

## Regulations and other Acts

Gouvernement du Québec

### O.C. 1021-2013, 9 October 2013

Animal Health Protection Act  
(chapter P-42)

#### Safety and welfare of cats and dogs — Amendment

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

WHEREAS, under section 55.9.14.1 of the Animal Health Protection Act (chapter P-42), the Government may, by regulation, set standards to ensure the safety or welfare of animals;

WHEREAS, under paragraphs 2, 3, 5 and 8 to 10 of section 55.9.14.2 of the Act, the Government may, by regulation, determine the classes of permits referred to in section 55.9.4.1 or 55.9.4.2 and the conditions and restrictions attached to each, establish the conditions for their issue and renewal, the fees payable and the costs for opening a permit application file, and establish the standards applicable to the custody of cats or dogs;

WHEREAS the Government made the Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting the safety and welfare of cats and dogs was published in Part 2 of the *Gazette officielle du Québec* of 27 December 2012 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the Regulation to amend the Regulation respecting the safety and welfare of cats and dogs, attached to this Order in Council, be made.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

#### 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 and documents:

(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) for the permit provided for in section 55.9.4.1 of the Animal Health Protection Act (chapter P-42) and the permit as the owner or custodian of 50 or more cats or dogs, a scale plan of the 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 the animals may come into contact; and

(c) describe the equipment used for restraint or confinement, specifying the number of pieces of equipment;

(5) for the permit provided for in section 55.9.4.1 of the Animal Health Protection Act, an estimate of the maximum number of animals, by species, that may be housed in the place of custody;

(6) for all classes of permits as the owner or custodian of 15 or more animals, 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;

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

(8) 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 exclusively by a veterinary surgeon or under his or her immediate supervision.

**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 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 \$117 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; 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 1.2** **OTHER EXEMPTIONS**

**1.10.** The following 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 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 and 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 if he or she has a written opinion from a veterinary surgeon specifying that the application 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 provided for in 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 part preceding subparagraph 1 of 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 provided for in 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 has been sterilized;

(3) if the animal is identified by any permanent identifying mark, its identification code;

(4) 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;

(5) 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

(6) 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 the first or second paragraph of 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 provided for in 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 March each year, setting out

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

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

(3) 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;

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

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

(6) the number of animals taken in that disappeared; and

(7) 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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Gouvernement du Québec

**O.C. 1023-2013**, 9 October 2013

Parks Act  
(chapter P-9)

**Parc national du Mont-Saint-Bruno**  
— **Establishment**  
— **Amendment**

Regulation to amend the Regulation respecting the establishment of Parc national du Mont-Saint-Bruno

WHEREAS, under the first paragraph of section 4 of the Parks Act (chapter P-9), the Government may establish, abolish or change the boundaries of a park, if the Minister has previously:

(a) given notice of his or her intention to establish, abolish or change the boundaries of the park in the *Gazette officielle du Québec* and in one or two newspapers published in the region concerned, or, if no newspaper is published in that region, in one or two newspapers published in the closest neighbouring region;

(b) granted 60 days from the publication of such notice to enable interested persons to submit their objections to the Minister in writing;

(c) received in a public hearing the persons contemplated in paragraph b;

WHEREAS, in accordance with the procedure established in section 4 of the Act, a notice of the Minister's intent to change the boundaries of Parc national du Mont-Saint-Bruno was published in the *Gazette officielle du Québec* of 22 July 2000 and in two local newspapers on 30 July 2000;

WHEREAS, in accordance with the procedure established in the second paragraph of section 4 of the Act, a public hearing was held by a person designated by the Minister on 29 and 30 September 2000 in Saint-Bruno-de-Montarville;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting the establishment of Parc national du Mont-Saint-Bruno:

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks: