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Coming into force of Acts

Gouvernement du Québec

O.C. 1015-2002, 4 September 2002

An Act to amend the Charter of the French language (2002, c. 28)

— Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act to amend the Charter of the French language

WHEREAS the Act to amend the Charter of the French language (2002, c. 28) was assented to on 13 June 2002;

WHEREAS, under section 49 of the Act, the provisions of the latter come into force on 1 October 2002, except the provisions of sections 1 to 10, 18 to 24 and 43 to 48, which come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 1 October 2002 as the date of coming into force of sections 2 to 10, 18 to 24 and 43 to 48 of the Act to amend the Charter of the French language (2002, c. 28);

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Culture and Communications, Minister of Culture and Communications and Minister responsible for the Charter of the French language and the Minister of Education:

THAT 1 October 2002 be fixed as the date of coming into force of sections 2 to 10, 18 to 24 and 43 to 48 of the Act to amend the Charter of the French language (2002, c. 28).

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Regulations and other acts

Gouvernement du Québec

O.C. 1021-2002, 4 September 2002

An Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1)

Upper limit of kill for moose – 2002

Regulation respecting the 2002 upper limit of kill for moose

WHEREAS, under subparagraph *f* of the first paragraph of section 78 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1), the Coordinating Committee may establish the allocated upper limit of kill for moose;

WHEREAS the Coordinating Committee has, by resolution 01-02:27 adopted on 13 December 2001, established the upper limit of kill for moose in Area 17 at 140 moose;

WHEREAS, under the third paragraph of section 78 of that Act, save for reasons of conservation, the Government shall make regulations to implement the measures decided by the Coordinating Committee concerning the establishment of the allocated upper limit of kill for moose;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation respecting the 2002 upper limit of kill for moose was published in Part 2 of the *Gazette officielle du Québec* of 24 April 2002, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation respecting the 2002 upper limit of kill for moose;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for Wildlife and Parks:

THAT the Regulation respecting the 2002 upper limit of kill for moose, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the 2002 upper limit of kill for moose

An Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., c. D-13.1, s. 78, 1st par., subpar. *f*, 2nd and 3rd pars.)

1. The upper limit of kill for moose allocated to the Native people and non-Natives in Area 17 determined by the Fishing, Hunting and Trapping Areas Regulation, made by Order in Council 27-90 dated 10 January 1990, is 140 moose for the period extending from 1 August 2002 to 31 July 2003.

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

Le greffier du Conseil exécutif,
JEAN ST-GELAIS

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Gouvernement du Québec

O.C. 1025-2002, 4 September 2002

Professional Code
(R.S.Q., c. C-26)

Denturists — Standards for diploma or training equivalence for the issuing of a permit by the Ordre

Regulation respecting the standards for diploma or training equivalence for the issuing of a permit by the Ordre professionnel des denturologistes du Québec

WHEREAS, under paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26), the Bureau of the Ordre professionnel des denturologistes du Québec must, by regulation, prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit or specialist's certificate, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes;

WHEREAS the Bureau made, pursuant to paragraph *c* of section 93 of the Code, a Regulation respecting the standards for diploma or training equivalence for the issuing of a permit by the Ordre professionnel des denturologistes du Québec;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in the *Gazette officielle du Québec* of 20 February 2002 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Code, the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting the standards for diploma or training equivalence for the issuing of a permit by the Ordre professionnel des denturologistes du Québec, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the standards for diploma or training equivalence for the issuing of a permit by the Ordre professionnel des denturologistes du Québec

Professional Code
(R.S.Q., c. C-26, s. 93, par. *c*)

DIVISION I GENERAL

1. The secretary of the Ordre professionnel des denturologistes du Québec shall forward a copy of this Regulation to a candidate who, for the purposes of obtaining a permit from the Order, wishes to have his or her diploma issued by an educational institution outside Québec or training recognized as equivalent.

2. In this Regulation,

(1) “diploma equivalence” means recognition by the Bureau of the Order that a diploma issued by an educational institution outside Québec certifies that a candi-

date’s level of knowledge and skills is equivalent to the level reached by the holder of a diploma recognized as meeting the requirements for the permit issued by the Order; and

(2) “training equivalence” means recognition by the Bureau of the Order that a candidate’s training has enabled him or her to attain a level of knowledge and skills equivalent to the level reached by the holder of a diploma recognized as meeting the requirements for the permit issued by the Order.

DIVISION II STANDARDS FOR EQUIVALENCE OF A DIPLOMA

3. A candidate, holding a diploma issued by an educational institution outside Québec, shall be granted a diploma equivalence if his or her diploma was issued upon completion of equivalent college studies comprising not less than 3345 hours of training, including 2675 hours of training specific to denturology and apportioned as follows:

(1) 450 hours in subjects dealing with human biology and physiology, more specifically the head and neck, pharmacology, nutrition, psychology, physiopathology, dental anatomy, biomechanics, microbiology and elements in radiology;

(2) 950 hours of theory and in laboratory dealing with the design and manufacturing of removable dental prostheses or specialized appliances, apportioned as follows:

(a) 80 hours in techniques of pouring of models, fabrication of custom impression trays, base plates and wax rims;

(b) 90 hours in techniques of polymerization of prostheses and their finishing;

(c) 60 hours in techniques of the taking of impressions, selection and use of appropriate materials;

(d) 410 hours in set up techniques of balanced prosthesis (lingualized or bilateral bicuspid occlusion) for every type of occlusal class;

(e) 105 hours in techniques of fabrication of specialized appliances, dentures over implants or precision-attachment removable partial dentures;

(f) 60 hours in techniques of check-bite, facebow transfer (modeling of base plates or wax rims);

(g) 75 hours in problem-solving techniques and development of treatment plans; and

(h) 70 hours in design and writing prescription for cast skeleton; and

(3) 1275 hours of training periods.

4. Notwithstanding section 3, where the diploma for which an equivalence application is made was obtained more than three years prior to the application and where the candidate has not practised or has ceased to practise denturology during that period, a diploma equivalence shall be denied if the knowledge acquired by the candidate no longer corresponds, taking into account developments in the profession, to the knowledge that, at the time of the application, is being taught in a program of study leading to a diploma recognized as giving access to the permit issued by the Order.

Notwithstanding the foregoing, equivalence shall be granted if the candidate's relevant work experience and training acquired since the diploma was awarded have enabled the candidate to reach the required level of knowledge.

DIVISION III TRAINING EQUIVALENCE STANDARDS

5. A candidate is granted training equivalence where the candidate shows that he or she has the level of knowledge and skills equivalent to those acquired by the holder of a diploma recognized as giving access to a permit issued by the Order.

6. Notwithstanding section 5, where the training for which an equivalence application is made was completed more than three years prior to the application and where the candidate has not practised or has ceased to practise denturology during that period, a diploma equivalence shall be denied if the knowledge and skills acquired by the candidate no longer correspond, taking into account developments in the profession, to the knowledge and skills that, at the time of the application, are accumulated following a program of study leading to a diploma recognized as giving access to a permit issued by the Order.

7. In assessing the training equivalence of a candidate, the Bureau of the Order shall take into account all the following factors:

(1) the nature and the number of years of the candidate's experience;

(2) the fact that the candidate holds one or more diplomas;

(3) the nature and content of courses taken and the marks obtained;

(4) completed training sessions in denturology; and

(5) total number of years of schooling.

DIVISION IV DIPLOMA OR TRAINING EQUIVALENCE RECOGNITION PROCEDURE

8. A candidate who wishes to have a diploma or training equivalence recognized must apply in writing and provide the secretary with the following supporting documents and information, together with the fees required under paragraph 8 of section 86.0.1 of the Professional Code:

(1) academic record, including a description of courses taken, the number of credits or units and related hours, and results obtained;

(2) certified true copies of diplomas awarded;

(3) a document attesting to participation in and successful completion of all training sessions in denturology;

(4) a document attesting to and describing relevant work experience in the field of denturology; and

(5) if applicable, a document attesting to participation in continuing training or refresher activities in the field of denturology since the diploma was issued.

9. Documents in a language other than English or French submitted in support of an application must be accompanied by a translation into English or French that is certified by a sworn statement from the translator and attached to the original.

10. The person designated by the Bureau to apply this Regulation shall examine applications for recognition of diploma or training equivalence and shall make the appropriate recommendations to the Bureau.

11. In deciding on a candidate's application for equivalence, the Bureau may, at its first meeting following receipt of a recommendation,

(1) recognize the candidate's diploma or training equivalence;

(2) recognize the candidate's training equivalence in part and inform the candidate that to obtain equivalence, one or more of the following conditions must be met;

- (a) passing of an examination set by the Bureau ;
 - (b) successful completion of a program of study determined by the Bureau ; and
 - (c) successful completion of training sessions ; and
- (3) refuse to recognize the candidate's diploma or training equivalence.

12. The Bureau shall inform the candidate, in writing, within 15 days following its decision concerning the equivalence.

13. A candidate who is informed of the Bureau's decision not to recognize the equivalence requested may apply to the Bureau for review, provided that the candidate applies to the secretary in writing within 30 days after the date on which the decision is mailed.

The Bureau shall hear the candidate at the next regular meeting following the date of receipt of such application. It must summon the candidate by a written notice sent by registered mail not less than ten days before the date of the hearing.

The decision of the Bureau is final and must be sent to the candidate in writing by registered mail within 30 days following the date of the hearing.

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

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Gouvernement du Québec

Agreement

An Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2)

AGREEMENT CONCERNING NEW METHODS OF VOTING FOR AN ELECTION USING COMPUTERIZED POLLING STATIONS AND "ACCU-VOTE ES 2000" BALLOT BOXES

AGREEMENT ENTERED INTO

BETWEEN

The MUNICIPALITY OF VILLE DE SAINTE-MARIE., a legal person established in the public interest, having its head office at 270, avenue Marguerite-Bourgeoys,

Sainte-Marie, Province of Québec, represented by the mayor, Russell Gilbert, and the clerk, Hélène Gagné, under resolution number 2002-08-393, hereinafter called

THE MUNICIPALITY

AND

Mtre. Marcel Blanchet, in his capacity as CHIEF ELECTORAL OFFICER OF QUÉBEC, duly appointed to that office under the Election Act (R.S.Q., c. E-3.3), acting in that capacity and having his main office at 3460, rue de La Pérade, Sainte-Foy, Province of Québec, hereinafter called

THE CHIEF ELECTORAL OFFICER

AND

the Honourable André Boisclair, in his capacity as MINISTER OF MUNICIPAL AFFAIRS AND GREATER MONTRÉAL, having his main office at 10, rue Pierre-Olivier-Chauveau, Québec, Province of Québec, hereinafter called

THE MINISTER

WHEREAS the council of the MUNICIPALITY, by its resolution No. 2002-08-393, passed at its meeting of 2002 August 12th, expressed the desire to avail itself of the provisions of the Act respecting elections and referendums in municipalities and to enter into an agreement with the CHIEF ELECTORAL OFFICER and the MINISTER in order to allow the use of electronic ballot boxes for the general election of 2002 November 3th in the MUNICIPALITY ;

WHEREAS under sections 659.2 and 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2):

"**659.2.** A municipality may, in accordance with an agreement made with the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer, test new methods of voting during a poll. The agreement may provide that it also applies to polling held after the poll for which the agreement was entered into ; in such case, the agreement shall provide for its period of application.

The agreement must describe the new methods of voting and mention the provisions of this Act it amends or replaces.

The agreement has the effect of law.

659.3. After polling during which a test mentioned in section 659.2 is carried out, the municipality shall send a report assessing the test to the Minister of Municipal Affairs and Greater Montréal and the Chief Electoral Officer.”;

WHEREAS the MUNICIPALITY expressed the desire to avail itself of those provisions to hold a general election on 2002 November 3th and, could, with the necessary adaptations, avail itself of those provisions for elections held after the date of the agreement, the necessary adaptations to be included in an addendum to this agreement;

WHEREAS it is expedient to provide the procedure that applies to the territory of the MUNICIPALITY for that general election;

WHEREAS an agreement must be entered into between the MUNICIPALITY, the CHIEF ELECTORAL OFFICER and the MINISTER;

WHEREAS the MUNICIPALITY is solely responsible for the technological choice elected;

WHEREAS the council of the MUNICIPALITY passed, at its meeting of 2002 August 12th, resolution No. 2002-08-393 approving the text of the agreement and authorizing the mayor and the clerk or secretary-treasurer to sign this agreement;

WHEREAS the returning officer of the MUNICIPALITY is responsible for the application of this agreement and the means necessary to carry it out;

THEREFORE, the parties agree to the following:

1. PREAMBLE

The preamble to this agreement is an integral part of the agreement.

2. INTERPRETATION

Unless stated otherwise, expressly or as a result of the context of a provision, the following expressions, terms and words have, for the purposes of this agreement, the meaning and application given in this section.

2.1 “Computerized polling station” means an apparatus consisting of the following devices:

— a computer with the list of electors for the polling place stored in its memory (the computers at the same polling place are linked together);

— a card reader for cards with bar codes;

— one or more printers per polling place for printing the list of electors who voted during the advance poll or on polling day.

2.2 “Electronic ballot box” means an apparatus containing a vote tabulator, a memory card, a printer, a cardboard or, where necessary, plastic recipient for ballot papers and a modem, where necessary.

2.3 “Vote tabulator” means a device that uses an optical scanner to detect a mark made in a circle on a ballot paper by an elector.

2.4 “Memory card” means a memory device that computes and records the marks made by an elector for each of the candidates whose names are printed on the ballot paper and the number of rejected ballot papers according to the subdivisions of the vote tabulator program.

2.5 “Recipient for ballot papers” means a box into which the ballot paper cards fall.

2.6 Where applicable, “transfer box” means the box in which the ballot paper cards are placed when a plastic recipient is used for the electronic ballot box.

2.7 “Ballot paper card” means the card on which the ballot paper or papers are printed.

2.8 “Refused card” means a ballot paper card the insertion of which into the tabulator is refused.

2.9 “Confidentiality sleeve” means a sleeve designed to receive the ballot paper card.

3. ELECTION

3.1 For the purposes of the general election of 2002 November 3th in the municipality, a sufficient number of Accu-Vote ES 2000 model electronic ballot boxes will be used.

3.2 Before the publication of the notice of election, the municipality must take the necessary steps to provide its electors with adequate information concerning the testing of the new method of voting.

4. SECURITY MECHANISMS

4.1 Computerized polling stations

The list of electors for a polling place must correspond to the list of electors for that polling place as drawn up and revised by the returning officer. Access to the computers at a polling place must be secured by a password.

4.2 Electronic ballot boxes

The electronic ballot boxes used must include the following security mechanisms :

(1) a report displaying a total of “zero” must be automatically produced by an electronic ballot box upon being turned on on the first day of advance polling and on polling day ;

(2) a verification report must be generated on a continuous basis and automatically saved on the memory card, and must record each procedural operation ;

(3) the electronic ballot box must not be placed in “end of election” mode while the poll is still under way ;

(4) the compilation of results must not be affected by any type of interference once the electronic ballot box has been placed in “election” mode ;

(5) each electronic ballot box must be equipped with a back-up power source (battery) able to operate for two to five hours, unless all the electronic ballot boxes are connected to a generator ;

(6) if a ballot box is defective, the memory card may be removed and transferred immediately into another electronic ballot box in order to allow the procedure to continue.

5. PROGRAMMING

Each memory card used is specially programmed either by the firm Cognicase inc., or by the returning officer under the supervision of the firm Cognicase inc., to recognize and tally ballot papers in accordance with this agreement.

6. AMENDMENTS TO THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

6.1 Election officers

Section 68 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) is amended by inserting the words “senior deputy returning officer, assistant to the senior deputy returning officer” after the word “assistant”.

6.2 Senior deputy returning officer, assistant to the senior deputy returning officer

The following is substituted for section 76 of the Act :

“**76.** The returning officer shall appoint the number of senior deputy returning officers and assistants to the senior deputy returning officer that he deems necessary for each polling place.

The returning officer shall appoint a deputy returning officer and a poll clerk for each polling station.”.

6.3 Duties of the senior deputy returning officer, assistant to the senior deputy returning officer and deputy returning officer

The following is substituted for section 80 of the Act :

“**80.** The senior deputy returning officer shall, in particular,

(1) see to the installation and preparation of the electronic ballot box ;

(2) ensure that the polling is properly conducted and maintain order in the vicinity of the electronic ballot box ;

(3) facilitate the exercise of the right to vote and ensure that voting is secret ;

(4) ensure that the electronic ballot box functions correctly ;

(5) print out the results compiled by the electronic ballot box at the closing of the poll ;

(6) complete an overall statement of votes from the partial statements and the results compiled by the electronic ballot box ;

(7) give the returning officer, at the closing of the poll, the results compiled by the electronic ballot box, the overall statement and the partial statement or statements of votes ;

(8) when a ballot paper card has been refused by the tabulator, ask the elector to return to the polling booth, mark all the circles and go to the polling station in order to obtain another ballot paper card ;

(9) advise the returning officer immediately of any defect in the memory card or the electronic ballot box.

80.1. The assistant to the senior deputy returning officer shall, in particular,

(1) assist the senior deputy returning officer in the latter’s duties ;

(2) receive any elector referred by the senior deputy returning officer;

(3) verify the polling booths in the polling place;

(4) get the pencils and confidentiality sleeves back from the senior deputy returning officer and redistribute them to each deputy returning officer.

80.2. The deputy returning officer shall, in particular,

(1) see to the arrangement of the polling station;

(2) ensure that the polling is properly conducted and maintain order in the polling station;

(3) facilitate the exercise of the right to vote and ensure that voting is secret;

(4) receive proof of identity from electors;

(5) give the electors a ballot paper card, a confidentiality sleeve and a pencil to exercise their right to vote;

(6) receive from electors any ballot paper cards that are refused by the tabulator and give them another ballot paper card, and record the occurrence in the poll book;

(7) note on the screen “has voted” next to the names of electors to whom he has given a ballot paper card.”

6.4 Duties of the poll clerk

The following is substituted for section 81 of the Act:

“**81.** The poll clerk shall, in particular,

(1) enter in the poll book the particulars relating to the conduct of the polling;

(2) note on the paper list of electors “has voted” next to the names of electors to whom the deputy returning officer gives ballot paper cards;

(3) assist the deputy returning officer.”

6.5 Discretion of the Chief Electoral Officer upon observing an error, emergency or exceptional circumstance

The following is substituted for section 90.5 of the Act:

“**90.5.** Where, during the election period, within the meaning of section 364, it comes to the attention of the Chief Electoral Officer that, subsequent to an error, emergency or exceptional circumstance, a provision referred

to in section 90.1 or in the agreement provided for in section 659.2 of the Act respecting elections and referendums in municipalities does not meet the demands of the resultant situation, the Chief Electoral Officer may adapt the provision in order to achieve its object.

The Chief Electoral Officer shall first inform the Minister of Municipal Affairs and Greater Montréal of the decision he intends to make.

Within 30 days following polling day, the Chief Electoral Officer shall transmit to the President or the Secretary General of the National Assembly a report of the decisions made pursuant to the first paragraph. The President shall table the report in the National Assembly within 30 days of receiving it or, if the National Assembly is not sitting, within 30 days of resumption.”

6.6 Notice of election

The following is added after paragraph 7 of section 99 of the Act:

“(8) the fact that the method of voting is voting by means of electronic ballot boxes.”

6.7 Polling subdivisions

The following is substituted for section 104 of the Act:

“**104.** The returning officer shall divide the list of electors into polling subdivisions.

The polling subdivisions shall have a number of electors determined by the returning officer. That number shall not be greater than 750 electors.”

6.8 Verification of computerised polling stations and electronic ballot box

The Act is amended by inserting the following subdivisions after subdivision 1 of Division IV of Chapter VI of Title I:

“§1.1 Verification of computerized polling stations

173.1. The returning officer shall, at a time considered to be expedient but at the latest before the polling stations open on the first day of advance polling or before the polling stations open on polling day, in cooperation with the firm’s representative and, if necessary, the representatives of the candidates, for all polling places, ensure that all computers contain the list of electors for that place. In particular, the returning officer shall perform the following tests:

(1) searching for an elector using the card with the bar code;

(2) searching for an elector using the keyboard, typing either the elector's name or address;

(3) indicating to the computer that a certain number of electors have voted and ensuring that each computer in the polling place displays "has voted" for the electors concerned;

(4) printing out the list of electors who have voted, in a non-cumulative way, by elector number and polling subdivision, and ensuring that the results are consistent with the data entered in the computer.

§1.2 Verification of electronic ballot box

173.2. The returning officer shall, at least five days before the first day fixed for the advance poll and at least three days before the day fixed for the polling, test the electronic ballot box to ensure that the vote tabulator accurately detects the mark made on a ballot paper and that it tallies the number of votes cast accurately and precisely, in the presence of a representative of the firm Cognicase inc. and the representatives of the candidates.

173.3. During the testing of the electronic ballot box, adequate security measures must be taken by the returning officer to guarantee the integrity of the system as a whole and of each component used to record, compile and memorize results. The returning officer must ensure that no electronic communication that could change the programming of the electronic ballot box, the recording of data, the tallying of votes, the memorization of results or the integrity of the system as a whole may be established.

173.4. The returning officer shall conduct the test by performing the following operations:

(1) he shall mark the memory card with the returning officer's initials and insert it into the electronic ballot box;

(2) he shall insert into the electronic ballot box a pre-determined number of ballot paper cards, previously marked and tallied manually. The ballot paper cards shall include

(a) a sufficient and pre-determined number of ballot papers correctly marked to indicate a vote for each of the candidates;

(b) a sufficient and pre-determined number of ballot papers that are not correctly marked;

(c) a sufficient and pre-determined number of ballot papers marked to indicate a vote for more than one candidate for the same office;

(d) a sufficient and pre-determined number of blank ballot papers;

(3) he shall place the electronic ballot box in "end of election" mode and ensure that the results compiled by the electronic ballot box are consistent with the manually-compiled results;

(4) once the test has been successfully completed, he shall reset the memory card to zero and seal it; the returning officer and the representatives who wish to do so shall note the number entered on the seal;

(5) he shall place the tabulator in the travel case and place a seal on it; the returning officer and the representatives who wish to do so shall note the number entered on the seal;

(6) where an error is detected, the returning officer shall determine with certitude the cause of the error, make the necessary corrections and proceed with a further test, and shall repeat the operation until the optical scanner of the vote tabulator accurately detects the mark made on a ballot paper and until a perfect compilation of results is obtained. Any error or discrepancy observed shall be noted in the test report;

(7) he may not change the programming for the scanning of the mark in a circle without supervision from the firm Cognicase inc."

6.9 Mobile polling station

The said Act is amended by inserting the following sections after section 175:

"175.1. The electors shall indicate their vote on the same type of ballot paper as that used in an advance polling station. After marking the ballot paper, each elector shall insert it in the confidentiality sleeve and place it in the ballot box provided for that purpose. At the close of the mobile poll, the deputy returning officer and the mobile poll clerk shall seal the ballot box and affix their initials to it.

175.2. The returning officer shall, before the opening of the advance polling station, give the senior deputy returning officer the ballot box containing the ballot papers from the mobile polling station.

The senior deputy returning officer shall, in the presence of the assistant to the senior deputy returning officer,

remove from the ballot box the confidentiality sleeves containing the ballot papers and insert the ballot papers, one by one, in the electronic ballot box.”.

6.10 Advance polling

The following is substituted for sections 182, 183 and 185 of the Act:

“**182.** After the close of the advance polling station, the poll clerk shall enter the following particulars in the poll book:

(1) the number of ballot paper cards received from the returning officer;

(2) the number of electors who were given a ballot paper card;

(3) the number of spoiled, refused or cancelled ballot paper cards and the number of unused ballot paper cards;

(4) the names of the persons who have performed duties as election officers or as representatives.

The deputy returning officer shall place in separate envelopes the spoiled, refused or cancelled ballot paper cards, the unused ballot paper cards, the forms, the poll book and the list of electors. The deputy returning officer shall then seal the envelopes. The deputy returning officer, the poll clerk and the representatives who wish to do so shall affix their initials to the seals of the envelopes. The envelopes, except those containing the list of electors, shall be given to the senior deputy returning officer for deposit in a box reserved for that purpose.

182.1. The senior deputy returning officer, in the presence of the candidates or of their representative who wish to be present, shall seal the recipient for ballot papers, and then place the electronic ballot box in its travel case and place a seal the case. The senior deputy returning officer and the representatives who wish to do so shall note the number entered on the seal.

The senior deputy returning officer shall then give the recipient or recipients for ballot papers, the transfer box and the envelopes containing the list of electors to the returning officer or to the person designated by the returning officer.

The returning officer shall have custody of the recipient or recipients for ballot papers until the results of the advance poll have been compiled and then for the time prescribed for the conservation of electoral documents.

183. Immediately before the time fixed for the opening of the polling station on the second day, where applicable, the senior deputy returning officer, before the persons present, shall open the transfer box and give each deputy returning officer the poll books, the envelopes containing unused ballot paper cards and the forms. Each deputy returning officer shall open the envelopes and take possession of their contents. The spoiled, refused or cancelled ballot paper cards shall remain in the transfer boxes, which the senior deputy returning officer shall seal.

The senior deputy returning officer, before the persons present, shall remove the seal from the travel case of the tabulator.

The returning officer, or the person designated by the returning officer, shall give each deputy returning officer the list of electors of the grouped polling station or stations, where applicable.

At the close of the second day of advance polling, where applicable, the senior deputy returning officer, the deputy returning officer and the poll clerk shall perform the same actions as at the close of the first day of advance polling. In addition, the senior deputy returning officer shall withdraw the memory card from the electronic ballot box, place it in an envelope, seal the envelope, place the envelope in the recipient for ballot papers, and seal the recipient.

The spoiled, refused or cancelled ballot paper cards from the second day shall be placed in separate sealed envelope. They shall also be placed in a sealed transfer box.

The senior deputy returning officer and the representatives who wish to do so shall affix their initials to the seals.

185. From 7:00 p.m. on polling day, the returning officer or the person designated by the returning officer shall print out the results compiled by the electronic ballot box at an advance polling station, in the presence of the deputy returning officers, the poll clerks and the representatives who wish to be present.

The results shall be printed out at the location determined by the returning officer. The print-out shall be performed in accordance with the rules applicable to the printing-out of the results from polling day, adapted as required.”.

6.11 Booths

The following is substituted for section 191 of the Act:

“**191.** Where electronic ballot boxes are used in an election, the polling station shall have the number of polling booths determined by the returning officer.”.

6.12 Ballot papers

The following is substituted for section 193 of the Act:

“**193.** With the exception of the entry stating the office to be filled, the ballot papers shall be printed by reversing process so that, on the obverse, the indications appear in white on a black background and the circles provided to receive the elector’s mark appear in white on an orange vertical strip.”.

Section 195 of the Act is revoked.

6.13 Identification of the candidates

Section 196 of the Act is amended

(1) by substituting the following for the first paragraph:

“**196.** The ballot paper card shall contain a ballot paper for the office of mayor and the ballot papers for the office or offices of councillor. Each ballot paper shall allow each candidate to be identified. It shall contain, on the obverse:”;

(2) by adding the following after subparagraph 3 of the first paragraph:

“(4) the offices in question and, where applicable, the number of the seat to be filled. The indications of the offices in question shall correspond to those contained in the nomination papers.”.

6.14 Ballot paper cards

The following is substituted for section 197 of the Act:

“**197.** The ballot paper cards shall contain on the obverse, as shown in the Schedule,

(1) the name of the municipality;

(2) the indication “municipal election” and the date of the poll;

(3) the ballot papers;

(4) the bar code.

The ballot paper cards shall contain, on the reverse, as shown in the Schedule,

(1) a space intended to receive the initials of the deputy returning officer;

(2) a space intended to receive the number of the polling subdivision;

(3) the name and address of the printer;

(4) the bar code.”.

6.15 Confidentiality sleeve

The Act is amended by inserting the following after section 197:

“**197.1.** The returning officer shall ensure that a sufficient number of confidentiality sleeves are available. Confidentiality sleeves shall be sufficiently opaque to ensure that no mark affixed on the ballot paper may be seen through them.”.

6.16 Withdrawal of a candidate

Section 198 of the Act is amended by adding the following paragraphs at the end:

“Where electronic ballot boxes are used in an election, the returning officer shall ensure that the memory card is adjusted so that it does not take into account the candidates who have withdrawn.

Any vote in favour of those candidates before or after their withdrawal is null.”.

6.17 Withdrawal of authorization or recognition

Section 199 of the Act is amended by adding the following paragraph at the end:

“Where electronic ballot boxes are used in an election, the returning officer shall ensure that the memory card is adjusted so that it does not take into account the party or the ticket from which recognition has been withdrawn.”.

6.18 Number of electronic ballot boxes

The following is substituted for section 200 of the Act:

“**200.** The returning officer must ensure that there are as many electronic ballot boxes as polling places available and that a sufficient number of replacement electronic ballot boxes are available in the event of a breakdown or technical deficiency.

The returning officer shall ensure that a sufficient number of recipients for ballot papers are available for each electronic ballot box.”.

6.19 Provision of polling materials

Section 204 of the Act is amended by substituting the word “recipient” for the words “ballot box” in the second line of the first paragraph.

6.20 Examination of the electronic ballot box and polling materials

The following is substituted for section 207 of the Act:

“**207.** In the hour preceding the opening of the polling stations, the senior deputy returning officer, before the persons present, shall initialize the electronic ballot box for the polling place. The senior deputy returning officer shall ensure that the electronic ballot box displays a total of zero recorded ballot papers by verifying the printed report of the electronic ballot box.

The senior deputy returning officer shall keep the report and show it to any person present who wishes to examine it.

The senior deputy returning officer shall examine the documents and materials provided by the returning officer.

207.1. In the hour preceding the opening of the polling stations, the deputy returning officer and poll clerk shall examine the documents and polling materials provided by the returning officer.”.

The following is substituted for section 209 of the Act:

“**209.** Immediately before the hour fixed for the opening of the polling stations, the senior deputy returning officer, before the deputy returning officers, the poll clerks and the representatives of the candidates present, shall ensure that the recipient of the electronic ballot box is empty.

The recipient shall then be sealed by the senior deputy returning officer. The senior deputy returning officer and the representatives present who wish to do so shall affix their initials to the seal. The electronic ballot box

shall be placed in such a way that it is in full view of the polling officers and the electors.”.

POLLING PROCEDURE

6.21 Presence at the polling station

The following is substituted for the third paragraph of section 214 of the Act:

“In addition, only the deputy returning officer, the poll clerk and the representatives assigned to the polling station, together with the returning officer, the election clerk, the assistant to the returning officer, the senior deputy returning officer and the assistant to the senior deputy returning officer may be present at the station. The officer in charge of information and order may be present, at the request of the deputy returning officer for as long as may be required. The poll runner may be present for the time required to perform his duties. Any other person assisting an elector under section 226 may be present for the time required to enable the elector to exercise his right to vote.”.

6.22 Initialling of ballot papers

The following is substituted for section 221 of the Act:

“**221.** The deputy returning officer shall give the ballot paper card to which the elector is entitled to each elector admitted to vote, after initialling the ballot paper card in the space reserved for that purpose and entering the number of the polling subdivision. The deputy returning officer shall also give the elector a confidentiality sleeve and a pencil.

The deputy returning officer shall instruct the elector how to insert the ballot paper card in the confidentiality sleeve after having voted.”.

6.23 Voting

The following is substituted for section 222 of the Act:

“**222.** The elector shall enter the polling booth and, using the pencil given by the deputy returning officer, mark one of the circles on the ballot paper or papers opposite the indications pertaining to the candidates whom the elector wishes to elect to the offices of mayor, councillor or councillors.

The elector shall insert the ballot paper card, without folding it, into the confidentiality sleeve in such a way that the deputy returning officer’s initials can be seen.”.

6.24 Following the vote

The following is substituted for section 223 of the Act:

“**223.** After marking the ballot paper or papers and inserting the ballot paper card in the confidentiality sleeve, the elector shall leave the polling booth and go to the electronic ballot box.

The elector shall allow the senior deputy returning officer to examine the initials of the deputy returning officer.

The elector or, at the elector’s request, the senior deputy returning officer shall insert the ballot paper card on the reverse side into the electronic ballot box without removing it from the confidentiality sleeve.”.

6.25 Automatic acceptance

The Act is amended by inserting the following after section 223:

“**223.1.** The electronic ballot box shall be programmed to accept automatically every ballot paper card that is inserted on the reverse side and that was given by the deputy returning officer to an elector.

223.2. If a ballot paper card becomes blocked in the recipient for ballot paper cards, the senior deputy returning officer, in the presence of the representatives of the candidates who wish to be present, shall open the recipient, restart the electronic ballot box, close it and seal the recipient again in their presence, before authorizing voting to resume.

The senior deputy returning officer must report to the returning officer the time during which voting was stopped. Mention of that fact shall be made in the poll book.

If a ballot paper card becomes blocked in the tabulator, the senior deputy returning officer, in the presence of the representatives of the candidates who wish to be present, shall unblock the tabulator and restart the electronic ballot box.”.

6.26 Cancelled ballots

The following is substituted for section 224 of the Act:

“**224.** The senior deputy returning officer shall prevent the insertion into the electronic ballot box of any ballot paper card that is not initialled or that is initialled

by a person other than the deputy returning officer of a polling station. The elector must return to the polling station.

The deputy returning officer of the polling station in question shall, if his initials are not on the ballot paper card, initial it before the persons present, provided that the ballot paper card is *prima facie* a ballot paper card given to the elector by the deputy returning officer that was not initialled by oversight or inadvertence. The elector shall return to insert the ballot paper card into the electronic ballot box.

If the ballot paper card has been initialled by a person other than the deputy returning officer, or if the ballot paper card is not a ballot paper card given to the elector by the deputy returning officer, the deputy returning officer of the polling station in question shall cancel the ballot paper card.

The occurrence shall be recorded in the poll book.”.

6.27 Visually impaired person

Section 227 of the Act is amended:

(1) by substituting the following for the second and third paragraphs:

“The assistant to the senior deputy returning officer shall set up the template and the ballot paper card, give them to the elector, and indicate to the elector the order in which the candidates’ names appear on the ballot papers and the particulars entered under their names, where such is the case.

The senior deputy returning officer shall help the elector insert the ballot paper card into the electronic ballot box.”; and

(2) by striking out the fourth paragraph.

COMPILATION OF RESULTS AND ADDITION OF VOTES

6.28 Compilation of results

The following is substituted for sections 229 and 230 of the Act:

“**229.** After the closing of the poll, the senior deputy returning officer shall place the electronic ballot box in “end of election” mode and print out the results compiled by the electronic ballot box. The representatives assigned to the polling stations at the polling place may be present.

The report on the compiled results shall indicate the total number of ballot paper cards, the number of ballot papers marked to indicate a vote for more than one candidate, the number of blank ballot papers and the number of valid votes for each office.

230. After the closing of the poll, the deputy returning officer of each polling station in the polling place shall complete the partial statement of votes according to section 238 and shall give a copy of it to the senior deputy returning officer.

The poll clerk of the polling station shall enter the following particulars in the poll book:

- (1) the number of ballot paper cards received from the returning officer;
- (2) the number of electors admitted to vote;
- (3) the number of spoiled, refused or cancelled ballot paper cards and the number of unused ballot paper cards;
- (4) the names of the persons who have performed duties as election officers or representatives assigned to that station.”.

The Act is amended by inserting the following after section 230:

“**230.1.** The senior deputy returning officer shall ensure, before the persons present, that the results entered on the printed report of the electronic ballot box and the total number of unused, spoiled, refused and cancelled ballot paper cards entered on the partial statement of votes of each deputy returning officer correspond to the total number of ballot paper cards issued by the returning officer.

230.2. Using the partial statement or statements of votes, the senior deputy returning officer shall complete an overall statement of votes in a sufficient number so that each representative assigned to a polling station or each candidate can have a copy of it.”.

6.29 Compiling sheet

Section 231 of the Act is revoked.

6.30 Counting of the votes

Section 232 of the Act is revoked.

6.31 Rejected ballot papers

The following is substituted for section 233 of the Act:

“**233.** The electronic ballot box shall be programmed in such a way as to reject any ballot paper that

- (1) has not been marked;
- (2) has been marked in favour of more than one candidate;
- (3) has been marked in favour of a person who is not a candidate.

For the purposes of the poll, the memory card shall be programmed in such a way as to ensure that the electronic ballot box processes and conserves all the ballot paper cards inserted, in other words both the cards containing valid ballot papers and those containing rejected ballot papers, except any ballot paper cards that have been refused.”.

6.32 Rejected ballot papers, procedural omission, valid ballot papers

Sections 233 to 236 of the Act, adapted as required, shall apply only in the case of a judicial recount.

6.33 Contested validity

The following is substituted for section 237 of the Act:

“**237.** The poll clerk, at the request of the senior deputy returning officer, shall enter in the poll book every objection raised by a representative present at the printing out of the results compiled by an electronic ballot box in respect of the validity of the results.”.

6.34 Partial statement of votes, overall statement of votes and copy given to representatives of candidates

The following is substituted for section 238 of the Act:

“**238.** The deputy returning officer shall draw up the partial statement of votes, setting out

- (1) the number of ballot paper cards received from the returning officer;

(2) the number of spoiled, refused or cancelled ballot paper cards that were not inserted into the electronic ballot box;

(3) the number of unused ballot paper cards.

The deputy returning officer shall make two copies of the partial statement of votes, one of which must be given to the senior deputy returning officer.

Using the partial statements of votes and the results compiled by the electronic ballot box, the senior deputy returning officer shall draw up an overall statement of votes.

The senior deputy returning officer shall immediately give a copy of the overall statement of votes to the representatives.”.

Section 240 of the Act is revoked.

6.35 Separate, sealed and initialled envelopes given to the returning officer

The following is substituted for sections 241, 242 and 243 of the Act:

“**241.** After the closing of the poll, each deputy returning officer shall place in separate envelopes the list of electors, the poll book, the forms, the spoiled, refused or cancelled ballot paper cards that were not inserted into the electronic ballot box, the unused ballot paper cards and the partial statement of votes. Each deputy returning officer shall seal the envelopes, place them in a recipient, seal it, and give it to the senior deputy returning officer. The deputy returning officer, the poll clerk and the representatives assigned to the polling station who wish to do so shall initial the seals.

242. After the results compiled by the electronic ballot box have been printed, in the presence of the candidates or representatives who wish to be present, the senior deputy returning officer:

— if the plastic recipient has been used for the electronic ballot box, place the ballot paper cards from the recipient of the electronic ballot box in a transfer box. Next, he shall remove the memory card from the electronic ballot box and insert it in an envelope with a copy of the report on the results compiled by the electronic ballot box. He shall seal the envelope, initial it, allow the representatives who wish to do so to initial it and place it in the transfer box. He shall seal and initial the transfer box and allow the representatives who wish to do so to initial it;

— if the cardboard recipient is used for the electronic ballot box, remove the cardboard recipient containing the ballot papers. Next, he shall remove the memory card from the electronic ballot box and insert it in an envelope with a copy of the report on the results compiled by the electronic ballot box. He shall seal the envelope, initial it, allow the representatives who wish to do so to initial it and place it in the cardboard recipient. He shall seal and initial the cardboard recipient and allow the representatives who wish to do so to initial it.

The senior deputy returning officer give the transfer boxes or the cardboard recipients to the returning officer or to the person designated by the returning officer.

243. The senior deputy returning officer shall place in an envelope a copy of the overall statement of votes stating the results of the election and the partial statements of votes. The senior deputy returning officer shall then seal and initial the envelope and give it to the returning officer.

The representatives assigned to the polling stations may initial the seal.”.

Section 244 of the Act is revoked.

6.36 Addition of votes

The following is substituted for section 247 of the Act:

“**247.** The returning officer shall proceed with the addition of the votes using the overall statement of votes drawn up by each senior deputy returning officer.”.

6.37 Adjournment of the addition of votes

The following is substituted for section 248 of the Act:

“**248.** The returning officer shall, if unable to obtain an overall statement of votes that should have been provided, adjourn the addition of votes until the statement has been obtained.

Where it is not possible to obtain an overall statement of votes, or the printed report on the results compiled by an electronic ballot box, the returning officer shall, in the presence of the senior deputy returning officer and the candidates concerned or their representatives if they so wish, print out the results using the memory card taken from the transfer box opened in the presence of the persons listed above.”.

6.38 Placing in envelope

The following is substituted for section 249 of the Act:

“**249.** After printing and examining the results, the returning officer shall place them in an envelope together with the memory card.

The returning officer shall seal the envelope, put the envelope in the transfer box and then seal the box.

The returning officer, the candidates and the representatives present may initial the seals.”.

6.39 New counting of the votes

The following is substituted for section 250 of the Act:

“**250.** Where it is not possible to print a new report on the results compiled using the memory card, the returning officer, on the date, at the time and at the place that he determines, in the presence of the candidates or their representatives who wish to be present, shall recover the ballot paper cards used for the office or offices concerned and shall insert them, one by one, in the opening of the electronic ballot box equipped with a new programmed memory card. He shall then print out the results compiled by the electronic ballot box.”.

6.40 Notice to the Minister

Section 251 of the Act is amended by substituting the words “overall statement of votes, the report on the results compiled by the electronic ballot box and the ballot paper cards” for the words “statement of votes and the ballot papers” in the first line of the first paragraph.

6.41 Access to ballot papers

The following is substituted for section 261 of the Act:

“**261.** Except for the purposes of an examination of rejected ballot papers pursuant to this agreement, the returning officer or the person responsible for providing access to the documents held by the municipality may not issue copies of the ballot papers used, or allow any person to examine the ballot papers, without being required to do so by an order issued by a court or judge.”.

6.42 Application for a recount

Section 262 of the Act is amended by substituting the words “an electronic ballot box” for the words “a deputy returning officer, a poll clerk or the returning officer” in the first and second lines of the first paragraph.

7. EXAMINATION OF REJECTED BALLOT PAPERS

Within 120 days from the date on which an election is declared or contested, the returning officer must, at the request of the Chief Electoral Officer or the Minister, examine the rejected ballot papers to ascertain the grounds for rejection. The returning officer must verify the ballot paper cards contained in the recipients for ballot papers.

The returning officer must notify the candidates or their representatives that they may be present at the examination. The Chief Electoral Officer and the Minister shall be notified and they may delegate their representatives. The representative of the company that sold or rented out the electronic ballot boxes must attend the examination to explain the operation of the mechanism for rejecting ballot papers and to answer questions from the participants.

The programming parameters for rejecting ballot papers must be disclosed to the participants.

The examination of the rejected ballot papers shall in no way change the results of the poll or be used in a court to attempt to change the results of the poll.

A report on the examination must be drawn up by the returning officer and include, in particular, the assessment sheet for the grounds for rejection and a copy of the related ballot paper. Any other relevant comment concerning the conduct of the poll must also be included.

Prior to the examination of the rejected ballot papers, the rejected ballot papers must be separated from the other ballot papers, using the electronic ballot box duly programmed by the representative of the firm, and a sufficient number of photocopies must be made for the participants present. The candidates or their representatives may be present during this operation.

8. DURATION AND APPLICATION OF AGREEMENT

The returning officer of the municipality is responsible for the application of this agreement and, consequently, for the proper conduct of the trial application of the new method of voting during general elections and by-elections held before 2005 October 1.

9. AMENDMENT

The parties agree that this agreement may be amended if need be to ensure the proper conduct of the general elections or subsequent by-elections provided for in the agreement.

Mention of that fact shall be made in the assessment report.

10. ASSESSMENT REPORT

Within 120 days following the general election held on 2002 November 3th the returning officer of the municipality shall forward, in accordance with section 659.3 of the Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2), an assessment report to the Chief Electoral Officer and the Minister setting out relevant ways to improve the trial and addressing, in particular, the following points:

— the preparations for the election (choice of the new method of voting, communications plan, etc.);

— the conduct of the advance poll and the poll;

— the cost of using the electronic voting system:

– the cost of adapting election procedures;

– non-recurrent costs likely to be amortized;

– a comparison between the actual polling costs and the estimated polling costs using the new methods of voting and the projected cost of holding the general election on 2002 November 3th using traditional methods;

— the number and duration of incidents during which voting was stopped, if any;

— the advantages and disadvantages of using the new method of voting;

— the results obtained during the addition of the votes and the correspondence between the number of ballot paper cards issued to the deputy returning officers and the number of ballot paper cards returned used and unused;

— the examination of rejected ballot papers, if it has been completed.

11. APPLICATION OF THE ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

The Act respecting elections and referendums in municipalities (R.S.Q., c. E-2.2) shall apply to the general election held on 2002 November 3th in the municipality, subject to the provisions of the Act that this agreement amends or replaces.

12. EFFECT OF THE AGREEMENT

This agreement has effect from the time when the returning officer performs the first act for the purposes of an election to which this agreement applies.

AGREEMENT SIGNED IN THREE COPIES:

In Ville de Sainte-Marie, on this 14th day of the month of August of the year 2002

THE MUNICIPALITY OF VILLE DE SAINTE-MARIE

By: _____
RUSSELL GILBERT, *Mayor*

HÉLÈNE GAGNÉ, *Clerk*

In Québec, on this 22nd day of the month of August of the year 2002

THE CHIEF ELECTORAL OFFICER

MARCEL BLANCHET

In Québec, on this 4th day of the month of September of the year 2002

THE MINISTER OF MUNICIPAL AFFAIRS AND GREATER MONTRÉAL

By: JEAN PRONOVOST, *Deputy minister*

SCHEDULE

MODEL BALLOT PAPER HOLDER

MUNICIPALITY OF MATTEAU

Municipal Election - November 3, 2002

“SPÉCIMEN”

Mayor Office	
Marie BONENFANT	●
Jean-Charles BUREAU <small>Appartenance politique</small>	●
Pierre-A. LARRIVÉE	●

Councillor seat no. 1	
Robert ALLARD	●
Serge LECLERC	●
Denise LESSARD <small>Appartenance politique</small>	●

Councillor seat no. 2	
Jean-Pierre BRODEUR <small>Appartenance politique</small>	●
Guy BROSSEAU	●
Maurice RICHARD	●

Councillor seat no. 3	
Gérard CYR <small>Appartenance politique</small>	●
Anne DUBÉ	●
Claudine DUSSAULT	●
Monique LEMAIRE	●

Councillor seat no. 4	
Luc GAUTHIER	●
Carl LUSSIER <small>Appartenance politique</small>	●
Hélène ROCHETTE	●
Sylvain ST-PIERRE	●

Councillor seat no. 5	
Joël MORIN <small>Appartenance politique</small>	●
Alain PERRON	●

Councillor seat no. 6	
Claude BRETON	●
Alain TREMBLAY <small>Appartenance politique</small>	●

<input type="text"/>	<input type="text"/>
Initials of the deputy returning officer	Polling subdivision
Nom de l'imprimeur Adresse Ville (Province) Code postal	

Draft Regulations

Draft Regulation

Building Act
(R.S.Q., c. B-1.1)

Regulation — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the application of the Building Act, the text of which appears below, may be made by the Government with or without amendment, upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to cause the exemptions related to the application of the draft Regulation to amend the Construction Code, which introduces Chapter II Gas and the draft Safety Code, which introduces Chapter I Gas, to be continued.

Moreover, the draft Regulation proposes to subject installations intended to use, store or distribute gas, plumbing systems and electrical installations which are owned by the Government, its departments and agencies that are mandataries of the Government to Chapter II of the Building Act (R.S.Q., c. B-1.1) and the regulations respecting the application of that Chapter, in particular, Chapters II, III and V of the Construction Code. Thus, all the construction work on installations intended to use, store or distribute gas, plumbing systems and electrical installations owned by the Government will be subject to the same building standards as those in the private sector.

Further information may be obtained by contacting Jean Samson, Engineer, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 7^e étage, Montréal (Québec) H2M 2V2, by telephone at (514) 873-5927 or by fax at (514) 873-1939.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Alcide Fournier, Chairman and Executive Director, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

JEAN ROCHON,
*Minister of State for Human Resources and Labour
and Minister of Labour*

Regulation to amend the Regulation respecting the application of the Building Act*

Building Act
(R.S.Q., c. B-1.1, s. 182, 1st par., subpars. 1 and 3)

1. The Regulation respecting the application of the Building Act is amended by inserting the following after section 3.3:

“DIVISION II.1 EXEMPTION FROM THE APPLICATION OF CHAPTER II OF THE CONSTRUCTION CODE AND FROM CHAPTER I OF THE SAFETY CODE

3.3.1. Any gas installation other than the installation used to produce energy, heat or light from natural gas or liquefied petroleum gas, that is, propane, propylene, butanes and butylenes and their various blends is exempt from the application of Chapter II of the Construction Code approved by Order in Council (*enter the number and date of the Order in Council*) and Chapter I of the Safety Code approved by Order in Council (*enter the number and date of the Order in Council*).

The following installations are also exempt from the application of those chapters:

- (1) installations intended to store or distribute gas by tank vehicle as long as the tank is not used as a storage tank at the point of use;
- (2) installations intended to use gas to ensure the motive power of a vehicle;
- (3) installations intended to use, in a refinery, gas for refining petroleum;
- (4) installations intended to store, in a refinery, gas resulting from the refining of petroleum;

* The Regulation respecting the application of the Building Act, made by Order in Council 375-95 dated 22 March 1995 (1995, G.O. 2, 1100), was last amended by the Regulation made by Order in Council 191-2001 dated 28 February 2001 (2001, G.O. 2, 1335). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

- (5) installations intended to store or use gas on boats;
- (6) installations intended to store or handle gas in a marine terminal;
- (7) installations intended to use gas as a refrigerant;
- (8) installations intended to store natural gas or propane in underground natural tanks or tanks shaped in the ground; and
- (9) installations intended to use or store on the premises gas collected from a disposal site or gas from an aerobic digester.

3.3.2. An owner-builder who keeps a register containing the information required for the declaration of work is exempt from the declaration provided for in Chapter II of the Construction Code.

3.3.3. The owner of an installation independent of a building and intended to store or distribute gas is exempt from the requirement to obtain an operation permit provided for in Chapter I of the Safety Code

- (1) where butane is stored in cylinders of an individual maximum capacity of 2.645 oz. (150 g);
- (2) where gas is stored therein in no-refill cylinders the maximum internal volume of which is 75 cubic inches (1 229 ml);
- (3) where natural gas is distributed through pipelines.”.

2. Section 3.5 is amended by substituting “, their facilities for public use and their installations independent of a building and intended to use, store or distribute gas” for “and facilities for public use”.

3. The following is inserted after section 3.5:

**“DIVISION V
APPLICATION OF CHAPTER III OF THE
BUILDING ACT TO GOVERNMENT PLUMBING
SYSTEMS, ELECTRICAL INSTALLATIONS AND
GAS INSTALLATIONS**

3.6. The Government, its departments and agencies, as mandataries of the State are bound, with respect to their plumbing systems in a building or in facilities for public use, by Chapter III of the Act and by the Regulations under that Chapter. The same applies to their electrical installations and their installations intended to use, store or distribute gas.”.

4. This Regulation comes into force on (*enter the date corresponding to the ninetieth day following the date of its publication in the Gazette officielle du Québec*).

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Draft Regulation

Building Act
(R.S.Q., c. B-1.1)

Construction Code — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Construction Code, the text of which appears below, may be approved by the Government, with or without amendment, upon the expiry of 45 days from this publication.

The purpose of the draft Regulation is to establish, for all the Québec territory, basic standards applicable to the construction of installations intended to use, store or distribute gas to ensure the quality of the work and the safety of the installations. Those standards are now adopted by the Régie du bâtiment du Québec under the Building Act (R.S.Q., c. B-1.1).

Those standards make up Chapter II of the Construction Code, comprising essentially CSA B149.1-00, the Natural Gas and Propane Installation Code; CSA B149.2-00, the Propane Storage and Handling Code; CSA B108-99, the Natural Gas Fuelling Stations Installation Code; CSA Z662-99, Oil and Gas Pipeline Systems; and CSA Z276-94, Liquefied Natural Gas (LNG) – Production, Storage, and Handling, to which amendments have been made to facilitate their application and to adapt them to the specific needs of Québec as well as to take into account the provisions of the Building Act (R.S.Q., c. B-1.1).

The principal measures concern in particular:

— the automatic updating of benchmark standards in order to remain at the forefront of technological progress;

— the obligation to provide an air supply for all installations where the input power of all the appliances does not exceed 120 kW;

— the obligation to report building work, except work on an installation intended to distribute natural gas by pipeline, and maintenance or repairs to an installation intended to use, store or distribute gas;

— withdrawal of the Régie from the approval of gas appliances; that responsibility will be devolved only upon recognized certification agencies;

— exclusion of certain boilers converted to gas from the obligation of being approved where they are already certified by a recognized agency to use another fuel; and

— the abolition of fees related to the reporting of work, and the imposition of fees for the inspection of building work on an installation intended to use, store or distribute gas that is carried out further to a remedial notice.

Further information may be obtained by contacting Jean Samson, P. Eng., Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 7^e étage, Montréal (Québec) H2M 2V2 by telephone at (514) 873-5927 or by fax at (514) 873-1939.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Alcide Fournier, Chairman and Executive Director, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

JEAN ROCHON,
*Minister of State for Human Resources
and Labour and Minister of Labour*

Rregulation to amend the Construction Code*

Building Act
(R.S.Q., c. B-1.1, ss. 173, 176, 176.1, 178, 179, 185,
1st par., subpars. 3, 5.1, 5.2, 6.2, 6.3, 6.4, 20, 24, 28,
29, 36, 37 and 38 and s. 192)

1. The Construction Code is amended by inserting the following after section 1.07:

“CHAPTER II INSTALLATION INTENDED TO USE, STORE OR DISTRIBUTE GAS

DIVISION I INTERPRETATION

2.01 In this Chapter, unless the context indicates otherwise, the word “Code” means: Code d’installation du gaz naturel et du propane, CSA B149.1-00; CSA B149.1-00,

Natural Gas and Propane Installation Code; Code sur l’emmagasiner et la manipulation du propane, CSA B149.2-00; CSA B149.2-00, Propane Storage and Handling Code; Centres de ravitaillement de gaz naturel: code d’installation, CSA B108-99; CSA B108-99, Natural Gas Fuelling Stations Installation Code; Réseaux de canalisation de pétrole et de gaz, CSA Z662-99; CSA Z662-99, Oil and Gas Pipeline Systems; Gaz naturel liquéfié (GNL): production, stockage et manutention, CSA Z276-94; and CSA Z276-94, Liquefied Natural Gas (LNG)—Production, Storage and Handling, published either by the Canadian Standards Association or by CSA International, as well as any additional amendments or editions that may be published by those organizations.

However, the amendments and new editions published after the date of coming into force of this Code apply to building work only from the date corresponding to the last day of the sixth month following the date of publication of the French text of these amendments or editions.

DIVISION II SCOPE

2.02 Subject to the exemptions provided for by regulation made by the Government under subparagraph 1 of the first paragraph of section 182 of the Building Act (R.S.Q., c. B-1.1) and to the amendments provided for in Division VII of this Chapter, the Code and this Chapter apply to all building work for an installation intended to use, store or distribute gas to which the Act applies, including its surroundings, that is carried out from the date of coming into force of this Chapter.

DIVISION III REFERENCES

2.03 A reference in the Code to a standard or code referred to in Table 1 is a reference to the code or standard referred to in the chapter of the Construction Code referring thereto, from the date of coming into force of that chapter, as well as to any amendments or editions that may be published by the agency that drew up that code or standard in accordance with the requirements of that chapter.

TABLE 1

Designation	Title	Chapter of Construction Code
CNRC 38726	National Building Code of Canada 1995	I
CSA B149.1	Natural Gas and Propane Installation Code	II

* The Construction Code was approved by Order in Council 953-2000 dated 26 July 2000 (2000, G.O. 2, 4203) and has not been amended since.

Designation	Title	Chapter of Construction Code
CSA B149.2	Propane Storage and Handling Code	II
CSA B108	Natural Gas Fuelling Stations Installation Code	II
CSA Z662	Oil and Gas Pipeline Systems	II
CSA C22.1	Canadian Electrical Code, Part I	V
CSA B51	Boiler, Pressure Vessel and Pressure Piping Code	VI

DIVISION IV APPROVAL OF APPLIANCES AND EQUIPMENT

2.04 Any appliance or equipment used in an installation intended to use, store or distribute gas must be approved for the use for which it is intended.

It is prohibited to sell or lease an appliance or equipment that has not been approved. It is also prohibited, except for approval purposes, to use in an installation intended to use gas or to permanently connect to such an installation an appliance or equipment that has not been approved.

However, an appliance or equipment may, during an exhibition, a presentation or a demonstration, be used without prior approval provided that it is accompanied by a notice with the following warning in characters measuring at least 15 mm: “WARNING: this material has not been approved for sale or rental as required by Chapter II of the Construction Code.”.

This section does not apply to the following appliance or equipment:

- (1) a manual appliance whose input power does not exceed 20 000 Btu/h (6 kW) intended for industrial applications;
- (2) a Bunsen burner;
- (3) a stationary internal combustion engine; or
- (4) a boiler or a used hot air generator converted to use gas with a single replacement burner certified by one of the agencies referred to in the first paragraph of section 2.05, where that boiler or generator has already been certified for use with another gas or liquid fuel.

2.05 Any appliance or equipment certified by one of the following agencies is deemed to be approved:

- (1) the Canadian Standards Association (CSA);
- (2) the Underwriters’ Laboratories of Canada (ULC);
- (3) Intertek Testing Services NA LTD. (WH, cETL);
- (4) Underwriters Laboratories Incorporated (cUL);

(5) any other certification agency accredited by the Standards Council of Canada and whose affixation of a seal or label of approval or of certification of that agency attests compliance with Canadian standards, and that has notified the Régie du bâtiment du Québec of its accreditation.

For the purposes of this section, “certification” means recognition by one of the agencies referred to in the first paragraph, by means of a label affixed on each certified appliance or equipment certifying that the appliance or equipment complies with the construction and testing requirements published by the standards development organizations accredited by the Standards Council of Canada to develop gas standards.

Any appliance on which a label is affixed certifying that, without being certified by one of the agencies referred to in the first paragraph, that appliance is recognized by one of those agencies as complying with the construction and testing standards of Code d’approbation sur place des composants relatifs au combustible des appareils et appareillages, CSA B149.3-00 and of CSA B149.3-00, Code for the Field Approval of the Fuel-Related Components on Appliances and Equipment, published by the Canadian Standards Association, as well as to any additional amendment or edition published by that agency, is also deemed to be approved.

However, approval is not required for each component of an appliance where that appliance has received overall approval.

DIVISION V REPORTING OF WORK

2.06 A contractor or an owner-builder in gas must report to the Régie the building work he has carried out and to which Chapter II of the Construction Code applies, except building work for an installation to distribute natural gas by pipeline and maintenance or repairs to an installation intended to use, store or distribute gas. That report must be sent to the Régie no later than the twentieth day of the month following the date of the beginning of the work.

2.07 The report of work must contain the following information:

- (1) the address of the worksite;
- (2) the name, address and telephone number of the person for whom the work is carried out;
- (3) the name, address, telephone number and licence number of the contractor or owner-builder in gas who carries out the work;
- (4) the expected dates of the beginning and end of the building work;
- (5) the occupancy of the building as well as the number of stories and dwelling units;
- (6) the nature and type of work, in particular work for a new installation or alterations;
- (7) the number, power and nature of the appliances installed;
- (8) the type of gas;
- (9) the gas supply pressure of the building; and
- (10) the date of the report.

2.08 The work must be reported on the form provided for that purpose by the Régie or on any other document drawn up for that purpose.

DIVISION VI INSPECTION FEES

2.09 A contractor or an owner-builder in gas must pay to the Régie, for the inspection of building work for an installation intended to use, store or distribute gas carried out further to the issue of a remedial notice provided for in section 122 of the Building Act, inspection fees of \$119 for the first hour or fraction thereof, half of the hourly rate for each half-hour or fraction thereof over and above the first hour and \$56 for each trip.

2.10 For the approval of a gas appliance that cannot be approved by one of the agencies referred to in the first paragraph of section 2.05, the fees are \$119 for the first hour or fraction thereof, half of the hourly rate for each half-hour or fraction thereof over and above the first hour and \$56 for each trip.

DIVISION VII AMENDMENTS TO CODE

2.11 Code CSA-B149.1-00 is amended:

(1) by substituting the following for Clause 1.1:

“1.1 This Code applies to:

(a) gas installations where gas is to be used for fuel purposes, subject to paragraph *b*; and

(b) piping and tubing systems extending from the termination of the gas undertaking’s installations for natural gas or from the distributor’s liquefied petroleum gas tanks; and

(c) vehicle-refuelling appliances and their equipment.”;

(2) by revoking Clause 1.2;

(3) by adding the following paragraphs after Clause 1.3:

“Where the term “natural gas” is used, the requirements of this Code apply equally to and include any of the following gases or mixtures of them: natural gas and mixtures of propane gas and air.

Where the term “propane” is used, the requirements of this Code apply equally to and include any of the following gases or mixtures of them: propane, propylene, butanes (normal butane or isobutane), and butylenes.”;

(4) in Clause 2.1:

(a) by substituting the following for the definition “**Authority having jurisdiction**”:

“**Authority having jurisdiction**: Régie du bâtiment du Québec.”;

(b) by deleting the definition “**Certified**”;

(c) by adding the following after the definition “**Garage**”:

“**Gas undertaking (natural gas)**: undertaking for the distribution of natural gas by pipeline.”;

(d) by inserting the following after the definition “**Dirt pocket (dust pocket)**”:

“**Distributor**: gas undertaking.”;

(e) by substituting the following for the definition “**Installer**”:

“**Installer**: contractor or owner-builder holding a licence issued under the Building Act (R.S.Q., c. B-1.1).”;

(f) by inserting the following after the definition “**Garage**”:

“**Gas installation**: appliance, equipment, component, accessory or piping.”;

(5) in Clause 2.3:

(a) by substituting the following for the first paragraph:

“The editions and documents incorporated by reference into this Code are those indicated below except in the cases provided for in section 2.03 of Chapter II of the Construction Code approved by Order in Council (*indicate here the number and date of the Order in Council approving this Chapter*).”;

(b) by substituting “CSA B108-99, Natural Gas Fuelling Stations Installation Code” for “CAN/CGA-B108-M95, Natural Gas Fuelling Stations Installation Code”;

(c) by substituting “B51-M1991” for “B51-97”;

(d) by adding, at the end, the following:

“A reference in the Code to the standard “CAN/CGA-B108” is a reference to the standard “CSA B108”.”;

(6) by revoking Clause 3.2;

(7) by revoking Clauses 4.1.2. and 4.2.7;

(8) by substituting the following for Clause 5.9.3:

“5.9.3 Welding of gas piping shall be performed in compliance with a welding method established and approved in accordance with Clause 7.2 of the standard CSA Z662-99, Oil and Gas Pipeline Systems, by a welder holding the appropriate competency certificate issued under the Act respecting manpower vocational training and qualification (R.S.Q., c. F-5).”;

(9) by inserting the following after Clause 6.1.3:

“6.1.4 Boilers converted to gas shall be in compliance with Clause A.8.3 of CSA B149.3-00, Code for the Field Approval of Fuel Related Components on Appliances and Equipment.”;

(10) by substituting the following for Clause 7.2.1:

“7.2.1 An outdoor air supply sized in accordance with Clause 7.2.2. shall be provided to either an enclosure or a structure in which an appliance(s) is installed.”;

(11) by striking out , “Except as permitted in Clause 7.2.3,” in Clause 7.2.2;

(12) by striking out the words “and the Structure Complies with Clause 7.2.1(a) or (b)” in the titles of Tables 7.2.2A and 7.2.2B;

(13) by revoking Clauses 7.2.3 to 7.2.6 and Tables 7.2.5A and 7.2.5B;

(14) by adding the following paragraph at the end of Clause 7.10.3:

“Either one of the first three types of venting systems preceded by an asterisk and appearing in the second column of Table 7.10.3 may be used to vent combustion gases from one of the first three types of appliances appearing in the first column.”;

(15) by inserting the following after Clause 7.13.3:

“7.13.4 The tables of Appendix C shall be used in accordance with the “General Venting Requirement (GVR)” specified in that Appendix.”;

(16) by adding the following paragraph after Clause 7.14.8:

“Notwithstanding paragraph g, a vent shall not terminate less than 6 feet (1.8 m) under an awning window. “;

(17) by striking out, in the French version of the Code, the words “et à la chaleur” in *article* 7.18.1;

(18) by inserting the following after Clause 7.18.23:

“7.18.24 The total length of a vent connector shall comply with that provided for in Table C.9 of Appendix C.”.

2.12 Code CSA B149.2-00 is amended:

(1) by substituting the following for Clauses 1.1 and 1.2:

“1.1 This Code applies to:

(a) installations to store, handle or transport liquefied petroleum gas; and

- (b) installations to use liquefied petroleum gas.”;
- (2) in Clause 2.1:
- (a) by substituting the following for the definition “**Authority having jurisdiction**”:
- “**Authority having jurisdiction**: Régie du bâtiment du Québec.”;
- (b) by deleting the definition “**Certified**”;
- (c) by inserting the following after the definition “**Space, confined**”:
- “**Storage**: stocking.”;
- (d) by inserting the following after the definition “**Insulating millboard**”:
- “**Liquefied petroleum gas**: propane, propylene, butanes or butylenes.”;
- (e) by substituting the following for the definition “**Installer**”:
- “**Installer**: contractor or owner-builder holding a licence issued under the Building Act (R.S.Q., c. B-1.1).”;
- (f) by inserting the following after the definition “**Garage**”:
- “**Handling**: manipulation or transfer.”;
- (3) in Clause 2.3:
- (a) by substituting the following for the first paragraph:
- “The editions and documents incorporated by reference into this Code are those indicated below except in the cases provided for in section 2.03 of Chapter II of the Construction Code approved by Order in Council (*indicate here the number and date of the Order in Council approving this Chapter*).”;
- (b) by substituting “B51-M1991” for “B51-97”;
- (c) by inserting, after the reference “Transportation of Dangerous Goods Act, 1992, Chapter 34, Sc 1992.”:
- “**NFPA Standard** (National Fire Protection Association)
- NFPA 68, Guide for Venting of Deflagrations, 1998 Edition.”;
- (4) by revoking Clause 3.2;
- (5) by revoking Clause 4.2.11;
- (6) by substituting the following for Clause 5.5.10.2(c):
- “(c) an explosion relief panel in compliance with the standard NFPA 68 entitled “Guide for Venting of Deflagrations”; or”;
- (7) by revoking Clause 5.6;
- (8) by substituting the following for Clause 6.17.3(e)(iii):
- “iii. an explosion relief panel in compliance with the standard NFPA 68 entitled “Guide for Venting of Deflagrations”; or”;
- (9) by revoking Clauses 6.21.1 to 6.21.4.
- 2.13 Code CSA B108-99 is amended:
- (1) in Clause 2.1:
- (a) by substituting the following for the definition “**Authority having jurisdiction**”:
- “**Authority having jurisdiction**: Régie du bâtiment du Québec.”;
- (b) by deleting the definition “**Certified**”;
- (2) in Clause 2.2:
- (a) by substituting the following for the first paragraph:
- “The editions and documents incorporated by reference into this Code are those indicated below except in the cases provided for in section 2.03 of Chapter II of the Construction Code approved by Order in Council (*indicate here the number and date of the Order in Council approving this Chapter*).”;
- (b) by substituting “B51-M1991” for “B51-97”;
- (c) by substituting “CSA B149.1-00, Natural Gas and Propane Installation Code” for “CAN/CGA-B149.1-M95, Natural Gas Installation Code”;
- (d) by substituting “Z662-99” for “Z662-96”;
- (e) by adding, at the end, the following:
- “A reference in the Code to the standard “CAN/CGA-B149.1” is a reference to the standard “CSA B149.1”.

2.14 Standard CSA Z662-99 is amended:

(1) by substituting the following for Clause 1.1:

“1.1 This Standard applies to the pipeline systems of a gas undertaking.”;

(2) by revoking Clauses 1.2 and 1.3;

(3) in Clause 2.1:

(a) by substituting the following for the first sentence of the first paragraph:

“The editions and documents incorporated by reference into this Standard are those indicated below except in the cases provided for in section 2.03 of Chapter II of the Construction Code approved by Order in Council (*indicate here the number and date of the Order in Council approving this Chapter*).”;

(b) by substituting “B51-M1991 for “B51-97”;

(c) by substituting “CSA B149.1-00, Natural Gas and Propane Installation Code” for “CAN/CGA-B149.1-M95, Natural Gas Installation Code”;

(d) by substituting “CSA B149.2-00, Propane Storage and Handling Code” for “CAN/CGA-B149.2-M95, Propane Installation Code”;

(e) by adding, at the end, the following paragraphs:

“A reference in the Standard to the standard “CAN/CGA-B149.1” is a reference to the standard “CSA B149.1”.

A reference in the Standard to the standard “CAN/CGA-B149.2” is a reference to the standard “CSA B149.2”.”;

(4) in Clause 3.1:

(a) by substituting the following for the definition “**Company**”:

“**Company**: the gas undertaking or contractor that is in charge of construction.”;

(b) by deleting the definition “**Construction**”;

(c) by substituting the following for the definitions “**Contractor**” and “**Company, operating**”:

“**Contractor**: person holding a contractor’s or an owner-builder’s licence issued under the Building Act (R.S.Q., c. B-1.1).

“**Company, operating**”: the gas undertaking that operates the pipeline system.”;

(5) by inserting the following after Clause 12.2:

“12.2.1 The service line of each building must come out of the ground before entering the building and it must be equipped with a service shut-off valve outside the building.

However, if the location where the service line comes out of the ground presents a danger and the service line cannot be protected, it must enter the building below ground level and be equipped with an underground service shut-off valve located outside the building and with another service shut-off valve inside, as near as possible to the foundation wall.

12.2.2 The service shut-off valves outside the ground must be easily accessible for their operation. The expression “easily accessible” means within reach, without it being necessary to climb, remove an obstacle or use a mobile ladder.

12.2.3 Before supplying gas to an installation, a piped gas undertaking must affix to the building, above any service entrance, a distinctive mark that can be seen at all times.

12.2.4 The piped gas undertaking must notify all users affected by an interruption of service and ensure that the service is restored safely.”.

2.15 Standard CSA Z276-94 is amended:

(1) by substituting the following for Clause 1.1:

“1.1 This Standard applies to installations intended to store liquefied natural gas regardless of their locations.”;

(2) by revoking Clauses 1.4 and 1.5;

(3) in Clause 2:

(a) by inserting the following after the definition “**Small facility**”:

“**Storage**: liquefaction, storage, vaporization, transfer or handling.”;

(b) by substituting the following for the definition “**Operating Company**”:

“**Operating company**: the piped gas undertaking that operates a LNG plant.”;

(4) in Clause 3.1 :

(a) by substituting the following for the first sentence:

“The editions and documents incorporated by reference into this Standard are those indicated below except in the cases provided for in section 2.03 of Chapter II of the Construction Code approved by Order in Council (*indicate here the number and date of the Order in Council approving this Chapter*).”;

(b) by substituting “C22.1-1998” for “C22.1-1994”;

(c) by substituting “CSA Z662-99, Oil and Gas Pipeline Systems” for “CAN/CSA-Z184-M92, Gas Pipeline Systems”;

(d) by substituting “CSA B149.2-00, Propane Storage and Handling Code” for “CAN/CGA-B149.2-M91, Propane Installation Code”;

(e) by substituting “National Building Code of Canada 1995” for “National Building Code of Canada 1990; Supplement to the National Building Code of Canada 1990”;

(f) by adding, at the end, the following paragraphs:

“A reference in the Standard to the standard “CAN/CSA-Z184” is a reference to the standard “CSA Z662”.

A reference in the Standard to the standard “CAN/CGA-B149.2” is a reference to the standard “CSA B149.2”.”.

DIVISION VIII

PENAL

2.16 Any violation of one of the provisions of this Chapter, except for the provisions of Division VI, is an offence.”.

2. This Regulation comes into force on (*indicate here the date corresponding to the ninetieth day following the date of its publication in the Gazette officielle du Québec*).

5271

Draft Regulation

Environment Quality Act
(R.S.Q., c. Q-2)

Halocarbons

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and with section 124 of the Environment Quality Act, that the Regulation respecting halocarbons, the text of which appears below, may be made by the Government upon the expiry of 60 days following this publication.

The purpose of the draft Regulation is to harmonize the applicable standards in matters of halocarbons with the latest amendments made to the Montréal Protocol by the signatory countries, including Canada, and follow on the commitments in that respect that were made public in the Québec Action Plan on Climate Change 2000-2002.

The purpose of those standards is to protect the stratospheric ozone layer against depletion caused by emissions into the atmosphere of halocarbons such as CFCs and HCFCs used in particular in refrigeration or air conditioning systems. The purpose of those standards is also to minimize the increase in the greenhouse effect related to emissions of certain halocarbon replacements such as PFCs and HFCs and that is the source of man-induced climate change.

To that end, the draft Regulation prohibits the emission of halocarbons into the atmosphere, governs their use and provides for the progressive prohibition of certain of them. It prescribes the use of rechargeable containers to hold those substances and the recovery and recycling of those substances and the elimination of CFCs and halons. It makes the environmental training offered to manpower that will use halocarbons compulsory and limits the purchase of those substances to qualified persons or enterprises that employ qualified persons only.

The impact of the draft Regulation on enterprises working in the fields of air conditioning and refrigeration, as well as fire protection will mainly be, in addition to the requirement to ensure that their manpower is qualified as regards environmental impacts, to require them to be appropriately equipped for the recovery of halocarbons and require them to return the recovered substances to their supplier. Halocarbon suppliers will have to return the substances thus returned for reclamation or elimination. They will also be required to use rechargeable pressurized containers for the marketing of halocarbons. The higher costs of those containers will

be compensated for by their longer operational life since they will be reusable. Owners of chiller type refrigeration or air conditioning equipment will be prohibited from recharging their units with CFCs according to a phase-out schedule spread over 2005 to 2015. Owners of fire protection systems using halons will not be allowed to recharge their apparatus with a halon according to a phase-out schedule spread over 2003 to 2010 depending on the type of apparatus.

Further information may be obtained by contacting Daniel Champagne, Direction des politiques du secteur industriel, ministère de l'Environnement, édifice Marie-Guyart, 9^e étage, boîte 71, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7, by telephone at (418) 521-3950, extension 4977, by fax at (418) 646-0001 or by electronic mail at daniel.champagne@menv.gouv.qc.ca

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 60-day period, to the Direction des politiques du secteur industriel of the Ministère de l'Environnement, at the aforementioned address.

ANDRÉ BOISCLAIR,
*Minister of State for
Municipal Affairs and
Greater Montréal,
the Environment and
Water and Minister of
the Environment*

JEAN-FRANÇOIS SIMARD,
*Minister for the
Environment and Water*

Regulation respecting halocarbons

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, pars. *a* to *d*, *e*, *i*, *j* and *l*, s. 53.28,
pars. 3 and 4, s. 53.30, 1st par., subpars. 1 to 3 and 6,
clause *c*, s. 70.19, 1st par., subpars. 2, 3 and 14 to 19
and 2nd par., ss. 109.1 and 124.1)

CHAPTER I GENERAL

DIVISION I SCOPE, PURPOSE AND INTERPRETATION

1. The provisions of this Regulation apply to any halocarbon, whether used alone or in a mixture, and to its isomers.

Notwithstanding the foregoing, the provisions of this Regulation do not apply to halocarbons used to spray a medication within the meaning of paragraph *h* of section 1 of the Pharmacy Act (R.S.Q., c. P-10) or a medication for which an identification number was assigned under the Food and Drugs Act (R.S.C. (1985), c. F-27).

Only the provisions of sections 6 to 9, the first and second paragraphs of section 10, sections 14, 15, 54 and 55, as well as those of Chapters III and IV apply to halocarbons that are used, were used or are intended to be used for the operation of a household refrigeration or air conditioning unit.

The provisions of this Regulation apply in particular to a reserved area or to an agricultural zone established in accordance with the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1).

2. The purpose of this Regulation is to ensure the protection of the stratospheric ozone layer against depletion caused by emissions into the atmosphere of halocarbons used in particular in refrigeration or air conditioning systems. Its purpose is also to minimize the increase in the greenhouse effect related to emissions of certain halocarbon replacements and that is the source of man-induced climate change.

To that end, this Regulation prohibits the emission of halocarbons into the atmosphere, governs their use and provides for the progressive prohibition of certain of them. It prescribes standards respecting the containers used to hold those substances and their recovery. It also prescribes environmental qualification requirements of manpower using those substances.

3. In this Regulation,

“CFC” means a fully halogenated chlorofluorocarbon each molecule of which contains one, two or three carbon atoms and at least one atom each of chlorine and fluorine; (*CFC*)

“halocarbon” means a carbon chemical compound, the structure of which may include hydrogen, fluorine, chlorine, bromine or iodine that is stable enough to reach the stratosphere, that may react with stratospheric ozone or be at the source of climate change and that includes a substance set out in Schedule I, whether used alone or in a mixture, and includes isomers of any such substance; (*halocarbure*)

“halon” means a fully halogenated bromofluorocarbon each molecule of which contains one, two or three carbon atoms and at least one atom each of bromine and fluorine; (*halon*)

“HCFC” means a hydrochlorofluorocarbon each molecule of which contains one, two or three carbon atoms and at least one atom each of hydrogen, chlorine and fluorine; (*HCFC*)

“HFC” means a hydrofluorocarbon each molecule of which contains only carbon, hydrogen and fluorine atoms; (*HFC*)

“PFC” means a fully fluorinated fluorocarbon each molecule of which contains only carbon and fluorine atoms (also called “perfluorocarbon”); (*PFC*)

“total refrigeration” means the rating of the compressor of a refrigeration or air conditioning unit specified by its manufacturer and expressed in or converted into kilowatts. (*puissance nominale*)

A freezing unit is considered a refrigeration unit.

A heat pump or a dehumidifier is considered an air conditioning unit.

A refrigeration or air conditioning unit includes refrigeration or air conditioning systems or facilities and, depending on the context, the tubing, hoses, pipes, valves or any other components necessary for its operation.

A fire extinguishing system is considered a fire extinguisher and it includes, depending on the context, the tubing, hoses, pipes, valves or any other components necessary for its operation.

For the purposes of section 8, sulfur hexafluoride (SF_6) is considered a halocarbon.

4. Any halocarbon referred to in this Regulation is considered a hazardous material within the meaning of paragraph 21 of section 1 of the Environment Quality Act (R.S.Q., c. Q-2).

Notwithstanding the foregoing, the provisions of the Regulation respecting hazardous materials made by Order in Council 1310-97 dated 8 October 1997 are applicable to such halocarbon only insofar as provided for in section 7.1 of that Regulation.

In addition, sections 70.6 to 70.18 of the Environment Quality Act do not apply to a halocarbon referred to in this Regulation.

DIVISION II

GENERAL STANDARDS RELATED TO THE SOURCES OF EMISSION OF HALOCARBONS

5. No one may directly or indirectly emit halocarbons or cause or allow halocarbons to be emitted into the atmosphere.

The emission of halocarbons inside a building that is not equipped with a system preventing, in a durable

manner, the migration of that substance outside the building is considered to have taken place into the atmosphere.

The prohibition provided for in the first paragraph does not apply to emissions inherent to the operation of the air extraction system of a refrigeration or air conditioning unit complying with the standard provided for in section 25.

That prohibition does not apply to the use of a fire extinguisher required to prevent, extinguish or control a fire that has not been voluntarily lit for vocational training or demonstration purposes.

6. No one may manufacture, sell or distribute a pressurized container of a capacity of 10 kilograms or less or an aerosol if it contains a CFC.

7. No one may sell or distribute a halocarbon the boiling point of which is equal to or less than 20 °C at an absolute pressure of 101.325 kilopascals (kPa) that is not held in a pressurized container and designed so as to be recharged.

8. Charging or recharging a container that is defective or whose operational life has ended with a halocarbon is prohibited.

Subject to section 12, the same prohibition applies to any refrigeration, air conditioning unit or fire extinguisher intended to operate by using a halocarbon in whole or in part.

9. Anyone who charges or recharges a container or an apparatus with a halocarbon is required, subject to section 12, to previously leak test the apparatus.

It is prohibited to use halocarbons to conduct that test.

10. Anyone who carries out maintenance work on components of a refrigeration or air conditioning unit or a fire extinguisher that contain halocarbons or repairs, converts or dismantles such components shall previously recover the halocarbons into a container designed for that purpose by means of the appropriate equipment.

The same requirement is applicable when the person repairs or dismantles a pressurized container of halocarbon.

In addition, for a refrigeration or air conditioning unit other than a household unit the total refrigeration of which is equal to or greater than four kilowatts, halocarbons may be recovered by means of the appropriate equipment whose effectiveness is equivalent to or superior to Air Conditioning and Refrigeration Institute

Standard ARI-740 (1998): Standard for Refrigerant Recovery/Recycling Equipment.

11. The owner of a unit or extinguisher referred to in the second paragraph of section 8, other than a refrigeration or air conditioning unit the total refrigeration of which is less than 22 kilowatts, on which halocarbon leaks are detected shall immediately

(1) stop the unit or extinguisher from operating or, where the unit or extinguisher consists of several parts that can be isolated one from the other, isolate the part of the unit where the leak has been detected; and

(2) for a liquid halocarbon, recover the halocarbon that has leaked and remove any material contaminated by that halocarbon that is not cleaned or treated on the premises.

The owner shall also, within 48 hours of becoming aware of the defect, have the halocarbon in the unit or, as the case may be, in the part of the unit that was isolated, recovered and have the necessary repairs made.

In addition, the halocarbon must be recovered by means of appropriate equipment whose effectiveness is equivalent or superior to the ARI-740 Standard referred to in the third paragraph of section 10.

12. If it is necessary to continue operating the defective unit to prevent an immediate danger to human life or health, the requirements provided for in subparagraph 1 of the first paragraph and in the second paragraph of section 11 do not apply as long as the danger remains up to a maximum of five days.

It is then the responsibility of the owner of the unit to immediately file a report with the Minister of the Environment containing the following information:

(1) the owner's name and address;

(2) the address where the unit can be found;

(3) for each type of halocarbon contained in the unit, the quantity recovered, the quantity released expressed in kilograms, as well as, if the halocarbon is released as a gas, an estimate of the quantity released; and

(4) the circumstances that justify the fact that the operation of the unit was not immediately stopped.

13. Anyone who accidentally releases a halocarbon into the atmosphere shall, on the following conditions, notify the Minister

(1) immediately, if the halocarbon released is in the liquid state and the quantity released exceeds 25 kilograms; or

(2) within 24 hours of becoming aware of the release, if the halocarbon released is in the gaseous state and the quantity released exceeds 25 kilograms, or within 24 hours of the recharge of the unit if the quantity could not be reasonably estimated at the time of the release.

In addition, where the quantity of released halocarbon exceeds 50 kilograms, a report specifying the cause of the release and, where applicable, the description of the modifications or corrections made to the system or unit must be filed with the Minister within 30 days of the end of the work.

14. Any person or municipality that, within a household appliance collection service, collects a refrigeration or air conditioning unit shall, before disposing of it, recover the halocarbon contained in the unit or have it recovered in a container designed for that purpose by means of the appropriate equipment.

The person or municipality shall ensure that each unit so emptied bears a notice specifying that the unit does not contain halocarbons.

15. Any person who operates a refrigeration or air conditioning unit recovery enterprise for the purposes of dismantling or sale of decommissioned units or parts from units to be dismantled, destroyed or sold for parts only shall, before dismantling components containing halocarbons by means of the appropriate equipment or dispose of them for destruction, recover the halocarbons therein in a container designed for that purpose.

The person shall also ensure that each unit or part so emptied bears a notice specifying that the unit or, as the case may be, the part does not contain halocarbons.

In addition, for an appliance other than a household appliance the total refrigeration of which is greater than four kilowatts, halocarbons must be recovered by means of the appropriate equipment whose effectiveness is equivalent or superior to the ARI-740 Standard referred to in the third paragraph of section 10.

16. Anyone who employs a person who carries out work referred to in section 10, 14, 15, 29 or 33 shall make available to that person the recovery or recycling equipment prescribed, as the case may be, by those provisions.

CHAPTER II
STANDARDS PARTICULAR TO CERTAIN
SOURCES OF EMISSION

DIVISION I
DEFINITIONS

17. In this Chapter,

“chiller” means any refrigeration or air conditioning unit that uses the refrigerant characteristics of a halocarbon to lower the temperature of a secondary cooling liquid circulating in the conduits ; (*refroidisseur*)

“mobile refrigeration unit” means any refrigeration unit, installed or designed to be installed on a commercial vehicle within the meaning of section 4 of the Highway Safety Code (R.S.Q., c. C-24.2) and used to control the temperature of spaces reserved exclusively for the transportation of property ; (*appareil de réfrigération mobile*)

“tool vehicle” means any tool vehicle within the meaning of section 4 of the Highway Safety Code. (*véhicule-outil*)

DIVISION II
CERTAIN REFRIGERATION OR
AIR CONDITIONING UNITS

18. This Division applies to units in any of the following categories :

- (1) mobile refrigeration units ;
- (2) refrigeration or air conditioning units the total refrigeration of which is less than four kilowatts that are used for commercial, industrial or institutional purposes, except refrigerated vending machines ;
- (3) refrigeration or air conditioning units the total refrigeration of which is equal to or greater than four kilowatts and less than 22 kilowatts and that are used for commercial, industrial or institutional purposes ;
- (4) refrigeration or air conditioning units the total refrigeration of which is equal to or greater than 22 kilowatts ; or
- (5) refrigerated vending machines.

Chiller type refrigeration or air conditioning units referred to in Division III are excluded from the application of this Division.

19. No one may manufacture, sell, distribute or install a refrigeration or air conditioning unit designed to operate with a CFC, except if the unit is converted to allow its operation with a halocarbon other than a CFC or with a substance other than a halocarbon.

It is prohibited, as of the following dates and according to the category of unit, to recharge such a unit with a CFC :

(1) as of 1 January 2003, for a unit in the category referred to in subparagraph 1 of the first paragraph of section 18 ;

(2) as of 1 January 2004, for a unit in the category referred to in subparagraph 2 or subparagraph 5 of the first paragraph of section 18 ;

(3) as of 1 January 2005, for a unit in the category referred to in subparagraph 3 of the first paragraph of section 18 ; and

(4) as of 1 January 2006, for a unit in the category referred to in subparagraph 4 of the first paragraph of section 18.

It is also prohibited, as of the dates stipulated in the second paragraph, to repair, transform or modify a unit designed to operate with a CFC, except to allow its operation with a halocarbon other than a CFC or with a substance other than a halocarbon.

The prohibition provided for in the first paragraph does not apply to a unit converted to operate with a halocarbon other than a CFC or with a substance other than a halocarbon.

20. As of 1 January 2020, no one may manufacture, sell, distribute or install a refrigeration or air conditioning unit designed to operate with an HCFC.

21. The prohibition provided for in section 20 does not apply to a unit operating or designed to operate with an HCFC-123 type hydrochlorofluorocarbon.

This section ceases to have effect on 1 January 2030.

22. The owner of a refrigeration or air conditioning unit referred to in subparagraph 4 of the first paragraph of section 18 shall ensure that all components containing halocarbons or designed to contain halocarbons are subject to a leak test twice a year at a five-month interval at least.

DIVISION III CHILLER TYPE REFRIGERATION OR AIR CONDITIONING UNITS

23. No one may manufacture, sell, distribute or install a chiller designed to operate with a CFC, nor use such a unit.

That prohibition does not apply to a chiller converted to use a halocarbon other than a CFC or with a substance other than a halocarbon.

24. The prohibition provided for in section 23 with respect to the use of a chiller operating with a CFC does not apply either to a unit that was installed before (*enter the date of coming into force of this Regulation*).

Notwithstanding the foregoing, it is prohibited to recharge such a chiller with a CFC as of the earlier of the following dates :

(1) following 1 January 2005, the date on which the unit is serviced for the first time as recommended by its manufacturer;

(2) after 1 January 2005, the date on which the unit is serviced for the first time;

(3) after 1 January 2005, the date on which the unit is repaired for the first time to the extent that it requires the dismantling or replacement of a major component containing halocarbons; or

(4) 1 January 2015.

For the purposes of this section, “to service” means to recondition a unit. The reconditioning process includes dismantling, inspecting, repairing or replacing parts, reassembling, adjusting, finishing and testing the main components that contain halocarbons or come into contact with those substances and its purpose is to ensure that the unit complies with the technical specifications of the manufacturer.

The first paragraph ceases to have effect on 1 January 2015.

25. It is prohibited to install or to allow the installation on a chiller of an air extraction system that releases into the atmosphere more than 0.1 kilogram of halocarbons per kilogram of expelled air.

As of 1 January 2003, it is also prohibited to operate an air extraction system whose releases exceed those set out in the first paragraph or to allow such system to operate.

26. The owner of a chiller shall ensure that all its components that contain or are designed to contain halocarbons are subject to a leak test twice a year at a five-month interval at least.

DIVISION IV AIR CONDITIONING UNITS IN CERTAIN VEHICLES

27. This Division applies to any air conditioning unit in motor vehicles, tool vehicles or farm machinery.

28. No one may manufacture, sell or distribute an air conditioning unit using a CFC and designed to equip motor vehicles, tool vehicles or farm machinery, nor install it in such vehicle or recharge it with a CFC.

It is also prohibited to repair, transform or modify such a unit, except to allow its operation with a halocarbon, other than a CFC, or with a substance other than a halocarbon.

The prohibition provided for in the first paragraph does not apply to a unit that equips a vehicle registered outside Québec.

29. Anyone who carries out maintenance work, makes repairs, modifications, carries out conversion work or dismantles components containing a halocarbon on an air conditioning unit referred to in this Division shall recover the halocarbon by means of appropriate equipment. In addition, a CFC-12 or an HFC-134a must be recovered by means of equipment whose effectiveness is equivalent or superior to the standard specified hereafter with respect to each type of halocarbon :

(1) for the recovery of a CFC-12: Society of Automotive Engineers Standard SAE J2209 (February 1999): Refrigerant Recovery Equipment for Mobile Automotive Air-Conditioning Systems;

(2) for the recovery of a CFC-12, where the equipment simultaneously recycles the halocarbon: Society of Automotive Engineers Standard SAE J1990 (February 1999): Recovery and Recycle Equipment for Mobile Automotive Air-Conditioning Systems; or

(3) for the recovery of an HFC-134a, where the equipment simultaneously recycles the halocarbon: Society of Automotive Engineers Standard SAE J2210 (February 1999): Recovery/Recycling Equipment for Mobile Air-Conditioning Systems.

Previously, the nature of the halocarbon present in the unit must be identified by means of a device designed for that purpose.

30. Any person who operates an enterprise that dismantles or sells decommissioned motor vehicles, tool vehicles or farm machinery, automobile hulks or parts from dismantled vehicles, vehicles intended to be dismantled, destroyed or sold in parts only shall, before dismantling an air conditioning unit that equips such a vehicle or its components that contain halocarbons, or dispose of them for destruction, recover the halocarbons contained therein by means of the appropriate equipment the effectiveness of which is equivalent or superior to Standard SAE J2209, Standard SAE J1990 or Standard SAE J2210 referred to in section 29 according to the type of halocarbon and operation.

The person shall also ensure that each unit or part so emptied bears a notice specifying that the unit or, as the case may be, the part does not contain halocarbons.

DIVISION V FIRE EXTINGUISHERS

31. No one may manufacture, sell, distribute or install a fire extinguisher using halon.

The person or municipality that benefits from a right to use, keep or own an airplane, a ship, a helicopter, a military vehicle or property that is recognized or classified as cultural property under the Cultural Property Act (R.S.Q., c. B-4) or that is an immovable referred to in the National Museums Act (R.S.Q., c. M-44) or in the Museums Act (S.C. (1990), c. M-13.4) is excluded from the application of the first paragraph with respect to sale, distribution or installation of a portable fire extinguisher manufactured before (*enter the date of coming into force of this Regulation*).

32. Charging or recharging a portable fire extinguisher with a halon is prohibited as of 1 January 2003.

It is prohibited, as of the following dates and according to the category of fire extinguishers, to recharge a fire extinguisher other than a portable one with a halon

(1) as of 1 January 2006, for fire extinguishers the total charge of halon of which is equal to or less than 60 kilograms;

(2) as of 1 January 2008, for fire extinguishers the total charge of halon of which is greater than 60 kilograms and less than 275 kilograms; or

(3) as of 1 January 2010, for fire extinguishers the total charge of halon of which is equal to or greater than 275 kilograms.

Charging or recharging a fire extinguisher for a person or municipality having a right to use, keep or own property referred to in the second paragraph of section 31 is excluded from the first and second paragraphs.

The third paragraph ceases to have effect on 1 January 2010.

33. Anyone who carries out maintenance work, makes repairs or modifications, carries out conversion work or dismantles components containing a halon on fire extinguishers shall recover the halon by means of the appropriate equipment whose effectiveness is equivalent or superior to the standards provided for in the ULC/ORD-C1058.5-1993 publication entitled Halon Recovery and Reconditioning Equipment.

34. Where dismantling work on a fire extinguisher or conversion work to allow the operation of the fire extinguisher with a substance other than a halon is carried out, the person responsible for that work shall file a report containing the following information with the Minister no later than 31 March of each year on the form provided by the Minister:

(1) the name and address of the contractor;

(2) the name and address of the owner of the fire extinguisher and the address where the work was carried out;

(3) the type of halon recovered and its quantity;

(4) if the substance used as a replacement for halon is a halocarbon, the type of halocarbon and its quantity expressed in kilograms;

(5) the date of the end of the work; and

(6) the name and address of the enterprise to which was sent the recovered halon.

DIVISION V PLASTIC FOAM AND PLASTIC FOAM PRODUCTS

35. In this Division, “plastic foam” means a plastic or another polymer product whose weight per unit of volume is reduced by the build-up, during the manufacturing, of gaseous cells by means of a halocarbon acting as a blowing agent.

36. No one may manufacture, sell or distribute plastic foam or a product containing plastic foam if that foam contains or requires a CFC or an HCFC for its manufacturing.

37. Insulating or sound-proofing plastic foams, panels composed of such foam and stuffing products made of supple plastic foam are not covered by the prohibition provided for in section 36 with respect to an HCFC.

Notwithstanding the foregoing, as of 1 January 2010, it is prohibited to manufacture, sell or distribute plastic foam or a product containing plastic foam that contains or requires an HCFC-141b, an HCFC-142b or an HCFC-22 for its manufacturing.

The first paragraph ceases to have effect on 1 January 2015.

DIVISION VII STERILIZATION

38. No one may use a gas containing a CFC or an HCFC to sterilize equipment of any kind.

DIVISION VIII SOLVENTS

39. No one may use a solvent that contains a CFC or a product that contains such a solvent, nor use a solvent that contains an HCFC-141b or a product that contains such a solvent for industrial cleaning purposes.

It is also prohibited, as of 1 January 2003, to use a solvent that contains an HCFC or a product that contains such a solvent.

The first and second paragraphs do not apply to the use of a solvent in any of the following conditions:

- (1) where it is used in a laboratory as a reagent;
- (2) where it is used for a chemical compound synthesis; or
- (3) where it is used in a manufacturing process at the end of which the CFC or HCFC is chemically transformed into another substance.

40. No one may use carbon tetrachloride or methyl chloroform or a product that contains any of those substances.

The first paragraph does not apply to the use of such a substance in any of the following conditions:

- (1) where it is used in a laboratory as a reagent;
- (2) where it is used for a chemical compound synthesis; or

(3) where it is used in a manufacturing process at the end of which it is chemically transformed into another substance.

CHAPTER III ENVIRONMENTAL QUALIFICATION OF MANPOWER

41. Only the persons having the qualifications required under section 42 or 43 may install, maintain, repair, modify, dismantle or recondition a refrigeration or air conditioning unit designed or converted to operate with a halocarbon or a fire extinguishing apparatus designed or converted to operate with a halocarbon.

Likewise, only the persons having the qualifications required under section 42 or 43 may purchase or obtain halocarbons for the commissioning or maintenance of a unit or apparatus referred to in the first paragraph.

The first paragraph does not apply to work carried out by a trainee or a student who is under the immediate supervision of a person having the qualifications required under section 42 or 43 or to the dismantling of a unit or apparatus or one of its components that contains no halocarbons and that is not directly linked to another component or another unit or apparatus that contains halocarbons.

The second paragraph does not apply to a person or enterprise that employs a person having the qualifications required under section 42 or 43 for whom the halocarbon is intended.

42. The following persons have the qualifications required to carry out work referred to in section 41:

(1) with respect to refrigeration or air conditioning units other than household units, refrigerated vending machines or air conditioning units in motor vehicles, tool vehicles or farm machinery, the persons who

(a) took and successfully completed, after 1 January 1995, the courses provided for in a program of studies established and certified by the Minister of Education and that contain with respect to this category of units all the compulsory educational objectives referred to in the second paragraph and who hold an apprentice competency certificate or a journeyman competency certificate issued by the Commission de la construction du Québec for the trade of refrigeration specialist or a certificate of qualification, an apprenticeship card or an apprenticeship booklet issued by the Minister responsible for Employment for the trade of pipe fitter, refrigeration specialist;

(b) will have taken and successfully completed, as of 1 January 2006, the courses provided for in a program of studies established and certified by the Minister of Education and that contain with respect to this category of units all the compulsory educational objectives referred to in the second paragraph and who hold a certificate of qualification, an apprenticeship card or an apprenticeship booklet issued by the Minister responsible for Employment for the trade of stationary engineman for the “refrigerating apparatus” category; or

(c) will have taken and successfully completed, as of 1 January 2004, an awareness training period in the environmental impact that installation, maintenance, repair, modification or dismantling operations of refrigeration or air conditioning units in this category have, offered, as the case may be, under the authority of the Minister responsible for Employment, the Commission de la construction du Québec, the Heating, Refrigerating and Air Conditioning Institute of Canada or the Refrigeration Service Engineers Society and who hold a certificate, an apprenticeship card or an apprenticeship booklet referred to in clause *a* or *b* of subparagraph 1 of the first paragraph;

(2) with respect to household refrigeration and air conditioning units or refrigerated vending machines, the persons who

(a) will have taken and successfully completed, as of 1 January 2006, the courses provided for in a program of studies established and certified by the Minister of Education and that contain with respect to this category of units all the compulsory educational objectives referred to in the second paragraph; or

(b) will have taken and successfully completed, as of 1 January 2004, an awareness training period in the environmental impact that installation, maintenance, repair, modification or dismantling operations of refrigeration or air conditioning units in this category have, offered, as the case may be, under the authority of the Minister responsible for Employment, the Heating, Refrigerating and Air Conditioning Institute of Canada or the Refrigeration Service Engineers Society;

(3) with respect to air conditioning units in motor vehicles, tool vehicles or farm machinery or mobile refrigeration units, the persons who

(a) will have taken and successfully completed, as of 1 January 2006, the courses provided for in a program of studies established and certified by the Minister of Education and that contain with respect to this category of units all the compulsory educational objectives referred to in the second paragraph; or

(b) will have taken and successfully completed, as of 1 January 2004, an awareness training period in the environmental impact that installation, maintenance, repair, modification or dismantling operations of air conditioning units in this category have, offered, as the case may be, under the authority of the Minister responsible for Employment, the Heating, Refrigerating and Air Conditioning Institute of Canada or the Refrigeration Service Engineers Society;

(4) with respect to fire extinguishers, the persons who

(a) will have taken and successfully completed, as of 1 January 2006, the courses provided for in a program of studies established and certified by the Minister of Education and that contain with respect to this category of units all the compulsory educational objectives referred to in the second paragraph and who hold an apprentice competency certificate or a journeyman competency certificate issued by the Commission de la construction du Québec for the trade of fire-fighting mechanic or a certificate of qualification, an apprenticeship card or an apprenticeship booklet issued by the Minister responsible for Employment for the trade of pipe fitter, specialty of sprinkler installer; or

(b) will have taken and successfully completed, as of 1 January 2004, an awareness training period in the environmental impact that installation, maintenance, repair, modification or dismantling operations of fire extinguishers have, offered, as the case may be, under the authority of the Minister responsible for Employment or the Commission de la construction du Québec and who hold a certificate, an apprenticeship card or an apprenticeship booklet referred to in clause *a* of subparagraph 4 of the first paragraph.

Any training offered pursuant to this section must allow the persons who receive it to meet the following objectives:

(1) to learn Québec and Canadian laws and regulations respecting halocarbons;

(2) to be aware of the environmental problems related to halocarbon emissions; and

(3) to learn the appropriate practices that apply to preventing halocarbon emissions, including the use of the appropriate recovery and reclamation equipment.

As for training offered pursuant to clause *c* of subparagraph 1 of the first paragraph and clause *b* of subparagraphs 2, 3 and 4 of the first paragraph, the courses must have a duration of at least seven hours.

43. The persons who obtained a diploma, a certificate or another manpower environmental awareness attestation, applicable to that category, that was issued outside Québec and is recognized by the competent authorities of a province or a territory of Canada are also qualified to carry out work referred to in section 41, with respect to a category of units referred to in section 42.

44. The persons referred to in section 42 who carry out work referred to in section 41 shall carry a duly signed manpower environmental qualification attestation on their person, which attests that the person is qualified, and produce it upon request.

In the cases referred to in clause *a* or *c* of subparagraph 1 or subparagraph 4 both of the first paragraph of section 42, the apprentice competency certificate or the journeyman competency certificate issued by the Commission de la construction du Québec for the trades of refrigeration specialist or fire-fighting mechanic under the Regulation respecting the vocational training of manpower in the construction industry, approved by Order in Council 313-93 dated 10 March 1993 and the Regulation respecting the issuance of competency certificates, approved by Order in Council 673-87 dated 29 April 1987, shall stand in lieu of the manpower environmental qualification attestation inasmuch as it bears an indication that its holder has the environmental knowledge prescribed by the provisions of this Chapter.

In the cases referred to in clause *b* or *c* of subparagraph 1 or subparagraph 4 both of the first paragraph of section 42, the certificate of qualification, the apprenticeship card or the apprenticeship booklet issued by the Minister responsible for Employment, for the trade of pipe fitter, refrigeration specialist, for the trade of stationary engineman of the “refrigerating apparatus” category or for the trade of pipe fitter, specialty of sprinkler installer, under the Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors other than the construction industry (R.R.Q., 1981, c. F-5, r.4) and the Regulation respecting stationary enginemen (R.R.Q., 1981, c. M-6, r.1) shall also stand in lieu of the manpower environmental qualification attestation, on the same conditions.

In the cases referred to in clause *a* of subparagraph 2 and clause *a* of subparagraph 3 both of the first paragraph of section 42, the manpower environmental qualification attestation shall be issued by the Minister responsible for Employment and include an indication according to which its holder has the environmental knowledge prescribed by the provisions of this Chapter.

In the cases referred to in clause *c* of subparagraph 1, clause *b* of subparagraph 2 or in clause *b* of subparagraph 3 all three of the first paragraph of section 42, the manpower environmental qualification attestation shall be, to the extent that it is not referred to in the second or third paragraph, issued, as the case may be, by one of the authorities referred to in those provisions.

45. The persons referred to in section 43 who carry out work referred to in section 41 shall carry on their person a manpower environmental qualification attestation issued outside Québec and recognized by the competent authorities of the province or territory of Canada, which attests that the person has the required qualification, and produce the card upon request.

46. Any attestation issued pursuant to the fifth paragraph of section 44 shall bear on the front side the word “QUÉBEC”.

In addition, it must contain

- (1) the name of the holder;
- (2) the date of issue;
- (3) the attestation number;
- (4) the category of units in question or, where applicable, the trade of the holder;
- (5) the name of the authority that issued the attestation;
- (6) the holder’s signature; and
- (7) the following indication:

“The holder of this attestation has the manpower environmental qualification required under the Regulation respecting halocarbons made by Order in Council (*enter the number and date of the Order in Council that makes this Regulation*).”.

47. Any authority referred to in section 44 that issues manpower environmental qualification attestations shall keep up-to-date a register in which that authority records, with respect to each attestation, the following information:

- (1) the names and addresses of the holder;
- (2) the attestation number;
- (3) the date of issue; and

(4) the category of units in question or the trade of the holder.

The authority shall keep the register for at least three years from the date of the last entry and send a copy to the Minister upon request.

In addition, the authority shall report every month to the Minister the number of attestations that were issued for each trade or category of unit.

48. Anyone who employs a person who carries out work referred to in section 41 shall ensure that that person holds a manpower environmental qualification attestation issued or recognized in accordance with this Chapter.

CHAPTER IV RETURN AND RECLAMATION OF HALOCARBONS AND THEIR CONTAINERS

DIVISION I RETURN OF RECOVERED HALOCARBONS AND THEIR CONTAINERS

49. This Division applies to halocarbons that are used, that were used or that are intended to be used for the operation of a refrigeration or air conditioning unit or a fire extinguishing apparatus and to their containers.

50. Anyone who has in his or her possession a container that was used for the marketing of a halocarbon shall return it, after using it, to its supplier.

The supplier is required to take that container back, free of charge.

However, where the returned container still contains halocarbons, the supplier is required to take it back only to the extent that a notice was affixed to it to identify the type of halocarbon in question.

Where a container does not comply with the provisions of this section, it is the responsibility of the owner of that container or, as the case may be, the supplier who accepted to take the container back, to deliver it or have it delivered to an enterprise or a body that can reclaim or eliminate it.

51. Anyone who recovered from a unit a halocarbon that he or she cannot reclaim or eliminate shall take it or have it taken to its supplier or any other halocarbon wholesaling enterprise no later than the seventh day following the date the container used for the recovery of the halocarbon is filled to its maximum capacity.

The latter supplier or enterprise is required to take the returned halocarbons back free of charge if they are in the same category as those the supplier or enterprise sells or distributes or has sold or distributed before the date of coming into force of this Regulation and if

(1) the halocarbons are held in an appropriate container;

(2) a notice is affixed to the container identifying the type of halocarbon it contains; and

(3) the container contains no more than one type of halocarbon and no substance other than halocarbons.

The supplier or enterprise is also required to give any person or any municipality that returned a halocarbon a receipt indicating the supplier's name or the firm name, duly dated and signed, specifying the name of the person or the municipality that returned it and, for a natural person, the name of the enterprise for which the person works, and the type and quantity of halocarbon thus returned.

In addition, the supplier or enterprise shall appropriately store the returned halocarbons until the supplier or enterprise can

(1) reclaim or eliminate them;

(2) take them to an enterprise or a body that can reclaim or eliminate them; or

(3) deliver them to another supplier higher in the chain of distribution of halocarbons, subject to the second paragraph.

52. Where the recovered halocarbon does not comply with the requirements provided for in the second paragraph of section 51, it is the responsibility of the person who recovered it or, where applicable, of the supplier who accepted to take it back, to deliver it or have it delivered to an enterprise or body that can reclaim or eliminate it.

However, the person who recovered the halocarbon is exempt from the requirements provided for in the first paragraph and those provided for in the first paragraph of section 51 where the owner of the unit from which the halocarbon was recovered remains the owner of the halocarbon.

The owner of the unit shall then meet the requirements provided for in those provisions. Notwithstanding the foregoing, the person who recovered the halocarbon

is required to inform the owner of the unit of the requirements that the owner shall meet by giving him or her a copy of the provisions of this Division. In addition, the person shall record the name and address of the owner that keeps the recovered halocarbon in a register provided for in section 56.

DIVISION II RECLAMATION OF HALOCARBONS AND RECOVERED CONTAINERS AND ELIMINATION OF CFCs AND HALONS

53. The supplier who is the highest in the chain of distribution of halocarbons is required to reclaim or eliminate the halocarbons returned to the supplier or have them reclaimed or eliminated within 12 months following their receipt, with the exception of CFCs and halons that the supplier shall eliminate or have eliminated within a period not exceeding six months of their receipt.

In addition, the same requirement applies to the supplier with respect to the recovered pressurized containers.

CHAPTER V REPORTS AND REGISTERS

DIVISION I SALES OR DISTRIBUTION REPORTS

54. Anyone who sells or distributes for wholesale purposes a halocarbon under a trademark of which he or she is the owner or exclusive dealer, or of which he or she is the first supplier in Québec shall, no later than 31 March of each year, send the Minister a sales or distribution report for the preceding calendar year on the form provided by the Minister.

The report must contain

(1) the person's name and address and his or her firm name;

(2) for each type of CFCs, HFCs, HCFCs, halons and PFCs

(a) the name of each of the suppliers and the quantity of halocarbons bought or received during the year from each supplier;

(b) the name and address of each of his or her clients and the quantity of halocarbons sold or distributed during the year to each client; and

(c) the quantity of halocarbons in stock or on consignment on 31 December, specifying for each lot the name of the supplier; and

(3) the date of the report, an attestation according to which the information contained therein are accurate and the signature of the person that carries on the activity or, for a legal person or a partnership, a person authorized by a resolution or a by-law of the board of directors or partners.

55. Where the person or enterprise referred to in the first paragraph of section 54 has no domicile, head office or establishment in Québec, the requirement to report to the Minister under that section becomes the responsibility of the first supplier of halocarbons in Québec, whether that supplier is the importer or not.

DIVISION II REGISTER OF REPAIRS, MAINTENANCE AND DISMANTLING

56. Anyone who carries out work referred to in sections 9, 10, 29, 30 or 33 or work referred to in section 15 with respect to appliances other than household appliances, shall keep up-to-date a register in which the person records the following information:

(1) the date and nature of the work carried out;

(2) the address where the appliances, units or equipment on which work was carried out can be found or, for a vehicle, its registration number;

(3) the type of halocarbon added or recovered and the quantity thereof expressed in kilograms;

(4) the results of the tests for leaks conducted, if any;

(5) the name of the person who carried out the work and the name and address of the person's employer; and

(6) the name and address of the owners referred to in the second and third paragraphs of section 52, where applicable.

In addition, where work is carried out on a chiller, the person is required to give the owner of the unit a copy of the information recorded pursuant to the first paragraph.

57. Anyone who keeps a register provided for in section 56 shall keep it for at least three years from the date of the last entry.

The owner of the unit is also required to keep the copy of the information that was given to him or her pursuant to the second paragraph of section 56 for at least three years from the date of the work.

DIVISION III REPORT ON THE RETURN AND RECLAMATION OF HALOCARBONS AND THEIR CONTAINERS

58. No later than 31 March of each year, the supplier subject to the requirement to take back halocarbons as provided for in the second paragraph of section 50 and the second paragraph of section 51 shall send the Minister a report stating, for the preceding calendar year, with respect to each type of halocarbons and containers the supplier sells or distributes, the number of containers that were taken back and the quantity of halocarbons taken back expressed in kilograms and, for CFCs or halons, the quantity taken back and eliminated. For each type of halocarbons or containers, the supplier shall also specify the name of the enterprise or body to which the halocarbons were delivered to be reclaimed or eliminated specifying the quantity for each enterprise or body.

The report must contain the elements provided for in subparagraph 3 of the second paragraph of section 54.

CHAPTER VI PENAL

59. Any offence against the provisions of sections 5, 8 or 11 makes the offender liable

(1) to a fine of \$2000 to \$25 000 for a natural person ;
or

(2) to a fine of \$25 000 to \$500 000 for a legal person.

60. Any offence against the provisions of the first paragraph of section 13 or sections 50 to 53 makes the offender liable

(1) to a fine of \$2000 to \$25 000 for a natural person ;
or

(2) to a fine of \$5000 to \$250 000 for a legal person.

61. Any offence against the provisions of sections 6, 7, 9, 10, the first paragraph of section 14, the first or third paragraph of section 15, sections 16, 19, 20, 22 to 26, 28, 29, the first paragraph of section 30, sections 31 to 33, sections 36 to 41 or section 48 makes the offender liable

(1) to a fine of \$2000 to \$12 500 for a natural person ;
or

(2) to a fine of \$5000 to \$25 000 for a legal person.

62. Anyone who operates a unit in violation of the first paragraph of section 12 makes himself or herself liable to the penalties provided for in section 61.

63. Anyone who omits to keep a register or to send a report referred to in the second paragraph of section 12, sections 13, 34, 47, 54 to 58, or enters in those documents false or inaccurate information or omits to enter the prescribed data or to give the copies prescribed under those sections makes himself or herself liable to the penalties provided for in section 61.

64. Anyone who commits an offence against any of the provisions of the second paragraph of section 14, the second paragraph of section 15 or the second paragraph of section 30 makes himself or herself liable

(1) to a fine of \$1000 to \$10 000 for a natural person ;
or

(2) to a fine of \$2000 to \$20 000 for a legal person.

65. For any subsequent offence, the fines provided for in sections 59 to 64 shall be doubled.

CHAPTER VII MISCELLANEOUS AND FINAL

66. Section 4 of the Regulation respecting hazardous materials¹ is amended by substituting the following for the part preceding paragraph 1 :

“4. In addition to a halocarbon that is considered a hazardous material under section 4 of the Regulation respecting halocarbons made by Order in Council (*enter the number and date of the Order in Council that makes this Regulation*), the following are classed as hazardous materials :”.

67. The following is inserted after section 7 of that Regulation :

“7.1. Only the following provisions apply to the halocarbons referred to below :

¹ The Regulation respecting hazardous materials, made by Order in Council 1310-97 dated 8 October 1997 (1997, *G.O.* 2, 5199), was last amended by the Regulation made by Order in Council 492-2000 dated 19 April 2000 (2000, *G.O.* 2, 2090).

(1) section 9, with respect to all halocarbons referred to in the Regulation respecting halocarbons; and

(2) sections 11 and 12, with respect to carbon tetrachloride or methyl chloroform and with respect to HCFCs whose boiling point is higher than 20 °C at an absolute pressure of 101.325 kilopascals (kPa).”.

68. Section 9 of that Regulation is amended by adding the following paragraph at the end:

“Subject to the provisions of section 13 of the Regulation respecting halocarbons, the requirements provided for in subparagraphs 2 and 3 of the first paragraph do not apply in the case of the discharge of a gaseous halocarbon.”.

69. Section 1 of the Regulation respecting the application of the Environment Quality Act² is amended by substituting the following for paragraph 5:

“(5) work to recover and reclaim a halocarbon referred to in the Regulation respecting halocarbons (*enter the number and date of the Order in Council that makes this Regulation*) that comes from a fire extinguisher or a fire extinguishing system or a refrigeration or air conditioning unit.”.

70. This Regulation replaces the Regulation respecting ozone-depleting substances, made by Order in Council 812-93 dated 9 June 1993.

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

(1) section 7 and the second paragraph of section 57, which come into force on 1 July 2003; and

(2) the provisions of chapters III and IV, which come into force on 1 January 2004.

² The Regulation respecting the application of the Environment Quality Act, made by Order in Council 1529-93 dated 3 November 1993 (1993, *G.O.* 2, 5996), was last amended by the Regulation made by Order in Council 492-2000 dated 19 April 2000 (2000, *G.O.* 2, 2090). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

SCHEDULE I

(s. 2)

LIST OF HALOCARBONS

PART A

CERTAIN OZONE-DEPLETING HALOCARBONS

CATEGORY I

CHLOROFLUOROCARBONS (CFCs)

Type

CFC-11	trichlorofluoromethane
CFC-12	dichlorodifluoromethane
CFC-113	1,1,2-trichlorotrifluoroethane
CFC-114	1,2-dichlorotetrafluoroethane
CFC-115	chloropentafluoroethane
CFC-500	dichlorodifluoromethane 73.8% + ethylidene fluoride 26.2%
CFC-502	chlorodifluoromethane 48.8% + chloropentafluoroethane 51.2%
CFC-503	trifluoromethane 40.1% + chlorotrifluoromethane 59.9%
CFC-211	fluoroheptachloropropane
CFC-212	difluorohexachloropropane
CFC-213	trifluoropentachloropropane
CFC-214	tetrafluorotetrachloropropane
CFC-215	pentafluorotrichloropropane
CFC-216	hexafluorodichloropropane
CFC-217	heptafluorochloropropane

CATEGORY II

BROMOFLUOROCARBONS (HALONS)

Type

HALON 1202	difluorodibromomethane
HALON 1211	bromochlorodifluoromethane
HALON 1301	bromotrifluoromethane
HALON 2402	1,2-dibromotetrafluoroethane

CATEGORY III

BROMOCARBONS

Type

1-bromopropane also known as n-propyl bromide.

CATEGORY IV

CHLOROCARBONS

Type

Methyl chloroform also known as trichloroethane (1,1,1-trichloroethane);
Carbon tetrachloride also known as tetrachloromethane.

CATEGORY V
HYDROCHLOROFLUOROCARBONS (HCFCs)

Type

HCFC-21	dichlorofluoromethane
HCFC-22	chlorodifluoromethane
HCFC-31	chlorofluoromethane
HCFC-121	tetrachlorofluoroethane
HCFC-122	trichlorodifluoroethane
HCFC-123	dichlorotrifluoroethane
HCFC-124	chlorotetrafluoroethane
HCFC-131	trichlorofluoroethane
HCFC-132	dichlorodifluoroethane
HCFC-133	chlorotrifluoroethane
HCFC-141b	1,1-dichloro-1-fluoroethane
HCFC-142b	1-chloro-1,1-difluoroethane
HCFC-151	chlorofluoroethane
HCFC-221	hexachlorofluoropropane
HCFC-222	pentachlorodifluoropropane
HCFC-223	tetrachlorotrifluoropropane
HCFC-224	trichlorotetrafluoropropane
HCFC-225	dichloropentafluoropropane
HCFC-226	chlorohexafluoropropane
HCFC-231	pentachlorofluoropropane
HCFC-232	tetrachlorodifluoropropane
HCFC-233	trichlorotrifluoropropane
HCFC-234	dichlorotetrafluoropropane
HCFC-235	chloropentafluoropropane
HCFC-241	tetrachlorofluoropropane
HCFC-242	trichlorodifluoropropane
HCFC-243	dichlorotrifluoropropane
HCFC-244	chlorotetrafluoropropane
HCFC-251	trichlorofluoropropane
HCFC-252	dichlorodifluoropropane
HCFC-253	chlorotrifluoropropane
HCFC-261	dichlorofluoropropane
HCFC-262	chlorodifluoropropane
HCFC-271	chlorofluoropropane

PART B
CERTAIN REPLACEMENTS FOR HALOCARBONS

CATEGORY I
HYDROFLUOROCARBONS (HFCs)

Type

HFC-23	trifluoromethane
HFC-32	difluoromethane
HFC-125	pentafluoroethane
HFC-134a	tetrafluoroethane
HFC-143	trifluoroethane
HFC-152	difluoroethane
HFC-161	monofluoroethane
HFC-281	fluoropropane

Type

HFC-272	difluoropropane
HFC-263	trifluoropropane
HFC-254	tetrafluoropropane
HFC-245	pentafluoropropane
HFC-236	hexafluoropropane
HFC-227	heptafluoropropane
HFC-218	octafluoropropane

CATEGORY II
PERFLUOROCARBONS (PFCs)

Type

FC-14	tetrafluoromethane
FC-116	hexafluoroethane
FC-218	octafluoropropane
FC-3-1-10	decafluorobutane
FC-4-1-12	dodecafluoropentane
FC-5-1-14	tetradecafluorohexane

5259

Draft Regulation

Environment Quality Act
(R.S.Q., c. Q-2)

Land protection and rehabilitation

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act (R.S.Q., c. Q-2), that the Regulation respecting land protection and rehabilitation, the text of which appears below, may be made by the Government upon the expiry of 60 days following this publication.

The purpose of the draft Regulation is to ensure greater protection of lands and their rehabilitation in the event of contamination by rendering applicable several provisions of the new Division IV.2.1 of the Environment Quality Act (sections 31.42 to 31.69) enacted by section 2 of chapter 11 of the Statutes of 2002. To that effect, it prescribes the limit values in relation to certain contaminants, determines the categories of the industrial or commercial activities referred to and establishes for some of the cases where, the conditions on which and the time limits within which groundwater quality monitoring at the hydraulic downstream of lands will be required.

The draft Regulation will facilitate the application of the Minister's powers to make orders to require the characterization of lands and their rehabilitation, to better

identify and remedy any contamination resulting from the industrial or commercial activities referred to when the enterprises in one of those sectors permanently cease activities and to subject any change in the use of land that is contaminated as a result of certain industrial or commercial activities to the implementation of rehabilitation and publicity measures.

For certain enterprises whose activity is likely to affect drinking water, the monitoring of groundwater quality will involve annual costs of a few hundred dollars according to the area of the land and the category of the activity in question. However, the protection of drinking water greatly justifies those costs.

Finally, the draft Regulation follows up on the *Politique de protection des sols et de réhabilitation des terrains contaminés* published in 1998 and which was subject to an extensive consultation.

Further information on the draft Regulation respecting land protection and rehabilitation may be obtained by contacting Marc Pedneault or Pierre Vézina, Service des lieux contaminés, Direction des politiques du secteur industriel, Ministère de l'Environnement, édifice Marie-Guyart, 9^e étage, boîte 71, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7, téléphone: (418) 521-3950, extension 4963 (M. Pedneault), extension 4928 (P. Vézina), fax: (418) 644-3386 or e-mail: marc.pedneault@menv.gouv.qc.ca or pierre.vezina@menv.gouv.qc.ca

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 60-day period, to the Direction des politiques du secteur industriel du ministère de l'Environnement, at the above address.

ANDRÉ BOISCLAIR,
*Minister of State for
Municipal Affairs
and Greater Montréal,
and Water and Minister
of the Environment*

JEAN-FRANÇOIS SIMARD,
*Minister for the
Environment and Water*

Regulation respecting land protection and rehabilitation

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, pars. *f*, *h*, *h.1*, *h.2* and *m*, s. 31.69, pars. 1, 2 and 3, ss. 109.1 and 124.1; 2002, c. 11, s. 2)

1. The limit values prescribed in Schedule I with regard to the contaminants listed shall apply for the purposes of sections 31.43, 31.45, 31.49, 31.51, 31.52, 31.54, 31.55, 31.57, 31.58 and 31.59 of the Environment Quality Act.

However, in the case of the lands referred to hereafter, the applicable limit values for the purposes of the same sections shall be those indicated in Schedule II:

(1) lands where, under a municipal zoning by-law, only industrial, commercial or institutional uses are authorized, except lands where elementary-level and secondary-level educational institutions, childcare centres, day care centres, hospital centres, residential and long-term care centres, child and youth protection centres or houses of detention are built; and

(2) lands constituting, or intended to constitute, the site of a bicycle trail or a municipal park, except play areas.

2. The categories of industrial and commercial activities listed in Schedule III shall be referred to for the purposes of sections 31.51, 31.52 and 31.53 of the Environment Quality Act.

The “contaminated soil or hazardous material burial sites” category is not governed by sections 31.51 and 31.52 of that Act.

3. Subject to the provisions of the second paragraph, an industrial or commercial activity on land included in one of the categories listed in Schedule IV shall be subject to the monitoring of groundwater quality at the hydraulic downstream of the land in the following cases:

(1) the land has a phreatic water level feeding all or part of a subsurface drinking water intake; and

(2) the land is located less than a kilometre from a surface drinking water intake.

The monitoring requirement prescribed in the first paragraph shall not apply if it is shown that the industrial or commercial activity carried out on the land is not likely to alter the quality of the water referred to in that paragraph by substances listed in Schedule I to the Regulation respecting the quality of drinking water made by Order in Council 647-2001 dated 30 May 2001.

4. The purpose of the monitoring of groundwater quality prescribed in the first paragraph of section 3 shall be

(1) to determine the hydrogeological conditions in the land;

(2) to identify the substances, referred to in Schedule I to the Regulation respecting the quality of drinking water, that are likely to be emitted on or in the land resulting from certain industrial or commercial activities on that land referred to in this paragraph as well as

to locate on the land the points of emission of those substances; and

(3) to verify the presence of those substances in the groundwater when that water reaches the boundaries of the land and, where applicable, their concentration.

5. In order to monitor groundwater quality as required in sections 3 and 4, a monitoring well system shall be installed on the land in question.

The number and location of the monitoring wells included in that system, as well as the number of sampling points that each well must have, shall depend on the area of the land, the hydrogeological conditions that prevail there and the number and location of the points of emission of the substances referred to in paragraph 2 of section 4.

6. At least three times a year, in the spring, summer and fall, the groundwater shall be sampled at each sampling point of the monitoring wells established for the purposes of section 5 in order to proceed with the monitoring referred to in paragraph 3 of section 4.

During sampling, the piezometric level of groundwater shall also be measured.

7. The samples prescribed under section 6 shall be collected and preserved in accordance with the conditions referred to in the *Guide d'échantillonnage à des fins d'analyses environnementales* published by the Ministère de l'Environnement. For groundwater, only the samples for metal and metalloid analysis shall be filtered upon sampling. No other water sample requires filtration upon sampling or prior to analysis.

These samples shall be transmitted, for analysis, to laboratories accredited by the Minister of the Environment under section 118.6 of the Environment Quality Act.

The analysis reports filed by the laboratories shall be kept for at least five years from the date of their filing.

8. The analysis reports made for the purposes of section 7 during one year shall be transmitted to the Minister of the Environment at the latest on 1 February of the following year.

If the analysis of a sample shows that a limit value determined in Schedule I to the Regulation respecting the quality of drinking water has been exceeded, it shall be mentioned in the analysis report.

An attestation that the samples were collected in accordance with, as the case may be, the applicable

trade rules, the requirements of this Regulation and those of the guide referred to in section 7 shall also be transmitted to the Minister with the reports required under the first paragraph.

9. In addition to the documents or information required under that Act or other regulations made for that purpose, a groundwater monitoring programme intended to ensure that the requirements of this Regulation are complied with shall be attached to any request made under the Environment Quality Act to obtain the authorization to carry out an industrial or a commercial activity in one of the categories listed in Schedule IV.

This programme shall contain

(1) the description of the hydrogeological conditions prevailing in the land;

(2) the designation of the substances referred to in paragraph 2 of section 4 and the location on the land of the points of emission of those substances; and

(3) the detailed description of the monitoring well system indicating, *inter alia*, the number and the location of the monitoring wells.

Unless the monitoring programme was established by one of the following professionals, the attestation of an engineer or a geologist member of an order governed by the Professional Code (R.S.Q., c. C-26) shall be attached to it showing that the data contained therein is accurate and the monitoring well system allows the monitoring of groundwater quality in accordance with the requirements of this Regulation.

The obligation to supply a monitoring programme shall not apply if, in the authorization application mentioned above, the applicant shows what is required in the second paragraph of section 3 in order to be exempt from the obligation of groundwater monitoring.

10. Any industrial or commercial activity in one of the categories listed in Schedule IV and carried out at the time of the coming into force of this Regulation shall be exempt from the application of the provisions of sections 3 to 8 for a six-month period.

The person who carries out that activity must, during that period, transmit to the Minister of the Environment a groundwater monitoring programme and the attestation of a professional in accordance with the provisions of section 9, unless that person has shown to the Minister what is required in the second paragraph of section 3 in order to be exempt from the obligation of groundwater monitoring.

11. Any groundwater monitoring programme supplied for the purposes of sections 9 and 10 shall be reviewed and updated every five years to take into account changes that may have occurred with regard to the hydrogeological conditions of the land, the substances referred to in paragraph 2 of section 4 and the points of emission of those substances as well as the monitoring well system.

The reviewed and updated programme shall be transmitted to the Minister of the Environment no later than 30 days after the expiry of each five-year period.

12. The person carrying out the industrial or commercial activity who contravenes the provisions of sections 3 to 8, 10 and 11 commits an offence and is liable

(1) in the case of a natural person, to a fine of \$1 000 to \$20 000; and

(2) in the case of a legal person, to a fine of \$2 000 to \$40 000.

For subsequent offences, those fines shall be doubled.

13. This Regulation applies to immovables comprised in a reserved area or in an agricultural zone established in accordance with the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., c. P-41.1).

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

SCHEDULE I

(s. 1, 1st par.)

Contaminants	Limit values mg/kg of dry matter (ppm)
I- METALS (and metalloids)	
Silver (Ag)	20
Arsenic (As)	30
Barium (Ba)	500
Cadmium (Cd)	5
Cobalt (Co)	50
Chromium (Cr)	250
Copper (Cu)	100

Contaminants	Limit values mg/kg of dry matter (ppm)
Tin (Sn)	50
Manganese (Mn)	1 000
Mercury (Hg)	2
Molybdenum (Mo)	10
Nickel (Ni)	100
Lead (Pb)	500
Selenium (Se)	3
Zinc (Zn)	500
II- OTHER INORGANIC COMPOUNDS	
Available bromide (Br)	50
Available cyanide (CN)	10
Total cyanide (CN)	50
Available fluoride (F)	400
III- VOLATILE ORGANIC COMPOUNDS	
Monocyclic aromatic hydrocarbons	
Benzene	0.5
Chlorobenzene (mono)	1
1,2-Dichlorobenzene	1
1,3-Dichlorobenzene	1
1,4-Dichlorobenzene	1
Ethylbenzene	5
Styrene	5
Toluene	3
Xylenes	5
Chlorinated aliphatic hydrocarbons	
Chloroform	5
1,1-Dichloroethane	5
1,2-Dichloroethane	5
1,1-Dichloroethene	5
1,2-Dichloroethene (cis and trans)	5

Contaminants	Limit values mg/kg of dry matter (ppm)
Dichloromethane	5
1,2-Dichloropropane	5
1,3-Dichloropropene (cis and trans)	5
1,1,2,2-Tetrachloroethane	5
Tetrachloroethene	5
Carbon tetrachloride	5
1,1,1-Trichloroethane	5
1,1,2-Trichloroethane	5
Trichloroethene	5
IV- PHENOLIC COMPOUNDS	
Non-chlorinated	
Cresol (ortho, meta, para)	1
2,4-Dimethylphenol	1
2-Nitrophenol	1
4-Nitrophenol	1
Phenol	1
Chlorinated	
Chlorophenol (2-, 3-, or 4-)	0.5
2,3-Dichlorophenol	0.5
2,4-Dichlorophenol	0.5
2,5-Dichlorophenol	0.5
2,6-Dichlorophenol	0.5
3,4-Dichlorophenol	0.5
3,5-Dichlorophenol	0.5
Pentachlorophenol (PCP)	0.5
2,3,4,5-Tetrachlorophenol	0.5
2,3,4,6-Tetrachlorophenol	0.5
2,3,5,6-Tetrachlorophenol	0.5
2,3,4-Trichlorophenol	0.5
2,3,5-Trichlorophenol	0.5

Contaminants	Limit values mg/kg of dry matter (ppm)
2,3,6-Trichlorophenol	0.5
2,4,5-Trichlorophenol	0.5
2,4,6-Trichlorophenol	0.5
3,4,5-Trichlorophenol	0.5
V- POLYCYCLIC AROMATIC HYDROCARBONS	
Acenaphtene	10
Acenaphthylene	10
Anthracene	10
Benzo (a) anthracene	1
Benzo (a) pyrene	1
Benzo (b + j + k) fluoranthene (combination or each)	1
Benzo (c) phenanthrene	1
Benzo (g,h,i) perylene	1
Chrysene	1
Dibenzo (a,h) anthracene	1
Dibenzo (a,i) pyrene	1
Dibenzo (a,h) pyrene	1
Dibenzo (a,l) pyrene	1
7,12-Dimethylbenzo (a) anthracene	1
Fluoranthene	10
Fluorene	10
Indeno (1,2,3-cd) pyrene	1
3-Methylcholanthrene	1
Naphtalene	5
1-Methylnaphtalene	1
2-Methylnaphtalene	1
1,3-Dimethylnaphtalene	1
2,3,5-Trimethylnaphtalene	1
Phenanthrene	5
Pyrene	10

Contaminants	Limit values mg/kg of dry matter (ppm)
VI- NON-CHLORINATED BENZENE COMPOUNDS	
2,4,6-Trinitrotoluene (TNT)	0.04
VII- CHLOROBENZENES	
Hexachlorobenzene	2
Pentachlorobenzene	2
1,2,3,4-Tetrachlorobenzene	2
1,2,3,5-Tetrachlorobenzene	2
1,2,4,5-Tetrachlorobenzene	2
1,2,3-Trichlorobenzene	2
1,2,4-Trichlorobenzene	2
1,3,5-Trichlorobenzene	2
VIII- POLYCHLORINATED BIPHENYLS (PCB)	
Summation of the congeners	1
IX- PESTICIDES	
Tebuthiuron	50
X- OTHER ORGANIC SUBSTANCES	
Acrylonitrile	1
Bis (2-chloroethyl) ether	0.01
Ethylene glycol	97
Formaldehyde	100
Dibutyl phtalate	6
XI- INTEGRATING PARAMETERS	
Petroleum hydrocarbons C ₁₀ to C ₅₀	700
XII- DIOXINS AND FURANS	
Summation of chlorodibenzodioxins and chlorodibenzofurans expressed in toxic equivalents 2,3,7,8-TCDD (NATO, 1988)	1.5×10^{-5}

SCHEDULE II

(s. 1, 2nd par.)

Contaminants	Limit values mg/kg of dry matter (ppm)
I- METALS (and metalloids)	
Silver (Ag)	40
Arsenic (As)	50
Barium (Ba)	2 000
Cadmium (Cd)	20
Cobalt (Co)	300
Chromium (Cr)	800
Copper (Cu)	500
Tin (Sn)	300
Manganese (Mn)	2 200
Mercury (Hg)	10
Molybdenum (Mo)	40
Nickel (Ni)	500
Lead (Pb)	1 000
Selenium (Se)	10
Zinc (Zn)	1 500
II- OTHER INORGANIC COMPOUNDS	
Available bromide (Br ⁻)	300
Available cyanide (CN ⁻)	100
Total cyanide (CN ⁻)	500
Available fluoride (F ⁻)	2 000
III- VOLATIL ORGANIC COMPOUNDS	
Monocyclic aromatic hydrocarbons	
Benzene	5
Chlorobenzene (mono)	10
1,2-Dichlorobenzene	10
1,3-Dichlorobenzene	10

Contaminants	Limit values mg/kg of dry matter (ppm)
1,4-Dichlorobenzene	10
Ethylbenzene	50
Styrene	50
Toluene	30
Xylenes	50
Chlorinated aliphatic hydrocarbons	
Chloroform	50
1,1-Dichloroethane	50
1,2-Dichloroethane	50
1,1-Dichloroethene	50
1,2-Dichloroethene (cis and trans)	50
Dichloromethane	50
1,2-Dichloropropane	50
1,3-Dichloropropene (cis and trans)	50
1,1,2,2-Tetrachloroethane	50
Tetrachloroethene	50
Carbon tetrachloride	50
1,1,1-Trichloroethane	50
1,1,2-Trichloroethane	50
Trichloroethene	50
IV- PHENOLIC COMPOUNDS	
Non-chlorinated	
Cresol (ortho, meta, para)	10
2,4-Dimethylphenol	10
2-Nitrophenol	10
4-Nitrophenol	10
Phenol	10
Chlorinated	
Chlorophenol (2-, 3-, or 4-)	5

Contaminants	Limit values mg/kg of dry matter (ppm)
2,3-Dichlorophenol	5
2,4-Dichlorophenol	5
2,5-Dichlorophenol	5
2,6-Dichlorophenol	5
3,4-Dichlorophenol	5
3,5-Dichlorophenol	5
Pentachlorophenol (PCP)	5
2,3,4,5-Tetrachlorophenol	5
2,3,4,6-Tetrachlorophenol	5
2,3,5,6-Tetrachlorophenol	5
2,3,4-Trichlorophenol	5
2,3,5-Trichlorophenol	5
2,3,6-Trichlorophenol	5
2,4,5-Trichlorophenol	5
2,4,6-Trichlorophenol	5
3,4,5-Trichlorophenol	5
V- POLYCYCLIC AROMATIC HYDROCARBONS	
Acenaphtene	100
Acenaphthylene	100
Anthracene	100
Benzo (a) anthracene	10
Benzo (a) pyrene	10
Benzo (b + j + k) fluoranthene (combination or each)	10
Benzo (c) phenanthrene	10
Benzo (g,h,i) perylene	10
Chrysene	10
Dibenzo (a,h) anthracene	10
Dibenzo (a,i) pyrene	10
Dibenzo (a,h) pyrene	10

Contaminants	Limit values mg/kg of dry matter (ppm)
Dibenzo (a,l) pyrene	10
7,12-Dimethylbenzo (a) anthracene	10
Fluoranthene	100
Fluorene	100
Indeno (1,2,3-cd) pyrene	10
3-Methylcholanthrene	10
Naphtalene	50
1-Methylnaphtalene	10
2-Methylnaphtalene	10
1,3-Dimethylnaphtalene	10
2,3,5-Trimethylnaphtalene	10
Phenanthrene	50
Pyrene	100
VI- NON-CHLORINATED BENZENE COMPOUNDS	
2,4,6-Trinitrotoluene (TNT)	1.7
VII- CHLOROBENZENES	
Hexachlorobenzene	10
Pentachlorobenzene	10
1,2,3,4-Tetrachlorobenzene	10
1,2,3,5-Tetrachlorobenzene	10
1,2,4,5-Tetrachlorobenzene	10
1,2,3-Trichlorobenzene	10
1,2,4-Trichlorobenzene	10
1,3,5-Trichlorobenzene	10
VIII- POLYCHLORINATED BIPHENYLS (PCB)	
Summation of the congeners	10
IX- PESTICIDES	
Tebuthiuron	3 600
X- OTHER ORGANIC SUBSTANCES	
Acrylonitrile	5

Contaminants	Limit values mg/kg of dry matter (ppm)
Bis (2-chloroethyl) ether	0.01
Ethylene glycol	411
Formaldehyde	125
Dibutyl phtalate	70 000
XI- INTEGRATING PARAMETERS	
Petroleum hydrocarbons C ₁₀ to C ₅₀	3 500
XII- DIOXINS AND FURANS	
Summation of chlorodibenzodioxins and chlorodibenzofurans expressed in toxic equivalents 2,3,7,8-TCDD (NATO, 1988)	7.5×10^4

SCHEDULE III
(s. 2)

NAICS* Code	Categories of industrial and commercial activities
21111	Oil and gas extraction
21221	Iron ore mining including processing of 50 000 tons or more of ore per year
21222	Gold and silver ore including processing of 50 000 tons or more of ore per year
21223	Copper, nickel, lead and zinc ore mining including processing of 50 000 tons or more of ore per year
21229	Other metal ore mining including processing of 50 000 tons or more of ore per year
212394	Asbestos ore mining including processing of 50 000 tons or more of ore per year
31611	Leather and hide tanning and finishing
321114	Wood preservation
321216	Particle board and fibreboard mills
321217	Waferboard mills
32211	Pulp mills
322121	Paper mills, except newsprint

NAICS* Code	Categories of industrial and commercial activities	NAICS* Code	Categories of industrial and commercial activities
322122	Newsprint mills	33281	Coating, engraving, heat treating and allied activities
32213	Paperboard mills	33591	Battery manufacturing
32411	Petroleum refineries	41211	Petroleum product wholesaler-distributors (<i>land and marine plants with a storage capacity equal to or higher than 10 000 000 litres or including a tank with a capacity of 1 000 000 litres or more</i>)
324122	Asphalt shingle and coating material manufacturing		Contaminated soil or hazardous materials treatment centres
32419	Other petroleum and coal products manufacturing (<i>except asphaltic concrete manufacturers</i>)	221122	Electric power distribution (<i>transformation stations only</i>)
32511	Petrochemical manufacturing	31323	Nonwoven fabric mills
32512	Industrial gas manufacturing	3133	Textile and fabric and fabric coating mills
32513	Synthetic dye and pigment manufacturing	31411	Carpet and rug mills
32518	Other basic inorganic chemical manufacturing	321111	Sawmills, except shingle and shake mills
32519	Other basic organic chemical manufacturing	321211	Hardwood veneer and plywood mills
32521	Resin and synthetic rubber manufacturing	321212	Softwood veneer and plywood mills
32532	Pesticide and other agricultural chemical manufacturing	326111	Unsupported plastic bag manufacturing
32551	Paint and coating manufacturing	326114	Unsupported plastic film and sheet manufacturing
32552	Adhesive manufacturing	32612	Plastic pipe, pipe fitting and unsupported profile shape manufacturing
32591	Printing ink manufacturing	32613	Laminated plastic plate, sheet and shape manufacturing
32592	Explosives manufacturing	32614	Polystyrene foam product manufacturing
325999	All other miscellaneous chemical product manufacturing	32615	Urethane and other foam product (except polystyrene) manufacturing
32621	Tire manufacturing	32616	Plastic bottle manufacturing
33111	Steel industry	326193	Motor vehicle plastic parts manufacturing
33121	Iron and steel pipe and tube manufacturing from purchased steel	32622	Rubber and plastic hose and belting manufacturing
331221	Cold-rolled steel shape manufacturing	32629	Other rubber products manufacturing
331313	Primary production of alumina and aluminum	32731	Cement manufacturing
33141	Nonferrous metal (except aluminum) smelting and refining	331222	Steel wire drawing
331511	Iron foundries		
331514	Steel foundries		
332619	Other fabricated wire manufacturing		

NAICS* Code	Categories of industrial and commercial activities
331317	Aluminum rolling, drawing, extruding and alloying
33142	Copper rolling, drawing, extruding and alloying
33149	Nonferrous metal rolling, drawing, extruding and alloying, except copper and aluminum
331529	Nonferrous metal foundry (<i>except die-casting</i>)
33211	Forging and stamping
332314	Concrete reinforcing bar manufacturing
332319	Other plate work and fabricated structural product manufacturing
332321	Metal door and window manufacturing
332329	Other ornamental and architectural metal products manufacturing
33241	Power boiler and heat exchanger manufacturing
33243	Metal can, box and other metal container manufacturing
332611	Spring (<i>heavy gauge</i>) manufacturing
332619	Other fabricated wire product manufacturing (<i>gas welding rods only</i>)
33271	Machine shops
33291	Metal valve manufacturing
332999	All other miscellaneous fabricated metal product manufacturing
333611	Turbine and turbine generator set unit manufacturing
335311	Power, distribution and specialty transformers manufacturing
335312	Motor and generator manufacturing
335315	Switchgear and switchboard, and relay and industrial control apparatus manufacturing
33592	Communication and energy wire and cable manufacturing

NAICS* Code	Categories of industrial and commercial activities
33599	All other electrical equipment and component manufacturing
3361	Motor vehicle manufacturing
33641	Aerospace product and parts manufacturing
33651	Railroad rolling stock manufacturing
336611	Shipbuilding and repairing
41531	Used motor vehicle parts and accessories wholesaler-distributors
41811	Recyclable metal wholesaler-distributors
41839	Agricultural chemical and other farm supplies wholesaler-distributors
41841	Chemical (except agricultural) and allied product wholesaler-distributors
4471	Gasoline stations
48611	Pipeline transportation of crude oil
48691	Pipeline transportation of refined petroleum products (<i>except natural gas</i>)
48699	All other pipeline transportation (<i>except natural gas</i>)
488119	Other airport operations (<i>except air traffic control</i>)
48819	Other support activities for air transportation
48821	Support activities for rail transportation
48831	Port and harbour operations (<i>lighthouses, wharves and ports</i>)
48832	Marine cargo handling
	Contaminated soil or hazardous materials transfer centres
	Contaminated soil or hazardous materials burial sites
	Snow depots

* The NAICS code corresponds to the North American Industry Classification System 1997, Statistics Canada – Catalogue no. 12-501-XPB, 1998, 953 pages, ISBN 0-660-95794-9.

SCHEDULE IV
(ss. 3, 9 and 10)

NAICS* Code	Categories of industrial and commercial activities
21111	Oil and gas extraction
21221	Iron ore mining including processing of 50 000 tons or more of ore per year
21222	Gold and silver ore mining including processing of 50 000 tons or more of ore per year
21223	Copper, nickel, lead and zinc ore mining including processing of 50 000 tons or more of ore per year
21229	Other metal ore mining including processing of 50 000 tons or more of ore per year
212394	Asbestos ore mining including processing of 50 000 tons or more of ore per year
31611	Leather and hide tanning and finishing
321114	Wood preservation
321216	Particle board and fibreboard mills
321217	Waferboard mills
32211	Pulp mills
322121	Paper mills, except newsprint
322122	Newsprint mills
32213	Paperboard mills
32411	Petroleum refineries
324122	Asphalt shingle and coating material manufacturing
32419	Other petroleum and coal products manufacturing (<i>except asphaltic concrete manufacturers</i>)
32511	Petrochemical manufacturing
32512	Industrial gas manufacturing
32513	Synthetic dye and pigment manufacturing
32518	Other basic inorganic chemical manufacturing
32519	Other basic organic chemical manufacturing
32521	Resin and synthetic rubber manufacturing

NAICS* Code	Categories of industrial and commercial activities
32532	Pesticide and other agricultural chemical manufacturing
32551	Paint and coating manufacturing
32552	Adhesive manufacturing
32591	Printing ink manufacturing
32592	Explosives manufacturing
325999	All other miscellaneous chemical product manufacturing
32621	Tire manufacturing
33111	Steel industry
33121	Iron and steel pipe and tube manufacturing from purchased steel
331221	Cold-rolled steel shape manufacturing
331313	Primary production of alumina and aluminum
33141	Nonferrous metal (except aluminum) smelting and refining
331511	Iron foundries
331514	Steel foundries
332619	Other fabricated wire product manufacturing
33281	Coating, engraving, heat treating and allied activities
33591	Battery manufacturing
41211	Petroleum product wholesaler-distributors (<i>land and marine plants with a storage capacity equal to or higher than 10 000 000 litres or including a tank with a capacity of 1 000 000 litres or more</i>)
	Contaminated soil or hazardous materials treatment centres

* The NAICS code corresponds to the North American Industry Classification System 1997, Statistics Canada – Catalogue no. 12-501-XPF, 1998, 953 pages, ISBN 0-660-95794-9.

5270

Draft Regulation

Building Act
(R.S.Q., c. B-1.1)

Safety Code

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that Chapter I, Gas, of the Safety Code, the text of which appears below, may be approved by the Government, with or without amendment, upon the expiry of 45 days following this publication.

The draft Regulation proposes to group together, under a Safety Code, the minimum standards applicable, for the entire Québec territory, to the use, storage and distribution of gas by an owner in order to ensure the security of the public. It mainly repeats the standards currently in effect.

However, the operations of storage and filling of propane cylinders will be better managed. Henceforth, propane cylinders, whether filled or empty, will be considered filled for the purposes of calculating the volume of gas stored elsewhere than in a filling plant. Requirements specific to the filling of propane cylinders on a campground are also prescribed.

Moreover, contributions that are payable by gas undertakings according to the volume of gas sold remain in effect. The certificate of registration that an undertaking for the distribution of gas otherwise than by pipeline must currently obtain from the Régie du bâtiment du Québec is replaced by an operation permit. That permit will be issued or renewed provided that the owner or operator of a gas undertaking obtain a liability insurance with a minimum coverage of \$1 000 000 for damage caused to another person for a fault or negligence in the operation of his or her installation intended to store or distribute gas.

Further information may be obtained by contacting Jean Samson, P. Eng., Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 7^e étage, Montréal (Québec) H2M 2V2, by telephone at (514) 873-5927 or by fax at (514) 873-1939.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Alcide Fournier, Chairman and Executive Director, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

JEAN ROCHON,
*Minister of State for Human Resources and Labour
and Minister of Labour*

Safety Code

Building Act
(R.S.Q., c. B-1.1, ss. 35.2, 175, 176, 176.1, 178, 179, 185, 1st par., subpars. 5.1, 5.2, 22, 37 and 38 and s. 192)

CHAPTER I GAS

DIVISION I INTERPRETATION

1. In this Chapter, a reference to CSA Standard B149.1: Natural Gas and Propane Installation Code, CSA Standard B149.2: Propane Storage and Handling Code, CSA Standard B108: Natural Gas Fuelling Stations Installation Code, CSA Standard Z662: Oil and Gas Pipeline Systems or CSA Standard Z276: Liquefied Natural Gas (LNG)—Production, Storage and Handling is a reference to the code or standard referred to in Chapter II of the Construction Code made under the Building Act (R.S.Q., c. B-1.1) and to the amendments provided for in Division VII of that Chapter.

2. In this Chapter,

“gas installation” means an installation intended to use, store or distribute gas; and

“propane” means a liquefied petroleum gas mainly composed of propane, propylene, butane, butylene or a blend of those gases.

3. In Divisions II to IV of this Chapter, the terms “appliance”, “air supply”, “cylinder”, “tank truck”, “container refill centre”, “combustible”, “enclosure”, “safety limit control”, “point of transfer”, “combustion products”, “container”, “tank”, “safety shut-off valve”, “relief valve”, “filling plant”, “structure”, “venting system”, “hose connector”, “hose” and “recreational vehicle” have the meaning given to them in CSA Standard B149.1: Natural Gas and Propane Installation Code and CSA Standard B149.2: Propane Storage and Handling Code.

DIVISION II GENERAL

4. A gas installation must be used for the purposes for which it was designed and kept in safe and proper working order.

5. A gas installation must be used and serviced so as not to constitute fire, explosion or intoxication hazards.

6. The vicinity of a gas installation must not be modified so that it does not comply with Chapter II of the Construction Code.

7. Any necessary improvement must be made in a gas installation where, following intensive use, wear, aging or modifications, the working conditions have become dangerous.

8. A gas leak may not be detected by means of a match, candle, flame or any other source of ignition.

9. A light, including a flashlight, used to detect a gas leak must be of Class I, Group D type.

10. An electric switch located either in the room or adjacent to an area of gas leakage must not be operated unless it is of a Class I, Group D type.

11. A safety shut-off valve, a safety limit control or a relief valve must not be isolated or be made inoperative.

12. Where there are signs of wear or deterioration or where other damage shows in the reinforcement material of a hose or hose connector, the hose must be replaced immediately.

DIVISION III GAS INSTALLATIONS

13. An appliance must be serviced in accordance with the manufacturer's instructions.

14. An appliance may not be used if damaged by fire, water or an explosion unless it has been verified by a person holding an appropriate competency certificate issued under the Act respecting manpower vocational training and qualification (R.S.Q., c. F-5).

15. No appliance may be used in a room where there are corrosive vapours.

16. Appliance clearance must allow the appliance to be serviced without moving it or modifying the building that shelters it or modifying neighbouring equipment.

17. An appliance may be used only if it complies with the provisions of Division IV of Chapter II of the Construction Code.

18. Where a part of an appliance must be replaced, the replacement part must have the same operational characteristics as the original part.

19. In an enclosure or a structure sheltering an appliance, the air supply must be sufficient to ensure complete combustion and the total venting of combustion products.

20. The air supply of an appliance must be free of any encumbrance.

21. An appliance and its venting system must show sufficient clearance so that the surface temperature of neighbouring combustible materials does not exceed 90 °C.

22. The venting system of an appliance must ensure the total venting of combustion products outside the building.

23. The piping or tubing system must have a diameter sufficient to convey the required volume of gas at the required pressure.

24. Where no appliance is connected to a piping outlet, the outlet must be tightly plugged or capped.

25. Vehicles equipped with a propane appliance must not be parked or stored inside a building, except if either one of the following conditions is met :

(1) propane storage cylinders are removed ; or

(2) propane tanks have contents in propane of no more than 50% of the maximum filling capacity allowed and all shut-off valves are closed.

DIVISION IV USE, STORAGE AND DISTRIBUTION OF PROPANE IN CONTAINERS

26. Propane in containers must be used, stored and distributed in accordance with the provisions of CSA Standard B149.2: Propane Storage and Handling Code.

27. For the purposes of Clause 5.5 of CSA Standard B149.2: Propane Storage and Handling Code, all stored cylinders, whether filled or empty, shall be considered filled at the maximum filling capacity allowed.

28. Propane that is used, stored or distributed as combustible must emit a characteristic odour in accordance with Canadian General Standards Board Standard CAN/CGSB-3.14-M88: Liquefied Petroleum (Propane), as it reads at the time it applies.

29. Propane may not be transferred from a tank truck to a cylinder in another location than the location where the cylinder is used.

30. Propane from a tank truck may not be transferred into the container of a road vehicle.

31. The tank of the propane supply system of a road vehicle may be filled only if it bears the appropriate sticker made compulsory under the Regulation respecting safety standards for road vehicles made by Order in Council 1483-98 dated 27 November 1998.

32. Propane may not be transferred from a tank truck to a cylinder the total capacity of which is 20 kg of propane on a campground unless, during the transfer, the tank truck

(1) is at a location that has safety installations complying with the provisions of Clause 6.19.4 of CSA Standard B149.2: Propane Storage and Handling Code for tanks;

(2) is parked in accordance with the distances provided for in Table 6.16 of CSA Standard B149.2: Propane Storage and Handling Code for tanks.

33. A propane container must be painted.

34. Except in filling plants, propane cylinders must not be stored one stacked over the other.

35. Vehicles used for the transportation of propane and parked at a location other than that governed by a regulation respecting the transportation of dangerous substances made under the Highway Safety Code (R.S.Q., c. C-24.2) must be parked in accordance with the provisions of Clauses 7.15 to 7.19 of CSA Standard B149.2: Propane Storage and Handling Code.

36. Signs bearing the indication or the international symbol “NO SMOKING” must be installed at a conspicuous place at every entrance and point of transfer of propane of filling plants. The letters must be red on a white background or black on a yellow background and be at least 100 mm high. The symbols must have a minimum diameter of 300 mm.

37. Signs bearing the following indications must be installed in a conspicuous place on the tank or nearby and at the point of transfer, where propane is transferred at more than 3 m of the tank of a propane container refill centre, in a way that they can be seen from there:

(1) the indication “NO SMOKING, TURN OFF ALL SOURCES OF IGNITION” with letters at least 50 mm high;

(2) the indication “TRANSPORT CYLINDERS SECURED IN AN UPRIGHT POSITION IN A VENTILATED SPACE” with letters at least 25 mm high;

(3) the indication “IT IS AN OFFENCE TO FILL PROPANE CYLINDERS AND MOTOR FUEL CONTAINERS IN EXCESS OF 80% CAPACITY BY VOLUME” with letters at least 25 mm high; and

(4) the indication “NO SMOKING WITHIN 3 M—TURN IGNITION OFF BEFORE REFUELLING” with letters at least 25 mm high for a propane distribution location for vehicles.

The international symbols meaning “NO SMOKING” and “TURN OFF IGNITION”, measuring at least 100 mm in diameter, may be used instead of these expressions. The symbols must be red and black on a white background.

The letters on the signs must be red on a white background or black on a yellow background.

DIVISION V DISTRIBUTION OF GAS BY PIPELINE

38. Gas distributed by pipeline must emit a characteristic odour in accordance with the provisions of Clause 4.17 of CSA Standard Z662: Oil and Gas Pipeline Systems.

39. A piped gas undertaking must notify all users affected by an interruption in service and ensure the safe restoration of service.

40. An installation intended to distribute gas by pipeline must be operated and serviced in accordance with the provisions of Clause 10 and Clauses 12.10, 13.2.8, 13.3.7 and 15.10 of CSA Standard Z662: Oil and Gas Pipeline Systems.

41. At the beginning of each fiscal year, every piped gas undertaking must send to the Régie du bâtiment du Québec its gas leak detection program for the current year, and at the end of the same year, a report on the findings and measures taken to remedy the situation. Likewise, the undertaking must send its yearly program on maintenance of the transportation systems, gas distribution systems and storage facilities.

42. Any piped gas undertaking must keep up-to-date the plans of its gas transportation systems, gas distribution systems and storage facilities, as well as the location of valves, regulators and other accessories.

43. Any piped gas undertaking must send to the Régie, within 90 days following the end of each fiscal year, a report on the state of its distribution system. The report must contain the information referred to in Schedule I and be presented in the prescribed form.

DIVISION VI USE, STORAGE AND DISTRIBUTION OF NATURAL GAS IN CONTAINERS

44. The natural gas supply system of a road vehicle may be filled only if the vehicle bears the appropriate sticker that was made compulsory under the Regulation respecting safety standards for road vehicles.

45. In a container refill centre for vehicles, natural gas must not be distributed at a pressure in excess of that provided for in Clause 3.4 of Clause 3 of CSA Standard B108: Natural Gas Fuelling Stations Installation Code.

46. An installation intended to store liquefied natural gas must be operated and serviced in accordance with the provisions of Clause 12 of CSA Standard Z276: Liquefied Natural Gas (LNG)—Production, Storage and Handling.

47. Where natural gas cylinders are filled, stored and used elsewhere than in a refill centre for vehicles, it must be done in accordance with the provisions of Clauses 8.2 to 8.5 of Clause 8 of CSA Standard B149.1: Natural Gas and Propane Installation Code.

DIVISION VII OPERATION PERMIT

48. The owner of an installation independent of a building and intended to store or distribute gas shall obtain a permit for each place of operation of the installation or for each vehicle intended to distribute gas if the owner has no establishment in Québec.

49. The owner or the owner's representative shall file with the Régie an application for a permit containing the following information:

(1) the name, domicile address of the owner or representative and, where applicable, the number of the declaration of registration deposited in the register of sole

proprietorships, partnerships and legal persons instituted under section 58 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45);

(2) for a partnership or a legal person, its name, the address of its head office, the number of the declaration of registration referred to in paragraph 1;

(3) the address where the place of operation of the installation is located or, if the owner or representative has no establishment in Québec, the registration number of the vehicle intended to distribute gas;

(4) for the place of operation:

(a) the quantity of gas sold during the preceding year;

(b) the quantity of gas that was bought:

i. in Québec from a refinery;

ii. from a source of supply outside the province of Québec;

iii. in Québec elsewhere than from a refinery;

(c) the date on which the place began operating;

(d) the use of the place;

(e) the name of the employees who work there and who hold competency certificates issued under the Act respecting manpower vocational training and qualification; and

(f) the number of storage containers and their individual capacity in litres or United States gallons.

50. Any application for an operation permit must include an attestation according to which the information contained therein is accurate and complete.

51. The fee payable for the issue or renewal of an operation permit is \$136. Notwithstanding the foregoing, the fee is \$40 for an installation independent of a building and intended to store or distribute gas in cylinders only and if gas is not transferred there. The fee must be paid to the Régie and be attached to the application for the issue or renewal of a permit.

52. The operation permit issued by the Régie contains the following information:

- (1) the name of the owner of the installation or vehicle;
- (2) the address of the place of operation of the installation or the registration number of the vehicle for which the permit is issued;
- (3) the date of issue of the permit; and
- (4) the number of the declaration referred to in paragraph 1 or 2 of section 49, if applicable.

53. The holder of an operation permit shall post it in a conspicuous place, that is, at the place of operation or in the vehicle intended to distribute gas.

54. The term of a permit is one year.

55. The application for renewal of a permit must be filed with the Régie at least 30 days before the expiry date of the permit.

56. An operation permit is non-transferable.

57. The operation permit is suspended as long as its owner does not comply with an order issued under section 123 or 124 of the Building Act.

58. A person who applies for the issue or renewal of an operation permit shall obtain and maintain in effect, during the entire term of the permit, an insurance of a minimum coverage of \$1 000 000 to cover his or her liability for damage caused to another person for a fault or negligence in the operation of his or her installation. The insurance must provide for a commitment by the insurer to inform the Régie of his or her intent to terminate the contract.

An attestation of the insurer according to which the insurance meets the requirements of the first paragraph must be sent to the Régie with the application for the issue or renewal of an operation permit.

59. The holder of the permit shall notify the Régie in writing of the cancellation of his or her insurance or of any change made in it.

DIVISION VIII CONTRIBUTIONS

60. The owner or operator of a piped gas undertaking must pay the Régie the amount of \$0.359 per 1 000 cubic metres of gas sold each month.

The amount is calculated on the basis of the volume of gas sold to users.

61. The wholesale owner or operator of an undertaking for the bulk distribution of liquefied petroleum gas sold in Québec must pay the Régie the amount of \$0.695 per thousand litres or fraction of a thousand litres of liquefied petroleum gas sold in Québec.

For the purposes of this section,

“liquefied petroleum gas sold in Québec” means, in the case of a wholesale owner or operator of an undertaking for the bulk distribution of liquefied petroleum gas, the volume of liquefied petroleum gas that he or she has sold in Québec less the volume bought from a wholesale owner or operator of an undertaking for the bulk distribution of liquefied petroleum gas;

“wholesale owner or operator of an undertaking for the bulk distribution of liquefied petroleum gas” means any person or partnership operating an undertaking for the storage, sale or distribution of liquefied petroleum gas in Québec and buying liquefied petroleum gas from a producer in Québec or from any source outside Québec for resale in Québec.

The Régie shall, where applicable, make an adjustment at the date on which each wholesale owner or operator of an undertaking for the bulk distribution of liquefied petroleum gas provides it with the information referred to in section 49 to ensure that the payments made by such persons are in proportion to their actual sales.

62. Any gas undertaking must keep an up-to-date list of the names and addresses of its customers.

DIVISION IX PENAL

63. Any violation of any of the provisions of this Chapter, except sections 51, 60 and 61, shall constitute an offence.

64. This Regulation comes into force on (*enter the date corresponding to the ninetieth day following the date of its publication in the Gazette officielle du Québec*).



STATE OF THE GAS DISTRIBUTION SYSTEM

SCHEDULE I (s. 43)

Report for fiscal year ending :

Name of the gas utility : _____	
Address : _____	
Postal code : _____	Telephone : _____
Prepared by : _____	Position : _____

A MAINS (LENGTH IN KILOMETRES)				
Description by material	TOTAL	Current year		Deactivated
		Construction		
		Expansion	Replacement	
Bare steel				
Coated steel				
Aluminum				
Polyethylene (insertion)				
Polyethylene				
Other (specify)				
TOTAL				

B SERVICES (NUMBER)				
Description by material	TOTAL	Current year		Deactivated
		Construction		
		Expansion	Replacement	
Bare steel				
Coated steel				
Copper				
Polyethylene (insertion)				
Polyethylene				
Other (specify)				
TOTAL				

C CATHODIC PROTECTION			
	TOTAL	Current year	
		Construction	
		Expansion	Replacement
Mains (km)			
Services (number)			
Length protected by sacrificial anodes (km) :		By rectifiers (km) :	
Number of rectifiers :		Number of test points :	
% of steel system under adequate protection :			

Régie du bâtiment du Québec official form

D	LENGTH OF MAINS BY MATERIAL (Kilometres)								
	Diameter (millimetres)								
	33,4 or less	Over 33,4 thru 60,3	Over 60,3 thru 114,3	Over 114,3 thru 219,1	Over 219,1 thru 323,9	Over 323,9 thru 508	Over 508 thru 762	Over 762	TOTAL
Bare steel									
Coated steel									
Aluminum									
Polyethylene (insertion)									
Polyethylene									
Other (specify)									
TOTAL									

E	NUMBER OF SERVICES BY MATERIAL						
	Diameter (millimetres)						
	21,3 or less	Over 21,3 thru 33,4	Over 33,4 thru 60,3	Over 60,3 thru 114,3	Over 114,3 thru 168,3	Over 168,3	TOTAL
Bare steel							
Coated steel							
Copper							
Polyethylene (insertion)							
Polyethylene							
Other (specify)							
TOTAL							

F	0 and 300	301 and 700	701 and 2000	2001 and 4000	4001 and 6000	6001 and over	TOTAL
Operating pressure (kilopascals)							
Part of system operating between : (kilometres)							
Regulating stations with outlet pressure between : (number)							
Distribution and service line shut-off valves with operating pressure between : (number)							

G	Year(s) ago	%
Unaccounted for gas during last 5 fiscal years based on % of total input for each year excluding current year.	1	
	2	
	3	
	4	
	5	

H	%
Unaccounted for gas during past 12 months ending with current fiscal year.	

I	Mains	Services
Number of known system leaks at end of year scheduled for repair		

J NUMBER OF LEAKS REPAIRED DURING YEAR							
	Materials	Corrosion	Material failure	Damage by outside force	Construction defect	Other	Total
MAINS	Bare steel						
	Coated steel						
	Aluminum						
	Polyethylene (insertion)						
	Polyethylene						
	Other (specify)						
	SUB-TOTAL						
SERVICES	Bare steel						
	Coated steel						
	Copper						
	Polyethylene (insertion)						
	Polyethylene						
	Other (specify)						
	SUB-TOTAL						
TOTAL							

K LEAKS ON MAINS REPAIRED DURING YEAR (number)	
Pipe	
Valve	
Fitting	
Regulator	
Tap connexion	
Other	
TOTAL	

L LEAKS ON SERVICES REPAIRED DURING YEAR (number)	
Pipe	
Valve	
Fitting	
Regulator	
Tap connexion	
Other	
TOTAL	

Frequency of inspection of cathodically protected system	Frequency of inspection by type*		
	Pipe-soil potential	Rectifier	Remote reading

N LEAK SURVEYS		
	Operating pressure	Frequency
Mains	P operating < 4800kPa - general	
	P operating < 4800kPa - downtown	
	P operating ≥ 4800kPa	
Services	All	

*FREQUENCY CODES : 1 (weekly), 2 (bimonthly), 3 (monthly), 4 (quarterly), 5 (semi-annually), 6 (annually), 7 (other - specify), 0 (no inspection)

O GENERAL INFORMATION					
Number of services :	Residential :	Commercial :	Industrial :	Total :	
Number of customers :	Residential :	Commercial :	Industrial :	Total :	
Gas sold (10 ⁶ m ³) :	Residential :	Commercial :	Industrial :	Total :	
Total gas purchased (10 ⁶ m ³) :			Self consumption (10 ⁶ m ³)		
Daily contractual demand (10 ⁶ m ³) :			Since :		
Maximum hourly consumption in the year (10 ⁶ m ³) :			Date :		
Minimum hourly consumption in the year (10 ⁶ m ³) :			Date :		
Maximum daily consumption in the year (10 ⁶ m ³) :			Date :		
Minimum daily consumption in the year (10 ⁶ m ³) :			Date :		
Maximum monthly consumption in the year (10 ⁶ m ³) :			Date :		
Minimum monthly consumption in the year (10 ⁶ m ³) :			Date :		
Services unused for :	A: 1 year :	B: 2 years :	C: 3 years :	D: 4 Years :	Total :
Service pipe not rising above ground level :					
Brand of odorant used :			Injection rate (kg / 10 ⁶ m ³) :		
Quantity of odorant used annually (litres) :			Number of customers per kilometre :		
Number of leaks per kilometre :			Number of municipalities supplied :		
Number of employees :	Management :	Executives :	Office employees :	Manual workers :	

P COMMENTS	

I hereby certify that the above information
is accurate

Signature

Date

Index Statutory Instruments

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

Regulations — Statutes	Page	Comments
Agreement concerning new methods of voting for an election using “Accu-Vote ES 2000” ballot boxes — Municipalité de Ville de Sainte-Marie (An Act respecting elections and referendums in municipalities, R.S.Q., c. E-2.2)	4772	N
Building Act — Construction Code (R.S.Q., c. B-1.1)	4788	Draft
Building Act — Regulation (R.S.Q., c. B-1.1)	4787	Draft
Building Act — Safety Code (R.S.Q., c. B-1.1)	4820	Draft
Charter of the French language, An Act to amend the... — Coming into force of certain provisions (2002, c. 28)	4767	
Construction Code (Building Act, R.S.Q., c. B-1.1)	4788	Draft
Denturists — Standards for diploma or training equivalence for the issuing of a permit by the Ordre (Professional Code, R.S.Q., c. C-26)	4769	N
Elections and referendums in municipalities, An Act respecting... — Agreement concerning new methods of voting for an election using “Accu-Vote ES 2000” ballot boxes — Municipalité de Ville de Sainte-Marie (R.S.Q., c. E-2.2)	4772	N
Environment Quality Act — Halocarbons (R.S.Q., c. Q-2)	4795	Draft
Environment Quality Act — Land protection and rehabilitation (R.S.Q., c. Q-2)	4809	Draft
Halocarbons (Environment Quality Act, R.S.Q., c. Q-2)	4795	Draft
Hunting and fishing rights in the James Bay and New Québec territories, An Act respecting... — Upper limit of kill for moose for 2002 (R.S.Q., c. D-13.1)	4769	N
Land protection and rehabilitation (Environment Quality Act, R.S.Q., c. Q-2)	4809	Draft
Professional Code — Denturists — Standards for diploma or training equivalence for the issuing of a permit by the Ordre (R.S.Q., c. C-26)	4769	N
Safety Code (Building Act, R.S.Q., c. B-1.1)	4820	Draft
Upper limit of kill for moose for 2002 (An Act respecting hunting and fishing rights in the James Bay and New Québec territories, R.S.Q., c. D-13.1)	4769	N

