

Draft Regulation

Animal Health Protection Act
(chapter P-42)

Safety and welfare of cats and dogs

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the regulation respecting the safety and welfare of cats and dogs, appearing below, may be made by the Government on the expiry of 45 days from the date of this publication.

The draft Regulation determines categories of permits, establishes conditions and restrictions for each category and determines the conditions for the issue and renewal of permits.

Study of the matter shows an overall economic impact on enterprises estimated at \$5,882,642 over 15 years, with a discount rate of 7% for recurrent costs.

Further information may be obtained by contacting Dr. Sébastien Simard, Direction de la santé animale, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 11^e étage, Québec (Québec) G1R 4X6, telephone: 418 380-2100, fax: 418 380-2169.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Madeleine Fortin, Associate Deputy Minister, Direction générale de la santé animale et de l'inspection des aliments, 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6.

FRANÇOIS GENDRON,
Minister of Agriculture, Fisheries and Food

Regulation to amend the Regulation respecting the safety and welfare of cats and dogs

Animal Health Protection Act
(chapter P-42, ss. 55.9.14.1 and 55.9.14.2)

1. The Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1) is amended by inserting the following after Chapter I:

“CHAPTER I.1 PERMITS

DIVISION I CLASSES OF PERMIT

§1. *Permit as the owner or custodian of 15 to 49 cats or dogs*

1.1. The owner or custodian of 15 to 49 cats or dogs must hold a permit issued for that purpose by the Minister.

§2. *Permit as the owner or custodian of 50 or more cats or dogs*

1.2. The owner or custodian of 50 or more cats or dogs must hold a permit issued for that purpose by the Minister.

DIVISION II ISSUE AND RENEWAL OF PERMITS

1.3. An application for the issue of a permit must be made in writing and contain the following information:

(1) the name, address and contact information of the applicant and, in the case of a legal person, partnership, association or organization, those of its representative;

(2) the business number assigned to the applicant pursuant to the Act respecting the legal publicity of enterprises (chapter P-44.1);

(3) the address of each place of custody and a description of the activities carried on there;

(4) a scale plan of each place of custody, its outbuildings and the land on which it is located. The plan must

(a) describe in detail the use of each building and outbuilding;

(b) indicate the floor and wall dimensions and specify the materials used to cover the floor and the lower portions of the walls with which an animal under the applicant's custody may come into contact; and

(c) describe the equipment used for restraint or confinement;

(5) the number of animals, by species and place of custody, of which the applicant is the owner or custodian, excluding any kittens or pups less than six months old born to a female kept on the same premises;

(6) the number of persons, by place of custody, assigned to care for the animals;

(7) the signature of the applicant or the applicant's representative.

The application must also include a euthanasia protocol or expressly mention that euthanasia will be carried out only by a veterinary surgeon.

1.4. An application for the issue of a permit must include payment to the Minister of Finance and the Economy of the fees and costs for opening a file.

1.5. A permit is renewed if the permit holder

(1) applies for renewal to the Minister in writing at least 90 days before the date on which the permit expires;

(2) pays the fees payable to the Minister of Finance and the Economy; and

(3) attests that the information submitted to the Minister in the application for the issue of the permit is still accurate, or specifies any change affecting the information.

The application for renewal must be signed by the permit holder or the permit holder's representative.

1.6. A permit holder must inform the Minister in writing of any change affecting the information or documents submitted at the time of the application for the issue of the permit, within 15 days of the change.

DIVISION III **FEES AND COSTS PAYABLE**

1.7. The costs for opening a file are \$115 for each application for the issue of a permit.

1.8. The fees payable for the issue or renewal of a permit are

(1) \$225 for a permit provided for in section 55.9.4.1 of the Animal Health Protection Act (chapter P-42); the fee is reduced to \$100 if the applicant is listed as a charity by the Canada Revenue Agency;

(2) \$100 for a permit as the owner or custodian of 15 to 49 cats or dogs; and

(3) \$225 for a permit as the owner or custodian of 50 or more cats or dogs.

1.9. The fees and costs payable are adjusted on 1 April each year by the annual rate of change in the overall average Québec consumer price index without alcoholic beverages and tobacco products for the 12-month period ending on 30 September of the preceding year.

Adjusted amounts are rounded down to the nearest dollar if they include a dollar fraction that is less than \$0.50, or up to the nearest dollar if they include a dollar fraction that is equal to or greater than \$0.50. The application of this rounding rule may not operate to decrease a fee below its pre-adjustment level.

If an adjusted amount cannot be rounded up to the nearest dollar, the annual adjustments are deferred and accumulated until the fee payable includes a dollar fraction that is equal to or greater than \$0.50.

The Minister publishes the results of an adjustment made pursuant to this section in Part 1 of the *la Gazette officielle du Québec* and by any other means the Minister considers appropriate.

CHAPTER I.2 **OTHER EXEMPTIONS**

1.10. The following persons and establishments are exempted from the application of section 55.9.4.2 of the Animal Health Protection Act:

(1) a veterinary surgeon in the exercise of his or her profession;

(2) any person who, in a situation of situation of superior force, has temporary custody of animals;

(3) the operator of a transportation enterprise, for the duration of the transportation;

(4) an operator holding a Certificate of Good Animal Practice issued by the Canadian Council on Animal Care;

(5) a person having temporary custody of animals during an animal show or competition.”

2. Section 2 is amended

(1) by replacing “held by an establishment” in subparagraph 2 of the second paragraph by “where cats or dogs are taken in with a view to transferring them to a new place of custody, euthanizing them or having them euthanized by a third person”;

(2) by replacing the last paragraph by the following:

“Every owner or custodian of a cat or dog is bound by the requirements of sections 3, 4, 12, 22 to 27 and 43.”

3. The following is inserted after section 2:

“**2.1.** The owner or custodian of an animal is not required to comply with any provision of Chapter II whose application, as attested in the written opinion of a veterinary surgeon, is not recommended for the animal, given its state of health or when veterinary treatment is planned.

The opinion of the veterinary surgeon must

(1) be signed and dated and indicate the veterinary surgeon’s permit number;

(2) indicate the name and contact information of the animal’s owner or custodian;

(3) describe the animal in question so that it is recognizable by its owner or custodian or by an inspector;

(4) state the requirement from which the animal’s owner or custodian is temporarily exempted;

(5) state the period during which the owner or custodian is exempted from the requirement under subparagraph 4; and

(6) be kept by the animal’s owner or custodian during the period stated under subparagraph 5.

2.2. A veterinary surgeon is not required to comply with any provision of Chapter II whose application is not recommended for the animal, given its state of health or when veterinary treatment is planned.”

4. Section 11 is replaced by the following:

“**11.** The requirements of sections 6 and 7 do not apply in the case of a dwelling house.”

5. Section 16 is amended by replacing the first paragraph by the following:

“When an animal is kept in a cage or enclosure, the floor must be in good condition and comply with the following requirements:”

6. Section 18 is amended by striking out “intended for animals to exercise” in the first paragraph.

7. Section 19 is replaced by the following:

“**19.** The requirements of section 18 do not apply in the case of a municipal park intended for animals.”

8. Section 32 is replaced by the following:

“**32.** The owner or custodian of an animal must prepare, keep up to date and implement a cleaning, disinfecting and vermin control protocol for the building where the animal is kept, its outbuildings, cages, enclosures or yards, including equipment and accessories. The protocol must indicate

(1) the frequency of cleaning and disinfecting;

(2) the order in which cleaning and disinfecting must be done;

(3) the cleaning products and disinfectants to be used as well as their concentration, surface contact time and rinsing method; and

(4) the vermin control procedure to be used.

The protocol must be kept on the premises where the animal is kept and made available to any person who cares for the animal.

This section does not apply to the owner or custodian of an animal kept in a dwelling house.”

9. Section 35 is replaced by the following:

“**35.** Animals with parasites or symptoms of disease must be separated from other animals.

Animals of unknown state of health must be quarantined.

Any person required to hold a permit pursuant to section 55.9.4.2 of the Animal Health Protection Act who keeps 15 or more animals in one location must ensure that the location is designed in a way that allows an animal with parasites or symptoms of disease to be separated, or quarantined when the animal is of unknown state of health.”

10. Section 38 is replaced by the following:

“**38.** The owner or custodian of an animal must draw up, update and implement an exercise protocol. The protocol must be kept on the premises where the animal is kept and made available to every person who cares for the animal.

This section does not apply to an animal that is kept at liberty in a dwelling house or in a grooming salon or veterinary establishment to receive care.”

11. Section 43 is replaced by the following:

“**43.** When an animal is euthanized, its owner or custodian must ensure that the circumstances and the method used are not cruel and cause the animal a minimum of anxiety and pain. The euthanasia method chosen must result in rapid and irreversible loss of consciousness, followed quickly by death.

The owner or custodian must also ensure that the absence of vital signs is determined immediately following euthanasia.”

12. Section 44 is replaced by the following:

“**44.** Animals must be euthanized in a place away from other animals.”

13. Division IV of Chapter II is replaced by the following:

“**DIVISION IV**
REGISTER

45. For each animal kept, the owner or custodian must record the following information in a register and keep it up to date:

(1) a description of the animal, including species, breed or crossbreed, colour, gender and date of birth or, if unknown, probable date of birth specifically indicated as probable;

(2) an indication whether the animal is identified by any permanent identifying mark, with a description of the mark;

(3) if the animal was not born with its current owner or custodian, the reason and date of its arrival, and the name and contact information of its previous owner or custodian, along with the permit number issued to the previous owner or custodian by the Minister pursuant to this Regulation;

(4) if the animal is female, the dates on which it gave birth and the number of kittens or puppies in each litter, whether live-born or still-born; and

(5) the date of the animal’s death, or of its final departure to a new owner or custodian and the name and contact information of the new owner or custodian in the case of

an owner or custodian referred to in section 2, along with the permit number issued to the previous owner or custodian by the Minister pursuant to this Regulation.

46. The register provided for in section 45 must be kept for two years after the date of the last entry.

47. The owner or custodian of an animal must record in the register, accurately and legibly, all of the information required to be kept in the register pursuant to section 45.

48. Grooming salons, animal board establishments, training schools and veterinary establishments are exempted from keeping the register provided for in section 45.”

14. Chapter III is replaced by the following:

“**CHAPTER III**
PROVISIONS APPLICABLE TO OPERATORS OF PREMISES WHERE CATS OR DOGS ARE TAKEN IN WITH A VIEW TO TRANSFERRING THEM TO A NEW PLACE OF CUSTODY, EUTHANIZING THEM OR HAVING THEM EUTHANIZED BY A THIRD PERSON

49. In addition to complying with the requirements of Chapter II, the operator of premises where cats or dogs are taken in with a view to transferring them to a new place of custody, euthanizing them or having them euthanized by a third person must comply with the requirements of this Chapter.

50. For the purposes of section 35, a building where cats or dogs are taken in with a view to transferring them to a new place of custody, euthanizing them or having them euthanized by a third person must include an isolation room and a quarantine room.

51. Cages and enclosures located in isolation and quarantine rooms must be designed and installed so as to reduce the risk of contamination to a minimum and avoid direct contact between animals.

52. Cages and enclosures located in isolation and quarantine rooms, including their equipment and accessories, must be disinfected prior to housing a new animal and must be disinfected daily during disease or parasite outbreaks.

53. Traffic between isolation and quarantine rooms and the other sections of the building must be limited, and all other reasonable means to prevent the spread of disease or parasites must be implemented.

53.1 Each operator must file a report on its operations for the preceding calendar year with the Minister no later than 31 January each year, setting out

(a) the number of animals that were taken in and the reason for their admission;

(b) the number of animals that were returned to their owners, and the number adopted or transferred to another location;

(c) out of the number of animals returned to their owners, adopted or transferred, the number that, while in the custody of the operator, were respectively vaccinated, dewormed or identified with a permanent mark, and the number of male and female animals sterilized;

(d) the number of animals that died, listed by probable cause;

(e) the number of animals that were euthanized and the reason for euthanasia;

(f) the number of animals that disappeared; and

(g) the minimum, maximum and average time during which animals were kept at the establishment.”

15. Chapters IV and V, comprising sections 54 to 56, are repealed.

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

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Draft Regulation

Individual and Family Assistance Act
(chapter A-13.1.1)

Individual and Family Assistance —Amendment

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 Individual and Family Assistance Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation introduces various measures that will benefit recipients of last resort financial assistance, for example by reducing administrative formalities and

by excluding certain amounts from the calculation of benefits. It also takes into consideration the impact of the coming into force of the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements (R.S.Q., c R-24.0.2).

The draft Regulation has no negative impact on enterprises and does not require major financial involvement from the Government.

Further information may be obtained by contacting Anne Paradis, Direction des politiques de prestations, Ministère de l'Emploi et de la Solidarité sociale, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1; telephone: 418 646-0425, extension 63289; fax: 418 644-1299; email: anne.paradis@mess.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Employment and Social Solidarity, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1.

AGNÈS MALTAIS,
Minister of Employment and Social Solidarity

Regulation to amend the Individual and Family Assistance Regulation

Individual and Family Assistance Act
(chapter A-13.1.1, s. 132, pars. 8, 10, 11 and 13)

1. The Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended in section 84 by inserting “or if the application is for funeral expenses” after “transportation by ambulance” in the second paragraph.

2. Section 101 is amended by replacing “the Minister receives a written declaration signed by the mother” by “the mother applies for the benefit”.

3. Section 110 is amended by replacing “or to the Public Curator” in the third paragraph by “, to the Public Curator or to a person authorized under the second paragraph of section 58 of that Act”.

4. Section 111 is amended

(1) by replacing paragraph 3 by the following:

“(3) sums received by a person as an intermediate resource or a family-type resource otherwise than as comparable remuneration pursuant to a group agreement entered into under the Act respecting the representation of