

M.O., 2010**Order number AM 2010-042 of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife dated 30 September 2010**

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

CONCERNING the Regulation to amend the Regulation respecting hunting

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE AND THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE,

CONSIDERING sections 56 and 163 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), which provide that the Minister may make regulations on the matters mentioned therein;

CONSIDERING the first paragraph of section 164 of the Act, which provides that a regulation made under section 56 or under subparagraphs 1 and 12 of the first paragraph of section 163 of the Act is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the making of the Regulation respecting hunting (R.R.Q., c. C-61.1, r. 12);

CONSIDERING that it is expedient to amend certain provisions of the Regulation;

ORDER AS FOLLOWS:

The Regulation to amend the Regulation respecting hunting, attached hereto, is hereby made.

Québec, 30 September 2010

SERGE SIMARD, NATHALIE NORMANDEAU,
Minister for Natural Resources and Wildlife *Minister of Natural Resources and Wildlife*

Regulation to amend the Regulation respecting hunting

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, ss. 56 and 163, 1st par., subpars. 1, 3 and 12)

1. The Regulation respecting hunting (R.R.Q., c. C-61.1, r. 12) is amended in section 2 by replacing paragraph 1 by the following:

“(1) “small game” means the following animals: quail (*Coturnix coturnix*), red-winged blackbird (*Agelaius phoeniceus*), northern bobwhite (*Colinus virginianus*), American crow (*Corvus brachyrhynchos*), coyote (*Canis latrans*), European starling (*Sturnus vulgaris*), pheasant (*Phasianus sp.*), black francolin (*Francolinus francolinus*), ruffed grouse (*Bonasa umbellus*), rock ptarmigan (*Lagopus mutus*), willow ptarmigan (*Lagopus lagopus*), Eastern cottontail rabbit (*Sylvilagus floridanus*), Arctic hare (*Lepus arcticus*), snowshoe hare (*Lepus americanus*), wolf (*Canis lupus*), woodchuck (*Marmota monax*), house sparrow (*Passer domesticus*), rock partridge (*Alectoris graeca*), chukar partridge (*Alectoris chukar*), gray partridge (*Perdix perdix*), red-legged partridge (*Alectoris rufa*), rock dove (*Columba livia*), guinea fowl (*Numida meleagris*), common grackle (*Quiscalus quiscula*), raccoon (*Procyon lotor*), red, cross or silver fox (*Vulpes vulpes*), sharp-tailed grouse (*Tympanuchus phasianellus*), spruce grouse (*Dendragapus canadensis*), brown-headed cowbird (*Molothrus ater*) and migratory game birds under the Migratory Birds Convention Act, 1994 (S.C. 1994, c. 22).”.

2. The following is added after section 3:

“**3.1.** To obtain a hunter’s or trapper’s certificate, a person must

- (1) be a resident;
- (2) be 12 years of age or more;
- (3) provide his or her name, address and date of birth;
- (4) take the course on the handling of the weapon in respect of which the certificate is applied for or on the trapping and management of fur-bearing animals; and
- (5) pass the examination corresponding to the course taken and hold an attestation to that effect.”.

3. The following is added after section 7:

“7.1. To obtain a resident’s hunting licence, a resident must hold a hunter’s or trapper’s certificate; the certificate is not required for the “Northern leopard frog, Green frog, Bullfrog”, “Snaring of hare or Eastern cottontail rabbit” and “Small game using a bird of prey” hunting licences. The resident must also provide his or her name, address and date of birth, as well as the number of the hunter’s or trapper’s certificate when it is required.

In addition, to obtain the following hunting licences, the resident must have been selected by random draw:

(1) “Caribou, valid for the part of Area 22 shown on the plan in Schedule XII”;

(2) “White-tailed deer, female or male with antlers less than 7 cm, all areas except Area 20”;

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

(3) “Moose, female more than 1 year old”.

7.2. In addition to the conditions set out in the first paragraph of section 7.1, 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 7.3.

7.3. Despite section 7.1, a resident 12 years of age or older who does not hold a hunter’s or trapper’s certificate may obtain, only once in that person’s lifetime and in the same year, any category of resident’s hunting licence provided for in Schedule I provided that the resident never held a hunter’s or trapper’s certificate bearing code “A”, “B” or “F”.

The resident cannot hunt unless accompanied by another resident holding a hunter’s or trapper’s certificate appropriate to the hunting implement used and, in the case of wild turkey hunting, holding the attestation referred to in section 7.2. The other resident must be at least 25 years of age and may accompany only one resident at a time.

7.4. To obtain a non-resident’s hunting licence, a person must be 12 years of age or older and provide his or her name, address and date of birth.

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

4. The following is added after section 8:

“8.1. The holder of a resident’s or non-resident’s hunting licence must enter his or her name, address and date of birth on the back of the licence when any of those particulars does not appear on the front or is inaccurate.”.

5. Section 9 is amended by replacing “6.1 of the Regulation respecting hunting activities (c. C-61.1, r. 1)” in subparagraph 2 of the third paragraph by “9.1”.

6. The following is added after section 9:

“9.1. Where the area number entered on a “Moose, all areas” hunting licence is wrong, the holder of the licence may obtain a “Moose, correction of 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, correction of 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 13.1, 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, correction of area” hunting licence is applied for.

To obtain a “Moose, correction of area” licence, the holder of a “Moose, all areas” licence must not have used it to participate in a hunting activity in a place mentioned in the third paragraph of section 13.3.

In addition, for the purposes of the first paragraph, where 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. Section 11 is amended by replacing “shall be valid for 1 year from 1 April” in the third paragraph by “is annual and valid from the date of its issue”.

8. Section 13 is amended by adding the following paragraph:

“The number of “Caribou, valid for the part of Area 22 shown on the plan in Schedule XVII” hunting licences that an outfitter is authorized to issue is limited per year to the number shown in Schedule II.1.”.

9. The following is added after section 13:

§3. Conditions for holding a hunting licence

13.1. The holder of a hunting licence may hunt only the animal or group of animals specified on the licence and, in the case of caribou, white-tailed deer or moose, only in the area or part of that area specified on the licence.

However, the holder of a non-resident “Caribou, valid for Area 23 (winter)” licence cannot hunt in the southern part of Area 23, shown on the plan in Schedule XVIII.

The holder of a “Moose, all areas” 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 have been granted to an outfitting operation, or in the territories whose plans are shown in Schedules CXLVII, CXLVIII and CLXXXIX.

In addition, where a hunter’s or trapper’s certificate is required to obtain a hunting licence, the holder of that licence may hunt only with the hunting weapon corresponding to the code specified on the certificate and defined in section 5.

13.2. The holder of a resident’s “Moose, all areas” hunting licence who hunts with a type 13 implement may use the licence only if the date of issue of the licence is prior to the opening date of the hunting season with that implement, in the area in question.

In addition, in the southern part of Area 19 and in Areas 22 and 27, the licence holder may use his or her licence only if the date of issue of that licence is prior to the opening date of the latest hunting season with a type 13 implement provided for those areas.

However, a licence issued after the date prescribed in the first paragraph may be used where, pursuant to section 12, it replaces a licence issued prior to that date or where the holder participates 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 have been granted to an outfitting operation or in the territories described in Schedules CXLVII, CXLVIII and CLXXXIX; this also applies to the area in question provided that the holder has already hunted in one of those territories.

13.3. Subject to section 7.3, the holder of a resident’s “wild turkey” hunting licence must, to hunt wild turkey, hold and carry the attestation referred to in section 7.2.

13.4. The holder of a “Moose, all areas” hunting licence who has obtained a “Moose, correction of area” hunting licence may no longer hunt in the area specified on the initial licence, and must carry both licences when hunting.

13.5. Subject to the second paragraph of section 7.2.0.1 of the Regulation respecting hunting activities (c. C-61.1, r. 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 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.

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 hawk’s licence referred to in section 75 of the Regulation respecting animals in captivity (c. C-61.1, r. 5) or the hawk’s licence referred to in section 80 of that Regulation or be accompanied by a holder of the latter licence.

13.6. A resident may, during a year, hold only the following hunting licences:

(1) “Caribou, valid for the part of Area 22 shown on the plan in Schedule XII”;

(2) “Caribou, valid for Area 23 (winter)” and “Caribou, valid for the part of Area 22 shown on the plan in Schedule XVII”;

(3) “Caribou, valid for Area 23 (fall)” or “Caribou, valid for Area 24”;

(4) “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)”;

(5) “White-tailed deer, in Area 20” and “White-tailed deer, female or male, with antlers that measure less than 7 cm, in Area 20”; and

(6) a hunting licence of each of the following types:

(a) “Northern leopard frog, Green frog, Bullfrog”;

(b) “Snaring of hare or Eastern cottontail rabbit”;

(c) “Moose, all areas”;

(d) “Moose, female, more than 1 year old”;

(e) “Moose, correction of area”;

(f) “Black bear”;

(g) “Small game”;

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

(i) “Wild turkey”.

For the purposes of this section, the licences replaced in accordance with section 12 are not considered.

13.7. A non-resident may, during a year, hold only the following hunting licences:

(1) “Caribou, valid for Area 23 (fall)”, “Caribou valid for Area 23 (winter), except for the southern part shown on the plan in Schedule XVIII” and “Caribou, valid for the part of Area 22 shown on the plan in Schedule XVII”;

(2) “White-tailed deer, in Area 20” and “White-tailed deer, female or male, with antlers less than 7 cm, in Area 20”; and

(3) a hunting licence of each of the following types:

(a) “White-tailed deer, elsewhere than in Area 20”;

(b) “Moose, all areas”;

(c) “Moose, correction of area”;

(d) “Black bear”;

(e) “Small game”; and

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

For the purposes of this section, the licences replaced under section 12 are not considered.

13.8. The holder of a non-resident’s “Small game” hunting licence, the holder’s spouse or a person covered by section 7.1 or 7.2 of the Regulation respecting hunting activities using that licence may not hunt hare or Eastern cottontail rabbit using snares.

§4. Obligations of the holder of a hunting licence

13.9. The holder of a hunting licence for non-residents must use the services of an outfitting operation when hunting north of the 52nd parallel or in the southern part of Area 19, east of rivière Saint-Augustin.

When hunting black bear or woodcock south of the 52nd parallel, the licence holder must use at least 2 services of an outfitting operation, including lodging, except in a wildlife sanctuary and in a controlled zone; in addition, where the licence holder hunts black bear in the territory of an outfitting operation without exclusive rights in Area 13 or 16, except for the controlled territories governed by chapter IV of the Act respecting the conservation and development of wildlife, the licence holder must also hold a licence issued for that purpose by such an outfitter in one of those areas.

13.10. The holder of a “Caribou, valid for the part of Area 22 the plan of which appears in Schedule XVII” hunting licence or of a “Caribou, valid for Area 23 (fall)” or a “Caribou, valid for Area 23 (winter)” hunting licence must use the services of an outfitter to hunt caribou in those areas, unless the licence holder is a resident of the Northeastern Québec region as described in Schedule 5 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1) and is hunting in the western sector of that region.

The holder of a “Caribou, valid for the part of Area 22 the plan of which appears in Schedule XII” licence, who obtained the licence from the holder of a licence of that category selected by random draw, referred to in section 2 of Schedule II, may hunt using that licence provided the licence holder selected by random draw or a person referred to in section 7.2 of the Regulation respecting hunting activities is present in that part of the area during the hunt.”.

10. Section 34.2 is replaced by the following:

“**34.2.** Every person who contravenes any of sections 7.1 to 7.4, 8, 8.1, 9.1, 11 to 30 and 32 to 34.1 commits an offence.”.

11. The Regulation is amended by inserting the appended Schedule II.1.

12. Schedule III is amended

(1) by replacing “27” in column IV “Hunting season” of subparagraph *a* of paragraph 3 of section 6 by “20”;

(2) by replacing “10” in column IV “Hunting season” of subparagraph *b* of paragraph 3 of section 6 by “17”.

13. Schedule IV is amended

(1) by replacing the hunting season indicated in section 2 for type of implement 11, for the “Dumoine”, “Maganasipi” and “Restigo” Zecs, by “from the Saturday on or closest to 18 September to the Sunday on or closest to 3 October”;

(2) by replacing the hunting season indicated in section 2.1 for type of implement 9, for the “Dumoine”, “Maganasipi” and “Restigo” Zecs, by “from the Monday on or closest to 18 October to the Sunday on or closest to 24 October”.

14. Section 8 of this Regulation and Schedule II.1 introduced by section 11 of this Regulation cease to apply as of 1 April 2012.

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

SCHEDULE II.1
NUMBER OF HUNTING LICENCES PER
OUTFITTING OPERATION
(s. 13)

1. Number of Caribou hunting licences

i. Caribou hunting licence valid for the part of Area 22 shown on the plan in Schedule XVII (from 15 November to 15 December)

Reference number of the outfitting operation	Number of licences
10-526	1,280
10-536	240
10-537	240
10-605	800
10-609	1,280
10-611	168

ii. Caribou hunting licence valid for the part of Area 22 shown on the plan in Schedule XVII (from 16 December to 15 February)

Reference number of the outfitting operation	Number of licences
10-526	2,560
10-536	480
10-537	480
10-605	1,600
10-609	2,560
10-611	336
1068	

M.O., 2010

Order number AM 2010-043 of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife dated 30 September 2010

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

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

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE AND THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE,

CONSIDERING subparagraph 4 of the first paragraph of section 163 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), which provides that the Minister may make regulations on the matters set forth therein, in particular, setting the fees payable for the licences;

CONSIDERING the making of the Regulation respecting the scale of fees and duties related to the development of wildlife (R.R.Q., c. C-61.1, r. 32);

CONSIDERING that, 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