

NATIONAL ASSEMBLY

FIRST SESSION

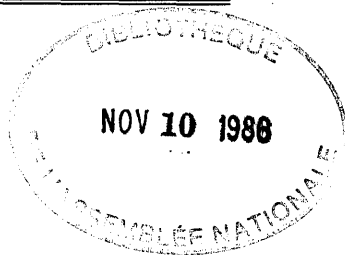
THIRTY-THIRD LEGISLATURE

Bill 117

An Act to again amend the Animal Health Protection Act

Introduction

**Introduced by
Mr Michel Pagé
Minister of Agriculture, Fisheries and Food**



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EXPLANATORY NOTES

The object of this bill is to abolish the Comité de surveillance des étalons and transfer the powers of the committee to the Minister of Agriculture, Fisheries and Food, except regulation-making powers, which are entrusted to the government.

The bill therefore replaces provisions of Division II of the Animal Health Protection Act (R.S.Q., chapter P-42), and provides harmony between that division and Divisions IV.2 to IV.5 of that Act.

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An Act to again amend the Animal Health Protection Act

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The provisions of Division II of the Animal Health Protection Act (R.S.Q., chapter P-42) are replaced by the following sections:

“12. No owner or possessor of a stallion may offer it for use or use it in serving mares belonging to other persons, unless he is the holder of a service permit issued by the Minister for that stallion.

“13. The owner or possessor of a stallion shall submit an application for a permit or for a permit renewal before 1 August of the year preceding the year for which the permit is required except where the date of acquisition or taking possession of the stallion is later than that date.

“14. The permit shall be issued or renewed, in accordance with Division IV.3, after the applicant submits the stallion to an examination conducted by any person authorized by the Minister to act as an examiner for the purposes of this division.

“15. The examination of a stallion shall be conducted according to the criteria and scales prescribed by regulation.

The examiner may require that the applicant submit the stallion to such expert evaluation as he specifies; he may also require any document or information relating to the examination.

“16. The examiner shall prepare an examination report as prescribed by regulation and transmit a copy to the applicant.

“17. An applicant who is not satisfied with the examination may, within fifteen days after the receipt of the examination report, apply to the Minister for a second examination, provided he pays, upon making the application, the fee prescribed by regulation.

The second examination is final.

“18. After examining the examination report and giving the applicant an opportunity to present his views, the Minister shall evaluate, according to the examination criteria and scales, and classify the stallion as prescribed by regulation if it attains the passing score prescribed by regulation.

Upon the transmission of the Minister's ruling on the permit application, the applicant shall be advised of the evaluation and, where such is the case, of the classification of the stallion.

“19. The Minister shall keep a register of permits and enter therein the description and classification of the stallion as well as the name and address of the owner or possessor.

“20. The owner or possessor of a stallion shall, if so required, show his permit at the time of serving.

In any advertising, he shall state the fact that he is a permit holder, give the number of the permit and give the date of birth and class of the stallion.

“21. The Government may, by regulation,

(1) determine the form of a permit application, the information it must contain and the documents that must accompany it;

(2) determine the criteria and scales relating to the examination of stallions;

(3) determine the form of an examination report and the information it must contain;

(4) set the passing score for the purposes of the classification of stallions;

(5) establish classes of stallions and determine the characteristics of each class;

(6) establish conditions for the issue and renewal of a permit as well as the form and cost of a permit;

(7) set the fee payable by a person who requests a second examination;

(8) determine, among the prescriptions of a regulation passed under this section, those the contravention of which is punishable under section 55.44.”

2. Section 55.10 of the said Act, enacted by section 17 of chapter 53 of the statutes of 1986, is amended by inserting, after the word “section” in the sixth line, the figure “12,”.

3. Section 55.27 of the said Act, enacted by section 17 of chapter 53 of the statutes of 1986, is amended by replacing the word “regulation” in the second line of the first paragraph, by the words “this Act and the regulations”.

4. Section 55.29 of the said Act, enacted by section 17 of chapter 53 of the statutes of 1986, is amended by replacing the word “regulation” in the second line of the second paragraph by the words “this Act and the regulations”.

5. Section 55.31 of the said Act, enacted by section 17 of chapter 53 of the statutes of 1986, is amended by replacing paragraph 1 by the following paragraph:

“(1) if the holder does not meet or no longer meets the requirements prescribed by this Act and the regulations for the issue or renewal of the permit, as the case may be;”.

6. Section 55.34 of the said Act, enacted by section 17 of chapter 53 of the statutes of 1986, is repealed.

7. Section 55.35 of the said Act, enacted by section 17 of chapter 53 of the statutes of 1986, is amended by striking out the words “or of the Comité de surveillance des étalons, as the case may be,” in the first and second lines.

8. Section 55.36 of the said Act, enacted by section 17 of chapter 53 of the statutes of 1986, is amended

(1) by striking out the words “or the decision of the Comité de surveillance des étalons, as the case may be” in the fifth and sixth lines of the first paragraph;

(2) by striking out the words “or the committee. Service of the motion upon the committee shall be made at the Minister’s office” in the first, second and third lines of the second paragraph.

9. Section 55.37 of the said Act, enacted by section 17 of chapter 53 of the statutes of 1986, is amended by striking out the words “or the Comité de surveillance des étalons, as the case may be,” in the first and second lines.

10. Section 55.39 of the said Act, enacted by section 17 of chapter 53 of the statutes of 1986, is amended by striking out the words “or the Comité de surveillance des étalons, as the case may be” in the second and third lines.

11. Section 55.40 of the said Act, enacted by section 17 of chapter 53 of the statutes of 1986, is amended by striking out the words “or the decision of the Comité de surveillance des étalons, as the case may be” in the second and third lines.

12. Section 55.44 of the said Act, enacted by section 17 of chapter 53 of the statutes of 1986, is amended by replacing the figures “14, 15, 16” in the first line of the first paragraph by the figure “12”.

13. The provisions of this Act will come into force on the date fixed by the Government.