

Regulation to amend the Regulation respecting the awarding of contracts for certain professional services

Cities and Towns Act
(chapter C-19, s. 573.3.0.1)

Municipal Code of Québec
(chapter C-27.1, s. 938.0.1)

An Act respecting the Communauté métropolitaine de Montréal
(chapter C-37.01, s. 112.1)

An Act respecting the Communauté métropolitaine de Québec
(chapter C-37.02, s. 105.1)

An Act respecting public transit authorities
(chapter S-30.01, s. 100)

1. The Regulation respecting the awarding of contracts for certain professional services (C-19, r. 2) is amended in section 6 by replacing “Paragraphs 3” in the part preceding paragraph 1 by “Paragraphs 2.0.1, 3”.

2. Section 12 is amended by adding the following in the second paragraph:

“(3) that the municipal body may exclude from the selection of suppliers who may tender a supplier that, in the 2 years before the selection date, has received an unsatisfactory performance assessment that meets the conditions in paragraph 2.0.1 of section 573 of the Cities and Towns Act (chapter C-19).”

3. Section 19 is amended by adding the following after the last paragraph:

“A supplier that, in the 2 years preceding the selection date, has received an unsatisfactory performance assessment that meets the conditions in paragraph 2.0.1 of section 573 of the Cities and Towns Act (chapter C-19) may be excluded from the selection.”

4. Section 20 is amended by adding the following after the last paragraph:

“In addition, a new list may be established when the only supplier remaining on the list has received, in the 2 preceding years, an unsatisfactory performance assessment that meets the conditions in paragraph 2.0.1 of section 573 of the Cities and Towns Act (chapter C-19).”

5. Section 23.1 is amended by adding the following after the last paragraph:

“The municipal body reserves the right to reject any tender from an architect who, in the 2 years before the tender opening date, has received an unsatisfactory performance assessment that meets the conditions in paragraph 2.0.1 of section 573 of the Cities and Towns Act (chapter C-19).”

6. 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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Gouvernement du Québec

O.C. 1173-2013, 13 November 2013

An Act respecting the conservation and development of wildlife
(chapter C-61.1)

Animals in captivity —Amendment

Regulation to amend the Regulation respecting animals in captivity

WHEREAS, under section 42 of the Act respecting the conservation and development of wildlife (chapter C-61.1), to keep an animal in captivity or to capture it with a view to keeping it in captivity and, where such is the case, to dispose thereof, a person must hold a licence issued for such purpose and comply with the norms, number and conditions prescribed by regulation;

WHEREAS, under section 43 of the Act, a person may kill an animal or an animal of a class of animals kept in captivity provided that the person does so in accordance with the regulations;

WHEREAS, under paragraphs 7 and 22 of section 162 of the Act, the Government may make regulations on the matters set forth therein;

WHEREAS the Government made the Regulation respecting animals in captivity (chapter C-61.1, r. 5);

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 animals in captivity was published in Part 2 of the *Gazette officielle du Québec* of 22 May 2013 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 without amendment;

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

THAT the Regulation to amend the Regulation respecting animals in captivity, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting animals in captivity

An Act respecting the conservation and development of wildlife
(chapter C-61.1, ss. 42, 43 and 162, pars. 7 and 22)

1. The Regulation respecting animals in captivity (chapter C-61.1, r. 5) is amended by striking out section 2.1.

2. Sections 20 to 24 are revoked.

3. Section 25 is amended by replacing “by selling it, by giving it” in the first paragraph by “by selling or giving it”.

4. Sections 26 to 29 are struck out.

5. Section 31 is amended by replacing “by selling it, giving it” in the first paragraph by “by selling or giving it”.

6. Sections 32 to 35 are struck out.

7. Section 36 is replaced by the following:

“**36.** An animal may be kept in captivity for rehabilitation purposes for no more than 1 year; all necessary means must be taken to avoid the domestication of the animal.

Once an animal is rehabilitated, it must be set free in the wild if it is fit to survive there. If not, the animal may be killed or given to a wildlife protection officer; the wildlife protection officer may kill the animal or entrust it to any person entitled to keep it.”

8. Sections 37 and 38 are struck out.

9. Sections 40 and 41 are struck out.

10. Section 42 is amended by replacing “IV” in the first paragraph by “I to the Regulation respecting licences to keep animals in captivity (chapter C-61.1, r. 10)”.

11. Section 43 is amended by replacing IV” by “I to the Regulation respecting licences to keep animals in captivity”.

12. Sections 45 and 46 are struck out.

13. Section 47 is replaced by the following:

“**47.** Enclosures where white-tailed deer are kept must comply with the following requirements:

(1) existing enclosures must be surrounded by a fence at least 2.4 m high and the deer must have access to shade and shelter at all times; the fence must be stretched tight near the ground so that no cervidae may pass under it;

(2) new enclosures must be surrounded by a game fence at least 2.4 m high that has square meshes not larger than 15 cm between the vertical strands and at least 20 horizontal strands; the outside and inside lateral clearance of that perimeter fence must be at least 3 m from any obstacle that could reduce the minimum height of 2.4 m and the fence must be stretched tight near the ground so that no cervidae may pass under it; the distance between the posts of the fence may not exceed 8 m;

(3) the perimeter fence of any enclosure must have no trap or barrier to capture animals outside the enclosure; and

(4) the gates of the perimeter fence must be kept closed, even in the absence of deer.”

14. Section 48 is replaced by the following:

“**48.** The holder of a licence to keep white-tailed deer may keep in captivity, on 1 April of each year, at least 1 and no more than 5 white-tailed deer which must be marked by means of a tag, visible to the naked eye at a distance of at least 10 m from the animal.

Despite the foregoing, the licence holder may, until 31 March of each year, keep more than 5 white-tailed deer provided that the additional deer are the newborn of the deer referred to in the first paragraph; in that case, the licence holder is not required to mark them.”

15. Sections 50, 51 and 52 are struck out.

16. Section 53 is replaced by the following:

“**53.** Enclosures where the various species are kept must have an area of 10 ha each and be surrounded by a fence that complies with the following requirements:

(1) in the case of cervidae and buffalo, the enclosure must be surrounded by a game fence at least 2.4 m high that has square meshes not larger than 15 cm between the vertical strands and at least 20 horizontal strands; the outside and inside lateral clearance of that perimeter fence must be at least 3 m from any obstacle that could reduce the minimum height of 2.4 m and the fence must be stretched tight near the ground so that no cervidae or buffalo may pass under it; the distance between the posts of the fence may not exceed 8 m;

(2) in the case of peccaries and boars, an enclosure must be surrounded by a fence at least 1.8 m above ground level that is made of

(a) steel chain links of minimum 13 gauge, 1.24 m high including 30 cm in the ground; the 86 additional centimetres may be made of game fence; or

(b) steel chain links of minimum 13 gauge, from 92 cm to 1.24 m high; the 88 or 56 additional centimetres may be made of game fence; that enclosure must be fitted on the inside with an electric wire running between 15 and 45 cm above ground level situated 30 cm from the fence, and the minimum voltage in the wire must be 10 joules;

(3) the perimeter fence of the enclosures referred to in paragraphs 1 and 2 must have no trap or barrier to capture animals outside the enclosure; and

(4) the gates of the perimeter fence must be kept closed, even in the absence of animals.”

17. The following is inserted after section 53:

“**53.1.** The holder of a game ranch licence for various species may dispose of an animal kept in captivity by the holder by selling or giving it to a person entitled to keep it, or by killing it.”

18. Section 54 is amended by replacing “V” in the first paragraph by “II to the Regulation respecting licences to keep animals in captivity”.

19. Section 55 is struck out.

20. Section 56 is replaced by the following:

“**56.** The holder of a breeding and game ranch licence for white-tailed deer may keep in captivity at least 25 white-tailed deer that must be identified while they are alive. In the case of newborn deer, it must be identified before being moved to other premises, not later than 31 December following the date of birth.

Identification consists of

(1) a tag complying with the provisions of the Regulation respecting the identification and traceability of certain animals (chapter P-42, r. 7);

(2) a tattoo indicating the letters identifying the breeder, a unique sequential number and the letter corresponding to the year, provided by the Minister of Agriculture, Fisheries and Food or, as the case may be, the identification tattoo affixed to a white-tailed deer from outside Québec and approved by the body having jurisdiction in the deer’s place of origin.”

21. Section 57 is replaced by the following:

“**57.** Enclosures where white-tailed deer are kept must have an area of 10 ha each and be surrounded by a fence that complies with the following requirements:

(1) the enclosure must be surrounded by a game fence at least 2.4 m high that has square meshes not larger than 15 cm between the vertical strands and at least 20 horizontal strands; the outside and inside lateral clearance of that perimeter fence must be at least 3 m from any obstacle that could reduce the minimum height of 2.4 m and the fence must be stretched tight near the ground so that no cervidae may pass under it; the distance between the posts of the fence may not exceed 8 m;

(2) the perimeter fence of the enclosures must have no trap or barrier to capture animals outside the enclosure; and

(3) the gates of the perimeter fence must be kept closed, even in the absence of animals.”

22. Sections 63 to 67 are struck out.

23. Section 68 is amended by replacing “a licence provided for in section 63” by “an animal broker’s licence, an animal trainer’s licence or a by-product collector’s licence”.

24. Sections 69 to 74 are struck out.

25. The following is inserted after section 74:

“**74.0.1.** The holder of a licence to keep animals for exhibition purposes may dispose of an animal kept in captivity by the holder in accordance with the first paragraph of section 12, section 75.1, section 85.1 or section 87 of this Regulation.

74.0.2. Animals must be kept in buildings, cages, enclosures and shelters designed or built so as to prevent any animal attack and any transmission of fatal infectious diseases.”

26. Sections 74.1 to 74.4 are struck out.

27. The following is inserted after section 74.4:

“**74.5.** Animals must be kept in buildings, cages, enclosures and shelters designed or built so as to prevent any animal attack and any transmission of fatal infectious diseases.”

28. Sections 75 and 76 to 85 are struck out.

29. Section 86 is replaced by the following:

“**86.** Every person who contravenes any provision of sections 3 to 19, 25, 30, 31, 36, 42 to 44, 47 to 49, 53, 54, 56, 57, 60 to 62, 68, 74.0.1 and 74.5 commits an offence.”

30. Section 87 is replaced by the following:

“**87.** The holder of a licence for provisional custody issued under section 74 of the Regulation respecting animals in captivity, made by Order in Council 1029-92 dated 8 July 1992, may not transfer the animal indicated on the licence to any person other than a person entitled to keep it in captivity.

If the animal is transferred to a person residing outside Québec, the licence holder must so inform the Minister in writing within 15 days of such transfer.”

31. Schedules IV, V and VI are struck out.

32. 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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Gouvernement du Québec

O.C. 1175-2013, 13 November 2013

Supplemental Pension Plans Act
(chapter R-15.1)

**Pension plans in the private sector
—New relief measures for the funding of solvency
deficiencies of pension plans in the private sector**

CONCERNING the Regulation providing new relief measures for the funding of solvency deficiencies of pension plans in the private sector

WHEREAS, under the second paragraph of section 2 of the Supplemental Pension Plans Act (chapter R-15.1), the Government may, by regulation and on the conditions it

determines, exempt any pension plan it designates from the application of all or part of the Act, particularly by reason of the special characteristics of the plan or category or by reason of the complexity of the Act in relation to the number of members in the plan and prescribe special rules applicable to the plan;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation providing new relief measures for the funding of solvency deficiencies of pension plans in the private sector was published, with a written notice that it could be made by the Government on the expiry of 45 days following its publication, in part 2 of the *Gazette officielle du Québec* on 10 July 2013;

WHEREAS it is expedient to make the unamended Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation providing new relief measures for the funding of solvency deficiencies of pension plans in the private sector, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

**Regulation providing new relief measures
for the funding of solvency deficiencies of
pension plans in the private sector**

Supplemental Pension Plans Act
(chapter R-15.1, s. 2, 2nd and 3rd pars.)

**DIVISION I
APPLICATION**

1. This Regulation applies to every pension plan to which Chapter X of the Supplemental Pension Plans Act (chapter R-15.1) applies, with the exception of a pension plan to which can apply other special funding measures provided for under a regulation made pursuant to section 2 of the Act.

2. The employer party to the plan may, in writing, instruct the pension committee that administers the plan to take one or more of the following relief measures provided for under section 3 for the purposes of the first actuarial valuation of the plan dated after 30 December 2013.

In the case of a multi-employer pension plan, even one not considered as such for the purposes of section 11 of the Act, the person or body empowered to amend the plan can give that instruction.