

NATIONAL ASSEMBLY
Thirty-fourth Legislature, second session

1993, chapter 77
AN ACT TO AMEND THE PESTICIDES ACT

Bill 139

Introduced by Mr Pierre Paradis, Minister of the Environment

Introduced 11 November 1993

Passage in principle 2 December 1993

Passage 14 December 1993

Assented to 17 December 1993

Coming into force: on the date or dates fixed by the Government

Act amended:

Pesticides Act (R.S.Q., chapter P-9.3)



CHAPTER 77

An Act to amend the Pesticides Act

[Assented to 17 December 1993]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. P-9.3,
s. 1, am. **1.** Section 1 of the Pesticides Act (R.S.Q., chapter P-9.3) is amended by replacing the words “medication or vaccine” in the sixth line by the words “vaccine or a medication other than a topical medication for external use on animals”.

c. P-9.3,
s. 28, am. **2.** Section 28 of the said Act is amended by adding the following paragraph:

Scope “It does not apply to the sale, for the purpose of use, of topical medication for external use on animals.”

c. P-9.3,
s. 35, am. **3.** Section 35 of the said Act is amended by adding the following paragraph:

Exception “The exemptions provided for in subparagraphs 2 and 3 of the first paragraph do not apply to work performed by means of an aircraft. The exemption provided for in subparagraph 3 of the first paragraph does not apply to maintenance work on ornamental or decorative plants not intended for sale.”

c. P-9.3,
s. 38, am. **4.** Section 38 of the said Act is amended

(1) by inserting the words “for the carrying out of work” after the word “permit” in the first line of the first paragraph;

(2) by adding, after the first paragraph, the following paragraph:

Sale permit “A sale permit shall be issued to any person who meets the conditions set out in subparagraphs 2 to 8 of the first paragraph.”

c. P-9.3,
s. 39, am. **5.** Section 39 of the said Act is amended

(1) by replacing the words “two-year” in the first line of the first paragraph by the words “three-year”;

(2) by inserting the words “governing the issue of permits, to the extent that they apply to the permit concerned” after the figure “38” in the second line of subparagraph 1 of the first paragraph.

c. P-9.3,
s. 40, am. **6.** Section 40 of the said Act is amended by replacing the word and figure “6 months” in the second line of the first paragraph by the words “one year, for the carrying out of work,”.

c. P-9.3,
s. 46, am. **7.** Section 46 of the said Act is amended by replacing the second paragraph by the following paragraph:

Information “The Minister may require of any permit holder that he transmit to him, within the time and on the conditions fixed, all or part of the information recorded in the registers prescribed under the first paragraph concerning the nature, origin, properties, quantities and destination of the pesticides received, sold or used by the permit holder.”

c. P-9.3,
s. 55, am. **8.** Section 55 of the said Act is amended by replacing the words “three-year” in the first line of the first paragraph by the words “five-year”.

c. P-9.3,
s. 102,
replaced **9.** Section 102 of the said Act is replaced by the following section:

Prevailing provisions **“102.** The Pesticide Management Code and any other regulation enacted pursuant to this Act shall render inoperative any regulatory provision concerning the same matter enacted by a municipality or an urban community, except where the provision

– concerns landscaping or extermination activities, such as fumigation, as defined by government regulation, and

– prevents or further mitigates harmful effects on the health of humans or of other living species or damage to the environment or to property.”

c. P-9.3,
ss. 103
and 108,
repealed **10.** Sections 103 and 108 of the said Act are repealed.

c. P-9.3,
s. 105.1,
added **11.** The said Act is amended by inserting, after section 105, the following section:

Civil liability insurance **“105.1** The Pesticide Management Code may require a person who stores pesticides of a determined category or in a determined

quantity to subscribe civil liability insurance, the kind, extent, duration, amount and other applicable conditions of which are determined in the said Code, and to furnish proof thereof to the Minister.”

c. P-9.3,
s. 109, am.

12. Section 109 of the said Act is amended

(1) by replacing paragraph 10 by the following paragraph:

“(10) indicate the registers that must be kept by all or some of the permit holders and determine the conditions which apply thereto;”;

(2) by inserting, after paragraph 11, the following paragraph:

“(11.1) determine the landscaping, extermination or fumigation activities contemplated by section 102;”.

Period of
validity

13. The period of validity of a permit or certificate fixed in sections 5 and 8 of this Act shall apply to current permits or certificates only from the date of their renewal.

Coming into
force

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