

SCHEDULE II

(s. 23)

UNDERTAKING BY THE AUTHORIZED REPRESENTATIVE AND OBSERVERS OF AN ASSOCIATION

I, the undersigned, acting as

(Indicate the position of observer or authorized representative)

for

(Indicate the association concerned)

for the poll held pursuant to section 32 of the Act respecting labour relations, vocational training and workforce management in the construction industry (R.S.Q., c. R-20) for the year

(Indicate the year of the poll)

declare that:

❶ I will fulfil in good faith the duties assigned to me under the Act respecting labour relations, vocational training and workforce management in the construction industry and the Regulation respecting the election of a representative association by employees of the construction industry without fear of or favour towards anyone;

❷ I will not reveal, unless expressly authorized, anything that may come to my knowledge in the performance of my duties.

(Signature of the person)_____
(Name in block letters)_____
(Date)

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M.O., 2011**Order number AM 2011-045 of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife**An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Regulation to amend the Regulation respecting the classes of aquaculture licences

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

CONSIDERING 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;

CONSIDERING the first paragraph of section 164 of the Act which provides that a regulation made under subparagraphs 1 to 3 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 the classes of aquaculture licences (R.R.Q., c. C-61.1, r. 9);

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

ORDER AS FOLLOWS:

The Regulation to amend the Regulation respecting the classes of aquaculture licences, attached hereto, is hereby made.

Québec, 29 November 2011

SERGE SIMARD,
*Minister for Natural
Resources and Wildlife*CLÉMENT GIGNAC,
*Minister of Natural
Resources and Wildlife*

Regulation to amend the Regulation respecting the classes of aquaculture licences

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 163, 1st par., subpars. 1, 2, 3 and 12)

1. The Regulation respecting the classes of aquaculture licences (c. C-61.1, r. 9) is amended by replacing the words “licence to transport and stock” wherever they appear by “licence to stock”.

2. Section 2 is struck out.

3. Section 3 is replaced by the following:

“**3.** A person seeking a licence to operate a breeding pond must submit an application to the Minister of Natural Resources and Wildlife indicating

(1) the person’s name and address;

(2) the species of fish the person intends to breed;
and

(3) the location of the breeding ponds and a description of the facilities.

A licence to operate a breeding pond indicates the information required under the first paragraph and the term and the date of issue of the licence.”.

4. The following section is added after section 3:

“**3.1.** The holder of a licence to operate a breeding pond may not keep fish in captivity, incubate roe or breed fish for any purpose other than stocking; the activities authorized by the licence may not be carried out for commercial purposes.

The holder of a licence to operate a breeding pond may breed only the species of fish indicated in the licence, in the facilities and at the location indicated in the licence.”.

5. Section 4 is replaced by the following:

“**4.** A person seeking a licence to operate a fish-tank for baitfish must submit an application to the Minister indicating

(1) the person’s name and address; and

(2) the location of the fish-tanks for baitfish and a description of the facilities.

A licence to operate a fish-tank for baitfish indicates the information required under the first paragraph and the term and the date of issue of the licence.”.

6. The following sections are added after section 4:

“**4.1.** A licence to operate a fish-tank for baitfish authorizes a person to keep baitfish in captivity for commercial purposes. The holder of the licence must operate the fish-tank for baitfish at the location indicated in the licence.

4.2. A licence to operate a breeding pond or a licence to operate a fish-tank for baitfish is renewed if the holder of the licence submits an application to the Minister, accompanied by the report on operations for the year preceding the year for which renewal is sought, and pays the fees prescribed under the Regulation respecting the scale of fees and duties related to the development of wildlife (c. C-61.1, r. 32).

The report on operations must contain the following information according to the class of the licence:

(1) for a licence to operate a breeding pond:

(a) the holder’s name and address; and

(b) the purchases and annual production for each fish species and age category;

(2) for a licence to operate a fish-tank for baitfish:

(a) the holder’s name and address; and

(b) the catches, purchases, sales and end-of-year inventories for all fish.

4.3. The holder of a licence to operate a breeding pond or a fish-tank for baitfish must post the licence or a copy of the licence in such a way that it can be read at all times from the entrance to each of the premises.”.

7. Section 5 is replaced by the following:

“**5.** A person seeking a roe and milt extraction and transportation licence must submit an application to the Minister indicating

(1) the person’s name and address;

(2) the species of fish, their sex and size and the maximum number of each species from which roe and milt is to be extracted; and

(3) the place of origin and destination of the fish.

The person must also hold a licence for scientific, educational or management purposes issued under section 19 of the Quebec Fishery Regulations, 1990 (SOR/90-214) which authorizes the person to fish for the fish referred to in subparagraph 2 of the first paragraph.

The roe and milt extraction and transportation licence indicates the information required under the first paragraph and the date of issue and expiry of the licence.”.

8. The following sections are added after section 5:

“**5.1.** The holder of a roe and milt extraction and transportation licence may extract roe and milt only from the species of fish of the sex and size indicated in the licence, and only up to the maximum number indicated in the licence. In addition, the holder may transport the fish only from the place of origin to the destination indicated in the licence.

5.2. The roe and milt extraction and transportation licence must be carried by its holder.”.

9. Section 6 is amended by inserting the following before the first paragraph:

“A person seeking a stocking licence or a transportation licence must submit an application to the Minister indicating

- (1) the person’s name and address;
- (2) the species, number and size of the fish to be transported or stocked;
- (3) the place of origin and destination of the fish; and
- (4) the dates of transport or stocking.

In addition, the person seeking a stocking licence must submit to the Minister an inventory report made by a holder of a college diploma or university degree in a field related to biological sciences attesting to the presence of the species in the body of water to be stocked if the species is one of the species or classes of fish listed in Schedule I to the Regulation respecting aquaculture and the sale of fish whose presence in the body of water is a condition for stocking, except for the species referred to in section 14 of the Regulation respecting aquaculture and the sale of fish. The inventory report is made at the applicant’s expense.

The information required under subparagraphs 2 to 4 of the first paragraph constitutes obligations with which the holder of the licence must comply.

A stocking licence or a transportation licence indicates the information required under the first paragraph and the date of issue and expiry of the licence.”.

10. The following sections are added after section 6:

“**6.1.** The holder of a transportation licence or a stocking licence or the person who acts on behalf of the licence holder may transport or stock only the species, number and size of fish indicated in the licence; the holder must also transport the fish from the place of origin to the destination indicated in the licence and, where applicable, stock the fish at the destination indicated in the licence.

6.2. A licence to stock and a licence to transport may be issued by facsimile machine, in which case the facsimile serves as the licence.

6.3. The holder of a transportation licence or a stocking licence must carry the licence throughout the duration of the transport or stocking. The person who acts on behalf of the holder of one of those licences must carry a copy of the licence.

The holder of a transportation licence or a stocking licence must return a copy of the licence on its expiry, indicating whether the activity for which the licence was sought was carried out.”.

11. The following is added after section 9:

“**10.** The contravention of any of the provisions of sections 4.1, 4.3, 5.1, 5.2, the third paragraph of section 6, sections 6.1, 6.2 and 6.3 constitutes an offence.”.

TRANSITIONAL AND FINAL

12. Every holder of a licence to transport and stock becomes, as of the date of coming into force of this Regulation, a holder of a stocking licence until it is renewed, in accordance with this Regulation.

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

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