



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 15

**An Act to amend the Public Health
Protection Act and the Animal Health
Protection Act**

Introduction

**Introduced by
Mr Rémy Trudel
Minister of Health and Social Services**

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EXPLANATORY NOTES

This bill amends the Public Health Protection Act to introduce provisions enabling the Government to adopt a plan of action to control insects capable of transmitting diseases to the population. The plan may provide in particular for the use of pesticides.

The bill provides that the implementation of the measures in the plan providing for the use of pesticides is not subject to the provisions of any law, regulation or municipal by-law, other than the provisions of the Environment Quality Act, that would prevent or delay the implementation of the measures.

Lastly, the bill contains consequential amendments to the Animal Health Protection Act.

LEGISLATION AMENDED BY THIS BILL :

- Public Health Protection Act (R.S.Q., chapter P-35);
- Animal Health Protection Act (R.S.Q., chapter P-42).

Bill 15

AN ACT TO AMEND THE PUBLIC HEALTH PROTECTION ACT AND THE ANIMAL HEALTH PROTECTION ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Public Health Protection Act (R.S.Q., chapter P-35) is amended by inserting the following division after section 24:

“DIVISION IV.1

“GOVERNMENT PLAN OF ACTION TO CONTROL INSECTS

“**24.1.** Where the health of the population is threatened by insects capable of transmitting a disease to the population, the Government may, on a joint proposal by the Minister of Health and Social Services, the Minister of Municipal Affairs and Greater Montréal and the Minister of Agriculture, Fisheries and Food, after consultation with the Minister of the Environment, establish and implement a plan of action to control the insects, in particular through the use of pesticides in any part of the territory of Québec.

“**24.2.** The measures provided for in the government plan of action that call for the use of pesticides are exempt from the application of any general or special legislative or regulatory provision, including any provision of a municipal by-law, that prevents or delays the implementation of the measures.

The provisions of the Environment Quality Act (chapter Q-2) and the regulations thereunder nonetheless remain applicable to the measures, subject to the following: when the measures are submitted to the Minister of the Environment under section 22 of that Act, the Minister may authorize the measures even in the absence of a certificate from the clerk or secretary-treasurer of a municipality stating that their implementation does not contravene any municipal by-law.

“**24.3.** No person may hinder the implementation of the measures provided for in the government plan of action. Every owner, lessee or occupant of a parcel of land is required to give free access to the land at all times so that pesticides may be used thereon in conformity with the measures.”

2. Section 11.12 of the Animal Health Protection Act (R.S.Q., chapter P-42), enacted by section 13 of chapter 40 of the statutes of 2000, is amended

- (1) by striking out “emergency” in the second line of the second paragraph ;
 - (2) by inserting “or Division IV.1” after “IV” in the third line of the second paragraph.
- 3.** This Act comes into force on (*insert here the date of assent to this Act*).