

“20. The audit committee may examine any accounting document and any other document pertaining to the financial management of the Corporation.”.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 332-2008, 9 April 2008

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

Hunting activities — Amendments

Regulation to amend the Regulation respecting hunting activities

WHEREAS, under section 29 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may, by regulation, authorize in particular the training or field trials of hunting dogs and fix the conditions of those activities;

WHEREAS, under section 55 of the Act, the Government may determine by regulation the conditions on which a person determined by regulation may use a licence issued to another person;

WHEREAS, under paragraph 9 of section 162 of the Act, the Government may make regulations determining the conditions that must be fulfilled by the applicant or holder of a licence or certificate, and the obligations with which the holder of a licence or certificate must comply;

WHEREAS, under paragraph 16 of section 162 of the Act, the Government may make regulations prescribing norms and obligations respecting in particular the registration of animals;

WHEREAS, under paragraph 18 of section 162 of the Act, the Government may make regulations determining for an area, territory or place the safety conditions required, in particular, for the practice of hunting activities;

WHEREAS the Government made the Regulation respecting hunting activities by Order in Council 858-99 dated 28 July 1999;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting hunting activities was published in Part 2 of the *Gazette officielle du Québec* of 14 November 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS comments have been submitted in respect of the draft Regulation;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife:

THAT the Regulation to amend the Regulation respecting hunting activities, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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, 55 and 162,
pars. 9, 16 and 18)

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”;

* 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 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) 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 (1st killing)”;

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, unless the person is a resident referred to in section 4.1.”

4. Section 4.1 is amended

(1) 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””;

(2) by inserting “and holding the attestation referred to in section 4.01 in the case of wild turkey hunting” after “used” in the second paragraph.

5. Section 5 is amended by adding the following paragraph:

“In addition to the first paragraph, to obtain a hunting licence for caribou for a non-resident Canadian, a person shall be a non-resident domiciled in Canada.”

6. Section 6.1 is replaced by the following:

“**6.1.** If the area number entered on a “Moose, all areas” hunting licence is wrong, the holder of the licence may obtain a “Moose, in a new area” hunting licence, which is issued once a year, inasmuch as the following conditions are met:

(1) if the holder holds a hunter’s or trapper’s certificate bearing code “F”, the date of issue of the licence must not have authorized its holder to hunt moose with a type 10 or 13 implement in the wrong area;

(2) if the holder holds a hunter’s or trapper’s certificate bearing code “A”, or 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;

(3) if the holder holds a hunter’s or trapper’s certificate bearing code “B”, 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; or

(4) if the holder 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.

For the purposes of subparagraphs 1, 2 and 3 of the first paragraph, if the “Moose, in a new area” hunting licence is required for an area or part of area where the moose hunting season with a type 13 implement is open, subject to the second paragraph of section 9, the licence may be used only if the date of issue of the licence with the wrong area number, for a resident, is prior to the opening date of the hunting season in the area for which the “Moose, in a new area” hunting licence is required.

To obtain a “Moose, in a new area” licence, the holder of a “Moose, all areas” licence must not have used it to participate in a hunting activity in a place set out in the third paragraph of section 10.

In addition, for the purposes of the first paragraph, if the holder of a “Moose, all areas” hunting licence with the wrong area number is also the holder of an authorization for a handicapped person referred to in section 58 of the Act respecting the conservation and development of wildlife authorizing the holder to hunt with a crossbow during a hunting season with a type 6 implement in the wrong area, the holder is considered to have been authorized to hunt with a type 6 implement.”

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

“A – Spouse or child”.

8. Section 7 is amended

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

“**7.** The spouse of the holder of a resident’s “Snaring of hare or cottontail rabbit” hunting licence or of a resident’s or non-resident’s “Small game” or “Small game using a bird of prey” hunting licence or of a resident’s “Northern leopard frog, Green frog, Bull frog” hunting licence may use that holder’s licence. The spouse shall also carry the holder’s licence when not accompanied by the holder.”;

(2) by striking out the second paragraph;

(3) by replacing “or children referred to in the first and second paragraphs are residents, they shall hold” 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” and “referred to in those paragraphs” in the fourth paragraph.

9. Section 7.1 is amended

(1) by replacing ““Caribou”, “White-tailed deer”, “Moose” or “Black bear”” in the first paragraph by “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 shall also hold and carry the attestation referred to in section 4.0.1, where applicable” at the end of the third paragraph.

10. 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”.

11. 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” or “White-tailed deer, female or male with antlers less than 7 cm for all areas except Area 20 (1st killing)” 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.”.

12. The following is inserted after section 7.2.0.1:

“B – Group of hunters”.

13. 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 eight 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, with the necessary modifications.”.

14. The following is inserted before section 8:

“C – Requirement to be accompanied”.

15. 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”.

16. The following is inserted after section 9:

“**9.1.** Subject to section 4.1, the holder of a resident’s “wild turkey” hunting licence must, to hunt wild turkey, hold and carry the attestation referred to in section 4.0.1.”.

17. 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”.

18. 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 (1st killing)” 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 and carry 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.

The holder of a “Small game using a bird of prey” licence referred to in section 10 of Schedule I must, to hunt with the licence, also hold the apprentice hawker’s licence referred to in section 75 of the Regulation respecting animals in captivity made by Order in Council 1238-2002 dated 16 October 2002 or the hawker’s licence referred to in section 80 of that Regulation or be accompanied by the hawker.”.

19. 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” and “White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20 (1st killing)”;

(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”.”.

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

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

21. 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”.

22. Section 15 is amended

(1) by replacing “areas 26 and 27 south” in the second and third paragraphs by “Area 26 and part of Area 27, sector white-tailed deer” and “CXCIV” 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.”.

23. Section 15.1 is struck out.

24. 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 2,580 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 and no participant is in possession of a weapon; or

(7) to the hunting of wild turkey.”.

25. 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 and “or be part of the same group within the meaning of section 15 of the Regulation respecting hunting” at the end of that paragraph;

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

26. 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.”.

27. 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”;

(3) by replacing the fourth paragraph by the following:

“A hunter who has killed a wild turkey shall, upon registration, show the entire animal, whether eviscerated or not, and a hunter who has killed a black bear shall show the animal’s carcass or pelt.”.

28. 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.”.

29. 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”.

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

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

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

Gouvernement du Québec

O.C. 333-2008, 9 April 2008

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

Scale of fees and duties related to the development of wildlife

— Amendments

Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife

WHEREAS, under paragraph 1 of section 121 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government may, by regulation, in respect of a wildlife sanctuary, fix the amount of the fees exigible for hunting;

WHEREAS, under paragraph 10 of section 162 of the Act, the Government may make regulations determining the cost of issuing or replacing a licence;

WHEREAS, under paragraph 10.1 of section 162 of the Act, the Government may make regulations fixing the amount of the contribution toward the funding of the Fondation de la faune du Québec for the conservation and development of wildlife and its habitat;

WHEREAS, under paragraph 16 of section 162 of the Act, the Government may make regulations prescribing, among other things, norms respecting the registration of animals and fixing the fees exigible for the registration;

WHEREAS the Government made the Regulation respecting the scale of fees and duties related to the development of wildlife by Order in Council 1291-91 dated 18 September 1991;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife was published in Part 2 of the *Gazette officielle du Québec* of 14 November 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS comments have been submitted in respect of the draft Regulation;