

Gazette
officielle
DU Québec

Part

2

No. 34

22 August 2018

Laws and Regulations

Volume 150

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Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
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Contents

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- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
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Coming into force of Acts

Gouvernement du Québec

O.C. 1084-2018, 7 August 2018

An Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions (2018, chapter 19)

—Coming into force of certain provisions of the Act

Coming into force of certain provisions of the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions

WHEREAS the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions (2018, chapter 19) was assented to on 12 June 2018;

WHEREAS section 75 of the Act provides that the provisions of the Act come into force on the date or dates to be set by the Government, except

(1) section 6, except to the extent that it enacts section 23.2 of the Act respecting the Société des alcools du Québec (chapter S-13), and sections 8 to 18, 22, 66 and 67, which come into force on 12 June 2018;

(2) section 19, to the extent that it enacts Chapters XI and XIV of the Cannabis Regulation Act (2018, chapter 19, section 19), which comes into force on 12 June 2018; and

(3) sections 27, 28 and 29, which come into force on the date of coming into force of sections 13, 15 and 18 of the Act to amend the Highway Safety Code and other provisions (2018, chapter 7), respectively;

WHEREAS it is expedient to set 7 August 2018 as the date of coming into force of the following provisions of the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions:

(1) sections 1 to 5, section 6, to the extent that it enacts section 23.2 of the Act respecting the Société des alcools du Québec (chapter S-13), except subparagraphs 2 and 3 of the first paragraph of that section, section 7 and section 19, to the extent that it enacts sections 23 to 26, 44 to 47, 49, 56, 67 to 82, 112 and 113 of the Cannabis Regulation Act (2018, chapter 19, section 19);

(2) section 23, section 43, to the extent that it enacts section 202.3.1 of the Highway Safety Code (chapter C-24.2), sections 58, 59 and 65, to the extent that they enact the Government's power to provide exceptions by regulation, and section 61;

WHEREAS it is expedient to set 17 October 2018 as the date of coming into force of the following provisions of the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions:

(1) section 6, to the extent that it enacts subparagraphs 2 and 3 of the first paragraph of section 23.2 of the Act respecting the Société des alcools du Québec and section 19, except to the extent that it enacts sections 22 to 26, 44 to 47, 49, 56, 58 to 60, 63 to 82, 112 and 113 of the Cannabis Regulation Act;

(2) sections 63 and 64 and section 74 with regard to the adjustments related to the Cannabis Act (Statutes of Canada, 2018, chapter 16);

WHEREAS it is expedient to set 18 December 2018 as the date of coming into force of other provisions of the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions, that is, sections 20, 21, 24 to 26, 30, 32, 33, 35 to 41 and 44, section 45, except to the extent that it enacts subparagraph 2 of the first paragraph of section 202.4.1 of the Highway Safety Code, sections 46 to 49, section 50, except paragraph 1, sections 51, 54 to 57, 60, 62, 68 to 73 and section 74 of the Act with regard to the adjustments related to the Act to amend the Criminal Code (offences relating to conveyance) and to make consequential amendments to other Acts (Statutes of Canada, 2018, chapter 21);

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services, the Minister for Rehabilitation, Youth Protection, Public Health and Healthy Living, the Minister of Finance and the Minister of Transport, Sustainable Mobility and Transport Electrification:

THAT 7 August 2018 be set as the date of coming into force of the following provisions of the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions (2018, chapter 19):

(1) sections 1 to 5, section 6, to the extent that it enacts section 23.2 of the Act respecting the Société des alcools du Québec (chapter S-13), except subparagraphs 2 and 3 of the first paragraph of that section, section 7 and section 19, to the extent that it enacts sections 23 to 26, 44 to 47, 49, 56, 67 to 82, 112 and 113 of the Cannabis Regulation Act (2018, chapter 19, section 19);

(2) section 23, section 43, to the extent that it enacts section 202.3.1 of the Highway Safety Code (chapter C-24.2), sections 58, 59 and 65, to the extent that they enact the Government's power to provide exceptions by regulation, and section 61;

THAT 17 October 2018 be set as the date of coming into force of the following provisions of the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions:

(1) section 6, to the extent that it enacts subparagraphs 2 and 3 of the first paragraph of section 23.2 of the Act respecting the Société des alcools du Québec and section 19, except to the extent that it enacts sections 22 to 26, 44 to 47, 49, 56, 58 to 60, 63 to 82, 112 and 113 of the Cannabis Regulation Act;

(2) sections 63 and 64 and section 74 with regard to the adjustments related to the Cannabis Act (Statutes of Canada, 2018, chapter 16);

THAT 18 December 2018 be set as the date of coming into force of other provisions of the Act to constitute the Société québécoise du cannabis, to enact the Cannabis Regulation Act and to amend various highway safety-related provisions, that is, sections 20, 21, 24 to 26, 30, 32, 33, 35 to 41 and 44, section 45, except to the extent that it enacts subparagraph 2 of the first paragraph of section 202.4.1 of the Highway Safety Code, sections 46 to 49, section 50, except paragraph 1, sections 51, 54 to 57, 60, 62, 68 to 73 and section 74 of the Act with regard to the adjustments related to the Act to amend the Criminal Code (offences relating to conveyance) and to make consequential amendments to other Acts (Statutes of Canada, 2018, chapter 21).

MARC-ANTOINE ADAM,
Associate Secretary General

103651

Regulations and other Acts

Gouvernement du Québec

O.C. 1043-2018, 7 August 2018

Environment Quality Act
(chapter Q-2)

Certain transitional measures to carry out the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund — Amendment

Regulation to amend the Regulation respecting certain transitional measures to carry out the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund

WHEREAS the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4) was assented to on 23 March 2017;

WHEREAS certain provisions of the Act relating to the new environmental authorization scheme came into force on 23 March 2018 pursuant to section 310 of the Act;

WHEREAS the Government made the Regulation respecting certain transitional measures to carry out the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (chapter Q-2, r. 32.1);

WHEREAS the Regulation provides for various transitional measures necessary to carry out the provisions of the Environment Quality Act (chapter Q-2) relating to the new environmental authorization scheme, most of which apply until the regulations implementing the scheme are in force or until 1 December 2018, whichever comes first;

WHEREAS under section 306 of the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund, the Government must make the regulations referred to in that section;

WHEREAS many of the draft regulations implementing the new environmental authorization scheme, including regulations referred to in section 306 of the Act, were published in Part 2 of the *Gazette officielle du Québec* of 14 February 2018 with a notice that they could be made by the Government on the expiry of 60 days following that publication;

WHEREAS numerous comments were submitted to the Minister of Sustainable Development, the Environment and the Fight Against Climate Change during that consultation period, concerning in particular the necessity of amending the draft regulations and allowing for a new consultation;

WHEREAS since 23 March 2018, the new provisions of the Environment Quality Act relating to the environmental authorization scheme, including section 95.1, enable the Government to make regulations to provide a framework for the new scheme, in particular to determine the terms and conditions to apply to authorization applications and the sending of certain notices;

WHEREAS several of those terms and conditions already exist in the Regulation respecting certain transitional measures to carry out the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund;

WHEREAS it is expedient to amend the Regulation, in particular to provisionally maintain the application of the rules set out in the Regulation and to make various adjustments of a technical nature;

WHEREAS under section 11 of the Regulations Act (chapter R-18.1), no proposed regulation may be made before the expiry of 45 days from its publication in the *Gazette officielle du Québec*;

WHEREAS under section 12 of that Act, a proposed regulation may be made without having been so published, in particular if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 13 of that Act, the reason justifying the absence of such publication must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances justifies the absence of prior publication of the Regulation to amend the Regulation respecting certain transitional measures to carry out the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund:

— it is urgent to confirm to stakeholders that the terms and conditions set out in the Regulation respecting certain transitional measures to carry out the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund are provisionally maintained to enable a large number of the activities the stakeholders propose to carry out in the coming months to be adequately planned;

— most of the transitional measures currently in the Regulation will cease to have effect shortly and it is not possible to make, within that short time, the draft regulations implementing the new environmental authorization scheme published in Part 2 of the *Gazette officielle du Québec* of 14 February 2018 to reflect the comments received regarding the draft regulations, to enable adjustments to be made as a result of the comments and to enable a new consultation to be held concerning them;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, the Environment and the Fight Against Climate Change:

THAT the Regulation to amend the Regulation respecting certain transitional measures to carry out the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund, attached to this Order in Council, be made.

MARC-ANTOINE ADAM,
Associate Secretary General

Regulation to amend the Regulation respecting certain transitional measures to carry out the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund

Environment Quality Act
(chapter Q-2, ss. 23, 30, 31.0.2, 31.0.5, 31.18, 31.20, 31.24, 31.83, 95.1, 1st par., subpars. 13, 16, 17, 18, 19, 21, 28 and 2nd par., ss. 115.8 and 118.5.0.1)

1. The Regulation respecting certain transitional measures to carry out the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (chapter Q-2, r. 32.1) is amended by replacing the title by the following:

“Regulation respecting certain measures to facilitate the carrying out of the Environment Quality Act and its regulations”.

2. The Regulation is amended by inserting the following before section 1:

“0.1. The purpose of this Regulation is to provisionally establish certain measures relating to the new environmental authorization scheme to facilitate the carrying out of the provisions of the Environment Quality Act (chapter Q-2) that came into force on 23 March 2018 and to maintain the application of the regulations made under that Act before that date, with the necessary modifications.”.

3. Section 1 is amended

(1) by striking out “As of 23 March 2018,” in the portion before paragraph 1;

(2) by replacing paragraph 3 by the following:

“(3) a reference to a certificate of authorization issued under the first paragraph of section 22 of the Environment Quality Act, as it read before 23 March 2018, for an activity carried out on a shore or bank or floodplain is a reference to an authorization issued under the second paragraph of section 22 of that Act as it reads from that date.”;

(3) by adding the following paragraph:

“Any other reference, in any text or document, to a provision of the Environment Quality Act as it read before 23 March 2018 is a reference to the corresponding provision of the Environment Quality Act as it reads from that date.”

4. Section 2 is replaced by the following:

“2. The regulations made under the Environment Quality Act (chapter Q-2) as it read before 23 March 2018 are deemed to have been made under the new provisions of that Act that came into force on 23 March 2018.”

5. Section 3 is amended by replacing the portion before paragraph 1 by the following:

“3. For the purposes of section 118.5.0.1 of the Environment Quality Act (chapter Q-2), the following are also rendered accessible in the register referred to in that section:”

6. Section 4 is replaced by the following:

“4. The activities referred to in the first paragraph of section 39 of the Agricultural Operations Regulation (chapter Q-2, r. 26) are, to the extent they comply with the terms and conditions set out in that section, eligible for a declaration of compliance.

The same applies to the activities referred to in subparagraphs 3 to 7 of the first paragraph of section 269 and in the first and second paragraphs of section 270 of the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4), to the extent they comply with the terms and conditions set out in those sections. The fees to be paid under section 271 of that Act apply to those declarations.

“4.1. The activities exempted from the application of all or part of section 22 of the Environment Quality Act (chapter Q-2) are

(1) the activities referred to in the regulations made under that Act as it read before 23 March 2018, to the extent they comply with the terms and conditions set out in the regulations; and

(2) the activities referred to in subparagraphs 1 and 2 of the first paragraph of section 269 of the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4), to the extent they comply with the terms and conditions set out in that section.”

7. Section 5 is amended

(1) by replacing the portion before paragraph 1 by the following:

“5. For the purposes of the Environment Quality Act (chapter Q-2), the following rules apply:”

(2) by inserting the following after paragraph 9:

“(9.1) for the purposes of section 31.83, the time allocated to inform the Minister of the permanent cessation of a water withdrawal is set at 30 days;”

8. Section 6 is revoked.

9. Section 7 is amended by replacing the portion before paragraph 1 by the following:

“7. In addition to the modifications provided for in this Regulation and the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4), the Regulation respecting industrial depollution attestations (chapter Q-2, r. 5) applies with the following modifications:”

10. Section 8 is amended by replacing the portion before paragraph 1 by the following:

“8. In addition to the modifications provided for in this Regulation and the Act to amend the Environment Quality Act to modernize the environmental authorization scheme and to amend other legislative provisions, in particular to reform the governance of the Green Fund (2017, chapter 4), the Regulation respecting hazardous materials (chapter Q-2, r. 32) applies with the following modifications:”

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

Gouvernement du Québec

O.C. 1048-2018, 7 August 2018

An Act to promote workforce skills development and recognition
(chapter D-8.3)

Training bodies, training instructors and training services — Accreditation and ethics

Regulation respecting the accreditation and ethics of training bodies, training instructors and training services

WHEREAS, under subparagraph 4 of the first paragraph of section 20 of the Act to promote workforce skills development and recognition (chapter D-8.3), the Commission des partenaires du marché du travail may make regulations to determine standards of ethics and professional conduct to apply to accredited or recognized persons or bodies;

WHEREAS, under paragraph 1 of section 21.1 of the Act, the Regulation may in particular regulate or prohibit certain practices pertaining to the professional conduct of accredited or recognized persons or bodies;

WHEREAS, under paragraph 2 of section 21.1 of the Act, the Regulation may in particular establish the procedure governing examinations of and inquiries into conduct that may be in contravention of the Act and the regulations and determine the appropriate penalties;

WHEREAS, under paragraph 2 of section 21 of the Act, a regulation made pursuant to subparagraph 1 of the first paragraph of section 20 may set out the principles, criteria or factors taken into account by the Minister for the purpose of granting accreditation or recognition referred to in Division I of the Act or in the regulations made pursuant to paragraph 1 of the section or the conditions to be fulfilled for that purpose and, where expedient, determine the fees payable and the period for which the accreditation or recognition is valid;

WHEREAS, under paragraph 3 of section 21 of the Act, a regulation made pursuant to subparagraph 1 of the first paragraph of section 20 may determine the conditions to be fulfilled by accredited or recognized persons or bodies including the documents and information to be sent to the Minister, related inspections and the conditions on which accreditation or recognition may be renewed, suspended or revoked;

WHEREAS, under section 22 of the Act, the regulations of the Commission made pursuant to section 20 of the Act require the approval of the Government, which may approve them with or without amendment;

WHEREAS, on 6 November 2017, the Commission made the Regulation respecting the accreditation and ethics of training bodies, training instructors and training services which replaces the Regulation respecting the accreditation of training bodies, training instructors and training services (chapter D-8.3, r. 1) and the Regulation respecting the ethics of training instructors and training bodies (chapter D-8.3, r. 2);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 28 March 2018 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the accreditation and ethics of training bodies, training instructors and training services, attached to this Order in Council, be approved.

MARC-ANTOINE ADAM,
Associate Secretary General

Regulation respecting the accreditation and ethics of training bodies, training instructors and training services

An Act to promote workforce skills development and recognition
(chapter D-8.3, s. 20, 1st par., subpar. 4, s. 21, 1st par., subpars. 2 and 3, and s. 21.1)

CHAPTER I ACCREDITATION OF TRAINING BODIES, TRAINING INSTRUCTORS AND TRAINING SERVICES

DIVISION I CONDITIONS FOR OBTAINING A CERTIFICATE OF ACCREDITATION

1. A legal person, including a non-profit organization, or a partnership wishing to be accredited as a training body for the purposes of the Act to promote workforce skills development and recognition (chapter D-8.3) must apply to the Minister using the form provided by the Minister and provide the following information:

(1) its Québec business number assigned under section 37 of the Act respecting the legal publicity of enterprises (chapter P-44.1);

(2) the professional fields in which training will be provided;

(3) the names of the training instructors, employees or contract workers, and, for each of them, the professional field and experience in such field, training and experience as a training instructor;

(4) the résumé of each training instructor;

(5) the training plan and the detailed content of any training it has provided. The person responsible for the enterprise or the recognized educational institution in accordance with section 7 of the Act, where the training was provided must attest to the truth of the information by signing the training plan and detailed content and indicating the person's contact information;

(6) a list of professional references;

(7) on request, a certified copy of the diplomas for the training received.

Where an application does not include the names of the training instructors, it must be accompanied by a written statement from the representative authorized for that purpose in which the training body undertakes to provide training using only training instructors who have been accredited by the Minister.

2. An applicant who meets the following conditions is accredited by the Minister as a training body:

(1) each of its training instructors, employees or contract workers, have at least 3 years of experience in each professional field in which training will be provided. Where multiple training instructors are in the same field, they must have together an average of 3 years of experience in that field;

(2) each of its training instructors

(a) has received a minimum of 135 hours of training in knowledge transmission methods;

(b) has at least 250 hours of experience as a training instructor; or

(c) has received a minimum of 90 hours of training in knowledge transmission methods and has at least 100 hours of experience as a training instructor;

(3) the training offered complies with the object and the purposes of the Act and must in particular qualify as an eligible expenditure for the purposes of the Act.

The experience required in subparagraphs 1 and 2 of the first paragraph must have been acquired in the 10 years preceding the application.

In this Regulation,

“experience as a training instructor” means any training activity allowing knowledge transmission in a structured manner, provided

(1) to the personnel of an enterprise;

(2) in a recognized educational institution, in accordance with section 7 of the Act; or

(3) by an accredited training body;

“training in knowledge transmission methods” means any training allowing the development of skills relating to the structuring of a training activity, the carrying out of a training activity fostering knowledge transmission and the assessment of the training.

3. The Minister accredits as a training instructor a natural person who submits an application to the Minister using the form provided by the Minister and who

(1) has at least 3 years of experience in each professional field for which the person seeks accreditation; and

(2) satisfies any of the conditions set out in subparagraph 2 of the first paragraph of section 2 and the condition set out in subparagraph 3 of that paragraph.

The experience required in subparagraphs 1 and 2 of the first paragraph must have been acquired in the 10 years preceding the application.

The documents identified in subparagraphs 4 to 7 of the first paragraph of section 1 must accompany the application.

4. The Minister accredits the training service of an employer subject to the provisions of Division I of Chapter II of the Act where the Minister receives an application submitted using the form provided by the Minister and the following information and documents are included:

- (1) its address in Québec;
- (2) the name of the person responsible for the service;
- (3) a detailed description of the training activities carried out in the last year or those planned at the time of the application;
- (4) a detailed description of the skills and qualifications of the personnel of the service that enable it to fulfill its responsibilities.

5. In addition, the training service must demonstrate that it assumes or coordinates the following activities:

- (1) identification of training needs;
- (2) preparation of specific training plans, design and programming of activities;
- (3) implementation of training activities for the personnel of the employer and provided by qualified employees of the employer or by a supplier of material, equipment or software;
- (4) recognition of the successful completion of an internal training activity by a member of the personnel;
- (5) follow-up to training activities.

6. Sections 4 and 5 apply, with the necessary modifications, to a multi-employer training service.

An application for accreditation for such a service must include the names of the employers to which it applies.

In this Regulation, “multi-employer training service” means the administrative unit or legal person charged with organizing training for the personnel of employers belonging to a group identified with a common banner, a trademark or a line of products or services.

7. The multi-employer training service of an employer belonging to one of the following groups may assume or coordinate activities relating to the training of the personnel of other employers belonging to such group with which it shares a common mission:

- (1) the Conseil du trésor, a government department, a body whose personnel is appointed under the Public Service Act (chapter F-3.1.1) or any body for which, by law, the Government sets or approves the conditions of employment or standards and remuneration scales of its employees;

- (2) the Ministère de la Santé et des Services sociaux, an integrated health and social services centre or an institution covered by the Act respecting health services and social services (chapter S-4.2) or a regional council or an institution covered by the Act respecting health services and social services for Cree native persons (chapter S-5);

- (3) the Ministère de l'Éducation, de l'Enseignement supérieur et de la Recherche, a school board or an educational institution covered by the Education Act (chapter I-13.3), a private educational institution covered by the Act respecting private education (chapter E-9.1), a general and vocational education college covered by the General and Vocational Colleges Act (chapter C-29) or a university level educational institution covered by the Act respecting educational institutions at the university level (chapter E-14.1);

- (4) the Ministère des Affaires municipales et de l'Occupation du territoire, a municipality, a metropolitan community or a regional county municipality.

8. Every applicant for accreditation is deemed to have agreed to the verification by the Minister of the documents or information provided in support of the application.

DIVISION II OBLIGATIONS OF ACCREDITATION HOLDERS

9. Accredited training bodies provide training only by means of their training instructors, employees or contract workers.

10. Accredited training bodies and accredited training instructors must inform the Minister without delay of any change in the conditions to be satisfied for accreditation or in the information provided in their initial application for accreditation or in their application for renewal.

A training body that has filed the statement required in the second paragraph of section 1 must, on request, provide the Minister with the list of the names of employees or contract workers called upon to provide the training.

Training bodies must update the list of their training instructors, employees or contract workers and so inform the Minister in writing. They must also provide, on request, the documents and information required to verify whether they satisfy the conditions in section 2.

11. Accreditation holders must inform the Minister in writing that the body, or any of its directors or officers, have been the subject of a decision referred to in the first paragraph of section 24.

12. Accredited training bodies must ensure that any training they provide is given by a training instructor with the required experience and skills.

13. The training provided by the accredited training service of an employer or by an accredited multi-employer training service must be provided solely by the personnel of such employer or of the employers mentioned in the accreditation, as the case may be. It can also be provided by the personnel of a supplier of material, equipment or software, provided the supply for which training is given is used by the personnel so trained.

14. Accredited multi-employer training services covered by section 7 may provide training only by means of a qualified employee of the group to which it belongs.

A multi-employer training service of the group covered by paragraph 2 of section 7 may also provide training by means of a physician, a dentist, a midwife, an optometrist, a pharmacist, a nurse or another health professional within the meaning of the Professional Code (chapter C-26).

15. Sections 9 and 13 do not apply in the case of an activity giving entitlement to an eligible training expenditure under the Regulation respecting eligible training expenditures (chapter D-8.3, r. 3) and held as part of a conference, a convention, a seminar or any other activity organized in partnership with an educational institution recognized in accordance with section 7 of the Act, an accredited training body or an accredited training instructor.

16. Accredited training bodies or accredited training instructors issue to each employee of an employer subject to the Act who successfully completes or participates in a training activity an attestation of training including

- (1) the name of the employer;
- (2) the name of the employee;
- (3) a brief description of the training activity;
- (4) the confirmation of the successful completion or of participation of the employee;
- (5) the duration of the training activity; and
- (6) the name of the accredited training body or accredited training instructor.

17. Accredited training services, including accredited multi-employer services, issue an attestation containing the information contained in section 16 to each employee who successfully completes or participates in a training activity. The attestation is issued at least once a year and upon the employee's departure.

18. Accreditation holders must give to any participant who so requests the detailed content of the training provided to the participant in the last 24 months.

19. An accreditation cannot be assigned.

20. Accreditation holders must display the accreditation in public view in their establishment.

21. An accreditation is valid for 3 years.

22. Accreditation holders wishing to renew the accreditation must apply to the Minister, using the form provided by the Minister, before the accreditation expires and must provide

(1) a list of the training provided during the accreditation with the name of the enterprises in which the training took place and the contact information of the persons in charge in each enterprise; and

(2) on request, the course plan for the training provided during the accreditation validity period.

The accreditation is renewed where the holder continues to satisfy the conditions stipulated for obtaining accreditation and the holder has satisfied the conditions imposed for the maintenance of accreditation.

The accreditation remains valid during the processing of the application for renewal.

23. The fees for processing an application for accreditation or a renewal application are adjusted every year and are

- (1) for a training body: \$550;
- (2) for a non-profit organization: \$200;
- (3) for a training instructor: \$300;
- (4) for a training service: \$250; and
- (5) for a multi-employer training service: \$500.

DIVISION III POWERS OF THE MINISTER

24. The Minister may refuse an application for accreditation where, in the 5 years preceding the application, the applicant, or, if applicable, one of its directors or officers, has been convicted of a criminal or penal offence that, in the Minister's opinion, is related to the practice of the profession or workforce training, except if the applicant has been pardoned in respect of the offence.

The Minister may refuse an application for accreditation to a person referred to in the first paragraph where, in the 2 years preceding the application for accreditation, the person knowingly pretended or acted in a manner that leads to believe that the person held accreditation while it was not the case.

The Minister may also refuse an application for accreditation if it contains false statements or misleading elements.

25. The Minister may reprimand an accreditation holder or suspend or revoke accreditation where

(1) the Act or the regulations thereunder have not been complied with;

(2) the accreditation holder uses it for purposes other than those provided for in the Act or in this Regulation; or

(3) the accreditation holder has been convicted of a criminal or penal offence which, in the Minister's opinion, is related to the practice of the profession or workforce training.

26. The renewal of an accreditation may be refused where

(1) in the 3 years preceding the application for renewal, the accreditation holder has been convicted of a criminal or penal offence that, in the Minister's opinion, is related to the practice of the profession or workforce training, except if the accreditation holder has been pardoned;

(2) it is determined that the accreditation holder failed to comply with the Act or the regulations thereunder; or

(3) it is determined that the application contains false statements or misleading elements.

27. Where an accreditation is revoked or its renewal has been refused, the accreditation holder may not submit a new application for accreditation before the expiry of 3 years as of the date of the Minister's decision.

In the case of a training body, the prohibition referred to in the first paragraph also applies to its directors and officers.

DIVISION IV INSPECTION AND VERIFICATION

28. The Minister may verify whether an accreditation holder complies with the Act or the regulations thereunder.

29. During a verification, the Minister may in particular ask the accreditation holder to provide the Minister with any information or have access to any document relating to training provided or to the accreditation and obtain a copy thereof. The person conducting the verification may go to the premises of the training, for inspection purposes, particularly to attend the training provided.

CHAPTER II RULES OF ETHICS OF TRAINING INSTRUCTORS AND TRAINING BODIES

30. Accredited training bodies and accredited training instructors must fully honour contracts concluded with their clients.

31. Accredited training instructors must act with competence. They must provide quality professional services and make sure that the training provided complies with the set objectives and is adapted to the needs of the clients.

Accredited training instructors must take into account the limits of their skills and knowledge, as well as the means at their disposal. In particular, they must refrain from

(1) providing professional services for which they are not sufficiently prepared without the assistance or information needed; and

(2) accepting an assignment when they have not acquired the required competence in due time or are unable to acquire it.

32. Accredited training instructors have the duty to update and upgrade their knowledge and methods of instruction in order to keep up with the requirements of the profession.

33. Accredited training instructors must, in carrying out workforce training activities, act honestly and loyally. They must not in particular

(1) engage in an act derogatory to the dignity of the profession;

(2) use discriminatory, fraudulent or illegal practices and must refuse to take part in such practices;

(3) carry on activities in conditions or states likely to compromise the quality of the services provided;

(4) receive, in addition to the remuneration to which they are entitled, any benefit, commission or discount related to the workforce training activities, except customary tokens of appreciation or gifts of small value, and must not pay, offer to pay or promise to pay any such benefit, commission or discount;

(5) use methods for attracting or soliciting clients that are unfair to the competition;

(6) abuse the good faith of another accredited training instructor, commit a breach of trust towards the instructor or use unfair practices;

(7) take credit for work done by another person; and

(8) plagiarize or use without written permission the content of training provided in particular by a recognized educational institution in accordance with section 7 of the Act or by another accreditation holder.

34. Accreditation holders must refrain from providing persons in training with information intended to recruit them for organizations, movements, associations or circles, regardless of their purpose or reputation.

35. Accreditation holders must avoid placing themselves in any situation where their personal interest would be in conflict with contractual obligations or, where applicable, the obligations resulting from the performance of duties.

36. Accreditation holders may not use for their benefit or the benefit of a third person personal information obtained for training purposes or in the course of the training activities provided, or any confidential information provided by a client or employer and usually dealt with confidentially by the client or employer, except with the consent of the person, client or employer concerned.

37. Accreditation holders must advertise services in a way likely to adequately inform persons who have no special knowledge of the area of expertise referred to in the advertisement.

In particular, they may not in their advertising state or let people believe that

(1) the content of the training provided is approved by the Government, the Minister, the Commission des partenaires du marché du travail, a government department, a public body or a public or private institution, unless authorized to do so under an agreement in writing to that effect;

(2) the training instructors have skills or experience not recognized by the accreditation; and

(3) the scope of the accreditation covers professional fields other than those for which the accreditation is issued.

38. Accreditation holders may not in any way whatsoever engage in or allow advertising that is false, misleading or likely to mislead concerning the training provided or offered.

39. Accreditation holders may not in any way whatsoever engage in or allow advertising that is incompatible with the object of the Act.

The advertisement may however indicate that the accreditation holder is accredited by the Minister.

40. Accreditation holders must keep a complete copy of any advertisement made or authorized, for at least 3 years following the date it was last broadcast or published. The copy must be given to the Minister on request.

41. Accreditation holders are required, if applicable, to ensure compliance with the rules provided for in sections 30 to 37 by their training instructors, employees or contract workers.

CHAPTER III COMPLAINTS AND PROCEEDINGS

42. Any person may file a complaint with the Minister against an accreditation holder for conduct derogatory to the Act or the regulations thereunder.

The complaint must be written and summarily expose the reasons on which it is based.

43. The Minister may reject any complaint that is obviously ill-founded. The Minister so informs the complainant and gives the complainant the reasons for the rejection.

44. The Minister may, following a complaint or on his or her own initiative, inquire into any act likely to be derogatory to the Act or the regulations thereunder.

45. No accreditation holder may communicate with the complainant during the inquiry.

46. The Minister must inform the accreditation holder of the alleged violations, of the reference to the provisions concerned in the Act and the regulations thereunder, of the possible penalty and that the holder may make observations in writing and file documents to complete the accreditation holder's record within 15 days.

47. Where the Minister finds that an accreditation holder's conduct has been derogatory to the Act or the regulations thereunder, the Minister may, depending on the seriousness of the conduct, reprimand the accreditation holder or suspend or revoke the accreditation.

48. The Minister must inform the complainant of the result of the inquiry and of the decision.

The first paragraph does not allow disclosure of confidential information.

CHAPTER IV DECISIONS

49. Any decision of the Minister under this Regulation must be in writing, give reasons and be notified to the accreditation holder.

Where applicable, the Minister must inform the accreditation holder of the terms for the contestation provided for in section 23.1 of the Act.

50. The Minister makes public the names and the penalties imposed to the holders of an accreditation that has been suspended, revoked or not renewed.

51. The Minister's decision takes effect as soon as notification is given.

Within 10 days of the notification of the Minister's decision to suspend, revoke or not renew the accreditation, the accreditation holder must return to the Minister the document attesting accreditation.

52. The decision to suspend, revoke or not renew the accreditation of a holder may not affect the eligibility of an employer's training expenditure recognized under the Act or the regulations thereunder, where the expenditure has been incurred in good faith by the employer prior to the decision.

CHAPTER V TRANSITIONAL AND FINAL

53. Applications for accreditation received as of 6 September 2018 are governed by this Regulation.

54. Despite section 53, the renewal of an accreditation as training instructor may not be refused to a natural person who holds the accreditation on 5 September 2018, for the reason that the experience as training instructor recognized at the time the accreditation was obtained does not meet the requirement of the second paragraph of section 2. The exception applies only to the first application for renewal.

The same applies to the renewal of the accreditation of a training body, valid on 5 September 2018, concerning the experience as training instructor recognized for its training instructors before that date.

55. This Regulation replaces the Regulation respecting the accreditation of training bodies, training instructors and training services (chapter D-8.3, r. 1) and the Regulation respecting the ethics of training instructors and training bodies (chapter D-8.3, r. 2) and comes into force on the fifteenth day following the date of its publication.

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

Gouvernement du Québec

O.C. 1065-2018, 7 August 2018

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

Animals in captivity

Regulation respecting animals in captivity

WHEREAS, under the second paragraph of section 55 of the Act respecting the conservation and development of wildlife (chapter C-61.1), the Government may determine by regulation the conditions on which a person determined by regulation may use a licence issued to another person;

WHEREAS, under the second paragraph of section 69 of the Act, the Government may, by regulation, authorize the sale of an animal the sale of which is prohibited by regulation according to such norms and conditions as the Government may determine;

WHEREAS, under paragraph 7 of section 162 of the Act, the Government may make regulations determining the animals for which no licence is required for keeping them in captivity, capturing them for the purpose of keeping them in captivity or disposing of them;

WHEREAS, under paragraph 14 of section 162 of the Act, the Government may make regulations determining the provisions of a regulation the infringement of which constitutes an offence;

WHEREAS, under paragraph 16 of section 162 of the Act, the Government may make regulations prescribing norms and obligations respecting the transportation, possession and registration of animals or fish and fixing, according to species, the fees exigible for the registration;

WHEREAS, under paragraph 22 of section 162 of the Act, the Government may make regulations fixing the norms and conditions respecting the capture of animals to be kept in captivity, the keeping of animals in captivity, the killing and, where such is the case, the disposal of animals, and fixing their number;

WHEREAS, under paragraph 23 of section 162 of the Act, the Government may make regulations determining the conditions required for importing or exporting an animal, fish or pelt to or from Québec or prohibiting the importing of any animal it may indicate;

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

WHEREAS it is expedient to replace the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting animals in captivity was published in Part 2 of the *Gazette officielle du Québec* of 27 December 2017 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Forests, Wildlife and Parks:

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

MARC-ANTOINE ADAM,
Associate Secretary General

Regulation respecting animals in captivity

An Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 55, 2nd par., ss. 69 and 162,
pars. 7, 14, 16, 22 and 23)

PART 1 GENERAL

1. This Regulation is to regulate the capture and importation of animals, except invertebrates, for the purpose of keeping them in captivity, and to set the conditions for keeping them in captivity and disposing of them. It also ensures the protection of the public, the welfare of animals and the conservation of wildlife.

2. If an animal is a hybrid, the provisions governing the species from which it originates are applicable to the hybrid, unless the provisions are incompatible. In such a case, the most stringent requirements apply.

This Regulation does not apply to hybrid animals for which it is easy to determine, by its morphological characteristics, that one of the parents is a domestic cat (*Felis catus*).

3. In this Regulation, subspecies, species, genera, families or orders are classified according to the scientific nomenclature provided in the *Catalogue of Life: 2017 Annual Checklist*, published by Species 2000 and Integrated Taxonomic Information System (ITIS).

The scientific nomenclature prevails over common names.

4. In the case of an animal listed in Schedule 1, no licence to keep animals in captivity is required for

(1) the capture of an animal that, in accordance with the Regulation respecting animals that must be declared (chapter C-61.1, r. 4), is not covered by the mandatory declaration to a wildlife protection officer so that the animal may be rehabilitated by a person authorized to do so;

(2) the keeping in captivity of an animal by a veterinary surgeon for purposes of treatment, rehabilitation or disposal;

(3) the capture, keeping in captivity or disposal of a migratory bird covered by the Migratory Birds Convention Act, 1994 (S.C. 1994, c. 22) by the holder of a permit issued in accordance with the Migratory Birds Regulations (C.R.C., c. 1035);

(4) the keeping in captivity or disposal of a red fox (*Vulpes vulpes*), arctic fox (*Vulpes lagopus*) or an American mink (*Neovison vison*) by the holder of a permit authorizing its breeding, in accordance with the Animal Welfare and Safety Act (chapter B-3.1); and

(5) the capture, keeping in captivity or disposal of an animal by a public servant appointed under the Public Service Act (chapter F-3.1.1) in the performance of duties.

(6) the capture, keeping in captivity or disposal of an African ostrich (*Struthio camelus*), an American bison (*Bison bison*), a red deer (*Cervus elaphus*), sika deer (*Cervus nippon*), fallow deer (*Dama dama*), wild boar (*Sus scrofa*) or wild yak (*Bos grunniens mutus*) by an agricultural operation registered in accordance with the Regulation respecting the registration of agricultural operations and the payment of property taxes and compensations (chapter M-14, r. 1), for breeding purposes with a view to dealing in meat or other food products.

For the purposes of this Regulation, “rehabilitation” means the whole process of caring for an injured or wounded, orphaned or sick animal that was captured in the wild in Québec with a view to setting it free again.

5. Except for an animal referred to in the second or third paragraph, no licence to keep animals in captivity is required for capturing, keeping in captivity or disposing of an animal that is not listed in Schedule 1.

In the case of a wild turkey (*Meleagris gallopavo*), no licence is required for keeping it in captivity or for disposing of it.

In the case of an animal listed in Schedule 2, no licence is required for capturing it, keeping it in captivity or disposing of it, except for the keeping, at the same time and by a single person, of more than 15 specimens of a single species or subspecies listed in that Schedule, except amphibians at the tadpole and egg stages.

However, a teaching or scientific research establishment may keep without a licence more than 15 specimens from a single species or subspecies listed in Schedule 2 if the specimens are required for their activities.

6. In addition to the licence holder, a licence issued under the Regulation respecting licences to keep animals in captivity made by Minister’s Order M.O. 2018-008 dated 1 August 2018, may be used by the following persons:

(1) an employee of the holder of a licence to keep animals in captivity who, on behalf of the holder, carries out activities authorized under the licence;

(2) a volunteer of the holder of a licence to keep animals in captivity who, on behalf of the holder, carries out activities authorized under the licence;

(3) a family member of the licence holder who resides with the licence holder.

PART II CAPTURE AND IMPORTATION OF AN ANIMAL TO KEEP IT IN CAPTIVITY

CHAPTER 1 CONDITIONS FOR THE CAPTURE OF AN ANIMAL

7. An animal must be captured without hurting or intoxicating it.

Constant supervision must be exercised over any trap so that any animal that gets caught in it may be recovered or released rapidly.

8. An animal not listed in Schedule 1 must be captured

(1) by hand;

(2) using a spoon-net, or a bag-shaped net kept open by a rigid or semi-rigid ring attached at the end of a shaft; or

(3) using a cage designed to capture live small mammals, whose maximum length is 122 centimetres and maximum height 46 centimetres.

9. The holder of a professional licence to capture and keep amphibians issued under the Regulation respecting licences to keep animals in captivity made by Minister's Order M.O. 2018-008 dated 1 August 2018 may capture an amphibian only between 15 July and 15 November in the fishing and hunting areas 1 to 16, 18, 19 southern part, 20, 21 and 25 to 29 established by the Regulation respecting fishing and hunting areas (chapter C-61.1, r. 34).

10. The holder of a licence to capture birds of prey issued under the Regulation respecting licences to keep animals in captivity made by Minister's Order M.O. 2018-008 dated 1 August 2018 may capture a bird of prey only between 1 September and 31 December, using

- (1) a bownet;
- (2) a Swedish goshawk trap;
- (3) a Bal-chatrî; or
- (4) a dho-gazza.

11. The holder of a licence to capture birds of prey issued under the Regulation respecting licences to keep animals in captivity made by Minister's Order M.O. 2018-008 dated 1 August 2018 must register the bird with the Minister within 14 days following its capture.

With the registration, the holder must pay fees of \$300 and send to the Minister a report containing

- (1) the species captured;
- (2) its weight;
- (3) its microchip or ring number;
- (4) the coordinates of the place of capture;
- (5) the method of capture;
- (6) the date of capture.

As of 1 April 2019, the fees are adjusted annually by applying to their value for the preceding year the annual percentage change, computed for the month of June of the preceding year, in the general Consumer Price Index (CPI), published by Statistics Canada.

The Minister is to publish the results of the adjustment in Part 1 of the *Gazette officielle du Québec* or make it known by any other appropriate means.

12. Every person who contravenes sections 7 to 11 is liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1).

CHAPTER 2 CONDITIONS FOR IMPORTING AN ANIMAL INTO QUÉBEC

13. A person who intends to import an animal into Québec that belongs to one of the following orders must notify the Minister in writing 45 business days at the earliest and 10 business days at the latest before importing it:

- (1) artiodactyls (*Artiodactyla*);
- (2) carnivores (*Carnivora*);
- (3) chiropters (*Chiroptera*);
- (4) lagomorphs (*Lagomorpha*);
- (5) perissodactyls (*Perissodactyla*);
- (6) primates (*Primates*);
- (7) proboscidiens (*Proboscidea*);
- (8) rodents (*Rodentia*), except one of the following species:
 - (a) Mongolian gerbil (*Meriones unguiculatus*);
 - (b) golden hamster (*Mesocricetus auratus*);
 - (c) dwarf hamster (*Phodopus* spp.);
 - (d) Norway rat (*Rattus norvegicus*);
 - (e) house mouse (*Mus musculus*);
 - (9) urodeles (*Caudata*).

Despite the first paragraph, the notice is not required where the animal

- (1) does not belong to a species listed in Schedule 1;
- (2) is imported by an individual for personal purposes;
and
- (3) is kept in Canada.

The notice must contain the following particulars on the animal:

- (1) the scientific binomen of its species;
- (2) the conditions of its birth, in captivity or in the wild;
- (3) the place from which it is imported;
- (4) the scheduled date of importation;
- (5) the location where it arrives in Québec;
- (6) the projected place where it will be kept.

14. It is prohibited to import into Québec an animal that may be a carrier of a pathogen listed in Schedule 3, except in the following cases:

(1) measures to detect or eliminate the pathogen are applied and completed, before the arrival of the animal in Québec or as soon as it arrives in Québec, so that the risk that the animal carries a pathogen may be reasonably eliminated;

(2) the animal is part of a group of animals registered in a government certification program attesting that the animal shows a negligible risk of being a carrier of the pathogen.

If such an animal is imported, the following documents, if they exist, must be enclosed with the notice provided for in the second paragraph of section 13:

- (1) the result of the diagnostic tests performed on the animal;
- (2) any document by a veterinary surgeon that enables to assess the risk that the animal carries the pathogen.

15. In the case of an offence under the provisions of section 14, the owner of the animal concerned and the enterprise to which it is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

PART III KEEPING IN CAPTIVITY OF AN ANIMAL

CHAPTER 1 GENERAL

16. This Regulation applies to an animal whose movements are voluntarily limited or directed so that it may be kept in captivity or be under the control of its keeper.

For the purposes of this Regulation,

(1) a keeper is,

(a) if the animal belongs or is entrusted to an enterprise, any director, any officer, any representative, any employee or any volunteer of the enterprise who, in the performance of duties, exercises control over the conditions in which the animal is kept;

(b) if the animal belongs to an individual, any person who exercises control over the conditions in which the animal is kept;

(2) is under the control of the keeper:

(a) an animal whose movements are limited or directed by its keeper;

(b) a tamed animal, so that it stays with its keeper where it is not kept in an animal keeping facility.

17. An animal kept in captivity for teaching or scientific research purposes in an animal keeping facility and according to a protocol to use the animal that were approved by an animal protection committee under the responsibility of an institution that holds a certificate of GAP, Good Animal Practice, of the Canadian Council on Animal Care is exempt from sections 25 to 52, 63, 66 to 68, 96 to 98 and 106 to 109.

18. A bullfrog (*Lithobates catesbeianus*), a green frog (*Lithobates clamitans*) or a leopard frog (*Lithobates pipiens*) kept in captivity by an individual on a fishing site to be used as bait is exempt from the provisions of this Part.

19. Only sections 53 to 56, 62, 65 and 86 to 95 apply to an animal within the meaning of subparagraph *b* of subparagraph 1 of the second paragraph of section 1 of the Animal Welfare and Safety Act (chapter B-3.1) that is kept in captivity for breeding purposes with a view to dealing in fur or in meat or other food products.

20. Only sections 46 to 50, 52 to 56, 62, 63, 65, 72, 82 to 85, 91 to 95, 100, 105, 116 to 118, 120 and 124 to 126 apply to an animal being moved in a transport cage.

21. Part III, except sections 35, 37, 41, 42, 66 and 68, applies to an animal kept in captivity by a producer within the meaning of the Farm Producers Act (chapter P-28) for breeding purposes with a view to dealing in fur or in meat or other food products, except in the case of a red fox (*Vulpes vulpes*) or an American mink (*Neovison vison*).

22. Sections 25, 26, 29, 35, 37, the second paragraph of section 41, sections 42 to 44, 51, 68, the first paragraph of section 96 and sections 97, 101, 106 to 109 do not apply to an animal kept

- (1) less than 90 days in one of the following situations:
 - (a) the animal accompanies its keeper who is travelling;
 - (b) the animal is boarded or on loan;
 - (c) the animal is hospitalized;
 - (d) the animal is in isolation in anticipation of its departure or in quarantine;
 - (e) the animal takes part in an audiovisual production, a show or a traveling exhibition;
 - (f) the animal is kept to be sold by an animal wholesaler; or
 - (g) the animal's cage or enclosure is under renovation or repair;
- (2) less than 1 year while the animal keeping facility is being renovated or reconstructed.

Those sections apply in case of superior force.

23. The animal owner is not required to comply with a provision of this Part if the owner holds a notice in writing from a veterinary surgeon specifying that the application of the provision is counter-productive by reason of the animal's age or state of health, in the context of a planned veterinary operation or the collection of biological samples.

The veterinary surgeon's notice must contain

- (1) the identification number of the animal concerned or, failing that, a description of the physical characteristics allowing to identify the animal easily;
- (2) the provisions of this Part the application of which is contraindicated and the period of the contraindication;

- (3) the name and contact information of the animal's owner;

- (4) the date on which the notice is issued; and

- (5) the signature of the veterinary surgeon and the number of his or her permit issued by the Ordre des médecins vétérinaires du Québec.

The notice must be kept at all times by the keeper of the animal throughout the period of contraindication and be shown at the request of a wildlife protection officer.

24. A veterinary surgeon is not required to comply with a provision of this Part if the application thereof is contraindicated by reason of the state of health of the animal he or she is keeping or in the context of a planned veterinary operation.

CHAPTER 2 GENERAL CONDITIONS FOR KEEPING ANIMALS

DIVISION 1 HEALTH AND WELFARE OF ANIMALS

§1. Food

25. Every animal must have access to quality food appropriate for its species and in a quantity sufficient to meet the animal's needs in nutrients and calories.

26. Every animal must have ready access to quality water in a quantity sufficient to meet the animal's daily needs.

The water needs of an animal belonging to a species whose natural distribution range is typically situated in a desert climate may also be met by the availability of water-rich food that suits its species.

Ice is not a source of quality water. However, snow may be a source of quality water for an animal housed in an animal keeping facility located outside a building if snow

- (1) is abundant;

- (2) is mostly not compacted; and

- (3) is not contaminated by excrements, urine, litter or toxic substances.

27. Water, other than the pool of water, and food must be served in a manner such as to avoid easy contamination by excrements, urine, toxic substances, litter or substrate.

28. In the case of an offence against one of the conditions for keeping animals set out in this subdivision, the owner of the animal concerned and the enterprise to which it is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

§2. *Habitat*

29. Every animal must be kept in an animal keeping facility that offers living conditions compatible with the biological requirements of its species.

30. Animal keeping facilities are classified as follows:

- (1) a cage;
- (2) an enclosure;
- (3) a shift cage;
- (4) a shift enclosure.

A cage is a space closed on all its faces, in particular using walls, windows or wire mesh, so that the animal cannot get out. It is accessible through openings equipped with doors that can be closed.

An enclosure is a space open on certain of its faces and includes obstacles which prevent the animal from getting out.

A shift cage and a shift enclosure are spaces used to lock up an animal outside its cage or enclosure, in particular to allow its keeper to safely access the cage or enclosure. They communicate directly, as the case may be, with a cage or an enclosure by means of a door that can be closed.

The living area of an immovable used for residential purposes is not considered as an animal keeping facility.

31. An animal keeping facility must be laid out to ensure the safety of the animal kept in it, in particular by

- (1) limiting aggressions by the other animals kept in the facility;
- (2) preventing aggressions by the animals in the nearby animal keeping facilities;
- (3) being free from protrusions, sharp edges or other asperities that could easily hurt the animals; and

(4) preventing the animals from getting burned or intoxicated.

32. Animal keeping facilities where an animal is kept and the building where the facilities are located must always be kept in a good state of cleanliness.

They must be cleaned regularly and be laid out so that

- (1) the facilities do not receive excrements, urine or food remnants from another animal keeping facility;
- (2) the animal may avoid direct contact with its excrements and those of the other animals;
- (3) food waste, excrements or urine do not accumulate in large quantities;
- (4) liquids on the soil of buildings drain rapidly so that the soil remains dry.

33. Pools of water must contain good quality water free from considerable contamination due in particular to excrements, urine, food or toxic substances.

The water of pools of water must be replaced regularly or, failing that, be filtered.

34. Any dead animal must be removed from the animal keeping facilities as soon as possible, unless it is food for the animal kept therein.

35. An animal keeping facility and, if applicable, the pool of water must be of a size that meets the needs of the animal housed there and be adapted to the number of individuals housed therein.

If a keeping facility houses a mammal or a bird old enough to be separated from its parents, or an amphibian or reptilian of any age, the facility and, if applicable, the pool of water must comply with the minimum standards in Schedule 4, unless the animal kept there is in one of the following situations:

- (1) the animal is hibernating;
- (2) the animal is being rehabilitated;
- (3) the animal is kept leashed in accordance with section 102.

However, if an animal is sold or put up for adoption by a pet shop, a municipal pound or an enterprise that shelters abandoned animals, the size of its animal keeping facility and, if applicable, those of its pool of water must correspond to at least 35% of the size prescribed in Schedule 4.

In calculating the area of a cage or enclosure, the area of the shift cages and shift enclosures may be considered if the area of the aggregate of the facilities is accessible to the animal most of the day.

36. The ground of an animal keeping facility must comply with the following conditions:

- (1) it allows the animal to move without sliding;
- (2) it favours the good health of the animal's feet.

In the case of an animal keeping facility for a land animal, the ground must be properly drained over at least 80% of the area provided for in Schedule 4.

37. If the animal keeping facility is located outside a building, the animal kept therein must have ready access to a shelter that suits its morphology and that allows the animal to shield itself hide from direct sunrays and prevailing winds.

If more than 1 animal is housed in the same animal keeping facility, the size or number of shelters must be sufficient for all the animals to take shelter there simultaneously.

38. The ambient temperature of an animal keeping facility must be compatible with the temperature interval normally encountered in the natural distribution range of the animal's species or, if applicable, subspecies. The foregoing also applies to the temperature of the water in the pool of water of an aquatic or semi-aquatic animal.

The temperature must also be adapted to the age, growth stage and state of health of the animal. In the case of certain reptilians, the temperature must also be adapted to their need to have access to different temperature zones to ensure their thermoregulation.

The ambient temperature of an animal keeping facility may however not comply with the provisions of the first and second paragraphs if the animal has access at all times to a cage or an enclosure where the ambient temperature complies with those provisions. The cage or enclosure must comply with the minimum standards provided for in Schedule 4.

Temperature interval means the interval between the maximum temperature of the hottest month and the minimum temperature of the coldest month, excluding exceptional weather events.

39. The humidity rate of an animal keeping facility located inside a building must take into account the climate encountered in the natural distribution range of the animal species.

40. The building where an animal is kept must be sufficiently ventilated so as to dissipate the excess heat and to prevent the concentration of contaminants, including ammonia which may not exceed a concentration of 25 parts per million (ppm).

41. Most of the space of an animal keeping facility must be lighted evenly. The daily duration of the lighting must be compatible with the photoperiod normally encountered in the natural distribution range of the animal species, unless the animal is hibernating.

The average intensity of the lighting at ground level must be at least

- (1) 50 lux for birds and for mammals belonging

(a) to one of the following orders:

- i. artiodactyls (*Artiodactyla*);
- ii. carnivores (*Carnivora*);
- iii. cetaceans (*Cetacea*);
- iv. *Cingulata*;
- v. dasyuromorphs (*Dasyuromorphia*);
- vi. diprotodonts (*Diprotodontia*);
- vii. hyraxes (*Hyracoidea*);
- viii. monotremes (*Monotremata*);
- ix. perissodactyls (*Perissodactyla*);
- x. pangolins (*Pholidota*);
- xi. *Pilosa*;
- xii. primates (*Primates*);
- xiii. proboscidiens (*Proboscidea*);
- xiv. sirenians (*Sirenia*);
- xv. tubulidentata (*Tubulidentata*);

(b) to one of the following families:

- i. castorids (*Castoridae*);
- ii. caviids (*Caviidea*);
- iii. chinchillids (*Chinchillidae*);
- iv. erethizontids (*Erethizontidae*);
- v. hystricids (*Hystricidae*);
- vi. sciurids (*Sciuridae*);

(2) 15 lux for mammals belonging to one of the following orders:

- (a) *Afrosoricida*;
- (b) didelphimorphs (*Didelphimorphia*);
- (c) erinaceomorphs (*Erinaceomorpha*);
- (d) lagomorphs (*Lagomorpha*);
- (e) scandentians (*Scandentia*);

(3) 5 lux for mammals belonging to the order soricomorphs (*Soricomorpha*) or the family cricetids (*Cricetidae*), dipodids (*Dipodidae*) or murids (*Muridae*).

42. The ambient noise level in an animal keeping facility must be normally under 70 decibels, excluding the vocalisations and cries from the animals kept therein.

43. The keeping facility of an animal from a species living in trees must be equipped with several accessories, such as branches, to allow the animal to climb and move high up.

44. The keeping facility of an animal from a species that normally uses burrows or hideouts in its natural habitat must be equipped with a sufficient number of accessories to allow the animals in there to hide simultaneously.

45. In the case of an offence against one of the conditions for keeping animals set out in this subdivision, the owner of the animal concerned and the enterprise to which it is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

§3. *Physical integrity*

46. Every animal must receive the health care required when injured or sick.

47. No person may subject an animal to a treatment that will cause death, it undue pain or serious injuries, unless it is killed in accordance with sections 56, 132 and 133 or is used as food for another animal.

48. No person may train or control an animal using means designed to cause physical pain, unless the animal is a serious and imminent threat to the safety of a person.

49. When an animal is referred to in the first paragraph of section 22 or is transported, the necessary measures must be taken to prevent the animal from

- (1) becoming dehydrated;
- (2) suffering a lack of food that could cause harm;
- (3) being exposed to temperatures that could cause harm;
- (4) getting hurt physically;
- (5) being exposed to bad weather.

50. If the nails, hooves, claws, beak or teeth of an animal do not wear out enough naturally, they must be trimmed or filed so that they remain of a normal length and shape.

51. An animal may not be kept more than 16 hours per day in a shift cage or a shift enclosure, unless the area of the aggregate of the shift cages and shift enclosures is accessible to the animal during that period and complies with the minimum standards applicable to a cage or enclosure provided for in Schedule 4.

However, an animal may be kept for 48 hours per period of 72 hours in a shift cage or in a shift enclosure for the purposes of urine collection.

52. Every person who contravenes sections 47 and 48 is liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

In case of an offence against one of the conditions for keeping animals provided for in sections 46 and 49 to 51, the owner of the animal concerned and the enterprise to which it is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

DIVISION 2 PROTECTION OF THE PUBLIC AND CONSERVATION OF WILDLIFE

53. Unless otherwise provided, an animal must be kept at all times in an animal keeping facility or in a transport cage built from materials sturdy enough and maintained in good condition so that it resists the animal and prevents its escape.

54. Subject to sections 72, 115 and 120, an animal may occasionally be kept outside an animal keeping facility or a transport cage if it remains under the constant monitoring of its keeper to prevent its escape. In the case of an animal not listed in Schedule 1, the animal may be monitored by any other competent person designated by the keeper.

55. The keeper of an animal listed in Schedule 1 that escaped the site for keeping animals or has been accidentally released must, as soon as possible, notify a wildlife protection officer of the situation and provide the officer with all the information required to identify the animal.

56. As soon as a keeper becomes aware or is informed that an animal has escaped from the animal keeping facilities, the keeper must look for it actively to capture it in accordance with sections 7, 8, 55 and 94.

The animal may be killed without a licence if it represents a serious and imminent threat to the safety of a person. The person who kills it must so declare as soon as possible to a wildlife protection officer.

If an animal is not captured or killed within 7 days of its escape, every measure taken by a wildlife protection officer, a public servant or any other mandatory of the Government to capture or kill the animal is at the expense of the owner of the animal. Any unpaid balance bears interest at the rate fixed in accordance with the first paragraph of section 28 of the Tax Administration Act (chapter A-6.002) as of the 30th day following the billing date.

57. Any animal exhibited must be kept so that it cannot inflict serious injuries to the public.

Where such an animal poses a significant risk of injuring the public, the keeping facilities must be designed to limit the risk and to maintain the public at a safe distance, in particular by installing parapets, low walls or landscaping structures.

For the purposes of this Regulation, an exhibited animal is an animal presented to the general public for pedagogical or entertainment purposes.

58. Without prejudice to section 73, the free movement of the public in the animal keeping facility of an exhibited animal must, if applicable, be limited to certain areas so that the animal may easily withdraw from physical contact with the public.

59. If the public may handle an exhibited animal, the animal must be in good health and constantly monitored by its keeper or, in the case of an animal not listed in Schedule 1, by any other competent person designated by the keeper.

A device allowing to wash or sanitize hands must be available to the public.

60. Measures to prevent the transmission to the public of a pathogen referred to in Schedule 3 or 5 must be taken in respect of any exhibited animal that is a carrier or that belongs to a species more at risk of carrying it.

61. In order to detect the presence of pathogens referred to in Schedule 3 or 5, a necropsy must be performed by a veterinary surgeon on any exhibited animal likely to have been in contact with the public in the 30 days preceding its death.

62. If the presence of a pathogen referred to in Schedule 3 is observed or suspected in an animal, the pathogen must be declared as soon as possible to the Minister.

Measures must be immediately taken to eliminate the pathogen and prevent its transmission to the public or to animals, such as isolation, the administration of treatments or killing the animal.

Every measure taken by a wildlife protection officer, a public servant or any other mandatory of the Government to prevent the transmission of the pathogen is at the expense of the owner of the animal. Any unpaid balance bears interest at the rate fixed in accordance with the first paragraph of section 28 of the Tax Administration Act (chapter A-6.002) as of the 30th day following the billing date.

63. No medication referred to in Schedule IV to the Regulation respecting the terms and conditions for the sale of medications (chapter P-10, r. 12) may be administered to an animal without a prescription from a veterinary surgeon.

64. All reasonable means must be taken to prevent the taming of an animal in rehabilitation or its conditioning to human food sources, in particular by preventing the animal from having a visual contact with the public.

65. Every person who contravenes section 54, the first and second paragraphs of section 56 and section 59 is liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

In the case of an offence against one of the conditions for keeping animals provided for in sections 53, 57, 58, 60, 61, the first and second paragraphs of section 62, sections 63 and 64, the owner of the animal concerned and the enterprise to which the animal is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

CHAPTER 3 CONDITIONS SPECIFIC TO THE KEEPING OF MAMMALS

DIVISION 1 CONDITIONS APPLICABLE TO CERTAIN MAMMALS

66. Every mammal born in captivity must be allowed to receive the care provided by its parents according to the biology of its species.

A young mammal may however be entrusted to a substitute parent or be raised by a person if the animal

- (1) is orphaned;
- (2) is rejected by its parent or does not receive from its parent enough care to ensure its survival despite having access to an adequate environment and food resources.

67. If the floor of the animal keeping facility of a mammal consists of wire mesh, the gauge of the wire and the size of the mesh must not be likely to harm the animal and let the animal's leg go through.

The mammal must have access to an unfenced section on which it may lay down.

68. Objects or structures favouring the animal's entertainment must be placed in the keeping facility of an animal belonging to one of the following orders:

- (1) carnivores (*Carnivora*);
- (2) cetaceans (*Cetacea*);
- (3) primates (*Primates*);
- (4) proboscidiens (*Proboscidea*).

Those objects and structures must in particular stimulate social behaviours, play or food seeking.

69. The rehabilitation of a mammal must take place in an animal keeping facility located less than 75 kilometres from the place where the animal was found or captured in the case of the following animals:

- (1) an animal belonging to the family canids (*Canidae*);
- (2) a white-tailed deer (*Odocoileus virginianus*);
- (3) a striped skunk (*Mephitis mephitis*);
- (4) a raccoon (*Procyon lotor*).

An animal that has been found or captured south of the St. Lawrence River may not however be rehabilitated in an animal keeping facility that is north of the River.

For the purposes of the first paragraph, the rehabilitation of a mammal found or captured in one of the fishing and hunting areas 12 to 14, 16 to 19, 22 to 24, 28 and 29 established by the Regulation respecting fishing and hunting areas (chapter C-61.1, r. 34) must take place in an animal keeping facility that is less than 150 kilometres from the place where it was found or captured.

Any mammal referred to in the first paragraph must be vaccinated against rabies not later than 1 week after its arrival at the rehabilitation location, except for white-tailed deer (*Odocoileus virginianus*).

70. In the case of an offence against one of the conditions for keeping animals provided for in this Division, the owner of the animal concerned and the enterprise to which it is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

DIVISION 2
CONDITIONS SPECIFIC TO HIGH-RISK
MAMMALS

71. This Division applies to high-risk mammals listed in Schedule 6, unless the mammal is less than 6 months old and weighs less than 18 kilograms.

72. A high-risk mammal must be kept at all times in one of the animal keeping facilities listed in Schedule 7 or in a transport cage, unless

(1) the animal is under anesthesia;

(2) it is trained to take part in an audiovisual production or takes part in such a production in a place where the general public is not present, and safety measures are taken to prevent the escape of the animal and to limit the risks of attack.

73. The keeper of the animal may not allow the public to move around in an animal keeping facility when the animal is in it, unless the public moves around in a vehicle

(1) equipped with doors that cannot be opened by the public from the inside; and

(2) designed to prevent the animal from injuring the public.

74. The animal keeping facilities of a high-risk mammal must be designed so as to prevent any physical contact between the animal and a person other than its keeper, in particular by keeping the public at a safe distance that prevents the public from approaching, as the case may be, less than

(1) 3.65 metres from the perimeter elements allowing the passage of the trunk of a mammal in the family of elephantids (*Elephantidae*); or

(2) 1.2 metres from any other perimeter element made up of bars or fencing.

Where an animal keeping facility is in a pedestrian zone, the public must be kept at the distance provided for in the first paragraph by means of a structure that:

(a) cannot be climbed by a child; and

(b) is at least 1.07 metres high.

75. Subject to sections 76 to 78, an animal keeping facility, including perimeter elements, overhangs, wire mesh, electrical wires, the safety zone and the clearance zone, must comply with the minimum standards in Schedule 7.

The height of a perimeter element, such as walls, fences, glass and mesh walls, is measured from the emerged or immersed ground level. The inside height of the perimeter element includes, if applicable, the overhang but the outside height excludes it.

The length of the clearance zone is measured from the perimeter element and perpendicularly to it. If there is an overhang, the length is measured from the end of the overhang.

For the purposes of this Regulation,

(1) “overhang” (surplomb) means an extension of the perimeter elements inclined towards the inside of an enclosure at an angle between 0 degrees and 55 degrees above the horizon;

(2) “clearance zone” (zone de dégagement) means the zone having all the following characteristics:

(a) it is located inside an enclosure;

(b) it is adjacent to the perimeter element;

(c) it is free from accumulations of snow, rocks, trees or structures on which the animal could climb, unless, in the case of trees, they are equipped with a device to prevent the animal from climbing;

(d) the ground level is equal to or lower than the ground level at the junction of the perimeter element and the area;

(3) “safety zone” (zone de sécurité) means a closed space designed to prevent the escape of an animal while a person has access to its animal keeping facility and that has the following characteristics:

(a) it is large enough to allow at least 1 person to enter and close access;

(b) it is equipped with a device that enables to see all the inside of the zone without entering; and

(c) it is constantly locked, except when the keeper has access thereto.

76. Perimeter elements are not required to extend underground if they are anchored to a soil composed of a solid material that cannot be deteriorated by the animal and that goes along the perimeter element over a minimum distance of 1 metre, measured perpendicularly to the perimeter element on the inside of the animal keeping facility.

77. The wires of a wire mesh section are not required to be spaced in accordance with the provisions of Schedule 7 if the wire mesh section complies with one of the following conditions:

(1) it is more than 1.8 metres above the ground;

(2) it is located outside a safety zone at a distance of more than 1.5 metres from the place where the public may be present.

78. No overhang is required at the top of the perimeter elements entirely made of a smooth material which the animal cannot climb.

79. An electric wire must include a secondary supply system that automatically takes over in case of failure of the main supply system in the following cases:

(1) the wire is combined with a perimeter element;

(2) the wire is integrated in the design of an overhang;

(3) the wire is used to prevent the animal from climbing.

80. The cage or enclosure of a high-risk mammal must be linked, by shift doors, to a shift enclosure or to a shift cage complying with the minimum standards provided for in Schedule 7, unless the cage or enclosure has an area greater than 0.5 square kilometers.

If 2 animals or more are housed in the same facility, the facility must at least be linked to 2 shift enclosures or shift cages.

The shift doors must be designed so that they can be activated only from the outside of the keeping facility and cannot be opened by an animal.

81. If a safety zone is mandatory according to Schedule 7, the entrances to the keeping facility must be located inside the safety zone, except for the following entrances:

(1) the doors used to transfer, in a transport cage, a mammal belonging to the family hippopotamids (*Hippopotamidae*), rhinocerotids (*Rhinocerotidae*) or elephantids (*Elephantidae*);

(2) the doors used to let in vehicles, machinery or materials that cannot go through a regular access door or be moved to the animal keeping facility.

All the entrances must be kept under lock when the animal is in the facility and include a message written in large letters clearly indicating that the animal kept therein is dangerous.

82. A high-risk mammal must be transported under anesthesia or in a locked transport cage that complies with the Live Animals Regulations published by the International Air Transport Association (IATA).

The animals belonging to any of the following orders may also be transported in a trailer specifically designed for that purpose:

(1) hippopotamids (*Hippopotamidae*);

(2) rhinocerotids (*Rhinocerotidae*);

(3) elephantids (*Elephantidae*).

83. Not later than 1 month after its acquisition or not later than 6 months after its birth, a high-risk mammal must be identified by means of a microchip that meets the international standards ISO 11784 and 11785, a tattoo or an ear tag.

84. Notice must be immediately given to a wildlife protection officer where a high-risk mammal has escaped from its animal keeping facility or has injured a person.

85. In the case of an offence against one of the conditions for keeping animals provided for in sections 72 to 75 and 79 to 83, the owner of the animal concerned and the enterprise to which it is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

DIVISION 3 CONDITIONS SPECIFIC TO WILD BOARS AND LARGE CERVIDS

86. This Division applies to large cervids listed in Schedule 6 and to wild boars (*Sus scrofa*).

87. Subject to section 88, an animal keeping facility, including the perimeter elements, wire mesh, electrical wires and the clearance zone, must comply with the minimum standards in Schedule 7 if the animal kept therein is more than 4 months old.

88. The perimeter elements of a facility where a wild boar is kept (*Sus scrofa*) must go underground, except in the following cases:

(1) the perimeter elements are anchored to a soil composed of a solid material that cannot be deteriorated by the animal and that goes along the perimeter elements over a minimum distance of 1 metre, measured perpendicularly to the perimeter element on the inside of the animal keeping facility;

(2) an electrical wire is combined with the perimeter elements of an animal keeping facility that is surrounded by a fence that meets the following conditions:

(a) it is separate and independent from the animal keeping facility;

(b) it has a minimum height of 1.8 metres;

(c) it is located from 1.2 metres to 5 metres from the outside of the perimeter elements;

(d) it is built with wire mesh of the same type and gauge as those provided for in Schedule 7 for animal keeping facilities for wild boars (*Sus scrofa*).

89. An electrical wire combined with a perimeter element must include a secondary supply system that may rapidly take over in case of failure of the main supply system.

90. Animal keeping facilities must be designed to prevent cervids (*Cervidea*) living in the wild from becoming captive of the animal keeping facilities.

91. A large cervid may not be moved to another site for keeping animals if it is kept in a facility less than 100 kilometres from a site where the presence of the chronic wasting disease of cervids has been observed or is suspected in an animal.

92. A large cervid or a wild boar (*Sus scrofa*) must be identified by means of an ear tag that is visible to the naked eye at a distance of at least 10 metres and includes an identification number.

The identification must be carried out,

(1) in the case of a large cervid, not later than 31 December following its date of birth; and

(2) in the case of a wild boar (*Sus scrofa*), not later than 6 months after its birth.

Tags complying with the Health of Animals Regulations (C.R.C., c. 296) or the Regulation respecting the identification and traceability of certain animals (chapter P-42, r. 7) count as a tag required under this section.

93. Notice must be immediately given to a wildlife protection officer when a large cervid or a wild boar (*Sus scrofa*) has escaped from the keeping facility.

94. If a white-tailed deer (*Odocoileus virginianus*), a moose (*Alces americanus*) or a caribou (*Rangifer tarandus*) escapes, the animal may be captured only if it bears identification in accordance with section 92.

95. In the case of an offence against one of the conditions for keeping animals provided for in sections 87 to 92, the owner of the animal concerned and the enterprise to which it is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

CHAPTER 4

CONDITIONS SPECIFIC TO THE KEEPING OF BIRDS

DIVISION 1

VARIOUS CONDITIONS APPLICABLE TO CERTAIN BIRDS

96. The animal keeping facility of a bird of adult size belonging to one of the groups 12 to 27 listed in Schedule 4 must be equipped with at least 2 perches of varying sizes, shapes or textures, or that are covered with a material that favours the good health of the feet.

If more than 1 bird is housed in the same animal keeping facility, the number of perches must be sufficient to allow all birds to perch at the same time.

97. Objects or structures favouring entertainment must be placed in the keeping facility of an animal belonging to the order psittaciformes or the family of corvids (*Corvidae*).

Those objects and structures must in particular stimulate social behaviours, play or food seeking.

98. In the case of an offence against one of the conditions for keeping animals provided for in this Division, the owner of the animal concerned and the enterprise to which it is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

DIVISION 2 CONDITIONS SPECIFIC TO BIRDS OF PREY

99. This Division applies to birds belonging to the order accipitriformes, falconiformes or strigiformes.

100. Not later than 90 days after its birth or not later than 14 days after its acquisition, a bird of prey must be identified by means of a microchip that meets the international standards ISO 11784 and 11785 or a leg band, except if the bird is kept in captivity for rehabilitation purposes.

101. For the purposes of section 26, the daily water needs of a bird of prey may be met by the availability of water-rich food, except during the summer season.

102. If it is in a cage that protects it against predators or if it is under the constant supervision of its keeper, a bird of prey may be kept leashed, for a period not exceeding 24 hours, by means of a leash fixed to jesses attached to the bird's tarsi.

However, the bird may be kept leashed for a longer period of time in one of the following cases:

(1) during the small game hunting season if the bird is allowed to fly each week and is kept by the holder of a small game with a bird of prey hunting licence issued in accordance with the Regulation respecting hunting (chapter C-61.1, r. 12);

(2) if the bird is allowed to fly each week as part of its training, shows, presentations to the public or activities for the management of intrusive animals;

(3) during the season where its weight is lowered owing to its training.

103. Despite the first paragraph of section 96, the keeping facility of a bird of prey kept leashed may have only 1 perch that is covered with a material that favours the good health of the bird's feet.

104. A bird of prey may fly unleashed outside a building or keeping facility if it is equipped with an emitter that enables its keeper to locate it at all times by means of a receiver.

105. In the case of an offence against one of the conditions for keeping animals provided for in this Division, the owner of the animal concerned and the enterprise to which it is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

CHAPTER 5 CONDITIONS SPECIFIC TO THE KEEPING OF REPTILES AND AMPHIBIANS

DIVISION 1 VARIOUS CONDITIONS APPLICABLE TO CERTAIN REPTILES AND AMPHIBIANS

106. For the purposes of section 25, a reptile must be given food or UV-B rays to satisfy its needs in vitamin D₃.

107. For the purposes of section 26, an amphibian must have access to a humid substrate or a pool of water large enough for its entire underbody to be in contact with the water.

108. An animal belonging to group 5 or group 11 listed in Schedule 4 must have access to an environment that allows it to stay completely out of the water, except for animals belonging to one of the following families:

- (1) carettochelyids (*Carettochelyidae*);
- (2) chelonids (*Cheloniidae*);
- (3) chelydrids (*Chelydridae*);
- (4) dermochelyids (*Dermochelyidae*);
- (5) kinosternids (*Kinosternidae*).

If more than 1 animal is housed lodged in the same keeping facility, the layout of the environment must be large enough so that all the animals can stay out of the water at the same time.

109. In the case of an offence against one of the conditions for keeping animals provided for in this Division, the owner of the animal concerned and the enterprise to which it is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

DIVISION 2 CONDITIONS SPECIFIC TO LARGE REPTILES

110. This Division applies to the following reptiles:

(1) reptiles of a total length of 2.4 metres or more belonging to the family booids (*Boidae*) or pythonids (*Pythonidae*);

(2) reptiles of a snout-vent length of 0.90 metres or more belonging to the family varanids (*Varanidae*) or the order crocodylians (*Crocodylia*).

111. A keeping facility for a large reptile must have points of access, such as hatches or doors, that must be locked in the absence of the keeper.

112. Keeping facilities for large reptiles belonging to the family varanids (*Varanidae*) or the order crocodylians (*Crocodylia*) must be designed to prevent any physical contact between the reptile and a person other than its keeper.

The perimeter elements, overhang, safety zone and clearance zone of the facility must also comply with the minimum standards in Schedule 7.

113. Any access to a keeping facility for a large reptile belonging to the family varanids (*Varanidae*) or the order crocodylians (*Crocodylia*) must include a message written in large letters indicating that the animal kept therein is dangerous.

114. Despite section 58, the public may not have access to the keeping facility of a large reptile, if the reptile is present.

115. A large reptile belonging to the family varanids (*Varanidae*) or the order crocodylians (*Crocodylia*) may occasionally be kept outside the keeping facility if it is muzzled.

However, the animal is not required to be muzzled if

(1) it is under anesthesia;

(2) it is trained to take part in an audiovisual production or takes part in such a production in a place where the general public is not present, and safety measures are implemented to prevent the escape of the animal and to limit the risks of attack.

116. A large reptile must be transported in a locked transport cage that complies with the Live Animals Regulations published by the International Air Transport Association (IATA).

117. Notice must be immediately given to a wildlife protection officer where a large reptile has escaped from the keeping facility or has injured a person.

118. In the case of an offence against one of the conditions for keeping animals provided for in sections 111 to 116, the owner of the animal concerned and the enterprise to which it is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

DIVISION 3 CONDITIONS SPECIFIC TO VENOMOUS REPTILES

119. This Division applies to reptilian species listed in Schedule 6 and to any other reptilian species the venom of which has been established as potentially lethal for a human being.

120. A venomous reptile must be kept at all times in a cage, a shift cage or a transport cage, unless

(1) it is under anesthesia;

(2) it is handled by its keeper in a safety zone;

(3) it is trained to take part in an audiovisual production or takes part in such a production in a place where the general public is not present, and safety measures are taken to prevent the escape of the animal and to limit the risks of attack.

121. The keeping facilities of a venomous reptile must be designed to prevent any physical contact between the animal and a person other than its keeper, in particular by complying with the following standards:

(1) the wire mesh sections must be laid out so that only the keeper can have access;

(2) every access to the keeping facility must be constantly locked, except when the keeper has access thereto;

(3) every access must be accessible from a safety zone, the soil of which being clear of any element that the venomous reptile could use to hide.

122. Every access to the keeping facility of a venomous reptile must include a message written in large letters clearly indicating its species and that the animal kept therein is venomous.

123. Despite section 58, only the keeper may have access to the keeping facility of a venomous reptile, if the reptile is present.

124. A venomous reptile must be transported in a locked transport cage that complies with the Live Animals Regulations published by the International Air Transport Association (IATA).

125. Notice must be immediately given to a wildlife protection officer where a venomous reptile has escaped from the keeping facility or has bitten a person.

126. In the case of an offence against one of the conditions for keeping animals provided for in sections 120 to 124, the owner of the animal concerned and the enterprise to which it is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

PART IV DISPOSITION OF AN ANIMAL IN CAPTIVITY

127. No animal kept in captivity may be set free in the wild, except for the following animals:

(1) an animal that is fit to survive there and whose species or subspecies is listed in Schedule 2;

(2) a rehabilitated animal;

(3) for the purpose of engaging in a hunting activity, one of the following animals:

(a) a common quail (*Coturnix coturnix*);

(b) a Japanese quail (*Coturnix japonica*);

(c) a Virginia quail (*Colinus virginianus*);

(d) a pheasant (*Phasianus spp.*);

(e) a black francolin (*Francolinus francolinus*);

(f) a rock partridge (*Alectoris graeca*);

(g) a chukar (*Alectoris chukar*);

(h) a red-legged partridge (*Alectoris rufa*);

(i) a rock dove (*Columbia livia*);

(j) a helmeted guineafowl (*Numida meleagris*).

Section 56 is to be applied if an animal, which may not be set free in the wild, is released.

128. An animal kept in captivity to be rehabilitated must be set free in the wild as soon as it is fit to survive on its own.

The following animals must be set free less than 75 kilometres from the site where they were kept:

(1) an animal belonging to the family canids (*Canidae*);

(2) a white-tailed deer (*Odocoileus virginianus*);

(3) a striped skunk (*Mephitis mephitis*);

(4) a raccoon (*Procyon lotor*).

An animal having been rehabilitated south of the St. Lawrence River may not however be set free north of the River.

For the purposes of the second paragraph, where the site for keeping animals is in one of the fishing and hunting areas 12 to 14, 16 to 19, 22 to 24, 28 and 29 established by the Regulation respecting fishing and hunting areas (chapter C-61.1, r. 34), the animals must be set free less than 150 kilometres from the site for keeping animals.

Before being set free, a black bear (*Ursus americanus*) must be identified by means of an ear tag.

129. As soon as it is concluded that an animal cannot be rehabilitated, its keeper must dispose of it according to one of the following methods:

(1) the animal may be given to a person designated by a wildlife protection officer or by a public servant in the exercise of duties, so that the animal is kept in captivity for purposes other than rehabilitation;

(2) the animal may be euthanized or killed in accordance with sections 132 and 133.

For the purposes of this section, an animal cannot be rehabilitated if

- (1) it will keep physical scars that would compromise its survival in the wild;
- (2) it does not recognize its species or no longer fears humans, which would compromise its survival or make it dangerous for humans;
- (3) it is not fit, after 18 months of rehabilitation, to survive on its own in the wild.

130. An animal kept in captivity may be given or sold, except in the following cases:

- (1) it is known that the animal is a carrier of a pathogen listed in Schedule 3;
- (2) it is known that the animal is a carrier of or suffers from a pathogen listed in Schedule 5, unless the new owner is so informed in writing and accepts the condition of the animal;
- (3) the animal is kept in captivity to be rehabilitated.

In addition, the animal may not be sold in the following cases:

- (1) the animal whose species or subspecies is listed in Schedule 2 is kept by a person other than the holder of a professional licence to capture and keep amphibians issued under the Regulation respecting licences to keep animals in captivity made by Minister's Order M.O. 2018-008 dated 1 August 2018;
- (2) the animal is a high risk mammal or a venomous reptile listed in Schedule 6 that would be sold to the holder of a professional licence to keep animals issued under the Regulation respecting licences to keep animals in captivity made by Minister's Order M.O. 2018-008 dated 1 August 2018 whose activities consist in the operation of an animal sanctuary.

131. Before the sale of an animal in a pet shop, the following conditions affecting the animal must be declared in writing to the buyer:

- (1) the animal is unable to feed or drink on its own;
- (2) the animal shows apparent signs of illness, injury or limiting congenital malformations.

The sale is conditional on the buyer's written acceptance of the conditions affecting the animal.

132. The killing or euthanasia must quickly cause the death of an animal by causing the animal a minimum of pain and anxiety.

It may be performed by the animal's owner or the person determined by the owner on an animal that is confined, physically restrained or under anesthesia.

As soon as an animal is killed or euthanized, its death must be confirmed by ascertaining the absence of vital signs.

133. An animal may be killed by means of a hunting implement referred to in section 31 of the Regulation respecting hunting (chapter C-61.1, r. 12) following stalking, pursuit or stakeout if the following conditions are met:

- (1) the animal is kept in captivity by the holder of a professional licence to keep animals in a game ranch or a breeding farm issued under the Regulation respecting licences to keep animals in captivity made by Minister's Order M.O. 2018-008 dated 1 August 2018;
- (2) the enclosure where the animal will be killed meets the following conditions:
 - (a) a minimum area of 0.1 square kilometre;
 - (b) a maximum area of 2 square kilometers;
 - (c) a minimum width of 100 metres;
 - (d) wooded over at least 80% of its area;
 - (e) entirely located on land on which the holder of a licence referred to in subparagraph 1 has a right of occupancy.

In the case of a white-tailed deer (*Odocoileus virginianus*), the tag must be attached to the animal until it is skinned and the owner must give to the person who kills it proof that the animal was sold or given to the owner. That proof must be kept by the person who transports the animal.

134. Before releasing a wild turkey (*Meleagris gallopavo*) in an enclosure to be killed, a sufficient number of mature primary remiges must be trimmed to prevent the animal from escaping the enclosure.

135. Every person who contravenes sections 127 and 128 is liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1) or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

In the case of an offence under one of the conditions for disposing of animals provided for in sections 129, 130, 131, 132, the second paragraph of section 133 and section 134, the owner of the animal concerned and the enterprise to which it is entrusted are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

In the case of an offence under the first paragraph of section 133, the person who kills the animal and the holder of the licence referred to in subparagraph 1 of the first paragraph of section 133 are liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife or the fine provided for in section 171.1 of the Act if the offence is committed in respect of an animal from a threatened or vulnerable species.

PART V TRANSITIONAL AND FINAL

136. A person newly subject to the requirement to hold a licence to keep an animal in captivity on the date of coming into force of this Regulation may continue to keep the animal without a licence until 31 October 2018 or, if the person submits an application not later than that date, until the date of issue of the licence or of refusal by the Minister to issue.

137. A keeping facility or a pool of water whose size does not comply with section 35 must comply within 2 years of the coming into force of that section, unless their size corresponds to at least 75% of those provided for in that section. In the latter case, the keeping facility and the pool of water must become compliant at the time they undergo major renovations.

The keeping facility of a high-risk mammal, a wild boar (*Sus scrofa*), a large reptile or venomous reptile that does not comply with Divisions 2 and 3 of Chapter 3 of Part III and Divisions 2 and 3 of Chapter 5 of Part III must comply within 2 years of the coming into force of those Divisions, except for perimeter elements, wire mesh, overhangs or the clearance zone where they are designed to comply with at least 85% of the minimum measurements and not more than 115% of the maximum measurements provided for in Schedule 7. In the latter case, those components must become compliant at the time they undergo major renovations or where the keeping facility they are part of undergoes major renovations.

The first and second paragraphs apply only if the specimen currently kept in the keeping facility concerned was previously kept there before the date of coming into force of this Regulation.

For the purposes of this Part, “major renovations” means

(1) the replacement or reconstruction of a keeping facility;

(2) in the case of perimeter elements, wire mesh or overhangs, the replacement or transformation of more than 50% of the component concerned;

(3) in the case of the clearance zone, a new layout inside the keeping facility that requires the entry of machinery.

138. Despite the second paragraph of section 137, a wild boar (*Sus scrofa*) keeping facility that was built in accordance with the provisions of section 10 or 53 of the former Regulation respecting animals in captivity (chapter C-61.1, r. 5) before the coming into force of this Regulation remains governed by those provisions until it undergoes major renovations or until the end of the useful life of the perimeter fences.

139. The time allowed to identify, in accordance with sections 83 and 92, a high-risk mammal, a large cervid or a wild boar (*Sus scrofa*) kept in captivity and acquired by its owner before the date of coming into force of this Regulation is 2 years as of that date.

140. Until the date of coming into force of subparagraph 4 of the first paragraph of section 4, no licence to keep animals in captivity is required to keep in captivity for breeding purposes with a view to dealing in fur a red fox (*Vulpes vulpes*), an arctic fox (*Vulpes lagopus*) or an American mink (*Neovison vison*) or to dispose of it, provided that the keeping of those animals includes at least 10 female adults of the same species.

141. The Regulation respecting animals in captivity (chapter C-61.1, r. 5) is revoked.

142. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except for subparagraph 4 of the first paragraph of section 4 which will come into force on the date of coming into force of section 18 of the Animal Welfare and Safety Act (chapter B-3.1).

Section 21 will cease to have effect on the date of coming into force of the first regulation made under paragraph 1 of section 64 of the Animal Welfare and Safety Act (chapter B-3.1) for the designation of any other animal to be included in the definition of “animal”.

SCHEDULE 1

(sections 4, 5, 8, 13, 54, 55 and 59)

SPECIES OR SUBSPECIES THE KEEPING OF WHICH IS RESTRICTED

Class	Order	Family	Genus	Species or subspecies	Common name or type species	
Amphibia	Anura	Hylidae	<i>Pseudacris</i>	<i>maculata</i>	boreal chorus frog	
				<i>triseriata</i>	western bell frog	
	Caudata	Plethodontidae	<i>Desmognathus</i>	<i>fuscus</i>	northern dusky salamander	
				<i>ochrophaeus</i>	mountain dusky salamander	
				<i>Gyrinophilus porphyriticus</i>	spring salamander	
		<i>Hemidactylum</i>	<i>scutatum</i>	four-toed salamander		
Aves	Accipitriformes			all species	diurnal bird of prey	
	Apodiformes			all species	swift, hummingbird	
	Apterygiformes			all species	kiwi	
	Bucerotiformes	Bucerotidae		<i>Aceros</i>	all species	hornbill
				<i>Anthracoceros</i>	all species	hornbill
				<i>Buceros</i>	all species	hornbill
				<i>Rhinoplas</i>	all species	hornbill
				<i>Rhyticeros</i>	all species	hornbill
		Bucorvidae			all species	ground hornbill
	Caprimulgiformes	Caprimulgidae			all species	nightjars
		Steatornithidae			all species	oilbird
	Casuariiformes	Casuariidae			all species	cassowary
	Charadriiformes				all species	shorebird
	Ciconiiformes				all species	stork
	Coraciiformes	Alcedinidae	<i>Megaceryle</i>	<i>Alcyon</i>		belted kingfisher
		Meropidae			all species	bee-eater
	Falconiformes				all species	falcon
	Galliformes	Phasianidae		<i>Bonasa</i>	<i>umbellus</i>	ruffed grouse
				<i>Falcipennis</i>	<i>canadensis</i>	spruce grouse
				<i>Lagopus</i>	<i>lagopus</i>	willow ptarmigan
					<i>muta</i>	rock ptarmigan
				<i>Perdix</i>	<i>perdix</i>	grey partridge
		<i>Tympanuchus</i>	<i>phasianellus</i>	sharp-tailed grouse		
	Gaviiformes				all species	loon
	Gruiformes	Gruidae			all species	crane
	Passeriformes	Corvidae	<i>Corvus</i>	<i>corax</i>		common raven
				<i>crassirostris</i>		thick-billed raven
				<i>Cyanocitta</i>	<i>cristata</i>	blue jay
				<i>Perisoreus</i>	<i>canadensis</i>	grey jay
		Icteridae	<i>Euphagus</i>	<i>carolinus</i>		rusty blackbird
	Pelecaniformes				all species	pelican, heron, egret
	Phaethontiformes				all species	phaeton
Phoenicopteriformes				all species	flamingo	
Procellariiformes				all species	tubinare	
Sphenisciformes				all species	penguin	
Strigiformes	Strigidae	<i>Aegolius</i>	<i>acadius</i>		northern saw-whet owl	
			<i>funereus</i>		boreal owl	
			<i>Asio</i>	all species	owl	

		<i>Bubo</i>	all species	owl	
		<i>Ciccaba</i>	all species	owl	
		<i>Ketupa</i>	all species	owl	
		<i>Lophotrix</i>	all species	owl	
		<i>Megascops</i>	<i>asio</i>	eastern screech owl	
		<i>Mimizuiku</i>	all species	owl	
		<i>Nesasio</i>	all species	owl	
		<i>Ninox</i>	all species	owl	
		<i>Pseudoscops</i>	all species	owl	
		<i>Pulsatrix</i>	all species	owl	
		<i>Scotopelia</i>	all species	owl	
		<i>Strix</i>	all species	owl	
		<i>Surnia</i>	all species	owl	
		<i>Uroglaux</i>	all species	owl	
		<i>Tytonidae</i>	<i>Tyto</i>	all species	barn-owl
		Struthioniformes		all species	ostrich
		Suliformes		all species	gannet, booby, cormorant
Mammalia	Afrosoricida	Chrysochloridae		all species	mole
	Artiodactyla	Bovidae	<i>Addax</i>	all species	addax
			<i>Aepyceros</i>	all species	impala
			<i>Atelaphus</i>	all species	hartebeest
			<i>Ammodorcas</i>	all species	antelope
			<i>Annotragus</i>	all species	sheep
			<i>Antidorcas</i>	all species	springbok
			<i>Antilope</i>	all species	antelope
			<i>Beatragus</i>	all species	hirola
			<i>Bison</i>	all species	bison
			<i>Bos</i>	all species	gaur, banteng
			<i>Boselaphus</i>	all species	nilgai
			<i>Bubalus</i>	all species	anoa, buffalo
			<i>Budorcas</i>	all species	takin
			<i>Capricornis</i>	all species	serow
			<i>Cephalophus</i>	all species	duiker
			<i>Connochaetes</i>	all species	wildebeest
			<i>Damaliscus</i>	all species	topi
			<i>Dorcatragus</i>	all species	beira
			<i>Eudorcas</i>	all species	gazelle
			<i>Gazella</i>	all species	gazelle
			<i>Hemitragus</i>	all species	tahr
			<i>Hippotragus</i>	all species	antelope, sable
			<i>Kobus</i>	all species	kob, puku
			<i>Litocranius</i>	all species	gazelle
			<i>Nanger</i>	all species	gazelle
			<i>Neotragus</i>	all species	antelope, suni
			<i>Oreamnos</i>	all species	mountain goat
			<i>Oreotragus</i>	all species	klipspringer
			<i>Oryx</i>	all species	oryx
			<i>Ourebia</i>	all species	oribi
			<i>Ovibos</i>	all species	muskox
			<i>Ovis</i>	all species	bighorn sheep

	<i>Pantholops</i>	all species	antelope	
	<i>Pelea</i>	all species	pelea	
	<i>Procapra</i>	all species	gazelle	
	<i>Pseudois</i>	all species	bharal	
	<i>Pseudoryx</i>	all species	saola	
	<i>Raphicerus</i>	all species	grysbok, steenbok	
	<i>Redunca</i>	all species	kob, nagor	
	<i>Saiga</i>	all species	saiga	
	<i>Sylvicapra</i>	all species	duiker	
	<i>Syncerus</i>	all species	buffalo	
	<i>Taurotragus</i>	all species	eland	
	<i>Tetracerus</i>	all species	antelope	
	<i>Tragelaphus</i>	all species	bongo, bushbuck, nyala	
	Camelidae	all species	camel, dromedary	
	Cervidae	all species	deer, moose, caribou	
	Giraffidae	all species	giraffe, okapi	
	Hippopotamidae	all species	hippopotamus	
	Moschidae	all species	musk deer	
	Suidae	all species	pig, warthog	
Carnivora	Ailuridae	<i>Ailurus fulgens</i>	red panda	
	Canidae	<i>Atelocynus microtis</i>	small-eared fox	
		<i>Canis</i>	all species	wolf, coyote
		<i>Chrysocyon brachyurus</i>	maned wolf	
		<i>Cuon alpinus</i>	Asian wild dog	
		<i>Lycaon pictus</i>	African wild dog	
		<i>Nyctereutes procyonoides</i>	raccoon dog	
		<i>Otocyon megalotis</i>	bat-eared fox	
		<i>Speothos venaticus</i>	bush dog	
		<i>Urocyon</i>	all species	grey fox
		<i>Vulpes</i>	<i>bengalensis</i>	Bengal fox
			<i>chama</i>	Cape fox
			<i>corsac</i>	corsac fox
			<i>ferrilata</i>	Tibetan sand fox
			<i>lagopus</i>	arctic fox
	<i>macrotis</i>		kit fox	
	<i>pallida</i>		pale fox	
	<i>rueppellii</i>		Rüppell's fox	
	<i>velox</i>	swift fox		
	<i>vulpes</i>	red, silver, cross fox		
	Felidae	<i>Acinonyx jubatus</i>	cheetah	
		<i>Caracal caracal</i>	caracal	
		<i>Catopuma temminckii</i>	Temminck's cat	
		<i>Felis</i>	<i>bieti</i>	Chinese mountain cat
			<i>chaus</i>	swamp cat
			<i>manul</i>	Pallas' cat
			<i>silvestris</i>	wildcat
<i>Leopardus</i>		<i>geoffroyi</i>	Geoffroy's cat	
		<i>pardalis</i>	ocelot	
<i>Leptailurus serval</i>		serval		
<i>Lynx</i>	all species	lynx		
<i>Neofelis</i>	all species	clouded leopard		

	<i>Panthera</i>	all species	jaguar, leopard, lion, tiger	
	<i>Pardeifelis</i>	<i>marmorata</i>	marbled cat	
	<i>Prionailurus</i>	<i>bengalensis</i>	leopard cat	
		<i>iriomontesis</i>	Iriomote cat	
		<i>viverrinus</i>	fishing cat	
	<i>Profelis</i>	<i>aurata</i>	African golden cat	
	<i>Puma</i>	all species	cougar, jaguarundi	
	<i>Uncia</i>	all species	snow leopard	
Hyaenidae		all species	hyena	
Mephitidae	<i>Mephitis</i>	<i>mephitis</i>	striped skunk	
	<i>Spilogale</i>	<i>putorius</i>	eastern spotted skunk	
Mustelidae		all species	weasel, otter, mink	
Odobenidae		all species	walrus	
Otariidae		all species	otary	
Phocidae		all species	seal	
Procyonidae	<i>Procyon</i>	all species	raccoon	
	<i>Nasua</i>	all species	coati	
Ursidae		all species	bear	
Viverridae	<i>Arctictis</i>	all species	binturong	
	<i>Civettictis</i>	all species	civet	
	<i>Cynogale</i>	all species	civet	
	<i>Macrogalidia</i>	all species	civet	
	<i>Paguma</i>	all species	civet	
	<i>Viverra</i>	all species	civet	
Cetacea		all species	whale	
Chiroptera		all species	bat	
Diprotodontia	Macropodidae	all species	kangaroo, wallaby, tree kangaroo	
	Phascolarctidae	all species	koala	
	Vombatidae	all species	wombat	
Erinaceomorpha	Erinaceidae	<i>Erinaceus</i>	European hedgehog	
		<i>Mesechinus</i>	Asian hedgehog	
Lagomorpha	Leporidae	<i>Lepus</i>	hare	
		<i>Sylvilagus</i>	<i>floridanus</i>	eastern cottontail
			<i>transitionalis</i>	New England cottontail rabbit
Monotremata		all species	platypus, echidna	
Perissodactyla		all species	horse, donkey, zebra, rhinoceros, tapir	
Pholidota		all species	pangolin	
Pilosa		all species	giant anteater, anteater, sloth	
Primates		all species	monkey	
Proboscidea		all species	elephant	
Rodentia	Castoridae	all species	beaver	
	Caviidae	<i>Hydrochoerus</i>	capibara	
	Cricetidae	<i>Dicrostonyx</i>	<i>groenlandicus</i>	northern collared lemming
			<i>torquatus</i>	Arctic lemming
		<i>Lagurus</i>	all species	lemming
		<i>Lemmus</i>	all species	lemming
		<i>Microtus</i>	<i>chrotorrhinus</i>	rock vole
			<i>gregalis</i>	narrow-headed vole
		<i>oeconomus</i>	tundra vole	

		<i>pinetorum</i>	woodland vole	
	<i>Myopus</i>	all species	lemming	
	<i>Ondatra</i>	all species	muskkrat	
	<i>Peromyscus</i>	all species	mouse	
	<i>Synaptomys</i>	all species	bog lemming	
Erethizontidae	<i>Erethizon</i>	all species	North American porcupine	
Hystricidae		all species	Old World porcupine	
Muridae	<i>Apodemus</i>	all species	field mouse	
	<i>Micromys</i>	all species	rat	
Sciuridae	<i>Cynomys</i>	all species	prairie dog	
	<i>Glaucomys</i>	<i>volans</i>	southern flying squirrel	
	<i>Marmota</i>	all species	groundhog	
	<i>Pteromys</i>	all species	flying squirrel	
	<i>Sciurus</i>	<i>vulgaris</i>	Eurasian red squirrel	
	<i>Tamias</i>	<i>sibiricus</i>	Siberian chipmunk	
Sirenia		all species	dugong, manatee	
Soricomorpha		all species	small insectivore, shrew	
Tubulidentata		all species	aardvark	
Reptilia	Crocodylia		all species	crocodylian
	Squamata			
	Boidae	<i>Eumeces</i>	<i>murinus</i>	green anaconda
	Colubridae	<i>Boiga</i>	all species	venomous snake
		<i>Dispholidus</i>	all species	venomous snake
		<i>Lampropeltis</i>	<i>triangulum triangulum</i>	eastern milk snake
		<i>Ophedryx</i>	<i>vernalis</i>	smooth green snake
		<i>Thelotornis</i>	all species	venomous snake
		<i>Toxicodryas</i>	all species	venomous snake
	Dipsadidae	<i>Clelia</i>	all species	venomous snake
		<i>Conopsis</i>	all species	venomous snake
		<i>Coronelaps</i>	all species	venomous snake
		<i>Diadophis</i>	<i>punctatus edwardsii</i>	northern ringneck snake
		<i>Elapomorphus</i>	all species	venomous snake
		<i>Erythrolamprus</i>	all species	venomous snake
		<i>Helicops</i>	all species	venomous snake
		<i>Hydrodynastes</i>	all species	venomous snake
		<i>Phalotris</i>	all species	venomous snake
		<i>Philodryas</i>	all species	venomous snake
		<i>Tachymenis</i>	all species	venomous snake
		<i>Xenodon</i>	<i>severus</i>	Amazon false fer-de-lance
	Elapidae		all species	cobra, mamba, taipan, coral snake
	Helodermatidae		all species	venomous lizard
	Homalopsidae	<i>Gerarda</i>	all species	venomous snake
	Lamprophiidae	<i>Amblyodipsas</i>	all species	venomous snake
		<i>Aparallactus</i>	all species	venomous snake
		<i>Atractaspis</i>	all species	venomous snake
		<i>Brachyophis</i>	all species	venomous snake
		<i>Chilorhinophis</i>	all species	venomous snake
		<i>Elapotinus</i>	all species	venomous snake
		<i>Homoroselaps</i>	all species	venomous snake
		<i>Hypoptophis</i>	all species	venomous snake
		<i>Macrelaps</i>	all species	venomous snake

	<i>Malpolon</i>	all species	venomous snake
	<i>Micrelaps</i>	all species	venomous snake
	<i>Polemon</i>	all species	venomous snake
	<i>Psammophis</i>	all species	venomous snake
	<i>Xenocalamus</i>	all species	venomous snake
Natricidae	<i>Nerodia</i>	<i>sipedon sipedon</i>	northern water snake
	<i>Rhabdophis</i>	all species	venomous snake
	<i>Storeria</i>	<i>dekayi dekayi</i>	northern brown snake
	<i>Thamnophis</i>	<i>sauritus septentrionalis</i>	northern ribbon snake
Pythonidae	<i>Malayopython</i>	<i>reticulatus</i>	reticulated python
	<i>Python</i>	<i>bivittatus</i>	Burmese python
		<i>molurus</i>	Indian rock python
		<i>natalensis</i>	South African python
		<i>sebae</i>	African rock python
	<i>Simalia</i>	<i>amethystina</i>	amethystine python
Varanidae	<i>Varanus</i>	<i>komodoensis</i>	Komodo dragon
Viperidae		all species	viper, rattlesnake
Testudines	Cheloniidae	all species	sea turtle
	Chelydridae	<i>Chelydra</i> <i>serpentina</i>	snapping turtle
	Dermochelyidae	all species	leatherback turtle
	Emydidae	<i>Chrysemys</i> <i>picta marginata</i>	midland painted turtle
		<i>Emydoidea</i> <i>blandingii</i>	Blanding's turtle
		<i>Glyptemys</i> <i>insculpta</i>	wood turtle
		<i>Graptemys</i> <i>geographica</i>	map turtle
	Kinosternidae	<i>Sternotherus</i> <i>odoratus</i>	musk turtle
	Trionychidae	<i>Apalone</i> <i>mutica</i>	smooth softshell turtle
		<i>spinifera</i>	softshell turtle

SCHEDULE 2

(sections 5, 127 and 130)

SPECIES THE SALE OF WHICH IS PROHIBITED WITHOUT A LICENCE AND
THE POSSESSION OF WHICH WITHOUT A LICENCE IS LIMITED TO A
MAXIMUM OF 15 SPECIMENS

Class	Order	Family	Genus	Species or subspecies	Common name		
Amphibia	Anura	Bufonidae	<i>Anaxyrus</i>	<i>americanus</i>	American toad		
				Hylidae	<i>Hyla</i>	<i>versicolor</i>	grey tree frog
					<i>Pseudacris</i>	<i>crucifer</i>	spring peeper
		Ranidae	<i>Lithobates</i>	<i>catesbeianus</i>	bullfrog		
				<i>clamitans</i>	green frog		
				<i>pipiens</i>	northern leopard frog		
				<i>septentrionalis</i>	mink frog		
				<i>sylvaticus</i>	wood frog		
		Caudata	Ambystomatidae	<i>Ambystoma</i>	<i>laterale</i>	blue-spotted salamander	
					<i>maculatum</i>	spotted salamander	
			Plethodontidae	<i>Eurycea</i>	<i>bilineata</i>	northern two-lined salamander	
					<i>Plethodon</i>	<i>cinereus</i>	red-backed salamander
			Proteidae	<i>Necturus</i>	<i>maculosus</i>	common mudpuppy	
			Salamandridae	<i>Notophthalmus</i>	<i>viridescens</i>	green newt	
Aves	Passeriformes		Corvidae	<i>Corvus</i>	<i>brachyrhynchos</i>	American crow	
					Icteridae	<i>Agelaius</i>	<i>phoeniceus</i>
			<i>Molothrus</i>	<i>ater</i>	brown-headed cowbird		
			<i>Quiscalus</i>	<i>quiscula</i>	common grackle		
Mammalia	Didelphimorphia	Didelphidae	<i>Didelphis</i>	<i>virginiana</i>	North American opossum		
				Rodentia	Sciuridae	<i>Dicrostonyx</i>	<i>hudsonius</i>
		<i>Microtus</i>	<i>arvalis</i>	field mouse			
		<i>Microtus</i>	<i>pennsylvanicus</i>	meadow vole			
		<i>Myodes</i>	<i>gapperi</i>	Gapper's red-backed vole			
		<i>Phenacomys</i>	<i>intermedius</i>	western heather vole			
		<i>Phenacomys</i>	<i>ungava</i>	Ungava vole			
		Dipodidae	<i>Napaeozapus</i>	<i>insignis</i>		woodland jumping mouse	
		<i>Zapus</i>	<i>hudsonius</i>	meadow jumping mouse			
	Sciuridae	<i>Glaucomys</i>	<i>sabrinus</i>	northern flying squirrel			
			<i>Sciurus</i>	<i>carolinensis</i>	grey squirrel		
			<i>Tamias</i>	<i>minimus</i>	least chipmunk		
				<i>striatus</i>	chipmunk		
			<i>Tamiasciurus</i>	<i>hudsonicus</i>	red squirrel		
	Reptilia	Squamata	Natricidae	<i>Storeria</i>	<i>occipitamaculata</i>	redbelly snake	
<i>Thamnophis</i>					<i>sirtalis pallidulus</i>	Maritime garter snake	
					<i>sirtalis sirtalis</i>	eastern garter snake	

SCHEDULE 3

(sections 14, 60 to 62 and 130)

PATHOGENS TO BE DECLARED**(1) Bacteria**

Bacillus anthracis
Brucella spp.
Mycobacterium bovis
Mycobacterium tuberculosis
Yersinia pestis

(2) Prion

Deer chronic wasting disease

(3) Parasite

Echinococcus multilocularis

(4) Virus

Betacoronavirus: MERS-CoV (Middle East respiratory syndrome)
Betacoronavirus: SARS-CoV (Severe acute respiratory syndrome)
Family *Filoviridae*
Hantavirus spp.
Henipavirus spp.
Lyssavirus spp.
Orthopoxvirus: Monkeypox virus

(5) Fungus

Batrachochytrium salamandrivorans

SCHEDULE 4

(sections 35, 36, 38, 51, 96 and 108)

MINIMUM SIZES OF KEEPING FACILITIES AND POOLS FOR CERTAIN GROUPS OF ANIMALS

For the purposes of this Schedule, the values indicated apply to a facility housing only one animal.

To calculate the minimum sizes of a facility housing a number of animals (D_{minimum}) referred to in tables A to D, the values applicable to the animal requiring the largest surface and the greatest volume in accordance with the provisions of those tables (V_{largest}) must be considered, to which 50% of applicable values is added to each of the other animals housed in that facility ($V_{\text{animal 2}}$, $V_{\text{animal 3}}$, $V_{\text{animal 4}}$, $V_{\text{etc.}}$):

$$D_{\text{minimum}} = V_{\text{larger}} + (0.5 \times V_{\text{animal 2}}) + (0.5 \times V_{\text{animal 3}}) + (0.5 \times V_{\text{animal 4}}) + (0.5 \times V_{\text{etc.}})$$

Where a facility houses a number of animals referred to in table E, the minimum sizes (D_{minimum}) of the facility are calculated by adding all the values applicable to each animal kept therein ($V_{\text{animal 1}}$, $V_{\text{animal 2}}$, $V_{\text{animal 3}}$, $V_{\text{etc.}}$):

$$D_{\text{minimum}} = V_{\text{animal 1}} + V_{\text{animal 2}} + V_{\text{animal 3}} + V_{\text{etc.}}$$

For the purposes of this Schedule,

- "SCL" means straight carapace length;
- "SVL" means snout-vent length;
- "STL" means snout-tail length;
- "n/a" means not applicable;
- "n/s" means not specified;
- "SWG" means specimen weight in grams.

(B) REPTILES

Group (description)	Species or taxon included	Size of the animal (m)	Minimum volume (m ³) of a cage	Minimum total area (m ²) of a cage or enclosure	Minimum area (m ²) of the pool	Other particular specifications
5 (crocodilians)	- Order Crocodylia.	< 0.5 (SVL)	n/s	1.6	1	- The depth of the pool must be sufficient to allow the animal to completely submerge itself.
		0.5 to 0.75 (SVL)	n/s	3.5	2.3	
		> 0.75 to 1 (SVL)	n/s	6.3	4	
		> 1 to 1.25 (SVL)	n/s	9.8	6.3	
		> 1.25 (SVL)	n/s	(SVL x 2.5) ²	(SVL x 2) ²	
6 (lizards)	- Families Agamidae, Amphisbaenidae, Anguillidae, Anniellidae, Bipedidae, Blaniidae, Cadeidae, Carphodactylidae, Corylidae, Corytophanidae, Crotophytidae, Dibamidae, Diploglossidae, Eublepharidae, Gerrhosauridae, Gymnophthalmidae, Helodermatidae, Hoplocercidae, Iguanidae, Lacertidae, Lamprolepididae, Leiocephalidae, Leiosauridae, Liolaemidae, Opluridae, Phrynosomatidae, Pygopodidae, Rhineuridae, Scincidae, Shinisauridae, Sphenodontidae, Teiidae, Tropiduridae, Varanidae, Xantusiidae and Xenosauridae.	< 0.04 (SVL)	n/s	0.03	0.009	- The minimum area of the pool applies only to semi-aquatic species.
		0.04 to 0.07 (SVL)	n/s	0.05	0.016	- The depth of the pool for semi-aquatic species must be sufficient to allow the animal to completely submerge itself.
		> 0.07 to 0.13 (SVL)	n/s	0.08	0.03	
		> 0.13 to 0.20 (SVL)	n/s	0.19	0.06	
		> 0.20 to 0.30 (SVL)	n/s	0.33	0.11	
7 (scale-bellied tree lizards)	- Families Chamaeleonidae, Dactyloidae, Diplodactylidae, Gekkonidae, Phyllodactylidae, Polychrotidae and Spheerodactylidae	> 0.32 (SVL)	n/s	(SVL x 2.3) ²	(SVL x 1.3) ²	
		< 0.04 (SVL)	0.004	0.022	n/s	
		0.04 to 0.07 (SVL)	0.008	0.038	n/s	
		> 0.07 to 0.13 (SVL)	0.02	0.065	n/s	
		> 0.13 to 0.20 (SVL)	0.13	0.17	n/s	
8 (snakes)	- Families Acrochordidae, Aniliidae, Anomalopeltidae, Anomochilidae, Boidae, Bolyeridae, Colubridae, Cylindrophidae, Dipsosidae, Elapidae, Gerrhonilidae, Homalopsidae, Lamprophiidae, Leptotyphlopidae, Loxocemidae, Natricidae, Pareulidae, Pseudonotonidae, Pythonidae, Tropidophidae, Typhlopidae, Uropeidae, Viperidae, Xenodermatidae, Xenopeltidae, Xenophididae and Xenotyphlopidae.	> 0.20 to 0.25 (SVL)	0.25	0.22	n/s	
		> 0.25 (SVL)	(SVL x 2.8) ³	(SVL x 2.2) ²	n/s	
		< 0.30 (STL)	0.002	0.02	0.01	- The minimum volume of a cage applies only to arboreal species.
		0.30 to 0.60 (STL)	0.01	0.04	0.02	- The minimum area of the pool applies only to semi-aquatic species.
		> 0.60 to 0.90 (STL)	0.02	0.07	0.03	- The depth of the pool must be sufficient to allow the animal to completely submerge itself.
		> 0.90 to 1.20 (STL)	0.06	0.16	0.08	
		> 1.20 to 1.50 (STL)	0.13	0.26	0.13	
		> 1.50 to 1.80 (STL)	0.24	0.39	0.19	
		> 1.80 to 2.10 (STL)	0.39	0.54	0.27	
		> 2.10 to 2.40 (STL)	0.60	0.70	0.35	
		> 2.40 (STL)	(STL x 0.4) ³	(STL x 0.4) ²	(STL x 0.28) ²	

Group (description)	Species or taxon included	Size of the animal (m)	Minimum volume (m ³) of a cage	Minimum total area (m ²) of a cage or enclosure	Minimum area (m ²) of the pool	Other particular specifications
9 (land turtles)	- Family Testudinidae. Genus <i>Terrapene</i> .	< 0.10 (SCL)	n/s	0.07	n/s	
		0.10 to 0.15 (SCL)	n/s	0.17	n/s	
		> 0.15 to 0.20 (SCL)	n/s	0.28	n/s	
		> 0.20 to 0.30 (SCL)	n/s	0.47	n/s	
10 (semi-aquatic turtles)	- Genera <i>Cuora</i> , <i>Cyclemys</i> , <i>Geomyda</i> , <i>Glyptemys</i> , <i>Heosemys</i> , <i>Leucocephalon</i> , <i>Melanochelys</i> , <i>Rhinoclemmys</i> and <i>Vijayachelys</i> .	> 0.30 (SCL)	n/s	(SCL × 2.75) ²	n/s	
		< 0.10 (SCL)	n/s	0.07	0.023	- The depth of the pool must be sufficient to allow the animal to completely submerge itself.
		0.10 to 0.15 (SCL)	n/s	0.17	0.056	
		> 0.15 to 0.20 (SCL)	n/s	0.28	0.09	
11 (aquatic turtles)	- Species not included in groups 8 and 9 that belongs to the order Testudines.	> 0.20 to 0.30 (SCL)	n/s	0.47	0.16	
		> 0.30 (SCL)	n/s	(SCL × 2.75) ²	(SCL × 1.6) ²	
		< 0.10 (SCL)	n/s	0.05	0.05	- The depth at the centre of the pool must be greater than the SCL.
		0.10 to 0.15 (SCL)	n/s	0.14	0.14	
		> 0.15 to 0.20 (SCL)	n/s	0.23	0.23	
		> 0.20 to 0.30 (SCL)	n/s	0.38	0.38	
		> 0.30 (SCL)	n/s	(SCL × 2.5) ²	(SCL × 2.5) ²	

(C) BIRDS

Group (description)	Species or taxon included	Minimum volume (m ³) of a cage from 1 June to 1 September	Minimum volume (m ³) of a cage from 2 September to 31 May	Minimum area (m ²) of a cage or enclosure from 1 June to 1 September	Minimum area (m ²) of a cage or enclosure from 2 September to 31 May	Minimum area (m ²) of the pool from 1 June to 1 September	Minimum area (m ²) of the pool from 2 September to 31 May	Other particular specifications
12 (very small aviary birds, small budgies)	- Family Estrildidae. - Genera <i>Melospitaceus</i> , <i>Foprus</i> , <i>Traill</i> and <i>Volatinia</i> .	0.02	0.02	0.066	0.066	n/s	n/s	- The inside height of the cage must be at least 0.25 m.
13 (small aviary birds, budgies)	- Family Zosteropidae. - Genera <i>Agapornis</i> , <i>Bolborhynchus</i> , <i>Brotogeris</i> , <i>Carpodacus</i> , <i>Carduelis</i> , <i>Chloris</i> , <i>Cyanerpes</i> , <i>Dacnis</i> , <i>Euphonia</i> , <i>Euplectes</i> , <i>Fringilla</i> , <i>Geopelia</i> , <i>Neophema</i> , <i>Neopsophodes</i> , <i>Oena</i> , <i>Serinus</i> , <i>Tangara</i> and <i>Touti</i> .	0.045	0.045	0.08	0.08	n/s	n/s	- The inside height of the cage must be at least 0.3 m.
14 (aviary birds, cockatiels and small conures)	- Genera <i>Cyanoramphus</i> , <i>Emberiza</i> , <i>Leiothrix</i> , <i>Nymphicus</i> , <i>Panama</i> , <i>Passer</i> , <i>Ploceus</i> , <i>Psephenus</i> , <i>Psittaculodes</i> , <i>Pyrrhula</i> , <i>Pyrrhura</i> and <i>Sicalis</i> . - <i>Anatifa aurea</i> .	0.07	0.07	0.10	0.10	n/s	n/s	- The inside height of the cage must be at least 0.4 m.
15 (aviary birds, conures, small parrots)	- Genera <i>Anatifa</i> (except <i>A. aurea</i>), <i>Chalcopsitta</i> , <i>Dipsitaca</i> , <i>Eos</i> , <i>Icterus</i> , <i>Lorius</i> , <i>Myopsitta</i> , <i>Nendayus</i> , <i>Ocyphaps</i> , <i>Pionites</i> , <i>Platycercus</i> , <i>Pseudes</i> , <i>Psittacula</i> (except <i>P. eupatria</i>) <i>Pycnonotus</i> , <i>Thraupis</i> and <i>Trichoglossus</i> . - <i>Poicephalus crassus</i> , <i>Poicephalus cryptoxanthus</i> , <i>Poicephalus flavifrons</i> , <i>Poicephalus meyeri</i> , <i>Poicephalus rueppelli</i> , <i>Poicephalus rufiventris</i> and <i>Poicephalus senegalus</i> .	0.10	0.10	0.16	0.16	n/s	n/s	- The inside height of the cage must be at least 0.4 m.
16 (aviary birds and parrots)	- Genera <i>Cinnyricinclus</i> , <i>Icterus</i> , <i>Molothrus</i> , <i>Streptopelia</i> , <i>Sturnia</i> and <i>Zenaidura</i> . - <i>Amazona agilis</i> , <i>Amazona albifrons</i> , <i>Amazona barbadensis</i> , <i>Amazona collaris</i> , <i>Amazona leucocapilla</i> , <i>Amazona ventralis</i> , <i>Amazona viridigenalis</i> , <i>Amazona xanillorea</i> and <i>Amazona xanthops</i> .	0.14	0.14	0.2	0.2	n/s	n/s	- The inside height of the cage must be at least 0.5 m.

Group (description)	Species or taxon included	Minimum volume (m ³) of a cage from 1 June to 1 September	Minimum volume (m ³) of a cage from 2 September to 31 May	Minimum area (m ²) of a cage or enclosure from 1 June to 1 September	Minimum area (m ²) of a cage or enclosure from 2 September to 31 May	Minimum area (m ²) of the pool from 1 June to 1 September	Minimum area (m ²) of the pool from 2 September to 31 May	Other particular specifications
17 (aviary birds and parrots)	<ul style="list-style-type: none"> - Genera <i>Agelaius</i>, <i>Barnardius</i>, <i>Creatophora</i>, <i>Cyanoliseus</i>, <i>Euphagus</i>, <i>Guaruba</i>, <i>Irena</i>, <i>Lamprolaimis</i>, <i>Lybius</i>, <i>Ornithospiza</i>, <i>Peisoraeus</i>, <i>Ploceus</i>, <i>Prinolius</i>, <i>Sturnus</i> and <i>Turdus</i>. - <i>Amazona amazónica</i>, <i>Amazona festiva</i>, <i>Amazona finschi</i>, <i>Amazona lucumana</i>, <i>Amazona pretrei</i>, <i>Amazona tucumana</i>, <i>Amazona vinacea</i>, <i>Amazona vitellata</i>, <i>Ara severus</i>, <i>Cacatua ducorpisii</i>, <i>Cacatua goffiniana</i>, <i>Cacatua haematurpiglia</i>, <i>Poicephalus guilelmi</i>, <i>Poicephalus robustus</i>, <i>Psittacula eupatria</i> and <i>Psittacus erithacus timneh</i>. 	0.2	0.2	0.3	0.3	n/s	n/s	- The inside height of the cage must be at least 0.5 m.
18 (aviary birds and medium parrots)	<ul style="list-style-type: none"> - Genera <i>Ardeiotheres</i>, <i>Aegolius</i>, <i>Cacicus</i>, <i>Columba</i>, <i>Cyanocitta</i>, <i>Cyanopica</i>, <i>Eclectus</i>, <i>Garrulax</i>, <i>Glauroidium</i>, <i>Gracula</i>, <i>Megascops</i>, <i>Microthene</i>, <i>Otus</i> and <i>Quiscalus</i>. - <i>Amazona aestiva</i>, <i>Amazona arausiaca</i>, <i>Amazona ardea</i>, <i>Amazona beryllina</i>, <i>Amazona brasiliensis</i>, <i>Amazona dufrenoyi</i>, <i>Amazona ferreus</i>, <i>Amazona guildingii</i>, <i>Amazona karwalli</i>, <i>Amazona ochrocephala</i>, <i>Amazona oratrix</i>, <i>Amazona rhodocorytha</i>, <i>Ara rubrogenys</i>, <i>Cacatua alba</i>, <i>Cacatua leadbeateri</i>, <i>Cacatua sanguinea</i>, <i>Cacatua sulphurea</i>, <i>Cacatua tenuirostris</i>, <i>Eolophus roseicapilla</i> and <i>Psittacus erithacus erithacus</i>. 	0.3	0.3	0.4	0.4	n/s	n/s	- The inside height of the cage must be at least 0.75 m.
19 (large aviary birds, large parrots and small birds of prey)	<ul style="list-style-type: none"> - Genera <i>Athene</i>, <i>Calocitta</i>, <i>Calcyptrorhynchus</i>, <i>Cissa</i>, <i>Cyanocorax</i>, <i>Muscopaga</i>, <i>Pica</i>, <i>Proboscerus</i>, <i>Pteroglossus</i>, <i>Ruwenzorornis</i>, <i>Tauraco</i> and <i>Toxolus</i>. - <i>Amazona imperialis</i>, <i>Amazona versicolor</i>, <i>Ara ararauna</i>, <i>Ara glaucogularis</i>, <i>Ara macao</i>, <i>Ara militaris</i>, <i>Cacatua galerita</i>, <i>Cacatua moluccensis</i>, <i>Cacatua ophthalmica</i>, <i>Cacatua postinator</i>, <i>Coryvus brachyrhynchos</i>, <i>Falco columbianus</i> and <i>Falco sparverius</i>. 	1	1	0.8	0.8	n/s	n/s	- The inside height of the cage must be at least 1 m.
20 (large aviary birds, very large parrots)	<ul style="list-style-type: none"> - Genera <i>Ocyrotes</i> and <i>Ramphestris</i>. - <i>Ara ambiguus</i> and <i>Ara chloropterus</i>. 	1.4	1.4	0.95	0.95	n/s	n/s	- The inside height of the cage must be at least 1.2 m.

Group (description)	Species or taxon included	Minimum volume (m ³) of a cage from 1 June to 1 September	Minimum volume (m ³) of a cage from 2 September to 31 May	Minimum area (m ²) of a cage enclosure from 1 June to 1 September	Minimum area (m ²) of a cage enclosure from 2 September to 31 May	Minimum area (m ²) of the pool from 1 June to 1 September	Minimum area (m ²) of the pool from 2 September to 31 May	Other particular specifications
21 (very large avian birds, very large parrots)	- Genera <i>Anodorhynchus</i> , <i>Bucconides</i> , <i>Penelopides</i> and <i>Tropicranus</i> . <i>Corvus albicollis</i> , <i>Corvus albus</i> and <i>Corvus cryptoleucus</i> .	2.3	2.3	1.6	1.6	n/s	n/s	- The inside height of the cage must be at least 1.2 m.
22 (medium birds of prey and very large avian birds)	- Genera <i>Accipiter</i> , <i>Anthracoceros</i> , <i>Asio</i> , <i>Buteo</i> , <i>Buteo</i> , <i>Buteo</i> , <i>Circus</i> , <i>Pareuteo</i> and <i>Tyto</i> . - <i>Corvus corax</i> , <i>Corvus crassirostris</i> , <i>Falco biarmicus</i> , <i>Falco cherrug</i> , <i>Falco femoralis</i> , <i>Falco jugger</i> , <i>Falco mexicanus</i> , <i>Falco peregrinus</i> , <i>Falco rusticolus</i> , <i>Strix nebulosa</i> and <i>Strix varia</i> .	10	10	4.3	4.3	n/s	n/s	- The inside height of the cage must be at least 2 m.
23 (large birds of prey)	- Genera <i>Cathartes</i> , <i>Coragyps</i> and <i>Terathopus</i> . - <i>Bubo bubo</i> , <i>Bubo scandiacus</i> and <i>Bubo virginianus</i> .	14.4	14.4	7.2	7.2	n/s	n/s	- The inside height of the cage must be at least 2 m.
24 (eagles and sea-eagles)	- Genera <i>Aquila</i> and <i>Haliaeetus</i> .	90	36	30	15	n/s	n/s	- The inside height of the cage must be at least 3 m from 1 June to 1 September and 2.4 m from 2 September to 31 May.
25 (condors and large vultures)	- Genera <i>Accipiter</i> , <i>Gymnogyps</i> , <i>Gypaetus</i> , <i>Gyps</i> , <i>Sarcogyps</i> , <i>Sarcoramphus</i> , <i>Torgos</i> , <i>Trigoniceps</i> and <i>Vultur</i> .	184	55	46	23	n/s	n/s	- The inside height of the cage must be at least 4 m from 1 June to 1 September and 2.4 m from 2 September to 31 May.
26 (other avian birds and birds of prey)	- Species not included in groups 11 to 23 and belonging to the order <i>Accipitriformes</i> . <i>Accipitriformes</i> , <i>Bucconiformes</i> , <i>Caprimulgiformes</i> , <i>Coliiformes</i> , <i>Columbiformes</i> , <i>Coraciiformes</i> , <i>Cuculiformes</i> , <i>Falconiformes</i> , <i>Leptosomiformes</i> , <i>Museophagiformes</i> , <i>Opisthocomiformes</i> , <i>Passeriformes</i> , <i>Piciformes</i> , <i>Pteroclidiformes</i> , <i>Strigiformes</i> or <i>Trogoniformes</i> .	0.007 × SWG ^{1.37}	0.0024 × SWG ^{1.08}	0.004 × SWG	0.0025 × SWG	n/s	n/s	
27 (other parrots)	- Species not included in groups 11 to 23 and belonging to the order <i>Psittaciformes</i>	0.0006 × SWG ^{1.1}	0.0006 × SWG ^{1.1}	(0.00078 × SWG) + 0.04	(0.00078 × SWG) + 0.04	n/s	n/s	

Group (description)	Species or taxon included	Minimum volume (m ³) of a cage from 1 June to 1 September	Minimum volume (m ³) of a cage from 2 September to 31 May	Minimum area (m ²) of a cage enclosure from 1 June to 1 September	Minimum area (m ²) of a cage or enclosure from 2 September to 31 May	Minimum area (m ²) of the pool from 1 June to 1 September	Minimum area (m ²) of the pool from 2 September to 31 May	Other particular specifications
28 (acids, cormorants and ducks)	- Families Alcidae, Helionithidae, Phalacrocoracidae and Podicipedidae. - Genera <i>Aix</i> , <i>Amazonetta</i> , <i>Anas</i> , <i>Asarcornis</i> , <i>Aythya</i> , <i>Bucephala</i> , <i>Callonetta</i> , <i>Campylorhynchus</i> , <i>Chenonetta</i> , <i>Cangula</i> , <i>Dendrocygna</i> , <i>Heteronetta</i> , <i>Histrionicus</i> , <i>Lophodytes</i> , <i>Lophonetta</i> , <i>Melanerhynchus</i> , <i>Marmaronetta</i> , <i>Melanitta</i> , <i>Mergellus</i> , <i>Mergus</i> , <i>Netta</i> , <i>Nettion</i> , <i>Nyroca</i> , <i>Oxyura</i> , <i>Polysticta</i> , <i>Pelecanus</i> , <i>Rhodonessa</i> , <i>Salvadorina</i> , <i>Somateria</i> and <i>Specularia</i> .	n/s	n/s	2.5	1.25	1	0.5	- The depth at the centre of the pool must be 15 cm or more.
29 (gannets, boobies, geese)	- Family Suidae. - Genera <i>Alopochen</i> , <i>Anser</i> , <i>Branta</i> , <i>Cairina</i> , <i>Chen</i> , <i>Coscoroba</i> and <i>Tadorna</i> .	n/s	n/s	5	2.5	3	1.25	- The depth at the centre of the pool must be 30 cm or more.
30 (swans)	- Genus <i>Oxyura</i> .	n/s	n/s	12	6	7.25	1.9	- The depth at the centre of the pool must be 30 cm or more.
31 (shore birds)	- Families Burhinidae, Charadriidae, Chionidae, Dromadidae, Glareolidae, Haematopodidae, Ibisornithidae, Jacanidae, Pedionomidae, Pluvianellidae, Pluvianidae, Recurvirostridae, Rostratulidae, Scolopacidae and Thimocoridae.	n/s	n/s	0.006 × SWG	0.004 × SWG	0.003 × SWG	0.002 × SWG	- The depth at the centre of the pool must be 3 cm or more. - A pool is not required for species of the genus <i>Scolopax</i> .
32 (seaquils, terns, puffins)	- Orders <i>Phaethoniformes</i> and <i>Procellariiformes</i> . - Families <i>Fregatidae</i> , <i>Laridae</i> and <i>Stercorariidae</i> .	n/s	n/s	0.006 × SWG	0.004 × SWG	0.003 × SWG	0.002 × SWG	- The depth at the centre of the pool must be 15 cm or more. - The inside height of the cage must be at least 2.4 m.
33 (cranes, storks and other waders)	- Families Ardeidae, Ardeidae, Balaenicipitidae, Ciconiidae, Eurypygidae, Gruidae, Mesitornithidae, Otididae, Rallidae and Threskiornithidae.	n/s	n/s	0.0045 × SWG	0.003 × SWG	0.0015 × SWG	n/s	- The depth at the centre of the pool must be 15 cm or more.
34 (flamingos)	- Family Phoenicopteridae.	n/s	n/s	6	3	3	1.5	- The depth at the centre of the pool must be 15 cm or more.
35 (small and medium penguins)	- Genera <i>Eudyptes</i> , <i>Eudyptes</i> , <i>Megadyptes</i> , <i>Pygoscelis</i> and <i>Spheniscus</i> .	n/s	n/s	1.8	1.8	0.6	0.6	- The depth at the centre of the pool must be 90 cm or more.

(D) MAMMALS

Group (description)	Species or taxon included	Minimum volume (m ³) of a cage from 1 June to 1 September	Minimum volume (m ³) of a cage from 2 September to 31 May	Minimum area (m ²) of a cage or enclosure from 1 June to 1 September	Minimum area (m ²) of a cage or enclosure from 2 September to 31 May	Minimum area (m ²) of the pool from 1 June to 1 September	Minimum area (m ²) of the pool from 2 September to 31 May	Minimum area (m ²) of a shift cage or enclosure	Other particular specifications
45 (rice dwarf hamsters)	- Genera <i>Cricetus</i> , <i>Lemniscomys</i> , <i>Mus</i> , <i>Myodes</i> , <i>Mesocricetus</i> , <i>Phonacomys</i> , <i>Pomomyscus</i> , <i>Phodopus</i> and <i>Zapus</i> .	0.011	0.011	0.045	0.045	n/s	n/s	n/s	- For the house mouse (<i>Mus musculus</i>) kept in intensive rearing, only the provisions of table E apply.
46 (hamsters, spiny mice, gerbils)	- Genera <i>Acomys</i> , <i>Cricetus</i> , <i>Dicrostonyx</i> , <i>Dromiciops</i> , <i>Graphiurus</i> , <i>Meriones</i> , <i>Mesocricetus</i> , <i>Microtus</i> , <i>Pachyrhynchus</i> and <i>Schaefferomys</i> .	0.018	0.018	0.09	0.09	n/s	n/s	n/s	- For the golden hamster (<i>Mesocricetus auratus</i>) or the Mongolian gerbil (<i>Meriones uruguiensis</i>) kept in intensive rearing, only the provisions of table E apply.
47 (small opossums, chipmunks, rats, degus)	- Genera <i>Monodelphis</i> , <i>Orctodon</i> , <i>Rattus</i> and <i>Tamias</i> .	0.06	0.06	0.14	0.14	n/s	n/s	n/s	- For the brown rat (<i>Rattus norvegicus</i>) kept in intensive rearing, only the provisions of table E apply.
48 (hedgehogs, guinea pigs)	- Families <i>Erinacidae</i> and <i>Tenrecidae</i> . - Genus <i>Cavia</i> .	n/s	n/s	0.24	0.24	n/s	n/s	n/s	
49 (gliders, flying squirrels)	- Genera <i>Glaucomys</i> and <i>Petaurus</i>	0.2	0.2	0.2	0.2	n/s	n/s	n/s	- The inside height of the cage must be at least 0.7 m.
50 (chinchillas, prairie dogs)	- Genera <i>Chinchilla</i> and <i>Cynomys</i> .	0.18	0.18	0.2	0.2	n/s	n/s	n/s	
51 (squirrels, tree shrews)	- Order <i>Scandentia</i> . - Genera <i>Sclurus</i> and <i>Tamiasciurus</i> .	0.45	0.45	0.45	0.45	n/s	n/s	n/s	- The inside height of the cage must be at least 0.9 m.
52 (wild rabbits)	- Genera <i>Oryctolagus</i> and <i>Sylvilagus</i> .	n/s	n/s	0.5	0.5	n/s	n/s	n/s	
53 (agouti, large pocket mice, groundhogs)	- Genera <i>Dasyprocta</i> , <i>Didelphis</i> , <i>Marmota</i> , <i>Myoprocta</i> and <i>Onychia</i> .	n/s	n/s	3	2	n/s	n/s	n/s	- For the genus <i>Didelphis</i> , the inside height of the cage must be at least 1.5 m.
54 (maras, pacas, porcupines, tamanduas)	- Genera <i>Cuniculus</i> and <i>Tamandua</i> . <i>Dolichotis patagonum</i> , <i>Erethizon dorsatum</i> , <i>Hystrix africaeaustralis</i> , <i>Hystrix cristata</i> and <i>Hystrix indica</i> .	n/s	n/s	6	4	n/s	n/s	n/s	

Group (description)	Species or taxon included	Minimum volume (m ³) of a cage from 1 June to 1 September	Minimum volume (m ³) of a cage from 2 September to 31 May	Minimum area (m ²) of a cage or enclosure from 1 June to 1 September	Minimum area (m ²) of a cage or enclosure from 2 September to 31 May	Minimum area (m ²) of the pool from 1 June to 1 September	Minimum area (m ²) of the pool from 2 September to 31 May	Minimum area (m ²) of a shift cage or enclosure	Other particular specifications
55 (wallaby)	- Genus <i>Macropus</i> (except <i>M. fuliginosus</i> , <i>M. rufus</i> and <i>M. giganteus</i>).	n/s	n/s	30	9	n/s	n/s	n/s	
56 (kangaroo)	- <i>Macropus fuliginosus</i> , <i>Macropus giganteus</i> and <i>Macropus rufus</i> .	n/s	n/s	40	12	n/s	n/s	n/s	
57 (capybara, beavers)	- Genera <i>Hydrochoerus</i> and <i>Castor</i> .	n/s	n/s	32	14	16	7	n/s	
58 (other small mammals)	- Species not included in groups 42 to 53 that belong to the families: Muridae, Dasyproctidae, Didelphidae, Didymelidae, Diprotidae, Eumastomidae, Hyacidae, Lagomorphia, Macroscelidea, Monotremata, Notoryctemorphia, Paucituberculata, Peramelemorphia, Pholidota, Pilosa, Rodentia, Soricomorphia or Tubulidentata.	n/s	n/s	0.003 × SWG ⁽¹⁾⁽⁶⁾	0.004 × SWG ⁽¹⁾⁽⁷⁾	n/s	n/s	n/s	
59 (micro-herbivores)	- Genera <i>Dorcacragus</i> , <i>Macrogus</i> , <i>Neotragus</i> , <i>Philetomba</i> , <i>Putus</i> and <i>Raphitescus</i> .	n/s	n/s	7	3	n/s	n/s	3	
60 (small herbivores)	- Families Moschidae, Tragulidae and Tayassuidae. - Genera <i>Cephalophus</i> , <i>Elaphodus</i> , <i>Hydropotes</i> , <i>Muntiacus</i> , <i>Oreotragus</i> , <i>Ourebia</i> , <i>Sylviscapra</i> and <i>Tetracerus</i> .	n/s	n/s	45	8	n/s	n/s	8	
61 (medium herbivores)	- Families Antilocapridae and Suidae. - Genera <i>Addax</i> , <i>Aepyceros</i> , <i>Ammotragus</i> , <i>Antilocapra</i> , <i>Antelope</i> , <i>Axis</i> , <i>Capra</i> , <i>Capreolus</i> , <i>Dama</i> , <i>Eudorcas</i> , <i>Gazella</i> , <i>Hemitragus</i> , <i>Hippocamelus</i> , <i>Kobus</i> (except <i>K. ellipsipyrmus</i>), <i>Licoramus</i> , <i>Mazama</i> , <i>Naemorhedus</i> , <i>Nanger</i> , <i>Odocoileus</i> , <i>Oreamnos</i> , <i>Ovis</i> , <i>Oxyceros</i> , <i>Panhiolops</i> , <i>Pelea</i> , <i>Procavia</i> , <i>Pseudobis</i> , <i>Pseudoryx</i> , <i>Redunca</i> , <i>Rupicapra</i> , <i>Saiga</i> and <i>Visonina</i> . - Genus <i>hippon</i> , <i>Damaliscus</i> , <i>pygmaeus</i> , <i>Oryx</i> , <i>leucoryx</i> , <i>Tragelaphus imberbis</i> , <i>Tragelaphus scriptus</i> and <i>Tragelaphus speki</i> .	n/s	n/s	85	10	n/s	n/s	10	

Group (description)	Species or taxon included	Minimum volume (m ³) of a cage from 1 June to 1 September	Minimum volume (m ³) of a cage from 2 September to 31 May	Minimum area (m ²) of a cage or enclosure from 1 June to 1 September	Minimum area (m ²) of a cage or enclosure from 2 September to 31 May	Minimum area (m ²) of the pool from 1 June to 1 September	Minimum area (m ²) of the pool from 2 September to 31 May	Minimum area (m ²) of a shift cage or enclosure	Other particular specifications
62 (large herbivores)	- Families Equidae and Tapiridae. - Genera <i>Alcelaphus</i> , <i>Beatragus</i> , <i>Blastocercus</i> , <i>Boselaphus</i> , <i>Budorcas</i> , <i>Capricornis</i> , <i>Connochaetes</i> , <i>Damaliscus</i> (except <i>D. pygargus</i>), <i>Elaphurus</i> , <i>Hippotragus</i> , <i>Lama</i> , <i>Oleapia</i> , <i>Oryx</i> (except <i>O. leucoryx</i>), <i>Przewalskium</i> , <i>Rangifer</i> , <i>Rucervus</i> and <i>Rusa</i> . - Genus <i>elaphus</i> , <i>Kobus ellipsiprymnus</i> , <i>Tragelaphus angasi</i> , <i>Tragelaphus buxtoni</i> , <i>Tragelaphus eurycentus</i> and <i>Tragelaphus strepsiceros</i> .	n/s	n/s	120	14	n/s	n/s	14	
63 (very large herbivores, camels)	- Genera <i>Alces</i> , <i>Bison</i> , <i>Bos</i> , <i>Bubalus</i> , <i>Camelus</i> , <i>Ovis</i> , <i>Syncebus</i> and <i>Taurotragus</i> .	n/s	n/s	160	19	n/s	n/s	19	
64 (giraffes)	- Genus <i>Giraffa</i> .	n/s	n/s	200	21	n/s	n/s	21	- The inside height of the cage must be at least 6.4 m.
65 (hippopotami)	- Genus <i>Hippopotamus</i> .	n/s	n/s	100	40	60	25	25	- The depth at the centre of the pool must be 1.5 m or over.
66 (rhinoceroses)	- Family <i>Rhinocerotidae</i> .	n/s	n/s	125	50	n/s	n/s	30	
67 (elephants)	- Family <i>Elephantidae</i> .	n/s	n/s	500	75	n/s	n/s	40	
68 (micro-carnivores)	- Genera <i>Bassaricyon</i> , <i>Bassariscus</i> , <i>Crossarchus</i> , <i>Cynictis</i> , <i>Diplogale</i> , <i>Dologale</i> , <i>Fossa</i> , <i>Galerella</i> , <i>Gallidia</i> , <i>Galdicris</i> , <i>Helogale</i> , <i>Ictonyx</i> , <i>Lyncodon</i> , <i>Martes</i> (except <i>M. pennanti</i>), <i>Mungotiacis</i> , <i>Mustela</i> , <i>Nasua</i> , <i>Nasuaella</i> , <i>Poecilogale</i> , <i>Poliana</i> , <i>Pronodon</i> , <i>Salmella</i> , <i>Spilogale</i> , <i>Suricata</i> and <i>Vormela</i> . - <i>Vulpes zerda</i> .	n/s	n/s	1	1	n/s	n/s	n/s	- For arboreal species, the inside height of the cage must be at least 75 cm.

Group (description)	Species or taxon included	Minimum volume (m ³) of a cage from 1 June to 1 September	Minimum volume (m ³) of a cage from 2 September to 31 May	Minimum area (m ²) of a cage or enclosure from 1 June to 1 September	Minimum area (m ²) of a cage or enclosure from 2 September to 31 May	Minimum area (m ²) of the pool from 1 June to 1 September	Minimum area (m ²) of the pool from 2 September to 31 May	Minimum area (m ²) of a shift cage or enclosure	Other particular specifications
69 (small carnivores)	<ul style="list-style-type: none"> - Family Nandiniidae. - Genera <i>Arctogalidia</i>, <i>Allix</i>, <i>Bocagale</i>, <i>Chrotogale</i>, <i>Conopatus</i>, <i>Eupleres</i>, <i>Galictis</i>, <i>Genetta</i>, <i>Hemigalix</i>, <i>Herpestes</i>, <i>Leopardus</i>, (except <i>L. pardalis</i> and <i>L. geoffroyi</i>), <i>Libenictis</i>, <i>Meligale</i>, <i>Mungos</i>, <i>Mydaus</i>, <i>Neovison</i>, <i>Paracynictis</i>, <i>Paradoxurus</i>, <i>Potos</i>, <i>Rhynchogale</i> and <i>Viverricula</i>. - <i>Catopuma badia</i>, <i>Felis bergalia</i>, <i>Felis nigripes</i>, <i>Prionailurus planiceps</i>, <i>Prionailurus rubiginosus</i> and <i>Vulpes cana</i>. 	n/s	n/s	3	2	n/s	n/s	n/s	- For arboreal species, the inside height of the cage must be at least 1,2 m.
70 (small carnivores)	<ul style="list-style-type: none"> - Family Aluridae. - Genera <i>Cardocon</i>, <i>Cyproprocta</i>, <i>Cynogale</i>, <i>Eira</i>, <i>Ichneumia</i>, <i>Lycalopex</i>, <i>Macrogalidia</i>, <i>Mephitis</i>, <i>Nasua</i>, <i>Ocyon</i>, <i>Faguma</i>, <i>Pandfelis</i>, <i>Procyon</i>, <i>Speothos</i>, <i>Urocyon</i> and <i>Viverra</i>, <i>Vulpes</i> (except <i>V. cana</i>, <i>V. ferrilata</i>, <i>V. lagopus</i>, <i>V. vulpes</i> and <i>V. zerdai</i>). - <i>Felis bieti</i>, <i>Felis marul</i>, <i>Felis silvestris</i>, <i>Leopardus georgianus</i>, <i>Prionailurus bengalensis</i>, <i>Prionailurus temnodorsis</i>, <i>Martes pennanti</i> and <i>Puma yagouaroundi</i>. 	n/s	n/s	9	6	n/s	n/s	n/s	- For arboreal species, the inside height of the cage must be at least 2 m.
71 (small carnivores)	<ul style="list-style-type: none"> - Genera <i>Acrictis</i>, <i>Anonyx</i>, <i>Canis</i> (except <i>C. lupus</i>), <i>Canis</i>, <i>Cynelictis</i>, <i>Glo</i>, <i>Lepus</i>, <i>Lynx</i>, <i>Lynx</i>, <i>Mellivora</i>, <i>Myacarus</i>, <i>Profelis</i>, <i>Proteles</i> and <i>Taxidea</i>. - <i>Catopuma temminckii</i>, <i>Felis chaus</i>, <i>Leopardus pardalis</i>, <i>Prionailurus viverrinus</i>, <i>Vulpes ferrilata</i>, <i>Vulpes lagopus</i> and <i>Vulpes vulpes</i>. 	n/s	n/s	25	9	n/s	n/s	n/s	
72 (medium carnivores)	<ul style="list-style-type: none"> - Genera <i>Chrysocyon</i>, <i>Cuon</i>, <i>Hyaena</i>, <i>Lycyaon</i> and <i>Neofelis</i>. 	n/s	n/s	75	14	n/s	n/s	5	
73 (medium carnivores)	<ul style="list-style-type: none"> - Genera <i>Acronyx</i>, <i>Crocuta</i>, <i>Helarctos</i> and <i>Uncia</i>. - <i>Canis lupus</i>, <i>Panthera onca</i>, <i>Panthera pardus</i> and <i>Puma concolor</i>. 	n/s	n/s	100	16	n/s	n/s	5	
74 (large carnivores)	<ul style="list-style-type: none"> - Genera <i>Ailuropoda</i>, <i>Melursus</i> and <i>Tremarctos</i>. - <i>Panthera leo</i>, <i>Panthera tigris</i>, <i>Ursus americanus</i> and <i>Ursus thibetanus</i>. 	n/s	n/s	175	18	n/s	n/s	6	

Group (description)	Species or taxon included	Minimum volume (m ³) of a cage from 2 September to 31 May	Minimum area (m ²) of a cage or enclosure from 1 June to 1 September	Minimum area (m ²) of a cage or enclosure from 2 September to 31 May	Minimum area (m ²) of the pool from 1 June to 1 September	Minimum area (m ²) of the pool from 2 September to 31 May	Minimum area (m ²) of a shift cage or enclosure	Other particular specifications
75 (very large carnivores)	- <i>Ursus arctos</i> and <i>Ursus maritimus</i> .	n/s	250	250	18	18	7	- A pool is only required for <i>Ursus maritimus</i> . - The depth at the centre of the pool must be 1.5 m or more.
76 (small otters)	- Genus <i>Hydridae</i> . - <i>Aonyx chirensis</i> and <i>Lontra felina</i> .	n/s	7	4	1.75	1	n/s	- The depth at the centre of the pool must be 0.3 m or more.
77 (medium otters)	- Genera <i>Lontra</i> (except <i>L. felina</i>), <i>Lutra</i> and <i>Lutrogale</i> . - <i>Aonyx capensis</i> .	n/s	14	6	3.5	1.5	n/s	- The depth at the centre of the pool must be 0.4 m or more.
78 (large otters)	- Genera <i>Erythra</i> and <i>Pteronura</i> .	n/s	35	8	9	2	n/s	- The depth at the centre of the pool must be 0.5 m or more.
79 (other carnivores)	- Species not included in groups 64 to 74 that belong to the family Canidae, Felidae, Mustelidae, Ursidae or Viverridae.	n/s	0.0012 × SWG	0.024 × SWG ^{0.56}	n/s	n/s	n/s	
80 (micro-primates)	- Families Aotidae, Callitrichidae, Cheirogaleidae, Galagidae, Lepilemuridae, Lorisidae and Tarsiidae. - Genus <i>Saimiri</i> .	1.85	1.5	1.5	n/s	n/s	n/s	- The inside height of the cage must be at least 1.25 m.
81 (small primates and colugos)	- Families Cynocephalidae, Daubentonidae, Lemuridae and Plileceidae. - Genera <i>Cebus</i> , <i>Chlorocebus</i> , <i>Mipapithecus</i> , <i>Nomascus</i> , <i>Procebus</i> and <i>Sapajus</i> .	14	6	4.5	n/s	n/s	n/s	- The inside height of the cage must be at least 2 m.
82 (medium primates)	- Families Alidae and Indridae. - Genera <i>Alouatta</i> , <i>Allochrocebus</i> , <i>Cercocebus</i> , <i>Ceropithecus</i> , <i>Colobus</i> , <i>Erythrocebus</i> , <i>Hoolock</i> , <i>Hylobates</i> , <i>Lophocebus</i> , <i>Miaca</i> , <i>Ptilocolobus</i> , <i>Presbytis</i> , <i>Pygathrix</i> , <i>Rungwecebus</i> , <i>Simias</i> , <i>Symphalangus</i> and <i>Trachypithecus</i> .	28	12	6	n/s	n/s	1	- The inside height of the cage must be at least 2.4 m.
83 (large primates)	- Genera <i>Mandrillus</i> , <i>Nasalis</i> , <i>Papio</i> , <i>Rhinopithecus</i> , <i>Semnopithecus</i> and <i>Theropithecus</i> .	43	18	9	n/s	n/s	2	- The inside height of the cage must be at least 2.4 m.
84 (chimpanzees, bonobos, orangutans)	- Genera <i>Pan</i> and <i>Pongo</i> .	n/s	115	18	n/s	n/s	4	- The inside height of the cage must be at least 3 m.

Group (description)	Species or taxon included	Minimum volume (m ³) of a cage from 1 June to 1 September	Minimum volume (m ³) of a cage from 2 September to 31 May	Minimum area (m ²) of a cage or enclosure from 1 June to 1 September	Minimum area (m ²) of a cage or enclosure from 2 September to 31 May	Minimum area (m ²) of the pool from 1 June to 1 September	Minimum area (m ²) of the pool from 2 September to 31 May	Minimum area (m ²) of a shift cage or enclosure	Other particular specifications
85 (gorillas)	- Genus <i>Gorilla</i> .	n/s	n/s	185	25	n/s	n/s	6	- The inside height of the cage must be at least 3 m.
86 (other primates)	- Species not included in groups 76 to 81 that belong to the order <i>Primates</i> .	n/s	n/s	0.0015 × SWG	0.055 × SWG ^{1,32}	n/s	n/s	n/s	
87 (small seals)	- Genera <i>Histriophoca</i> , <i>Monachus</i> , <i>Pagophilus</i> , <i>Phoca</i> and <i>Pusa</i> .	n/s	n/s	45	45	35	35	n/s	- The depth at the centre of the pool must be 1.5 m or more.
88 (large seals, sea lions)	- Family Otariidae (except <i>Eumetopias jubatus</i>), - Genera <i>Cystophora</i> , <i>Erignathus</i> , <i>Halichoerus</i> , <i>Lobodon</i> and <i>Ommatophoca</i> .	n/s	n/s	65	40	50	30	n/s	- The depth at the centre of the pool must be 2 m or more.
89 (walrus, elephant seals)	- Family Otobenidae, - Genera <i>Hydrurga</i> , <i>Leptonychotes</i> and <i>Mirounga</i> , - <i>Eumetopias jubatus</i> .	n/s	n/s	90	90	70	70	n/s	- The depth at the centre of the pool must be 2.5 m or more.
90 (manatees, dugongs)	- Order Sirenia.	n/s	n/s	n/s	n/s	30	18	n/s	- The depth at the centre of the pool must be 1.5 m or more.

(E) SMALL ANIMALS KEPT IN INTENSIVE REARING.

Group (description)	Species	Stage	Weight (g)	Minimum cage or enclosure area (cm ²) for each animal	Other particular specifications
91 (house mouse)	- <i>Mus musculus</i> .	Storage and growth	< 10	38	- The inside height of the cage must be at least 12 cm excluding, as the case may be, the water or food compartment.
			10 to 15	50	
			> 15 to 25	77	
			> 25	95	
92 (golden hamster)	- <i>Mesocricetus auratus</i> .	Storage and growth	n/a	330	- The inside height of the cage must be at least 15 cm excluding, as the case may be, the water or food compartment.
			< 60	64	
			60 to 80	83	
			> 80 to 100	100	
93 (Mongolian gerbil)	- <i>Meriones unguiculatus</i> .	Storage and growth	> 100	120	- The inside height of the cage must be at least 15 cm excluding, as the case may be, the water or food compartment.
			n/a	800	
			< 60	140	
			60 to 80	180	
94 (brown rat)	- <i>Rattus norvegicus</i> .	Storage and growth	> 80	220	- The inside height of the cage must be at least 15 cm excluding, as the case may be, the water or food compartment.
			n/a	900	
			< 100	105	
			100 to 200	145	
95 (Japanese quail)	- <i>Coturnix japonica</i> .	Storage and growth	> 200 to 300	185	- The inside height of the cage must be at least 17 cm excluding, as the case may be, the water or food compartment.
			> 300 to 400	255	
			> 400 to 500	385	
			> 500	450	
95 (Japanese quail)	- <i>Coturnix japonica</i> .	Female with unweaned young	n/a	800	- The inside height of the cage must be at least 15 cm excluding, as the case may be, the water or food compartment.
			All	< 150	
			≥ 150	400	

SCHEDULE 5

(sections 60, 61 and 130)

PATHOGENS WITHOUT DECLARATION

(1) Bacteria*Chlamydophila psittaci**Coxiella burnetii**Francisella tularensis**Leptospira interrogans***(2) Parasites***Baylisascaris* spp.*Cryptosporidium* spp.*Sarcoptes scabiei***(3) Virus***Lentivirus: Human immunodeficiency virus 1 and 2* (Virus de l'immunodéficience humaine)*Orthohepadnavirus: Hepatitis B virus* (hépatite B)*Simplexvirus: Macacine herpesvirus 1* (Virus de l'herpès simien)**(4) Fungus***Microsporium* spp.*Trichophyton* spp.

SCHEDULE 6

(sections 71, 86, 119 and 130)

VENOMOUS REPTILES, HIGH-RISK MAMMALS AND LARGE CERVIDAE**§ 1 — VENOMOUS REPTILES**

Class	Order	Family	Genus	Species or subspecies	Common name or type species	
Venomous reptiles						
Reptilia	Squamata	Colubridae	<i>Boiga</i>	all species	venomous snake	
			<i>Dispholidus</i>	all species	venomous snake	
			<i>Thelotornis</i>	all species	venomous snake	
			<i>Toxicodryas</i>	all species	venomous snake	
		Dipsadidae	<i>Clelia</i>	all species	venomous snake	
			<i>Conopsis</i>	all species	venomous snake	
			<i>Coronelaps</i>	all species	venomous snake	
			<i>Elapomorphus</i>	all species	venomous snake	
			<i>Erythrolamprus</i>	all species	venomous snake	
			<i>Helicops</i>	all species	venomous snake	
			<i>Hydrodynastes</i>	all species	venomous snake	
			<i>Phalotris</i>	all species	venomous snake	
			<i>Philodryas</i>	all species	venomous snake	
			<i>Tachymenis</i>	all species	venomous snake	
			<i>Xenodon</i>	<i>severus</i>	Amazon false fer-de-lance	
			Elapidae		all species	cobra, mamba, taipan, coral snake
			Helodermatidae		all species	Gila monster, beaded lizard
		Homalopsidae	<i>Gerarda</i>	all species	venomous snake	
		Lamprophiidae	<i>Amblyodipsas</i>	all species	venomous snake	
			<i>Aparallactus</i>	all species	venomous snake	
			<i>Atractaspis</i>	all species	venomous snake	
			<i>Brachyophis</i>	all species	venomous snake	
			<i>Chilorhinophis</i>	all species	venomous snake	
			<i>Elapotinus</i>	all species	venomous snake	
			<i>Homoroselaps</i>	all species	venomous snake	
			<i>Hypoptophis</i>	all species	venomous snake	
			<i>Macrelaps</i>	all species	venomous snake	
			<i>Malpolon</i>	all species	venomous snake	
			<i>Micrelaps</i>	all species	venomous snake	
			<i>Polemon</i>	all species	venomous snake	
			<i>Psammophis</i>	all species	venomous snake	
<i>Xenocalamus</i>	all species		venomous snake			
Natricidae	<i>Rhabdophis</i>	all species	venomous snake			
Viperidae		all species	viper, rattlesnake			

§2. — HIGH-RISK MAMMALS

Class	Order	Family	Genus	Species or subspecies	Common name or type species
Mammalia	Artiodactyla	Hippopotamidae		all species	hippopotamus

Carnivora	Canidae	<i>Canis</i>	<i>lupus</i>	wolf, dingo
		<i>Chrysocyon</i>	<i>brachyurus</i>	maned wolf
		<i>Cuon</i>	<i>alpinus</i>	Asian wild dog
		<i>Lycaon</i>	<i>pictus</i>	African wild dog
	Felidae	<i>Acinonyx</i>	<i>jubatus</i>	cheetah
		<i>Neofelis</i>	all species	clouded leopard
		<i>Panthera</i>	all species	lion, jaguar, leopard, tiger
		<i>Puma</i>	<i>concolor</i>	cougar
		<i>Uncia</i>	<i>uncia</i>	snow leopard
	Hyaenidae	<i>Crocota</i>	<i>crocota</i>	spotted hyena
		<i>Hyaena</i>	all species	brown hyena, striped hyena
	Ursidae		all species	bear
	Perissodactyla	Rhinocerotidae		all species
Primates	Cercopithecoidea	<i>Mandrillus</i>	all species	mandrill, drill
		<i>Papio</i>	all species	baboon
		<i>Theropithecus</i>	all species	gelada
	Hominidae		all species	gorilla, chimpanzee, orangutan
Proboscidea			all species	elephant

§3. — LARGE CERVIDAE

Class	Order	Family	Genus	Species or subspecies	Common name or type species
Mammalia	Artiodactyla	Cervidae	<i>Alces</i>	all species	moose
			<i>Axis</i>	all species	deer
			<i>Blastocerus</i>	all species	deer
			<i>Capreolus</i>	all species	deer
			<i>Cervus</i>	all species	red deer, sika deer, elk
			<i>Dama</i>	all species	fallow deer
			<i>Elaphurus</i>	all species	deer
			<i>Hippocamelus</i>	all species	guemal
			<i>Hydropotes</i>	all species	deer
			<i>Odocoileus</i>	all species	deer
			<i>Ozotoceros</i>	all species	deer
			<i>Przewalskium</i>	all species	deer
			<i>Rangifer</i>	all species	caribou, reindeer
			<i>Rucervus</i>	all species	deer
<i>Rusa</i>	all species	deer			

SCHEDULE 7
(sections 72, 75, 77, 80, 81, 87, 88, 112 and 137)

DESIGN OF FACILITIES FOR THE KEEPING OF CERTAIN GROUPS OF ANIMALS

Group (description)	Species or taxon included	Authorized method keeping facility	Minimum burial of perimeter elements	Maximum spacing between the wires of a caged area	Type of wire mesh authorized and minimum gauge	Safety zone	Minimum inside height perimeter elements of enclosures	Minimum outside height of perimeter elements of enclosures	Maximum spacing between elements anchored to the ground and supporting the perimeter elements	Minimum clearance zone	Minimum length of overhang	Other particular specifications
A (deer, fallow deer)	- Genus <i>Axis</i> . - <i>Capreolus</i> . <i>Dama</i> . - <i>Hippocamelus</i> . - <i>Hydropotes</i> . - <i>Odocoileus</i> and <i>Ozotoceros</i> . - <i>Cervus nippon</i>	- Cage. - Enclosure. - Shift cage. - Shift enclosure.	n/s	n/s	According to one of the following two possibilities: - flexible wire rope net at least 1.2 mm (3/64 in.); - other type of wire meshes at least 12½ gauge (2.5 mm).	Not mandatory	2.4 m	1.07 m	8 m	3 m	Not specified (n/s)	- Perimeter elements must be stretched tight near the ground so that no large canvadae may pass under it.

Group (description)	Species or taxon included	Authorized animal keeping facility	Minimum burial of perimeter elements	Maximum spacing between the wires of a caged area	Type of wire mesh authorized and minimum gauge	Safety zone	Minimum inside height of perimeter elements of enclosures	Minimum outside height of perimeter elements of enclosures	Maximum spacing between elements anchored to the ground and supporting the perimeter elements	Minimum clearance zone	Minimum length of overhang	Other particular specifications
B (deer, ellis)	- <i>Capra</i> - <i>Bos taurus</i> - <i>Elaphurus</i> - <i>Pezomachus</i> - <i>Rucervus and</i> - <i>Rusa</i> <i>Cervus elaphus</i>	- Cage. - Enclosure. - Shift cage. - Shift enclosure.	n/s	n/s	Wire meshes at least 12½ gauge (2.5 mm).	Not mandatory	2.4 m	1.07 m	8 m	3 m	n/s	- Perimeter elements must be stretched tight near the ground so that no large cervidae may pass under it.

Group (description)	Species or taxon included	Authorized animal keeping facility	Minimum burial of perimeter elements	Maximum spacing between the wires of a caged area	Type of wire mesh authorized and minimum gauge	Safety zone	Minimum height inside perimeter elements of enclosures	Minimum outside height of perimeter elements of enclosures	Maximum spacing between elements anchored to the ground and supporting the perimeter elements	Minimum clearance zone	Minimum length of overhang	Other particular specifications
C (wild boars)	- <i>Sus scrofa</i> .	- Cage. - Enclosure. - Shift cage. - Shift enclosure.	According to one of the following possibilities: - to a minimum depth of 90 cm buried in a straight line or with a maximum 45° inward angle; - to a minimum depth of 30 cm if they continue perpendicularly toward the inside of the enclosure or cage over a minimum distance of 90 cm; - to a minimum depth of 45 cm if an electrical wire is present.	n/s	For wire meshes situated more than 0.9 m from ground level: - every type of wire mesh at least 12½ gauge (2.5 mm). For wire meshes situated below ground or situated at less than 0.9 m from ground level: - chain link meshes at least 10 gauge (3.42 mm) with wires not more than 10 cm apart; - other types of wire meshes at least 8 gauge (4.11 mm) not more than 10 cm apart.	Not mandatory	1.8 m	1.07 m	4 m	3 m	n/s	- Where an electrical wire is used, it must have a voltage of 5000 volts, have a minimum size of 12½ gauge (2.5 mm) and be situated inside the facility at a distance of 25 cm to 35 cm from the perimeter and a height of 10 cm to 45 cm from the ground.
D (crocodilians)	- Order Crocodylia.	- Cage. - Enclosure. - Shift cage. - Shift enclosure.	To a minimum depth of 30 cm buried in a straight line or with a maximum 45° inward angle.	6.35 cm x 10.16 cm	According to one of the following two possibilities: - flexible wire rope net at least 2.38 mm (3/32 in.); - other type of wire meshes at least 11 gauge (3.06 mm).	Not mandatory	0.9 m	0.9 m	4 m	1 m	0.3 m	- The section of the site for keeping animals where there is an outdoor facility must be surrounded by a separate, independent perimeter fence having a minimum height of 1.8 m to prevent any unauthorized intrusion by the public on the site.

Group (description)	Species or taxon included	Authorized animal keeping facility	Minimum burial of perimeter elements	Maximum spacing between the wires of a caged area	Type of wire mesh authorized and minimum gauge	Safety zone	Minimum height of perimeter elements of enclosures	Minimum outside height of perimeter elements of enclosures	Maximum spacing between elements anchored to the ground and supporting the perimeter elements	Minimum clearance zone	Minimum length of overhang	Other particular specifications
E (large bears)	- <i>Ursus arctos</i> and <i>Ursus maritimus</i> .	- Cage. - Enclosure. - Shift cage. - Shift enclosure.	According to one of the following two possibilities: - to a minimum depth of 90 cm buried in a straight line or with a maximum 45° inward angle; - to a minimum depth of 30 cm if they continue perpendicularly toward the inside of the enclosure or cage over a minimum distance of 90 cm.	6,35 cm x 10,16 cm	According to one of the following two possibilities: - metal chain links at least 6 gauge (4,88 mm); - other types of wire meshes at least 5 gauge (5,25 mm).	Mandatory	4,5 m	1,07 m	3 m	3,6 m	1 m	- The section of the site for keeping animals where there is an outdoor facility must be surrounded by a separate independent perimeter fence having a minimum height of 1,8 m to prevent any unauthorized intrusion by the public on the site. - Where an electrical wire is used to chain the animal, the wire must have a minimum voltage of 5000 volts and a minimum size of 12½ gauge (2,5 mm).
F (medium bears)	- <i>Aluropoda melanoleuca</i> , <i>Helarctos malayanus</i> , <i>Melurus ursinus</i> , <i>Tremarctos ornatus</i> , <i>Ursus americanus</i> and <i>Ursus tibetanus</i> .	- Cage. - Enclosure. - Shift cage. - Shift enclosure.	According to one of the following two possibilities: - to a minimum depth of 90 cm buried in a straight line or with a maximum 45° inward angle; - to a minimum depth of 30 cm if they continue perpendicularly toward the inside of the enclosure or cage over a minimum distance of 90 cm.	6,35 cm x 10,16 cm	According to one of the following two possibilities: - metal chain links at least 9 gauge (3,76 mm); - other types of wire meshes at least 8 gauge (4,11 mm).	Mandatory	2,4 m	1,07 m	4 m	2,4 m	According to one of the following two possibilities: - 1 m; - 0,4 m in electrical wires.	- Where an electrical wire is used to contain the animal, the wire must have a minimum voltage of 5000 volts and a minimum size of 12½ gauge (2,5 mm).

Group (description)	Species or taxon included	Authorized animal keeping facility	Minimum burial of perimeter elements	Maximum spacing between the wires of a caged area	Type of wire mesh authorized and minimum gauge	Safety zone	Minimum height of perimeter elements of enclosures	Minimum outside height of perimeter elements of enclosures	Maximum spacing between elements anchored to the ground and supporting the perimeter elements	Minimum clearance zone	Minimum length of overhang	Other particular specifications
G (large canids and cheetahs)	- <i>Acronyxi jubatus</i> , <i>Canis lupus</i> , <i>Canis sinensis</i> , <i>Chrysocyon brachyurus</i> , <i>Canis alpinus</i> and <i>Lycan pictus</i> .	- Cage. - Enclosure. - Shift cage. - Shift enclosure.	According to one of the following two possibilities: - to a minimum depth of 90 cm buried in a straight line or with a maximum 45° inward angle; - to a minimum depth of 30 cm if they continue perpendicularly toward the inside of the enclosure or cage over a minimum distance of 90 cm.	6,35 cm x 10,16 cm	According to one of the following three possibilities: - metal chain links at least 9 gauge (3,76 mm); - flexible wire rope net at least 3,17 mm (1/8 in.); - other types of wire meshes at least 8 gauge (4,11 mm).	Not mandatory	2,4 m	1,07 m	4 m	3,6 m	0,4 m	- The section of the site for keeping animals where there is an outdoor facility must be surrounded by a separate independent perimeter fence having a minimum height of 1,8 m to prevent any unauthorized intrusion by the public on the site. - Where an electrical wire is used to contain the animal, the wire must have a minimum voltage of 5000 volts and a minimum size of 12½ gauge (2,5 mm).
H (hyenas)	- <i>Crocuta crocuta</i> , <i>Hyena brunnea</i> and <i>Hyena hyaena</i> .	- Cage. - Enclosure. - Shift cage. - Shift enclosure.	According to one of the following two possibilities: - to a minimum depth of 90 cm buried in a straight line or with a maximum 45° inward angle; - to a minimum depth of 30 cm if they continue perpendicularly toward the inside of the enclosure or cage over a minimum distance of 90 cm.	6,35 cm x 10,16 cm	According to one of the following three possibilities: - metal chain links at least 9 gauge (3,76 mm); - flexible wire rope net at least 3,17 mm (1/8 in.); - other types of wire meshes at least 8 gauge (4,11 mm).	Mandatory	2,4 m	1,07 m	4 m	2,4 m	0,4 m	- The section of the site for keeping animals where there is an outdoor facility must be surrounded by a separate independent perimeter fence having a minimum height of 1,8 m to prevent any unauthorized intrusion by the public on the site. - Where an electrical wire is used to contain the animal, the wire must have a minimum voltage of 5000 volts and a minimum size of 12½ gauge (2,5 mm).

Group (description)	Species or taxon included	Authorized animal keeping facility	Minimum burial of perimeter elements	Maximum spacing between the wires of a caged area	Type of wire mesh authorized and minimum gauge	Safety zone	Minimum height of perimeter elements of enclosures	Minimum outside height of perimeter elements of enclosures	Maximum spacing between elements anchored to the ground and supporting the perimeter elements	Minimum clearance zone	Minimum length of overhang	Other particular specifications
I (large felids)	- <i>Panthera leo</i> and <i>Panthera tigris</i> .	- Cage. - Enclosure. - Shift cage.	According to one of the following two possibilities: - to a minimum depth of 90 cm buried in a straight line or with a maximum 45° inward angle; - to a depth of 30 cm if they continue perpendicularly toward the inside of the enclosure or cage over a minimum distance of 90 cm.	6.35 cm x 10.16 cm	According to one of the following three possibilities: - metal chain links at least 9 gauge (3.76 mm); - flexible wire rope net at least 3.17 mm (1/8 in.); - other types of wire meshes at least 8 gauge (4.11 mm).	Mandatory	4.5 m	1.07 m	4 m	7.5 m	1 m	- The section of the site for keeping animals where there is an outdoor facility must be surrounded by a separate, independent perimeter fence having a minimum height of 1.8 m to prevent any unauthorized intrusion by the public on the site. - Where an electrical wire is used to contain the animal, the wire must have a minimum voltage of 5000 volts and a minimum size of 12½ gauge (2.5 mm).
J (medium felids)	- <i>Fuma concolor</i> , <i>Neolelis nebulosa</i> , <i>Panthera onca</i> , <i>Panthera pardus</i> and <i>Uncia uncia</i> .	- Cage. - Enclosure. - Shift cage.	According to one of the following two possibilities: - to a minimum depth of 90 cm buried in a straight line or with a maximum 45° inward angle; - to a minimum depth of 30 cm if they continue perpendicularly toward the inside of the enclosure or cage over a minimum distance of 90 cm.	6.35 cm x 6.35 cm	According to one of the following three possibilities: - metal chain links at least 9 gauge (3.76 mm); - flexible wire rope net at least 2.38 mm (3/32 in.); - other types of wire meshes at least 8 gauge (4.11 mm).	Mandatory	5.4 m	1.07 m	4 m	12 m	According to one of the following two possibilities: - 1.4 m of a smooth material that does not allow the animal to grab hold of the overhang; - 1 m completely in electrical wires not more than 15 cm apart.	- The section of the site for keeping animals where there is an outdoor facility must be surrounded by a separate, independent perimeter fence having a minimum height of 1.8 m to prevent any unauthorized intrusion by the public on the site. - Where an electrical wire is used to contain the animal, the wire must have a minimum voltage of 5000 volts and a minimum size of 12½ gauge (2.5 mm).

Group (description)	Species or taxon included	Authorized animal keeping facility	Minimum burial of perimeter elements	Maximum spacing between the wires of a caged area	Type of wire mesh authorized and minimum gauge	Safety zone	Minimum height of perimeter elements of enclosures	Maximum spacing between elements anchored to the ground and supporting the perimeter elements	Minimum length of overhang	Other particular specifications
K (elephants)	- Family <i>Elephantidae</i> .	- Cage. - Enclosure. - Shift cage. - Shift enclosure.	n/s	n/s	n/s	Mandatory	2.4 m	4 m	2.4 m	- The section of the site for keeping animals where there is an authorized animal keeping facility must be surrounded by a separate independent perimeter fence having a minimum height of 1.8 m to prevent any unauthorized intrusion by the public on the site. - Where an electrical wire is used to contain the animal, the wire must have a minimum voltage of 5000 volts and a minimum size of 15 mm.
L (hippopotami and rhinoceroses)	- Families <i>Hippopotamidae</i> and <i>Rhinocerotidae</i> .	- Cage. - Enclosure. - Shift cage. - Shift enclosure.	n/s	n/s	n/s	Not mandatory	1.5 m	3 m	1 m	- The section of the site for keeping animals where there is an authorized animal keeping facility must be surrounded by a separate independent perimeter fence having a minimum height of 1.8 m to prevent any unauthorized intrusion by the public on the site. - Where an electrical wire is used to contain the animal, the wire must have a minimum voltage of 5000 volts and a minimum size of 15 mm.

Group (description)	M (gorillas and orangutans)	Species or taxon included	- <i>Genus Gorilla</i> and <i>Pongo</i> .	Authorized animal keeping facility	- Cage. - Enclosure. - Shift cage.	Minimum burial of perimeter elements	According to one of the following possibilities: - to a minimum depth of 60 cm buried in a straight line or with a maximum 45° inward angle; - to a depth of 30 cm if they continue perpendicularly toward the inside of the enclosure or cage over a minimum distance of 60 cm.	Maximum spacing between the wires of a caged area	6.35 cm x 6.35 cm	Type of wire mesh authorized and minimum gauge	According to one of the following two possibilities: - metal chain links at least 6 gauge (4.88 mm); - other types of wire meshes at least 3 gauge (6.19 mm).	Safety zone	Mandatory	Minimum inside height of perimeter elements of enclosures	4 m	Minimum outside height of perimeter elements of enclosures	1.07 m	Maximum spacing between elements anchored to the ground and supporting the perimeter elements	4 m	Minimum clearance zone	3.65 m	Minimum length of overhang	According to one of the following two possibilities: - 3 m of a smooth material that does not allow the animal to grab hold of the overhang; - 1 m completely in electrical wires not more than 15 cm apart.	Other particular specifications	- A body of water 3.65 m wide, free of vegetation and 1.8 m deep may replace the 4 m perimeter element and its overhang. In that case, the body of water may be considered as being part of the clearance zone. - The section of the site for keeping animals where there is an outdoor facility must be completely enclosed by an independent perimeter fence having a minimum height of 1.8 m to prevent any unauthorized intrusion by the public on the site. - Where an electrical wire is used to contain the animal, the wire must have a minimum voltage of 5000 volts and a minimum size of 12½ gauge (2.5 mm).
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Group (description)	Species or taxon included	Authorized animal keeping facility	Minimum burial of perimeter elements	Maximum spacing between the wires of a caged area	Type of wire mesh authorized and minimum gauge	Safety zone	Minimum inside height of perimeter elements of enclosures	Minimum outside height of perimeter elements of enclosures	Maximum spacing between elements anchored to the ground and supporting the perimeter elements	Minimum clearance zone	Minimum length of overhang	Other particular specifications
N (chimpanzees and bonobos)	- Genus <i>Pan</i> .	- Cage. - Enclosure. - Shift cage.	According to one of the following two possibilities: - to a minimum depth of 60 cm buried in a straight line or with a maximum 45° inward angle; - to a minimum depth of 30 cm if they continue perpendicularly toward the inside of the enclosure or cage over a minimum distance of 60 cm.	6.35 cm x 6.35 cm	According to one of the following two possibilities: - metal chain links at least 6 gauge (4.88 mm); - other types of wire meshes at least 3 gauge (6.19 mm).	Mandatory	4 m	1.07 m	4 m	7 m	According to one of the following two possibilities: - 3 m of a smooth material that does not allow the animal to grab hold of the overhang; - 1 m completely in electrical wires not more than 15 cm apart.	- A body of water 6 m wide, free of vegetation and 1.8 m wide may replace the 4 m perimeter element and its overhang. In that case, the body of water may be considered as being part of the clearance zone. - The section of the site for keeping animals where there is an outdoor facility must be surrounded by a separate independent perimeter fence having a minimum height of 1.8 m to prevent any unauthorized intrusion by the public on the site. - Where an electrical wire is used to contain the animal, the wire must have a minimum voltage of 5000 volts and a minimum size of 12½ gauge (2.5 mm).
O (medium primates)	- Genera <i>Mandrillus</i> , <i>Papio</i> , and <i>Theropithecus</i> .	- Cage. - Enclosure. - Shift cage.	To a minimum depth of 30 cm buried in a straight line or with a maximum angle of 45° toward the inside.	2.54 cm x 5.08 cm	According to one of the following three possibilities: - metal chain links at least 11 gauge (3.06 mm); - flexible wire rope net with metal wires at least 2.38 mm (3/32 in.); - other types of wire meshes at least 10½ gauge (3.24 mm).	Mandatory	3.65 m	1.07 m	4 m	3.65 m	According to one of the following two possibilities: - 1.2 m of a smooth material that does not allow the animal to grab hold of the overhang; - 50 cm completely in electrical wires not more than 10 cm apart.	- The section of the site for keeping animals where there is an outdoor facility must be surrounded by a separate independent perimeter fence having a minimum height of 1.8 m to prevent any unauthorized intrusion by the public on the site. - Where an electrical wire is used to contain the animal, the wire must have a minimum voltage of 5000 volts and a minimum size of 12½ gauge (2.5 mm).

Gouvernement du Québec

O.C. 1066-2018, 7 August 2018

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

Disposal of seized or confiscated property — Amendment

Regulation to amend the Regulation respecting the disposal of seized or confiscated property

WHEREAS, under paragraph 3 of section 162 of the Act respecting the conservation and development of wildlife (chapter C-61.1), the Government may make regulations determining the manner of disposing of a seized object or animal confiscated under the Act or of an animal captured or object recovered pursuant to the Act;

WHEREAS the Government made the Regulation respecting the disposal of seized or confiscated property (chapter C-61.1, r. 16);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the disposal of seized or confiscated property was published in Part 2 of the *Gazette officielle du Québec* of 27 December 2017 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Forests, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting the disposal of seized or confiscated property, attached to this Order in Council, be made.

MARC-ANTOINE ADAM,
Associate Secretary General

Regulation to amend the Regulation respecting the disposal of seized or confiscated property

An Act respecting the conservation and development of wildlife
(chapter C-61.1, ss. 18.1, 20 and 162, par. 3)

1. The Regulation respecting the disposal of seized or confiscated property (chapter C-61.1, r. 16) is amended in section 3

(1) by replacing “Regulation respecting animals in captivity (chapter C-61.1, r. 5)” in paragraph 3 by “Regulation respecting animals in captivity made by Order in Council 1065-2018 dated 7 August 2018 or the Regulation respecting licences to keep animals in captivity made by Minister’s Order M.O. 2018-008 dated 1 August 2018”;

(2) by replacing “a rehabilitation centre referred to in that Regulation” in paragraph 3 by “a person authorized to rehabilitate the animal under any of the Regulations”;

(3) by replacing “the Regulation” in paragraph 4 by “any of the Regulations”.

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

103646

Gouvernement du Québec

O.C. 1067-2018, 7 August 2018

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

Possession and sale of an animal — Amendment

Regulation to amend the Regulation respecting the possession and sale of an animal

WHEREAS, under the second paragraph of section 69 of the Act respecting the conservation and development of wildlife (chapter C-61.1), the Government may, by regulation, authorize the sale of an animal the sale of which is prohibited by regulation according to such norms and conditions as the Government may determine;

WHEREAS the Government made the Regulation respecting the possession and sale of an animal (chapter C-61.1, r. 23);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the possession and sale of an animal was published in Part 2 of the *Gazette officielle du Québec* of 27 December 2017 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Forests, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting the possession and sale of an animal, attached to this Order in Council, be made.

MARC-ANTOINE ADAM,
Associate Secretary General

Regulation to amend the Regulation respecting the possession and sale of an animal

An Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 69, 2nd par.)

1. The Regulation respecting the possession and sale of an animal (chapter C-61.1, r. 23) is amended in section 1 by replacing “game ranch and breeding licence for white-tailed deer referred to in section 55 of the Regulation respecting animals in captivity (chapter C-61.1, r. 5)” at the end of the third paragraph by “professional licence to keep animals in a game ranch or a breeding farm issued under the Regulation respecting licences to keep animals in captivity made by Minister’s Order M.O. 2018-008 dated 1 August 2018”.

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

103647

Gouvernement du Québec

O.C. 1068-2018, 7 August 2018

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

Aquaculture and the sale of fish —Amendment

Regulation to amend the Regulation respecting aquaculture and the sale of fish

WHEREAS, under the second paragraph of section 70 of the Act respecting the conservation and development of wildlife (chapter C-61.1), the Government may, by regulation, authorize the sale of any class of fish of a species the sale of which is prohibited by regulation according to such norms and conditions as it may determine;

WHEREAS, under paragraph 2 of section 73 of the Act, the Government may, by regulation, determine the fish or classes of live fish that may be kept in captivity, produced or propagated in a breeding pond or a fish-tank for baitfish and the norms and obligations relating to such activities;

WHEREAS, under paragraph 3 of section 73 of the Act, the Government may, by regulation, determine the norms and obligations relating to the transport and use for stocking purposes of fish or classes of live fish, except those intended for commercial consumption;

WHEREAS, under paragraph 16 of section 162 of the Act, the Government may make regulations prescribing norms and obligations respecting the transportation, possession and registration of animals or fish and fixing, according to species, the fees exigible for the registration;

WHEREAS the Government made the Regulation respecting aquaculture and the sale of fish (chapter C-61.1, r. 7);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting aquaculture and the sale of fish was published in Part 2 of the *Gazette officielle du Québec* of 27 December 2017 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Forests, Wildlife and Parks:

THAT the Regulation to amend the Regulation respecting aquaculture and the sale of fish, attached to this Order in Council, be made.

MARC-ANTOINE ADAM,
Associate Secretary General

Regulation to amend the Regulation respecting aquaculture and the sale of fish

An Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 70, 2nd par., s. 73, pars. 2 and 3, and s. 162, par. 16)

1. The Regulation respecting aquaculture and the sale of fish (chapter C-61.1, r. 7) is amended in section 2 by replacing “zoological garden licence obtained under the Regulation respecting animals in captivity (chapter C-61.1, r. 5)” in the fourth paragraph by “professional licence to keep animals in captivity issued under the Regulation respecting licences to keep animals in captivity made by Minister’s Order M.O. 2018-008 dated 1 August 2018 to exhibit animals in a zoological garden or in an aquarium”.

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

103648

Gouvernement du Québec

O.C. 1069-2018, 7 August 2018

Food Products Act
(chapter P-29)

Food — Amendment

Regulation to amend the Regulation respecting food

WHEREAS, under paragraph *f* of section 40 of the Food Products Act (chapter P-29), the Government may, by regulation, determine the conditions of issue, renewal, suspension or cancellation of a permit, the documents or the information to be furnished by an applicant or holder, the books or registers to be kept and retained by the applicant or holder, the cases in which a permit may be issued for a period of less than 12 months, the fees payable for

the permits according to the period of validity, the nature or the category, subcategory or class of the holders or permits, the costs for the opening and examination of an application for a permit or authorization;

WHEREAS the Government made the Regulation respecting food (chapter P-29, r. 1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting food was published in Part 2 of the *Gazette officielle du Québec* of 27 December 2017 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

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 food, attached to this Order in Council, be made.

MARC-ANTOINE ADAM,
Associate Secretary General

Regulation to amend the Regulation respecting food

Food Products Act
(chapter P-29, s. 40, par. *f*)

1. The Regulation respecting food (chapter P-29, r. 1) is amended in section 6.4.2.7.1

(1) by replacing “game ranch and breeding licence for white-tailed deer, provided for in section 59.7 of the Regulation respecting animals in captivity (chapter C-61.1, r. 5)” in subparagraph *c* of the first paragraph by “professional licence to keep animals on a game ranch or a breeding farm obtained under the Regulation respecting licences to keep animals in captivity made by Minister’s Order M.O. 2018-008 dated 1 August 2018”;

(2) by replacing subparagraph *d* of the first paragraph by the following:

“(d) the identification number assigned to the animal under the Regulation respecting animals in captivity made by Order in Council 1065-2018 dated 7 August 2018.”

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

103649

Gouvernement du Québec

O.C. 1070-2018, 7 August 2018

Animal Health Protection Act
(chapter P-42)

Identification and traceability of certain animals — Amendment

Regulation to amend the Regulation respecting the identification and traceability of certain animals

WHEREAS, under the first paragraph of section 22.1 of the Animal Health Protection Act (chapter P-42), the Government may, by regulation, to ensure animal traceability, establish an identification system for any species or category of animal it determines, require animals to be identified subject to the conditions and according to the rules or procedure it fixes, prescribe the obligations of owners or custodians of animals or of any other person it determines and determine the applicable fees payable;

WHEREAS the Government made the Regulation respecting the identification and traceability of certain animals (chapter P-42, r. 7);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the identification and traceability of certain animals was published in Part 2 of the *Gazette officielle du Québec* of 27 December 2017 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

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 identification and traceability of certain animals, attached to this Order in Council, be made.

MARC-ANTOINE ADAM,
Associate Secretary General

Regulation to amend the Regulation respecting the identification and traceability of certain animals

Animal Health Protection Act
(chapter P-42, s. 22.1, 1st par.)

1. The Regulation respecting the identification and traceability of certain animals (chapter P-42, r. 7) is amended in section 10 by replacing “a cervid kept in a zoological garden or wildlife observation centre, for which a licence was issued under Division IV or V of the Regulation respecting animals in captivity (chapter C-61.1, r. 5)” in paragraph 5 by “a cervid kept in a zoological garden, for which a licence was issued under the Regulation respecting licences to keep animals in captivity made by Minister’s Order M.O. 2018-008 dated 1 August 2018”.

2. Section 11 is amended by striking out the third paragraph.

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

103650

Gouvernement du Québec

O.C. 1195-2018, 15 August 2018

An Act respecting the Ministère de la Santé
et des Services sociaux
(chapter M-19.2)

Program Regarding Bandages and Compression Garments Used to Treat Lymphedema

CONCERNING the Program Regarding Bandages and Compression Garments Used to Treat Lymphedema

WHEREAS under the terms of subparagraph (*h*) of section 3 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2), the Minister of Health and Social Services shall promote the development and implementation of programs and services according to the needs of individuals, and families and other groups;

WHEREAS under the terms of the first paragraph of section 2 of the Act respecting the Régie de l’assurance maladie du Québec (chapter R-5) the function of the Board is to administer and implement the programs of the health insurance plan instituted by the Health Insurance Act (chapter A-29) and any other program entrusted to it by law or by the Government;

WHEREAS under the terms of the fifteenth paragraph of section 3 of the Health Insurance Act, the Board also assumes the cost of services and goods provided under the programs it administers by virtue of the first paragraph of section 2 of the Act respecting the Régie de l'assurance maladie du Québec according to the conditions and methods provided for under those programs;

WHEREAS under the terms of the first paragraph of section 2.1. of the Act respecting the Régie de l'assurance maladie du Québec, the Board recovers, from the department or body concerned, the cost of services and goods it assumes under a program entrusted to it by law or by the Government, to the extent provided for under that program;

WHEREAS under the terms of Décret 614-2013 dated 12 June 2013, the Government entrusted the Board with the administration and implementation of the Program Regarding Bandages and Compression Garments Used to Treat Lymphedema, whose costs it had to assume, in accordance with the provisions of an agreement to be concluded between the Minister of Health and Social Services and the Board, the text of which essentially complied with the draft attached to the departmental recommendation of this Order in Council;

WHEREAS such an agreement was concluded on 17 January 2014;

WHEREAS, it is expedient to replace this program;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the Régie de l'assurance maladie du Québec be entrusted with the Program Regarding Bandages and Compression Garments Used to Treat Lymphedema, the text of which is attached to this Order in Council;

THAT this Order in Council replace Décret 614-2013 dated 12 June 2013.

MARC-ANTOINE ADAM,
Associate Secretary General

PROGRAM REGARDING BANDAGES AND COMPRESSION GARMENTS USED TO TREAT LYMPHEDEMA

1. Any person, to qualify for the program, must be an insured person within the meaning of subparagraph (g.1) of the first paragraph of section 1 of the Health Insurance Act (chapter A-29), specifically, a resident or temporary resident of Québec who is duly registered with the Board, and who is suffering from primary or secondary lymphedema.

2. This program defines:

“accessory for compression garments”: an accessory referred to in the “Accessory for compression garments” section of schedules I and II to this program;

“provider signatory to an agreement”: any provider having signed an agreement with the Board as part of the program and for whom this agreement is in force when the supply is acquired;

“set of bandages”: the Multilayer bandages necessary for the treatment of the acute phase of lymphedema for a given limb among those listed in the “Bandages” section of schedules I and II to this program;

“affected limb”: any part of the body that may be affected by lymphedema;

“compression garment”: a compression garment necessary for the treatment of the chronic phase of lymphedema among those listed in the “Compression garments” section of schedules I and II to this program;

3. The supplies provided under this program are supplied by a provider upon presentation, by the eligible person, at the time of his or her first application concerning an affected limb, of a medical prescription establishing a diagnosis of lymphedema and the affected limb, written by a physician member of the Collège des médecins du Québec or of an equivalent organization of another province or territory or by the holder of a resident training card issued by the secretary of the Collège des médecins du Québec or by an equivalent organization of another province or territory, authorized to write such a prescription.

4. An eligible person who does not present his or her valid health insurance card or claim slip, as the case may be, to a provider signatory to an agreement or to the person obtaining his or her supplies from a provider who is not a signatory to an agreement must pay the cost of the supplies.

To benefit from the program, this person must submit an application for reimbursement to the Board, using the form intended for this purpose accompanied by a copy of the medical prescription, an invoice detailing the supply purchased and proof of payment.

Where the Board requests it, the eligible person must also submit or ensure that is submitted any other document necessary for the appraisal of his or her application for reimbursement.

5. The eligible person referred to in section 4 is entitled to exact from the Board the reimbursement of the cost of a supply only if he or she transmits his or her application for reimbursement within 12 months following the date of purchase.

The Board may consider an application for reimbursement transmitted past the deadline if the eligible person demonstrates that he or she was in fact unable to submit the application for reimbursement sooner.

6. For a given affected limb of an eligible person of 18 years of age or over, the Board shall reimburse, per twelve-month period, a single set of Multilayer bandages, a single accessory for compression garments, a single night-time compression garment, three elastic day-time compression garments and a single non-elastic compression garment.

7. For a given affected limb of an eligible person under 18 years of age, the Board shall reimburse, per twelve-month period, two sets of Multilayer bandages, two accessories for compression garments, two night-time compression garments, six elastic day-time compression garments and two non-elastic compression garments.

8. Where an affected limb requires simultaneously wearing different compression garments, the Board shall reimburse one unit of each of the compression garments that must be worn simultaneously in accordance with the methods set out in sections 6 or 7, depending on whether the person is 18 years of age or over or under 18 years of age.

9. The period of 12 months referred to in sections 6 and 7 is calculated from the date of purchase of the last set of bandages, compression garment or accessory for compression garment of the same type for the same limb.

10. This program does not cover the bandages, compression garments and accessories for compression garments for which the eligible person receives or would be entitled to receive a benefit under another statute of Québec, a statute of the Parliament of Canada other than the Canada Health Act (Revised Statutes of Canada (1985), chapter C-6) or under a statute of another province of Canada or another country, except if the person is entitled thereto under the Individual and Family Assistance Act (chapter A-13.1.1), the Act respecting occupational health and safety (chapter S-2.1), the Workers' Compensation Act (chapter A-3) or the Act respecting industrial accidents and occupational diseases (chapter A-3.001), in which case the amounts set out in this program remain reimbursable.

11. The Board shall assume only 75% of the lesser of the actual cost or maximum cost set out in Schedule I of a set of bandages, a compression garment or an accessory for compression garment. However, in the case of an eligible person under 18 years of age or a member of a family eligible for a last-resort financial assistance program or the Aim for Employment Program provided in the Individual and Family Assistance Act (chapter A-13.1.1), the Board shall assume the lesser of the actual cost or maximum cost set out in Schedule II.

12. The costs set out in schedules I and II take into account consultation fees, measurement taking and manufacture costs and fees for instruction in the appropriate way to fit the compression garment by the provider.

13. The costs set out in schedules I and II for Multilayer bandages include the cost of the goods necessary for their application, as the case may be.

14. The costs set out in schedules I and II are adjusted by operation of law on 1 January of each year by the rate of increase of the pension index established according to section 117 of the Act respecting the Québec Pension (chapter R-9).

15. The Minister of Health and Social Services and the Board may review the program and agree on any amendment, by written agreement, in so far as the amendments respect the program's financial framework and direction.

16. The Minister shall reimburse to the Board, according to the methods to which they agree upon, the sums paid out within the scope of this program as well as its development and implementation costs. Furthermore, the Minister shall assume the hours remunerated for the required additional workforce.

17. A provider signatory to an agreement or an eligible person referred to in section 4 shall exact or receive from the Board only the payments or reimbursements specified in this program.

18. The Board shall recover any amount that was unduly paid in the form of a payment or reimbursement under this program, where the provider signatory of an agreement or the eligible person benefited from an amount greater than that to which he or she was entitled or where he or she benefited from a payment or reimbursement to which he or she was not entitled.

The recovery of amounts unduly paid is prescribed five years after the date of payment or reimbursement by the Board. In the case of a false declaration, recovery is prescribed five years after the date on which the Board becomes aware of a person's ineligibility for a payment or reimbursement, but no later than 10 years after the purchase of the supply.

19. The Board shall provide to the Minister periodic reports on the amounts reimbursed within the scope of this program, according to the methods to which they may agree upon. These reports will not contain any personal information, unless agreements are concluded pursuant to the Act respecting access to documents held by public bodies and the protection of personal information (chapter A-2.1).

20. The Board shall publish this program on its website within 30 days after it has come into effect. It shall also publish any amendment to the program on its website within 30 days of its coming into effect.

21. This program comes into effect on 22 August 2018.

SCHEDULE I

LISTS OF MAXIMUM AMOUNTS COVERED FOR THE PURCHASE OF COMPRESSION GARMENTS, BANDAGES AND ACCESSORIES FOR COMPRESSION GARMENTS NECESSARY TO TREAT LYMPHEDEMA

	Description	Maximum amount list I (75%)
	Elastic compression garments – Ready made	
	Knee-high stocking, open toe (pair)	\$97.50
	Knee-high stocking, closed toe (pair)	\$97.50
	Thigh-high stocking, open toe (pair)	\$127.50
	Thigh-high stocking, closed toe (pair)	\$127.50
	Thigh-high stocking with hip attachment, open toe	\$120.00
	Thigh-high stocking with hip attachment, closed toe	\$120.00
	Above-knee pantyhose	\$56.25
	Capri pantyhose	\$93.75
	Pantyhose, open toe	\$157.50
	Pantyhose, closed toe	\$157.50
	Gauntlet, fingerless	\$75.00
	Glove, closed finger	\$135.00
	Sleeve	\$112.50
	Sleeve, with shoulder strap	\$93.75
	Combination sleeve and gauntlet or glove	\$150.00
	Elastic compression garments – Custom made	
	Knee-high stocking, open toe (pair)	\$165.00
	Knee-high stocking, closed toe (pair)	\$165.00
	Thigh-high stocking, open toe (pair)	\$210.00
	Thigh-high stocking, closed toe (pair)	\$210.00
	Thigh-high stocking with hip attachment, open toe	\$198.75
	Thigh-high stocking with hip attachment, closed toe	\$198.75
	Above-knee pantyhose	\$367.50
	Capri pantyhose	\$382.50
	Pantyhose, open toe	\$375.00
	Pantyhose, closed toe	\$375.00
	Pantyhose, one leg, open toe	\$232.50
	Pantyhose, one leg, closed toe	\$232.50
	Sock, open toe	\$172.50
	Sock, closed toe	\$240.00
	Gauntlet, fingerless	\$127.50
	Glove, closed finger	\$300.00

	Description	Maximum amount list I (75%)
	Sleeve	\$240.00
	Sleeve, with shoulder strap	\$270.00
	Combination sleeve and gauntlet or glove	\$367.50
	Non-elastic compression garments – Ready made	
	Ankle unit	\$97.50
	Thigh unit, including knee	\$255.00
	Calf unit, under knee	\$210.00
	Leg unit (ankle, calf, knee and thigh)	\$525.00
	Sleeve	\$262.50
	Glove	\$120.00
	Gauntlet	\$67.50
	Non-elastic compression garments – Custom made	
	Ankle unit	\$240.00
	Thigh unit, including knee	\$487.50
	Calf unit, under knee	\$450.00
	Leg unit (ankle, calf, knee and thigh)	\$918.75
	Sleeve	\$367.50
	Glove	\$270.00
	Night-time compression garments – Ready made	
	Ankle unit	\$ 97.50
	Thigh unit, including knee	\$255.00
	Calf unit, under knee	\$255.00
	Leg unit (ankle, calf, knee and thigh)	\$600.00
	Sleeve	\$262.50
	Glove	\$120.00
	Gauntlet	\$ 67.50
	Combination sleeve and gauntlet or glove	\$337.50
	Night-time compression garments – Custom made	
	Ankle unit	\$240.00
	Thigh unit, including knee	\$525.00
	Calf unit, under knee	\$487.50
	Leg unit (ankle, calf, knee and thigh)	\$1,087.50
	Sleeve	\$412.50
	Glove	\$270.00
	Combination sleeve and gauntlet or glove	\$637.50
	Compression garments under special consideration	
	Garment under special consideration – neck and trunk – ready made or custom made	S.C.
	Accessories for compression garments	

	Description	Maximum amount list I (75%)
	Rubber gloves, pair	\$7.50
	Sleeve donner	\$90.00
	Stocking donner	\$75.00
	Skin adhesive	\$8.25
	Multilayer bandages	
	Multilayer bandages – upper limb	\$75.00
	Multilayer bandages – lower limb	\$168.75

S.C. = Special consideration

SCHEDULE II

LISTS OF MAXIMUM AMOUNTS COVERED FOR THE PURCHASE OF COMPRESSION GARMENTS, BANDAGES AND ACCESSORIES FOR COMPRESSION GARMENTS NECESSARY TO TREAT LYMPHEDEMA – CHILD UNDER 18 YEARS OF AGE AND PERSON OR FAMILY ELIGIBLE FOR LAST-RESORT FINANCIAL ASSISTANCE OR THE AIM FOR EMPLOYMENT PROGRAM PROVIDED FOR IN THE INDIVIDUAL AND FAMILY ASSISTANCE ACT

	Description	Maximum amount list II (100%)
	Elastic compression garments – Ready made	
	Knee-high stocking, open toe (pair)	\$130.00
	Knee-high stocking, closed toe (pair)	\$130.00
	Thigh-high stocking, open toe (pair)	\$170.00
	Thigh-high stocking, closed toe (pair)	\$170.00
	Thigh-high stocking with hip attachment, open toe	\$160.00
	Thigh-high stocking with hip attachment, closed toe	\$160.00
	Above-knee pantyhose	\$75.00
	Capri pantyhose	\$125.00
	Pantyhose, open toe	\$210.00
	Pantyhose, closed toe	\$210.00
	Gauntlet, fingerless	\$100.00
	Gant, closed finger	\$180.00
	Sleeve	\$150.00
	Sleeve, with shoulder strap	\$125.00
	Combination sleeve and gauntlet or glove	\$200.00
	Elastic compression garments – Custom made	
	Knee-high stocking, open toe (pair)	\$220.00
	Knee-high stocking, closed toe (pair)	\$220.00
	Thigh-high stocking, open toe (pair)	\$280.00
	Thigh-high stocking, closed toe (pair)	\$280.00
	Thigh-high stocking with hip attachment, open toe	\$265.00
	Thigh-high stocking with hip attachment, closed toe	\$265.00
	Above-knee pantyhose	\$490.00
	Capri pantyhose	\$510.00
	Pantyhose, open toe	\$500.00
	Pantyhose, closed toe	\$500.00
	Pantyhose, one leg, open toe	\$310.00
	Pantyhose, one leg, closed toe	\$310.00
	Sock, open toe	\$230.00

	Description	Maximum amount list II (100%)
	Sock, closed toe	\$320.00
	Gauntlet, fingerless	\$170.00
	Glove, closed finger	\$400.00
	Sleeve	\$320.00
	Sleeve, with shoulder strap	\$360.00
	Combination sleeve with gauntlet or glove	\$490.00
	Non-elastic compression garments – Ready made	
	Ankle unit	\$130.00
	Thigh unit, including knee	\$340.00
	Calf unit, under knee	\$280.00
	Leg unit (ankle, calf, knee and thigh)	\$700.00
	Sleeve	\$350.00
	Glove	\$160.00
	Gauntlet	\$90.00
	Non-elastic compression garments – Custom made	
	Ankle unit	\$320.00
	Thigh unit, including knee	\$650.00
	Calf unit, under knee	\$600.00
	Leg unit (ankle, calf, knee and thigh)	\$1,225.00
	Sleeve	\$490.00
	Glove	\$360.00
	Night-time compression garments – Ready made	
	Ankle unit	\$130.00
	Thigh unit, including knee	\$340.00
	Calf unit, under knee	\$340.00
	Leg unit (ankle, calf, knee and thigh)	\$800.00
	Sleeve	\$350.00
	Glove	\$160.00
	Gauntlet	\$90.00
	Combination sleeve and gauntlet or glove	\$450.00
	Night-time compression garments – Custom made	
	Ankle unit	\$320.00
	Thigh unit, including knee	\$700.00
	Calf unit, under knee	\$650.00
	Leg unit (ankle, calf, knee and thigh)	\$1,450.00
	Sleeve	\$550.00
	Glove	\$360.00
	Combination sleeve and gauntlet or glove	\$850.00

	Description	Maximum amount list II (100%)
	Compression garments under special consideration	
	Garment under special consideration – neck and trunk – ready made or custom made	S.C.
	Accessories for compression garments	
	Rubber gloves, pair	\$10.00
	Sleeve donner	\$120.00
	Stocking donner	\$100.00
	Skin adhesive	\$11.00
	Multilayer bandages	
	Multilayer bandages – upper limb	\$100.00
	Multilayer bandages – lower limb	\$225.00

S.C. = Special consideration

103656

M.O., 2018

Order number AM 2018-007 of the Minister of Forests, Wildlife and Parks dated 1 August 2018

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

THE MINISTER OF FORESTS, WILDLIFE AND PARKS,

CONSIDERING subparagraph 4 of the first paragraph of section 163 of the Act respecting the conservation and development of wildlife (chapter C-61.1), which provides that the Minister may make regulations setting the fees or maximum fees payable for the issue, replacement, renewal or transfer of a licence, certificate, authorization or lease, as well as the fees or maximum fees payable for late payments or for administrative services involved in the processing of applications;

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

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife was published in Part 2 of the *Gazette officielle du Québec* of 17 January 2018 with a notice that it could be made by the Minister of Forests, Wildlife and Parks on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife, attached hereto, is hereby made.

Québec, 1 August, 2018

LUC BLANCHETTE,
*Minister of forests,
Wildlife and Parks,*

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

An Act respecting the conservation and development of wildlife (chapter C-61.1, s. 163, 1st par., subpar. 4)

1. The Regulation respecting the scale of fees and duties related to the development of wildlife (chapter C-61.1, r. 32) is amended by inserting the following after the heading of subdivision 2.3 of Division II:

“**4.2.1.** The fees payable for examination of an application for the issue of a licence to keep animals in captivity are fixed as follows:

- (1) a general licence to keep animals:
 - (a) Class 1: \$60;
 - (b) Class 2: \$120;
 - (c) Class 3: \$180;
 - (d) Class 4: \$240;
 - (e) Class 5: \$300;
 - (f) Class 6: \$360;
- (2) a specific licence to keep birds of prey:
 - (a) Class 1: \$60;
 - (b) Class 2: \$120;
 - (c) Class 3: \$180;
 - (d) Class 4: \$240;
 - (e) Class 5: \$300;
 - (f) Class 6: \$360;
- (3) a professional licence to keep animals:
 - (a) Class 1: \$400;
 - (b) Class 2: \$480;
 - (c) Class 3: \$560;
 - (d) Class 4: \$640;
 - (e) Class 5: \$720;
 - (f) Class 6: \$800;
- (4) a professional licence to temporarily keep animals: \$250;
- (5) a professional licence to keep animals in a game ranch or a breeding farm: \$150;
- (6) a professional licence to capture and keep amphibians: \$150;
- (7) a licence to keep indigenous animals in rehabilitation: \$75;
- (8) a licence to temporarily keep animals in transit: \$75.;

2. Section 4.3 is replaced by the following:

“**4.3.** The fees payable on the issue of a licence to keep animals in captivity are fixed as follows:

- (1) a general licence to keep animals:
 - (a) Class 1: \$60;
 - (b) Class 2: \$120;
 - (c) Class 3: \$180;
 - (d) Class 4: \$240;
 - (e) Class 5: \$300;
 - (f) Class 6: \$360;
- (2) a specific licence to keep birds of prey:
 - (a) Class 1: \$60;
 - (b) Class 2: \$120;
 - (c) Class 3: \$180;
 - (d) Class 4: \$240;
 - (e) Class 5: \$300;
 - (f) Class 6: \$360;
- (3) a professional licence to keep animals:
 - (a) Class 1: \$400;
 - (b) Class 2: \$480;
 - (c) Class 3: \$560;
 - (d) Class 4: \$640;
 - (e) Class 5: \$720;
 - (f) Class 6: \$800;
- (4) a professional licence to temporarily keep animals: \$250;
- (5) a professional licence to keep animals in a game ranch or a breeding farm: \$150;
- (6) a professional licence to capture and keep amphibians: \$150;

(7) a licence to keep indigenous animals in rehabilitation: \$25;

(8) a licence to temporarily keep animals in transit: \$25;

(9) a licence to capture birds of prey: \$100.

The fees payable for an application for the renewal or replacement of a licence correspond to the amount provided for in the first paragraph.

If an application for the renewal of a licence is submitted or if the fees are received between 1 March and 31 March, the fees payable for the application are equal to twice the amount provided for in the first paragraph.”

3. Section 15.1 is amended by inserting “4.2.1,” after “sections”.

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

103657

M.O., 2018

Order number AM 2018-008 of the Minister of Forests, Wildlife and Parks dated 1 August 2018

CONCERNING the Regulation respecting licences to keep animals in captivity

THE MINISTER OF FORESTS, WILDLIFE AND PARKS,

CONSIDERING subparagraphs 1 and 3 of the first paragraph of section 163 of the Act respecting the conservation and development of wildlife (chapter C-61.1), which provides in particular that the Minister may make regulations determining classes of licences, certificates, authorizations and leases, as well as their content and duration and the conditions for their issue, replacement, renewal or transfer, or establishing the requirements that a holder of a licence, certificate, authorization or lease must satisfy;

CONSIDERING subparagraph 12 of the first paragraph of section 163 of the Act, which provides that the Minister may make regulations determining among the provisions of a regulation made by the Minister under the Act those the violation of which constitutes an offence;

CONSIDERING the first paragraph of section 164 of the Act, which provides in particular that a regulation made under subparagraphs 1 to 3 and 12 of the first paragraph of section 163 is not subject to the publication requirements set out in section 8 of the Regulations Act (chapter R-18.1);

CONSIDERING the making of the Regulation respecting licences to keep animals in captivity (chapter C-61.1, r. 20.1);

CONSIDERING that it is expedient to replace the Regulation by the Regulation respecting licences to keep animals in captivity attached to this Order;

ORDERS AS FOLLOWS:

The Regulation respecting licences to keep animals in captivity is hereby made.

Québec, 1 August, 2018

LUC BLANCHETTE,
*Minister of forests,
Wildlife and Parks,*

Regulation respecting licences to keep animals in captivity

An Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 163, 1st par., subpars. 1 to 3 and 12)

CHAPTER 1 GENERAL

1. In this Regulation, subspecies, species, genera, families or orders are classified according to the scientific nomenclature provided in the Catalogue of Life: 2017 Annual Checklist, published by Species 2000 and Integrated Taxonomic Information System (ITIS).

The scientific nomenclature prevails over common names.

DIVISION 1 CATEGORIES AND CLASSES OF LICENCES

§1. Categories

2. A licence authorizing the keeping in captivity, capture or disposal belongs to one of the following categories:

- (1) general licence to keep animals;
- (2) specific licence to keep birds of prey;
- (3) professional licence to keep animals;
- (4) professional licence to temporarily keep animals;

(5) professional licence to keep animals on a game ranch or a breeding farm;

(6) professional licence to capture and keep amphibians;

(7) licence to keep native animals for rehabilitation purposes;

(8) licence to temporarily keep animals in transit;

(9) licence to capture birds of prey.

3. A general licence to keep animals authorizes its holder to keep on a keeping site

(1) the animals listed in Schedule 1 for the class of licence and belonging to an order for which it was issued; and

(2) more than 15 specimens of a same species or a same subspecies listed in Schedule 2 to the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*).

4. A specific licence to keep birds of prey authorizes its holder to keep, on a keeping site, the birds of prey listed in Schedule 2 for the class of licence.

5. A professional licence to keep animals authorizes its holder to keep on a keeping site

(1) the animals listed in Schedule 1 to the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*); and

(2) more than 15 specimens of a same species or a same subspecies listed in Schedule 2 to the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*).

6. A professional licence to temporarily keep animals authorizes its holder to keep, on a number of keeping sites, the animals listed in Schedule 1 to the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*).

7. A professional licence to keep animals on a game ranch or a breeding farm authorizes its holder to keep, on a keeping site, the animals listed in Schedule 3.

8. A professional licence to capture and keep amphibians authorizes its holder to capture, keep, on a keeping site, more than 15 specimens of a same species of amphibian listed in Schedule 4 and dispose of those specimens.

9. A licence to keep native animals in rehabilitation authorizes its holder to keep in rehabilitation on a keeping site

(1) the native animals listed in Schedule 1 to the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*); and

(2) more than 15 specimens of a same species or a same subspecies listed in Schedule 2 to the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*).

10. A licence to temporarily keep animals in transit authorizes its holder to keep

(1) the animals listed in Schedule 1 to the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*); and

(2) more than 15 specimens of a same species or a same subspecies listed in Schedule 2 to the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*).

11. A licence belonging to one of the categories provided for in paragraphs 1 to 5 and 7 to 8 of section 2 authorizes its holder to dispose of animals kept in accordance with the licence and capture those animals where they have escaped.

12. A licence to capture birds of prey authorizes its holder to capture a juvenile bird of prey belonging to one of the following species:

(1) a red-tailed hawk (*Buteo jamaicensis*);

(2) a northern goshawk (*Accipiter gentilis*);

(3) a Cooper's hawk (*Accipiter cooperii*);

(4) a merlin (*Falco columbarius*).

§2. Classes

13. A general licence to keep animals, a specific licence to keep birds of prey or a professional licence to keep animals belongs to one of the following classes:

(1) class 1, which authorizes its holder to keep a maximum of 15 specimens;

(2) class 2, which authorizes its holder to keep a maximum of 50 specimens;

(3) class 3, which authorizes its holder to keep a maximum of 100 specimens;

(4) class 4, which authorizes its holder to keep a maximum of 150 specimens;

(5) class 5, which authorizes its holder to keep a maximum of 500 specimens;

(6) class 6, which authorizes its holder to keep an unlimited number of specimens.

Amphibians at the tadpole or egg stage are not counted for the purposes of this section.

DIVISION 2 CONDITIONS FOR THE ISSUE OF A LICENCE

14. To be eligible to obtain a licence, an applicant must

(1) if the applicant is a natural person, be at least 18 years of age;

(2) have paid the amounts exigible under the Act respecting the conservation and development of wildlife (chapter C-61.1) or one of the regulations thereunder;

(3) not have been convicted, in the 5 years preceding the licence application, of an offence under

(a) sections 444 to 447.1 of the Criminal Code (R.S.C. 1985, c. C-46);

(b) section 47 or 48 of the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*); or

(c) section 6 of the Animal Welfare and Safety Act (chapter B-3.1);

(4) in the case of an application for a general licence to keep animals:

(a) class 1, have at least 1 year of experience in the keeping in captivity of species belonging to the same order or to an order comparable to that of the animals covered by the application or be supervised by a person having such experience;

(b) class 2 to class 6, have at least 3 years of experience in the keeping in captivity of species belonging to the same order or to an order comparable to that of the animals covered by the application;

(5) in the case of an application for a specific licence to keep birds of prey:

(a) class 1, have at least 1 year of experience in the keeping in captivity of birds of prey or be supervised by a person having such experience;

(b) class 2 to class 6, have at least 3 years of experience in the keeping in captivity of birds of prey; and

(6) in the case of an application for a licence to capture birds of prey, hold a specific licence to keep birds of prey or a professional licence to keep animals.

15. An application for a professional licence to keep animals must cover one of the following activities:

(1) the exhibition of animals in a zoological garden or an aquarium for at least 90 days per year, including a minimum of 50 days between 1 July and 1 September;

(2) the training of animals for audiovisual productions;

(3) the brokerage of animals;

(4) the collection of animal by-products not intended for human consumption;

(5) the scaring of troublesome animals using birds of prey;

(6) the production of animal shows;

(7) the handling of animals that were abandoned or given away to keep them in a sanctuary, put them up for adoption or euthanize them, without breeding them;

(8) animal testing in a teaching or a scientific research institution.

16. An application for a professional licence to temporarily keep animals must cover one of the following activities:

- (1) the production of animal shows;
- (2) the travelling exhibit of animals .

17. An application for a professional licence to keep animals on a game ranch or a breeding farm must cover one of the following activities:

- (1) the raising of animals for the meat trade or other food products;
- (2) the killing of animals in an enclosure using a hunting implement referred to in section 31 of the Regulation respecting hunting (chapter C-61.1, r. 12) following stalking, chasing or hunting from a blind.

18. An application for a professional licence to capture and keep amphibians must cover the trade of amphibians.

19. A person may only hold 1 licence to capture birds of prey per year.

20. An application for a licence must be filed using the form provided for that purpose.

The form must contain the following information:

- (1) with respect to the applicant:
 - (a) in the case of a natural person: the person's name, telephone number, home address and, where applicable, the name, telephone number and address of the person's enterprise;
 - (b) in other cases: the name and telephone number of the enterprise, address of its head office and, if located outside Québec, of its principal establishment in Québec, and the name of the person authorized to represent the enterprise;
 - (c) the business number, if the enterprise is registered in the enterprise register established under the Act respecting the legal publicity of enterprises (chapter P-44.1);
- (2) the activity for which the licence is applied for, in the case of an application for one of the following licences:
 - (a) a professional licence to keep animals;
 - (b) a professional licence to temporarily keep animals;
 - (c) a professional licence to keep animals on a game ranch or a breeding farm;

(3) the particulars of the keeping site, except in the case of an application for

- (a) a professional licence to temporarily keep animals;
- (b) a licence to temporarily keep animals in transit; or
- (c) a licence to capture birds of prey;

(4) where applicable, the name, telephone number and address of the veterinary surgeon available to provide the animals with health care in case of emergency;

(5) in the case of an application for a professional licence to temporarily keep animals, the information on the locations where the animals will be exhibited to the public and the dates of the exhibition;

(6) in the case of an application for a licence to temporarily keep animals in transit, the dates on which the animals enter and leave the territory of Québec;

(7) in the case of an application for a licence to capture birds of prey, the number of the specific licence to keep birds of prey or of the professional licence to keep animals held by the applicant.

The fees provided for in the Regulation respecting the scale of fees and duties related to the development of wildlife (chapter C-61.1, r. 32) must be filed with the application.

21. The following documents must be filed with the application:

- (1) where applicable, the power of attorney or a certified true copy of the resolution authorizing the filing of the application and authorizing the applicant's representative to file the application;
- (2) a list indicating the scientific binomen and the number of specimens of each species covered by the licence application, except in the case of an application for one of the following licences:
 - (a) a professional licence to capture and keep amphibians;
 - (b) a licence to capture birds of prey;
- (3) in the case of an application for a general licence to keep animals or a specific licence to keep birds of prey, a description of the applicant's experience or, if the applicant is supervised by a person in accordance with paragraph 4 or 5 of section 14, the name, telephone number and home address of that person, and a description of the person's experience;

(4) a plan to scale of each keeping facility or, in the case of an application for a professional licence to keep animals for animal testing in a teaching or scientific research institution, the standard operating procedures describing the facilities, except in the case of an application for

- (a) a licence to temporarily keep animals in transit; or
- (b) a licence to capture birds of prey;

(5) in the case of an application for a professional licence to temporarily keep animals or a licence to temporarily keep animals in transit, a description of the transport cages and the animal transport conditions;

(6) in the case of an application for a licence belonging to class 5 or class 6, a copy of the employment contracts showing that the holder employs persons meeting the criteria set out in section 40;

(7) in the case of an application for a licence to keep native animals in rehabilitation or a licence belonging to any of class 2 to class 5, a copy of the service contract showing that the holder receives services from a veterinary surgeon in accordance with section 41 or a written confirmation from the veterinary surgeon offering the services;

(8) a report from a veterinary surgeon certifying, on the basis of examinations performed in the month preceding the filing of the application, that the animals entered on the list provided for in subparagraph 2 that will be imported to Québec are in good health and, where applicable, meet the conditions set out in section 14 of the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*), in the case of an application for

(a) a professional licence to temporarily keep animals; or

(b) a licence to temporarily keep animals in transit;

(9) a description of the route that will be taken in Québec by the animals covered by an application for a licence to temporarily keep animals in transit;

(10) where applicable, a copy of the civil liability insurance policy complying with section 43;

(11) where applicable, a description of the measures that will be taken to prevent transmission to the public of a pathogen listed in Schedule 3 or Schedule 5 to the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*) with respect to animals that could be handled by the public;

(12) in the case of an application for a professional licence to keep animals for animal testing in a teaching or a scientific research institution, a copy of the Certificate of GAP - Good Animal Practice of the Canadian Council on Animal Care.

The plans of the keeping facilities, the standard procedures and the descriptions of the transport cages must show that they comply with the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*).

DIVISION 3

TERM AND CONTENT OF A LICENCE

22. The period of validity of a licence ends on 31 March of each year, except

(1) the professional licence to temporarily keep animals, whose validity period is 90 days; and

(2) the licence to temporarily keep animals in transit, whose validity period is 7 days.

If an application for renewal or the fees are received after 1 March, but before 31 March, the validity period of the licence is extended by 30 days.

23. A licence must contain in particular the following information:

(1) with respect to the licence:

(a) its category and, where applicable, its class and the orders of the animals the keeping of which is authorized;

(b) its identification number;

(c) its date of issue;

(d) its expiry date, in the case of a professional licence to temporarily keep animals or a licence to temporarily keep animals in transit;

(2) with respect to the holder:

(a) in the case of a natural person:

i. the person's name and, where applicable, the name of the person's enterprise;

ii. the person's home address or, where applicable, the address of the person's enterprise;

(b) in other cases: the name of the enterprise, the address of its head office and the name of the person authorized to represent the enterprise;

(c) the business number, if the enterprise is registered in the enterprise register established under the Act respecting the legal publicity of enterprises (chapter P-44.1);

(3) where applicable, the particulars on the keeping sites.

DIVISION 4 CONDITIONS FOR THE REPLACEMENT OF A LICENCE

24. An application for the replacement of a licence may be filed using the form provided for that purpose, in order to change the particulars on the keeping site.

The form must contain in particular the following information:

- (1) the identification number of the licence;
- (2) with respect to the applicant:

(a) in the case of a natural person: the person's name, telephone number, home address and, where applicable, the name, telephone number and address of the person's enterprise;

(b) in other cases: the name and telephone number of the enterprise, the address of its head office and, if it is located outside Québec, of its principal establishment in Québec and the name of the person authorized to represent the enterprise;

(c) the business number, if the enterprise is registered in the enterprise register established under the Act respecting the legal publicity of enterprises (chapter P-44.1);

- (3) the particulars of the new keeping site.

The fees provided for in the Regulation respecting the scale of fees and duties related to the development of wildlife (chapter C-61.1, r. 32) must be filed with the application.

25. The following documents must be filed with the application:

(1) where applicable, the power of attorney or a certified true copy of the resolution authorizing the filing of the application and authorizing the applicant's representative to file the application;

(2) a plan to scale of the keeping facilities of the new keeping site or, in the case of an application for the replacement of a professional licence to keep animals for animal testing in a teaching or scientific research institution, the standard operating procedures describing the facilities.

26. The animals covered by the licence must be kept on the new keeping site not later than 45 days after the date of issue of the replacement licence.

27. The holder of a general licence to keep animals may, upon renewal, request the addition of an order to the licence or a change of class.

The holder of a specific licence to keep birds of prey or a professional licence to keep animals may, upon renewal, request a change of class.

Where applicable, paragraphs 4 and 5 of section 14 apply to those applications, with the necessary modifications.

28. The holder of a professional licence to keep animals or a professional licence to keep animals on a game ranch or a breeding farm may, on renewal, request the modification of the activity for which the licence is issued to the holder.

DIVISION 5 CONDITIONS FOR THE RENEWAL OF A LICENCE

29. The following licences are not renewable:

- (1) a professional licence to temporarily keep animals;
- (2) a licence to temporarily keep animals in transit;
- (3) a licence to capture birds of prey.

30. To be eligible for the renewal of a licence, the holder must

(1) have paid the amounts exigible under the Act respecting the conservation and development of wildlife (chapter C-61.1) or one of the regulations thereunder; and

(2) not have been convicted in the year preceding the renewal application, of an offence under

(a) sections 444 to 447.1 of the Criminal Code (R.S.C. 1985, c. C-46);

(b) section 47 or 48 of the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*); or

(c) section 6 of the Animal Welfare and Safety Act (chapter B-3.1).

31. An application for licence renewal must be filed on the form provided for that purpose.

The form must contain in particular

(1) the identification number of the licence;

(2) with respect to the applicant:

(a) in the case of a natural person: the person's name, telephone number, home address and, where applicable, the name, telephone number and address of the person's enterprise;

(b) in other cases: the name and telephone number of the enterprise, the address of its head office and, if it is located outside Québec, of its principal establishment in Québec and the name of the person authorized to represent the enterprise;

(c) the business number, if the enterprise is registered in the enterprise register established under the Act respecting the legal publicity of enterprises (chapter P-44.1);

(3) the particulars of the keeping site;

(4) where applicable, the name, telephone number and address of the veterinary surgeon available to provide the animals with health care in case of emergency.

The fees provided for in the Regulation respecting the scale of fees and duties related to the development of wildlife (chapter C-61.1, r. 32) must be filed with the application.

32. The following documents must be filed with the application:

(1) where applicable, the power of attorney or a certified true copy of the resolution authorizing the filing of the application and authorizing the applicant's representative to file the application;

(2) a list of the dates of the visual assessments performed in accordance with section 39, in the case of an application for the renewal of a licence belonging to any of class 2 to class 5;

(3) a copy of the employment contracts showing that the holder employs persons meeting the criteria set out in section 40, in the case of an application for the renewal of an application belonging to class 5 or class 6;

(4) a copy of a service contract showing that the holder receives the services of a veterinary surgeon in accordance with section 41 or a written confirmation from the veterinary surgeon that he or she is offering the services, in the case of an application for the renewal of

(a) a licence to keep native animals in rehabilitation; or

(b) a licence belonging to any of class 2 to class 5;

(5) where applicable, a copy of the civil liability insurance policy complying with section 43;

(6) a copy of the register duly completed in accordance with section 45;

(7) a letter from a veterinary surgeon confirming that the animals are in good health or, if they are injured or ill, that they are receiving the required health care, in the case of an application for the renewal of

(a) a licence to keep native animals in rehabilitation; or

(b) a licence belonging to any of class 2 to class 6;

(8) where applicable, a copy of the necropsy reports drawn up in accordance with section 61 of the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*);

(9) where applicable, a description of the measures taken to prevent transmission to the public of a pathogen listed in Schedule 3 or Schedule 5 to the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*) with respect to animals that may be handled by the public;

(10) a copy of the Certificate of GAP - Good Animal Practice of the Canadian Council on Animal Care, in the case of an application for the renewal of a professional licence to keep animals for animal testing in a teaching or a scientific research institution.

33. Where the holder of a general licence to keep animals or a specific licence to keep birds of prey requests, upon renewal, the addition of an order to the licence or a change of class, the following documents must be filed with the application:

(1) in the case of an application for the renewal of a general licence to keep animals concerning the addition of an order to the licence or, in the case of such class 1 licence, the change of class, a list indicating the scientific binomen and the number of specimens of each new species covered by the renewal application;

(2) a description of the applicant's experience or, if the applicant is supervised by a person in accordance with paragraph 4 or 5 of section 14, the name, telephone number and home address of that person, and a description of the person's experience, in the case of an application for the renewal of

(a) a general licence to keep animals for which a request for adding an order to the licence has been made or, in the case of a class 1 licence, a request for a change of class; or

(b) a class 1 specific licence to keep birds of prey for which an application for the change of class has been made.

CHAPTER 2 PROVISIONS RELATED TO THE OBLIGATIONS OF CERTAIN LICENCE HOLDERS

34. The holder of one of the following licences must maintain the activity for which the licence was issued:

- (1) a professional licence to keep animals;
- (2) a professional licence to temporarily keep animals;
- (3) a professional licence to keep animals on a game ranch or a breeding farm;
- (4) a professional licence to capture and keep amphibians.

35. Except for the professional licence to keep animals on a game ranch or a breeding farm, no licence to keep animals in captivity allows the keeping of animals for human consumption or fur production.

36. An animal must be kept on the keeping site indicated on the licence, except if

- (1) the animal is transported to another keeping site by a person other than its keeper;
- (2) the animal is boarding at or on loan to another holder of a licence to keep animals in captivity;
- (3) the animal is hospitalized;
- (4) during less than 90 days,
 - (a) the animal accompanies its keeper during travel;
 - (b) the animal is in isolation, in preparation for its departure or for quarantining;
- (5) in the case of a force majeure that endangers the life or health of the animal.

This section does not apply to the holder of a licence to temporarily keep animals in transit.

37. The holder of a professional licence to keep animals must notify the Minister not later than 10 working days and not earlier than 45 working days before the arrival, on the keeping site, of a new high-risk mammal or a new venomous reptile listed in Schedule 6 to the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*).

38. In the case of the construction of a new keeping facility or the major alteration of an existing facility, the holder of a licence must send to the Minister, at least 20 working days before the beginning of the work, a plan to scale of the facility after the work, except in the case of a professional licence to temporarily keep animals.

For the purposes of the first paragraph, the holder of a professional licence to keep animals for animal testing in a teaching or scientific research institution must send any new standard operating procedure describing the facilities.

39. The general health of animals the keeping of which is authorized under a licence belonging to any of class 2 to class 5 must be assessed visually by a veterinary surgeon

- (1) at least once a year, in the case of a class 2 licence;
- (2) at least once every 6 months, in the case of a class 3 licence;
- (3) at least once every quarter, in the case of a class 4 licence;
- (4) at least once a month, in the case of a class 5 licence.

40. The holder of a class 5 or class 6 licence must employ a person holding a college or university diploma related to animal biology to supervise care to the animals at least 30 hours a week.

The holder of a class 6 licence must also employ a veterinary surgeon at least 30 hours a week.

41. The holder of a licence belonging to any of class 2 to class 5 or a licence to keep native animals in rehabilitation must be advised by a veterinary surgeon with respect to the health care provided to the animals.

In the case of a licence belonging to any of class 2 to class 5, a veterinary surgeon must be available to provide health care to the animals in case of emergency.

42. The holder of a licence issued for animal testing activities must hold a Certificate of GAP - Good Animal Practice of the Canadian Council on Animal Care.

43. The holder of a licence who keeps a high-risk mammal or a venomous reptile listed in Schedule 6 to the Regulation respecting animals in captivity made under Order in Council (*insert the number of the Order in Council making the Regulation*) dated (*insert the date of its making*) must hold civil liability insurance of at least \$2,000,000 covering damages caused by such an animal.

44. The holder of a licence must keep a register up to date and send a copy to the Minister, within 20 working days following the expiry of the licence or with the application for renewal of the licence, as the case may be, except the holder of

- (1) a professional licence to temporarily keep animals;
- (2) a licence to temporarily keep animals in transit; or
- (3) a licence to capture birds of prey.

45. The register of a licence holder must contain, with respect to each animal over 1 month of age that was kept during the validity period of the licence,

- (1) the common name and scientific binomen of its species;
- (2) its sex, if identifiable;
- (3) its real or estimated date of birth; and
- (4) where applicable:
 - (a) its identification number;
 - (b) the date of its acquisition and, as the case may be, the information on its origin or place of capture and the name and address of the persons who gave the animal to the holder;
 - (c) the date of its disposal and, as the case may be, the information on its destination or place of release;
 - (d) the date of its death and the particulars of the person who killed it; or
 - (e) the date of escape.

In the case of a professional licence to keep animals on a game ranch or a breeding farm, the holder's register must only indicate, for the period of validity of the licence,

- (1) the number of specimens of each species of mammals that

(a) were kept in captivity as of 1 April;

(b) were born in captivity;

(c) died in captivity;

(d) were acquired;

(e) escaped;

(f) were captured following their escape;

(g) were killed in an enclosure; or

(h) were killed otherwise than in an enclosure; and

(2) the number of wild turkeys (*Meleagris gallopavo*) that

(a) were released in an enclosure for killing;

(b) were killed in an enclosure;

(c) escaped from an enclosure;

(d) were captured following their escape.

In the case of a professional licence to capture and keep amphibians, the holder's register must only contain, for the period of validity of the licence,

(1) the places the amphibians were captured and the number of specimens captured per species in each place of capture;

(2) the number of specimens purchased per species, their origin, date of purchase and the name and address of each party to the transactions; and

(3) the number of specimens sold per species, the date of sale and the name and address of each party to the transactions.

46. In case of contravention of sections 34 to 36 and 38 to 44, the holder of the licence is liable to the fine provided for in section 171 of the Act respecting the conservation and development of wildlife (chapter C-61.1).

CHAPTER 3 TRANSITIONAL AND FINAL

47. Licences issued under the former Regulation respecting licences to keep animals in captivity (chapter C-61.1, r. 20.1) become, according to the following, licences governed by this Regulation:

(1) a zoological garden licence becomes a professional licence to keep animals;

(2) a wildlife observation centre licence becomes a professional licence to keep animals;

(3) an animal broker's licence becomes a professional licence to keep animals;

(4) an animal trainer's licence becomes a professional licence to keep animals;

(5) a by-products collector's licence becomes a professional licence to keep animals;

(6) a licence to keep amphibians becomes a professional licence to capture and keep amphibians;

(7) a game ranch licence for various species becomes a professional licence to keep animals on a game ranch or a breeding farm;

(8) a breeding and game ranch licence for white-tailed deer becomes a professional licence to keep animals on a game ranch or a breeding farm;

(9) a wildlife rehabilitation centre licence becomes a licence to keep native animals in rehabilitation;

(10) an apprentice hawker's licence becomes a specific licence to keep birds of prey;

(11) a hawker's licence becomes a specific licence to keep birds of prey;

(12) a licence to keep white-tailed deer becomes a general licence to keep animals;

(13) a licence for provisional custody becomes a general licence to keep animals.

The class of a general licence to keep animals, a specific licence to keep birds of prey or a professional licence to keep animals is determined according to the number of animals kept in accordance with the former licence on the date of coming into force of this Regulation and according to their species.

48. The maximum number of specimens provided for in section 13 whose keeping is authorized by the class of a licence applies to general licences to keep animals, specific licences to keep birds of prey and professional licences to keep animals referred to in section 47 only as of their renewal.

49. The obligation to maintain the activity for which the licence has been issued provided for in section 34 applies to professional licences to keep animals and professional licences to keep animals on a game ranch or a breeding farm referred to in section 47 only as of their renewal. The obligation does not apply to professional licences for provisional custody referred to in that section.

50. The first application for the renewal of a professional licence to keep animals or a professional licence to keep animals on a game ranch or a breeding farm referred to in section 47 must contain the activity for which the licence is applied for.

51. Pending licence applications are processed in accordance with the former Regulation respecting licences to keep animals in captivity (chapter C-61.1, r. 20.1). Licences will be issued according to the category and class determined under section 47.

In the case of a pending application for which a professional licence to keep animals, a professional licence for provisional custody or a professional licence to keep animals on a game ranch or a breeding farm would be issued, the application must be completed by indicating the activity for which the licence is applied for.

52. The holder of a class 5 or class 6 licence who did not hold a zoological garden licence issued under the former Regulation respecting licences to keep animals in captivity (chapter C-61.1, r. 20.1) has until 1 May 2019 to hire a person holding a college or university diploma related to animal biology or a veterinary surgeon, in accordance with section 40.

53. The following persons are deemed to have the experience required for the purposes of this Regulation to keep animals in their custody on the date of coming into force of this Regulation:

(1) a person who held any of the licences listed in subparagraphs 10 to 13 of the first paragraph of section 47 issued under the former Regulation respecting licences to keep animals in captivity (chapter C-61.1, r. 20.1);

(2) a person newly subject to the obligation to hold a licence to keep an animal in captivity on the date of coming into force of the Regulation respecting animals in captivity made by Order in Council (*insert the number of the Order in Council making that Regulation*) dated (*insert the date of its making*).

54. The holder of a licence to keep white-tailed deer issued under the former Regulation respecting licences to keep animals in captivity (chapter C-61.1, r. 20.1) may continue to keep not more than 5 white-tailed deer (*Odocoileus virginianus*) of which the holder had custody on the date of coming into force of this Regulation, if the holder holds a general licence to keep animals.

The holder may, up to 31 March 2019, keep more than 5 white-tailed deer provided that the excess deer are newborns of the deer referred to in the first paragraph.

As of 1 April 2019, the holder may keep not more than 5 white-tailed deer, among those referred to in the first and second paragraphs.

55. For the purposes of section 23, a general licence to keep animals referred to in section 54 must also contain

(1) the indication “Keeping of white-tailed deer”; and

(2) the identification number of the white-tailed deer the keeping of which is authorized.

56. The holder of a breeding or game ranch licence for white-tailed deer issued under the former Regulation respecting licences to keep animals in captivity (chapter C-61.1, r. 20.1) who kept in captivity at least 25 white-tailed deer (*Odocoileus virginianus*) on the date of coming into force of this Regulation may continue to keep white-tailed deer if the holder holds a professional licence to keep animals on a game ranch or a breeding farm.

The holder loses the right to keep white-tailed deer if the holder keeps less than 25 deer on 31 March of each year.

57. For the purposes of section 23, a professional licence to keep animals on a game ranch or a breeding farm referred to in section 56 must also contain the indication “Keeping of white-tailed deer”.

58. 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 continue to keep the animal of which the holder had custody on the date of coming into force of this Regulation, if the holder holds a general licence to keep animals.

59. For the purposes of section 23, a general licence to keep animals referred to in section 58 must also contain

(1) the indication “Provisional custody”;

(2) the animal species the keeping of which is authorized; and

(3) the animal’s microchip number.

60. The Regulation respecting licences to keep animals in captivity (chapter C-61.1, r. 20.1) is revoked.

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

SCHEDULE 1

(section 3)

SPECIES THE KEEPING OF WHICH IS AUTHORIZED BY A GENERAL LICENCE TO KEEP ANIMALS

§ 1. — Class 1 licence							
Class	Order	Family	Genus	Species or subspecies	Common name or type species		
Aves	Bucerotiformes	Bucerotidae	<i>Aceros</i>	all species	hornbill		
			<i>Anthracoceros</i>	all species	hornbill		
			<i>Buceros</i>	all species	hornbill		
			<i>Rhinoplax</i>	all species	hornbill		
			<i>Rhyticeros</i>	all species	hornbill		
		Bucorvidae			all species	ground hornbill	
		Coraciiformes	Alcedinidae	<i>Megaceryle</i>	<i>alcyon</i>		belted kingfisher
			Meropidae			all species	bee-eater
		Galliformes	Phasianidae	<i>Bonasa</i>	<i>umbellus</i>		ruffed grouse
				<i>Falcapennis</i>	<i>canadensis</i>		spruce grouse
	<i>Lagopus</i>			<i>lagopus</i>		willow ptarmigan	
				<i>muta</i>		rock ptarmigan	
	<i>Perdix</i>			<i>perdix</i>		grey partridge	
	<i>Tympanuchus</i>			<i>phasianellus</i>		sharp-tailed grouse	
	Gruiformes				all species	crane	
	Passeriformes	Corvidae	<i>Corvus</i>	<i>corax</i>		common raven	
				<i>crassirostris</i>		thick-billed raven	
			<i>Cyanocitta</i>	<i>cristata</i>		blue jay	
			<i>Perisoreus</i>	<i>canadensis</i>		grey jay	
		Icteridae	<i>Euphagus</i>	<i>carolinus</i>		rusty blackbird	
	Struthioniformes				all species	ostrich	
	Mammalia	Artiodactyla	Bovidae	<i>Ammotragus</i>	all species	sheep	
				<i>Bison</i>	all species	bison	
<i>Hemitragus</i>				all species	tahr		
<i>Oreamnos</i>				all species	mountain goat		
<i>Ovibos</i>				all species	muskox		
<i>Ovis</i>				all species	bighorn sheep		
Camelidae					all species	camel, dromedary	
Cervidae			<i>Axis</i>	all species	deer		
			<i>Blastocerus</i>	all species	deer		
			<i>Capreolus</i>	all species	deer		
		<i>Cervus</i>	all species	red deer, Sika deer			
		<i>Dama</i>	all species	fallow deer			
		<i>Elaphodus</i>	all species	deer			
		<i>Elaphurus</i>	all species	deer			
		<i>Hippocamelus</i>	all species	guemal			
		<i>Hydropotes</i>	all species	deer			
		<i>Mazama</i>	all species	brocket deer			
	<i>Muntiacus</i>	all species	muntjac				
	<i>Przewalskium</i>	all species	deer				

		<i>Pudu</i>	all species	pudu		
		<i>Rucervus</i>	all species	deer		
		<i>Rusa</i>	all species	deer		
	Moschidae		all species	musk deer		
	Suidae	<i>Sus</i>	<i>scrofa</i>	boar		
Carnivora	Canidae	<i>Vulpes</i>	<i>bengalensis</i>	Bengal fox		
			<i>chama</i>	Cape fox		
			<i>corsac</i>	corsac fox		
			<i>ferrilata</i>	Tibetan sand fox		
			<i>macrotis</i>	kit fox		
			<i>pallida</i>	pale fox		
			<i>rueppellii</i>	Rüppell's fox		
			<i>velox</i>	swift fox		
	Felidae	<i>Catopuma</i>		<i>temminckii</i>	Temminck's cat	
				<i>Felis</i>	<i>bieti</i>	Chinese mountain cat
					<i>chaus</i>	swamp cat
					<i>manul</i>	Pallas' cat
					<i>silvestris</i>	wildcat
		<i>Leopardus</i>		<i>geoffroyi</i>	Geoffroy's cat	
				<i>pardalis</i>	ocelot	
		<i>Leptailurus</i>		<i>serval</i>	serval	
		<i>Pardofelis</i>		<i>marmorata</i>	marbled cat	
		<i>Prionailurus</i>		<i>bengalensis</i>	leopard cat	
	<i>iriomotensis</i>			Iriomote cat		
	<i>viverrinus</i>			fishing cat		
	<i>Profelis</i>		<i>aurata</i>	African golden cat		
			<i>Puma</i>	<i>yagouaroundi</i>	jaguarundi	
	Procyonidae	<i>Nasua</i>	all species	coati		
	Diprotodontia	Macropodidae	<i>Macropus</i>	<i>agilis</i>	agile wallaby	
				<i>rufogriseus</i>	red-necked wallaby	
	Erinaceomorpha	Erinaceidae	<i>Erinaceus</i>	all species	European hedgehog	
				<i>Mesechinus</i>	all species	Asian hedgehog
Lagomorpha	Leporidae	<i>Lepus</i>	all species	hare		
			<i>Sylvilagus</i>	<i>floridanus</i>	eastern cottontail	
				<i>transitionalis</i>	New England cottontail rabbit	
Perissodactyla	Equidae	<i>Equus</i>	<i>przewalskii</i>	Przewalski's horse		
Rodentia	Cricetidae	<i>Dicrostonyx</i>	<i>groenlandicus</i>	northern collared lemming		
			<i>torquatus</i>	Arctic lemming		
			all species	lemming		
		<i>Lagurus</i>	all species	lemming		
		<i>Lemmus</i>	all species	lemming		
		<i>Microtus</i>	<i>gregalis</i>	narrow-headed vole		
			<i>oeconomus</i>	tundra vole		
			all species	lemming		
		<i>Ondatra</i>	all species	muskrat		
		<i>Peromyscus</i>	all species	mouse		
		Erethizontidae	<i>Erethizon</i>	all species	North American porcupine	
		Hystriidae		all species	Old World porcupine	
		Muridae		<i>Apodemus</i>	all species	field mouse
				<i>Micromys</i>	all species	rat
		Sciuridae		<i>Cynomys</i>	all species	prairie dog
<i>Marmota</i>	all species			groundhog		

			<i>Pteromys</i>	all species	flying squirrel
	Soricomorpha			all species	small insectivore, shrew
Reptilia	Squamata	Boidae	<i>Eunectes</i>	<i>murinus</i>	green anaconda
		Pythonidae	<i>Malayopython</i>	<i>reticulatus</i>	reticulated python
			<i>Python</i>	<i>bivittatus</i>	Burmese python
				<i>molurus</i>	Indian rock python
				<i>sebae</i>	African rock python
			<i>Simalia</i>	<i>amethystina</i>	amethystine python
Testudines	Chelydridae	<i>Chelydra</i>		<i>serpentina</i>	snapping turtle
	Emydidae	<i>Chrysemys</i>		<i>picta marginata</i>	midland painted turtle

§ 2. — Class 2 to class 6 licences

Class	Order	Family	Genus	Species or subspecies	Common name or type species
Aves	Apodiformes			all species	swift, hummingbird
	Bucerotiformes	Bucerotidae	<i>Aceros</i>	all species	hornbill
			<i>Anthracoseros</i>	all species	hornbill
			<i>Buceros</i>	all species	hornbill
			<i>Rhinoplax</i>	all species	hornbill
			<i>Rhyticeros</i>	all species	hornbill
			Bucorvidae	all species	ground hornbill
	Caprimulgiformes	Caprimulgidae		all species	nightjars
		Steatornithidae		all species	oilbird
	Casuariiformes	Casuariidae		all species	cassowary
	Charadriiformes			all species	shorebird
	Ciconiiformes			all species	stork
	Coraciiformes	Alcedinidae	<i>Megaceryle</i>	<i>alcyon</i>	belted kingfisher
		Meropidae		all species	bee-eater
		Todidae		all species	toody
	Galliformes	Phasianidae	<i>Bonasa</i>	<i>umbellus</i>	ruffed grouse
			<i>Falciipennis</i>	<i>canadensis</i>	spruce grouse
			<i>Lagopus</i>	<i>lagopus</i>	willow ptarmigan
				<i>muta</i>	rock ptarmigan
			<i>Perdix</i>	<i>perdix</i>	grey partridge
	<i>Tympanuchus</i>	<i>phasianellus</i>	sharp-tailed grouse		
	Gaviiformes			all species	loon
	Gruiiformes			all species	crane
	Passeriformes	Corvidae	<i>Corvus</i>	<i>corax</i>	common raven
				<i>crassirostris</i>	thick-billed raven
				<i>Cyanocitta</i>	<i>cristata</i>
				<i>Perisoreus</i>	<i>canadensis</i>
		Icteridae	<i>Euphagus</i>	<i>carolinus</i>	rusty blackbird
Pelecaniformes				all species	pelican, heron, egret
Phoenicopteriformes				all species	flamingo
Struthioniformes				all species	ostrich
Suliformes				all species	gannet, booby, cormorant
Mammalia		Afrosoricida	Chrysochloridae		all species
	Artiodactyla	Bovidae	<i>Addax</i>	all species	addax
			<i>Aepyceros</i>	all species	impala
			<i>Alcelaphus</i>	all species	hartebeest

	<i>Ammodorcas</i>	all species	antelope
	<i>Ammotragus</i>	all species	sheep
	<i>Antidorcas</i>	all species	springbok
	<i>Antilope</i>	all species	antelope
	<i>Beatragus</i>	all species	hirola
	<i>Bison</i>	all species	bison
	<i>Bos</i>	all species	beef, wild yak
	<i>Boselaphus</i>	all species	nilgai
	<i>Bubalus</i>	all species	anoa, buffalo
	<i>Budorcas</i>	all species	takin
	<i>Capricornis</i>	all species	serow
	<i>Cephalophus</i>	all species	duiker
	<i>Connochaetes</i>	all species	wildebeest
	<i>Damaliscus</i>	all species	topi
	<i>Dorcatragus</i>	all species	beira
	<i>Eudorcas</i>	all species	gazelle
	<i>Gazella</i>	all species	gazelle
	<i>Hemitragus</i>	all species	tahr
	<i>Hippotragus</i>	all species	antelope, sable
	<i>Kobus</i>	all species	kob, puku
	<i>Litocranius</i>	all species	gazelle
	<i>Nanger</i>	all species	gazelle
	<i>Neotragus</i>	all species	antelope, suni
	<i>Oreamnos</i>	all species	mountain goat
	<i>Oreotragus</i>	all species	klipspringer
	<i>Oryx</i>	all species	oryx
	<i>Ourebia</i>	all species	oribi
	<i>Ovibos</i>	all species	muskox
	<i>Ovis</i>	all species	bighorn sheep
	<i>Pantholops</i>	all species	antelope
	<i>Pelea</i>	all species	pelea
	<i>Procapra</i>	all species	gazelle
	<i>Pseudois</i>	all species	bharal
	<i>Pseudoryx</i>	all species	saola
	<i>Raphicerus</i>	all species	grysbok, steenbok
	<i>Redunca</i>	all species	kob, nagor
	<i>Saiga</i>	all species	saiga
	<i>Sylvicapra</i>	all species	duiker
	<i>Syncerus</i>	all species	buffalo
	<i>Taurotragus</i>	all species	eland
	<i>Tetracerus</i>	all species	antelope
	<i>Tragelaphus</i>	all species	bongo, bushbuck, nyala
Camelidae		all species	camel, dromedary
Cervidae	<i>Axis</i>	all species	deer
	<i>Blastocerus</i>	all species	deer
	<i>Capreolus</i>	all species	deer
	<i>Cervus</i>	all species	red deer, Sika deer
	<i>Dama</i>	all species	fallow deer
	<i>Elaphodus</i>	all species	deer
	<i>Elaphurus</i>	all species	deer
	<i>Hippocamelus</i>	all species	guemal

		<i>Hydropotes</i>	all species	deer
		<i>Mazama</i>	all species	brocket deer
		<i>Muntiacus</i>	all species	muntjac
		<i>Przewalskium</i>	all species	deer
		<i>Pudu</i>	all species	pudu
		<i>Rucervus</i>	all species	deer
		<i>Rusa</i>	all species	deer
	Moschidae		all species	musk deer
	Suidae		all species	warhog, boar
Carnivora	Canidae	<i>Atelocynus</i>	<i>microtis</i>	small-eared fox
		<i>Canis</i>	<i>adustus</i>	side-striped jackal
			<i>aureus</i>	golden jackal
			<i>mesomelas</i>	black-backed jackal
		<i>Pardofelis</i>	<i>marmorata</i>	marbled cat
		<i>Otocyon</i>	<i>megalotis</i>	bat-eared fox
		<i>Vulpes</i>	<i>bengalensis</i>	Bengal fox
			<i>chama</i>	Cape fox
			<i>corsac</i>	corsac fox
			<i>ferrilata</i>	Tibetan sand fox
			<i>macrotis</i>	kit fox
			<i>pallida</i>	pale fox
			<i>rueppellii</i>	Rüppell's fox
			<i>velox</i>	swift fox
	Felidae	<i>Caracal</i>	<i>caracal</i>	caracal
		<i>Catopuma</i>	<i>temminckii</i>	Temminck's cat
		<i>Felis</i>	<i>bieti</i>	Chinese mountain cat
			<i>chaus</i>	swamp cat
			<i>manul</i>	Pallas' cat
			<i>silvestris</i>	wildcat
		<i>Leopardus</i>	<i>geoffroyi</i>	Geoffroy's cat
			<i>pardalis</i>	ocelot
		<i>Leptailurus</i>	<i>serval</i>	serval
		<i>Parfofelis</i>	<i>marmorata</i>	marbled cat
		<i>Prionailurus</i>	<i>bengalensis</i>	leopard cat
			<i>iriomotensis</i>	Iriomote cat
			<i>viverrinus</i>	fishing cat
		<i>Profelis</i>	<i>aurata</i>	African golden cat
		<i>Puma</i>	<i>yagouaroundi</i>	jaguarundi
	Mustelidae		all species	weasel, otter, mink
	Procyonidae	<i>Nasua</i>	all species	coati
	Viverridae	<i>Arctictis</i>	all species	binturong
		<i>Civettictis</i>	all species	civet
		<i>Cynogale</i>	all species	civet
		<i>Macrogalidia</i>	all species	civet
		<i>Paguma</i>	all species	civet
		<i>Viverra</i>	all species	civet
Diprotodontia	Macropodidae		all species	kangaroo, wallaby, tree kangaroo
	Vombatidae		all species	wombat
Erinaceomorpha	Erinaceidae	<i>Erinaceus</i>	all species	European hedgehog
		<i>Mesechinus</i>	all species	Asian hedgehog
Lagomorpha	Leporidae	<i>Lepus</i>	all species	hare

		<i>Sylvilagus</i>	<i>floridanus</i>	eastern cottontail
			<i>transitionalis</i>	New England cottontail rabbit
Perissodactyla	Equidae		all species	horse, donkey, zebra
	Tapiridae		all species	tapir
Pilosa	Cyclopedidae		all species	silky anteater
	Myrmecophagidae		all species	giant anteater, anteater
Primates	Callitrichidae		all species	marmoset, tamarind
	Lemuridae		all species	lemur
Rodentia	Castoridae		all species	beaver
	Caviidae	<i>Hydrochoerus</i>	all species	capybara
	Cricetidae	<i>Dicrostonyx</i>	<i>groenlandicus</i>	northern collared lemming
			<i>torquatus</i>	Arctic lemming
		<i>Lagurus</i>	all species	lemming
		<i>Lemmus</i>	all species	lemming
		<i>Microtus</i>	<i>gregalis</i>	narrow-headed vole
			<i>oeconomus</i>	tundra vole
		<i>Myodes</i>	all species	vole
		<i>Myopus</i>	all species	lemming
		<i>Ondatra</i>	all species	muskkrat
		<i>Peromyscus</i>	all species	mouse
	Erethizontidae	<i>Erethizon</i>	all species	North American porcupine
	Hystricidae		all species	Old World porcupine
	Muridae	<i>Apodemus</i>	all species	field mouse
		<i>Micromys</i>	all species	rat
	Sciuridae	<i>Cynomys</i>	all species	prairie dog
		<i>Marmota</i>	all species	groundhog
		<i>Pteromys</i>	all species	flying squirrel
Soricomorpha			all species	small insectivore, shrew
Reptilia	Crocodylia	Alligatoridae	<i>Paleosuchus palpebrosus</i>	Cuvier's dwarf caiman
	Squamata	Boidae	<i>Eunectes murinus</i>	green anaconda
		Pythonidae	<i>Malayopython reticulatus</i>	reticulated python
			<i>Python bivittatus</i>	Burmese python
			<i>molurus</i>	Indian rock python
			<i>sebae</i>	African rock python
			<i>Simalia amethystina</i>	amethystine python
	Testudines	Chelydridae	<i>Chelydra serpentina</i>	snapping turtle
		Emydidae	<i>Chrysemys picta marginata</i>	midland painted turtle

SCHEDULE 2

(section 4)

SPECIES THE KEEPING OF WHICH MAY BE AUTHORIZED BY A SPECIFIC LICENCE TO KEEP BIRDS OF PREY

§ 1. — Class 1 licence					
Class	Order	Family	Genus	Species or subspecies	Common name
Aves	Accipitriformes	Accipitridae	<i>Accipiter</i>	all species	hawk, goshawk
			<i>Buteo</i>	all species	buzzard
			<i>Buteogallus</i>	all species	buzzard
			<i>Circus</i>	all species	harrier
			<i>Parabuteo</i>	all species	buzzard
	Falconiformes			all species	falcon
	Strigiformes	Strigidae	<i>Aegolius</i>	<i>acadicus</i>	northern saw-whet owl
				<i>funereus</i>	boreal owl
			<i>Asio</i>	all species	owl
			<i>Ciccaba</i>	all species	owl
			<i>Ketupa</i>	all species	owl
			<i>Lophotrix</i>	all species	owl
			<i>Megascops</i>	<i>asio</i>	eastern screech owl
			<i>Mimizuku</i>	all species	owl
			<i>Nesasio</i>	all species	owl
			<i>Ninox</i>	all species	owl
			<i>Pseudoscops</i>	all species	owl
			<i>Pulsatrix</i>	all species	owl
			<i>Scotopelia</i>	all species	owl
			<i>Strix</i>	all species	owl
<i>Surnia</i>	all species	owl			
<i>Uroglaux</i>	all species	owl			
	Tytonidae	<i>Tyto</i>	all species	harn-owl	

§ 2. — Class 2 to class 6 licences					
Class	Order	Family	Genus	Species or subspecies	Common name
Aves	Accipitriformes			all species, except <i>Aquila chrysaetos</i>	diurnal bird of prey
	Falconiformes			all species	falcon
	Strigiformes	Strigidae	<i>Aegolius</i>	<i>acadicus</i>	northern saw-whet owl
				<i>funereus</i>	boreal owl
			<i>Asio</i>	all species	owl
			<i>Bubo</i>	all species	owl
			<i>Ciccaba</i>	all species	owl
			<i>Ketupa</i>	all species	owl
			<i>Lophotrix</i>	all species	owl
			<i>Megascops</i>	<i>asio</i>	eastern screech owl
			<i>Mimizuku</i>	all species	owl
			<i>Nesasio</i>	all species	owl
			<i>Ninox</i>	all species	owl
			<i>Pseudoscops</i>	all species	owl
			<i>Pulsatrix</i>	all species	owl
			<i>Scotopelia</i>	all species	owl

	<i>Strix</i>	all species	owl
	<i>Surnia</i>	all species	owl
	<i>Uroglaux</i>	all species	owl
Tytonidae	<i>Tyto</i>	all species	barn-owl

SCHEDULE 3*(section 7)*

SPECIES THE KEEPING OF WHICH IS AUTHORIZED BY A PROFESSIONAL LICENCE TO KEEP ANIMALS ON A GAME RANCH OR BREEDING FARM

Class	Order	Family	Genus	Species or subspecies	Common name
Mammalia	Artiodactyla	Bovidae	<i>Bison</i>	<i>bison</i>	North American bison
			<i>Bos</i>	<i>grunniens mutus</i>	wild yak
			<i>Ovis</i>	all species	bighorn sheep
		Cervidae	<i>Cervus</i>	all species	red deer, wapiti, Sika deer
			<i>Dama</i>	all species	fallow deer
		Suidae	<i>Sus</i>	<i>scrofa</i>	boar
		Tayassuidae		all species	peccary
Aves	Galliformes	Numididae		all species	guineafowl
		Phasianidae		see note 1	pheasant, wild turkey, etc.
	Struthioniformes			all species	ostrich
<small>1 All species except the ruffed grouse (<i>Bonasa umbellus</i>), the spruce grouse (<i>Falciptennis canadensis</i>), the willow ptarmigan (<i>Lagopus lagopus</i>), the rock ptarmigan (<i>Lagopus muta</i>), the grey partridge (<i>Perdix perdix</i>) and the sharp-tailed grouse (<i>Tympanuchus phasianellus</i>).</small>					

SCHEDULE 4*(section 8)*

SPECIES THE KEEPING OF WHICH IS AUTHORIZED BY A PROFESSIONAL LICENCE TO CAPTURE AND KEEP AMPHIBIANS

Class	Order	Family	Genus	Species	Subspecies	Common name
Amphibia	Anura	Ranidae	<i>Lithobates</i>	<i>catesbeianus</i>	all subspecies	bullfrog
				<i>clamitans</i>	all subspecies	green frog
				<i>pipiens</i>	all subspecies	northern leopard frog

M.O., 2018

Order number AM 2018-009 of the Minister of Forests, Wildlife and Parks dated 1 August 2018

CONCERNING the Regulation to amend the Regulation respecting hunting

THE MINISTER OF FORESTS, WILDLIFE AND PARKS,

CONSIDERING subparagraph 1 of the fourth paragraph of section 56 of the Act respecting the conservation and development of wildlife (chapter C-61.1), which provides that the Minister may, by regulation, determine the means and their specifications, and the animals, including domestic animals and dogs, with which hunting, trapping or capturing an animal the Minister indicates is permitted;

CONSIDERING subparagraph 3 of the first paragraph of section 163 of the Act, which provides that the Minister may make regulations establishing the requirements a holder of a licence, certificate, authorization or lease must satisfy;

CONSIDERING the first paragraph of section 164 of the Act, which provides in particular that a regulation made under section 56 or subparagraphs 1 to 3 of the first paragraph of section 163 is not subject to the publication requirements set out in section 8 of the Regulations Act (chapter R-18.1);

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

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

ORDERS AS FOLLOWS:

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

Québec, 1 August, 2018

LUC BLANCHETTE,
*Minister of forests,
Wildlife and Parks,*

Regulation to amend the regulation respecting hunting

An Act respecting the conservation and development of wildlife
(chapter C-61.1, s. 56, 4th par., subpar. 1, and s. 163, 1st par., subpar. 3)

1. The Regulation respecting hunting (chapter C-61.1, r. 12) is amended in section 13.5 by replacing “the apprentice hawker’s licence referred to in section 75 of the Regulation respecting animals in captivity (chapter C-61.1, r. 5) or the hawker’s licence referred to in section 80 of that Regulation or be accompanied by a holder of the latter licence” in the second paragraph by “a specific licence to keep birds of prey issued under the Regulation respecting licences to keep animals in captivity made by Minister’s Order (*insert the number and date of the Minister’s Order making the Regulation*) or be accompanied by a holder of such licence”.

2. Section 34.1 is amended in the second paragraph

(1) by replacing “Schedule VI to the Regulation respecting animals in captivity (chapter C-61.1, r. 5)” by “Schedule 2 to the Regulation respecting licences to keep animals in captivity made by Minister’s Order (*insert the number and date of the Minister’s Order making the Regulation*)”;

(2) by replacing “hawker’s licence” by “specific licence to keep birds of prey”.

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

103658

M.O., 2018**Order of the Minister of Sustainable Development, the Environment and the Fight Against Climate Change dated 6 August 2018**

Natural Heritage Conservation Act
(chapter C-61.01)

Assignment of temporary protection status as proposed biodiversity reserve or proposed aquatic reserve to three areas situated in the James Bay territory for four years, establishment of the plan and conservation plan of those areas and revocation of the plans of two proposed biodiversity reserves situated in that territory

The Minister of Sustainable Development, the Environment and the Fight Against Climate Change,

CONSIDERING the first paragraph of section 27 of the Natural Heritage Conservation Act (chapter C-61.01), which provides that, for the purpose of protecting land to be established as a new protected area, the Minister of Sustainable Development, the Environment and the Fight Against Climate Change, with the approval of the Government, prepares the plan of that area, establishes a conservation plan and assigns temporary protection status to the area as a proposed aquatic reserve, biodiversity reserve, ecological reserve or man-made landscape;

CONSIDERING the first paragraph of section 28 of the Act, which provides that, unless the Government authorizes a longer period, the setting aside of land under section 27 is valid for a period of not more than four years, which may be renewed or extended;

CONSIDERING the Agreement to resolve the Baril-Moses forestry dispute between the Cree Nation of Eeyou Istchee and the Gouvernement du Québec, entered into on 13 July 2015 and approved by Décret 612-2015 dated 2 July 2015, which provides for the establishment of the Broadback River Protected Area in the territory of the James Bay and Northern Québec Agreement;

CONSIDERING that the Broadback River Protected Area, covering three sectors of James Bay, require the establishment of three new proposed reserves as Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback, Réserve aquatique projetée du Lac-Waswanipi and Réserve de biodiversité projetée Assinica, with a view to subsequently assign them permanent protection status;

CONSIDERING the Minister's Order dated 29 May 2008 (2008, *G.O.* 2, 2124), authorized by Order in Council 445-2008 dated 7 May 2008, which provides that temporary protection status was assigned to the territory of the proposed Lac-Dana biodiversity reserve and the proposed Tourbières-Boisées-du-Chiwakamu biodiversity reserve for a period of four years starting on 11 June 2008;

CONSIDERING the second paragraph of section 28 of the Natural Heritage Conservation Act, which provides that the renewals or extensions of the setting aside of land as proposed biodiversity reserve may not be such that the term of the setting aside exceeds six years, unless so authorized by the Government;

CONSIDERING the Minister's Order dated 11 May 2012 (2012, *G.O.* 2, 1552), authorized by Order in Council 107-2012 dated 22 February 2012, which extends the setting aside of the territory of the proposed Lac-Dana biodiversity reserve and the proposed Tourbières-Boisées-du-Chiwakamu biodiversity reserve for a period of eight years starting on 11 June 2012;

CONSIDERING the first paragraph of section 31 of the Natural Heritage Conservation Act, which provides that the Minister may revoke the plan of land set aside under section 27 or the conservation plan established for that land, with the approval of the Government;

CONSIDERING that to facilitate the management of the new proposed reserves, the territory of the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback includes the territory of the proposed Lac-Dana biodiversity reserve and the proposed Tourbières-Boisées-du-Chiwakamu biodiversity reserve, and the plans of those areas will be revoked;

CONSIDERING section 32 of the Act, which provides that land ceases to be set aside in particular on publication in the *Gazette officielle du Québec* of a notice of revocation of the plans by the Minister, with the approval of the Government;

CONSIDERING that this Minister's Order constitutes the notice of revocation of the plans of the proposed Lac-Dana biodiversity reserve and the proposed Tourbières-Boisées-du-Chiwakamu biodiversity reserve published in the *Gazette officielle du Québec* as required by section 32 of the Act;

CONSIDERING Décret 72-2018 dated 7 February 2018, which authorizes the Minister of Sustainable Development, the Environment and the Fight Against Climate Change to assign to three areas situated in the James Bay territory temporary protection status, to prepare the plan of those areas and to establish the conservation plan for the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback, the Réserve aquatique projetée du Lac-Waswanipi and the Réserve de biodiversité projetée Assinica, and to publish in the *Gazette officielle du Québec* a notice of revocation of the plans of the proposed Lac-Dana biodiversity reserve and the proposed Tourbières-Boisées-du-Chiwakamu biodiversity reserve;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 6 June 2018, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of the draft conservation plan for the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback, the Réserve aquatique projetée du Lac-Waswanipi and the Réserve de biodiversité projetée Assinica with a notice of the Minister's intention to assign temporary protection status to the land appearing as a schedule to each of those documents on the expiry of 45 days following its publication;

CONSIDERING the first paragraph of section 29 of the Act, which provides that a notice of the setting aside of land by the Minister pursuant to section 27 is to be published in the *Gazette officielle du Québec*;

CONSIDERING that this Minister's Order constitutes the notice to be published in the *Gazette officielle du Québec* as required by section 29 of the Act;

CONSIDERING that it is expedient to assign temporary protection status to those three areas;

ORDERS AS FOLLOWS:

Temporary protection status is hereby assigned to three areas situated in the James Bay territory as Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback, Réserve aquatique projetée du Lac-Waswanipi and Réserve de biodiversité projetée Assinica for a period of four years starting on the fifteenth day following the date of publication of this Minister's Order in the *Gazette officielle du Québec*;

The conservation plan of the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback, the Réserve aquatique projetée du Lac-Waswanipi and the Réserve de biodiversité projetée Assinica, attached to this Order, is hereby established;

The plan of the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback, the Réserve aquatique projetée du Lac-Waswanipi and the Réserve de biodiversité projetée Assinica, attached to the conservation plan, is hereby prepared;

The plan and conservation plan of the proposed Lac-Dana biodiversity reserve and the proposed Tourbières-Boisées-du-Chiwakamu biodiversity reserve are hereby revoked.

Québec, 6 August 2018

ISABELLE MELANÇON,
*Minister of Sustainable Development,
the Environment and the
Fight Against Climate Change*

Temporary protection status assigned as Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback

Natural Heritage Conservation Act
(chapter C-61.01, ss. 27 and 28)

1. The conservation plan of the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback appears in Schedule A.

2. The territory in the Schedule to the conservation plan constitutes the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback.

3. The temporary status as proposed biodiversity reserve, for a period of 4 years, and the conservation plan of the Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback, applicable to the territory appearing as a schedule to the document, come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE A

CONSERVATION PLAN OF THE RÉSERVE DE BIODIVERSITÉ PROJÉTÉE DE CHISESAAKAHIKAN-ET-DE-LA-RIVIÈRE-BROADBACK

(s. 1)

QUÉBEC STRATEGY FOR PROTECTED AREAS



**Réserve
de biodiversité
projetée de
Chisesaakahikan-
et-de-la-Rivière-
Broadback**

Conservation plan

April 2018

1. Protection status and toponym

The protection status of the territory described below is that of proposed biodiversity reserve, a status governed by the *Natural Heritage Conservation Act* (chapter C-61.01).

The permanent protection status to be granted is that of “biodiversity reserve”, this status also being governed by the *Natural Heritage Conservation Act*.

The provisional toponym is “Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback”. In Cree, “Chisesaakahikan” means “big lake” and also refers to Lac Evans. The official toponym will be determined when the territory is given permanent protection status.

2. Conservation objectives

Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback was created primarily to protect and maintain biological diversity and the associated natural and cultural resources.

In ecological terms, Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback would protect natural environments that are characteristic of the Matagami Depression and Upper Rupert Plateau natural regions (see section 3.2).

Culturally, protection of this territory will allow the pursuit of traditional activities by the Cree Nation, specifically the communities of Nemaska, Waswanipi and Mistissini, who frequent the land in the course of these activities. Note that Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback protects the old trading post of the Hudson’s Bay Company and the old village of the community of Nemaska at Lac Nemiscau. This site is still used today by the members of the community, notably for an annual gathering. The recreotourism activities of people from the surrounding municipalities will also be maintained.

3. Plan and description

3.1. Geographical location, boundaries and dimensions

Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback is located in the administrative region of Nord-du-Québec. It is approximately 150 km northeast of the city of Matagami, between 50°41’ and 51°17’ north latitude and between 75°49’ and 77°26’ west longitude. It covers an area of 4977.9 km².

In the Lac Nemiscau / Rivière Rupert area, the boundaries of the proposed reserve correspond to the 100-year flood line. Staying above this line respects commitments related to authorizations for the Eastmain-1-A-Sarcelle-Rupert project with regard to the ecological instream flow from the Rupert spillway, which is managed jointly by Hydro-Québec and the Crees through the Rivière Rupert Water Management Board.

The boundaries and location of Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback are shown on the map comprising Appendix 1.

3.2. Ecological portrait

Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback is in the Abitibi Lowlands and Mistassini Highlands natural provinces. More precisely, it will protect natural environments characteristic of the Matagami Depression and Upper Rupert Plateau natural regions, and of the following physiographic complexes: the Lac Evans plain, the Lac Tésécau mounds and the Lac Caminscanane hummocky plain.

The waters of the proposed biodiversity reserve are part of two large watersheds in the Baie-James territory, namely those of Rivière Broadback and, to a lesser extent, Rivière Rupert. Occupying a large proportion of the proposed reserve, the wetlands present are primarily ombrotrophic and minerotrophic bogs.

The proposed reserve is in the Superior geological province. The geological foundation consists essentially of pre- to syntectonic metasedimentary and granitoid rocks. The surface deposits are varied and include organic, lacustrine and glacial deposits with no particular morphology.

The proposed reserve has a topographic relief of plains and hills in which the elevation ranges from about 240 to 380 m.

The territory is subject to a cold subpolar climate, with the average annual temperature ranging from -3.1 to -1.1 °C. The average annual precipitation ranges from 850 to 989 mm, while the average growing season ranges from 124 to 143 days.

The forest cover of the proposed reserve, which is in the black spruce/moss bioclimatic domain, is characterized by the presence of black spruce stands with mosses or heaths, along with a few grey pine stands. The woodlands are of various age classes, resulting from the principal natural disturbances of the Baie-James region, namely forest fires, windthrow and spruce budworm outbreaks. The reserve will protect several old-growth forests, a habitat favoured by woodland caribou, which in 2005 was designated vulnerable in Québec under the *Act respecting threatened or vulnerable species* (chapter E-12.01).

Besides woodland caribou, Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback is probably home to abundant or representative species associated with the Abitibi Lowlands and Mistassini Highlands natural provinces, including moose, Canada lynx, American marten, beaver, lake trout and lake sturgeon.

3.3. Land occupation and uses

Under the James Bay and Northern Québec Agreement (JBNQA) and the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1), the territory of Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback is on Category III lands. The Category III lands on which the proposed reserve is located are under the responsibility of the Eeyou-Istchee James Bay Regional Government, which is governed by the *Cities and Towns Act* (chapter C-19), subject to special provisions of the *Act establishing the Eeyou Istchee James Bay Regional Government* (chapter G-1.04). Category III lands are lands over which Aboriginals do not generally have exclusive rights, but where they may pursue

their activities of hunting, fishing and trapping, without compensation rights for areas affected by development projects.

The *Agreement Concerning a New Relationship Between Le Gouvernement du Québec and the Crees of Québec*, known as “the Peace of the Braves”, concluded in February 2002, includes a provision, in section 4.18, that allows the communities concerned to revise the selection of Category I lands. The implementation of this commitment is under discussion by the Crees and the Québec government. The reconfigurations being considered could affect the boundaries of certain sectors of the proposed reserve. Once the reconfiguration of Category I lands becomes official, the management of these lands will no longer be subject to the conservation plan, and will revert to the local Cree administrations concerned, in accordance with the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1).

With regard to conservation, Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback includes six biological refuges (Nos. 08666R001, 08666R002, 0866R003, 08666R006, 08666R007 and 08666R030). The protection status of biological refuge, governed by the *Sustainable Forest Development Act* (chapter A-18.1), is aimed at conserving the biological diversity associated with mature or overmature forests. The proposed reserve overlies two wildlife habitats protected under the *Act respecting the conservation and development of wildlife* (chapter C-61.1), namely the Lac du Tast heronry (No. 03-10-0083-2007) and the Lac Evans heronry (No. 03-10-0079-2007). Lastly, the eastern part of the proposed reserve overlies the northwestern extremity of Réserve faunique Assinica.

Regarding wildlife development and harvesting, the proposed biodiversity reserve is in hunting zone 22. It straddles the Abitibi and Nottaway beaver reserves, as well as fur-bearing animal management units 88 and 90. It also overlies, in varying proportions, sixteen Cree trapping grounds within the meaning of the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1). It also overlaps part of the operating territory of an outfitter without exclusive rights that offers hunting and fishing activities.

The territory of the proposed reserve is relatively unfragmented. There are a few forest roads in the southern part, and two electrical transmission lines in the east. A 60-metre right-of-way has been excluded from the reserve for each of these lines. There are also a few leases granted by the Ministère de l'Énergie et des Ressources naturelles, including eleven cottage leases, seven leases for temporary forest shelters, two for accommodation by an outfitter without exclusive rights, and one for a telecommunications tower.

Due to the presence of two mineral titles on the territory, the withdrawal from mineral exploration cannot, for the moment, be applied to the totality of the proposed reserve. Reflecting this reality, the boundaries indicated in the Registre des aires protégées exclude the lands of the mineral titles. As these titles expire or are not renewed, or are abandoned or revoked, these lands will gradually be withdrawn from mineral exploration and incorporated into the biodiversity reserve.

With regard to cultural features, it should be noted that the proposed biodiversity reserve includes the site of the old Nemaska post, where the community's original village was located, and which they still use today as a gathering place.

4. Activities framework

§1 – Introduction

The purpose of the proposed biodiversity reserve is to protect natural environments and their components. Activities that may have a significant impact on ecosystems and biodiversity, particularly industrial activities, are prohibited therein. This type of protected area allows the pursuit of less damaging activities and occupancies, namely recreational, wildlife, ecotourism and educational activities and occupancies.

The proposed biodiversity reserve must be considered to be a territory dedicated to the protection of the natural environment, nature discovery and recreation.

Activities carried on within the proposed biodiversity reserve are governed mainly by the provisions of the Natural Heritage Conservation Act. The measures provided for in the Natural Heritage Conservation Act and by this plan apply subject to the provisions of the agreements referred to in the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) and by the Act approving the Northeastern Québec Agreement (chapter C-67.1).

Under section 34 of the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as proposed biodiversity reserve has been assigned are

- mining, and gas or petroleum development;
- forest development activities within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

Although fundamental for the protection of the territory and ecosystems therein, the prohibitions are insufficient to ensure the good management of the proposed biodiversity reserve and the conservation of the natural environment. The Natural Heritage Conservation Act makes it possible to specify in the conservation plan the legal framework applicable in the territory of the proposed biodiversity reserve.

The provisions in this section provide for prohibitions in addition to those already prescribed by law and regulate certain activities allowed to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed biodiversity reserve. Thus certain activities are subject to the prior authorization from the Minister.

The measures contained in this section concern in particular the new interventions in the territory and do not generally call into question existing facilities or certain activities already under way in the territory, thereby preserving a number of existing uses. Lastly, the measures also contain, for certain activities, exemptions from the requirement to obtain an authorization.

Since the measures do not distinguish, among all the activities subject to an authorization, those that are considered to be compatible from those that are considered to be incompatible with the vocation of the biodiversity reserve, the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC) has prepared an explanatory document indicating the compatibility or incompatibility of each type of activity with the biodiversity and aquatic reserves. The document may be consulted on the website of the MDDELCC at:

http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua.pdf.

§2 – Prohibitions, prior authorizations and other conditions governing certain activities in the proposed biodiversity reserve

§2.1 – Protection of resources and the natural environment

4.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

4.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

4.3. No person may remove species of flora, small fruits or any other non-timber forest product by mechanical means.

4.4. No person may, unless the person has been authorized by the Minister,

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the proposed reserve's natural drainage or water regime, including by creating or developing watercourses or bodies of water;
- (3) dig, fill, obstruct or divert a watercourse or body of water;
- (4) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);

- (5) carry on any activity other than those referred to in paragraphs 1 to 4 that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work or carry on an activity that is likely to degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose; no authorization is required for the removal of soapstone by a beneficiary within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1);
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish a structure, infrastructure or works;
- (9) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (10) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or
- (11) hold a sports event, tournament, rally or any other similar event where, as the case may be,
 - (a) fauna or flora species are sampled or likely to be sampled; or
 - (b) vehicles or craft are used.

4.5. Despite paragraphs 6, 7 and 8 of section 4.4, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of the second paragraph are met:

- (1) the maintenance, repair or upgrade of a structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
- (2) the construction or erection of
 - (a) an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - (b) a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed biodiversity reserve;
- (3) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

The work is carried out in compliance with the following requirements:

- (1) the work involves a structure, infrastructure or works permitted within the proposed reserve;

- (2) the work is carried out within the area of land or right of way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;
- (3) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure;
- (4) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply; and
- (5) for roads in the forest, the work must not operate to alter or exceed the existing right of way, widen the roadway or convert the road to a higher class.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

4.6. No person may bury, incinerate, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the Minister. The materials may be buried, incinerated, abandoned or disposed of elsewhere with the authorization of the Minister.

Despite the first paragraph, no authorization is required for an outfitting operation for using a facility or disposal site, in accordance with the Environment Quality Act (chapter Q-2) and its regulations, where the outfitting operation was already using it on the effective date of the protection status as a proposed biodiversity reserve.

§2.2 – Rules of conduct for users

4.7. No person may enter, carry on an activity or operate a vehicle in a given sector of the proposed reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

4.8. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister within the proposed reserve.

§2.3 – Activities requiring an authorization

4.9. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

For the purposes of the first paragraph,

- (1) the occupation or use of a site includes
 - (a) staying or settling in the proposed reserve, including for vacation purposes;

- (b) installing a camp or shelter in the proposed reserve; and
- (c) installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle; and

(2) "same site" means any other site within a radius of 1 kilometre from the site.

Despite the first paragraph, no authorization is required if a person,

(1) on the effective date of the protection status as a proposed biodiversity reserve, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State, the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;

(2) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph 1, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(3) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed biodiversity reserve, pursuant to the Act respecting the lands in the domain of the State.

4.10. No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

Despite the first paragraph, the authorization of the Minister is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(1) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

(a) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act (chapter A-18.1);

(b) the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(2) in all other cases if

(a) the wood is collected within a sector designated by the Minister of Forests, Wildlife and Parks as a sector for which a permit for the harvest of firewood for domestic purposes under the Sustainable Forest Development Act may be issued, and for which, on the effective date of the protection status as a proposed biodiversity reserve, a designation as such had already been made by the Minister;

(b) the wood is collected by a person who, on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

(c) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

Despite the first paragraph, an authorization to carry on a forest management activity is not required if a person authorized by lease to occupy land within the proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(1) clearing, maintaining or creating visual openings, or any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State, including work for access roads, stairs and other trails permitted under those provisions; or

(2) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in subparagraph 2 of the fourth paragraph is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions in sections 4.12 and 4.14.

4.11. No person may carry on commercial activities in the proposed biodiversity reserve, unless the person has been authorized by the Minister.

Despite the first paragraph, no authorization is required

(1) if the activity does not imply sampling for fauna or flora resources or the use of a motor vehicle;

(2) to carry on commercial activities which, on the effective date of the protection status as a proposed biodiversity reserve, was the subject of a right to use the land for such a purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits of the right.

§2.4 – Authorization exemptions

4.12. Despite the preceding provisions, no authorization is required for an activity or other form of intervention within the proposed reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

4.13 The members of a Native community who, for food, ritual or social purposes, carry on an intervention or an activity within the proposed reserve are exempted from obtaining an authorization. Note that only Cree Native persons, beneficiaries of the Agreement concerning James Bay and Northern Québec, are subject to such an exemption.

It is understood that the provisions of this plan are applicable subject to the authorization exemptions and other provisions provided for in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1).

4.14 Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this conservation plan:

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act (chapter Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;
- (2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;
- (3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société, and the activity or intervention is carried out in conformity with the request.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the proposed reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and ascertain the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purposes of access, construction or traffic incidental to the work.

5. Activities governed by other laws

Certain activities that could potentially be practised in the proposed biodiversity reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the proposed reserve.

Within the proposed biodiversity reserve, a particular legal framework may govern permitted activities under the following categories:

- **Protection of the environment:** measures set out in particular by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);

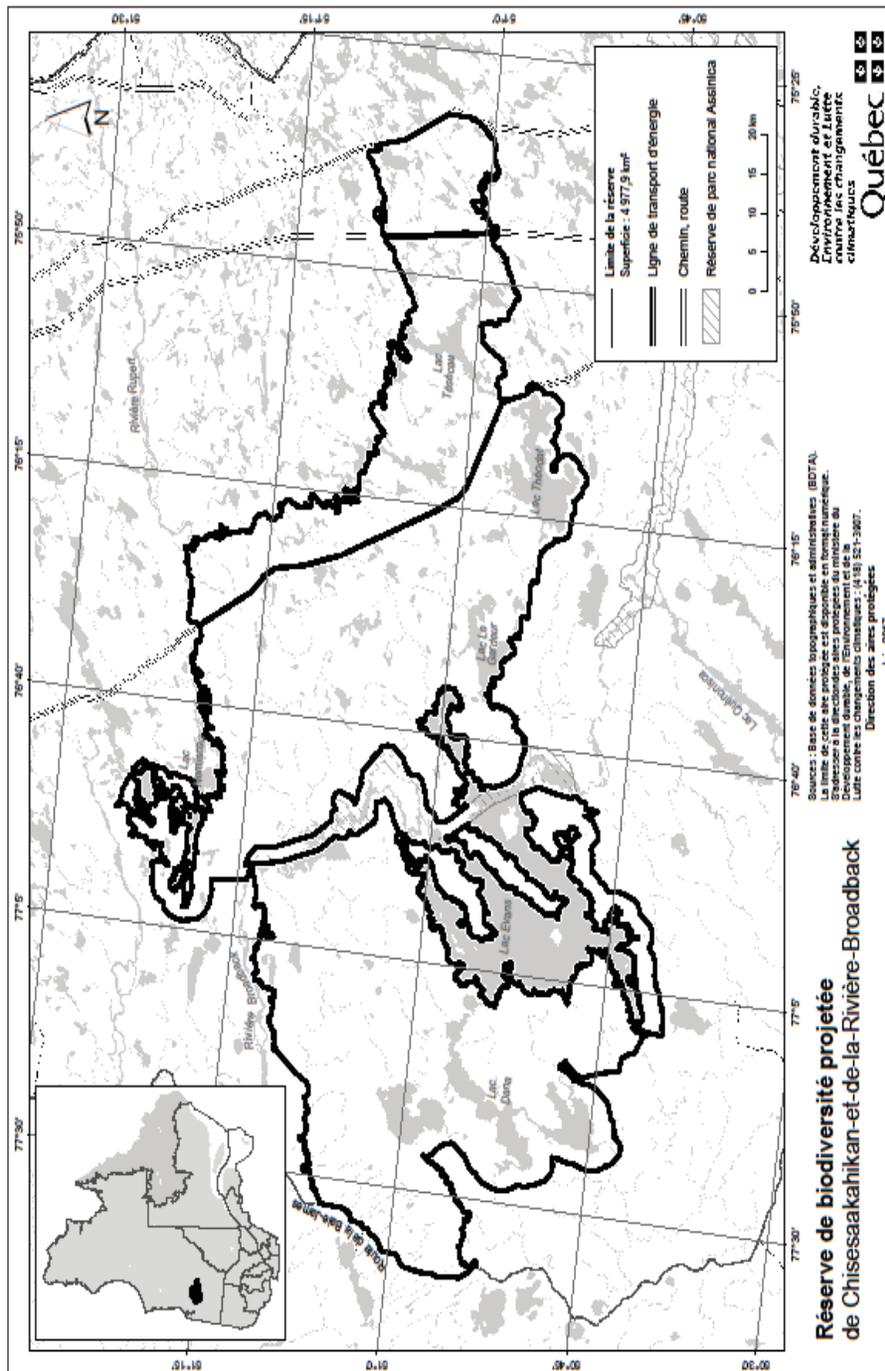
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the conservation and development of wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries; and in northern regions, particular measures stipulated by the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1);
- **Archeological research and discoveries:** measures set out in particular by the *Cultural Heritage Act* (chapter P-9.002);
- **Access and property rights related to the domain of the State:** measures set out in particular by the *Act respecting the lands in the domain of the State* (chapter T-8.1) and the *Watercourses Act* (chapter R-13), and in northern regions, by the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);
- **Travel:** measures stipulated by the *Act respecting the lands in the domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

6. Responsibilities of the Minister of Sustainable Development, Environment and the Fight against Climate Change

The Minister of Sustainable Development, Environment and the Fight against Climate Change is responsible for the conservation and management of Chisesaakahikan-et-de-la-Rivière-Broadback. Among other things, the Minister sees to the control and supervision of activities that take place there. In her management, the Minister enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory, including the Minister of Energy and Natural Resources and the Minister of Forests, Wildlife and Parks, and their delegates. In performing their functions they will take into account the protection desired for these natural environments and the protection status they are now granted.

Appendix 1

Map of Réserve de biodiversité projetée de Chisesaakahikan-et-de-la-Rivière-Broadback



**Temporary protection status assigned
as Réserve aquatique projetée
du Lac-Waswanipi**

Natural Heritage Conservation Act
(chapter C-61.01, ss. 27 and 28)

- 1.** The conservation plan of the Réserve aquatique projetée du Lac-Waswanipi appears in Schedule A.
- 2.** The territory in the Schedule to the conservation plan constitutes the Réserve aquatique projetée du Lac-Waswanipi.
- 3.** The temporary status as proposed aquatic reserve, for a period of 4 years, and the conservation plan of the Réserve aquatique projetée du Lac-Waswanipi, applicable to the territory appearing as a schedule to the document, come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE ACONSERVATION PLAN OF THE RÉSERVE AQUATIQUE PROJÉTÉE DU
LAC-WASWANUPI

(s. 1)

QUÉBEC STRATEGY FOR PROTECTED AREAS

**Réserve
aquatique
projetée du
Lac-Waswanipi****Conservation plan**

April 2018

1. Legal protection status and toponym

The protection status of the territory described below is that of proposed aquatic reserve, a status governed by the *Natural Heritage Conservation Act* (chapter C-61.01).

The permanent protection status to be granted is that of “aquatic reserve”, this status also being governed by the *Natural Heritage Conservation Act*.

The provisional toponym is “Réserve aquatique projetée du Lac-Waswanipi”. The official toponym will be determined when the territory is given permanent protection status.

2. Conservation objectives

Réserve aquatique projetée du Lac-Waswanipi was created primarily to protect and maintain biological diversity and the associated natural and cultural resources.

In ecological terms, the proposed reserve would protect natural environments that are characteristic of the Chibougamau Depression natural region, as well as Lac Waswanipi, which is part of the Rivière Nottaway watershed.

Culturally, the proposed reserve is the result of a proposal by the Cree community of Waswanipi, which wanted to conserve the integrity of Lac Waswanipi in order to maintain traditional Cree activities there. Also, Lac Waswanipi is part of the network of waterways used historically by this community, so the area has good archeological potential.

Recreotourism activities by people from the surrounding municipalities will also be maintained.

3. Plan and description

3.1. Geographical location, boundaries and dimensions

Réserve aquatique projetée du Lac-Waswanipi is located in the administrative region of Nord-du-Québec. Covering an area of 577.4 km², it lies about 35 km southwest of the Cree community of Waswanipi and 50 km northeast of the municipality of Lebel-sur-Quévillon, between 49° 27' and 49° 43' north latitude and between 76° 17' and 76° 42' west longitude.

The boundaries and location of the proposed reserve are shown on the map comprising Appendix 1.

3.2. Ecological portrait

Réserve aquatique projetée du Lac-Waswanipi is in the Mistassini Highlands natural province. More precisely, it will protect natural environments characteristic of the Chibougamau Depression natural region.

The waters of the proposed reserve are part of the Rivière Nottaway watershed.

The proposed reserve is in the Superior geological province. The geological foundation is mostly tonalitic rocks of intrusive origin, with smaller proportions of metamorphosed volcanic-sedimentary rocks (amphibolite, metabasalt and mafic gneiss) and sedimentary rocks.

The surface deposits present in the proposed reserve are primarily silty clay of glacio-lacustrine origin, although organic deposits and glacial deposits with no particular morphology are also abundant. In the centre of the territory and at the southern end of Lac Waswanipi, there are stretches of carbonate-rich clay attributable to the presence of small pockets of carbonate-rich sedimentary rocks of Paleozoic age that were carried southeast out of the James Bay basin by glacial activity. The elevation ranges from 258 m to 341 m.

The proposed aquatic reserve is subject to a subpolar climate, with the average annual temperature ranging from -1.1 to 0.8 °C. Total annual precipitation is on the order of 850 to 989 mm, while the growing season ranges from 144 to 163 days.

The plant cover of the proposed reserve, which is in the black spruce/moss bioclimatic domain, is characterized by the presence of conifer forests, dominated by black spruce, along with mixed forests. A few bogs and coniferous swamps are also present.

With regard to terrestrial and aquatic wildlife, the proposed reserve is probably home to abundant or representative species associated with the Mistassini Highlands natural province, including moose, American marten, beaver, lake trout and lake sturgeon. The following aquatic species can also be found in Lac Waswanipi: pickerel, whitefish, walleye and yellow perch.

3.3. Land occupation and uses

Under the James Bay and Northern Québec Agreement (JBNQA) and the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1), the territory of the proposed reserve partly overlies, in the north, the Category II lands of the community of Waswanipi, and in the south, Category III lands. Category III lands are lands over which Aboriginals do not generally have exclusive rights, but where they may pursue their activities of hunting, fishing and trapping, without compensation rights for areas affected by development projects. The Category III lands on which the proposed reserve is located are under the responsibility of the Eeyou-Istchee James Bay Regional Government, which is governed by the *Cities and Towns Act* (chapter C-19), subject to special provisions of the *Act establishing the Eeyou Istchee James Bay Regional Government* (chapter G-1.04). Under the *Agreement on Governance in the Eeyou Istchee James Bay Territory*, the Cree Nation Government, a legal person established in the public interest by the *Act respecting the Cree Nation Government* (chapter G-1.031), may also exercise municipal and supramunicipal authority where the proposed reserve overlies Category II lands.

The *Agreement Concerning a New Relationship Between Le Gouvernement du Québec and the Crees of Québec*, known as “the Peace of the Braves”, concluded in February 2002, includes a provision, in section 4.18, that allows the communities concerned to revise the selection of Category I lands. The implementation of this commitment is under discussion by the Crees and the Québec government. The reconfigurations being considered could affect the boundaries of certain sectors of the proposed reserve. Once the reconfiguration of Category I lands becomes official, the management of these lands will no longer be subject to the conservation plan, and will revert to the local Cree administrations concerned, in accordance with the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1).

With regard to conservation, Réserve aquatique projetée du Lac-Waswanipi overlies a wildlife habitat protected under the *Act respecting the conservation and development of wildlife* (chapter C-61.1), namely the Lac Waswanipi heronry (No. 03-10-0073-2007).

The proposed reserve is in hunting zone 17. It is also in Abitibi beaver reserve, where the Cree community of Waswanipi enjoys specific rights pertaining to the hunting and trapping of fur-bearing animals, and in fur-bearing animal management unit 88. The proposed reserve also overlies three Cree trapping grounds within the meaning of the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1). The proposed protected area also overlies part of the operating territories of outfitters without exclusive rights that offer hunting and fishing activities. Seven land rights have also been granted, including four for temporary shelters and three for accommodation by an outfitter without exclusive rights. Note that an enclave in the southern part of the proposed reserve will serve to exclude the campground of the municipality of Baie-James, together with its boat launch and access road.

There are numerous forest roads on the terrestrial portion of the proposed aquatic reserve.

In cultural terms, note that the proposed reserve includes the Vieux-Poste site, where the original village of Waswanipi was located, which the community still uses as a gathering place. Two privately-owned lots on Île du Vieux-Poste are excluded from the proposed reserve. Also, the community of Waswanipi hosts an annual walleye fishing tournament, an important event that takes place on Lac Waswanipi and thus within the territory of the proposed reserve. Each year, the holding of this tournament will be authorized by the Minister of Sustainable Development, Environment and the Fight against Climate Change, so long as a positive recommendation is received based on the annual monitoring of walleye populations.

4. Activities framework

§1 – Introduction

The purpose of the proposed aquatic reserve is to protect natural environments and their components. Activities that may have a significant impact on ecosystems and biodiversity, particularly industrial activities, are prohibited therein. This type of protected area allows the pursuit of less damaging activities and occupancies, namely recreational, wildlife, ecotourism and educational activities and occupancies.

The proposed aquatic reserve must be considered to be a territory dedicated to the protection of the natural environment, nature discovery and recreation.

Activities carried on within the proposed aquatic reserve are governed mainly by the provisions of the Natural Heritage Conservation Act. The measures provided for in the Natural Heritage Conservation Act and by this plan apply subject to the provisions of the agreements referred to in the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) and by the Act approving the Northeastern Québec Agreement (chapter C-67.1).

Under section 34 of the Natural Heritage Conservation Act (chapter C-61.01), the main activities prohibited in an area to which status as proposed aquatic reserve has been assigned are

- mining, and gas or petroleum development;
- forest development activities within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

Although fundamental for the protection of the territory and ecosystems therein, the prohibitions are insufficient to ensure the good management of the proposed aquatic reserve and the conservation of the natural environment. The Natural Heritage Conservation Act makes it possible to specify in the conservation plan the legal framework applicable in the territory of the proposed aquatic reserve.

The provisions in this section provide for prohibitions in addition to those already prescribed by law and regulate certain activities allowed to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed aquatic reserve. Thus certain activities are subject to the prior authorization from the Minister.

The measures contained in this section concern in particular the new interventions in the territory and do not generally call into question existing facilities or certain activities already under way in the territory, thereby preserving a number of existing uses. Lastly, the measures also contain, for certain activities, exemptions from the requirement to obtain an authorization.

Since the measures do not distinguish, among all the activities subject to an authorization, those that are considered to be compatible from those that are considered to be incompatible with the vocation of the aquatic reserve, the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC) has prepared an explanatory document indicating the compatibility or incompatibility of each type of activity with the biodiversity and aquatic reserves. The document may be consulted on the website of the MDDELCC at:

http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua.pdf.

§2 – Prohibitions, prior authorizations and other conditions governing certain activities in the proposed aquatic reserve

§2.1 – Protection of resources and the natural environment

4.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

4.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

4.3. No person may remove species of flora, small fruits or any other non-timber forest product by mechanical means.

4.4. No person may, unless the person has been authorized by the Minister,

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the proposed reserve's natural drainage or water regime, including by creating or developing watercourses or bodies of water;
- (3) dig, fill, obstruct or divert a watercourse or body of water;
- (4) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- (5) carry on any activity other than those referred to in paragraphs 1 to 4 that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work or carry on an activity that is likely to degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose; no authorization is required for the removal of soapstone by a beneficiary within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1);
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish a structure, infrastructure or works;
- (9) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (10) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or

(11) hold a sports event, tournament, rally or any other similar event where, as the case may be,

(a) fauna or flora species are sampled or likely to be sampled; or

(b) vehicles or craft are used.

4.5. Despite paragraphs 6, 7 and 8 of section 4.4, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of the second paragraph are met:

(1) the maintenance, repair or upgrade of a structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;

(2) the construction or erection of

(a) an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or

(b) a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed aquatic reserve;

(3) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

The work is carried out in compliance with the following requirements:

(1) the work involves a structure, infrastructure or works permitted within the proposed reserve;

(2) the work is carried out within the area of land or right of way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(3) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure;

(4) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply; and

(5) for roads in the forest, the work must not operate to alter or exceed the existing right of way, widen the roadway or convert the road to a higher class.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

4.6. No person may bury, incinerate, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the Minister. The materials may be buried, incinerated, abandoned or disposed of elsewhere with the authorization of the Minister.

Despite the first paragraph, no authorization is required for an outfitting operation for using a facility or disposal site, in accordance with the Environment Quality Act (chapter Q-2) and its regulations, where the outfitting operation was already using it on the effective date of the protection status as a proposed aquatic reserve.

§2.2 – Rules of conduct for users

4.7. No person may enter, carry on an activity or operate a vehicle in a given sector of the proposed reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

4.8. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister within the proposed reserve.

§2.3 – Activities requiring an authorization

4.9. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

For the purposes of the first paragraph,

(1) the occupation or use of a site includes

(a) staying or settling in the proposed reserve, including for vacation purposes;

(b) installing a camp or shelter in the proposed reserve; and

(c) installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle; and

(2) "same site" means any other site within a radius of 1 kilometre from the site.

Despite the first paragraph, no authorization is required if a person,

(1) on the effective date of the protection status as a proposed aquatic reserve, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State, the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;

(2) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph 1, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or

(3) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed aquatic reserve, pursuant to the Act respecting the lands in the domain of the State.

4.10. No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

Despite the first paragraph, the authorization of the Minister is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(1) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

(a) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act (chapter A-18.1);

(b) the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(2) in all other cases if

(a) the wood is collected within a sector designated by the Minister of Forests, Wildlife and Parks as a sector for which a permit for the harvest of firewood for domestic purposes under the Sustainable Forest Development Act may be issued, and for which, on the effective date of the protection status as a proposed aquatic reserve, a designation as such had already been made by the Minister;

(b) the wood is collected by a person who, on the effective date of the protection status as a proposed aquatic reserve or in any of the 3 preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

(c) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

Despite the first paragraph, an authorization to carry on a forest management activity is not required if a person authorized by lease to occupy land within the proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(1) clearing, maintaining or creating visual openings, or any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State, including work for access roads, stairs and other trails permitted under those provisions; or

(2) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in subparagraph 2 of the fourth paragraph is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions in sections 4.12 and 4.14.

4.11. No person may carry on commercial activities in the proposed aquatic reserve, unless the person has been authorized by the Minister.

Despite the first paragraph, no authorization is required

- (1) if the activity does not imply sampling for fauna or flora resources or the use of a motor vehicle;
- (2) to carry on commercial activities which, on the effective date of the protection status as a proposed aquatic reserve, was the subject of a right to use the land for such a purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits of the right.

§2.4 – Authorization exemptions

4.12. Despite the preceding provisions, no authorization is required for an activity or other form of intervention within the proposed reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

4.13 The members of a Native community who, for food, ritual or social purposes, carry on an intervention or an activity within the proposed reserve are exempted from obtaining an authorization. Note that only Cree Native persons, beneficiaries of the Agreement concerning James Bay and Northern Québec, are subject to such an exemption.

It is understood that the provisions of this plan are applicable subject to the authorization exemptions and other provisions provided for in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1).

4.14 Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this conservation plan:

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act (chapter Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;
- (2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;
- (3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société, and the activity or intervention is carried out in conformity with the request.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the proposed reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and ascertain the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purposes of access, construction or traffic incidental to the work.

5. Activities governed by other laws

Certain activities that could potentially be practised in the proposed aquatic reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the proposed reserve.

Within the proposed aquatic reserve, a particular legal framework may govern permitted activities under the following categories:

- **Protection of the environment:** measures set out in particular by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the conservation and development of wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries; and in northern regions, particular measures stipulated by the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1);
- **Archeological research and discoveries:** measures set out in particular by the *Cultural Heritage Act* (chapter P-9.002);
- **Access and property rights related to the domain of the State:** measures set out in particular by the *Act respecting the lands in the domain of the State* (chapter T-8.1) and the *Watercourses Act* (chapter R-13), and in northern regions, by the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);

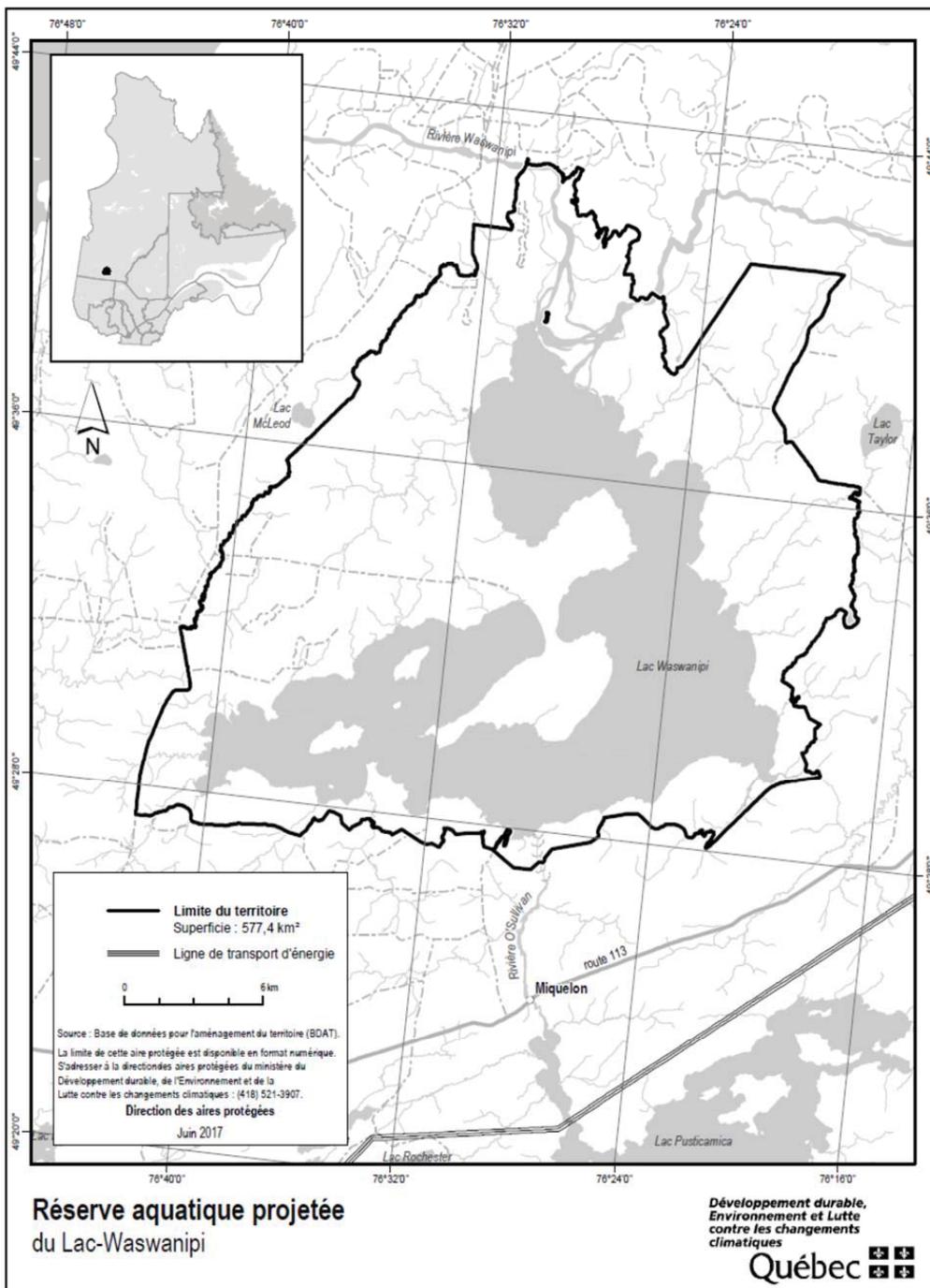
- **Travel:** measures stipulated by the *Act respecting the lands in the domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

6. Responsibilities of the Minister of Sustainable Development, Environment and the Fight against Climate Change

The Minister of Sustainable Development, Environment and the Fight against Climate Change is responsible for the conservation and management of Réserve aquatique projetée du Lac-Waswanipi. Among other things, the Minister sees to the control and supervision of activities that take place there. In her management, the Minister enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory, including the Minister of Energy and Natural Resources and the Minister of Forests, Wildlife and Parks, and their delegates. In performing their functions they will take into account the protection desired for these natural environments and the protection status they are now granted.

Appendix 1

Map of Réserve aquatique projetée du Lac-Waswanipi



Temporary protection status assigned as Réserve de biodiversité projetée Assinica

Natural Heritage Conservation Act
(chapter C-61.01, ss. 27 and 28)

- 1.** The conservation plan of the Réserve de biodiversité projetée Assinica appears in Schedule A.
- 2.** The territory in the Schedule to the conservation plan constitutes the Réserve de biodiversité projetée Assinica.
- 3.** The temporary status as proposed biodiversity reserve, for a period of 4 years, and the conservation plan of the Réserve de biodiversité projetée Assinica, applicable to the territory appearing as a schedule to the document, come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE A

**CONSERVATION PLAN OF THE RÉSERVE DE BIODIVERSITÉ PROJÉTÉE ASSINICA
(s. 1)**

QUÉBEC STRATEGY FOR PROTECTED AREAS



**Réserve de
biodiversité
projetée
Assinica**

Conservation plan

April 2018

1. Protection status and toponym

The protection status of the territory described below is that of proposed biodiversity reserve, a status governed by the *Natural Heritage Conservation Act* (chapter C-61.01).

The envisaged permanent protection status could be "biodiversity reserve" or "national park" a status governed by the *Parks Act* (chapter P-9).

The provisional toponym is "Réserve de biodiversité projetée Assinica". The official toponym will be determined when the territory is given permanent protection status.

2. Conservation objectives

Réserve de biodiversité projetée Assinica was created primarily to protect and maintain biological diversity and the associated natural and cultural resources.

In ecological terms, Réserve de biodiversité projetée Assinica would protect natural environments that are characteristic of the Chibougamau Depression and Upper Rupert Plateau natural regions (see section 3.2).

Culturally, protection of this territory will allow the pursuit of traditional activities by the Cree Nation, specifically the communities of Oujé-Bougoumou, Mistissini and Waswanipi, who frequent the land in the course of these activities. It should also be noted that recreotourism activities by people from the surrounding municipalities will also be maintained.

3. Plan and description

3.1. Geographical location, boundaries and dimensions

Réserve de biodiversité projetée Assinica is located in the administrative region of Nord-du-Québec. It is composed of two distinct parts, the larger of which is 324.7 km² in size. Lying adjacent to Réserve de parc national Assinica, it is approximately 32 km northwest of the city of Chibougamau, between 50°05' and 50°27' north latitude and between 74°34' and 74°50' west longitude. The smaller part is more to the north, and is 60.9 km² in size. It is approximately 140 km northwest of Chibougamau, between 50°44' and 50°47' north latitude and between 75°50' and 76°04' west longitude. The total area of the proposed reserve is 385.6 km².

The boundaries and location of Réserve de biodiversité projetée Assinica are shown on the map comprising Appendix 1.

3.2. Ecological portrait

Réserve de biodiversité projetée Assinica is in the Superior geological province. The geological foundation of the northern part consists essentially of tonalitic rocks of intrusive origin along with sedimentary rocks. To a lesser extent there are also granitic foundation rocks. The northern part of the reserve will protect a formation of sub-aerial deltas, a unique geomorphological phenomenon. In the southern part the geological foundation is primarily granitoid rocks of intrusive origin, with a smaller proportion of sedimentary rocks and

amphibolites. The surface deposits characterizing the northern part are glacial deposits with no particular morphology, together with organic deposits. The same is true of the southern part, where there are also fluvioglacial deposits.

According to the ecological reference framework of Québec (MDDELCC, 2014), Réserve de biodiversité projetée Assinica belongs to the Mistassini Highlands natural province. More precisely, it will protect natural environments characteristic of the Chibougamau Depression and Upper Rupert Plateau natural regions, and of the following physiographic complexes: the Lac Caminscanane hummocky plain, the Lac Mistassini and Lac Albanel knolls, and the Lac Sauvage hummocky terrain.

The waters of the proposed biodiversity reserve belong to two large watersheds in the Baie-James territory, namely the Rivière Broadback and Rivière Nottaway watersheds. Occupying a large proportion of the proposed reserve, especially in the southern part, the wetlands present are primarily ombrotrophic and minerotrophic bogs.

With a topographic relief of hummocky terrain, the territory has an elevation ranging from about 360 to 470 m.

The area is subject to a cold subpolar climate, with the average annual temperature ranging from -3.1 to -1.1 °C. The average annual precipitation ranges from 850 to 989 mm, while the average growing season ranges from 124 to 143 days.

The forest cover of the proposed reserve, which is in the black spruce/moss bioclimatic domain, is characterized by the presence of black spruce stands with mosses or heaths, along with a few grey pine stands. The woodlands are of various age classes, resulting from the principal natural disturbances of the Baie-James region, namely forest fires, windthrow and spruce budworm outbreaks. The reserve will protect several old-growth forests, a habitat favoured by woodland caribou, which in 2005 was designated vulnerable in Québec under the *Act respecting threatened or vulnerable species* (chapter E-12.01).

Besides woodland caribou, Réserve de biodiversité projetée Assinica is probably home to abundant or representative species associated with boreal forest ecosystems, including moose, American marten, beaver, lake trout and lake sturgeon.

3.3. Land occupation and uses

Under the James Bay and Northern Québec Agreement (JBNQA) and the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1), the proposed reserve is on Category III lands. The Category III lands on which the proposed reserve is located are under the responsibility of the Eeyou-Istchee James Bay Regional Government, which is governed by the *Cities and Towns Act* (chapter C-19), subject to special provisions of the *Act establishing the Eeyou Istchee James Bay Regional Government* (chapter G-1.04). Category III lands are lands over which Aboriginals do not generally have exclusive rights, but where they may pursue their activities of hunting, fishing and trapping, without compensation rights for areas affected by development projects. It should be noted that, with the implementation of Complementary Agreement No. 22 to the JBNQA and the *Final Settlement Agreement*

Related to Certain Issues Referred to in Schedule G of the Agreement Concerning a New Relationship Between Le Gouvernement du Québec and the Crees of Québec, concluded in November 2011, the proposed reserve will partly overlie, in the south, Category II lands belonging to the community of Oujé-Bougoumou. Under the *Agreement on Governance in the Eeyou Istchee James Bay Territory*, the Cree Nation Government, a legal person established in the public interest by the *Act respecting the Cree Nation Government* (chapter G-1.031), may also exercise municipal and supramunicipal authority where the proposed reserve overlies Category II lands. The Crees will have exclusive hunting and fishing rights there.

With regard to conservation, Réserve de biodiversité projetée Assinica includes one biological refuge (No. 02664R029). The protection status of biological refuge, governed by the *Sustainable Forest Development Act* (chapter A-18.1), is aimed at conserving the biological diversity associated with mature or overmature forests. Significant portions of both parts of the proposed reserve also overlie Réserve faunique Assinica.

Regarding wildlife development and harvesting, the proposed reserve is in hunting zone 22 and in fur-bearing animal management units 88 and 90. The northern part is in the Abitibi beaver reserve and in fur-bearing animal management unit 88. The southern part is in the Mistassini beaver reserve and straddles fur-bearing animal management units 87 and 91. It also overlies, in varying proportions, eight Cree trapping grounds within the meaning of the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1), two of which are in the northern part while six are in the southern part.

The territory of the proposed reserve is relatively unfragmented by anthropic infrastructures. An electrical transmission line crosses the northern part. A 60-metre right-of-way has been excluded from the reserve for this line. No leases have been granted by the Ministère de l'Énergie et des Ressources naturelles.

4. Activities framework

§1 – Introduction

The purpose of the proposed biodiversity reserve is to protect natural environments and their components. Activities that may have a significant impact on ecosystems and biodiversity, particularly industrial activities, are prohibited therein. This type of protected area allows the pursuit of less damaging activities and occupancies, namely recreational, wildlife, ecotourism and educational activities and occupancies.

The proposed biodiversity reserve must be considered to be a territory dedicated to the protection of the natural environment, nature discovery and recreation.

Activities carried on within the proposed biodiversity reserve are governed mainly by the provisions of the Natural Heritage Conservation Act. The measures provided for in the Natural Heritage Conservation Act and by this plan apply subject to the provisions of the agreements referred to in the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) and by the Act approving the Northeastern Québec Agreement (chapter C-67.1).

Under section 34 of the Natural Heritage Conservation Act (chapter C-61.01), the main activities prohibited in an area to which status as proposed biodiversity reserve has been assigned are:

- mining, and gas or petroleum development;
- forest development activities within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

Although fundamental for the protection of the territory and ecosystems therein, the prohibitions are insufficient to ensure the good management of the proposed biodiversity reserve and the conservation of the natural environment. The Natural Heritage Conservation Act makes it possible to specify in the conservation plan the legal framework applicable in the territory of the proposed biodiversity reserve.

The provisions in this section provide for prohibitions in addition to those already prescribed by law and regulate certain activities allowed to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed biodiversity reserve. Thus certain activities are subject to the prior authorization from the Minister.

The measures contained in this section concern in particular the new interventions in the territory and do not generally call into question existing facilities or certain activities already under way in the territory, thereby preserving a number of existing uses. Lastly, the measures also contain, for certain activities, exemptions from the requirement to obtain an authorization.

Since the measures do not distinguish, among all the activities subject to an authorization, those that are considered to be compatible from those that are considered to be incompatible with the vocation of the biodiversity reserve, the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC) has prepared an explanatory document indicating the compatibility or incompatibility of each type of activity with the biodiversity and aquatic reserves. The document may be consulted on the website of the MDDELCC at:

http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua.pdf.

§2 – Prohibitions, prior authorizations and other conditions governing certain activities in the proposed biodiversity reserve

§2.1 – Protection of resources and the natural environment

4.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

4.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

4.3. No person may remove species of flora, small fruits or any other non-timber forest product by mechanical means.

4.4. No person may, unless the person has been authorized by the Minister

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the proposed reserve's natural drainage or water regime, including by creating or developing watercourses or bodies of water;
- (3) dig, fill, obstruct or divert a watercourse or body of water;
- (4) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- (5) carry on any activity other than those referred to in paragraphs 1 to 4 that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work or carry on an activity that is likely to degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose; no authorization is required for the removal of soapstone by a beneficiary within the meaning of section 1 of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1);
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish a structure, infrastructure or works;
- (9) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (10) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or

(11) hold a sports event, tournament, rally or any other similar event where, as the case may be,

(a) fauna or flora species are sampled or likely to be sampled; or

(b) vehicles or craft are used.

4.5. Despite paragraphs 6, 7 and 8 of section 4.4, no authorization is required to carry out work referred to in subparagraph 1 of this section when the requirements of the second paragraph are met:

(1) the maintenance, repair or upgrade of a structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;

(2) the construction or erection of

(a) an appurtenance or ancillary facility of a trapping camp, rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or

(b) a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed biodiversity reserve;

(3) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

The work is carried out in compliance with the following requirements:

(1) the work involves a structure, infrastructure or works permitted within the proposed reserve;

(2) the work is carried out within the area of land or right of way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;

(3) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits allowed under an authorization for the structure, works or infrastructure;

(4) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply; and

(5) for roads in the forest, the work must not operate to alter or exceed the existing right of way, widen the roadway or convert the road to a higher class.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

4.6. No person may bury, incinerate, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the Minister. The materials may be buried, incinerated, abandoned or disposed of elsewhere with the authorization of the Minister.

Despite the first paragraph, no authorization is required for an outfitting operation for using a facility or disposal site, in accordance with the Environment Quality Act (chapter Q-2) and its regulations, where the outfitting operation was already using it on the effective date of the protection status as a proposed biodiversity reserve.

§2.2 - Rules of conduct for users

4.7. No person may enter, carry on an activity or operate a vehicle in a given sector of the proposed reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

4.8. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister within the proposed reserve.

§2.3 – Activities requiring an authorization

4.9. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

For the purposes of the first paragraph,

(1) the occupation or use of a site includes

(a) staying or settling in the proposed reserve, including for vacation purposes;

(b) installing a camp or shelter in the proposed reserve; and;

(c) installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle; and

(2) "same site" means any other site within a radius of 1 kilometre from the site.

Despite the first paragraph, no authorization is required if a person,

(1) on the effective date of the protection status as a proposed biodiversity reserve, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State, the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;

(2) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph 1, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or;

(3) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed biodiversity reserve, pursuant to the Act respecting the lands in the domain of the State.

4.10. No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister.

Despite the first paragraph, the authorization of the Minister is not required if a person staying or residing in the proposed reserve collects wood to make a campfire.

An authorization is also not required if a person collects firewood to meet domestic needs in the following cases and on the following conditions:

(1) the wood is collected to supply a trapping camp or a rough shelter permitted within the proposed reserve if

(a) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act (chapter A-18.1);

(b) the quantity of wood collected does not exceed 7 apparent cubic metres per year;

(2) in all other cases if

(a) the wood is collected within a sector designated by the Minister of Forests, Wildlife and Parks as a sector for which a permit for the harvest of firewood for domestic purposes under the Sustainable Forest Development Act may be issued, and for which, on the effective date of the protection status as a proposed biodiversity reserve, a designation as such had already been made by the Minister;

(b) the wood is collected by a person who, on the effective date of the protection status as a proposed biodiversity reserve or in any of the 3 preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve;

(c) the wood is collected by a person in compliance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Forests, Wildlife and Parks under the Sustainable Forest Development Act.

Despite the first paragraph, an authorization to carry on a forest management activity is not required if a person authorized by lease to occupy land within the proposed reserve in accordance with this conservation plan carries on the forest management activity for the purpose of

(1) clearing, maintaining or creating visual openings, or any other similar removal work permitted under the provisions governing the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State, including work for access roads, stairs and other trails permitted under those provisions; or

(2) clearing the necessary area for the installation, connection, maintenance, repair, reconstruction or upgrading of facilities, lines or mains for water, sewer, electric power or telecommunications services.

If the work referred to in subparagraph 2 of the fourth paragraph is carried on for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions in sections 4.12 and 4.14.

4.11. No person may carry on commercial activities in the proposed biodiversity reserve, unless the person has been authorized by the Minister.

Despite the first paragraph, no authorization is required

- (1) if the activity does not imply sampling for fauna or flora resources or the use of a motor vehicle;
- (2) to carry on commercial activities which, on the effective date of the protection status as a proposed biodiversity reserve, was the subject of a right to use the land for such a purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits of the right.

§2.4 – Authorization exemptions

4.12. Despite the preceding provisions, no authorization is required for an activity or other form of intervention within the proposed reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

4.13 The members of a Native community who, for food, ritual or social purposes, carry on an intervention or an activity within the proposed reserve are exempted from obtaining an authorization. Note that only Cree Native persons, beneficiaries of the Agreement concerning James Bay and Northern Québec, are subject to such an exemption.

It is understood that the provisions of this plan are applicable subject to the authorization exemptions and other provisions provided for in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1).

4.14 Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this conservation plan:

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act (chapter Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;
- (2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;
- (3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société, and the activity or intervention is carried out in conformity with the request.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the proposed reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and ascertain the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purposes of access, construction or traffic incidental to the work.

5. Activities governed by other laws

Certain activities that could potentially be practised in the proposed biodiversity reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the proposed reserve.

Within the proposed biodiversity reserve, a particular legal framework may govern permitted activities under the following categories:

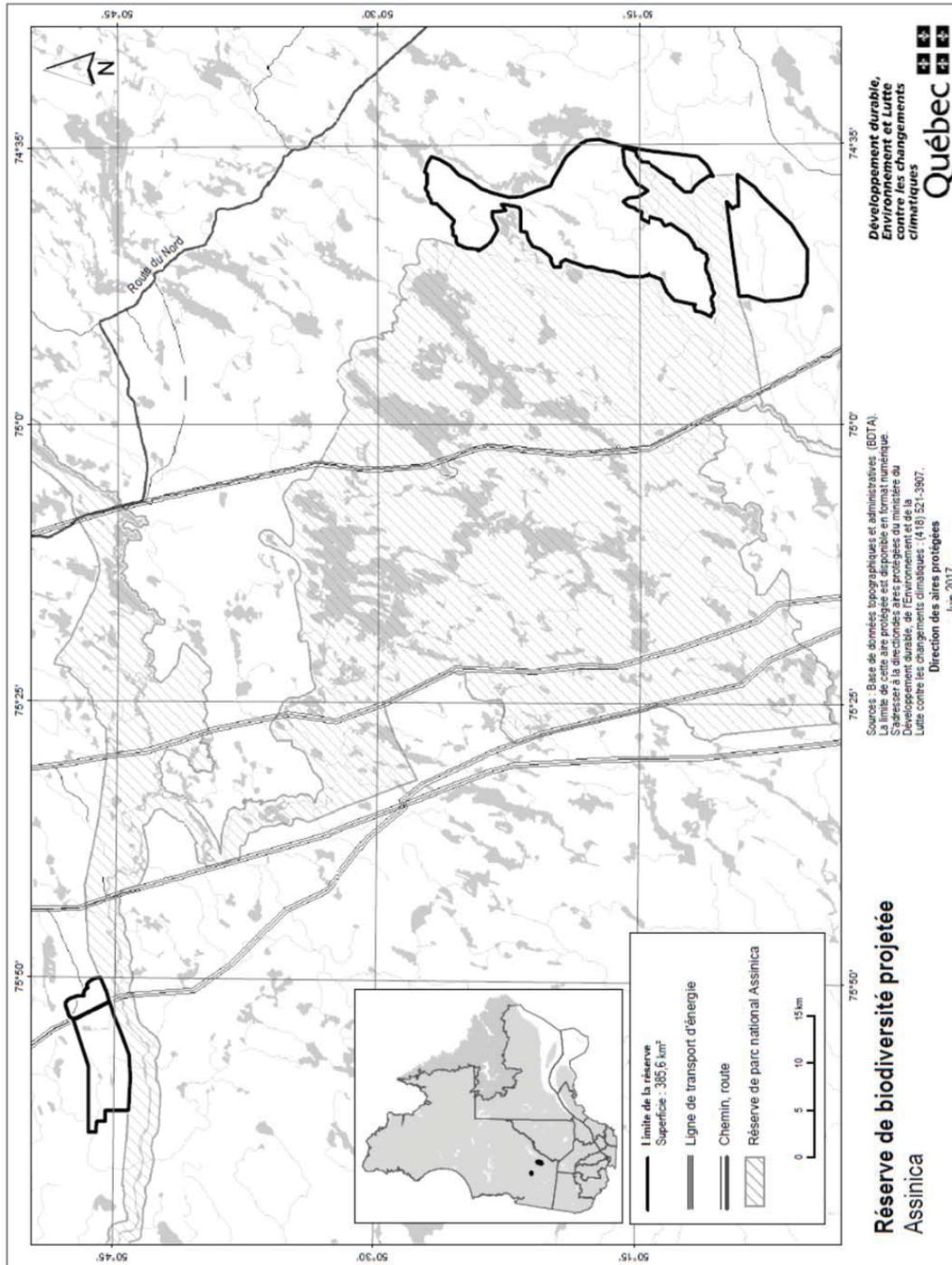
- **Protection of the environment:** measures set out in particular by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the conservation and development of wildlife* (chapter C-61.1) and its regulations, including provisions related to threatened or vulnerable wildlife species, outfitters and beaver reserves, and measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries; and in northern regions, particular measures stipulated by the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1);
- **Archeological research and discoveries:** measures set out in particular by the *Cultural Heritage Act* (chapter P-9.002);
- **Access and property rights related to the domain of the State:** measures set out in particular by the *Act respecting the lands in the domain of the State* (chapter T-8.1) and the *Watercourses Act* (chapter R-13), and in northern regions, by the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1);
- **Issuance and oversight of forest development permits** (harvesting of firewood for domestic purposes, wildlife development, recreational development); and **delivery of authorizations** (forest roads): measures stipulated by the *Sustainable Forest Development Act* (chapter A-18.1);

- **Travel:** measures stipulated by the *Act respecting the lands in the domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

6. Responsibilities of the Minister of Sustainable Development, Environment and the Fight against Climate Change

The Minister of Sustainable Development, Environment and the Fight against Climate Change is responsible for the conservation and management of Réserve de biodiversité projetée Assinica. Among other things, the Minister sees to the control and supervision of activities that take place there. In her management, the Minister enjoys the collaboration and participation of other government representatives that have specific responsibilities in or adjacent to the territory, including the Minister of Energy and Natural Resources and the Minister of Forests, Wildlife and Parks, and their delegates. In performing their functions they will take into account the protection desired for these natural environments and the protection status they are now granted.

Appendix 1
Map of Réserve de biodiversité projetée Assinica



M.O., 2018**Order of the Minister of Municipal Affairs and Land Occupancy dated 6 August 2018**

Municipal Powers Act
(chapter C-47.1)

Regulation respecting eligibility for the tax credit provided for in the first paragraph of section 92.1 of the Municipal Powers Act

WHEREAS, under section 92.2 of the Municipal Powers Act (chapter C-47.1), the Minister of Municipal Affairs and Land Occupancy may, by regulation, determine from among the headings in the Manuel d'évaluation fiscale referred to in the Regulation respecting the real estate assessment roll (chapter F-2.1, r. 13) those to which immovables used to determine eligibility for the tax credit provided for in the first paragraph of section 92.1 of the Municipal Powers Act must belong;

WHEREAS, under the second paragraph of section 92.2 of the Act, the Regulation comes into force on 1 January of the year following the year it is made;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation respecting eligibility for the tax credit provided for in the first paragraph of section 92.1 of the Municipal Powers Act was published in Part 2 of the *Gazette officielle du Québec* of 6 June 2018 with a notice that it could be made on the expiry of 45 days following that publication and that any person could submit written comments before the expiry of the 45-day period;

WHEREAS no comments were received;

WHEREAS it is expedient to make the Regulation without amendment;

THE MINISTER OF MUNICIPAL AFFAIRS AND LAND OCCUPANCY ORDERS AS FOLLOWS:

The Regulation respecting eligibility for the tax credit provided for in the first paragraph of section 92.1 of the Municipal Powers Act, attached to this Order, is hereby made.

Québec, 6 August 2018

MARTIN COITEUX,
*Minister of Municipal Affairs
and Land Occupancy*

Regulation respecting eligibility for the tax credit provided for in the first paragraph of section 92.1 of the Municipal Powers Act

Municipal Powers Act
(chapter C-47.1, s. 92.2)

1. For the purposes of section 92.2 of the Municipal Powers Act, the headings determined by the Minister are mentioned in Schedule I.

2. This Regulation comes into force on 1 January of the year that follows the year in which it is made.

**SCHEDULE I
LIST OF HEADINGS**

- (1) "2-3 --- MANUFACTURING INDUSTRIES";
- (2) "41 -- Railway and subway";
- (3) "42 -- Transport by motor vehicle (infrastructure)", except
 - "4291 Transport by taxi",
 - "4292 Ambulance service",
 - "4293 Limousine service";
- (4) "43 -- Air transportation (infrastructure)";
- (5) "44 -- Marine transportation (infrastructure)";
- (6) "47 -- Information industry and cultural industry", except
 - "4713 Wired telecommunications service providers (except wireless and cable distribution)",
 - "4744 Satellite television network",
 - "4745 Pay television, subscription",
 - "4746 Cable television network",
 - "4749 Other television program distribution and television broadcasting network activities",
 - "4773 Motion picture and video distribution",
 - "4799 All other information services";
- (7) "4923 Transport test centre";
- (8) "6348 Environmental remediation service";
- (9) "636 -- Research centre (except test centres)";
- (10) "6391 Service of research, development and tests";

(11) “6392 Management consulting and business management service”;

(12) “655 – Computer service”;

(13) “6592 Engineering service”;

(14) “6593 Educational and scientific research services”;

(15) “6831 School of trades (not integrated into high schools)”;

(16) “6838 Computer training”;

(17) “71 – Exhibition of cultural objects”;

(18) “751 – Tourist centre”.

103639

Draft Regulations

Draft conservation plan

Natural Heritage Conservation Act
(chapter C-61.01)

Réserve aquatique projetée de la Rivière-Kovik — Temporary protection status

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Minister of Sustainable Development, the Environment and the Fight Against Climate Change intends to assign a temporary protection status as a proposed aquatic reserve to the territory in the conservation plan established for the Réserve aquatique projetée de la Rivière-Kovik, appearing below, on the expiry of 45 days following this publication.

The setting aside of the territory, authorized by Order in Council 69-2018 dated 7 February 2018, in accordance with the Natural Heritage Conservation Act, will be for a period of four years. The assignment of a temporary protection status as a proposed aquatic reserve will make the activities framework provided for in the Act and in the conservation plan established for the proposed aquatic reserve applicable to the territory designated in the plan accompanying it.

The activities framework is set out in section 4 of the draft conservation plan of the Réserve aquatique projetée de la Rivière-Kovik. It provides for prohibitions in addition to those set out in the Act and it regulates the carrying out of certain activities that may be carried out within the territory to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed aquatic reserve. Certain activities are subject to the prior authorization from the Minister.

Further information on the setting aside of land may be obtained by contacting Francis Bouchard, Director, Direction des aires protégées, Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques, édifice Marie-Guyart, 4^e étage, boîte 21, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3907, extension 4426; fax: 418 646-6169; email: francis.bouchard@mddelcc.gouv.qc.ca.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Francis Bouchard, at the above contact information.

ISABELLE MELANÇON,
*Minister of Sustainable Development,
the Environment and the
Fight Against Climate Change*

Temporary protection status assigned as Réserve aquatique projetée de la Rivière-Kovik

Natural Heritage Conservation Act
(chapter C-61.01, ss. 27 and 28)

1. The conservation plan of the Réserve aquatique projetée de la Rivière-Kovik appears in Schedule A.
2. The territory in the Schedule to the conservation plan constitutes the Réserve aquatique projetée de la Rivière-Kovik.
3. The temporary status as proposed aquatic reserve, for a period of 4 years, and the conservation plan of the Réserve aquatique projetée de la Rivière-Kovik, applicable to the territory appearing as a schedule to the document, come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE A

CONSERVATION PLAN OF THE RÉSERVE AQUATIQUE PROJETÉE DE LA RIVIÈRE-KOVIK

(s. 1)

QUÉBEC STRATEGY FOR PROTECTED AREAS



Réserve aquatique projetée de la Rivière-Kovik

Conservation plan

April 2018

Note to the reader

Since Réserve aquatique projetée de la Rivière-Kovik is in territory covered by the *James Bay and Northern Québec Agreement* (JBNQA), it is important to specify that, pursuant to Section 24 of that Agreement as well as the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1), beneficiaries of the JBNQA conserve their right to harvest within the boundaries of the proposed aquatic reserve.

1. Protection status and toponym

The protection status of the territory described below is that of proposed aquatic reserve, a status governed by the *Natural Heritage Conservation Act* (chapter C-61.01).

The permanent protection status to be granted at the end of the process is that of “aquatic reserve”, this status also being governed by the *Natural Heritage Conservation Act*.

The provisional toponym is: Réserve aquatique projetée de la Rivière-Kovik. The official toponym will be determined when the territory is given permanent protection status. It is understood that the representative authorities of Nunavik, along with the communities concerned by the proposed aquatic reserve, will contribute proposals for an official toponym to the Commission de toponymie du Québec.

2. Conservation objectives

Réserve aquatique projetée de la Rivière-Kovik was primarily created to protect and maintain biological diversity and the associated natural and cultural resources, and to ensure the conservation of local populations of resident and anadromous Arctic char. Protecting this territory increases the representativeness of the regional and national network of protected areas, since it contains a number of ecological components of interest that are representative of the characteristic ecosystems of the Salluit plateau natural region (see section 3.2). Protecting these ecosystems will allow the pursuit of traditional Inuit activities by people in the communities of Salluit, Ivujivik, Akulivik and Puvirnituk, who frequent the territory for fishing, hunting, trapping and soapstone gathering. Also, it is important to note that the proposed aquatic reserve will ensure the protection of around twenty identified archeological sites.

3. Plan and description

3.1. Geographical location, boundaries and dimensions

The boundaries and location of the proposed reserve are illustrated in Appendix 1.

Réserve aquatique projetée de la Rivière-Kovik is located in the administrative region of Nord-du-Québec, between 61°23' and 62°00' north latitude and 77°47' and 75°30' west longitude. It is about 100 km northeast of the village of Akulivik and covers an area of 4651.2 km².

3.2. Ecological portrait

The waters of the proposed reserve are mostly in the Rivière Kovik watershed, with smaller portions in the Rivière Frichet and Rivière Delaize watersheds.

Réserve aquatique projetée de la Rivière-Kovik is in the Churchill geological province. Its geological foundation is composed essentially of felsic plutonic rocks, including granite, tonalite, porphyritic monzonite and diorite. At the eastern end the bedrock consists of gabbro, a basic plutonic rock.

The proposed reserve is in the Ungava peninsula natural province, more precisely the Salluit plateau natural region and the physiographic units of the Baie-Kovik lowlands and the Lac-Fargues high plateau. In its western part, where the elevation ranges from 0 to 90 m, the topography is that of an undulating plain subject to marine invasion. The broad depressions present are filled with fine marine and littoral deposits, accompanied by a concentration of De Geer moraines. The little relief present, of slight amplitude, consists of rocky outcrops left by the scouring action of waves. To the east, the elevation gradually rises from 90 to 430 m, where the landscape is shaped by valleys intersecting buttes (50 to 100 m in height) covered with thin till.

The elevation of the proposed reserve ranges from about 15 to 430 m.

The territory is located in the polar climate zone, with an average annual temperature that ranges from -9.1 to -8.1 °C. Annual precipitation is on the order of 330 to 442 mm, while the growing season is 80 to 89 days.

The proposed reserve straddles two bioclimatic domains, those of shrub Arctic tundra and herbaceous Arctic tundra. The vegetation is mostly prostrate shrubs in association with mosses and lichens. In valley bottoms and at the bases of slopes there are stands of erect shrubs with dwarf birch, while exposed hilltops are characterized by stands of lichen and moss accompanied by herbaceous plants and ground-hugging shrubs. In the western portion there are a few tidal marshes typical of the Southern Arctic.

Among terrestrial wildlife, the following are likely to inhabit the proposed reserve: migratory caribou (the Rivière-aux-Feuilles herd), Ungava lemming, Arctic hare, grey wolf, polar bear and Arctic fox. As for aquatic wildlife, the following species were identified during knowledge acquisition work in August 2014: lake cisco, three-spined stickleback, nine-spined stickleback, lake whitefish, Arctic char and lake trout. Avian wildlife in the proposed reserve would include: Canada goose, snow bunting, tundra swan, common eider, snowy owl, rock ptarmigan and snow goose.

3.3. Land occupation and uses

The territory of the proposed reserve has been used by the Inuit for centuries, as demonstrated by the many stone relics along the shores of Baie Kovik (house, food shelters, fox trap, etc.). Today the sector continues to be used for the harvesting of wildlife resources, in particular Arctic char, by the communities of Salluit, Iuvjivik, Akulivik and Puvirnituk. To that end, the Akulivik section of the Nunavik Hunting Fishing Trapping

Association has set up a committee for the self-regulation of harvesting activities by JBNQA beneficiaries, to ensure that the resource remains sustainable. Each year, the committee sets rules that must be followed by any subsistence fisher who goes to Rivière Kovik to fish for Arctic char.

The proposed reserve is located partly on Category II lands belonging to the communities of Salluit (to the east) and Akulivik (to the west), which have exclusive hunting, fishing and trapping rights and the right to establish and operate an outfitter, pursuant to the *James Bay and Northern Québec Agreement* (JBNQA) and the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1).

With regard to wildlife harvesting and development, the proposed reserve is in hunting zone 23. It is also part of the Nouveau-Québec beaver reserve and is in fur-bearing animal management unit 96.

There are no roads in the territory, nor have any land rights been issued for areas within it. However, there are numerous active mineral titles near or adjoining the boundaries of the proposed reserve, especially along its southern and western edges. Consideration will have to be given to the impacts that operating such sites could have on the protected area and its conservation objectives.

4. Activities framework

§1 — Introduction

The purpose of the proposed aquatic reserve is to protect natural environments and their components. Activities that may have a significant impact on ecosystems and biodiversity, particularly industrial activities, are prohibited. The type of protected area allows the pursuit of less damaging activities and occupancies, namely recreational, wildlife, ecotourism and educational activities and occupancies.

The proposed aquatic reserve must be considered to be a territory dedicated to the protection of the natural environment and the related cultural resources, the discovery of nature and of the Innu culture, and recreation.

Activities carried on within the proposed aquatic reserve are governed mainly by the provisions of the Natural Heritage Conservation Act.

Under section 34 of the Act, the main activities prohibited in an area to which status as a proposed aquatic reserve has been assigned are

- mining, and gas or petroleum development;
- forest development activities within the meaning of section 4 of the Sustainable Forest Development Act (chapter A-18.1);
- the development of hydraulic resources and any production of energy on a commercial or industrial basis.

The measures in the Natural Heritage Conservation Act and this plan apply subject to the provisions of the agreements referred to in the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) and in the Act approving the Northeastern Québec Agreement (chapter C-67.1).

Although fundamental for the protection of the territory and ecosystems therein, the prohibitions are insufficient to ensure the good management of the proposed aquatic reserve and the conservation of the natural environment. The Natural Heritage Conservation Act makes it possible to specify in the conservation plan the legal framework applicable in the territory of the proposed aquatic reserve.

The provisions in this section provide for prohibitions in addition to those already prescribed by law and regulate certain activities allowed to better ensure the protection of the natural environment, in conformity with the principles of conservation and other objectives of management of the proposed aquatic reserve. Thus certain activities are subject to prior authorization from the Minister.

The measures contained in this section concern in particular the new interventions in the territory and do not generally call into question existing facilities or certain activities already under way in the territory, thereby preserving a number of existing uses. Lastly, the measures also contain, for certain activities, exemptions from the requirement to obtain an authorization under the Natural Heritage Conservation Act.

The measures do not distinguish, among all the activities subject to an authorization, those that are considered to be compatible from those that are considered to be incompatible with the vocation of the proposed aquatic reserve and that may not be authorized. A proposed aquatic reserve is managed in a manner very similar to the permanent aquatic reserve and basic information concerning the compatibility or incompatibility of each type of activity may be found in the document *Activity Framework for Biodiversity Reserves and Aquatic Reserves*, available on the website of the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques (MDDELCC) at

http://www.mddelcc.gouv.qc.ca/biodiversite/aires_protegees/regime-activites/regime-activite-reserve-bio-aqua.pdf.

§2 — Prohibitions, prior authorizations and other conditions governing certain activities in the proposed aquatic reserve

§2.1 — Protection of resources and the natural environment

4.1. Subject to the prohibition in the second paragraph, no person may establish in the proposed reserve any specimens or individuals of a native or non-native species of fauna, including by stocking, unless the person has been authorized by the Minister.

No person may stock a watercourse or body of water for aquaculture, commercial fishing or any other commercial purpose.

No person may establish in the proposed reserve a non-native species of flora, unless the person has been authorized by the Minister.

4.2. No person may use fertilizer or fertilizing material in the proposed reserve. Compost for domestic purposes is permitted if used at least 20 metres from a watercourse or body of water measured from the high-water mark.

The high-water mark means the high-water mark defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains (chapter Q-2, r. 35).

4.3. No person may remove species of flora, small fruits or any other non-timber product by mechanical means.

4.4. No person may, unless the person has been authorized by the Minister,

- (1) intervene in a wetland area, including a marsh, swamp or bog;
- (2) modify the proposed reserve's natural drainage or water regime, including by creating or developing watercourses or bodies of water;
- (3) dig, fill, obstruct or divert a watercourse or body of water;
- (4) install or erect any structure, infrastructure or new works in or on the bed, banks, shores or floodplain of a watercourse or body of water, although no authorization is required for minor works such as a wharf, platform or boathouse erected for private purposes and free of charge under section 2 of the Regulation respecting the water property in the domain of the State (chapter R-13, r. 1);
- (5) carry on any activity other than those referred to in paragraphs 1 to 4 that is likely to degrade the bed, banks or shores of a body of water or watercourse or directly and substantially affect the quality or biochemical characteristics of aquatic or riparian environments or wetland areas in the proposed reserve, including by discharging or dumping waste or pollutants into those areas;
- (6) carry out soil development work or carry on an activity that is likely to degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work, including any burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose; no authorization is required however for the collection of soapstone by Innu beneficiaries;
- (7) install or erect any structure, infrastructure or new works;
- (8) reconstruct or demolish a structure, infrastructure or works;
- (9) use a pesticide, although no authorization is required for the use of personal insect repellent;
- (10) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular because of the nature or size of the samples taken or the invasive character of the method or process used; or
- (11) hold a sports event, tournament, rally or any other similar event, where, as the case may be,
 - (a) fauna or flora species are sampled or are likely to be sampled; or
 - (b) motor vehicles or boats are used.

4.5. Despite paragraphs 6, 7 and 8 of section 4.4, no authorization is required to carry out the following work when the requirements of the second paragraph are met:

- (1) the maintenance, repair or upgrade of any structure, infrastructure or works such as a camp, cottage, road or trail, including ancillary facilities such as lookouts or stairs;
- (2) the construction or erection of
 - (a) an appurtenance or ancillary facility of a rough shelter, shelter or cottage such as a shed, well, water intake or sanitary facilities; or
 - (b) a trapping camp, rough shelter, shelter or cottage if such a building was permitted under the right to use or occupy the land but had not been constructed or installed on the effective date of the status as a proposed aquatic reserve; or
- (3) the demolition or reconstruction of a trapping camp, rough shelter, shelter or cottage, including an appurtenance or ancillary facility such as a shed, well, water intake or sanitary facilities.

The work is carried out in compliance with the following requirements:

- (1) the work involves a structure, infrastructure or works permitted within the proposed reserve;
- (2) the work is carried out within the area of land or right of way subject to the right to use or occupy the land in the proposed reserve, whether the right results from a lease, servitude or other form of title, permit or authorization;
- (3) the nature of the work or elements erected by the work will not operate to increase the area of land that may remain deforested beyond the limits permitted under the provisions applicable to the sale, lease and granting of immovable rights under the Act respecting the lands in the domain of the State (chapter T-8.1) and, if applicable, the limits allowed under an authorization issued in connection with the structure, works or infrastructure; and
- (4) the work is carried out in compliance with the conditions of a permit or authorization issued for the work or in connection with the structure, infrastructure or works involved, and in accordance with the laws and regulations that apply.

For the purposes of this section, repair and upgrading work includes work to replace or erect works or facilities to comply with the requirements of an environmental regulation.

4.6. No person may bury, incinerate, abandon or dispose of waste, snow or other residual materials elsewhere than in waste disposal containers, facilities or sites determined by the Minister. The materials may be buried, incinerated, abandoned or disposed of elsewhere with the authorization of the Minister.

§2.2 — Rules of conduct for users

4.7. No person may enter, carry on an activity or operate a vehicle in a given sector of the proposed reserve if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk, unless the person has been authorized by the Minister.

4.8. No person may destroy, remove, move or damage any poster, sign, notice or other types of signage posted by the Minister within the proposed reserve.

§2.3 — Activities requiring an authorization

4.9. No person may occupy or use the same site in the proposed reserve for a period of more than 90 days in the same year, unless the person has been authorized by the Minister.

For the purposes of the first paragraph,

- (1) the occupation or use of a site includes
 - (a) staying or settling in the proposed reserve, including for vacation purposes;
 - (b) installing a camp or shelter in the proposed reserve; and
 - (c) installing, burying or leaving property in the proposed reserve, including equipment, any device or a vehicle;
- (2) "same site" means any other site within a radius of 1 kilometre from the site.

Despite the first paragraph, no authorization is required if a person,

- (1) on the effective date of the protection status as a proposed aquatic reserve, was a party to a lease or had already obtained another form of right or authorization allowing the person to legally occupy the land under the Act respecting the lands in the domain of the State or, if applicable, the Act respecting the conservation and development of wildlife (chapter C-61.1), and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees;
- (2) in accordance with the law, has entitlement under a sublease, an assignment of a lease or a transfer of a right or authorization referred to in subparagraph 1, and whose right to occupy the land is renewed or extended on the same conditions, subject to possible changes in fees; or
- (3) elects to acquire land the person legally occupies on the effective date of the protection status as a proposed aquatic reserve, pursuant to the Act respecting the lands in the domain of the State.

4.10. No person may carry on commercial activities in the proposed aquatic reserve, unless the person has been authorized by the Minister.

Despite the first paragraph, no authorization is required

- (1) if the activity does not imply sampling for fauna or flora resources or the use of a motor vehicle;
- (2) to carry on commercial activities which, on the effective date of the protection status as a proposed aquatic reserve, was the subject of a right to use the land for such a purpose, whether the right results from a lease or other form of title, permit or authorization, within the limits of the right.

§2.4 — Authorization exemptions

4.11. Despite the preceding provisions, no authorization is required for an activity or other form of intervention within the proposed reserve if urgent action is necessary to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended disaster. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

4.12 It is understood that the provisions of this plan are applicable subject to the rights provided for in Chapter 24 of the James Bay and Northern Québec Agreement and in the Act respecting hunting and fishing rights in the James Bay and New Québec territories (chapter D-13.1). In particular, Innu beneficiaries who, for food, ritual or social purposes, carry on an intervention or an activity within the proposed reserve are exempted from obtaining an authorization.

4.13 Despite the preceding provisions, the following activities and interventions carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this conservation plan:

- (1) any activity or intervention required within the proposed reserve to complete a project for which express authorization had previously been given by the Government and the Minister, or only by the Minister, in accordance with the Environment Quality Act (chapter Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;
- (2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;
- (3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société, and the activity or intervention is carried out in conformity with the request.

The Société is to keep the Minister informed of the various activities or interventions referred to in this section it proposes to carry out before the work is begun in the proposed reserve.

For the purposes of this section, the activities and interventions of the Société include but are not restricted to pre-project studies, analysis work or field research, work required to study and ascertain the impact of electric power transmission and distribution line corridors and rights of way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purposes of access, construction or traffic incidental to the work.

5. Activities governed by other laws

Certain activities that could potentially be practised in the proposed reserve are also governed by other applicable legislative and regulatory provisions, and some require a permit or authorization or the payment of certain fees. Certain activities could be prohibited or limited under other laws or regulations applicable on the territory of the proposed reserve.

Within the proposed aquatic reserve, a particular legal framework may govern permitted activities under the following categories:

- **Protection of the environment:** measures set out in particular by the *Environment Quality Act* (chapter Q-2) and its regulations;
- **Plant species designated as threatened or vulnerable:** measures prohibiting the harvesting of such species under the *Act respecting threatened or vulnerable species* (chapter E-12.01);
- **Exploitation and conservation of wildlife resources:** measures stipulated by the *Act respecting the conservation and development of wildlife* (chapter C-61.1) and its regulations, including provisions relating to activities that could modify a biological, physical or chemical element specific to the habitat of an animal or fish dependent on that habitat, to threatened or vulnerable wildlife species, and to outfitters and beaver reserves; measures in the applicable federal laws and regulations, including the legislation and regulations on fisheries; and in northern regions, particular measures stipulated by the *Act respecting hunting and fishing rights in the James Bay and New Québec territories* (chapter D-13.1);
- **Protection of cultural heritage, archeological research and discoveries:** measures set out in particular by the *Cultural Heritage Act* (chapter P-9.002);
- **Access and property rights related to the domain of the State:** measures set out in particular by the *Act respecting the lands in the domain of the State* (chapter T-8.1) and the *Watercourses Act* (chapter R-13), and in northern regions, by the *Act respecting the land regime in the James Bay and New Québec territories* (chapter R-13.1);
- **Travel:** measures stipulated by the *Act respecting the lands in the domain of the State* and by the regulations on motor vehicle travel in fragile environments, under the *Environment Quality Act*;
- **Construction and development standards:** regulatory measures adopted by local and regional municipal authorities in accordance with the applicable laws.

6. Responsibilities of the Minister of Sustainable Development, Environment and the Fight against Climate Change

The Minister of Sustainable Development, Environment and the Fight against Climate Change is responsible for the conservation and management of Réserve aquatique projetée de la Rivière-Kovik. Among other things, the Minister sees to the control and supervision of activities that take place there. In her management, the Minister enjoys the collaboration and participation of governmental, regional and local representatives that have specific responsibilities in or adjacent to the territory, including the Minister of Energy and Natural Resources, the Minister of Forests, Wildlife and Parks, their delegates, the Kativik Regional Government (KRG) and the Makivik Corporation. In performing their functions they will take into account the protection desired for these natural environments and the protection status they are now granted.

Draft Regulation

An Act respecting the Régie de l'énergie
(chapter R-6.01)

Quantity of renewable natural gas to be delivered by a distributor

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the quantity of renewable natural gas to be delivered by a distributor, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation sets the minimum quantity of renewable natural gas to be delivered by a natural gas distributor at 1% of the total quantity of natural gas the distributor distributes as of 2020, and progressively increases that quantity to set it as of 2025 at 5% of the total quantity of natural gas distributed.

Study of the matter has shown no specific negative impact on small and medium-sized businesses. However, according to the current conditions of the market, it is estimated that the delivery of the minimum quantity of renewable natural gas required as of 2020 would represent an additional cost for natural gas consumers equivalent to 1.1% of the value of the deliveries of natural gas in Québec in 2017.

Further information on the draft Regulation may be obtained by contacting Xavier Brosseau, Director, Direction des approvisionnements et des biocombustibles, Ministère de l'Énergie et des Ressources naturelles, 5700, 4^e Avenue Ouest, bureau A-422, Québec (Québec) G1H 6R1; telephone: 418 627-6385, extension 8351; fax: 418 644-1445; email: xavier.brosseau@mern.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Luce Asselin, Associate Deputy Minister for Energy, Ministère de l'Énergie et des Ressources naturelles, 5700, 4^e Avenue Ouest, bureau A-407, Québec (Québec) G1H 6R1.

PIERRE MOREAU,
*Minister of Energy and
Natural Resources*

Regulation respecting the quantity of renewable natural gas to be delivered by a distributor

An Act respecting the Régie de l'énergie
(chapter R-6.01, s. 112, 1st. par., subpar. 4)

1. Natural gas distributors must deliver annually a quantity of renewable natural gas equal to or greater than the result of the following formula:

$$T \times \frac{(LRA3 + LRA2 + LPA1)}{3}$$

In the formula provided for in the first paragraph,

(1) the variable “*T*” represents

(a) a rate of 0.01 as of the distributor's rate year beginning in 2020;

(b) a rate of 0.02 as of the distributor's rate year beginning in 2023; and

(c) a rate of 0.05 as of the distributor's rate year beginning in 2025;

(2) the variable “*LRA3*” represents the total of the distributor's actual natural gas deliveries to the major enterprise market and the small and medium flow market for the third rate year preceding the current year, subtracted from any quantity of renewable natural gas;

(3) the variable “*LRA2*” represents the total of the distributor's actual natural gas deliveries to the major enterprise market and the small and medium flow market for the second rate year preceding the current year, subtracted from any quantity of renewable natural gas;

(4) the variable “*LPA1*” represents the total of the distributor's estimated deliveries to the major enterprise market and the small and medium flow market for the rate year preceding the current year, subtracted from any quantity of renewable natural gas.

The result of the formula and the variables described in subparagraphs 2 to 4 of the second paragraph are in million cubic metres (Mm³).

2. 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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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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