



chapter C-61.1, r. 3

Regulation respecting trapping activities and the fur trade

An Act respecting the conservation and development of wildlife
(chapter C-61.1, ss. 55, 97 and 162)

The fees prescribed in the Regulation have been indexed as of 1 April 2014 pursuant to the notice published in Part 1 (French) of the Gazette officielle du Québec of 26 October 2013, page 1174. (ss. 13, 16).

CHAPTER I SCOPE AND DEFINITIONS

1. This Regulation governs trapping in Québec, subject to the special provisions of other regulations made under the Act respecting the conservation and development of wildlife (chapter C-61.1), and the fur trade.

O.C. 1027-99, s. 1.

2. In this Regulation,

“fur-bearing animal” means a species mentioned in Schedule 0.1 of the Regulation respecting trapping and the fur trade (chapter C-61.1, r. 21);

“fur-bearing animal management unit” or “FAMU” means any fur-bearing animal management unit established by the Decision concerning furbearer management units (chapter C-61.1, r. 14).

O.C. 1027-99, s. 2; O.C. 535-2011, s. 1; O.C. 563-2014, s. 1.

CHAPTER II TRAPPING

DIVISION I TRAPPING LICENCES

O.C. 1027-99, Div. I; O.C. 447-2008, s. 1.

3. (Revoked).

O.C. 1027-99, s. 3; O.C. 983-2002, s. 1; O.C. 447-2008, s. 1; O.C. 535-2011, s. 2.

4. (Revoked).

O.C. 1027-99, s. 4; O.C. 983-2002, s. 2; O.C. 447-2008, s. 1; O.C. 535-2011, s. 2.

5. Despite section 4 of the Regulation respecting trapping and the fur trade (chapter C-61.1, r. 21), every person under 18 years of age may, to trap, use the licence of a professional trapping licence holder who is at least 18 years of age, provided that the person is accompanied by the holder or the holder's spouse who must have the licence in his possession.

If the spouse is a resident, the spouse must hold a hunter's or trapper's certificate bearing code “P” and carry it with

him.

For the purposes of the first paragraph, each fur-bearing animal captured by a person who is under 18 years of age is counted as a fur-bearing animal captured by the licence holder.

O.C. 1027-99, s. 5; O.C. 159-2002, s. 1; O.C. 447-2008, s. 1; O.C. 535-2011, s. 3; O.C. 563-2014, s. 2.

6. Despite section 4 of the Regulation respecting trapping and the fur trade (chapter C-61.1, r. 21), the spouse of a professional trapping licence holder or, subject to section 5, their child under 18 years of age or the child under 18 years of age of either spouse, may use the holder's licence. The spouse or child must have the holder's licence with them when not accompanied by the holder.

If the spouse or one of the children referred to in the first paragraph is a resident, the spouse or child must hold a hunter's or trapper's certificate bearing code "P" and carry it with them.

For the purposes of the first paragraph, each fur-bearing animal captured by the spouse or child referred to in the first paragraph is counted as a fur-bearing animal captured by the licence holder.

O.C. 1027-99, s. 6; O.C. 447-2008, s. 1; O.C. 535-2011, s. 3; O.C. 563-2014, s. 2.

6.1. (Replaced).

O.C. 983-2002, s. 3; O.C. 447-2008, s. 1.

7. Despite section 4 of the Regulation respecting trapping and the fur trade (chapter C-61.1, r. 21), a student between 18 and 24 years of age attending a secondary or post-secondary level educational institution may use the licence issued to a professional trapping licence holder if the student complies with the conditions provided for in section 6.

A student may also trap using the licence of a professional trapping licence holder who is at least 18 years of age, provided that the student is accompanied by that holder or the holder's spouse who must carry with them the professional trapping licence concerned and, in the case of a resident, the hunter's or trapper's certificate bearing code "P".

A student referred to in the first and second paragraphs must, when trapping, carry with him the student card issued by the student's educational institution and, if the student is a resident, the hunter's or trapper's certificate bearing code "P". The student must show them to a wildlife protection officer or wildlife protection assistant if so requested.

O.C. 1027-99, s. 7; O.C. 447-2008, s. 1; O.C. 535-2011, s. 3; O.C. 563-2014, s. 2.

8. (Revoked).

O.C. 1027-99, s. 8; O.C. 447-2008, s. 1; O.C. 535-2011, s. 4.

DIVISION II

CONDITIONS AND OBLIGATIONS OF PROFESSIONAL TRAPPING LICENCE HOLDERS

O.C. 1027-99, Div. II ; O.C. 447-2008, s. 1.

9. (Revoked).

O.C. 1027-99, s. 9; O.C. 447-2008, s. 1; O.C. 535-2011, s. 4.

10. (Revoked).

O.C. 1027-99, s. 10; O.C. 447-2008, s. 1; O.C. 535-2011, s. 4.

11. A professional trapping licence holder who captures a black bear must, before moving it, detach the transportation coupon from the trapping licence and attach it to the animal.

If a black bear is captured in a territory under a lease granting exclusive trapping rights, the coupon must originate from the professional trapping licence of the holder of the lease or from the licence of another professional trapping licence holder authorized to trap in that territory under section 10.2 of the Regulation respecting trapping and the fur trade (chapter C-61.1, r. 21).

In addition, a professional trapping licence holder must ensure that the transportation coupon remains attached until the animal is cut up and, if the fur is intended for dressing, the holder must ensure that the coupon remains attached until the fur is dressed.

O.C. 1027-99, s. 11; O.C. 447-2008, s. 1; O.C. 563-2014, s. 3.

12. (Revoked).

O.C. 1027-99, s. 12; O.C. 29-2004, s. 1; O.C. 447-2008, ss. 1 and 8; O.C. 535-2011, s. 4.

DIVISION III REGISTRATION

13. The holder of a trapping licence who captures a black bear shall, within 15 days of leaving the trapping ground, show his licence and the bear's carcass or pelt, register the catch with, a person, partnership or association authorized by the Minister of Natural Resources and Wildlife under section 56.1 of the Act respecting the conservation and development of wildlife (chapter C-61.1) and have the transportation coupon punched.

Notwithstanding the first paragraph, the holder of a trapping licence who captures a black bear shall, at a wildlife conservation officer's request, have the officer register it immediately.

The holder of a trapping licence must pay black bear registration fees of [\\$6.42](#).

As of 1 April 2011, the fees are adjusted annually by applying to their value for the preceding year the annual percentage change, computed for the month of June of the preceding year, in the general Consumer Price Index (CPI), published by Statistics Canada.

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

O.C. 1027-99, s. 13; O.C. 688-2001, s. 1; O.C. 1027-99, s. 22; O.C. 688-2001, s. 2; O.C. 447-2008, ss. 2 and 8; O.C. 535-2011, s. 5.

DIVISION IV LEASE OF EXCLUSIVE RIGHTS

§1. Lease

14. To obtain a lease of exclusive trapping rights on a territory reserved only for trapping, a controlled zone or a wildlife sanctuary for which there is no lessee of exclusive trapping rights, a person shall meet the following requirements:

- (1) be a resident and at least 18 years of age;
- (2) hold a hunter's or trapper's certificate referred to in paragraph 2 of section 3 establishing that he has the skills to trap;
- (3) apply in writing to the Minister;

- (4) provide his name, address and date of birth;
- (5) be selected by a drawing of lots;
- (6) not be the lessee of exclusive trapping rights;
- (7) not exercise collective and exclusive trapping rights over the territories recognized as beaver reserves under the Regulation respecting beaver reserves (chapter C-61.1, r. 28); and
- (8) not have entered into a lease of exclusive trapping rights with the Minister which was revoked in the 2 years preceding the date of the application because the lessee had not abided by the conditions of his lease or because the lease had been obtained following a fraudulent statement.

O.C. 1027-99, s. 14; O.C. 1027-99, s. 23; O.C. 447-2008, ss. 3 and 8.

15. The term of a lease of exclusive trapping rights is 9 years.

Subject to section 90 of the Act, the lease shall be renewed automatically without further notice for successive 9-year terms if the lessee continues to meet the requirements prescribed in paragraphs 1, 2 and 7 of section 14.

O.C. 1027-99, s. 15; O.C. 1027-99, s. 24; O.C. 447-2008, s. 8.

16. Each year, a lessee shall pay a rent corresponding to [\\$1.73/km²](#) in 1 instalment between 1 September and 1 November.

Despite the first paragraph, the rent may not be less than [\\$17.41](#).

As of 1 April 2011, those amounts are adjusted annually by applying to their value for the preceding year the annual percentage change, computed for the month of June of the preceding year, in the general Consumer Price Index (CPI), published by Statistics Canada.

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

O.C. 1027-99, s. 16; O.C. 1027-99, s. 25; O.C. 447-2008, ss. 4 and 8; O.C. 535-2011, s. 6.

17. During the period of validity of the licence, a professional trapping licence holder who entered into a lease granting exclusive trapping rights must trade with a holder of the fur trade licence provided for in section 18 of the Regulation respecting trapping and the fur trade (chapter C-61.1, r. 21), at least 15 undressed pelts a year from at least 5 fur-bearing animal species trapped in the territory described in the lease.

If the area of the territory described in the lease is less than or equal to 20 km², the number of undressed pelts to be traded is reduced to 10 and the pelts must come from at least 3 fur-bearing animal species trapped in the territory.

O.C. 1027-99, s. 17; O.C. 159-2002, s. 2; O.C. 447-2008, ss. 5 and 8.

§2. Buildings and structures

18. The maximum value of the structures or buildings referred to in sections 19 and 20 is set at \$6,000.

O.C. 1027-99, s. 18; O.C. 1027-99, s. 26; O.C. 447-2008, s. 8.

19. To erect buildings or structures on the territory described in the lease of exclusive trapping rights, a lessee shall comply with the following standards and conditions as to their construction and location:

- (1) inform the Minister of the planned location of the buildings and structures on a copy of the territory plan attached to his lease;

- (2) construct those buildings or structures within 2 years following the date on which the Minister sends a notice of conformity with location standards and conditions;
- (3) erect the building or structures more than 25 m from the high water mark or, in the presence of a lake of 20 ha or less, more than 300 m from the high water mark;
- (4) erect the buildings or structures outside any deer or moose yard;
- (5) the buildings and structures are constituted only of a single cabin, storage shed and outhouse;
- (6) the total area of all buildings or structures must not exceed 45 m²;
- (7) the buildings or structures must not have a permanent foundation;
- (8) the buildings or structures shall have one storey only;
- (9) the distance between the cabin and the storage shed shall not exceed 20 m; and
- (10) an identification plate provided by the Minister shall be posted conspicuously on the front side of the cabin;
- (11) in the case of a lessee of exclusive trapping rights in the Dunière Wildlife Sanctuary, the buildings or structures must be erected on lands in the domain of the State.

A lessee may erect buildings or structures, other than the cabin, over an area that does not exceed by more than 10 m² the area referred to in subparagraph 6 of the first paragraph, provided that the buildings or structures do not have direct access to the cabin.

O.C. 1027-99, s. 19; O.C. 1027-99, s. 27; O.C. 29-2004, s. 2; O.C. 447-2008, s. 8.

20. A lessee of exclusive trapping rights on a territory of 100 km² or more may erect a second cabin on the territory described in the lease if he meets the following requirements:

- (1) inform the Minister of the planned location of the second cabin on a copy of the territory plan attached to his lease;
- (2) build that cabin within 2 years following the date on which the Minister sends a notice of conformity with location standards and conditions;
- (3) erect the cabin more than 25 m from the high water mark or, in the presence of a lake of 20 ha or less, more than 300 m from the high water mark;
- (4) erect the cabin outside any deer or moose yard;
- (5) the cabin must have an area not exceeding 15 m²;
- (6) the cabin must not have a permanent foundation;
- (7) the cabin shall have one storey only; and
- (8) an identification plate provided by the Minister shall be posted conspicuously on the front side of the cabin.

O.C. 1027-99, s. 20; O.C. 1027-99, s. 28; O.C. 447-2008, s. 8.

21. (Revoked).

O.C. 1027-99, s. 21; O.C. 1027-99, s. 29; O.C. 29-2004, s. 3; O.C. 447-2008, s. 8.

§3. Transfer of lease

22. A lessee of exclusive trapping rights may transfer all the rights and obligations under the lease to a holder of a hunter's or trapper's certificate bearing code "P" if the lessee

- (1) has sent to the Minister an application in writing designating the new lessee, not later than 1 August of the current year, together with, if applicable, a copy of the deed evidencing the transfer of the buildings or structures erected in the territory identified on the lease in favour of the certificate holder;
- (2) trapped on the land referred to in the lease during the year preceding the year of the transfer;
- (3) has not been convicted of an offence against the Act respecting the conservation and development of wildlife (chapter C-61.1) or its regulations and has not had the hunter's or trapper's certificate referred to in subparagraph 2 of the second paragraph of section 3 or a hunting, fishing or trapping licence suspended or cancelled during the 2 years preceding the date of the application for a transfer;
- (4) has not received a notice of revocation of the lease; and
- (5) has signed the deed of amendment to the lease of exclusive trapping rights and returned a signed copy to the Minister.

So that a transfer under the first paragraph may be made, the holder of a hunter's or trapper's certificate referred to in that paragraph must

- (1) not have been convicted of an offence against the Act respecting the conservation and development of wildlife or its regulations on trapping or the fur trade and not have had the hunter's or trapper's certificate referred to in subparagraph 2 of the second paragraph of section 3 or a hunting, fishing or trapping licence suspended or cancelled during the 2 years preceding the date of the application for a transfer;
- (2) not exercise collective and exclusive trapping rights in the territories recognized as beaver reserves under the Regulation respecting beaver reserves (chapter C-61.1, r. 28); and
- (3) have signed the deed of amendment to the lease of exclusive trapping rights.

O.C. 1027-99, s. 22; O.C. 688-2001, s. 2; O.C. 447-2008, ss. 2 and 8; O.C. 1027-99, s. 30; O.C. 688-2001, s. 3; O.C. 447-2008, ss. 6 and 8.

23. A lessee of exclusive trapping rights may transfer all the rights and obligations under the lease to another lessee of exclusive trapping rights provided that the latter lessee also transfers all the rights and obligations under the lease and that both lessees

- (1) have sent to the Minister an application in writing, not later than 1 August, together with, if applicable, a copy of the deed evidencing the reciprocal transfer of the buildings or structures erected in the territories identified on their respective leases;
- (2) trapped on the land referred to in the lease during the year of the transfer;
- (3) have not been convicted of an offence against the Act respecting the conservation and development of wildlife (chapter C-61.1) or its regulations on trapping or the fur trade and have not had the hunter's or trapper's certificate referred to in subparagraph 2 of the second paragraph of section 3 or a hunting, fishing or trapping licence suspended or cancelled during the 2 years preceding the date of the application for a transfer;
- (4) have not received a notice of revocation of their respective leases; and
- (5) have signed the deed of amendment to each lease of exclusive trapping rights and returned a signed copy to the Minister.

O.C. 1027-99, s. 23; O.C. 447-2008, ss. 3 and 8; O.C. 1027-99, s. 31; O.C. 447-2008, ss. 6 and 8.

§4. Compensation

24. No building or structure other than those referred to in sections 19 and 20 may be the subject of a compensation or acquisition provided for in Division I of Chapter IV of the Act respecting the conservation and development of wildlife (chapter C-61.1).

O.C. 1027-99, s. 24; O.C. 447-2008, s. 8; O.C. 1027-99, s. 32; O.C. 447-2008, s. 8.

25. The lessee's compensation for loss of revenue provided for in subparagraph 1 of the first paragraph of section 91 of that Act shall correspond to the average net income declared to the Minister of Revenue for the last 5 years preceding the date of revocation or non-renewal of the lease, that income deriving from his trapping activities on the territory identified on the lease.

O.C. 1027-99, s. 25; O.C. 447-2008, ss. 4 and 8; O.C. 1027-99, s. 33; O.C. 447-2008, s. 8.

25.1. (Renumbered s. 17).

O.C. 447-2008, ss. 5 and 8.

CHAPTER III
FUR TRADE

DIVISION I
LICENCES

26. (Revoked).

O.C. 1027-99, s. 26; O.C. 447-2008, s. 8; O.C. 1027-99, s. 34; O.C. 447-2008, s. 8; O.C. 535-2011, s. 7.

DIVISION II
OBLIGATIONS OF HOLDERS OF FUR TRADE LICENCES

27. (Revoked).

O.C. 1027-99, s. 27; O.C. 29-2004, s. 2; O.C. 447-2008, s. 8; O.C. 1027-99, s. 35; O.C. 447-2008, s. 8; O.C. 535-2011, s. 7.

CHAPTER IV
IMPORT, EXPORT AND POSSESSION OF FURS

28. To import undressed pelts into Québec, a person shall obtain the form issued for export by the authority of the territory of origin. That form must accompany the undressed pelt until it is dressed.

To import an undressed polar bear pelt, a person shall also obtain the registration document issued by the authority of the territory of origin of that pelt.

O.C. 1027-99, s. 28; O.C. 447-2008, s. 8; O.C. 1027-99, s. 36; O.C. 447-2008, s. 8.

29. To export outside Québec undressed pelts from an animal that was hunted or trapped, where required by the authority of the territory of destination, a person must obtain the export form issued by the Minister.

The export form shall serve as an authorization within the meaning of the Wild Animal and Plant Protection and Regulation of International and Interprovincial Trade Act (S.C. 1992, c. 52).

O.C. 1027-99, s. 29; O.C. 29-2004, s. 3; O.C. 447-2008, s. 8; O.C. 1027-99, s. 37; O.C. 447-2008, s. 8; O.C. 563-

2014, s. 4.

30. To export outside Québec an undressed polar bear pelt from Québec, a person shall have the tag provided by the Minister attached to the pelt by a wildlife protection officer or any other person appointed for that purpose at a control station.

O.C. 1027-99, s. 30; O.C. 688-2001, s. 3; O.C. 447-2008, ss. 6 and 8; O.C. 1027-99, s. 38; O.C. 447-2008, s. 8.

31. To have in his possession an undressed polar bear pelt from outside Québec, a person shall hold the export form issued by the authority of the territory of origin and the registration document issued by that authority. The form and the document shall accompany the undressed pelt until it is dressed.

To have an undressed polar bear pelt from Québec in his possession, a person shall meet the obligation prescribed by section 30.

O.C. 1027-99, s. 31; O.C. 447-2008, ss. 6 and 8; O.C. 1027-99, s. 39; O.C. 447-2008, s. 8.

CHAPTER V PENAL

32. Any person who contravenes any of sections 5 to 7, 11, 13, 17, 19, 20 and 28 to 31 commits an offence.

O.C. 1027-99, s. 32; O.C. 447-2008, s. 8; O.C. 1027-99, s. 40; O.C. 447-2008, ss. 7 and 8; O.C. 535-2011, s. 8.

CHAPTER VI TRANSITIONAL AND FINAL

33. The holder of a resident or non-resident general trapping licence issued before 15 September 1999 remains governed by the provisions of the Regulation respecting trapping and the fur trade (O.C. 1289-91, 91-09-18) until the licence expires.

O.C. 1027-99, s. 33; O.C. 447-2008, s. 8; O.C. 1027-99, s. 41; O.C. 447-2008, s. 8.

34. This Regulation replaces Regulation respecting trapping and the fur trade (O.C. 1289-91, 91-09-18).

O.C. 1027-99, s. 34; O.C. 447-2008, s. 8; O.C. 1027-99, s. 42; O.C. 447-2008, s. 8.

35. (Omitted).

O.C. 1027-99, s. 35; O.C. 447-2008, s. 8; O.C. 1027-99, s. 43; O.C. 447-2008, s. 8.

36. (Renumbered s. 28).

O.C. 1027-99, s. 36; O.C. 447-2008, s. 8.

37. (Renumbered s. 29).

O.C. 1027-99, s. 37; O.C. 447-2008, s. 8.

38. (Renumbered s. 30).

O.C. 1027-99, s. 38; O.C. 447-2008, s. 8.

39. (Renumbered s. 31).

O.C. 1027-99, s. 39; O.C. 447-2008, s. 8.

40. (Renumbered s. 32).

O.C. 1027-99, s. 40; O.C. 447-2008, ss. 7 and 8.

41. (Renumbered s. 33).

O.C. 1027-99, s. 41; O.C. 447-2008, s. 8.

42. (Renumbered s. 34).

O.C. 1027-99, s. 42; O.C. 447-2008, s. 8.

43. (Renumbered s. 35).

O.C. 1027-99, s. 43; O.C. 447-2008, s. 8.

SCHEDULE I

(Revoked)

O.C. 1027-99, Sch. I; O.C. 535-2011, s. 9.

REFERENCES

O.C. 1027-99, 1999 G.O. 2, 2915
S.Q. 2000, c. 48, s. 36
O.C. 688-2001, 2001 G.O. 2, 2803
O.C. 159-2002, 2002 G.O. 2, 1493
O.C. 983-2002, 2002 G.O. 2, 4664
O.C. 29-2004, 2004 G.O. 2, 819
O.C. 447-2008, 2008 G.O. 2, 1588
O.C. 535-2011, 2011 G.O. 2, 1247
O.C. 563-2014, 2014 G.O. 2, 1393