

## Regulations and other acts

Gouvernement du Québec

**O.C. 773-2008**, 23 July 2008

An Act to protect persons with regard to activities involving firearms and amending the Act respecting safety in sports  
(2007, c. 30)

### Exclusion of certain premises and certain means of transportation and exemption of certain persons

Regulation respecting the exclusion of certain premises and certain means of transportation and respecting the exemption of certain persons

WHEREAS sections 1 and 3 of the Act to protect persons with regard to activities involving firearms and amending the Act respecting safety in sports (S.Q., 2007, c. 30) provide that the Government may, by regulation, in the cases and under the conditions determined by the Government, exempt from the application of the Act certain premises of the designated institutions, certain means of public transportation and certain persons by reason of the responsibilities they assume or the activities they exercise ;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the exclusion of certain premises and certain means of transportation and respecting the exemption of certain persons was published in Part 2 of the *Gazette officielle du Québec* of 14 May 2008 with a notice that it could be made by the Government on the expiry of 45 days following that publication and that any person could submit comments before the expiry of the 45-day period ;

WHEREAS the 45-day period has expired ;

WHEREAS it is expedient to make the Regulation attached to this Order in Council, with amendments that take into account the comments received following its publication in the *Gazette officielle du Québec* ;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security :

THAT the Regulation respecting the exclusion of certain premises and certain means of transportation and respecting the exemption of certain persons, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### Regulation respecting the exclusion of certain premises and certain means of transportation and respecting the exemption of certain persons

An Act to protect persons with regard to activities involving firearms and amending the Act respecting safety in sports  
(2007, c. 30, ss. 1 and 3)

#### DIVISION I HOME CHILDCARE

**1.** A residence in which home childcare is provided and in which a firearm, within the meaning of the Firearms Act (Statutes of Canada, 1995, c. 39) and its regulations, is kept is excluded from the application of section 2 of the Act to protect persons with regard to activities involving firearms and amending the Act respecting safety in sports (2007, c. 30) in respect of the person responsible for the childcare, whether the person is recognized or not as a home childcare provider under the Educational Childcare Act (R.S.Q., c. S-4.1.1), and the persons living in the residence, provided that,

(1) in the case of the person recognized as a childcare provider, the person complies with the provisions of the regulation made under that Act ; and

(2) in the case of a person who is not recognized under that Act,

(a) the person gives a written notice to the parents to whom the childcare is offered that a firearm is kept in the residence in which the childcare is provided ;

(b) the person sends a copy of the notice to the Minister of Public Security or the person designated by the Minister, along with a copy of the registration certificate for the firearm. The copy of the notice must be signed by the parents to attest that they have been made aware of it ; and

(c) the firearm is stored out of sight and reach of the children.

**2.** The residence where home childcare is provided is also excluded from the application of section 2 of the Act, in respect of guests who are staying in the residence temporarily, when such accommodation is necessary to allow the guests to get to the premises where the sport activities involving the use of firearms are to be carried on. The exclusion is valid only to the extent that the person responsible for the childcare ensures that the firearms are stored out of sight and reach of the children.

## **DIVISION II** TRAINING PROVIDED BY INSTITUTIONS DESIGNATED IN SECTION 1 OF THE ACT

**3.** Instructors who provide training involving the handling of firearms and students who receive such training are exempt from the application of section 2 of the Act if, for the training, they use certain premises of the institutions designated in section 1 of the Act, insofar as the institutions hold a business licence issued under the Firearms Act.

**4.** The premises of the institutions referred to in section 3 used for the storage of firearms belonging to the institution or brought to the institution by the instructor or the enrolled students are also excluded from the application of section 2 of the Act.

**5.** Firearms transported to or from the training premises of an institution referred to in section 3 or transported to the storage location must be unloaded, be rendered inoperable by means of a secure locking device or by the removal of the bolt or bolt-carrier, and be placed in a securely locked opaque container designed in a manner that it cannot readily be broken open or into.

Ammunition must be placed in a separate container.

**6.** The institutions referred to in section 3 must issue a photo identification card to the students attesting to their enrolment in the training program and specifying their student number and the duration of the training program. They must also issue such a card to the instructor who provides the training.

The instructors and the students must carry the card on them and may move about the premises of the institution with firearms only to access and leave the training premises or to access the storage location.

## **DIVISION III** TRAINING PROVIDED BY SÉCURITÉ NATURE AND THE FÉDÉRATION QUÉBÉCOISE DE TIR

**7.** Instructors certified by Sécurité nature and the Fédération québécoise de tir who provide training in the safe handling of firearms on premises reserved for that purpose at institutions designated in section 1 of the Act and students attending such training are exempt from the application of section 2 of the Act, for the duration of the training only.

Firearms used during the training must be deactivated and real ammunition may not be used.

**8.** Instructors certified by Sécurité nature and the Fédération québécoise de tir are also exempt from the application of section 2 of the Act in respect of the use of buses, shuttles, trains, aircraft or ferry boats if no other means of transportation can be used to get to the premises where training in the safe handling of firearms is provided, whether the premises are those of a designated institution or not.

Firearms transported to or from the training premises must be placed in a securely locked opaque container designed in a manner that it cannot readily be broken open or into.

## **DIVISION IV** FOREST PREMISES AT THE DISPOSAL OF AN INSTITUTION DESIGNATED IN SECTION 1 OF THE ACT

**9.** Forest premises at the disposal of an institution designated in section 1 of the Act and where hunting or trapping is permitted are excluded from the application of section 2 of the Act during hunting and trapping seasons for the sole purposes of those activities.

## **DIVISION V** BIATHLON ACTIVITIES

**10.** Instructors certified by the Association des clubs de biathlon du Québec who hold biathlon activities and athletes who participate in those activities are exempt from the application of section 2 of the Act if, for those activities, they use certain premises of the institutions designated in section 1 of the Act, for the duration of those activities only.

Any person who assists the instructors in the course of those activities benefits from the same exemption.

## DIVISION VI STORAGE LOCATIONS AND SHOOTING RANGE

**11.** The premises of a designated institution that holds a business licence, other than the institutions referred to in section 3, are excluded from the application of section 2 of the Act if they are used solely for the storage of firearms.

Persons authorized to access such locations are exempt from the application of that provision.

**12.** The premises of an institution designated in section 1 of the Act used to store firearms used by cadet organizations under the control and supervision of the Canadian Forces are excluded from the application of section 2 of the Act.

Projectiles must be stored in premises other than the institution's premises.

**13.** The premises of the shooting ranges at École Saint-Dominique-Savio in Chapais and Cité étudiante Polyno in La Sarre are excluded from the application of section 2 of the Act if they are used solely at times when the students who normally attend the school are not present.

Persons who use the shooting range are exempt from the application of that provision.

## DIVISION VII USE OF CERTAIN MEANS OF PUBLIC TRANSPORTATION

**14.** Holders of a licence authorizing the possession of firearms issued under the Firearms Act are exempt from the application of section 2 of the Act, in respect of the use of buses, shuttles, trains, aircraft and ferry boats, to carry on any activity permitted by the law and, without restricting the generality of the foregoing, to participate in hunting or trapping activities, a target shooting practice or competition or a gun show, to acquire or transfer a firearm, or to see to the repair or maintenance of a firearm.

That exemption applies only to the extent that the licence holders must use one of those means of transportation on account of their personal situation or the activity in which they want to participate.

**15.** Firearms transported in that manner must be unloaded, be rendered inoperable by means of a secure locking device or by the removal of the bolt or bolt-carrier, and be placed in a securely locked opaque container designed in a manner that it cannot readily be broken open or into.

Ammunition must be placed in a separate container.

## DIVISION VIII USE OF CHARTERED MEANS OF TRANSPORTATION

**16.** Holders of a licence authorizing the possession of firearms issued under the Firearms Act are exempt from the application of section 2 of the Act, in respect of the use of chartered transportation, if that means of transportation is reserved exclusively for a group, to carry on any activity permitted by the law, in particular to participate in hunting or trapping activities or a target shooting practice or competition.

**17.** Firearms transported in that manner must be unloaded, be rendered inoperable by means of a secure locking device or by the removal of the bolt or bolt-carrier, and be placed in a securely locked opaque container designed in a manner that it cannot readily be broken open or into.

Ammunition must be placed in a separate container.

## DIVISION IX COMING INTO FORCE

**18.** This Regulation comes into force on 1 September 2008. However, if a firearm is kept on that date in a residence in which home childcare is provided by a person referred to in paragraph 2 of section 1, that person has until 30 November 2008 to comply with the conditions prescribed by that paragraph.

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Gouvernement du Québec

### **O.C. 774-2008, 23 July 2008**

An Act respecting safety in sports  
(R.S.Q., c. S-3.1)

#### **Licences to operate target shooting clubs and ranges**

Regulation respecting licences to operate target shooting clubs and ranges

WHEREAS section 46.25 of the Act respecting safety in sports (R.S.Q., c. S-3.1), enacted by section 14 of chapter 30 of the Statutes of 2007, provides that the Government may, by regulation, determine the conditions to be met for the issue of a shooting club licence, covering the shooting ranges that the club is authorized to operate, or of a shooting range licence;