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**2**

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**Laws and Regulations**

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**Summary**

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## Coming into force of Acts

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Gouvernement du Québec

### **O.C. 1486-2018, 19 December 2018**

An Act to again amend the Highway Safety Code and other legislative provisions (2008, chapter 14)

COMING INTO FORCE of certain provisions of the Act to again amend the Highway Safety Code and other legislative provisions

WHEREAS the Act to again amend the Highway Safety Code and other legislative provisions (2008, chapter 14) was assented to on 12 June 2008;

WHEREAS, under section 141 of the Act, the provisions of the Act come into force on the date or dates to be set by the Government, except paragraph 2 of section 1, paragraph 2 of section 2, sections 3, 4, 8, paragraph 1 of section 9, sections 10, 23, 24, 28, 30, 34 to 36, 38 to 40, 43, 45 to 47, paragraph 3 of section 54, sections 55 to 57, 59 to 71, 73 to 78, 81 to 85, paragraphs 2 to 4 of section 86, sections 88 to 90, 94, 96, paragraph 2 of section 98, sections 99, 102, 117, 120 to 123, 125, 132 to 135, 137 and 138 to 140, which came into force on 12 June 2008, and section 7, paragraph 1 of section 11, section 12, paragraphs 2 and 3 of section 49, paragraph 2 of section 50, paragraph 2 of section 51, section 52 and paragraph 2 of section 53, which came into force on 2 July 2008;

WHEREAS, under Order in Council 857-2008 dated 3 September 2008, paragraph 1 of section 98 and section 118 of the Act came into force on 3 September 2008;

WHEREAS, under Order in Council 905-2008 dated 17 September 2008, section 48 of the Act came into force on 17 September 2008;

WHEREAS, under Order in Council 1107-2008 dated 5 November 2008, section 136 of the Act came into force on 5 November 2008;

WHEREAS, under Order in Council 1109-2008 dated 5 November 2008, sections 5 and 13, paragraph 1 of section 14 and sections 31, 32, 41, 42, 87, 92, 93, 97 and 116 of the Act came into force on 7 December 2008;

WHEREAS, under Order in Council 1207-2009 dated 18 November 2009, paragraph 2 of section 11 and section 58 of the Act came into force on 6 December 2009;

WHEREAS, under Order in Council 933-2010 dated 3 November 2010, sections 15, 16, 17 and 103 to 110 of the Act came into force on 1 December 2010;

WHEREAS, under Order in Council 1047-2010 dated 1 December 2010, sections 25, 44 and paragraph 2 of section 72 of the Act came into force on 1 January 2011;

WHEREAS, under Order in Council 420-2011 dated 13 April 2011, section 37 of the Act came into force on 1 May 2011;

WHEREAS, under Order in Council 341-2013 dated 27 March 2013, paragraph 1 of section 2 and sections 18, 19, 21, 22, 91 and 95 of the Act came into force on 7 April 2013;

WHEREAS it is expedient to set 11 February 2019 as the date of coming into force of paragraphs 1, 2 and 4 of section 54 of the Act;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT 11 February 2019 be set as the date of coming into force of paragraphs 1, 2 and 4 of section 54 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, chapter 14).

YVES OUELLET,  
*Clerk of the Conseil exécutif*

103789



## Regulations and other Acts

Gouvernement du Québec

### **O.C. 1458-2018, 19 December 2018**

An Act respecting the preservation of agricultural land and agricultural activities  
(chapter P-41.1)

#### **Commission de protection du territoire agricole du Québec**

##### **— Authorization for the alienation or use of a lot without the authorization**

Regulation respecting the authorization for the alienation or use of a lot without the authorization of the Commission de protection du territoire agricole du Québec

WHEREAS, under subparagraph 6.3 of the first paragraph of section 80 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), the Government may, by regulation, determine the cases and circumstances in which all or part of a lot may be alienated in favour of producers without the authorization of the Commission de protection du territoire agricole du Québec;

WHEREAS, under subparagraph 7 of the first paragraph of section 80 of the Act, the Government may, by regulation, identify the municipal and public service purposes to which section 41 of the Act applies;

WHEREAS, under subparagraph 12 of the first paragraph of section 80 of the Act, the Government may, by regulation, determine any other measure necessary for the application and proper administration of the Act;

WHEREAS, under the second paragraph of section 80 of the Act, the Government may, by regulation, determine the cases and circumstances in which are allowed, without the authorization of the Commission de protection du territoire agricole du Québec, a use ancillary to an agricultural operation or an equestrian centre, a farm tourism-related use, a secondary use in a residence or a multigenerational dwelling in a residence or land improvements promoting the practice of agriculture;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the authorization for the alienation or use of a lot without the authorization of the Commission de protection du territoire agricole du Québec was published in Part 2

of the *Gazette officielle du Québec* of 4 July 2018 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation respecting the authorization for the alienation or use of a lot without the authorization of the Commission de protection du territoire agricole du Québec, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

### **Regulation respecting the authorization for the alienation or use of a lot without the authorization of the Commission de protection du territoire agricole du Québec**

An Act respecting the preservation of agricultural land and agricultural activities  
(chapter P-41.1, s. 80)

#### **CHAPTER I** **ALIENATION OF A LOT WITHOUT THE** **AUTHORIZATION OF THE COMMISSION**

**1.** A person may, without the authorization of the commission, alienate a lot or a part of a lot where

(1) the alienation is made in favour of a producer who owns the lot or a part of a lot contiguous to the lot or part of lot alienated;

(2) the seller remains the owner of one or several lots or parts of lots of a contiguous residual area of at least 40 hectares;

(3) the alienation makes the buyer owner of one or several lots or parts of a lot of an area contiguous to the residual area of which the seller remained the owner of at least 40 hectares;

(4) the alienation does not reduce the area of a sugar bush.

For the purposes of subparagraphs 2 and 3 of the first paragraph, a lot or part of a lot is contiguous to another lot or part of lot even where it is separated from the lot or part of lot by a public road, a railway, a public utility right of way or the area of a lot in respect of which there exists a right recognized under Chapter VII of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

## CHAPTER II

### USE OF A LOT WITHOUT THE AUTHORIZATION OF THE COMMISSION

#### DIVISION I

##### USE FOR MUNICIPAL OR PUBLIC UTILITY PURPOSES

**2.** For the purposes of sections 41 and 56 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), in addition to the cases referred to in section 6 of the Preservation of Agricultural Land and Agricultural Activities Regulation (chapter P-41.1, r. 1), the use of a lot for municipal or public utility purposes is allowed, without the authorization of the commission, in the circumstances provided for in the following cases:

(1) the installation and use of a dry hydrant, tank or body of water to ensure a municipal fire safety service;

(2) work for stabilizing a bank or shore to ensure the conservation of the integrity of a public road including a no-access servitude;

(3) use and maintenance of a ditch for drainage purposes;

(4) dismantling, replacement, repair or maintenance of a section of 2 kilometres or less of a pipe or an electric power line;

(5) installation of an electric power line or a natural gas distribution pipe on a lot contiguous to an immovable to be served;

(6) encroachment necessary outside the right of way of a public road during work referred to in section 6 of the Preservation of Agricultural Land and Agricultural Activities Regulation (chapter P-41.1, r. 1) or during work for the replacement of a bridge or culvert.

**3.** The installation and use of a dry hydrant, tank or body of water to ensure a municipal fire safety service is allowed provided that the maximum area occupied by all the works on a same lot or on a contiguous lot that are

situated outside the right of way of a public road including a no-access servitude, including the inlet duct and access road, does not exceed 1,000 m<sup>2</sup>.

**4.** Work for stabilizing a bank or shore to ensure the conservation of the integrity of a public road including a no-access servitude are allowed where it is performed within a 15-metre strip outside the right of way of the public road.

**5.** The use and maintenance of a ditch for drainage purposes are allowed provided that the route is not modified and the circulation areas are restored.

**6.** The dismantling, replacement, repair or maintenance of a section of 2 kilometres or less of an underground pipe or electric power line is allowed in the following circumstances:

(1) the work is carried out within the right of way of the pipe or line; where encroachment outside the right of way is required, the total width of the encroachment must not exceed 15 metres;

(2) the work is supervised by an agrologist;

(3) the work does not hinder the agricultural drainage capacity of the lot and adjacent lots;

(4) the layer of topsoil removed at the beginning of the work is set aside to be reused during restoration;

(5) the top part of the pipe or, where applicable, of the electric power line is buried at least at the same depth as it was before the work;

(6) the pipe or, where applicable, the electric power line is covered at the end of the work by a layer of inert soil on which a layer of topsoil is uniformly spread and the ground of the site and its access roads is then cleaned, in-depth decompacted, levelled and rehabilitated to be cultivated.

The dismantling, replacement, repair or maintenance of an aerial electric power line is allowed in the circumstances provided for in subparagraphs 1 to 3.

The duration of the work must not exceed 12 months.

**7.** The installation of an electric power line or a natural gas distribution pipe is allowed where the electric power line or the natural gas distribution pipe is installed on a lot contiguous to the immovable served and at less than 1 metre from an access road to the immovable served,



a ditch or the boundaries of a field, or on a contiguous lot that belongs to the same person as the lot on which the immovable served is situated.

The circumstances provided for in section 6 apply, with the necessary modifications, to work allowed under the first paragraph except that in the case of an underground electric power line or a natural gas distribution pipe, the upper portion of the pipe or line must be buried at a minimum depth of 1.6 metres.

**8.** An encroachment of a total maximum width of 15 metres outside the right of way of a public road is allowed during work referred to in section 6 of the Preservation of Agricultural Land and Agricultural Activities Regulation (chapter P-41.1, r. 1), in the following circumstances:

(1) the encroachment is necessary for carrying out the work, in particular for clearing or filling or the deviation of a watercourse, the construction of a detour road or the removal of topsoil to avoid its compaction or contamination;

(2) the work does not hinder the agricultural drainage capacity of the lot and adjacent lots;

(3) the topsoil layer is removed at the beginning of the work and is set aside to be reused during restoration;

(4) the ground of the site and its access roads is cleaned, in-depth decompacted, levelled, covered with a uniform layer of topsoil and rehabilitated to be cultivated;

(5) the duration of the encroachment must not exceed 12 months.

**9.** In the case of work for the replacement of a bridge or a culvert, an encroachment not exceeding 2,500 m<sup>2</sup> is allowed outside of the structure of the bridge or culvert on the conditions provided for in section 8.

**10.** A use allowed under this Division includes the transportation, to the location where the work is to be carried out, of the persons and material necessary for the carrying out of the work.

## DIVISION II

### USE FOR PURPOSES OTHER THAN MUNICIPAL OR PUBLIC UTILITY PURPOSES

**11.** For the purposes of section 26 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), the following uses are allowed, without the authorization of the commission, in the cases and circumstances provided for in this Division:

(1) a use ancillary to an acericultural operation or an equestrian centre;

(2) a farm tourism-related use;

(3) a secondary use in a residence or a multigenerational dwelling in a residence;

(4) land improvements promoting the practice of agriculture.

**§I.** *Use ancillary to an acericultural operation or an equestrian centre*

**12.** Horse riding, horse-riding lessons and the development and use of trails for those purposes are allowed where they are ancillary to the activities of an equestrian centre operated by a producer.

**13.** The ancillary use by a producer, as a rest area, of a portion of a sugar shack of the producer's acericultural operation is allowed from January to May in the following circumstances:

(1) the rest area is part of the production building and is smaller than the production area;

(2) the rest area is separate from the production area;

(3) in the case of an acericultural operation that has less than 5,000 tapholes, its area does not exceed 20 m<sup>2</sup> and has no division, except for the space reserved for the toilet;

(4) in the case of an acericultural operation that has between 5,000 and 19,999 tapholes, its total floor area does not exceed 40 m<sup>2</sup>;

(5) in the case of an acericultural operation that has 20,000 tapholes or more, its total floor area does not exceed 80 m<sup>2</sup>.

**§II.** *Farm tourism-related use*

**14.** The following farm tourism activities carried out by a producer on the producer's agricultural operation are allowed:

(1) meal service at the farm;

(2) the development and use of spaces for the parking of the clients' autonomous recreational vehicles;

(3) guided visits at the farm.

**15.** Meal service at the farm is allowed in the following circumstances:

(1) dishes offered on the menu are mainly composed of products of the farm;

(2) the space reserved for the service includes a maximum of 20 seats;

(3) the use of the immovable for farm tourism will not subject the installation of a new breeding unit or the increase of the activities of an existing breeding unit to a separation distance requirement related to odours.

**16.** The development and use of spaces for the parking of the clients' autonomous recreational vehicles are allowed in the following circumstances:

(1) the development and use is for a maximum of 5 spaces occupying a maximum area of 1,000 m<sup>2</sup> situated at less than 100 metres from the producer's residence;

(2) a vehicle may park for a maximum of 24 hours;

(3) the spaces offer no additional services, such as electricity, running water, sewer or rest or play areas.

**17.** Guided visits at the farm are allowed where they do not require the use of a space, building, vehicle or equipment other than those usually used as part of the farm operation, except a parking space occupying a maximum area of 1,000 m<sup>2</sup> and that is situated less than 100 metres from the producer's residence and temporary sanitary facilities.

**§III.** *Secondary use in a residence or a multigenerational dwelling in a residence*

**18.** The following secondary uses are allowed in a residence:

(1) the use of a space for commercial purposes or the exercise of a profession;

(2) the operation of a bed and breakfast establishment;

(3) the use of a multigenerational dwelling in a residence.

**19.** The use of a space for commercial purposes or the exercise of a profession in a residence is allowed in the following circumstances:

(1) the user lives in the residence;

(2) the activity is performed entirely in a space of the residence reserved for that purpose and does not involve the use of outdoor space;

(3) the space used occupies 40% or less of the total area of the floor of the residence;

(4) the activity does not involve the accommodation of clients;

(5) the use of the immovable for that purpose will not subject the installation of a new breeding unit or the increase of the activities of an existing breeding unit to a separation distance requirement related to odours more stringent than the requirement for a dwelling.

Where a number of commercial or professional activities are performed in the residence, the maximum space used provided for in subparagraph 3 of the first paragraph applies to all of those activities.

**20.** The use of a residence as a bed and breakfast establishment is allowed provided that the use does not subject the installation of a new breeding unit or the increase of the activities of an existing breeding unit to a separation distance requirement related to odours more stringent than the requirement for a dwelling.

A "bed and breakfast establishment" means an establishment that offers, for an all-inclusive price, accommodation in rooms in a private residence where the operator resides and rents a maximum of 5 rooms receiving a maximum of 15 persons, including only breakfast served on the premises.

**21.** The use of a multigenerational dwelling in a residence is allowed in the following circumstances:

(1) it has the same civic address as the principal dwelling;

(2) it shares the same access to the electricity supply, water supply and wastewater disposal system with the principal dwelling;

(3) it is linked to the principal dwelling so as to communicate from the inside.

**§IV.** *Land improvements promoting the practice of agriculture*

**22.** Filling, clearing and raising work is allowed in an agricultural zone, without the authorization of the commission, where it is carried out for a producer and promotes the practice of agriculture, in the following circumstances:

(1) the work covers a maximum area of 2 hectares;

(2) the work is recommended and supervised by an agrologist;

(3) the layer of topsoil must be removed at the beginning of the work and be set aside to be reused during restoration.

The work must be carried out and the site must be completely restored not later than 6 months after the beginning of the work.

The work may be carried out without the authorization of the commission only once per lot.

**23.** Filling may be carried out only where its purpose is to eliminate a land depression to improve cultivation conditions or to allow better drainage.

Filling materials must be free of any matter likely to affect cultivation of the soil.

**24.** Clearing work may be carried out only where its purpose is to eliminate a land raising to improve cultivation conditions.

**25.** Raising work may be carried out where its purpose is to improve cultivation conditions or allow a better drainage and provided that the raising does not exceed 50 centimetres.

The raising materials must be free of any matter likely to affect cultivation of the soil.

### CHAPTER III OTHER MEASURES

**26.** The commission may, after having consulted the regional county municipality concerned, draw up a new plan of the agricultural zone in its territory that reproduces in a more precise manner the boundaries of the agricultural zone determined by the agricultural zone plan approved by the Government under section 50 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1).

To draw up the plan, the commission refers to the plan approved by the Government under section 50 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) and the technical description accompanying it. It also takes into account clarifications made to the cadastre in Québec under the Act to promote the reform of the cadastre in Québec (chapter R-3.1).

The commission sends to the local municipality concerned and to the registrar, for publicity purposes, a certified true copy of the new plan to replace the former plan.

### CHAPTER IV FINAL

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

103792

Gouvernement du Québec

## O.C. 1474-2018, 19 December 2018

An Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23)

### Certain transitional measures for the carrying out of the Act

Regulation respecting certain transitional measures for the carrying out of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions

WHEREAS the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23) was assented to on 13 June 2018;

WHEREAS the first paragraph of section 810 of the Act provides that the Government may, by a regulation made before 13 June 2020, enact any other transitional measure necessary for the carrying out of the Act;

WHEREAS the second paragraph of section 810 of the Act provides that such a regulation is not subject to the publication requirement set out in section 8 of the Regulations Act (chapter R-18.1) and that, despite section 17 of that Act, the Government may set the date of coming into force of the regulation on any day later than the date of assent to the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions;

WHEREAS it is expedient to make the Regulation respecting certain transitional measures for the carrying out of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance:

THAT the Regulation respecting certain transitional measures for the carrying out of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

## Regulation respecting certain transitional measures for the carrying out of the Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions

An Act mainly to improve the regulation of the financial sector, the protection of deposits of money and the operation of financial institutions (2018, chapter 23, s. 810)

- 1.** An authorized Québec insurer may continue to hold its contributed capital securities or participations and any share of the right of ownership, even if it is in excess of the limits prescribed by section 84 of the Insurers Act (2018, chapter 23, section 3), where such holdings did not contravene the Act respecting insurance (chapter A-32), as it read on 12 June 2019.
- 2.** A financial services cooperative may continue to hold contributed capital securities or participations and any share of the right of ownership, even if it is in excess of the limits prescribed by section 473 of the Act respecting financial services cooperatives (chapter C-67.3), where such holdings did not contravene the Act respecting financial services cooperatives, as it read on 12 July 2018.
- 3.** Section 591 of the Act respecting financial services cooperatives (chapter C-67.3) must, for the period from 13 July 2018 to 12 June 2019, be read by striking out everything that comes after “members of a federation” in that section.
- 4.** An authorized Québec deposit institution may continue to hold its contributed capital securities or participations and any share of the right of ownership, even if it is in excess of the limits prescribed by section 28.31 of the Deposit Institutions and Deposit Protection Act, enacted by section 353 of chapter 23 of the Statutes of 2018, where such holdings did not contravene the Act respecting trust companies and savings companies (chapter S-29.01), as it read on 12 June 2019.
- 5.** An authorized Québec trust company may continue to hold its contributed capital securities or participations and any share of the right of ownership, even if it is in excess of the limits prescribed by section 68 of the Trust Companies and Savings Companies Act (2018, chapter 23, section 395), where such holdings did not contravene the Act respecting trust companies and savings companies (chapter S-29.01), as it read on 12 June 2019.
- 6.** Until the end of the first meeting of the board of directors of the Organisme d'autoréglementation du courtage immobilier du Québec following the moment where

6 directors appointed by the Minister will be part of that board, every board member may be the chair, even if, despite section 58.1 of the Real Estate Brokerage Act (chapter C-73.2), the member has not been appointed by the Minister.

**7.** The time within which a real estate broker's licence holder referred to in the third paragraph of section 493 of chapter 23 of the Statutes of 2018 must notify the Organisme d'autoréglementation du courtage immobilier du Québec of his or her intention to act either on behalf of the firm or independent partnership or as an independent representative is extended from 13 March 2019 to 1 December 2019.

**8.** Sections 115.15.9 to 115.15.14 of the Act respecting the regulation of the financial sector (chapter E-6.1) do not apply to the appointment of members of the Financial Markets Administrative Tribunal, until the date of coming into force of the first regulation enacted under section 115.15.10 of that Act.

Sections 115.15.16 to 115.15.19 of that Act do not apply to the renewal of the term of the Tribunal members until the end of a 12-month period after the date of coming into force of the first regulation enacted under section 115.15.17 of that Act.

**9.** The provisions of the Act respecting the Autorité des marchés financiers (chapter A-33.2) relating to remuneration, employee benefits and other conditions of employment of the Financial Markets Administrative Tribunal members, as they read on 12 July 2018, remain applicable despite the coming into force of the new provisions in that respect enacted by section 631 of chapter 23 of the Statutes of 2018.

The first paragraph ceases to have effect on the date of coming into force of the first regulation enacted under section 115.15.20 of the Act respecting the regulation of the financial sector (chapter E-6.1).

**10.** The qualifications required by law for becoming a member of the Financial Markets Administrative Tribunal, including 10 years' experience relevant to the exercise of the functions of the Tribunal, are not required of persons who are members of the Tribunal on 12 July 2018, even on the subsequent renewal of their terms, for as long as they remain members.

**11.** This Regulation comes into force on 13 July 2018, except sections 1, 4 and 5, which come into force on 13 June 2019.

103795

Gouvernement du Québec

**O.C. 1481-2018, 19 December 2018**

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

**Fees to be paid under section 106.6 of the Act  
— Amendment**

Regulation to amend the Regulation respecting the fees to be paid under section 106.6 of the Act respecting the conservation and development of wildlife

WHEREAS, under the first and second paragraphs of section 106.6 of the Act respecting the conservation and development of wildlife (chapter C-61.1), the Government determines by regulation the part of the fees that devolve to an agency that is a party to a memorandum of agreement and that must be paid by the agency as a contribution toward the financing of the legal person certified by the Minister to act as the representative of the agency, as well as the terms and conditions of payment, for a period of three years from the date determined by the Government;

WHEREAS, under the third paragraph of section 106.6 of the Act, the Government may extend the period during which the financing requirement provided for in the first paragraph of that section is applicable;

WHEREAS it is expedient to extend the period for three additional years on the terms and conditions determined by the Government;

WHEREAS the Government made the Regulation to amend the Regulation respecting the fees to be paid under section 106.6 of the Act respecting the conservation and development of wildlife (chapter C-61.1, r. 17);

WHEREAS section 9 of the Act to again amend the Act respecting the conservation and development of wildlife (1997, chapter 95) provides that a regulation made under section 106.6 of the Act respecting the conservation and development of wildlife is not subject to the publication requirements set out in section 8 of the Regulations Act (chapter R-18.1);

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting the fees to be paid under section 106.6 of the Act respecting the conservation and development of wildlife;

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

THAT the financing period provided for in the first paragraph of section 106.6 of the Act respecting the conservation and development of wildlife (chapter C-61.1) be extended for the years 2019, 2020 and 2021, on the terms and conditions determined by the Government;

THAT the Regulation to amend the Regulation respecting the fees to be paid under section 106.6 of the Act respecting the conservation and development of wildlife, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

**Regulation to amend the regulation  
respecting the fees to be paid under  
section 106.6 of the Act respecting the  
conservation and development of wildlife**

An Act respecting the conservation and development of wildlife  
(chapter C-61.1, s. 106.6)

**1.** The Regulation respecting the fees to be paid under section 106.6 of the Act respecting the conservation and development of wildlife (chapter C-61.1, r. 17) is amended in section 2

(1) by replacing “2016, 2017 and 2018” in the first paragraph by “2019, 2020 and 2021”;

(2) by replacing “2018” in subparagraph 1 of the first paragraph by “2019”;

(3) by replacing “2018” in the second paragraph by “2019”;

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

103793

Gouvernement du Québec

**O.C. 1487-2018, 19 December 2018**

Exclusion of proposed regulations and regulations that are to implement the transfer of responsibility to issue special permits to the Minister of Transport and that are enacted under the second paragraph of section 463 of the Highway Safety Code, as amended by paragraphs 1 and 2 of section 54 of the Act to again amend the Highway Safety Code and other legislative provisions, or under subparagraph 19, 20 or 35 of the first paragraph of section 621 of the Code

WHEREAS, by Order in Council 1486-2018 dated 19 December 2018, the Government set 11 February 2019 as the date of coming into force of paragraphs 1, 2 and 4 of section 54 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, chapter 14);

WHEREAS, under the second paragraph of section 463 of the Highway Safety Code (chapter C-24.2), as amended by paragraphs 1 and 2 of section 54 of the Act to again amend the Highway Safety Code and other legislative provisions, the special permit is issued, from that date, by the Minister of Transport on the conditions and subject to the formalities established by regulation and on payment of the duties and fees prescribed by regulation;

WHEREAS, under subparagraph 19 of the first paragraph of section 621 of the Code, the Government may by regulation determine the form and content of special permits;

WHEREAS, under subparagraph 20 of the first paragraph of section 621 of the Code, the Government may by regulation determine the amount of the fee exigible and the conditions and formalities for obtaining a special permit and the conditions attached to such a permit according as the permit relates to an outsized vehicle or to a vehicle used for the transportation of a load exceeding its length or its width;

WHEREAS, under subparagraph 35 of the first paragraph of section 621 of the Code, the Government may by regulation determine, among the provisions of a regulation concerning the conditions attached to a special permit for a certain class of road vehicles or combinations of road vehicles, those the violation of which constitutes an offence and indicate, for each offence, the minimum and the maximum amounts of the fine to which the offender is liable;

WHEREAS paragraph 6 of section 3 of the Regulations Act (chapter R-18.1) allows the Government to determine by order that that Act does not apply to the proposed regulations or regulations determined by the Government;

WHEREAS it is expedient to exclude the proposed regulations and regulations that are to implement the transfer of responsibility to issue special permits to the Minister of Transport and that are enacted under the second paragraph of section 463 of the Code, as amended by paragraphs 1 and 2 of section 54 of the Act to again amend the Highway Safety Code and other legislative provisions, or under subparagraph 19, 20 or 35 of the first paragraph of section 621 of the Code so that they may come into force on 11 February 2019;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice and the Minister of Transport:

THAT the proposed regulations and regulations that are to implement the transfer of responsibility to issue special permits to the Minister of Transport and that are enacted under the second paragraph of section 463 of

the Highway Safety Code (chapter C-24.2), as amended by paragraphs 1 and 2 of section 54 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, chapter 14), or under subparagraph 19, 20 or 35 of the first paragraph of section 621 of the Code be excluded from the application of the Regulations Act (chapter R-18.1).

YVES OUELLET,  
*Clerk of the Conseil exécutif*

103794

Gouvernement du Québec

## **O.C. 1488-2018**, 19 December 2018

Highway Safety Code  
(chapter C-24.2)

### **Special Road Train Operating Permits Regulation — Amendment**

Regulation to amend the Special Road Train Operating Permits Regulation

WHEREAS, by Order in Council 1486-2018 dated 19 December 2018, the Government set 11 February 2019 as the date of coming into force of paragraphs 1, 2 and 4 of section 54 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, chapter 14);

WHEREAS, under the second paragraph of section 463 of the Highway Safety Code (chapter C-24.2), as amended by paragraphs 1 and 2 of section 54 of the Act to again amend the Highway Safety Code and other legislative provisions, the special permit is issued, from that date, by the Minister of Transport on the conditions and subject to the formalities established by regulation and on payment of the duties and fees prescribed by regulation;

WHEREAS, under subparagraph 20 of the first paragraph of section 621 of the Code, the Government may by regulation determine the amount of the fee exigible and the conditions and formalities for obtaining a special permit and the conditions attached to such a permit according as the permit relates to an outsized vehicle or to a vehicle used for the transportation of a load exceeding its length or its width;

WHEREAS, under subparagraph 35 of the first paragraph of section 621 of the Code, the Government may by regulation determine, among the provisions of a regulation concerning the conditions attached to a special permit for a certain class of road vehicles or combinations of

road vehicles, those the violation of which constitutes an offence and indicate, for each offence, the minimum and the maximum amounts of the fine to which the offender is liable;

WHEREAS, under Order in Council 1487-2018 dated 19 December 2018, the proposed regulations and regulations that are to implement the transfer of responsibility to issue special permits to the Minister of Transport and that are enacted under the second paragraph of section 463 of the Code, as amended by paragraphs 1 and 2 of section 54 of the Act to again amend the Highway Safety Code and other legislative provisions, or under subparagraph 19, 20 or 35 of the first paragraph of section 621 of the Code are excluded from the application of the Regulations Act (chapter R-18.1);

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice and the Minister of Transport:

THAT the Regulation to amend the Special Road Train Operating Permits Regulation, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Special Road Train Operating Permits Regulation

Highway Safety Code  
(chapter C-24.2, s. 463, 2nd par., and s. 621, 1st par., subpars. 20 and 35; 2008, chapter 14, s. 54, pars. 1 and 2)

**1.** The Special Road Train Operating Permits Regulation (chapter C24.2, r. 36) is amended in section 4

(1) by striking out “and, where applicable, identification number issued by the Société de l’assurance automobile du Québec” in subparagraph 1 of the first paragraph;

(2) by replacing “Société” in the third paragraph by “Minister of Transport”.

**2.** Section 5 is amended by replacing “Société” by “Minister of Transport”.

**3.** Section 7 is amended by replacing “Société” in paragraph 3 by “Minister of Transport”.

**4.** This Regulation comes into force on 11 February 2019.

103790

Gouvernement du Québec

## O.C. 1489-2018, 19 December 2018

Highway Safety Code  
(chapter C-24.2)

### Special permits —Amendment

Regulation to amend the Regulation respecting special permits

WHEREAS, by Order in Council 1486-2018 dated 19 December 2018, the Government set 11 February 2019 as the date of coming into force of paragraphs 1, 2 and 4 of section 54 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, chapter 14);

WHEREAS, under the second paragraph of section 463 of the Highway Safety Code (chapter C-24.2), as amended by paragraphs 1 and 2 of section 54 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, chapter 14), the special permit is issued, from that date, by the Minister of Transport on the conditions and subject to the formalities established by regulation and on payment of the duties and fees prescribed by regulation;

WHEREAS, under subparagraph 19 of the first paragraph of section 621 of the Code, the Government may by regulation determine the form and content of special permits;

WHEREAS, under subparagraph 20 of the first paragraph of section 621 of the Code, the Government may by regulation determine the amount of the fee exigible and the conditions and formalities for obtaining a special permit and the conditions attached to such a permit according as the permit relates to an outsized vehicle or to a vehicle used for the transportation of a load exceeding its length or its width;

WHEREAS, under subparagraph 35 of the first paragraph of section 621 of the Code, the Government may by regulation determine, among the provisions of a regulation concerning the conditions attached to a special permit for a certain class of road vehicles or combinations of road vehicles, those the violation of which constitutes an offence and indicate, for each offence, the minimum and the maximum amounts of the fine to which the offender is liable;

WHEREAS, under Order in Council 1487-2018 dated 19 December 2018, the proposed regulations and regulations that are to implement the transfer of responsibility

to issue special permits to the Minister of Transport and that are enacted under the second paragraph of section 463 of the Code, as amended by paragraphs 1 and 2 of section 54 of the Act to again amend the Highway Safety Code and other legislative provisions, or under subparagraph 19, 20 or 35 of the first paragraph of section 621 of the Code are excluded from the application of the Regulations Act (chapter R-18.1);

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice and the Minister of Transport:

THAT the Regulation to amend the Regulation respecting special permits, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting special permits

Highway Safety Code  
(chapter C-24.2, s. 463, 2nd par., and s. 621, 1st par., subpars. 19, 20 and 35; 2008, chapter 14, s. 54, pars. 1 and 2)

**1.** The Regulation respecting special permits (chapter C-24.2, r. 35) is amended in section 3

(1) by replacing “Société de l’assurance automobile du Québec” in subparagraph *a* of the first paragraph by “Minister of Transport”;

(2) by replacing “Société” in subparagraph *b* of the first paragraph by “Minister”.

**2.** Section 3.1 is amended

(1) by replacing paragraph 1 by the following:

“(1) the name used to conduct his or its activities or the surname and given name in the case of a natural person;”;

(2) by striking out “, and the identification number issued to him by the Société, where applicable” in paragraph 8.

**3.** Section 4 is amended

(1) by replacing paragraph 6 by the following:

“(6) the name used by the holder to conduct his or its activities or the surname and given name in the case of a natural person;”;

(2) by replacing “Société” in paragraph 8 by “Ministère des Transports”.

**4.** Section 6 is amended by replacing “Société” by “Minister”.

**5.** Section 11 is amended by replacing “Société” in the second paragraph by “Minister”.

**6.** Section 18 is amended by replacing “Société” in the fourth paragraph by “Minister”.

**7.** This Regulation comes into force on 11 February 2019.

103791

## M.O., 2018

### Order number 2018 019 of the Minister of Health and Social Services dated 13 December 2018

Cannabis Regulation Act  
(chapter C-5.3)

Regulation respecting training on the retail sale of cannabis and information to be communicated to a purchaser in the course of a cannabis sale

THE MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 30 of the Cannabis Regulation Act (chapter C-5.3), which provides that the Minister determines by regulation the training on the sale of cannabis that a cannabis sales employee must successfully complete and the conditions as to training updates;

CONSIDERING the second paragraph of section 31 of the Act, which provides that the Minister prescribes by regulation the information that the Société québécoise du cannabis must communicate to the purchaser in the course of a cannabis sale, by any of the means prescribed in the regulation;

CONSIDERING that, in accordance with section 10 of the Regulations Act (chapter R-18.1) and section 113 of the Cannabis Regulation Act, a draft Regulation respecting training on the retail sale of cannabis and information to be communicated to a purchaser in the course of a cannabis sale was published in Part 2 of the *Gazette officielle du Québec* of 17 October 2018 with a notice that it could be made by the Minister on the expiry of 20 days following that publication;

CONSIDERING that it is expedient to make the Regulation respecting training on the retail sale of cannabis and information to be communicated to a purchaser in the course of a cannabis sale with amendments;



## ORDERS AS FOLLOWS:

The Regulation respecting training on the retail sale of cannabis and information to be communicated to a purchaser in the course of a cannabis sale, attached to this Order, is hereby made.

DANIELLE MCCANN,  
*Minister of Health and Social Services*

## Regulation respecting training on the retail sale of cannabis and information to be communicated to a purchaser in the course of a cannabis sale

Cannabis Regulation Act  
(2018, chapter 19, ss. 19, 30 and 31, 2nd par.)

### DIVISION I

#### TRAINING ON THE RETAIL SALE OF CANNABIS

**1.** Training on the retail sale of cannabis referred to in section 30 of the Act is training that meets the following conditions:

(1) it is developed by the Minister and the Société québécoise du cannabis and its content complies with the guidelines and includes the components provided for in Schedule I;

(2) it is offered by the Société.

**2.** To maintain the validity of their certificate, cannabis sales employees must successfully complete all refresher training activities determined by the Minister in cooperation with the Société québécoise du cannabis, within the time and according to the terms determined by the latter.

### DIVISION II

#### INFORMATION TO BE COMMUNICATED TO A PURCHASER

**3.** In the course of a cannabis sale, the Société québécoise du cannabis must provide a purchaser with a document that contains all the information provided for in Schedule II.

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

### SCHEDULE I

(Section 1)

#### TRAINING ON THE RETAIL SALE OF CANNABIS

##### Training guidelines

1. Adopt a balanced approach to avoid both trivializing and dramatizing the use of cannabis and its consequences.

2. Focus on the importance of communicating accurate information based on scientific facts, in particular with respect to the information communicated to purchasers regarding the effects of the products.

3. Promote the identification of reliable sources of information regarding cannabis and focus on the importance for both the sales employee and the purchaser to take a critical look at certain other sources of information, in particular those from the cannabis industry.

4. Position the role of cannabis sales employees on providing advice and support to purchasers so they can make informed choices, while also explaining the risks of such products, and making recommendations to reduce them.

5. Advocate, as much as possible, in the context of the sale, the occasional use of cannabis and the use of products with low concentrations of tetrahydrocannabinol (THC) that contain cannabidiol (CBD).

6. Clearly specify that individuals who want to use cannabis for therapeutic purposes or who ask for advice on health problems or the possible interaction between cannabis and their medication must be referred to a health professional.

7. Ensure that cannabis sales employees fully understand the legislative framework regarding cannabis, in particular regarding the refusal to sell to a minor or to a person of full age who is purchasing for a minor.

#### Training components

##### — Introduction to cannabis botany

A- Components and constituents of the plant;

B- Where cannabis comes from (cultivation and production).

##### — Analysis

A- Testing of cannabinoids and terpenes;

B- Analysis of pesticides and contaminants.

##### — Guidelines to reduce the risks related to cannabis consumption

A- Risk reduction principles;

B- Risks associated with cannabis use.

##### — Cannabis consumers

A- Consumption profile;

B- Portrait of consumers and destigmatization;

C- Approach respecting the mission of the Société québécoise du cannabis.

### —Cannabis pharmacology

- A- Route of administration;
- B- Effects and duration;
- C- Understanding THC and CBD levels (% , mg, etc.).

### —Cannabis products

- A- Different types of cannabis products;
- B- Methods of administration and associated properties.

### —Consumer approach

- A- Interactions and consumer behaviour;
- B- Understanding the needs and requests of consumers;
- C- Helping consumers make informed choices;
- D- Familiarization with labelling and product information;
- E- Warnings;
- F- Cannabis and alcohol;
- G- Cannabis and other substances.

### —Navigating information on cannabis products

- A- Sources of information.

### —Understanding the law

- A- Review of cannabis laws and regulations;
- B- Framework of federal and provincial laws;
- C- Verification of age.

## SCHEDULE II

(Section 3)

### CONSUMER INFORMATION

#### WHAT IS CANNABIS?

Cannabis consumption affects several functions of the body and central nervous system. Natural in origin, cannabis is composed of more than 500 different substances, the main ones being

— tetrahydrocannabinol (THC): a psychoactive substance that causes a “high”;

— cannabidiol (CBD): a non-psychoactive substance that may alleviate certain adverse effects of THC. CBD is also currently being studied for its potential therapeutic uses.

Also worthy of mention is the presence of terpenes, the substances that provide cannabis with its aromatic properties.

All the effects of the various substances contained in cannabis are not yet known. Each person reacts differently and several factors influence the consumption experience: the person’s physical and mental state, the product and quantity consumed, and the context in which it is used.

#### CANNABIS CONSUMPTION - CERTAIN FACTS TO BE AWARE OF

Cannabis consumption has health and safety risks. It remains difficult to predict whether or not an individual will experience significant problems after using cannabis. In short, experts agree that cannabis use is never completely safe.

#### HOW TO USE RESPONSIBLY AND REDUCE HEALTH AND SAFETY RISKS

##### Use cannabis on an occasional basis

Using cannabis regularly (every day or almost every day) increases the risks to your health, performance at work or school, and to your social life. There is a time for everything. Keep in mind that cannabis affects your perception, concentration and coordination.

##### Choose quality products and identify your limits

Try to use natural products with a low THC concentration and that contain CBD. Wait until you feel the effects of the products before considering consuming again. Extremely high THC concentrations may cause effects that are too intense and make you feel unwell (for example: pulse rate increase, anxiety, disorientation).

By choosing the legal market, you will obtain products that are subject to quality controls, whether for THC and CBD concentrations or the presence of pesticides and mould.

##### Go easy with edible products that you prepare and eat

Edible cannabis products are not harmful to your lungs. However, it is difficult to estimate the quantities of absorbed THC and CBD. Also, their effects take longer

to be felt and last longer. Start with a low dose of THC and avoid consuming more within the next 2 to 3 hours, so as to reduce the risks of overdose.

Store edible products in a secure location so that children or household pets will not ingest them by accident.

### **Protect your lungs**

If you smoke, do not hold the cannabis smoke in your lungs. Taking a big puff and keeping it in as long as possible does not increase your “high”, it will only extend the time your lungs are exposed to the toxic substances.

It is possible to vaporize certain forms of cannabis. Although it is not without risk, it produces less toxic substances and odours since the cannabis is heated and not burned.

### **Be considerate toward your family and loved ones**

Do not expose them to second-hand cannabis smoke.

### **Do not drive or operate machinery after using cannabis**

Identify a solution to return home: designate a sober driver, call a cab or use public transportation when you choose to use cannabis.

Even if you try to be careful, cannabis increases your reaction time and reduces your attention span. You run the risk of being involved in an accident, moreover, the risk is multiplied if you use alcohol at the same time.

### **Be wary of mixing**

Mixing cannabis with alcohol increases the effects of either substance, to the point of making you sick, dizzy or vomit.

Mixing cannabis with tobacco should also be avoided. It can multiply the effects and have greater consequences on your health, not to mention that tobacco is a highly addictive product.

Cannabis and medication? There could be interactions with any medication you are taking. Talk to a health professional, such as your pharmacist, to find out more.

### **SHOULD YOU REFRAIN FROM USING CANNABIS?**

If you are an adolescent or a young adult, you should put off your first use of cannabis for as long as possible. The younger you start using cannabis, especially before the age of 16, the greater the risks.

If you or a member of your immediate family has a history of psychosis or addiction, you should reconsider using. The risk of having problems associated with cannabis is much higher.

If you are pregnant or breastfeeding, you should avoid using during that period. The substances contained in cannabis pass through the placenta and breast milk. Using cannabis can adversely affect infant development.

### **MORE ABOUT CERTAIN HEALTH AND SAFETY RISKS**

**Cognitive functions:** Regular cannabis use reduces short-term memory, attention span, concentration and the ability to organize, integrate and process complex information.

**Accidents and injuries:** Cannabis affects the functions necessary to drive a motor vehicle and operate machinery. It increases reaction time and reduces attention span, the ability to maintain a trajectory and vigilance. The impairment caused by cannabis doubles the risk of road accidents.

**Respiratory system:** Regular cannabis smokers cough more and have more secretions and symptoms of chronic bronchitis. Cannabis smoke is harmful and contains more tar than tobacco smoke.

**Prenatal exposure:** Using cannabis during pregnancy could cause the child to experience certain developmental delays.

**Mental health problems:** Regular use of cannabis may affect mental health. It may trigger schizophrenia prematurely or other psychoses in individuals with a personal or family history of mental health problems.

**Addiction:** Cannabis addiction affects approximately 1 out of 10 users. Daily consumption increases the risk to 1 out of 4 persons, and sometimes even 1 out of 2 persons.

### **MEASURES FOR REGULATION OF CANNABIS**

To know more about the measures regulating cannabis in Québec, including possession, cultivation and consumption, as well as measures related to highway safety, visit [encadrementcannabis.gouv.qc.ca](http://encadrementcannabis.gouv.qc.ca).

Also make sure you fully understand the rules that apply in the provinces, territories and municipalities you travel to.

It is not permitted to enter or leave the country with cannabis. Be vigilant, even the simple smell of cannabis could cause you problems when going through customs.

## FOR FURTHER INFORMATION OR ASSISTANCE

For further information on cannabis, please visit [www.encadrementcannabis.gouv.qc.ca](http://www.encadrementcannabis.gouv.qc.ca).

If you experience a health problem after using cannabis or need advice or references, please contact Info-Santé (free and confidential telephone consultation service) at 8-1-1.

### *To reduce or stop cannabis use*

Cannabis users may wish to ease off or quit. Some people may feel the need for professional help. Here are the services available:

—Telephone service: Drugs: Help and Referral (available at all times, free, anonymous and confidential) at 1 800 265-2626.

—Telephone service: Info-Social (available at all times, free, anonymous and confidential) at 8-1-1.

—Integrated Health and Social Services Centres: Those centres provide, in every region, free services for individuals who want to reduce or stop using cannabis. Contact your CLSC or visit [sante.gouv.qc.ca/repertoire-ressources/clsc/](http://sante.gouv.qc.ca/repertoire-ressources/clsc/).

—Community or private resources offering addiction lodging: To find a resource, consult the directory of resources at [www.msss.gouv.qc.ca/repertoires/dependances/](http://www.msss.gouv.qc.ca/repertoires/dependances/).

103786

## Draft Regulations

### Draft Regulation

Animal Welfare and Safety Act  
(chapter B-3.1)

#### Animal welfare and safety and designation of other animals governed by the Act

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting animal welfare and safety and the designation of other animals governed by the Animal Welfare and Safety Act, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The main purpose of the draft Regulation is to determine the classes of permits and the conditions and restrictions attached to their issue and renewal. It also determines the health, safety and welfare standards related to the custody of animals and designates other animals that are governed by the Animal Welfare and Safety Act (chapter B-3.1).

The draft Regulation replaces the Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1) currently in force.

To date, the overall economic impact on the 1,180 enterprises concerned, taking into account the least conservative scenarios, is in the order of \$3,300,000 for the first year and \$301,000 for subsequent years.

Further information may be obtained by contacting Julie Nolin, Direction des stratégies d'inspection et de la réglementation, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, 200, chemin Sainte-Foy, 11<sup>e</sup> étage, Québec (Québec) G1R 4X6; telephone: 418 380-2100, extension 3245; fax: 418 380-2169; email: julie.nolin@mapaq.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Christine Barthe, Assistant Deputy Minister, Sous-ministériat à la santé animale et à l'inspection des aliments, 200, chemin Sainte-Foy, 12<sup>e</sup> étage, Québec (Québec) G1R 4X6.

ANDRÉ LAMONTAGNE,  
*Minister of Agriculture, Fisheries and Food*

### Regulation respecting animal welfare and safety and the designation of other animals governed by the Animal Welfare and Safety Act

Animal Welfare and Safety Act  
(chapter B-3.1, s. 64)

#### CHAPTER I DESIGNATION OF OTHER ANIMALS GOVERNED BY THE ANIMAL WELFARE AND SAFETY ACT

**1.** For the purposes of the Animal Welfare and Safety Act (chapter B-3.1), “animal”, as defined in paragraph 1 of section 1 of the Act, also means an animal of the species designated in Schedule 1.

#### CHAPTER II SCOPE

**2.** Chapters IV and V apply to

(1) the owner or custodian of 5 or more cats or dogs, aged 6 months or more that are kept on the same premises;

(2) the owner or custodian of 15 or more equines;

(3) the owner or custodian of red foxes, arctic foxes and American mink kept in captivity for breeding purposes with a view to dealing in fur;

(4) the operator of premises where cats, dogs or equines are taken in with a view to transferring them to a new place of custody, euthanizing them or having them euthanized by a third person;

(5) the owner or custodian, for commercial, scientific research or teaching purposes, of a cat, a dog, a guinea pig, an equine, a ferret or a rabbit.

Division I of Chapter IV also applies to every owner or custodian of a cat, a dog, a guinea pig, an equine, a ferret or a rabbit as companion animal.

Sections 44, 47, 53 to 55 and 57 to 62 apply to every owner or custodian of a cat or dog.

Sections 64 to 66 apply to every owner or custodian of an equine.

**3.** Despite section 2, Chapters IV and V do not apply in the case of agricultural, veterinary medicine, teaching or scientific research activities carried on in accordance with generally recognized rules.

### CHAPTER III PERMITS

#### DIVISION I EXEMPTIONS

**4.** The following persons are exempted from the requirement to hold a permit referred to in section 16 or 17 of the Animal Welfare and Safety Act (chapter B-3.1):

- (1) a veterinary surgeon in the performance of duties;
- (2) the operator of a transportation enterprise, for the duration of the transportation;
- (3) an owner or custodian holding a Certificate of Good Animal Practice issued by the Canadian Council of Animal Care with respect to the use of animals for research or teaching;
- (4) the operator of premises certified by ANIMA-Québec;
- (5) a person having temporary custody of animals for an animal show or competition.

**5.** The owner or custodian of 15 or more equines is exempted from the requirement to hold the permit referred to in section 17 of the Animal Welfare and Safety Act (chapter B-3.1) where the owner or custodian

- (1) holds a permit of the “premises where equines are taken in” class referred to in paragraph 2 of section 11; and
- (2) holds a certificate issued by an organization in the equine field that meets the requirements provided for in the Code of Practice for the Care and Handling of Equines of the National Farm Animal Care Council.

**6.** The following persons are exempted from the requirement to hold the permit referred to in section 18 of the Animal Welfare and Safety Act (chapter B-3.1):

- (1) the holder of an aquaculture licence or a fishing pond licence referred to in section 4 of the Act respecting commercial aquaculture (chapter A-20.2);
- (2) a person who breeds an animal of a species identified in Schedule 2.

**7.** A person who holds a certificate issued by an organization in the equine field that guarantees that the person meets the requirements provided for in the Code of Practice for the Care and Handling of Equines of the

National Farm Animal Care Council is exempted from the requirement to hold the permit referred to in section 19 of the Animal Welfare and Safety Act (chapter B-3.1).

**8.** The operator of a pet shop that does not keep or offer for sale a cat, dog, guinea pig, ferret or rabbit is exempted from the requirement to hold the permit referred to in section 20 of the Animal Welfare and Safety Act (chapter B-3.1).

#### DIVISION II CLASSES OF PERMITS

**9.** The permit as owner or custodian of 15 or more cats or dogs, required under section 16 of the Animal Welfare and Safety Act (chapter B-3.1), includes the following classes:

- (1) owner or custodian of 15 to 49 cats or dogs;
- (2) owner or custodian of 50 or more cats or dogs.

**10.** The permit for breeding red foxes, American mink or any other animal or fish, required under section 18 of the Animal Welfare and Safety Act (chapter B-3.1), includes the following classes:

- (1) breeding red foxes, arctic foxes or American mink with a view to dealing in fur;
- (2) breeding an animal or fish for dealing in fur or in meat or other food products.

**11.** The permit for operating premises where cats, dogs or equines are taken in with a view to transferring them to a new place of custody, euthanizing them or having them euthanized by a third person, required under section 19 of the Animal Welfare and Safety Act (chapter B-3.1), includes the following classes:

- (1) premises where cats or dogs are taken in;
- (2) premises where equines are taken in.

#### DIVISION III ISSUE AND RENEWAL

**12.** A permit required under any of sections 16 to 20 of the Animal Welfare and Safety Act (chapter B-3.1) is issued on the following conditions:

- (1) the applicant sends to the Minister an application in writing;
- (2) the applicant pays the costs and fees payable to the Minister of Finance;
- (3) the applicant attaches to the application the complete documents required under section 17.

**13.** The application must contain

(1) the name, address and contact information of the applicant and, in the case of a legal person, partnership or association, those of the duly mandated director or associate duly mandated to file the application;

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

(3) the address of each premises where an animal is kept;

(4) the class of permit sought;

(5) a description of the activities involving animals that are carried out on each premises; and

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

The application must, in particular by signing, confirm the identity of the applicant, that of the applicant's representative or, in the case of a legal person, a partnership or an association, that of the director or associate duly mandated to file the application.

**14.** In the case of a permit of the "breeding of red foxes, arctic foxes or American mink with a view to dealing in fur" class, the application must also indicate the number of animals of breeding age.

**15.** In the case of the permits required under sections 16 and 17 of the Animal Welfare and Safety Act (chapter B-3.1), the application must also indicate the number of animals, by species, by place of custody and by room, of which the applicant is the owner or custodian and an estimate of the number of animals the applicant plans to own or have in custody.

Kittens and puppies less than 6 months old and equines less than 12 months old kept on the same premises as their mothers are excluded from the number.

**16.** In the case of the permits required under sections 18 to 20 of the Animal Welfare and Safety Act (chapter B-3.1), the application must also indicate the capacity, by species, of the place of custody.

**17.** The following documents must be attached to the application:

(1) a euthanasia protocol or an attestation that euthanasia will be carried out by a veterinary surgeon or under the immediate supervision of a veterinary surgeon;

(2) an attestation from the applicant that the place of custody and equipment comply with each of the requirements provided for in sections 26, 33 to 37, 40, 42 to 47 and, where applicable, that they comply with sections 48, 49, 54, 59, 60, 64, 65, 68, 69 and 71;

(3) an attestation from the applicant indicating whether the applicant was found guilty, in the last 5 years, of a criminal or penal offence in relation to the treatment of animals or the illegal possession of animals for which the applicant has not been pardoned;

(4) the written consent of the applicant authorizing the Minister to obtain from third persons personal information allowing to verify whether the applicant was found guilty, in the last 5 years, of a criminal or penal offence in relation to the treatment of animals or the illegal possession of animals.

**18.** A permit is renewed on the following conditions:

(1) its holder applies for the renewal in writing to the Minister before the expiry date of the permit;

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

(3) the applicant indicates in the application any change to the information or documents provided with the application for the issue or the last application for renewal, and the changes made known to the Minister in accordance with section 19 or the applicant certifies the accuracy of the information or documents;

The application must, in particular by signing, confirm the identity of the applicant, that of the representative or, in the case of a legal person, partnership or association, that of the director or associate duly mandated to file the application.

**19.** Any change concerning any of the information or documents required for the application for the issue or renewal of a permit must be made known to the Minister in writing within 15 days following the change.

The first paragraph does not apply to the information referred to in subparagraph 6 of the first paragraph of section 13 and the information referred to in sections 14 and 15.

#### DIVISION IV FEES AND COSTS

**20.** The cost for opening a file is set at \$126 for each application for the issue of a permit.

The fees payable for the issue or renewal of a permit are set at

(1) \$118, for a permit of the "owner or custodian of 15 to 49 cats or dogs" class provided for in paragraph 1 of section 9;

(2) \$265, for a permit of the “custodian of 50 or more cats or dogs” class provided for in paragraph 2 of section 9;

(3) \$265, for each class of breeding permit provided for in section 10;

(4) \$265, for each class of permit for operating premises where cats, dogs or equines are taken in provided for in section 11; the fees are reduced to \$117 where the applicant is a non-profit legal person;

(5) \$118, for the permit required under section 17 of the Animal Welfare and Safety Act (chapter B-3.1);

(6) \$265, for the pet shop permit required under section 20 of the Animal Welfare and Safety Act (chapter B-3.1).

The costs for opening a file and the fees are not refundable.

**21.** The fees and costs payable are adjusted on 1 April of each year by a rate corresponding to the annual change in the All-Items Consumer Price Index for Canada for the 12-month period ending on 30 September of the preceding year. The change is calculated on the basis of the ratio between the index for the period mentioned before and the index for the period preceding the latter period. The index for a period is the average of the monthly indexes published by Statistics Canada.

The adjusted amount is reduced to the nearest dollar if it includes a fraction of a dollar less than \$0.50; it is increased to the nearest dollar if it includes a fraction of a dollar equal to or greater than \$0.50. The application of the rounding rule may not decrease the amount below its pre-adjustment level.

Where the adjusted amount cannot be rounded up to the nearest dollar, the amounts of the annual adjustments are deferred and accumulated until the fees payable include a decimal of \$0.50 or more.

The Minister publishes the result of the adjustment made under this section in Part 1 of the *Gazette officielle du Québec* and by any other means the Minister considers appropriate.

## CHAPTER IV GENERAL CUSTODY AND CARE STANDARDS

### DIVISION I HEALTH, SAFETY AND WELFARE

**22.** Food and water to which an animal has access must be clean, fresh and free of contaminants.

**23.** It is prohibited to keep mostly outdoors an animal whose morphology, coat, age, health and adaptation level to heat or cold do not adequately protect the animal from the weather conditions to which it is exposed.

Where an animal’s adaptation level to heat or cold is unknown, a gradual acclimatization period to being kept outdoors must be planned.

**24.** An animal must be groomed and have its claws, hooves or teeth kept at a normal length and form to avoid disease, difficulty eating, discomfort, injury or poor posture or gait.

**25.** An animal must have access at all times to an area that is dry, clean, full, comfortable and sufficiently large to allow the animal to lie on its side with its legs fully extended.

The area must provide shelter from the elements that may stress the animal or harm its health, including bad weather, sun, drafts, loud noise and harmful gases.

**26.** Animals with parasites or symptoms of disease must be separated from other animals to prevent contagion.

Animals of unknown state of health must be quarantined.

The confinement equipment used during isolation or quarantine must be cleaned daily and disinfected at the same frequency in the presence of animals that are sick or have parasites.

**27.** Animals must exercise, in keeping with their biological needs.

**28.** Before giving birth, females must be separated from other animals in a calm location suitable for birthing.

Separate custody must be maintained for 4 weeks following birthing in a location where mothers may have free access to the litter or, if necessary, be able to isolate themselves from their litter.

**29.** The following animals must be kept separate:

(1) incompatible animals;

(2) aggressive animals;

(3) except for the mating period, females in heat and non-castrated males of breeding age.

**30.** Animals must be euthanized in a place separate from the place where other animals are kept.



**31.** An animal's carcass must be removed without delay from the immediate environment of other animals.

## **DIVISION II** **PLACE OF CUSTODY**

**32.** The place of custody and the immediate environment of animals must be clean and free of waste, products, objects or materials that pose a threat to the safety or welfare of the animals.

Feces, urine and soiled material must be removed daily from indoor areas and regularly from outdoor areas to avoid their accumulation.

**33.** The inside of the premises must be ventilated to prevent the concentration of contaminants.

**34.** The indoor temperature and humidity rate of the premises must be maintained at a level meeting the biological needs of the animals on the premises.

**35.** The inside of the premises must be lighted to meet the biological needs of the animals and facilitate their inspection and that of the premises and equipment.

**36.** In addition to the provisions of section 5 of the Animal Welfare and Safety Act (chapter B-3.1), the premises must

(1) be made of durable, non-toxic, solid and stable materials;

(2) protect the animals from the adverse effects of the weather, in particular those from the wind, rain and intense heat or cold;

(3) prevent animals from escaping;

(4) prevent the intrusion of any other animal likely to harm the animals.

**37.** Floors and the lower portions of walls with which an animal may come into contact must

(1) be made of durable, non-porous, non-toxic, smooth materials that can be washed and disinfected easily;

(2) be free of mould and corrosion;

(3) be in good condition and free of holes other than those for urine drainage, with no parts jutting out and no sharp edges or other potential causes of injury;

(4) allow the drainage or rapid and complete absorption of liquids.

The requirements do not apply to a dwelling house.

**38.** Where the premises include a park, it must comply with section 36.

The park must also

(1) have an enclosed area in good condition, free of parts jutting out and sharp edges or other potential causes of injury;

(2) be large enough to allow a number of animals to run free together;

(3) contain an area large enough to protect the animals from the adverse effects of the weather, in particular those from the wind, rain and intense heat or cold;

(4) have a surface that drains easily.

**39.** An owner or custodian must have a cleaning, disinfection and vermin control protocol and must comply with it.

The protocol must include

(1) the frequency of the cleaning and disinfecting of the premises and the equipment therein;

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

(3) the products used for the cleaning and disinfecting, their concentration and the instructions on their use; and

(4) the vermin control procedure to be used.

Every person who has custody of an animal must be able to consult the protocol on the premises.

The requirements do not apply to a dwelling house.

## **DIVISION III** **EQUIPMENT**

**40.** The equipment that may come into contact with an animal must

(1) be appropriate to the physical characteristics of the animal;

(2) be easy to wash and disinfect; and

(3) be made of a non-toxic material.

An animal's water and food container or dispenser must, in addition,

(1) be in good condition, solid, easily accessible and free of potential causes for injury;

(2) be designed and installed to avoid spills and contamination.

**41.** The equipment must be clean and disinfected before being used for a new animal.

**42.** Cleaning and disinfection products must be kept out of reach of animals.

**43.** Confinement equipment, such as a cage, an enclosure or a stall, must be clean and free of waste, products, objects or materials that pose a threat to the safety or welfare of the animals.

In addition, feces, urine and soiled litter must be removed daily.

**44.** Except when used for transportation, confinement equipment must be sufficiently large for the animal to stand up and sit normally, turn around easily and lie on its side with its legs fully extended.

The equipment must

(1) be made of durable, non-porous, non-toxic, smooth materials that can be washed and disinfected easily;

(2) be free of mould and corrosion;

(3) be solid and stable;

(4) be built and installed to prevent the escape of the animal and any injury or stress inflicted by another animal not kept therein;

(5) be in good condition and free of parts jutting out and sharp edges or other potential causes of injury;

(6) be sufficiently ventilated;

(7) have a wall with an opening large enough through which the animal can easily see outside and can easily be observed;

(8) prevent the intrusion of any other animal likely to harm the animal.

**45.** The floor of the confinement equipment must be flat, have a non-slip surface and be rigid enough for the animal to stand up without sagging. It may have a slope that does not exceed 4%.

The floor must be designed so that the animal cannot pass through it or its legs get stuck in it.

**46.** Confinement equipment must be installed so that there is no contamination between equipment.

**47.** A restraint such as a chain or a rope that is used to attach an animal outdoors must

(1) not be liable to get stuck or shortened;

(2) not cause discomfort for the animal;

(3) allow the animal to move about freely and safely; and

(4) allow the animal to reach its food and water.

## CHAPTER V SPECIAL CUSTODY AND CARE STANDARDS

### DIVISION I PREMISES WHERE CATS, DOGS OR EQUINES ARE TAKEN IN WITH A VIEW TO TRANSFERRING THEM TO A NEW PLACE OF CUSTODY, EUTHANIZING THEM OR HAVING THEM EUTHANIZED BY A THIRD PERSON

**48.** Not more than 20 cats may be kept in a community in the same room of the place of custody.

The room must offer each cat a minimum accessible area of 1.7 square metres.

**49.** The isolation of cats, dogs or equines when they are sick or have parasites, or their quarantine when their state of health is unknown, must be carried out by removing them

(1) to a room specifically reserved for that purpose, in the case of cats and dogs;

(2) to a facility specifically reserved for that purpose, in the case of equines.

The room reserved for isolating cats or dogs must be separate from the room reserved for putting them in quarantine.

**50.** The equipment used to keep and take care of animals isolated or quarantined must be installed so as to avoid direct contact between animals and reduce the risk of contamination. It must be cleaned and disinfected before being used for a new animal and each day in the presence of animals that are sick or have parasites.

**51.** Traffic of persons between the isolation site or the quarantine site and other sections of the place of custody must be limited to prevent the spread of disease or parasites.

Traffic must start from the site where healthier animals or animals that are more vulnerable to diseases are kept to the site where animals more likely to be sick are kept.

**52.** The operator of a place of custody must file with the Minister, not later than 31 March of each year, using the form available on the website of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, a report on its operations for the preceding calendar year setting out

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

(2) the number of animals that were returned to their owners;

(3) the number of animals that were adopted or transferred;

(4) out of the number of animals returned, adopted or transferred, the number of animals that, during the year in the custody of the operator, were respectively vaccinated, dewormed, identified with a permanent mark, and the number of males and females that have been sterilized;

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

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

(7) the minimum, maximum and average time during which animals were kept, in number of days.

## **DIVISION II** **CUSTODY OF CATS AND DOGS**

**53.** Cats that are kept mostly indoors must have access at all times to a litter box that

(1) is made of a non-toxic material that can be washed and disinfected easily;

(2) is in good condition, free of parts jutting out and sharp edges or other potential causes of injury; and

(3) contains enough litter to avoid bad odors.

The soiled material must be removed daily.

**54.** Dogs kept mostly outdoors must have access at all times to a shelter that

(1) is solid and stable;

(2) is installed to protect them from bad weather;

(3) is in good condition, free of parts jutting out and sharp edges or other potential causes of injury;

(4) is made of durable, non-toxic materials;

(5) is free of mould and corrosion;

(6) has a waterproof roof and walls and a raised floor; and

(7) is sufficiently isolated and is large enough for the size of the dog so that it can turn around and easily keep warm using its body temperature.

Dogs must have access to a shaded area outside of their shelter.

**55.** Feces, urine and soiled material must be removed daily from a shelter or a park.

**56.** For the purposes of section 27, exercise must follow a protocol established by the owner or custodian of the animal. The protocol must be easily available for consultation in the place of custody.

The first paragraph does not apply to a cat or dog that is kept at liberty in a dwelling house or in a grooming salon or veterinary establishment to receive care.

**57.** In addition to the requirements provided for in section 28, a female must, before giving birth, be placed in a cage or an enclosure and kept there for 4 weeks after the birth of the litter. The cage or enclosure must have the following characteristics:

(1) a portion of the floor accessible to litter is full;

(2) the walls are designed or appropriate to prevent kittens or puppies from escaping or from causing themselves harm.

Litters may not be separated from their mother before the age of 8 weeks, and mothers must be able to isolate themselves from their litter if they wish.

**58.** Kittens and puppies must be kept at a temperature suitable for their biological needs and the source of heat used to warm them must not be liable to cause them injury.

**59.** For the purposes of subparagraph 7 of the second paragraph of section 44, the opening of the wall of the confinement equipment must cover most of its surface.

**60.** In addition to the requirements provided for in section 45, the floor of the confinement equipment must, if it is made of wire mesh or trellis, be coated with synthetic material, such as plastic.

**61.** The collar of a cat or dog must not hamper its breathing, or cause it pain or injury.

**62.** A muzzled dog or cat must not be left unattended.

**63.** The owner or custodian must, for each animal, enter in a register

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

(2) an indication that the animal has been sterilized;

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

(4) if the animal was not born with its current owner or custodian, the reason and date of its arrival and the name and contact information of its previous owner or custodian, along with the permit number issued to the previous owner or custodian by the Minister under the Animal Welfare and Safety Act (chapter B-3.1);

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

(6) the date of the animal's death or of its final departure to a new owner or custodian and the name and contact information of the new owner or custodian in the case of an owner or custodian referred to in subparagraph 1, 4 or 5 of the first paragraph of section 2, along with the permit number issued to the previous owner or custodian by the Minister under the Animal Welfare and Safety Act (chapter B-3.1).

The register must be kept for the entire time of ownership or custody of the animal and for 2 years following its final departure or death.

The requirement to keep a register does not apply to a person who temporarily keeps an animal under a professional services contract, such as grooming, animal board, training or veterinary care.

### DIVISION III CUSTODY OF EQUINES

**64.** In indoor accommodation facilities, an equine must have enough space to lie down in a normal resting posture, stand with its head fully raised, and walk forward and turn around with ease.

In a tie-stall, an equine must, despite section 25, have enough room to lie down in a normal resting posture, stand with its head fully raised and walk forward with ease.

In a free stall, there must be enough room for a dominated equine to escape from any aggression.

**65.** The floors of the stalls and stable aisles must not be slippery.

The lower portion of the walls may, despite subparagraph 1 of the first paragraph of section 37 and subparagraph 1 of the second paragraph of section 44, be made of wood.

**66.** Separate custody provided for in section 28 for a female that is to give birth must continue 2 weeks after the birth of foals.

### DIVISION IV BREEDING OF RED FOXES, ARCTIC FOXES AND AMERICAN MINK

**67.** The second paragraph of section 32, concerning the daily removal of feces and urine, does not apply to the breeding site.

**68.** Sheds must be designed to offer enough space for the staff to move with ease in the sheds.

**69.** Pens must comply with the requirements provided, according to the species, in the Code of Practice for the Care and Handling of Farmed Mink or in the Code of Practice for the Care and Handling of Farmed Fox published by the National Farm Animal Care Council.

**70.** Pens for whelping and for lactation must contain nest boxes large enough to accommodate the mother and litter.

**71.** A pen housing a number of mink must be equipped with a hammock, a shelf, a platform or a nest box.

**72.** Foxes or mink introduced or reintroduced in the herd must first be placed in quarantine.

**73.** The isolation of foxes or mink when they are sick or have parasites, or the quarantine when their state of health is unknown or before being introduced or reintroduced in the herd, must take place in an area reserved for that purpose and situated away from the main herd.

**74.** The second paragraph of section 51 applies to the traffic of persons in the breeding site.

## CHAPTER VI TRANSITIONAL, AMENDING AND FINAL

**75.** The pending applications for the issue or renewal of permits made under the Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1) are governed by this Regulation.

In the case of a permit for an owner or custodian of 15 to 49 cats or dogs provided for in section 1.1 of the Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1), the application for the renewal of the permit is governed as if it were an application for issue, except for the payment of the costs for opening a file.

In the case of a permit required under section 19 of the Animal Welfare and Safety Act (chapter B-3.1), the permit may be renewed in the class, from among those provided for in section 9, indicated by the applicant in the application.

**76.** The holder of a permit referred to in section 16 of the Animal Welfare and Safety Act (chapter B-3.1) who, at the time of coming into force of section 20 of the Animal Welfare and Safety Act (chapter B-3.1), operates a pet shop, is exempted, until the expiry or cancellation of the permit, from the requirement to hold the permit provided for in section 20 of the Animal Welfare and Safety Act (chapter B-3.1) provided that the holder files with the Minister, before the expiry date of the permit, an application for a pet shop permit.

**77.** The Regulation respecting the safety and welfare of cats and dogs (chapter P-42, r. 10.1) is revoked.

**78.** This Regulation comes into force 12 months after the date of its publication in the *Gazette officielle du Québec*, on (insert the date that occurs 12 months after the date of publication of the Regulation).

### SCHEDULE 1 (Section 1)

#### DESIGNATION OF OTHER ANIMALS COVERED BY THE ANIMAL WELFARE AND SAFETY ACT

**1.** Animals or fish within the meaning of the Act respecting the conservation and development of wildlife (chapter C-61.1) kept in captivity for breeding purposes with a view to dealing in fur or in meat or other food products:

(1) Mammals:

(a) the American bison (*Bison bison*);

(b) the water buffalo (*Bubalus bubalis*);

(c) the red deer or elk (*Cervus elaphus*);

(d) the sika deer (*Cervus nippon*);

(e) the white-tailed deer (*Odocoileus virginianus*);

(f) the fallow deer (*Dama dama*);

(g) the Barbary sheep (*Ammotragus lervia*);

(h) the sheep (*Ovis* spp.);

(i) the Arctic fox (*Vulpes lagopus*);

(j) the wild boar (*Sus scrofa*);

(k) the Himalayan tahr (*Hemitragus jemlahicus*);

(l) the yak (*Bos grunniens*).

(2) Birds:

(a) the ostrich (*Struthio camelus*);

(b) the mallard duck (*Anas platyrhynchos*);

(c) the Muscovy duck (*Cairina moschata*);

(d) the quail (*Coturnix coturnix*);

(e) the Japanese quail (*Coturnix japonica*);

(f) the bobwhite quail (*Colinus virginianus*);

(g) the capercaillie (*Tetrao urogallus*);

(h) the wild turkey (*Meleagris gallopavo*);

(i) the emu (*Dromaius novaehollandiae*);

(j) pheasants (*Phasianus* spp.);

(k) francolins (*Francolinus* spp.);

(l) the greater rhea (*Rhea americana*);

(m) the swan goose (*Anser cygnoides*);

(n) the greylag goose (*Anser anser*);

(o) partridges (*Alectoris* spp.);

(p) the rock dove (*Columba livia*);

- (q) the helmeted guineafowl (*Numida meleagris*).
- (3) Fish:
- (a) the Arctic char (*Salvelinus alpinus*);
- (b) the brook trout (*Salvelinus fontinalis*);
- (c) the splake (*Salvelinus fontinalis* X *Salvelinus namaycush*);
- (d) the Atlantic salmon or landlocked salmon (*Salmo salar*);
- (e) the lake trout (*Salvelinus namaycush*);
- (f) the rainbow trout (*Oncorhynchus mykiss*);
- (g) the brown trout (*Salmo trutta*).
- (4) Invertebrates:
- (a) the American lobster (*Homarus americanus*).

**2.** Other animals not covered by the Act respecting the conservation and development of wildlife (chapter C-61.1):

- (a) the honey bee (*Apis mellifera*).

**SCHEDULE 2**  
(Section 6)

ANIMALS THAT MAY BE BRED BY A PERSON THAT DOES NOT HOLD THE PERMIT REQUIRED UNDER SECTION 18 OF THE ANIMAL WELFARE AND SAFETY ACT

- (1) Mammals:
- (a) the American bison (*Bison bison*);
- (b) the water buffalo (*Bubalus bubalis*);
- (c) the red deer or elk (*Cervus elaphus*);
- (d) the sika deer (*Cervus nippon*);
- (e) the white-tailed deer (*Odocoileus virginianus*);
- (f) the fallow deer (*Dama dama*);
- (g) the Barbary sheep (*Ammotragus lervia*);
- (h) the sheep (*Ovis* spp.);

- (i) the wild boar (*Sus scrofa*);
- (j) the Himalayan tahr (*Hemitragus jemlahicus*);
- (k) the yak (*Bos grunniens*).
- (2) Birds:
- (a) the ostrich (*Struthio camelus*);
- (b) the mallard duck (*Anas platyrhynchos*);
- (c) the Muscovy duck (*Cairina moschata*);
- (d) the quail (*Coturnix coturnix*);
- (e) the Japanese quail (*Coturnix japonica*);
- (f) the bobwhite quail (*Colinus virginianus*);
- (g) the capercaillie (*Tetrao urogallus*);
- (h) the wild turkey (*Meleagris gallopavo*);
- (i) the emu (*Dromaius novaehollandiae*);
- (j) pheasants (*Phasianus* spp.);
- (k) francolins (*Francolinus* spp.);
- (l) the greater rhea (*Rhea americana*);
- (m) the swan goose (*Anser cygnoides*);
- (n) the greylag goose (*Anser anser*);
- (o) partridges (*Alectoris* spp.);
- (p) the rock dove (*Columba livia*);
- (q) the helmeted guineafowl (*Numida meleagris*).
- (3) Invertebrates:
- (a) the American lobster (*Homarus americanus*).
- (4) Other animals:
- (a) the honey bee (*Apis mellifera*).

## Draft Regulation

Notaries Act  
(chapter N-3)

### Notaries

#### — Digital official signature

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting a notary's digital official signature, made by the board of directors of the Chambre des notaires du Québec and appearing below, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation prescribes the conditions and procedure for authorizing the use, by a notary, of an official signature affixed by means of a technological process and those for revoking such authorization, and determining the technological process that must be used to affix it and the minimal conditions a certification service provider must meet.

The draft Regulation has no impact on the public or on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Nathalie Provost, notary, Affaires juridiques, Services juridiques et relations institutionnelles, Chambre des notaires du Québec, 101-2045, rue Stanley, Montréal (Québec) H3A 2V4; telephone: 1 800 263-1793 or 514 879-1793, extension 5921; email: servicesjuridiques@cnq.org.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Diane Legault, Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order that made the Regulation and to interested persons, departments and bodies.

DIANE LEGAULT,  
*Chair of the Office des  
professions du Québec*

## Regulation respecting a notary's digital official signature

Notaries Act  
(chapter N-3, s. 98, 1st par., subpar. (1))

### DIVISION I PURPOSE

**1.** The purpose of this regulation is to determine, in addition to the provisions under the Act to Establish a Legal Framework for Information Technology (chap-

ter C-1.1), the technological process to be used by a notary to affix his official signature using such means, the conditions and procedure for authorizing the use of an official signature affixed by means of such a technological process, those for revoking such an authorization, and the minimal conditions a certification service provider must meet.

### DIVISION II TECHNOLOGICAL PROCESS

**2.** The technological process by means of which a notary may affix his official signature is an asymmetric cryptographic system supported by a public-key infrastructure. It is his digital official signature.

### DIVISION III AUTHORIZATION TO USE AND REVOCATION

#### §1. *Authorization to use*

**3.** The secretary of the Order authorizes the notary who makes an application to that effect, using the document established by the Order, to use a digital official signature.

To obtain this authorization, the notary must have his identity verified by another notary and must attach, to his application, the attestation of this verification using the document established by the Order.

In his application, the notary must undertake:

- (1) to use his digital official signature only in the practice of his profession;
- (2) not to allow the use thereof by a third person;
- (3) to ensure the security and the confidentiality of every password or secret element related to his digital official signature.

Furthermore, if he becomes aware that the security or the confidentiality of any password or secret element related to his digital official signature has been compromised or if he has reasonable grounds to believe so, he undertakes to immediately notify thereof:

- (1) the secretary of the Order;
- (2) the certification service provider;
- (3) any person who may have received a document bearing his digital official signature while, in fact, it was affixed by a third person.

The notary must pay the fees relating to his application for an authorization.

## §2. Revocation of the authorization

**4.** The secretary of the Order must revoke the authorization given to the notary in each of the following cases:

- (1) on the written application of the notary;
- (2) the notary has been removed from the roll of the Order;
- (3) the notary fails to fulfil one of the undertakings provided under section 3;
- (4) any other situation where he is informed that the confidentiality or the security of the password or of the secret elements related to the digital official signature has been compromised;
- (5) on the written application of the certification service provider, when the notary fails to pay the fees relating to the use of his digital official signature.

The secretary of the Order must inform the notary and the certification service provider of the revocation.

## DIVISION IV CERTIFICATION SERVICE PROVIDER

**5.** Only a certification service provider that has been authorized by the Order and has entered into an agreement with the Order may issue a digital official signature to a notary.

**6.** The Order authorizes a certification service provider that makes an application to that effect and that meets the following minimal conditions:

- (1) it has a certification policy that complies with RFC 3647 and RFC 3280 documents developed by the Internet Engineering Task Force and that includes a procedure for identity verification;
- (2) it issues keys and certificates by means of a public-key infrastructure;
- (3) it has a certificate directory that meets the International Telecommunication Union (ITU) Recommendation X.500;
- (4) it issues certificates that comply with the ITU Recommendation X.509;
- (5) it issues keys that consist of a unique and indissociable pair of keys, one public and the other private, which allow the signing of technology-based documents and the identification of the signer;

(6) it issues certificates that include at least the following elements:

- a) the distinguishing name of the notary combined with a unique code;
- b) a mention to the effect that he is a notary;

(7) it enters the signature certificates into a directory held on a media based on information technology and keeps it up-to-date. This directory must include, notably, the serial numbers of the signature certificates that are valid, suspended, cancelled, or archived.

References to a standard provided under subparagraphs 1°, 3°, and 5° of the first paragraph refer to the most recent edition published by the body and include all subsequent amendments made thereto.

**7.** The certification service provider must make sure that the notary has the authorization of the secretary of the Order before it issues his digital official signature to him.

**8.** When the certification service provider is informed or determines that the security or the confidentiality of the password or secret elements related to a notary's digital official signature may be compromised, it must notify the secretary of the Order and the notary to that effect.

The certification service provider must make sure that the secretary of the Order has revoked a notary's authorization before it revokes his digital official signature.

## DIVISION V TRANSITIONAL AND FINAL PROVISIONS

**9.** The personal code or mark assigned to a notary by the secretary of the Order before (*enter the date of the coming into force of this regulation*) is his digital official signature and the notary may use it, subject to a written undertaking on his part in compliance with the one provided under section 3, if the certification service provider that issued it meets the conditions provided under sections 5 and 6.

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

103788



## Notices

### Notice

An Act respecting transport infrastructure partnerships  
(chapter P-9.001)

#### **P-10942 Bridge of Highway 30 that spans the St. Lawrence River — Fee schedule**

In compliance with section 5 of the Regulation respecting toll road infrastructures operated under a public-private partnership agreement, Nouvelle Autoroute 30, s.e.n.c. (“A30 EXPRESS”) publishes its Fee Schedule. The following tables constitute the Fee Schedule that will be effective as of February 1<sup>st</sup>, 2019 on the P-10942 Bridge of Highway 30 that spans the St. Lawrence River. Any modification to the Fee Schedule will be subjected to a new publication in the *Gazette officielle du Québec*.

TOLL CHARGES																
PERIODS	WORKING DAYS								WEEK-ENDS & HOLIDAYS							
	PHAM		OPHD		PHPM		OPHN		PHAM		OPHD		PHPM		OPHN	
HOURS	From	To	From	To	From	To	From	To	From	To	From	To	From	To	From	To
<b>EASTBOUND</b>	6:01 AM	9:00 AM	9:01 AM	3:30 PM	3:31 PM	6:30 PM	6:31 PM	6:00 AM			12:00 AM	12:00 PM			12:00 AM	12:00 PM
<b>WESTBOUND</b>	6:01 AM	9:00 AM	9:01 AM	3:30 PM	3:31 PM	6:30 PM	6:31 PM	6:00 AM			12:00 AM	12:00 PM			12:00 AM	12:00 PM
<b>Category A, Classes 1 to 5, rate per axle</b>	\$ 2.30		\$ 2.30		\$ 2.30		\$ 2.30				\$ 2.30				\$ 2.30	
<b>Category A, Classes 6 and 7, rate per axle</b>	\$ 80.00		\$ 80.00		\$ 80.00		\$ 80.00				\$ 80.00				\$ 80.00	
<b>Category B, rate per axle</b>	\$ 1.55		\$ 1.55		\$ 1.55		\$ 1.55				\$ 1.55				\$ 1.55	
<b>Category C, rate per axle</b>	\$ 2.30		\$ 2.30		\$ 2.30		\$ 2.30				\$ 2.30				\$ 2.30	
<b>Discount applicable per passage on toll fare for all Category B vehicles equipped with a valid transponder</b>	0.10\$		0.10\$		0.10\$		0.10\$				0.10\$				0.10\$	

**PHAM:** Peak Hour – Morning  
**OPHD:** Off Peak Hour – Daytime  
**PHPM:** Peak Hour – Evening  
**OPHN:** Off Peak Hour – Night

TYPE OF VEHICLE	DESCRIPTION
<b>Category A</b>	Any outsized vehicle within the meaning of section 462 of the Highway Safety Code
<b>Category B</b>	Any road vehicle not covered by Class A and measuring less than 230 cm
<b>Category C</b>	Any road vehicle not covered by Class A and measuring 230 cm or higher

ADMINISTRATIVE FEES				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
<b>MONTHLY ADMINISTRATIVE FEES FOR A CUSTOMER ACCOUNT</b>				
•	Administrative fees for an account, per customer account in good standing, with online statement of account	\$ 0.00	\$ 0.00	\$ 0.00
•	Administrative fees for an account, per customer account in good standing, with statement of account by regular mail	\$ 2.90	\$ 2.90	\$ 2.90
•	Administrative fees, per vehicle, for vehicles referred to in Article 4 of the Regulation respecting toll road infrastructures operated under a public-private partnership agreement (RLRQ, c. P-9.001, r. 3) which are exempted from toll payment	\$ 2.90	\$ 2.90	\$ 2.90

Note: Applicable taxes shall be added to the administrative fees listed in this Fee Schedule, if any.

ADMINISTRATIVE FEES				
	DESCRIPTION	CATEGORY A	CATEGORY B	CATEGORY C
<b>RECOVERY FEES</b>				
•	Fees to recover the toll rate upon default of payment of the toll rate at the toll plaza when crossing the P-10942 Bridge of Highway 30 in the case where an additional period of 48 hours is granted to make the payment	\$ 8.00	\$ 8.00	\$ 8.00
•	Recovery fees per transaction for each payment declined by the financial institution that issued the credit card in the context of the automatic replenishments	\$ 10.00	\$ 10.00	\$ 10.00
•	Recovery fees if the User fails to replenish his customer account and the customer account balance becomes negative after payment of the applicable administrative fees	\$ 5.00	\$ 5.00	\$ 5.00

INTEREST RATE				
	DESCRIPTION	CLASS A	CLASS B	CLASS C
	Interest rate applied to all amounts that remain unpaid 30 days following the date they become due and payable	Annual interest rate of 5% *		

\* This monthly interest rate cannot be higher than the daily rate of Canadian bankers' acceptances appearing on the CDOR page of the Reuters system at 10 AM on the date on which the sum bearing interest first becomes payable, plus 4%, in which case the latter rate applies.

MARC DESSERRIÈRES,  
General Manager of Nouvelle Autoroute 30, s.e.n.c.

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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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