, extension 7393; fax: 418 646-5179; e-mail: serge.bergeron2@mrnf.gouv.qc.ca

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 Denis Gagnon, Director General responsible for Faune Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

CLAUDE BÉCHARD,
*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, ss. 29, 30, 55 and 162, par. 9)

1. The Regulation respecting hunting activities is amended in section 2 by striking out “wild turkey (*Meleagris gallopavo*)” in paragraph 3.

2. Section 4 is amended

(1) by replacing “and “Snaring of hare or cottontail rabbit” hunting licences” in the first paragraph by “, “Snaring of hare or cottontail rabbit” and “Small game using a bird of prey” hunting licences”;

(2) by replacing “whose antlers measure less than 7 cm” in subparagraph 2 of the second paragraph by “with antlers less than 7 cm for all areas except Area 20 (No. 1)”;

(3) by inserting the following after subparagraph 2 of the second paragraph:

“(2.1) “White-tailed deer, female or male with antlers less than 7 cm for all areas except Area 20 (No. 2)”;

* The Regulation respecting hunting activities, made by Order in Council 858-99 dated 28 July 1999 (*G.O.* 2, 2427), was last amended by the regulation made by Order in Council 931-2005 dated 12 October 2005 (2005, *G.O.* 2, 4533). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

3. The following is inserted after section 4:

“**4.0.1.** In addition to the conditions set out in the first paragraph of section 4, to obtain a wild turkey hunting licence a person must hold an attestation of completion of the course on wild turkey hunting.”.

4. Section 4.1 is amended by replacing “18 years of age” in the first paragraph by “12 years of age” and “code “A” or “F”” by “code “A”, “B” or “F””.

5. Section 6.1 is amended by replacing paragraphs 1 and 2 by the following:

“(1) if the applicant holds a hunter’s or trapper’s certificate bearing code “F” only, the date of issue of the licence must not have authorized its holder to hunt moose with a type 10 or type 13 implement in the wrong area and the moose hunting season with a type 13 implement must not be open in the new area for which the applicant is applying for a “Moose, in a new area” hunting licence;

(2) if the applicant holds a hunter’s or trapper’s certificate bearing code “A” only, or if the applicant is a resident who does not hold a hunter’s or trapper’s certificate bearing code “A”, “B” or “F”, the date of issue of the licence must not have authorized its holder to hunt moose with a type 6, 10, 11 or 13 implement in the wrong area and the moose hunting season with a type 13 implement must not be open in the new area for which the applicant is applying for a “Moose, in a new area” hunting licence;

(3) if the applicant holds a hunter’s or trapper’s certificate bearing code “B” only, the date of issue of the licence must not have authorized its holder to hunt moose with a type 10, 11 or 13 implement in the wrong area and the moose hunting season with a type 13 implement must not be open in the new area for which the applicant is applying for a “Moose, in a new area” hunting licence; or

(4) if the applicant is a non-resident, the date of issue of the licence must not have authorized its holder to hunt moose with a type 6, 10, 11 or 13 implement in the wrong area.”.

6. The following is inserted after the title of subdivision 3 of Division II:

“A — Spouse or child”.

7. Section 7 is amended

(1) by striking out “, or their child under 18 years of age or the child under 18 years of age of either spouse” in the first paragraph and by replacing “or the child shall have the holder’s licence with them” by “shall carry the holder’s licence”;

(2) by striking out the second paragraph;

(3) by replacing “or children referred to in the first and second paragraphs are residents, they shall” in the third paragraph by “is a resident, the spouse shall hold and carry” and by striking out “and carry it with them”;

(4) by striking out “and the children referred to in the first and second paragraphs” in the fourth paragraph and “referred to in those paragraphs”.

8. Section 7.1 is amended

(1) by replacing ““Caribou”, “White-tailed deer”, “Moose” or “Black bear” hunting licence” in the first paragraph by “hunting licence listed in Column I of Schedule I to the Regulation respecting hunting”;

(2) by adding “or hold a licence issued under section 4.1 and meet the conditions set out in that section” at the end of the third paragraph;

(3) by adding “; the child must also hold and carry the attestation referred to in section 4.0.1, where applicable” at the end of the third paragraph.

9. Section 7.2 is amended by replacing “in section 7 or 7.1” in the first paragraph by “in section 7.1” and “provided for in those sections” by “set out in that section”.

10. The following is inserted after section 7.2:

“**7.2.0.1.** A person between 12 and 24 years of age to whom section 7.1 or 7.2 applies may use one of the “White-tailed deer, female or male with antlers less than 7 cm for all areas except Area 20 (No. 1) or (No. 2)” licence classes or the “Moose, female more than one year old” licence issued by a draw of lots to a holder referred to in section 7.1, as long as that holder also holds a valid regular hunting licence for white-tailed deer or moose; in the latter case, subject to the third paragraph of section 10, the hunting licence for female moose must have been issued for the same area as the regular licence or for a controlled zone situated in that area.”.

11. The following is inserted after section 7.2.01:

“B — Group of hunters”.

12. The following is inserted after section 7.2.3:

7.2.3.1. In wildlife sanctuaries, the members of a group of not more than six hunters who hold the moose hunting licence referred to in paragraph *a* of section 5 of Schedule I to the Regulation respecting hunting may use one of the members’ “Moose, female more than one-year old” hunting licence referred to in paragraph *b* of section 5 of that Schedule, if the members meet the conditions set out in sections 7.2.1 to 7.2.3.”.

13. The following is inserted before section 8:

“C — Requirement to be accompanied”.

14. Section 9 is amended by replacing “or in a territory where exclusive hunting rights were granted to an outfitting operation” in the third paragraph by “, in a territory where exclusive hunting rights have been granted to an outfitting operation or in the territories described in Schedules CXLVII, CXLVIII and CLXXXIX to the Regulation respecting hunting”.

15. The following is inserted after section 9:

9.1. The holder of a resident “wild turkey” hunting licence must, to hunt wild turkey, hold and carry the attestation referred to in section 4.0.1.”.

16. Section 10 is amended by replacing “The holder of a moose hunting licence” in the third paragraph by “The holder of a “Moose, all areas” hunting licence”.

17. The following is inserted after section 11:

11.1. The holder of a “White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (No. 2)” hunting licence referred to in paragraph *c.1* of section 2 of Schedule I to the Regulation respecting hunting” must, to hunt with the licence, also hold the valid “White-tailed deer, elsewhere than in Area 20” hunting licence referred to in paragraph *a* of section 2 of Schedule I to that Regulation.”.

18. Section 12 is amended

(1) by replacing paragraph 5 by the following:

“(5) “White-tailed deer, elsewhere than in Area 20” and “White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (No. 1)” and “White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (No. 2)”;

(2) by adding the following after subparagraph *g* of subparagraph 7:

“(h) “Small game using a bird of prey”;

(3) by adding the following after subparagraph *h* of subparagraph 7:

“(i) “Wild turkey”.”.

19. Section 13 is amended by adding the following at the end of subparagraph 3:

“(f) “Small game using a bird of prey”.”.

20. Section 13.1 is amended by replacing “their children under 18 years of age or the children under 18 years of age of either spouse who use” by “a person to whom section 7.1 or 7.2 applies using”.

21. Section 15 is amended

(1) by replacing “CXCIV” in the second and third paragraphs by “CLXXXVIII”;

(2) by replacing “or a territory where exclusive hunting rights have been granted to an outfitting operation” in the third paragraph by “, a territory where exclusive hunting rights have been granted to an outfitting operation or in the territories described in Schedules CXLVII, CXLVIII and CLXXXIX to the Regulation respecting hunting”.

22. Section 15.1 is struck out.

23. The following is inserted after DIVISION III:

“DIVISION III.1
WEARING OF A FLUORESCENT ORANGE
GARMENT

17.1. In this Division, “fluorescent orange” means a colour with a dominant wavelength between 595 and 605 nanometres, an excitation purity of not less than 85% and a luminance factor of not less than 40%.

17.2. Subject to section 17.3, every hunter or guide and any other person accompanying a hunter in the hunting areas described in the Fishing and Hunting Areas Regulation made by Order in Council 27-90 dated 10 January 1990 must wear a fluorescent orange garment that covers at least 2,850 continuous square centimetres of the wearer’s back, shoulders and chest and is visible at all times from all angles.

17.3. Section 17.2 does not apply

(1) to the hunting of moose, white-tailed deer or black bear during a hunting season for such big game with a type 6 or 11 hunting implement within the meaning of the Regulation respecting hunting, to the hunting of American crow, rock dove, northern leopard frog, green frog, bull frog, Arctic or snowshoe hare or eastern cottontail rabbit with snares, to the hunting of migratory birds within the meaning of the Regulation respecting hunting or, from 1 December to 31 March, to the hunting of coyote, wolf or red, cross-bred or silver fox;

(2) to the beneficiaries of the James Bay and Northern Québec Agreement and the beneficiaries of the North-eastern Québec Agreement in the territories covered by those agreements;

(3) to bow or crossbow hunting in a sector for bow or crossbow hunting only in a wildlife sanctuary or controlled zone;

(4) to hunting in a sector in a territory in which exclusive hunting rights have been leased and all hunting in that sector is with a bow or crossbow;

(5) to bow or crossbow hunting in a place where only hunting with a hunting implement other than a firearm is allowed;

(6) to the hunting of small game using a bird of prey without using a weapon; or

(7) to the hunting of wild turkey.

24. Section 19 is amended

(1) by replacing “or black bear” by “, black bear or wild turkey” in the first paragraph;

(2) by replacing “attach it to the animal” at the end of the first paragraph by “attach it to the animal; in addition, when a hunter kills a white-tailed deer, female or male with antlers less than 7 cm, or a female moose more than one-year old, the hunter must, if there is no transportation coupon, punch out the space provided for that purpose on the hunting licence issued by a draw of lots for that category of animal”;

(3) by adding “Subject to the third paragraph of section 10,” at the beginning of the second paragraph;

(4) by adding “In addition,” at the beginning of the third paragraph.

25. Section 19.1 is amended by adding the following at the end:

“Every hunter referred to in section 7.2.3 or 7.2.3.1 who kills a white-tailed deer, female or male with antlers less than 7 cm, or a female moose more than one-year old must, if there is no transportation coupon, on the day of the kill punch out the space provided for that purpose on the hunting licence issued by a draw of lots under which the animal is killed.”.

26. Section 21 is amended

(1) by replacing “or black bear” by “, black bear or wild turkey” in the first paragraph;

(2) by inserting “, declaring the calibre of the firearm used and the licence plate number of the vehicle used to transport the animal” in the first paragraph after “Act respecting the conservation and development of wildlife”.

27. Section 25 is replaced by the following:

“**25.** During any training or field trials of hunting dogs, other than retrievers or pointers and flushers, the owner or custodian of a dog must ensure that the dog wears at all times a collar displaying the owner’s name and telephone number.”.

28. Section 27 is amended

(1) by adding “Subject to section 20 of the Regulation respecting hunting,” at the beginning;

(2) by replacing “caribou et” in the French text by “caribou ou”.

29. Schedules I, II and III are struck out.

30. The Regulation respecting the wearing of a fluorescent orange-coloured garment when hunting (R.R.Q., 1981, c. C-61, r.26) is revoked.

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