

**Gazette**  
officielle  
**DU Québec**

Part

**2**

**No. 28**

11 July 2007

**Laws and Regulations**

Volume 139

**Summary**

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Legal deposit – 1st Quarter 1968  
Bibliothèque nationale du Québec  
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## Coming into force of Acts

Gouvernement du Québec

### **O.C. 565-2007, 27 June 2007**

#### **An Act respecting transport infrastructure partnerships (2000, c. 49) — Coming into force of certain provisions**

COMING INTO FORCE of certain provisions of the Act respecting transport infrastructure partnerships

WHEREAS the Act respecting transport infrastructure partnerships (2000, c. 49) was assented to on 13 December 2000;

WHEREAS section 31 of the Act provides that the Act will come into force on 13 December 2000, except sections 23 to 27 and 29, which come into force on the date to be fixed by the Government;

WHEREAS it is expedient to set 15 August 2007 as the date of coming into force of sections 23 to 27 and 29 of the Act;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT sections 23 to 27 and 29 of the Act respecting transport infrastructure partnerships (2000, c. 49) come into force on 15 August 2007.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

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Gouvernement du Québec

### **O.C. 567-2007, 27 June 2007**

#### **An Act to amend the Highway Safety Code and other legislative provisions (2004, c. 2) — Coming into force of certain provisions**

COMING INTO FORCE of certain provisions of the Act to amend the Highway Safety Code and other legislative provisions

WHEREAS the Act to amend the Highway Safety Code and other legislative provisions (2004, c. 2) was assented to on 6 April 2004;

WHEREAS, under section 80 of the Act, the Act came into force on 6 April 2004, except sections 1, 3, 4, 19, 31, 32, 40 and 53, which came into force on 6 May 2004, and sections 2, 5 to 8, 10 to 12, 14 to 16, 21 to 25, 27 to 30, 33 to 39, 41 to 52, 54 to 59, 61 to 65, 73 to 77 and 79, which come into force on the date or dates to be set by the Government;

WHEREAS, by Order in Council 1184-2004 dated 15 December 2004, sections 6, 8, 12, 15, 30, 41, 55, 62, 76, 77 and 79 of the Act came into force on 1 January 2005;

WHEREAS, by Order in Council 113-2006 dated 28 February 2006, sections 10, 16, 57, section 58 to the extent that it enacts the first paragraph of section 520.2, sections 61 and 63 to 65 of the Act came into force on 27 March 2006;

WHEREAS, by Order in Council 366-2007 dated 23 May 2007, sections 35 to 39, 42 to 52, 54 and 56 of the Act came into force on 15 June 2007;

WHEREAS it is expedient to set 1 October 2007 as the date of coming into force of sections 33 and 34 of the Act;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT sections 33 and 34 of the Act to amend the Highway Safety Code and other legislative provisions (2004, c. 2) come into force on 1 October 2007.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

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## Regulations and other acts

Gouvernement du Québec

### O.C. 498-2007, 27 June 2007

An Act respecting the Société d'habitation du Québec  
(R.S.Q., c. S-8)

#### Housing bureaus

##### — Code of ethics of officers and directors

Code of ethics of officers and directors of housing bureaus

WHEREAS, under subparagraph I of the first paragraph of section 86 and section 86.1 of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8), the Société d'habitation du Québec may, by by-law, establish a code of ethics applicable to the directors and management of a housing bureau, provide distinct rules for directors and management and see to it that the code is observed;

WHEREAS, by Resolution 2005-003 dated 4 February 2005, the board of directors of the Société d'habitation du Québec adopted the Code of ethics of officers and directors of housing bureaus;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Code of ethics of officers and directors of housing bureaus was published in Part 2 of the *Gazette officielle du Québec* of 14 June 2006 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, under section 87 of the Act respecting the Société d'habitation du Québec, the by-laws of the Société shall be subject to approval by the Government;

WHEREAS it is expedient to approve the By-law with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs and Regions:

THAT the Code of ethics of officers and directors of housing bureaus, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif,*

### Code of ethics of officers and directors of housing bureaus

An Act respecting the Société d'habitation du Québec  
(R.S.Q., c. S-8, s. 86, 1st par., subpar. I and s. 86.1)

#### CHAPTER I

##### PURPOSE AND SCOPE

**1.** The purpose of this Code is to promote integrity, openness and impartiality in the management of a housing bureau and to render directors and officers accountable so that they are able to carry out the mission of the bureau.

**2.** This Code applies to the directors and officers of a housing bureau.

A director appointed by the Minister responsible for the administration of the Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8) in accordance with the letters patent of a housing bureau and sitting on the board of directors of that office must comply with the provisions of this Code. In case of discrepancy between the provisions of this Code and those of the Regulation respecting the ethics and professional conduct of public office holders, made by Order in Council 824-98 dated 17 June 1998, the latter prevails.

#### CHAPTER II

##### PRINCIPLES AND GENERAL RULES

**3.** Directors and officers are appointed or elected to contribute, within the framework of their mandate, to the accomplishment of the mission of the housing bureau and to the proper administration of the property under the responsibility of the bureau.

They must make their contribution in compliance with law, with honesty, loyalty, prudence, diligence, efficiency, application and fairness.

**4.** In the performance of their duties, directors and officers must comply with the principles and the rules of professional conduct prescribed by law, particularly those of the Civil Code and this Code. In case of discrepancy, the most stringent principles and rules prevail.

In case of doubt, directors and officers must act according to the spirit of those principles and rules. They must also arrange their personal affairs in such a manner that they cannot interfere with the performance of their duties.

### CHAPTER III RULES PARTICULAR TO CERTAIN DUTIES

#### DIVISION I DUTY OF DISCRETION

**5.** Directors and officers are bound to discretion in regard to anything that comes to their knowledge in the performance of or in connection with the performance of their duties and are at all times bound to maintain the confidentiality of information thus received.

That obligation does not have the effect of preventing directors and officers from reporting to the person or persons who appointed or elected them, except where the information is confidential by law or where the board of directors requires that confidentiality be maintained.

**6.** Directors and officers must refrain from making public comments on the decisions taken by the board of directors, except with the authorization of the board.

**7.** Directors and officers must transmit to the board of directors in a timely manner any information in their possession concerning the management of the housing bureau or the property under the responsibility of the bureau.

**8.** A dissenting director or officer may inform the competent authority of the reasons for his or her dissension in writing.

#### DIVISION II DUTIES OF HONESTY AND LOYALTY

**9.** In the performance of their duties, directors and officers must act in the interest of the housing bureau. They must set aside any partisan political considerations, as well as any bonds that link them to a specific interest group.

**10.** Directors may not promise their vote in advance.

**11.** Directors and officers must demonstrate reserve in the expression of their political opinions, particularly so as not to leave to believe that their decision-making power is influenced by such opinions or that their political interests prevail over those of the bureau.

**12.** Directors and officers must avoid placing themselves in a situation of conflict between their personal interest, including that of their immediate family members, and the duties of their office.

“Situation of conflict of interest” means any situation where a director or an officer has a personal interest such that it prevails or may prevail over the interest of the bureau. The interest may be of a pecuniary or moral nature. It is not necessary for directors or officers to actually take advantage of their office to serve their interests or to impair the interests of the office; the possibility of that occurring is sufficient.

Directors and officers must disclose to the board of directors any direct or indirect interest that they have in a body, enterprise or association likely to place them in a situation of conflict of interest, as well as any rights that they may assert against the body, enterprise or association, and indicate, where applicable, the nature and value.

The disclosure must be recorded in the minutes of the meeting of the board.

A director or an officer who is in a situation of conflict of interest concerning a matter submitted to the board of directors for deliberation must withdraw from the meeting for the time required by the board of directors to deliberate and vote on the matter.

**13.** Full-time officers may not, on pain of penalty, have a direct or indirect interest in a body, enterprise or association entailing a conflict between their personal interest and that of the bureau. However, no penalty may be imposed if such interest devolves on them by succession or gift, provided that they renounce it or dispose of it promptly.

Any other director or officer who has a direct or indirect interest in a body, enterprise or association entailing a conflict between his or her personal interest and that of the bureau must disclose the interest in writing to the chair of the board of directors and, where applicable, refrain from participating in any deliberation or any decision pertaining to the body, enterprise or association in which he or she has that interest. In addition, the director or officer must withdraw from the meeting for the time required by the board of directors to deliberate and vote on the matter.

This section does not prevent an elected director from expressing opinions about general measures applicable to lessees.

**14.** Any disclosure under this Division must be dealt with confidentially.

**15.** Directors and officers may not treat the property under the responsibility of the bureau as if it were their own property and may not use it for their own benefit or for the benefit of a third party.



**16.** Directors and officers may not use information obtained in the performance of or in connection with the performance of their duties for their own benefit or for the benefit of a third party.

That obligation does not have the effect of preventing directors and officers from reporting to the person or persons who appointed or elected them, except where the information is confidential by law or where the board of directors requires that confidentiality be maintained.

**17.** Full-time officers must perform the duties of their office exclusively, except where the authority having appointed them authorized them to perform other duties.

**18.** Directors and officers may not accept any gift, hospitality or other advantage, except what is customary and of modest value.

Any other gift, hospitality or advantage received must be returned.

**19.** Directors and officers may not, directly or indirectly, grant, solicit or accept a favour or an undue advantage for themselves or for a third party.

### DIVISION III DUTIES OF PRUDENCE AND DILIGENCE

**20.** Before deciding or voting on an issue, directors and officers must obtain all the information necessary to make an informed decision in the interest of the bureau.

**21.** Directors, as well as officers when so required, must participate regularly in the meetings of the board.

### CHAPTER IV POLITICAL ACTIVITIES

**22.** Directors and officers who intend to be candidates for an elective public office must so inform the board of directors of the bureau and the person or persons who have appointed or elected them.

**23.** Full-time officers wishing to be candidates for election to the National Assembly, the House of Commons of Canada or another elective public office whose functions will probably be performed on a full-time basis must request and are entitled to leave without pay, from the day on which they announce their candidacy.

**24.** Full-time officers wishing to run for election to an elective public office whose functions will probably be performed on a part-time basis, but whose candidacy

may make it impossible for them to demonstrate reserve as required, must request and are entitled to leave without pay from the day on which they announce their candidacy.

**25.** Officers who are granted leave in accordance with section 23 or 24 are entitled to resume their duties not later than on the thirtieth day following the final date for nominations, if they are not candidates, or if they are candidates, not later than on the thirtieth day following the date on which another person is declared elected.

**26.** Directors who are elected to a full-time public office and who accept the office must immediately resign their directorship.

Directors who are elected to a part-time public office must, if that office may make it impossible for them to demonstrate reserve as required, resign their directorship.

Directors who are elected as school commissioners or to a municipal council are exempt from the requirements of this section.

### CHAPTER V PERFORMANCE OF DUTIES OF DIRECTORS OR OFFICERS

**27.** Directors and officers must not show any favouritism in their decisions, particularly in the selection of lessees and the granting of the dwellings under their management.

**28.** Directors and officers must treat the clients served by the bureau with dignity.

**29.** Officers must, as far as possible, give clients the information they request and to which they are entitled. If that is impossible, they must refer the clients to a person who is able to provide the information.

**30.** Officers must be available and attentive to the needs of the clients served by the bureau.

**31.** Directors and officers must make their decisions in the interest of the housing bureau.

**32.** Directors and officers must favour an amicable settlement of disputes, in particular those regarding relations between lessees and with the representatives of the bureau.

**33.** Officers must render an account of their administration to the board of directors on a regular basis.

**34.** Directors and officers must manage the funds under their responsibility with openness and efficiency.

#### CHAPTER VI OBLIGATIONS AFTER LEAVING OFFICE

**35.** Directors and officers who have left office must conduct themselves in such a manner as to not derive undue advantages from their previous service with the bureau.

**36.** Directors and officers who have left office may not disclose confidential information or give advice based on information not available to the public concerning the bureau for which they worked, or concerning another body, enterprise or association with which they had a direct and substantial relationship during the year preceding the end of their term of office.

Within one year after leaving office, directors and officers may not act for or on behalf of another person in connection with a proceeding, negotiation or other transaction to which the bureau that they served is a party.

Directors and officers of a housing bureau referred to in the second paragraph may not, in the circumstances referred to in that paragraph, deal with the director or officer referred to therein for one year following the end of the latter's term of office.

#### CHAPTER VII DISCIPLINARY PROCESS

**37.** The Société d'habitation du Québec is responsible for the application of this Code and, for that purpose, the president and chief executive officer is the competent authority.

A person who becomes aware of a violation of the provisions of this Code shall so inform the chair of the board of directors of the housing bureau and the competent authority.

**38.** Directors or officers accused of a violation of the provisions of this Code are temporarily relieved of their duties, with pay, if any, by the Société on the recommendation of the competent authority, in order to allow an appropriate decision to be made in an urgent situation requiring prompt action or in a presumed case of a grievous offence.

**39.** The competent authority must inform the directors or officers of the violations of which they are accused, of the possible penalty and that they may, within 7 days, make submissions and if they so request, be heard regarding the alleged violations.

**40.** Where a director or an officer is found to have violated a provision of this Code, the competent authority must recommend to the Société that a penalty be imposed.

**41.** The penalties that may be imposed on a director or an officer are a reprimand, a suspension without pay for a maximum of 3 months or dismissal.

**42.** Any penalty imposed on directors or officers, as well as the decision to temporarily relieve them of their duties, must be in writing and give the reasons therefor.

**43.** This Code comes into force on 1 September 2007.

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Gouvernement du Québec

#### O.C. 524-2007, 27 June 2007

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

#### Court bailiffs — Committee on training

Regulation respecting the committee on training of court bailiffs

WHEREAS, in accordance with the second paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), the Government may, by regulation and after consultation, fix the terms and conditions of cooperation between the order concerned and the authorities of the educational institutions which issue diplomas giving access to a permit or specialist's certificate;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the committee on training of court bailiffs was published in Part 2 of the *Gazette officielle du Québec* of 5 April 2006 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, in accordance with the second paragraph of section 184 of the Professional Code, the Office des professions du Québec, the Chambre des huissiers de justice du Québec, the educational institutions concerned, the Minister of Education, Recreation and Sports and the Fédération des cégeps have been consulted;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation respecting the committee on training of court bailiffs, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## Regulation respecting the committee on training of court bailiffs

Professional Code  
(R.S.Q., c. C-26, s. 184, 2nd par.)

**1.** A committee on training is hereby established within the Chambre des huissiers de justice du Québec.

**2.** The committee is an advisory committee whose mandate is to examine matters relating to the quality of the training of court bailiffs, in keeping with the respective and complementary jurisdictions of the Chambre des huissiers de justice du Québec, the college level educational institutions and the Minister of Education, Recreation and Sports.

Quality of training means the appropriateness of the professional skills training required for the practice of the profession of court bailiff.

As regards training, the committee is to consider

(1) the objectives of the training programs offered by educational institutions leading to a diploma that gives access to a permit or specialist's certificate;

(2) the objectives of the other terms and conditions for the issuance of permits that may be imposed by a regulation of the Bureau of the Chambre des huissiers de justice du Québec, such as professional training periods or professional examinations; and

(3) the standards for a diploma or training equivalence, prescribed by regulation of the Bureau of the Chambre des huissiers de justice du Québec, that gives access to a permit or specialist's certificate.

**3.** The committee is composed of five members chosen for their knowledge and responsibilities in relation to the matters referred to in section 2.

The Fédération des cégeps and the Association des collèges privés du Québec each appoint one member.

The Minister of Education, Recreation and Sports or the Minister's representative appoints one member and, if necessary, one alternate.

The Bureau of the Chambre des huissiers de justice du Québec appoints two members of the Chamber and the committee selects one of those two members as its chair.

The committee may also invite persons or representatives of organizations concerned to attend its meetings.

**4.** The members of the committee are appointed for a term of three years and remain in office until they are re-appointed or replaced.

**5.** The functions of the committee are

(1) to review each year the situation as regards the quality of training in the light of developments in knowledge and practice, particularly as regards protection of the public and, where appropriate, to report its observations to the Bureau; and

(2) to give its opinion to the Bureau, as regards the quality of training,

(a) on projects involving the review or preparation of the objectives or standards referred to in the third paragraph of section 2; and

(b) on ways to enhance the quality of training, in particular by proposing solutions to the problems observed.

The committee must indicate in its report and in any opinion the viewpoint of each of its members.

**6.** The members of the committee are to endeavour to gather information relevant to the exercise of the committee's functions from the organizations that appointed them and from any other organization or person concerned.

**7.** The chair sets the date, time and place of the committee's meetings, although the chair must call a meeting of the committee whenever at least three of its members so request.

**8.** The committee must hold at least two meetings per year.

**9.** The quorum of the committee is three members, one member appointed by the Bureau, one member appointed by the Federation or the Association and one member appointed by the Minister.

**10.** Clerical support for the committee is the responsibility of the Chamber.

The secretary designated by the Chamber sees to preparing and keeping the minutes, reports and opinions of the committee.

**11.** The Bureau is to transmit a copy of the committee's reports and opinions to the Federation, the Association, the Minister and the Office des professions du Québec.

**12.** The annual report of the Chamber must contain the findings of the committee's reports and opinions.

**13.** Despite section 4, for the first committee established after the coming into force of this Regulation, one of the members appointed by the Bureau and the member appointed by the Association are each appointed for a term of two years.

**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

### O.C. 525-2007, 27 June 2007

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

**Infirmières et infirmiers**  
— **Terms and conditions for the issue of permits by the Ordre**  
— **Amendment**

Regulation to amend the Regulation respecting the terms and conditions for the issue of permits by the Ordre des infirmières et infirmiers du Québec

WHEREAS, under paragraph *i* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order may, by regulation, determine the other terms and conditions for issuing permits;

WHEREAS, in accordance with that paragraph, the Bureau of the Ordre des infirmières et infirmiers du Québec made the Regulation to amend the Regulation respecting the terms and conditions for the issue of permits by the Ordre des infirmières et infirmiers du Québec;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 17 January 2007 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

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

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting the terms and conditions for the issue of permits by the Ordre des infirmières et infirmiers du Québec, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting the terms and conditions for the issue of permits by the Ordre des infirmières et infirmiers du Québec \*

Professional Code  
(R.S.Q., c. C-26, s. 94, par. *i*)

**1.** Section 25 of the Regulation respecting the terms and conditions for the issue of permits by the Ordre des infirmières et infirmiers du Québec is amended by replacing “ten” by “fifteen”.

**2.** 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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\* The Regulation respecting the terms and conditions for the issue of permits by the Ordre des infirmières et infirmiers du Québec, approved by Order in Council 848-97 dated 25 June 1997 (1997, *G.O.* 2, 3598), was last amended by Order in Council 777-2002 dated 19 June 2002 (2002, *G.O.* 2, 3423).

Gouvernement du Québec

**O.C. 548-2007, 27 June 2007**

An Act respecting the Régie de l'énergie  
(R.S.Q., c. R-6.01)

**Second block of wind energy  
— Amendment**

Regulation to amend the Regulation respecting the second block of wind energy

WHEREAS, under subparagraph 2.1 of the first paragraph of section 112 of the Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01), the Government may make regulations determining for a particular source of electric power supply, the corresponding energy block and maximum price established for the purpose of fixing the cost of electric power referred to in section 52.2 or for the purposes of the supply plan provided for in section 72, or for the purposes of a tender solicitation by the electric power distributor under section 74.1;

WHEREAS, in accordance with sections 10 and 13 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the second block of wind energy was published in Part 2 of the *Gazette officielle du Québec* of 21 February 2007 with a notice that it could be made by the Government on the expiry of 20 days following that publication;

WHEREAS the 20-day period has expired;

WHEREAS comments on the draft Regulation were received;

WHEREAS it is expedient to make the Regulation with amendments to postpone the initial delivery date of 1 September 2010 to 1 December 2010;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife:

THAT the Regulation to amend the Regulation respecting the second block of wind energy, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation respecting the second block of wind energy\***

An Act respecting the Régie de l'énergie  
(R.S.Q., c. R-6.01, s. 112, 1st par., subpar. 2.1)

**1.** The Regulation respecting the second block of wind energy is amended in section 1 by replacing the first paragraph by the following:

“For the purpose of fixing the cost of electric power referred to in section 52.2 of the Act respecting the Régie de l'énergie (R.S.Q., c. R-6.01), and for the purposes of the supply plan provided for in section 72 of the Act and the tender solicitation by the electric power distributor under section 74.1 of the Act, a second block of wind energy linked to structural investment in the manufacturing sector must be produced in Québec from a target capacity of 2,000 megawatts, within the following timeframe:

- 300 megawatts, no later than 1 December 2010;
- 300 megawatts, no later than 1 December 2011;
- 350 megawatts, no later than 1 December 2012;
- 350 megawatts, no later than 1 December 2013;
- 350 megawatts, no later than 1 December 2014;
- 350 megawatts, no later than 1 December 2015.”.

**2.** 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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\* The Regulation respecting the second block of wind energy, made by Order in Council 926-2005 dated 12 October 2005 (2005, G.O. 2, 4449B), has not been amended since.

Gouvernement du Québec

## O.C. 550-2007, 27 June 2007

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1)

### Fees to be paid under section 106.6 — Amendments

Regulation to amend the Regulation respecting the fees to be paid under section 106.6 of the Act respecting the conservation and development of wildlife

WHEREAS, under the first and second paragraphs of section 106.6 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), the Government is to determine by regulation the part of the fees devolved to an agency that is a party to a memorandum of agreement payable by the agency as a contribution toward the financing of the legal person certified by the Minister to act as the representative of the agency, and the terms and conditions of payment for a period of three years from the date determined by the Government;

WHEREAS under the third paragraph of section 106.6 of the Act, the Government may extend the period during which the financing requirement provided for in the first paragraph of that section is applicable;

WHEREAS it is expedient to extend the period for three additional years on the terms and conditions determined by the Government;

WHEREAS section 9 of the Act to again amend the Act respecting the conservation and development of wildlife (1997, c. 95) provides that a regulation made under section 106.6 of the Act respecting the conservation and development of wildlife is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting the fees to be paid under section 106.6 of the Act respecting the conservation and development of wildlife, attached to this Order in Council;

IT IS ORDERED, therefore, on the recommendation of the Minister of Natural Resources and Wildlife:

THAT the financing period provided for in the first paragraph of section 106.6 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1) be extended for three additional years on the terms and conditions determined by the Government;

THAT the Regulation to amend the Regulation respecting the fees to be paid under section 106.6 of the Act respecting the conservation and development of wildlife, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Regulation respecting the fees to be paid under section 106.6 of the Act respecting the conservation and development of wildlife\*

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, s. 106.6)

1. The Regulation respecting the fees to be paid under section 106.6 of the Act respecting the conservation and development of wildlife is amended by replacing section 2 by the following:

“2. Every agency must pay to the non-profit legal person referred to in section 106.3 of the Act respecting the conservation and development of wildlife, for 2007, 2008 and 2009, part of the fees that devolve to the agency under the Act for membership in the agency, to travel about the territory under its management or to hunt, fish or carry on another recreational activity.

That part of the fees is established at \$1,100, to which is added an amount equal to 0.9% of the total annual amount of the fees collected in 2005. The sum of both amounts may not, however, exceed the lesser of

(1) \$3,820; and

(2) 2.75% of the fees collected by the agency during the fiscal year immediately preceding the current year to travel about the territory under its management or to hunt, fish or carry on another recreational activity.

The maximum amount referred to in the second paragraph is adjusted on 1 April 2008 and 1 April 2009 by applying to its value for the preceding year the annual

\* The Regulation respecting the fees to be paid under section 106.6 of the Act respecting the conservation and development of wildlife, made by Order in Council 1184-98 dated 16 September 1998 (1998, G.O. 2, 3891), was last amended by the regulation made by Order in Council 1144-2003 dated 29 October 2003 (2003, G.O. 2, 3312). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

percentage change in the Consumer Price Index (CPI) calculated for the month of June of the preceding year and published by Statistics Canada.

The Minister is to publish the results of the adjustment in Part I of the *Gazette officielle du Québec* and may publicize more broadly using any other appropriate means.”

**2.** Section 3 is amended by replacing “in one payment for 1998, on 15 October 1998, and in 2 equal instalments for 1999, 2000, 2001, 2002, 2003, 2004, 2005 and 2006,” by “in two equal instalments for 2007, 2008 and 2009,”.

**3.** 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

## O.C. 575-2007, 27 June 2007

Labour Code  
(R.S.Q., c. C-27)

### Commission des relations du travail — Code of ethics of commissioners

WHEREAS, under the first paragraph of section 137.33 of the Labour Code (R.S.Q., c. C-27), the Government shall, after consultation with the president of the Commission des relations du travail, establish a code of ethics applicable to the commissioners of the Commission des relations du travail;

WHEREAS, under that section, the Government has consulted the president of the Commission des relations du travail;

WHEREAS, under the first paragraph of section 137.34 of the Labour Code, the code of ethics shall set out the rules of conduct and the duties of the commissioners towards the public, the parties, their witnesses and the persons representing them; it shall, in particular, define the conduct that is derogatory to the honour, dignity or integrity of a commissioner. In addition, the code of ethics may determine the activities or situations that are incompatible with their office, their obligations concerning the disclosure of interests, and the functions they may exercise gratuitously;

WHEREAS, under the second paragraph of section 137.34 of the Labour Code, the code of ethics may provide for special rules governing part-time commissioners;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Code was published in Part 2 of the *Gazette officielle du Québec* of 29 November 2006 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Code without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Code of ethics of commissioners of the Commission des relations du travail, attached to this Order in Council, be made.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## Code of ethics of commissioners of the Commission des relations du travail

Labour Code  
(R.S.Q., c. C-27, ss. 137.33 and 137.34)

### DIVISION I GENERAL

**1.** The purpose of this Code is to ensure and promote public trust in the integrity and impartiality of the Commission des relations du travail by favouring high standards of conduct for its commissioners.

**2.** Commissioners must render justice within the framework of the applicable rules of law.

### DIVISION II RULES OF CONDUCT AND DUTIES OF COMMISSIONERS

**3.** Commissioners must perform their duties with care, dignity and integrity, keeping in mind that accessibility and promptness are important values of the Commission.

**4.** Commissioners must take the measures required to maintain and upgrade the knowledge and skills necessary to perform their duties.

**5.** Commissioners must make themselves available to discharge their duties conscientiously and diligently.

**6.** Commissioners must be overtly objective and impartial.

**7.** Commissioners must act in a respectful and courteous manner towards persons appearing before them, without any discrimination, while exercising the authority necessary for the proper conduct of the hearing.

**8.** Commissioners must perform their duties with complete independence, free of any interference.

**9.** Commissioners must uphold the integrity of their office and defend its independence in the best interests of justice.

**10.** Commissioners are bound by discretion regarding any matter brought to their knowledge in the performance of their duties and must refrain from disclosing any information of a confidential nature.

**11.** Commissioners are bound by deliberative secrecy.

**12.** Commissions must act with reserve and prudence in public.

### DIVISION III SITUATIONS AND ACTIVITIES INCOMPATIBLE WITH THE PERFORMANCE OF DUTIES

**13.** Commissioners must be politically neutral and not engage in any activity or partisan political participation at the federal, provincial, municipal or school level.

**14.** Commissioners must refrain from pursuing an activity or placing themselves in a situation likely to undermine the dignity of their office or discredit the Commission.

**15.** Commissioners must refrain from becoming involved in any cause or participating in any lobby whose objectives or activities are related to matters that come within the jurisdiction of the Commission.

**16.** The following are incompatible with the performance of a commissioner's duties:

(1) soliciting or collecting donations, except in the case of community, school, religious or family activities that do not compromise other duties imposed by this Code, or associating the status of commissioner to those activities; and

(2) taking part in charities or organizations likely to be involved in matters before the Commission.

### DIVISION IV ACTIVITIES PERMITTED

**17.** Full-time commissioners may exercise functions in relation to their professional competence without charge insofar as the functions do not compromise their impartiality or the effective performance of their duties. They must so inform the president.

### DIVISION V PART-TIME COMMISSIONERS

**18.** Part-time commissioners may not act as the attorney or representative of a party before the Commission or a body whose decisions may be contested before or revised by the Commission. In addition, part-time commissioners may not give legal advice in fields within the jurisdiction of the Commission, insofar as their impartiality or the effective performance of their duties could be compromised.

**19.** This Code 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

### O.C. 576-2007, 27 June 2007

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

### Comité conjoint des matériaux de construction — Levy — Amendments

Regulation to amend the Levy Regulation of the Comité conjoint des matériaux de construction

WHEREAS, under subparagraph *i* of the second paragraph of section 22 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government approved the Levy Regulation of the Comité conjoint des matériaux de construction by Order in Council 2626-85 dated 11 December 1985;

WHEREAS the board of directors of the Comité conjoint des matériaux de construction made the Regulation to amend the Levy Regulation of the Comité conjoint des matériaux de construction at its regular meeting held on 14 November 2006;



WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 28 February 2007, with a notice that it could be approved by the Government on the expiry of the 45-day period following that publication;

WHEREAS no comments were received;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Levy Regulation of the Comité conjoint des matériaux de construction, attached hereto, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Levy Regulation of the Comité conjoint des matériaux de construction \*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 22, 2nd par., subpar. i)

**1.** Section 2 of the Levy Regulation of the Comité conjoint des matériaux de construction is amended by replacing “0.45%” by “0.50%”.

**2.** Section 3 is amended by replacing “0.45%” by “0.50%”.

**3.** Section 4 is amended by replacing “\$1.53” by “\$2.06”.

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

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\* The Levy Regulation of the Comité conjoint des matériaux de construction, approved by Decree No. 2626-85 dated 11 December 1985 (1985, *G.O.* 2, 4379) and suspended by the Regulations approved by Orders in Council No. 1631-90 dated 21 November 1990 (1990, *G.O.* 2, 2909) and 1184-92 dated 12 August 1992 (1992, *G.O.* 4307) was amended by the Regulation approved by Order in Council No. 568-98 dated 22 April 1998 (1998, *G.O.* 2, 1760).

Gouvernement du Québec

## O.C. 577-2007, 27 June 2007

Building Act  
(R.S.Q., c. B-1.1; 2005, c. 10)

### Construction Code — Amendments

Regulation to amend the Construction Code

WHEREAS, under section 173 of the Building Act (R.S.Q., c. B-1.1), amended by chapter 10 of the Statutes of 2005, the Régie du bâtiment du Québec may, by regulation, adopt a Building Code containing in particular building standards for buildings, facilities intended for use by the public, installations independent of a building or petroleum equipment installations or their vicinity;

WHEREAS, under section 176 of the Act, the Code may require manufacturers to provide instructions regarding the assembly, erection, maintenance and inspection of materials, facilities and installations;

WHEREAS, under section 176.1 of the Act, the Code may, with respect to the matters to which it applies, contain provisions concerning the subjects listed in section 185 of the Act;

WHEREAS, under section 178 of the Act, the Code may require observance of a technical standard drawn up by another government or by an agency empowered to draw up such standards and provide that any reference it makes to other standards include subsequent amendments;

WHEREAS, under section 179 of the Act, the Board may determine the provisions of the Code of which the infringement constitutes an offence under paragraph 7 of section 194 of the Act;

WHEREAS, under section 192 of the Act, the contents of the Code may vary in particular according to the classes of persons, contractors, owner-builders, facilities intended for use by the public, installations independent of a building or petroleum equipment installations and classes of buildings, pressure installations, facilities or installations to which the Code applies;

WHEREAS the Board has made the Regulation to amend the Construction Code;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Construction Code was

published in Part 2 of the *Gazette officielle du Québec* of 31 January 2007 with a notice that it could be approved by the Government, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS no comments were received concerning the draft of the Regulation;

WHEREAS, under section 189 of the Building Act, every regulation of the Board is subject to approval by the Government which may approve it with or without amendment;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Construction Code, attached hereto, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

## Regulation 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, 6.2, 6.3, 7, 20, 21, 24, 29, 31, 36, 37 and 38 and s. 192; 2005, c. 10)

**1.** The Construction Code is amended by replacing “dix-neuvième édition, norme CSA C22.1-02” in the first paragraph of section 5.01 by “vingtième édition, norme CSA-C22.1-06” and “Nineteenth Edition, CSA Standard C22.1-02” by “Twentieth Edition, CSA Standard C22.1-06”.

**2.** Section 5.04 is amended

(1) by inserting the following before subparagraph 1 of paragraph 1:

“(0.1) by replacing the second paragraph of the definition “Object” by the following: “Compliance with the requirements of this Code and proper maintenance will ensure an essentially safe installation.”;

(2) by replacing paragraph 3 by the following:

“(3) by replacing Rule 2-004 by the following:

### “2-004 Declaration of Work

(1) An electrical contractor or owner-builder shall declare the construction work carried out to which Chapter V of the Construction Code applies to the Régie du bâtiment du Québec, except work specified in an application for a connection made to a public electricity distribution undertaking, or work of a power not exceeding 10 kW that does not require the replacement or addition of wiring.

(2) The declaration shall contain the following information:

(a) the address of the work site;

(b) the name, address and telephone number of the person for whom the work is carried out;

(c) the name, address, telephone number and licence number of the electrical contractor or owner-builder;

(d) the dates scheduled for the beginning and end of the construction work;

(e) the nature and type of work, in particular the specific kind of work and a description of the powers to be installed;

(f) the use of the building or installation and the number of stories and dwellings in the building.

(3) The declaration shall be made on the form provided for that purpose by the Board or on any other document containing the information required by Subrule (2).

(4) The declaration shall be sent to the Board not later than the twentieth day of the month following the date on which the work begins.”;

(3) by replacing paragraph 5 by the following:

“(5) by replacing Rule 2-008 by the following:

### “2-008 Levies and fees

(1) The levy which every electrical contractor shall pay annually to the Régie du bâtiment du Québec is \$669.17 plus an amount corresponding to 2.5% of the contractor’s payroll.

\* The Construction Code, approved by Order in Council 953-2000 dated 26 July 2000 (2000, *G.O.* 2, 4203), was last amended by the regulation approved by Order in Council 220-2007 dated 21 February 2007 (2007, *G.O.* 2, 1140). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

(2) For the purposes of this Rule, “payroll” means the total of payments made, before deductions, to journeymen and apprentice electricians carrying out construction work on an electrical installation, including hourly or piece-work wages, commissions, bonuses, pay for leave and any other form of remuneration. The payments made annually to a journeyman or apprentice electrician by an electrical contractor are presumed to be made to a person assigned to construction work on an electrical installation.

(3) The following payments are not included in the payroll:

(a) payments to a person who qualifies an electrical contractor for the issue of a licence because of his or her technical knowledge;

(b) payments for construction work on an electrical installation at a hydroelectric power station at the time of the original construction.

(4) An electrical contractor renting the services of journeymen or apprentice electricians through a third party that does not hold a licence shall include the cost of those services in calculating the payroll.

(5) A journeyman or apprentice electrician who is a partner in a partnership is, for calculation of the payroll, presumed to receive annual wages of \$31,499.04 for the electrical installation work he or she carries out for the partnership.

(6) The fixed amount of the levy to be paid under Subrule (1) is established in proportion to the number of months for which the licence is valid, a part of a month being considered a full month.

(7) In the case of voluntary abandon of a holder’s licence, the validity period of the licence is deemed to have ended on the date on which the Board received a notice to that effect.

(8) An electrical contractor shall pay the levy under this Rule to the Board not later than:

(a) 31 May for a payroll calculated for the period from 1 January to 31 March of the current year;

(b) 31 August for a payroll calculated for the period from 1 April to 30 June of the current year;

(c) 30 November for a payroll calculated for the period from 1 July to 30 September of the current year;

(d) 28 February for a payroll calculated for the period from 1 October to 31 December of the preceding year.

(9) Each payment shall also include the applicable portion of the fixed amount of the levy. An electrical contractor shall provide with each payment a written statement indicating the portion of the payroll applicable to each journeyman or apprentice electrician identified by name. If a licence is issued to the electrical contractor during the year, the first statement and the first payment shall be made on the first date in Subrule (8) that is at least two months after the issue of the licence.

(10) If an electrical contractor fails to send the statement required under this Rule to the Board, or if the Board has reason to believe that the statement is inaccurate, the Board shall make an estimate of the contractor’s payroll. In such a case, it is the contractor’s responsibility to demonstrate that the estimate is inaccurate.

(11) If it is established that an electrical contractor’s payroll differs from the amount used to establish the levy, the Board shall bill or credit, as the case may be, an amount equal to the difference between the amount levied and the amount calculated according to the actual payroll.

(12) The levy that an electrical owner-builder shall pay annually to the Board in accordance with Subrule (8) is \$501.88, plus inspection fees of \$132.72 for the first hour of inspection or fraction thereof and half that rate for each half-hour or fraction thereof of inspection in addition to the first hour; an amount of \$62.45 for each trip related to the inspection shall be added to those fees.

(13) For approval of electrical equipment referred to in Rule 2-024 or 2-026 that is not already approved by an organization mentioned in Subrule (2)-028(1), approval fees are \$132.72 for the first hour of approval or fraction thereof and half that rate for each half-hour of approval or fraction thereof in addition to the first hour; an amount of \$62.45 for each trip related to the approval and \$7.80 for each approval mark affixed by the Board shall be added to those fees.

(14) The fees payable under Subrules (12) and (13) shall be paid not later than 30 days after the billing date.”;

(4) by replacing paragraph 7 by the following:

“(7) by replacing Rule 2-014 by the following:

**“2-014 Plans and Specifications**

(1) An electrical contractor or owner-builder shall not start construction work on an electrical installation to which Chapter V of the Construction Code applies unless plans and specifications have been prepared for the work if the installation requires a service line exceeding 200 kW.

(2) The plans and specifications referred to in Subrule (1) shall contain the following information:

(a) name and address of the person responsible for preparing them;

(b) type of building or electrical installation and the location of the work;

(c) location of the service line and distribution;

(d) the supply voltage and the single-line diagram of the service line and distribution;

(e) loads, protection characteristics and identification of the feeder and branch circuits at their respective panelboards;

(f) rated power of each apparatus;

(g) type and size of raceways to be used;

(h) number and characteristics of conductors used in the raceways;

(i) cable characteristics;

(j) type of materials, accessories or apparatus installed in hazardous locations;

(k) size and location of grounding conductors;

(l) a description of all underground parts of the installation;

(m) for an addition to an existing electrical installation, all information on the part of the installation on which work is to be carried out and a list of the existing loads or of the maximum demand loads of the existing installation recorded for the last 12 months;

(n) for an electrical installation exceeding 750 volts, the vertical and horizontal clearances of live parts and a description of the grounding and mechanical protection of live parts.”;

(5) by replacing paragraph 9 by the following:

“(9) by replacing Rules 2-024 to 2-028 by the following:

**“2-024 Approval of Electrical Equipment Used in an Electrical Installation or Intended to Consume Energy from an Electrical Installation**

(1) The selling or renting of electrical equipment that has not been approved is prohibited.

(2) All electrical equipment used in an electrical installation shall be approved for the use for which it is intended. In addition, the use of electrical equipment that has not been approved in an electrical installation or the permanent connection of such equipment to such an installation, is prohibited. However, for purposes of exhibition, presentation or demonstration, electrical equipment shall be permitted to be used without being approved if a notice containing the following warning in letters at least 15 mm high is posted: “NOTICE: This electrical equipment has not been approved for sale or rental as required by Chapter V of the Construction Code.”.

(3) This Rule does not apply to electrical equipment of a power not exceeding 100 volt-amperes and of a voltage not exceeding 30 volts, with the exception of luminaires, thermostats with heat anticipators, electromedical devices and apparatus installed in a hazardous location.

**2-026 Approval of a Prefabricated Building**

A prefabricated building in which the electrical installation work was not carried out by an electrical contractor shall not be sold, rented, exchanged or acquired unless it has been approved.

**2-028 Mark of Approval**

(1) Electrical equipment or a prefabricated building that has received certification by one of the following organizations is considered to be approved:

(a) CSA International (CSA);

(b) Underwriters’ Laboratories of Canada (ULC);

(c) Intertek Testing Services NA Ltd (WH, cETL);

(d) Underwriters’ Laboratories Incorporated (cUL);

(e) Entela Canada Inc. (cEntela);

- (f) Quality Auditing Institute (cQAI);
- (g) MET Laboratories, Inc. (cMET);
- (h) TÜV Rheinland of North America Inc. (cTUV);
- (i) TÜV Product Service, Inc. (cTÜV Product Service);
- (j) QPS Evaluation Services (cQPS);
- (k) FM Approvals (cFM);

(l) any other certification organization accredited by the Standards Council of Canada that has notified the Board of its accreditation and whose certification seal or label attests to compliance with Canadian standards.

(2) Electrical equipment bearing the label of an organization accredited by the Standards Council of Canada that has notified the Board of its accreditation attesting that, without being certified by an organization listed in Subrule (1), the equipment is recognized as complying with the requirements of Standard SPE-1000-99 Model Code for the Field Evaluation of Electrical Equipment or complying with the requirements of Standard C22.2 n° 125-M1984 Équipement électromédical and Standard C22.2 No. 125-M1984 Electromedical Equipment, published by the Canadian Standards Association, as amended or republished by that organization, is also considered to be approved.

(3) Notwithstanding Subrules (1) and (2), approval is not required for each of the components of electrical equipment if the equipment has received an overall approval.”;

- (6) by inserting the following after paragraph 10:

“(10.1) by replacing Rule 2-322 by the following:

**“2-322 Electrical Equipment in the Vicinity of a Venting or Relief Discharge for Combustible Gas (see Appendix B)**

(1) Arc-producing electrical equipment shall be installed at least 3 m from the discharge of a combustible gas relief device or vent.

(2) Notwithstanding Subrule (1), in the case of natural gas, the distance allowed shall be permitted to be 1 m.”;

- (7) by replacing paragraph 11 by the following:

“(11) by adding the following Subrule to Rule 4-022:

“(5) Notwithstanding Subrule (3), for underground consumer’s services exceeding 600 A fed by parallel conductors, each neutral conductor shall be sized in accordance with Table 66.”;

- (8) by replacing paragraph 13 by the following:

“(13) by replacing Rule 6-104 by the following:

**“6-104 Number of Consumer’s Services permitted per Building**

(1) The number of low-voltage consumer’s services terminating at any one overhead supply service run shall be limited by the following factors:

- (a) the total calculated load shall not exceed 600 A;
- (b) the number of conductors connected to the supply service conductor shall not exceed four.

(2) In the case of a change to the electrical installation of a building with more than four conductors connected to one supply service conductor, replacement of the conductors shall be permitted provided that the total number of conductors is not increased and the total calculated load does not exceed 600 A.”;

- (9) by replacing paragraph 14 by the following:

“(14) by replacing “9 m” in Subrule (2) of Rule 6-112 by “8 m”.”;

- (10) by replacing paragraph 15 by the following:

“(15) in Rule 6-206:

(1) by inserting “except in existing buildings” in item (c) of Subrule (1) after “less than 2 m”;

- (2) by adding the following after Subrule (2):

“(3) Notwithstanding Subrule (1)(d), in the case of single dwellings, the service box shall be permitted to be a meter mounting device equipped with a combined breaker outside the building or on a post, provided that an associated branch circuit panelboard equipped with a main breaker of a rating equal to or lower than that of the meter mounting device is used inside the building. The service box shall:

- (a) be weatherproof and specifically approved for that use;

(b) be protected against mechanical damage if installed less than 2 m above ground;

(c) be equipped with a lockable outside cover; and

(d) supply only one feeder dedicated to the associated panelboard.”;

(11) by inserting the following after paragraph 17:

“(17.1) in Rule 6-302, by replacing Subrule (2) by the following:

“(2) Except for an installation on an existing trestle, no portion of the conductors that is run on the supply side of the consumer’s service head on outside building surfaces shall be permitted to be run as exposed wiring.”;

(12) by replacing paragraph 20 by the following:

“(20) in Rule 8-106, by adding the following after Subrule (8):

“(9) The method of calculation in Subrule (8) shall be permitted to be used for the replacement of a service or feeder of an existing installation, with or without additional load.”;

(13) by replacing subparagraph 2 of paragraph 22 by the following:

“(2) by inserting “, except automobile heater receptacles included in the basic load of each dwelling” after “75%” in item (d) of Subrule (3).”;

(14) by replacing subparagraph 2 of paragraph 25 by the following:

“(2) by replacing Subrules (3) to (5) by the following:

“(3) Service or feeder conductors shall be considered to have a basic load of

- (a) 1300 W for each of the first 30 duplex receptacles;
- (b) 1100 W for each of the next 30 duplex receptacles;
- (c) 900 W for each additional duplex receptacle.

(4) If the load is controlled, the ampacity of the service or feeder conductors shall:

(a) be determined in accordance with Subrule (3), considering only the maximum number of duplex receptacles that can be supplied simultaneously; or

(b) not be lower than 125% of the maximum current of the load controller.

(5) For the purposes of Subrules (3) and (4), two single receptacles are considered to be one duplex receptacle.”;

(15) by deleting paragraph 31;

(16) by replacing paragraph 32 by the following:

“(32) by replacing Rule 12-312 by the following:

#### “12-312 Conductors Over Buildings

Only conductors entering a building shall be permitted to run over the building.”;

(17) by replacing paragraph 34 by the following:

“(34) by inserting the following after Rule 12-506:

#### “12-507 Wiring Methods in Barns and Buildings Housing Livestock or Poultry

Non-metallic sheathed cable shall be protected from rodents by rigid conduits or electrical metallic tubing if they:

(a) are located less than 300 mm from any surface capable of giving support to rodents;

(b) notwithstanding item (a), are located on the side of structural elements less than 100 mm from the upper surface of the elements;

(c) run through or are concealed in walls and floors.”;

“(34.1) by deleting “metallic” in Subrule (1) of Rule 12-904;

“(34.2) by inserting the following after Rule 12-1122:

#### “12-1124 Split Straight Conduit

(1) In an existing installation located above ground, split straight conduits and split couplings shall be permitted to be used to repair a damaged part of a raceway provided that:

(a) both halves of each split conduit are notched or grooved to ensure the integrity of the assembly, and are glued;

(b) the assembly is connected at each end to the non-split rigid conduit with split couplings glued to the conduit;

(c) each coupling assembly is clamped at each end;

(d) non-removable stainless steel clamps are used; and

(e) the repair work does not damage the insulation of the raceway conductors.

(2) If the assembly mentioned in Subrule (1) exceeds 500 mm in length, additional non-removable stainless steel clamps spaced not more than 500 mm apart shall be installed.”;

(18) by deleting paragraph 37;

(19) by replacing paragraph 39 by the following:

“(39) in Rule 18-010:

(1) by inserting “(1)” in the part preceding item (a) before “Class III”;

(2) by adding the following Subrules:

“(2) For stationary woodworking machines, the vertical cylindrical volume centred around the dust-producing parts of the machine is a Class III, Division 1 location:

(a) if the machine is used for sanding, the radius and height of the cylindrical volume above the floor is 3.6 m if there is a dust collector or 9 m in all other cases; and

(b) for other types of machines, the radius and height of the cylindrical volume above the floor is 1.8 m if there is a dust collector or 4.5 m in all other cases.

(3) Sawmills where humidity is excessive are considered to be locations to which Section 22 applies.

(4) The dust collectors mentioned in Subrule (2) shall be connected to a dust removal system to avoid any accumulation within the cylindrical volume.”;

(20) by replacing paragraph 40 by the following:

“(40) in Rule 18-302, by inserting “with rain-tight couplings and connectors” in Subrule (1) after “electrical metallic tubing”;

(21) by deleting paragraph 41;

(22) by replacing paragraph 42 by the following:

“(42) in Rule 22-204, by replacing Subrule (5) by the following:

“(5) Non-metallic sheathed cables shall be installed in accordance with Rule 12-507.”;

(23) by replacing paragraph 45 by the following:

“(45) in Rule 26-714:

(1) by adding “ground floor” before “single dwelling” in item (a);

(2) by replacing item (b) by the following:

“(b) At least one duplex receptacle shall be installed in each garage or carport of single dwellings.”;

(24) by replacing paragraph 48 by the following:

“(48) in Rule 28-604, in Subrule (4), by replacing “is capable of being locked in the open position, and it can be demonstrated that location in accordance with Subrule (3) is clearly impracticable” by “and is capable of being locked in the open position”.”;

(48.1) In Rule 30-320, in Subrule (3), by replacing item (b) by the following:

“(b) if the requirement of item (a) cannot be complied with, be protected by a Class A ground fault circuit interrupter and be installed inside the room without being located within the perimeter of the bath or shower.”;

(48.2) By deleting Rules 30-500 to 30-510;”;

(25) by replacing paragraph 53 by the following:

“(53) in Rule 32-000, by replacing Subrule (1) by the following:

“(1) This Section applies to the installation of fire pumps required by Chapter 1 of the Construction Code.”;

(26) by replacing paragraph 66 by the following:

“(66) by inserting the following after Rule 62-500:

**“Wire Mesh Heating Systems**

### 62-600 Wire Mesh Heating Systems

Rules 62-602 to 62-606 apply to the supply and connection of wire mesh embedded in a concrete slab or concrete wall for heating, from the point of emergence of the wire mesh at the slab level. However, those rules do not apply to the wire mesh or to the part of busbars embedded in concrete.

#### 62-602 Use

(1) Connection of wire mesh to the electrical supply if the wire mesh is installed in shower rooms, in or around swimming pools or in other locations involving similar hazards, is prohibited.

(2) If a wire mesh heating system produces electrical currents in metallic parts other than the mesh, the mesh shall be supplied only if the currents have been eliminated.

#### 62-604 Other Conductors and Outlets in a Heated Slab

(1) Any other conductor shall be located at least 50 mm from the wire mesh and busbars and shall be considered to operate at an ambient temperature of 40° C.

(2) Any outlet to which a lighting fixture or other heat-producing equipment is likely to be connected shall be located at least 200 mm from the wire mesh.

#### 62-606 Transformers for Wire Mesh Heating Systems

(1) Transformers supplying wire mesh heating systems shall have a grounded electrostatic shield between the primary and secondary windings.

(2) The secondary voltage of a transformer supplying a wire mesh heating system shall not exceed 30 V measured on the secondary side of a single-phase transformer or between two phases on the secondary side of a three-phase transformer.

(3) The conductors connected to the secondary side of a transformer supplying a wire mesh heating system do not require overcurrent protection.”;

(27) by replacing paragraph 67 by the following:

“(67) in Rule 66-000, by deleting Subrule (2);

(67.1) by inserting the following after Rule 66-402:

### “66-404 Receptacles

Receptacles with a CSA 5-15R configuration and those with a CSA 5-20RA configuration installed in itinerant midways, carnivals, fairs and festivals shall be protected by a ground fault circuit interrupter of the Class A type.”;

(28) by replacing paragraphs 68 and 68.1 by the following:

“(68) by inserting the following after Rule 66-504:

#### “Itinerant Rides

#### 66-600 Bonding

(1) Notwithstanding Rules 66-200 and 66-202, an itinerant ride shall be permitted to be bonded by one of the following means:

(a) a loop-shaped copper conductor at least equal in size to that specified in Table 16, but not less than No. 6 AWG, installed so as to form a loop around the ride or around the group of rides connected to the supply system of those rides; the ends of the loop shall be connected to a block whose terminals are connected to the grounded neutral conductor of the supply system. The non-current-carrying parts of the supply system and of the rides connected to the system shall be connected to the loop-shaped conductor by means of a copper conductor at least equal in size to that specified in Table 16, but not less than No. 6 AWG;

(b) an insulated copper conductor, attached to the supply cable, at least equal in size to that specified in Table 16, but not less than No. 6 AWG.

#### 66-602 Splitter

An itinerant ride shall be permitted to be connected to the supply system by means of a movable splitter provided that the splitter is water and dustproof and is raised at least 25 mm from the surface on which it is installed.

#### 66-604 Live Bare Parts

The cover of a box containing live parts shall be screwed shut or key-locked. Failing that, the box shall be inaccessible to the public.



**66-606 Supply**

A receptacle used to supply an amusement ride shall be of the locking type or the equivalent. In addition, a receptacle that does not ensure the simultaneous disconnecting of all conductors shall be inaccessible to the public.”;

“(68.01) in Rule 68-054, by replacing Subrules (2) to (4) by the following:

“(2) Except as permitted by Subrules (3) and (4), the installation of overhead wiring above a pool and its equipment such as a diving board, a platform, a tower or an observation platform, or above the adjacent area extending horizontally from the rim of the pool and its equipment, is prohibited.

(3) Insulated telecommunication cables, cable TV wires and cables with a neutral support conductor with a maximum capacity of 750 V shall be permitted to be installed above a pool and its equipment or above the adjacent area extending horizontally from the rim of the pool and its equipment, provided that there is a minimum 5 m clearance measured radially from the outside edge of the pool, the maximum level of the pool water or its equipment.

(4) Conductors, other than those referred to in Subrule (3) with a maximum operating voltage of 50 kV phase-to-phase shall be permitted to be installed above a pool and its equipment or above the adjacent area extending horizontally from the rim of the pool and its equipment, provided that there is a minimum 7.5 m clearance measured radially from the outside edge of the pool, the maximum level of the pool water or its equipment.”;

“(68.1) in Rule 68-304, by adding “(see Appendix B)” in the title after “Control”;

(29) by replacing paragraph 72 by the following:

“(72) in Rule 72-110, by adding the following Subrules:

“(5) Each recreational vehicle lot equipped with sewers shall be provided with at least one receptacle of each type described in Subrule (1)(a) or (b) and (1)(c).

(6) Each recreational vehicle lot equipped with only one water outlet shall be provided with one receptacle of the type described in Subrule (1)(a) or (b).”;

(30) by replacing paragraph 76 by the following:

“(76) by inserting the following table after Table 65:

**“Table 66  
[See Rule 4-022(6)]**

**Minimum Size of Neutral Conductors for  
Underground Consumer’s Services Rated at  
More than 600 A and Fed by Parallel Conductors**

Nominal Rating of Service Box Amperes	AWG Size of each Copper Neutral Conductor
601 to 1,200	0
1,201 to 2,000	00
2,001 and more	000

”;

(31) in paragraph 77:

(1) by replacing “before the note “Ground fault circuit interrupter”” in subparagraph 1 by “in alphabetical order”;

(2) by replacing “after the note “Circuit”” in subparagraph 2 by “in alphabetical order”;

(3) by inserting the following subparagraph after subparagraph 3:

“(3.1) the following note after the note related to Rule 2-318 in Section 2:

**“2-322** Flowmeters are not considered to be devices equipped with a vent or allowing the relief of combustible gas.

The distances prescribed are measured from the combustible gas relief device and not from the appliance. An appliance may be located near arc-producing equipment provided that an airtight conduit conveys the exhaust gas beyond the prescribed distances.”;

(4) by replacing subparagraph 4 by the following:

“(4) in Rule 6-112 (4), by deleting

(1) “200 A or” in subparagraph a of the second paragraph;

(2) subparagraph b of the second paragraph;”;

(5) by deleting subparagraph 5;

(6) by replacing subparagraph 7 by the following:

“(7) by inserting the following note after the note related to Rule 26-700 (11):

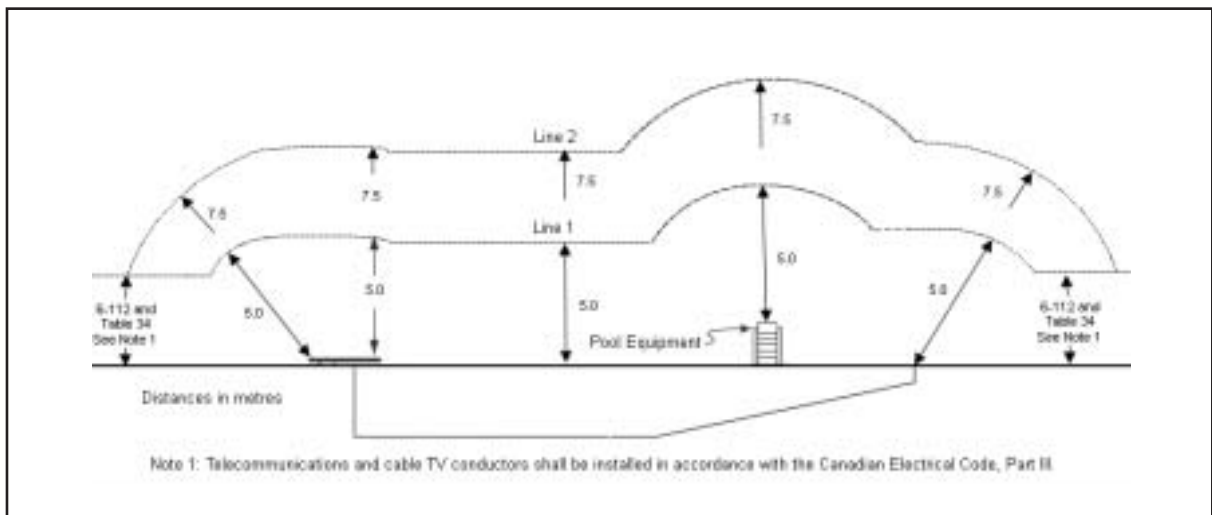
“**26-710(e)(iv)** It is understood from the expression “Unfinished” that even after the installation of the wall covering (gypsum, etc.), it may be impossible to find the appropriate location for the installation of the receptacles required by Rule 26-712(a), if partitions and usable wall space have not yet been delimited. A basement is not considered to be “a finished basement” if the foundation walls are finished but the ceiling is not finished or is partly finished. However, the installation of a duplex receptacle required under Rule 26-710(e)(iv) does not remove the requirement to install the receptacles for specific use already required by other rules of the Code.”;

(7) by deleting subparagraph 8;

(8) by inserting the following after subparagraph 8:

“(8.1) in Rule 68-054, by replacing the note and the diagram by the following:

“The following sketch illustrates the minimum clearances for conductors over swimming pools. No conductor may be installed in the area located under line 1. In the area located above line 1, insulated telecommunications conductors and neutral supported cables operating at 750 V or less may be permitted [see Subrules (2) and (3)]. Any other conductors operating at not more than 50 kV may be permitted above the area outlined by line 2 [see Subrules (2) and (4)].



(9) by replacing subparagraph 9 by the following:

“(9) by adding the following after the note related to Rule 68-068:

“**68-304** If that requirement cannot be met, the control devices shall be installed as far away as possible from the bathtub and shower but not outside the room.”.

**3.** This Regulation comes into force on 5 November 2007.

8217

**M.O., 2007**

**Order No. 2007-03 of the Minister of Transport dated 27 June 2007**

Highway Safety Code  
(R.S.Q., c. C-24.2)

CONCERNING the approval of weigh scales

CONSIDERING section 467 of the Highway Safety Code (R.S.Q., c. C-24.2) under which the axle load and the total loaded mass of a road vehicle or combination of road vehicles are determined by means of devices designed for that purpose, approved by the Minister of Transport and used in the manner he determines;

**1.** The Minister of Transport approves the following wheel-load scales:

Make	Model	Serial No.
Haenni	WL-101	29872
Haenni	WL-101	29873
Haenni	WL-101	29874
Haenni	WL-101	29875
Haenni	WL-101	29876
Haenni	WL-101	29877
Haenni	WL-101	29878
Haenni	WL-101	29879
Haenni	WL-101	29880
Haenni	WL-101	29881
Haenni	WL-101	29882
Haenni	WL-101	29883
Haenni	WL-101	29884
Haenni	WL-101	29885
Haenni	WL-101	29886
Haenni	WL-101	29887
Haenni	WL-101	29888
Haenni	WL-101	29889
Haenni	WL-101	29890
Haenni	WL-101	29891
Haenni	WL-101	29892
Haenni	WL-101	29893
Haenni	WL-101	29894
Haenni	WL-101	29895

**2.** Schedule IV of the Minister of Transport's Order dated May 22, 1990, replaced by the Order published on August 28, 2002 in the *Gazette officielle du Québec* amended by the Orders published on March 23, 2005 and July 13, 2005 in the *Gazette officielle du Québec* is further amended by striking out the following:

Make	Model	Serial No.
General Electrodynamics	MD-400	310992
General Electrodynamics	MD-400	310993
General Electrodynamics	MD-400	310998
General Electrodynamics	MD-400	311006
General Electrodynamics	MD-400	311011
General Electrodynamics	MD-400	311013
General Electrodynamics	MD-400	311018
General Electrodynamics	MD-400	311019
General Electrodynamics	MD-400	311021
General Electrodynamics	MD-400	311032
General Electrodynamics	MD-400	311035
General Electrodynamics	MD-400	311037
General Electrodynamics	MD-400	311041
General Electrodynamics	MD-400	311051
General Electrodynamics	MD-400	311058
General Electrodynamics	MD-400	311060
General Electrodynamics	MD-400	311061
General Electrodynamics	MD-400	311063

Make	Model	Serial No.
General Electrodynamics	MD-400	311064
General Electrodynamics	MD-400	311066
General Electrodynamics	MD-400	311067
General Electrodynamics	MD-400	311069
General Electrodynamics	MD-400	311070
General Electrodynamics	MD-400	311071
General Electrodynamics	MD-400	311072
General Electrodynamics	MD-400	311073
General Electrodynamics	MD-400	311075
General Electrodynamics	MD-400	311082
General Electrodynamics	MD-400	311083
General Electrodynamics	MD-400	311084
General Electrodynamics	MD-400	311086
General Electrodynamics	MD-400	311089

**3.** Schedule V of the Minister of Transport's Order dated May 22, 1990, published on March 29, 1995, in the *Gazette officielle du Québec*, amended by the Orders published on April 26, 1995, November 22, 1995, March 13, 1996, May 8, 1996, January 22, 1997, February 26, 1997, June 4, 1997, February 18, 1998, December 30, 1998, February 17, 1999, February 7, 2001, January 23, 2002, August, 28, 2002, November 13, 2002, September 3, 2003, April 7, 2004, March 23, 2005, July 13, 2005 and May 17, 2006 in the *Gazette officielle du Québec*, is further amended by inserting, after HAENNI wheel-load scale, model WL-101, serial number 28583 of the following:

Make	Model	Serial No.
Haenni	WL-101	29872
Haenni	WL-101	29873
Haenni	WL-101	29874
Haenni	WL-101	29875
Haenni	WL-101	29876
Haenni	WL-101	29877
Haenni	WL-101	29878
Haenni	WL-101	29879
Haenni	WL-101	29880
Haenni	WL-101	29881
Haenni	WL-101	29882
Haenni	WL-101	29883
Haenni	WL-101	29884
Haenni	WL-101	29885
Haenni	WL-101	29886
Haenni	WL-101	29887
Haenni	WL-101	29888
Haenni	WL-101	29889
Haenni	WL-101	29890
Haenni	WL-101	29891
Haenni	WL-101	29892
Haenni	WL-101	29893
Haenni	WL-101	29894
Haenni	WL-101	29895

**4.** This Order takes effect on the date of its signature.

JULIE BOULET,  
*Minister of Transport*

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## M.O., 2007

### Order number 2007-006 of the Minister of Health and Social Services dated 21 June 2007

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions

CONSIDERING the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures, and procedure of appeal applicable to the executive directors of regional boards and of public health and social services institutions made by Order in Council 1217-96 dated 25 September 1996;

CONSIDERING section 205 of the Act to amend the Act respecting health services and social services and amending various legislative provisions (1998, c. 39) to the effect that the Regulation is deemed to have been made by the Minister of Health and Social Services under section 487.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2);

CONSIDERING the replacement of the title of the Regulation by “Regulation respecting certain terms of employment applicable to senior administrators of regional boards and of public health and social services institutions”, approved by T.B. 193820 dated 21 September 1999;

CONSIDERING the replacement of the words “regional boards” in the title of the Regulation by the word “agencies”, pursuant to paragraph 2 of section 309 of chapter 32 of the Statutes of 2005 which came into force on 1 January 2006;

CONSIDERING the necessity to amend the Regulation;

CONSIDERING the first paragraph of section 487.2 of the Act respecting health services and social services;

CONSIDERING the authorization obtained from the Conseil du trésor in accordance with the third paragraph of section 487.2 of the Act respecting health services and social services;

THEREFORE, the Minister of Health and Social Services hereby makes the Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions.

PHILIPPE COUILLARD,  
*Minister of Health and Social Services*

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## M.O., 2007

### Order number 2007-007 of the Minister of Health and Social Services dated 21 June 2007

An Act respecting health services and social services (R.S.Q., c. S-4.2)

Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions

CONSIDERING the Regulation respecting accessibility to positions, remuneration, group insurance plans and employment stability measures applicable to officers of regional boards and health and social services institutions made by Order in Council 1218-96 dated 25 September 1996;

CONSIDERING section 205 of the Act to amend the Act respecting health services and social services and amending various legislative provisions (1998, c. 39) to the effect that the Regulation is deemed to have been made by the Minister of Health and Social Services under section 487.2 of the Act respecting health services and social services (R.S.Q., c. S-4.2);

CONSIDERING the replacement of the title of the Regulation by “Regulation respecting certain terms of employment applicable to officers of regional boards and health and social services institutions”, approved by T.B. 193821 dated 21 September 1999;

CONSIDERING the replacement of the words “regional boards” in the title of the Regulation by the word “agencies”, pursuant to paragraph 2 of section 309 of chapter 32 of the Statutes of 2005 which came into force on 1 January 2006;

CONSIDERING the necessity to amend the Regulation;

CONSIDERING the first paragraph of section 487.2 of the Act respecting health services and social services;

CONSIDERING the authorization obtained from the Conseil du trésor in accordance with the third paragraph of section 487.2 of the Act respecting health services and social services;

THEREFORE, the Minister of Health and Social Services hereby makes the Regulation to amend the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions.

PHILIPPE COUILLARD,  
*Minister of Health and Social Services*

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## Notice of Adoption

Charter of Human Rights and Freedoms  
(R.S.Q., c. C-12)

### Human Rights Tribunal — Rules of procedure and practice

At a meeting of the members of the Human Rights Tribunal held in Montréal on 18 May 2007, the Rules of procedure and practice were discussed and the final version was adopted by a majority of the members pursuant to section 110 of the Charter of Human Rights and Freedoms (R.S.Q., c. C-12). The Rules of procedure and practice of the Human Rights Tribunal are the rules attached to this notice and they replace the Rules of procedure and practice of the Human Rights Tribunal adopted on 16 March 2001.

JUDGE MICHÈLE RIVET,  
*President of the Human Rights Tribunal*

## Rules of procedure and practice of the Human Rights Tribunal

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**Rules of procedure and practice of the Human Rights Tribunal**

Charter of Human Rights and Freedoms (R.S.Q., c. C-12, s.110)

**CHAPTER I**  
**GENERAL**

**1.** These Rules of procedure and practice are made pursuant to section 110 of the Charter of Human Rights and Freedoms (R.S.Q., c. C-12). The purpose of these Rules is to simplify, facilitate and expedite application proceedings before the Tribunal. These Rules must be construed and applied in a manner that will ensure efficient case management and expeditious processing of matters. They complete the rules of procedure and proof set out in the Charter, to which it is appropriate to refer.

Except as provided in the Charter or these Rules, the Code of Civil Procedure (R.S.Q., c. C-25), adapted as required, applies to proceedings brought before the Tribunal.

**2.** These Rules are intended to set out the law and ensure it is carried out.

In a reasoned decision, the President or the judge may derogate from the Rules where the interests of justice so require.

**3.** In these Rules, unless the context indicates otherwise,

“**Charter**” means the Charter of Human Rights and Freedoms; (*Charte*)

“**clerk of the Court of Québec**” means a public servant of the Ministère de la Justice working in the office of a court and appointed for that purpose according to law, or any other person appointed to act in that capacity at the court to which the provision is applicable; (*greffier de la Cour du Québec*)

“**clerk of the Tribunal**” means the deputy clerk of the Court of Québec appointed by order of the Minister of Justice to perform for the Tribunal, in addition to other duties and functions of deputy clerk, the duties and functions of the clerk of the Court of Québec; (*greffier du Tribunal*)

“**Commission**” means the Commission des droits de la personne et des droits de la jeunesse; (*Commission*)

“**judge**” means a judge of the Court of Québec designated as a member of the Tribunal; ( *juge*)

“**office of the Court of Québec**” means the office of the Court of Québec in which the application is filed; (*greffe de la Cour du Québec*)

“**office of the Tribunal**” means the office of the Human Rights Tribunal; (*greffe du Tribunal*)

“**party**” means the Commission, the victim, the group of victims, the complainant before the Commission, any person or organization on whom or which an application is served and the person on whom an affirmative action program has been or may be imposed; (*partie*)

“**President**” means the judge appointed as President of the Tribunal by the Government; (*président*)

“**Tribunal**” means the Human Rights Tribunal. (*Tribunal*)

**CHAPTER II**  
**OFFICE AND CLERK OF THE TRIBUNAL AND THE COURT OF QUÉBEC**

**DIVISION 1**  
**OFFICE AND CLERK OF THE TRIBUNAL**

**4.** The office of the Tribunal is open on juridical days from Monday to Friday, between 8:30 a.m. and 4:30 p.m.

**5.** The clerk of the Tribunal prepares the roll in accordance with the procedure set forth by the President.

**6.** The clerk of the Tribunal verifies that the records are complete and, if they are not, asks the parties to complete them.

**DIVISION 2**  
**OFFICE AND CLERK OF THE COURT OF QUÉBEC**

**7.** The clerk and staff of the Court of Québec of the district in which an application is filed, or in which the Tribunal, or a division or member of the Tribunal sits, shall provide the latter with the services they usually provide to the Court of Québec.

Bailiffs are ex officio bailiffs of the Tribunal and may make returns of service to the Tribunal under their oath of office.

**8.** The registers, records, indexes and other files required for the purposes of the Charter are maintained in the office of the Court of Québec in accordance with the President's directives.

**9.** The clerk of the Court of Québec receives and records proceedings and exhibits that comply, *prima facie*, with the requirements of the law, these Rules and the President's directives.

**10.** The clerk of the Court of Québec maintains, among other records, a plunitif setting out:

- (1) the record number of each case;
- (2) the names of the parties;
- (3) the nature of the application;
- (4) a description and the date of receipt of each proceeding, exhibit or document filed at the office of the Court of Québec;
- (5) the date and nature of all incidental decisions;
- (6) the date of the hearing;
- (7) the date on which the matter was taken under advisement;
- (8) an indication of the manner in which the record was permanently closed, the date on which the record was closed and on which a certified copy of the decision was sent to the Superior Court, if applicable;
- (9) the date of filing of a motion for leave to appeal, and on granting of leave to appeal, the case number of the appeal;
- (10) the dates on which the record was transcribed and forwarded to the office of the Court of Appeal;
- (11) the date on which the record was returned from the office of the Court of Appeal; and
- (12) the date and conclusions of the judgment of the Court of Appeal.

**11.** The clerk of the Court of Québec immediately informs the clerk of the Tribunal of all proceedings that have been filed and forwards them to the clerk forthwith, by messenger or any other method of delivery using information technology.

**12.** The court clerk draws up minutes of the hearing and numbers and enters all exhibits filed and enters all decisions of the Tribunal. The court clerk writes down

dictated admissions and makes a note of admissions that are made for the purposes of the recording of proceedings.

**13.** The clerk of the Court of Québec taxes witnesses at the request of the Tribunal, the parties or the witnesses themselves.

**14.** The clerk of the Court of Québec taxes bill of costs.

**15.** Any person may have access to court records, registers and other files of the Tribunal at the office of the Court of Québec during court office hours.

Court records or exhibits may be consulted only in the presence of the clerk of the Court of Québec or a person designated by the clerk. Otherwise, a written acknowledgement of the consultation is obtained and remains in the file.

## CHAPTER III PROCEEDINGS

### DIVISION 1 PROCEEDINGS AND EXHIBITS

**16.** Applications, other proceedings and exhibits are filed at the office of the Court of Québec.

**17.** The application shall include the surname, given name, domicile of the Commission or the complainant, as applicable, and of the other parties. The application shall include the date of filing of the complaint with the Commission, the act complained of, the grounds and the conclusions sought.

**18.** Where the Commission notifies a complainant of its decision not to apply to the Tribunal for the benefit of the complainant, the complainant has 90 days from the date of receipt of the notification to file an application with the Tribunal. The complainant must attach to the application a copy of the notification received from the Commission and state the date on which the complainant received it.

The clerk of the Court of Québec must verify that the complainant's application is accompanied by the notification received from the Commission.

Failure by the complainant to comply with this requirement may result in the dismissal of the application if the complainant does not remedy the non-compliance within 30 days after the filing.

**19.** Where the Commission ceases to act in favour of a complainant after applying to the Tribunal for the benefit of the complainant, the complainant is substituted by operation of law for the Commission following the notification by the Commission of its decision to cease to act to the complainant, the clerk of the Tribunal and the clerk of the Court of Québec.

**20.** Within 15 days after the filing of an application other than a preliminary or incidental application or an application under sections 81 and 82 of the Charter, the Commission or the complainant, as applicable, must file at the office of the Court of Québec a brief setting out the allegations, including:

- (1) the facts and exhibits to be adduced;
- (2) the questions of law at issue;
- (3) the conclusions sought;
- (4) the list of the expert evidence to be produced;
- (5) the legislation, case law and authorities intended to be relied on; and
- (6) the number of witnesses and the estimated amount of time required for the hearing.

**21.** If the Commission or the complainant fails to file the brief within that time, the President or the judge may direct the Commission or the complainant, as applicable, to appear and show cause why the application should not be dismissed. Notice of the summons is given to the parties.

**22.** Within 30 days after service of the Commission's or complainant's brief, the other parties may also file a brief, which shall contain the particulars required by section 20.

**23.** The time limits in sections 20 and 22 may not be extended except for a serious reason and only if the President or the judge considers that an extension is required in the interests of justice.

**24.** Unless expressly provided otherwise, any application during the course of proceedings is made by motion supported by an affidavit attesting the truth of all facts alleged for which proof has not already been provided in the record. The motion may be contested orally.

An application made during the course of proceedings may be submitted orally.

**25.** The redress sought by a motion shall be set out in the form of a conclusion.

**26.** All proceedings must be legibly written on one side only of a sheet measuring 21.25 cm by 28 cm (8 1/2 in. x 11 in.); the backing must indicate the nature and object of the proceeding, the amount at issue, as applicable the number of the record, the names of the parties, and the name, address, postal code, telephone and fax number of the filing party's attorney or of the party if the party is not represented, and the computer code of the filing party's attorney.

The parties and their attorneys, if any, must immediately notify the clerk of the Tribunal, the clerk of the Court of Québec and the other parties of any change in their contact particulars.

**27.** All written proceedings must be signed by the party's attorney. If the party is not represented by an attorney, the proceeding must be signed by the party or by its duly authorized representative if it is a legal person.

**28.** The allegations contained in a written proceeding shall be stated in separate, consecutively numbered paragraphs.

**29.** References to a statute or a regulation in proceedings must cite the title and reference and the provision referred to.

**30.** Documents cited in support of written proceedings must be filed at the office of the Court of Québec, together with a list of the documents, not later than 15 days before the scheduled hearing date.

A party that fails to comply with this requirement may, on application, be precluded from citing that document.

**31.** A list of exhibits must list the exhibits that accompany it and bear the number of the application, the names of the parties and the date, nature and number of each exhibit.

**32.** Each exhibit number must be preceded by an identifying letter specific to each party.

**33.** The record number and exhibit number must appear on the front of each exhibit and on the back, if any.

**34.** The clerk of the Court of Québec numbers each proceeding received and records on it the date and time of receipt.

**35.** When a file is forwarded to the Tribunal or the judge, a current *plumitif* is included in the file.



**36.** A party that refers in a written proceeding to an exhibit or document in the possession of another party may ask the President or the judge to order the production of the exhibit or document at the hearing.

**37.** Every written proceeding and exhibit must be filed in 5 copies (including the original) and an additional copy for each party to the proceedings must also be filed.

**38.** A party that cites a judgment or doctrine must indicate the relevant pages and paragraphs and mark the passages cited with a vertical stroke in the margin.

**39.** A party that cites regulatory or legislative provisions other than those of the Charter, the Civil Code or the Code of Civil Procedure must provide the number of copies required by section 37.

**40.** Where a change is made to a written proceeding, all additions or substitutions must be underlined or indicated in the margin with a vertical stroke and all deletions must be indicated with a dotted line between brackets.

**41.** Where particulars have been ordered for a written proceeding, a new proceeding incorporating the particulars must be filed in the record within the required time limit.

## **DIVISION 2** **SERVICE AND NOTIFICATION**

**42.** Service and notification are made in accordance with the rules provided in the Code of Civil Procedure. Authorizations required by the Code may be obtained from the judge or the clerk of the Tribunal.

**43.** Subject to the provisions of the Charter and these Rules, the clerk of the Tribunal serves or notifies the filed briefs to the parties.

**44.** Subject to the provisions of the Charter and these Rules, proceedings, notices and other documents may be notified to the parties or the clerk of the Tribunal, as applicable, by any method of delivery using information technology.

Proof of the notification must be filed in the record.

## **DIVISION 3** **EXAMINATIONS ON DISCOVERY AND EXPERT TESTIMONY**

**45.** The President or the judge may authorize an examination on discovery, an examination on affidavit or the out-of-court examination of a witness by any

method of communication using information technology to the extent that the method is reliable and proportionate to the circumstances of the matter, taking into account available facilities.

**46.** If a party or a party's attorney wishes to refer to an expert's report, it must be filed in the office of the Court of Québec with a notice and copy served on the other parties not less than 60 days before the scheduled hearing date.

Except with leave of the President or the judge, no expert witness may be heard unless the expert's report has been filed as provided in the preceding paragraph.

**47.** At any stage of the proceeding, the parties may submit a request to the President or the judge to appoint a joint expert.

**48.** At any stage of the proceeding, the President or the judge may, on his or her own initiative, order experts who have prepared opposing reports to meet, in the presence of the parties and attorneys who wish to attend, for the purpose of reconciling their opinions or identifying opposing positions. Within the specified time, they must report to the parties and file the results of their meeting in the record.

**49.** In every proceeding, medical records and the expert report prepared by a physician, psychologist or social worker that has been filed in the record must be kept in a sealed envelope to which no one excluding the parties and their attorneys may have access, without leave of the President or the judge. Access to the documents includes the right to make copies at their expense.

## **DIVISION 4** **SUMMONING WITNESSES**

**50.** A party that wishes a witness to testify may summon him by means of a subpoena issued by a judge of the Court of Québec, a clerk of the Court of Québec or an advocate in the district in which the case is to be heard or any other district. The subpoena shall be served at least 10 clear days before the appearance.

In urgent cases, the judge or clerk of the Court of Québec may, by special order endorsed on the subpoena, shorten the service time. However, it may not be less than 24 hours before the time fixed for attendance.

## DIVISION 5 CONDUCT OF PROCEEDINGS

### §5.1 *Case management*

**51.** The Tribunal sees to the orderly progression of proceedings and intervenes to ensure proper management of the case. The Tribunal ensures that proceedings and time limitations are proportionate, taking into consideration the nature and complexity of the matter, with the purpose that the application be heard expeditiously.

**52.** When required by the nature or complexity of the proceeding, the President may, on his or her initiative or on request, order special case management. In such a case, the President or the judge designated by the President sees to the orderly conduct of the proceeding.

### §5.2 *Pre-hearing conference*

**53.** The President identifies the applications that require a pre-hearing conference. In this regard, the President or the judge designated by the President sees to the orderly conduct of the conference.

**54.** The judge designated to conduct the conference may, with the consent of the attorneys or the parties, hold the conference by any means of communication based on information technology.

**55.** If the President or designated judge will also be presiding over the hearing on the merits, the President or the judge may be assisted by 2 assessors.

**56.** The purpose of a pre-hearing conference include the following:

- (1) to define the issues to be argued at the hearing;
- (2) to assess the advisability of amendments to the written proceedings in order to clarify them or add more details;
- (3) to promote the exchange between the parties of documents to be produced at the hearing;
- (4) to plan the conduct of proceedings and proof at the hearing;
- (5) to examine the possibility of making admissions of facts or proof of facts by affidavit;
- (6) to examine any other issue that may simplify and expedite proceedings; and
- (7) to examine the possibility of an out-of-court settlement.

**57.** When the parties and their attorneys, if any, are directed to attend a pre-hearing conference, they must forward in advance to the office of the Tribunal and the other parties a brief setting out:

- (1) a summary of the facts that have been admitted or that are to be proved; and
- (2) the questions of law at issue with a reference to the relevant provisions of law and a reference to the principal authorities that they intend to cite.

**58.** The President or designated judge has the matters on which the parties have reached agreement and as well as the instructions given by the President or designated judge recorded in the minutes of the pre-hearing conference. A copy of the minutes is sent to the parties and their attorneys, if any. The minutes are filed in the record and serve as an admission of facts.

### §5.3 *Settlement conference*

**59.** At any stage of the proceeding, the President or the judge designated by the President may, at the request of the parties, conduct a settlement conference. In their request, the parties must present a summary of questions at issue.

The President or the designated judge may also, on his or her own initiative, recommend the holding of a settlement conference to the parties. If they agree, the President or designated judge sees to the orderly conduct of the conference.

### §5.4 *Peremption of proceedings*

**60.** If more than 6 months have elapsed since the last relevant written proceeding, the President or the judge designated by the President may advise the parties of his or her intention to consider the proceeding lapsed and close the record in 60 days.

The Commission or the complainant, as applicable, may prevent peremption of the proceeding by sending a notice to that effect to the office of the Tribunal and the office of the Court of Québec, with a copy to the other parties. The notice must specify the reasons why the proceeding should not be considered lapsed.

The President or the designated judge considers the reasons set out against peremption and makes the decision he or she considers appropriate in the circumstances. A copy of the decision is notified to the parties by the clerk of the Tribunal.

## CHAPTER IV HEARING

### DIVISION 1 SCHEDULING AND NOTICE OF HEARING

**61.** At the expiry of the time limit set out in section 22 of these Rules, the President or the judge designated by the President schedules the hearing date after consulting with the parties.

**62.** Notice of the hearing date is notified by the clerk of the Tribunal to the parties and their attorneys, if any, within the time limit and in the manner provided in section 120 of the Charter.

**63.** Preliminary or incidental applications or applications under section 81 or 82 of the Charter are heard on the date scheduled by the President or the judge to whom the application has been referred.

### DIVISION 2 POSTPONEMENT

**64.** An application for postponement of a scheduled hearing is made by motion to the President or the judge setting out the grounds in support of the application at least 10 days before the date fixed for the hearing.

Notwithstanding the foregoing time limit, if the grounds for postponement become known less than 10 days before the scheduled hearing date, the President or the judge may accept a motion for postponement and decide in a manner that will best serve the interests of justice.

**65.** Applications for postponement are granted only for serious reasons. The consent of the parties is not in itself sufficient grounds for granting a postponement.

### DIVISION 3 ORDER, DRESS CODE AND DECORUM

**66.** Hearings of the Tribunal are open to the public wherever they may be held; however, the President or the judge may, ex officio, or on motion and in the interests of morality or public policy, order that a hearing be held in camera or ban or restrict the disclosure, publication or release of any specified information or document.

**67.** Hearings of the Tribunal begin at 9:30 a.m., unless otherwise indicated in the notice of hearing or by the presiding judge.

**68.** All persons present at a hearing must rise when the member or members enter the court room and remain standing until the court usher asks them to be seated.

At the adjournment, the persons present again rise and may not leave their places until the members have retired.

**69.** At the opening of the hearing, the court usher says aloud:

“Silence! The Human Rights Tribunal is now in session, the Honourable ..... presiding, assisted by assessors .....”

**70.** For the hearing of an application on the merits, Tribunal members wear a black gown, dark trousers, dress or skirt, a white shirt and bands.

**71.** In matters contested on the merits, a male attorney may not address the Tribunal unless he is wearing a black gown, dark suit, white shirt and white bands. A female attorney must wear a black gown and white bands with a dark dress, suit or trousers. The same rule, except for the white bands, applies to articling students.

**72.** In matters where the black gown is not required, male attorneys or articling students must wear plain trousers, jacket, shirt and tie and female attorneys or articling students must wear a plain skirt or trousers with a blouse and jacket, dress or suit.

**73.** At hearings of the Tribunal, court clerks, court ushers and other officers of the Tribunal must at all times be attired in the manner described in section 71.

**74.** Any person appearing before the Tribunal must be appropriately attired.

**75.** Officers of the Tribunal performing duties and functions at the hearing must take their assigned place and remain there from the opening of the Tribunal until adjournment.

**76.** Any disruption of the decorum and orderly proceedings of the Tribunal is prohibited.

Prohibited activities include newspaper reading, photography, filming, and radio and television broadcasting.

Audio recording by the media of proceedings and the decision is permitted unless prohibited by the judge. The broadcasting of such recordings, however, is prohibited.

**77.** The security of the persons present at a hearing is ensured in accordance with the Regulation of the Court of Québec (c. C-25, r.1.01.1).

#### DIVISION 4 TAKING AND PRESERVATION OF TESTIMONY

**78.** Testimony and arguments are taken by stenography or recorded in any other manner authorized by the Government.

**79.** The clerk of the Court of Québec ensures the filing, custody and preservation of the testimony and arguments taken by stenography or recorded in any other manner authorized by the Government.

#### CHAPTER V MATTERS UNDER ADVISEMENT

**80.** The clerk of the Tribunal verifies that the record of the matter to be taken under advisement is complete before giving it to the judge. If the record is incomplete, the clerk informs the parties so that they may complete it.

**81.** No matter may be taken under advisement until the record has been duly completed, unless the judge decides otherwise.

**82.** It is not necessary to re-draft and re-sign on a separate sheet a written judgment endorsed on a proceeding and an authentic copy of the endorsed judgment may be issued by the clerk of the Court of Québec.

**83.** A judge may suspend the advisement to order additional evidence if it is useful for the purposes of the judge's decision. The judge informs the parties accordingly without delay.

An advisement may also be suspended at the request of a party for any reason deemed valid.

**84.** Should the parties fail to conclude the proof or complete the record within the period fixed by the judge at the hearing of a case, whether contested or not, the judge may remove himself from the case or hand down a judgment on the case as it stands or any other order he seems appropriate.

**85.** In the first week of each month, the clerk of the Tribunal must inform the President of the applications that have been held under advisement for more than 5 months. The President, with the consent of the parties, may decide to refer the application to another judge who, as regards the evidence, may rely on the transcripts of the testimony or rehear the application.

#### CHAPTER VI OUT-OF-COURT SETTLEMENTS

**86.** If an out-of-court settlement is reached, the parties must immediately inform the clerk of the Tribunal and the clerk of the Court of Québec and file a statement to that effect, before the hearing on the merits, signed by the parties or their attorneys, if any.

**87.** If it is not possible to obtain one party's signature, the Tribunal may, on motion, declare the record closed.

#### CHAPTER VII QUARRELSOME CONDUCT

**88.** If a person acts in a quarrelsome manner, namely by exercising the right to bring legal proceedings in an excessive or unreasonable manner, the Tribunal may prohibit the person from making an application without prior authorization.

The unauthorized proceeding is then deemed not to exist.

**89.** The prohibition order may be general or restricted to one or more districts or be directed to one or more persons.

#### CHAPTER VIII FINAL AND TRANSITIONAL PROVISIONS

**90.** For the purposes of section 60, time starts to lapse 6 months after the coming into force of these Rules.

**91.** These Rules replace the Rules of procedure and practice of the Human Rights Tribunal adopted on March 16, 2001.

**92.** These Rules come into force on the 15th day following the day of their publication in the *Gazette officielle du Québec* and apply to pending proceedings.

**M.O., 2007-04**

**Order number V-1.1-2007-04 of the Minister of Finance dated 21 June 2007**

Securities Act  
(R.S.Q., c. V-1.1)

CONCERNING the Regulation 31-102 respecting National Registration Database

WHEREAS subparagraphs 1, 2 and 26 of section 331.1 of the Securities Act (R.S.Q., c. V-1.1) stipulate that the Autorité des marchés financiers may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act stipulate that a draft regulation shall be published in the Bulletin of the Authority, accompanied with the notice required under section 10 of the Regulations Act (R.S.Q., c. R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section stipulate that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation;

WHEREAS the draft Regulation 31-102 respecting National Registration Database was published in the Bulletin concerning securities of the Autorité des marchés financiers, Volume 3, No. 19 of May 12, 2006;

WHEREAS on May 4, 2007, by the decision No. 2007-PDG-0091, the Authority made the Regulation 31-102 respecting National Registration Database;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation 31-102 respecting National Registration Database appended hereto.

June 21, 2007

MONIQUE JÉRÔME-FORGET,  
*Minister of Finance*

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## **Regulation 31-102 respecting National Registration Database**

Securities Act  
(R.S.Q., c. V-1.1, s. 331.1, par. (1), (2) and (26);  
2006, c. 50)

### **PART 1 DEFINITIONS AND INTERPRETATION**

#### **1.1. Definitions**

In this Regulation

“authorized firm representative” or “AFR” means, for a firm filer, an individual with his or her own NRD user ID and who is authorized by the firm filer to submit information in NRD format for that firm filer and individual filers with respect to whom the firm filer is the sponsoring firm;

“chief AFR” means, for a firm filer, an individual who is an AFR and has accepted an appointment as a chief AFR by the firm filer;

“firm filer” means a person or company that is required under securities legislation to make an NRD submission in accordance with this Regulation and that is registered as, or has applied for registration as, a dealer, adviser, or underwriter;

“individual filer” means an individual that is required under securities legislation to make an NRD submission in accordance with this Regulation;

“National Registration Database” or “NRD” means the online electronic database of registration information regarding NRD filers and includes the computer system providing for the transmission, receipt, review, and dissemination of that registration information by electronic means;

“NRD account” means an account with a member of the Canadian Payments Association from which fees may be paid with respect to NRD by electronic pre-authorized debit;

“NRD administrator” means CDS INC. or a successor appointed by the securities regulatory authority to operate NRD;

“NRD filer” means an individual filer or a firm filer;

“NRD format” means the electronic format for submitting information through the NRD website;

“NRD number” means the unique number first generated by NRD to identify an NRD filer, a permitted individual, or a business location;

“NRD submission” means information that is submitted under securities legislation or securities directions in NRD format, or the act of submitting information under securities legislation or securities directions in NRD format, as the context requires;

“NRD website” means the website operated by the NRD administrator for the NRD submissions.

## 1.2. Interpretation

Terms defined in Regulation 33-109 respecting Registration Information approved by the Minister Order 2007-05 dated June 21, 2007 and used in this Regulation have the respective meanings ascribed to those terms in Regulation 33-109 respecting Registration Information.

## PART 2 INFORMATION TO BE SUBMITTED IN NRD FORMAT

### 2.1. Registration Information

A person or company that is required to submit any of the following to the securities regulatory authority or regulator must make the submission in NRD format:

- (1) Form 33-109F1;
- (2) Form 33-109F2;
- (3) Form 33-109F3;
- (4) Form 33-109F4 or a change to any information previously submitted in respect of Form 33-109F4.

## PART 3 MAKING NRD SUBMISSIONS

### 3.1. NRD Submissions

(1) An NRD filer that is required under securities legislation to submit information in NRD format must make that NRD submission

- (a) through the NRD website,
- (b) using the NRD number of the NRD filer, permitted individual, or business location, and
- (c) in accordance with this Regulation.

(2) A requirement in securities legislation relating to the format in which a document or other information to be submitted must be printed, or specifying the number of copies of a document that must be submitted, does not apply to an NRD submission required to be made in accordance with this Regulation.

(3) An NRD filer making an NRD submission must make the NRD submission through an AFR.

### 3.2. Ongoing Firm Filer Requirements

A firm filer must

- (a) be enrolled with the NRD administrator to use NRD;
- (b) have one and no more than one chief AFR enrolled with the NRD administrator;
- (c) maintain one and no more than one NRD account;
- (d) notify the NRD administrator of the appointment of a chief AFR within five business days of the appointment;
- (e) notify the NRD administrator of any change in the name of the firm’s chief AFR within five business days of the change; and
- (f) submit any change in the name of an AFR, other than the firm’s chief AFR, in NRD format within five business days of the change.

## PART 4 PAYMENT OF FEES THROUGH NRD

### 4.1. Payment of Submission Fees

(1) If a fee is required with respect to an NRD submission, a firm filer must pay the required fee by electronic pre-Authorized debit through NRD.

(2) A payment under subsection (1) must be made from the firm filer’s NRD account.

### 4.2. Payment of Annual Registration Fees

(1) If a firm filer is required to pay an annual registration fee, the firm filer must pay the required fee by electronic pre-authorized debit through NRD.

(2) A payment under subsection (1) must be made from the firm filer’s NRD account.

#### 4.3. Payment of NRD User Fees – Annual

(1) If a firm filer is required to pay an annual NRD user fee, the firm filer must pay the required fee by electronic pre-authorized debit through NRD.

(2) A payment under subsection (1) must be made from the firm filer's NRD account.

#### PART 5 TEMPORARY HARDSHIP EXEMPTION

##### 5.1. Temporary Hardship Exemption

(1) If unanticipated technical difficulties prevent an NRD filer from making a submission in NRD format within the time required under securities legislation, the NRD filer is exempt from the requirement to make the submission within the required time period, if the NRD filer makes the submission in paper format or NRD format no later than 5 business days after the day on which the information was required to be submitted.

(2) Form 33-109F5 is the paper format for submitting a notice of a change to Form 33-109F4 information.

(3) If unanticipated technical difficulties prevent an individual filer from submitting an application in NRD format, the individual filer may submit the application in paper format.

(4) If an NRD filer makes a paper format submission under this section, the NRD filer must include the following legend in capital letters at the top of the first page of the submission:

“IN ACCORDANCE WITH SECTION 5.1 OF REGULATION 31-102 RESPECTING NATIONAL REGISTRATION DATABASE (NRD), THIS [SPECIFY DOCUMENT] IS BEING SUBMITTED IN PAPER FORMAT UNDER A TEMPORARY HARDSHIP EXEMPTION.”.

(5) If an NRD filer makes a paper format submission under this section, the NRD filer must resubmit the information in NRD format as soon as practicable and in any event within 10 business days after the unanticipated technical difficulties have been resolved.

#### PART 6 EXEMPTION

##### 6.1. Exemption

(1) The securities regulatory authority may grant an exemption from this Regulation, in whole or in part, subject to such conditions or restrictions as may be imposed in the exemption.

(2) Despite subsection (1), in Ontario only the regulator may grant such an exemption.

(3) Except in Ontario, an exemption referred to in subsection (1) is granted under the statute referred to in Appendix B of National Instrument 14-101 Definitions, adopted by the Commission des valeurs mobilières du Québec pursuant to decision no. 2001-C-0274 dated June 12, 2001, opposite the name of the local jurisdiction.

#### PART 7 FINAL PROVISIONS

**7.1.** In Québec, the provisions of this Regulation take precedence over any inconsistent provisions of Title V of the Securities Regulation made by Order-in-Council 660-83 dated March 30, 1983 (1983, *G.O.* 2, 1269).

**7.2.** Regulation 31-102Q respecting the National Registration Database approved by Ministerial Order no. 2004-05 dated December 2, 2004 is repealed.

**7.3.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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**M.O., 2007-05**

**Order number V-1.1-2007-05 of the Minister of Finance dated 21 June 2007**

Securities Act  
(R.S.Q., c. V-1.1)

CONCERNING the Regulation 33-109 respecting Registration Information

WHEREAS subparagraphs 1, 2, 26 and 27 of section 331.1 of the Securities Act (R.S.Q., c. V-1.1) stipulate that the Autorité des marchés financiers may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act stipulate that a draft regulation shall be published in the Bulletin of the Authority, accompanied with the notice required under section 10 of the Regulations Act (R.S.Q., c. R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;

WHEREAS the first and fifth paragraphs of the said section stipulate that every regulation made under section 331.1 must be approved, with or without amendment, by the Minister of Finance and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation;

WHEREAS the draft Regulation 33-109 respecting Registration Information was published in the Bulletin concerning securities of the Autorité des marchés financiers, volume 3, No. 19 of May 12, 2006;

WHEREAS on May 4, 2007, by the decision No. 2007-PDG-0089, the Authority made the Regulation 33-109 Respecting Registration Information;

WHEREAS there is cause to approve this regulation without amendment;

CONSEQUENTLY, the Minister of Finance approves without amendment the Regulation 33-109 respecting Registration Information.

June 21, 2007

MONIQUE JÉRÔME-FORGET,  
*Minister of Finance*

## Regulation 33-109 respecting Registration Information

Securities Act  
(R.S.Q., c. V-1.1, s. 331.1, par. (1), (2), (26) and (27);  
2006, c. 50)

### PART 1 DEFINITIONS

#### 1.1. Definitions

In this Regulation

“Form 3” means the required form for an application for registration as dealer, adviser, or underwriter in the local jurisdiction;

“Form 4” means the form that was required for an application for registration for an individual in the local jurisdiction before February 21, 2003, or in Québec, before January 1, 2005.

“permitted individual” means, for a registered firm or for a person or company that is applying for registration, an individual who is not registered to trade or advise on behalf of the firm and who

(a) is a director, partner, officer, or branch manager of the firm, or

(b) in Alberta, British Columbia, and Ontario

(i) is a director, partner, officer, or branch manager of the firm, or

(ii) beneficially owns, directly or indirectly, or exercises control or direction over, 10 percent or more of the voting securities of the firm;

“NRD submission number” means the unique number generated by NRD to identify each NRD submission;

“registered firm” means a person or company that is registered as a dealer, adviser, or underwriter;

“registered individual” means, for a registered firm, an individual who,

(a) is registered to trade or advise on behalf of the registered firm, or,

(b) in Québec, is registered to act as a securities dealer or adviser, on behalf of the registered firm;

“sponsoring firm” means,

(a) for a registered individual,

(i) the registered firm on whose behalf the individual trades or advises, or,

(ii) in Québec, the registered firm on whose behalf the individual acts as a securities dealer or adviser,

(b) for an individual applying for registration,

(i) the registered firm, or the person or company applying to become a registered firm, on whose behalf the individual proposes to trade or advise, or,



(ii) in Québec, the registered firm, or the person or company applying to become a registered firm, on whose behalf the individual proposes to act as a securities dealer or adviser,

(c) for a permitted individual of a registered firm, the registered firm on whose behalf the individual acts, or

(d) for a permitted individual of a person or company that is applying for registration, the person or company that is applying for registration.

## 1.2. Interpretation

Terms defined in Regulation 31-102 respecting National Registration Database approved by the Minister Order 2007-04 dated June 21, 2007 and used in this Regulation have the respective meanings ascribed to those terms in Regulation 31-102 respecting National Registration Database.

## PART 2 APPLICATION FOR REGISTRATION

### 2.1. Dealer, Adviser and Underwriter Registration

An applicant for registration as a dealer, adviser, or underwriter must submit to the securities regulatory authority,

(a) in paper format, a completed Form 3;

(b) in accordance with Regulation 31-102 respecting National Registration Database, a completed Form 33-109F3 for each business location of the applicant, other than the applicant's head office; and

(c) in accordance with Regulation 31-102 respecting National Registration Database, a completed Form 33-109F4 for each permitted individual of the applicant who has not applied to become a registered individual with the applicant under subsection 2.2(1).

### 2.2. Individual Applicants

(1) An individual who applies for registration under securities legislation must make the application by submitting to the securities regulatory authority in accordance with Regulation 31-102 respecting National Registration Database a completed Form 33-109F4.

(2) Despite subsection (1), a permitted individual of a registered firm who applies to become a registered individual with the firm must make the application by submitting to the securities regulatory authority in accordance with Regulation 31-102 respecting National Registration Database a completed Form 33-109F2.

### 2.3. Commodity Futures Act Registrants

(1) In Manitoba and Ontario, despite section 2.1, if an applicant for registration under section 2.1 is registered under the *Commodity Futures Act* (R.S.O., 1990, c. C.20; C.C.S.M., c. C152), the applicant

(a) is not required to submit a completed Form 33-109F3 under subsection 2.1(b) for any business location of the applicant that is recorded on NRD; and

(b) is not required to submit a completed Form 33-109F4 under subsection 2.1(c) for a permitted individual if the applicant submits to the regulator, in accordance with Regulation 31-102 respecting National Registration Database, a completed Form 33-109F2 for the individual.

(2) In Manitoba and Ontario, despite subsection 2.2(1), if an individual applies for registration under securities legislation and is recorded on NRD with his or her sponsoring firm as registered under the *Commodity Futures Act*, the individual must make the application by submitting to the regulator, in accordance with Regulation 31-102 respecting National Registration Database, a completed Form 33-109F2.

## PART 3 CHANGES TO REGISTERED FIRM INFORMATION

### 3.1. Changes to Form 3 Information

(1) A registered firm must notify the securities regulatory authority of a change to any information previously submitted in Form 3, or under this subsection, within 5 business days of the change.

(2) For the purposes of subsection (1), a notice of change must be made by submitting a completed Form 33-109F5 in paper format.

(3) Despite subsection (2), a notice of change under this section is not required to be in Form 33-109F5 if the change relates to

(a) the addition of an officer, partner, or director to the registered firm, and if a completed Form 33-109F4 in respect of the officer, partner, or director is submitted under section 2.2 or 3.3;

(b) the resignation or termination of an officer, partner or director of the registered firm, and if a completed Form 33-109F1 is submitted under section 4.3 or 5.2; or

(c) a business location other than head office, and if a completed Form 33-109F3 is submitted under section 3.2.

### **3.2. Changes to Business Locations**

(1) A registered firm must notify the securities regulatory authority of the opening of a business location, other than a new head office, by submitting in accordance with Regulation 31-102 respecting National Registration Database a completed Form 33-109F3 within 5 business days of the opening.

(2) A registered firm must notify the securities regulatory authority of a change to any information previously submitted in Form 33-109F3 by submitting in accordance with Regulation 31-102 respecting National Registration Database a completed Form 33-109F3 within 5 business days of the change.

### **3.3. Addition of Permitted individuals**

A registered firm must submit to the securities regulatory authority in accordance with Regulation 31-102 respecting National Registration Database a completed Form 33-109F4 for a permitted individual within 20 business days of the individual becoming a permitted individual of the registered firm.

### **3.4. Changes to other registration information**

A registered firm must notify the securities regulatory authority of a change in its auditor or financial year-end within 5 business days of the change.

## **PART 4**

### **CHANGES TO REGISTERED INDIVIDUAL INFORMATION**

#### **4.1. Changes to Form 33-109F4 Information**

(1) A registered individual must notify the securities regulatory authority in accordance with Regulation 31-102 respecting National Registration Database of a change to any information previously submitted in Form 33-109F4, or under this subsection, within 5 business days of the change.

(2) Despite subsection (1), a registered individual must notify the securities regulatory authority in accordance with Regulation 31-102 respecting National Registration Database of a change to information previously submitted in Item 11 of Form 33-109F4, or under this subsection, within 10 business days of the change.

(3) Despite subsection (1), a registered individual must notify the securities regulatory authority in accordance with Regulation 31-102 respecting National Registration Database of a change to information previously submitted in Items 3, 4, or paragraph 1 of Item 8 of Form 33-109F4, or under this subsection, within 20 business days of the change.

#### **4.2. Application to Change or Surrender Individual Registration Categories**

A registered individual of a registered firm who applies to change or surrender his or her registration category with the firm must make the application by submitting to the securities regulatory authority in accordance with Regulation 31-102 respecting National Registration Database a completed Form 33-109F2.

#### **4.3. Termination of Relationship**

A registered firm must, within 5 business days of a termination of an employment, partner, or agency relationship with a registered individual, notify the securities regulatory authority of the termination of the relationship by submitting in accordance with Regulation 31-102 respecting National Registration Database a completed Form 33-109F1.

## **PART 5**

### **CHANGES TO PERMITTED INDIVIDUAL INFORMATION**

#### **5.1. Changes to Form 33-109F4 Information**

(1) A registered firm must notify the securities regulatory authority in accordance with Regulation 31-102 respecting National Registration Database of a change to any information previously submitted in Form 33-109F4, or under this subsection, for a permitted individual within 5 business days of the change.

(2) Despite subsection (1), a registered firm must notify the securities regulatory authority in accordance with Regulation 31-102 respecting National Registration Database of a change to information previously submitted in Item 11 of Form 33-109F4, or under this subsection, for a permitted individual within 10 business days of the change.

(3) Despite subsection (1), a registered firm must notify the securities regulatory authority in accordance with Regulation 31-102 respecting National Registration Database of a change to information previously submitted in Items 3, 4, or paragraph 1 of Item 8 of Form 33-109F4, or under this subsection, for a permitted individual within 20 business days of the change.

(4) Despite subsection (1), a registered firm must notify the securities regulatory authority of a change to any information regarding a category of permitted individual listed in Item 6 of Form 33-109F4 for a permitted individual by submitting in accordance with Regulation 31-102 respecting National Registration Database a completed Form 33-109F2 within 5 business days of the change.

(5) Despite subsections (1), (2), (3), and (4), a registered firm is not required to notify the securities regulatory authority of a change to information if another firm has notified the securities regulatory authority of the change in accordance with Regulation 31-102 respecting National Registration Database and within the required time.

## 5.2. Termination of Relationship

A registered firm must, within 5 business days of an individual ceasing to be a permitted individual of the registered firm, notify the securities regulatory authority in accordance with Regulation 31-102 respecting National Registration Database of the termination of the relationship by submitting a completed Form 33-109F1.

## PART 6

### DUE DILIGENCE AND RECORD-KEEPING

#### 6.1. Sponsoring Firm Obligations

(1) A sponsoring firm must make reasonable efforts to ensure that information submitted by

(a) the firm for a permitted individual; or

(b) a registered individual, or an individual applying for registration, for whom the firm is the sponsoring firm, is true and complete.

(2) A sponsoring firm must retain all documents used by the firm to satisfy its obligation under subsection (1),

(a) in the case of a permitted individual, for a period of seven years after the individual ceases to be a permitted individual; or

(b) in the case of a registered individual, or an individual applying for registration, for a period of seven years after the individual ceases to be a registered individual with the firm.

(3) Without limiting the generality of subsection (2), if a registered individual, or an individual applying for registration, appoints an agent for service, the sponsoring firm must keep the original Appointment of Agent for Service executed by the individual for the period of time set out in paragraph (2)(b).

(4) A sponsoring firm that retains a document under subsection (2) or (3) in respect of an NRD submission must record the NRD submission number on the document.

## PART 7

### EXEMPTION

#### 7.1. Exemption

(1) The securities regulatory authority may grant an exemption from this Regulation, in whole or in part, subject to such conditions or restrictions as may be imposed in the exemption.

(2) Despite subsection (1), in Ontario only the regulator may grant such an exemption.

(3) Except in Ontario, an exemption referred to in subsection (1) is granted under the statute referred to in Appendix B of National Instrument 14-101 Definitions, adopted by the Commission des valeurs mobilières du Québec pursuant to decision no. 2001-C-0274 dated June 12, 2001, opposite the name of the local jurisdiction.

## PART 8

### FINAL PROVISIONS

**8.1.** In Québec, the provisions of this Regulation take precedence over any inconsistent provisions of Title V of the Securities Regulation made by Order-in-Council 660-83 dated March 30, 1983 (1983, G.O. 2, 1269).

**8.2.** Regulation 33-109Q respecting Registration Information approved by Ministerial Order no. 2004-06 dated December 2, 2004 is repealed.

**8.3.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

**FORM 33-109F1**  
**Notice of termination**

Enter the following information using the online version of this submission at the NRD web site (www.nrd.ca). If the NRD filer is relying on the temporary hardship exemption in Regulation 31-102, this form is required to be delivered to the regulator in paper format.

**1. Individual**

Name of individual: \_\_\_\_\_

NRD number of individual: \_\_\_\_\_

**2. Business location**

Address of business location: \_\_\_\_\_

NRD number of business location: \_\_\_\_\_

**3. Termination**

Effective date of termination: \_\_\_\_\_

Indicate whether the individual:

was dismissed for cause \_\_\_\_\_

was dismissed in good standing \_\_\_\_\_

resigned in good standing \_\_\_\_\_

is deceased \_\_\_\_\_

Include details regarding any:

unresolved client complaints:

internal discipline matters:

restrictions for violation of regulatory requirements:

financial obligations the individual has to clients:

**Notice of Collection and Use of Personal Information**

The personal information required under this form is collected on behalf of and used by the securities regulatory authorities set out below for the administration and enforcement of certain provisions of the securities legislation in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland and Labrador, Northwest Territories, Yukon Territory, and Nunavut.

If you have any questions about the collection and use of this information, you may contact the securities regulatory authority in any jurisdiction in which the required information is filed, at the address or telephone number provided in Schedule "A".

**WARNING:**

It is an offence to submit information that, in a material respect and at the time and in the light of the circumstances in which it is submitted, is misleading or untrue.

**CERTIFICATION****The following certification is to be used when submitting this form in NRD format:**

I am making this submission as agent for the NRD filer. By checking this box, I certify that all statements of fact in this submission were provided to me by the NRD filer.

**The following certification is to be used when submitting this form in paper format:**

I, the undersigned, certify that I have read and that I understand the questions in the notice and the Warning set out above. I also certify that all statements of fact made in the answers to the questions are true.

\_\_\_\_\_  
Signature of authorized officer or partner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Firm name

**SCHEDULE "A"****Notice and Collection and Use of Personal Information****Contact Information****Alberta**

Alberta Securities Commission  
4th Floor, 300 B 5th Avenue S.W.  
Calgary, AB T2P 3C4  
Attention: Information Officer  
Telephone: (403) 297-6454

**British Columbia**

British Columbia Securities Commission  
P.O. Box 10142, Pacific Centre  
701 West Georgia Street  
Vancouver, BC V7Y 1L2  
Attention: Freedom of Information Officer  
Telephone: (604) 899-6500 or (800) 373-6393  
(in B.C.)

**Manitoba**

The Manitoba Securities Commission  
500-400 Ave St-Mary  
Winnipeg, MB R3C 4K5  
Attention: Director – Legal  
Telephone: (204) 945-4508

**New Brunswick**

New Brunswick Securities Commission  
85 Charlotte Street, Suite 300  
Saint John, New Brunswick E2L 2J2  
Commission des valeurs mobilières du Nouveau-Brunswick  
85, rue Charlotte, bureau 300  
Saint John (Nouveau-Brunswick) E2L 2J2  
Attention: Director Market Regulation  
Directeur de la réglementation du marché  
Telephone: (506) 658-3021

**Newfoundland and Labrador**

Securities Commission of Newfoundland and Labrador  
P.O. Box 8700, 2nd Floor, West Block  
Confederation Building  
St. John's, NF A1B 4J6  
Attention: Director of Securities  
Tel: (709) 729-4189

**Nova Scotia**

Nova Scotia Securities Commission  
2nd Floor, Joseph Howe Building  
1690 Hollis Street  
P.O. Box 458  
Halifax, NS B3J 3J9  
Attention: FOI Officer  
Telephone: (902) 424-7768

**Northwest Territories**

Government of the Northwest Territories  
 P.O. Box 1320  
 Yellowknife, NWT X1A 2L9  
 Attention: Deputy Registrar of Securities  
 Telephone: (867) 920-8984

**Nunavut**

Legal Registries Division  
 Department of Justice  
 Government of Nunavut  
 P.O. Box 1000 Station 570  
 Iqaluit, NU X0A 0H0  
 Attention: Deputy Registrar of Securities  
 Telephone: (867) 975-6190

**Ontario**

Ontario Securities Commission  
 Suite 1903, Box 55  
 20 Queen Street West  
 Toronto, ON M5H 3S8  
 Attention: FOI Coordinator  
 Telephone: (416) 593-8314

**Prince Edward Island**

Securities Registry  
 Office of the Attorney General B  
 Consumer, Corporate and Insurance Services Division  
 P.O. Box 2000  
 Charlottetown, PE C1A 7N8  
 Attention: Deputy Registrar of Securities  
 Telephone: (902) 368-4569

**Québec**

Autorité des marchés financiers  
 800, square Victoria  
 C.P. 246, 22<sup>e</sup> étage  
 Montréal (Québec) H4Z 1G3  
 À l'attention du responsable de l'accès à l'information  
 Telephone: (514) 395-0337 or  
 (877) 525-0337 (in Québec)

**Saskatchewan**

Saskatchewan Financial Services Commission  
 800 B1920 Broad Street  
 Regina, SK S4P 3V7  
 Attention: Director  
 Telephone: (306) 787-5842

**Yukon**

Department of Community Services Yukon  
 P.O. Box 2703  
 Whitehorse, YU Y1A 2C6  
 Attention: Registrar of Securities  
 Telephone: (867) 667-5225

**FORM 33-109F2****Change or surrender of individual categories**

Enter the following information using the online version of this submission at the NRD web site ([www.nrd.ca](http://www.nrd.ca)). If the NRD filer is relying on the temporary hardship exemption in Regulation 31-102, this form is required to be delivered to the regulator in paper format.

**1. Individual**

Name of individual: \_\_\_\_\_

NRD number of individual: \_\_\_\_\_

**2. Individual categories**

Indicate the individual categories that the individual is adding or removing:

### 3. Details of surrender

If the individual is surrendering his or her registration, include details regarding any:

unresolved client complaints:

internal discipline matters:

restrictions for violation of regulatory requirements that occurred at any time during the individual's employment with the firm:

financial obligations the individual has to clients:

#### Notice of Collection and Use of Personal Information

The personal information required under this form is collected on behalf of and used by the securities regulatory authorities set out below for the administration and enforcement of certain provisions of the securities legislation in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland and Labrador, Northwest Territories, Yukon Territory, and Nunavut.

By submitting this information, you consent to the collection by the securities regulatory authority of the personal information provided above, police records, records from other government or non-governmental regulatory authorities or self-regulatory organizations, credit records and employment records about you as may be necessary for the securities regulatory authority to complete its review of the information submitted above including your continued fitness for registration, if applicable, in accordance with the legal authority of the securities regulatory authority for the duration of the period that you remain registered or approved by the securities regulatory authority. The sources the securities regulatory authority may contact include government and private bodies or agencies, individuals, corporations and other organizations.

If you have any questions about the collection and use of this information, you may contact the securities regulatory authority in any jurisdiction in which the required information is filed, at the address or telephone number provided in Schedule "A".

#### WARNING:

It is an offence to submit information that, in a material respect and at the time and in the light of the circumstances in which it is submitted, is misleading or untrue.

#### CERTIFICATION:

##### The following certification is to be used when submitting this form in NRD format:

I am making this submission as agent for the individual to whom this submission relates. By checking this box I certify that all statements of fact in this submission were provided to me by the individual.

##### Both of the following certifications are to be used when submitting this form in paper format:

I, the undersigned, certify that I have read and that I understand the questions in this form and the Warning set out above. I also certify that all statements of fact provided in this application are true.

\_\_\_\_\_  
Signature of applicant or permitted individual

\_\_\_\_\_  
Date

I, the undersigned, certify on behalf of the sponsoring firm that the individual will be engaged by the sponsoring firm as a registered individual or a permitted individual. I certify that I have, or a branch manager or another officer or partner has, discussed the questions set out in this form and I am satisfied that the individual fully understands the questions.

\_\_\_\_\_  
Signature of applicant or permitted individual

\_\_\_\_\_  
Date

\_\_\_\_\_  
Firm name

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**SCHEDULE “A”**  
**Notice and Collection and Use of Personal Information**

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**Contact Information**

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**Alberta**

Alberta Securities Commission  
4th Floor, 300 B 5th Avenue S.W.  
Calgary, AB T2P 3C4  
Attention: Information Officer  
Telephone: (403) 297-6454

**British Columbia**

British Columbia Securities Commission  
P.O. Box 10142, Pacific Centre  
701 West Georgia Street  
Vancouver, BC V7Y 1L2  
Attention: Freedom of Information Officer  
Telephone: (604) 899-6500 or (800) 373-6393  
(in B.C.)

**Manitoba**

The Manitoba Securities Commission  
500-400 Ave St-Mary  
Winnipeg, MB R3C 4K5  
Attention: Director – Legal  
Telephone: (204) 945-4508

**New Brunswick**

New Brunswick Securities Commission  
85 Charlotte Street, Suite 300  
Saint John, New Brunswick E2L 2J2  
Commission des valeurs mobilières du Nouveau-Brunswick  
85, rue Charlotte, bureau 300  
Saint John (Nouveau-Brunswick) E2L 2J2  
Attention: Director Market Regulation  
Directeur de la réglementation du marché  
Telephone: (506) 658-3021

**Newfoundland and Labrador**

Securities Commission of Newfoundland and Labrador  
P.O. Box 8700, 2nd Floor, West Block  
Confederation Building  
St. John's, NF A1B 4J6  
Attention: Director of Securities  
Tel: (709) 729-4189

**Nova Scotia**

Nova Scotia Securities Commission  
2nd Floor, Joseph Howe Building  
1690 Hollis Street  
P.O. Box 458  
Halifax, NS B3J 3J9  
Attention: FOI Officer  
Telephone: (902) 424-7768

**Northwest Territories**

Government of the Northwest Territories  
P.O. Box 1320  
Yellowknife, NWT X1A 2L9  
Attention: Deputy Registrar of Securities  
Telephone: (867) 920-8984

**Nunavut**

Legal Registries Division  
Department of Justice  
Government of Nunavut  
P.O. Box 1000 Station 570  
Iqaluit, NU X0A 0H0  
Attention: Deputy Registrar of Securities  
Telephone: (867) 975-6190

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**Ontario**

Ontario Securities Commission  
 Suite 1903, Box 55  
 20 Queen Street West  
 Toronto, ON M5H 3S8  
 Attention: FOI Coordinator  
 Telephone: (416) 593-8314

**Prince Edward Island**

Securities Registry  
 Office of the Attorney General B  
 Consumer, Corporate and Insurance Services Division  
 P.O. Box 2000  
 Charlottetown, PE C1A 7N8  
 Attention: Deputy Registrar of Securities  
 Telephone: (902) 368-4569

**Québec**

Autorité des marchés financiers  
 800, square Victoria  
 C.P. 246, 22<sup>e</sup> étage  
 Montréal (Québec) H4Z 1G3  
 À l'attention du responsable de l'accès à l'information  
 Telephone: (514) 395-0337 or  
 (877) 525-0337 (in Québec)

**Saskatchewan**

Saskatchewan Financial Services Commission  
 800 B1920 Broad Street  
 Regina, SK S4P 3V7  
 Attention: Director  
 Telephone: (306) 787-5842

**Yukon**

Department of Community Services Yukon  
 P.O. Box 2703  
 Whitehorse, YU Y1A 2C6  
 Attention: Registrar of Securities  
 Telephone: (867) 667-5225

**FORM 33-109F3****Business locations other than Head Office**

Enter the following information using the online version of this submission at the NRD web site ([www.nrd.ca](http://www.nrd.ca)). If the NRD filer is relying on the temporary hardship exemption in Regulation 31-102, this form is required to be delivered to the regulator in paper format.

Please select one box:

- This form is being submitted to notify the regulator of the opening of this business location. Complete the entire form.
- This form is being submitted to notify the regulator of the closing of this business location. Complete the entire form.
- This form is being submitted to notify the regulator of the change of information previously submitted in respect of this business location. Complete the entire form and describe the information that has changed (for example, "telephone number" or "type of business location"):

**1. Type of business location**

\_\_\_\_\_ branch

\_\_\_\_\_ sub-branch

**2. Supervisor or branch manager**

NRD number of the designated supervisor or branch manager:

\_\_\_\_\_

Name of designated supervisor or branch manager:

\_\_\_\_\_

**3. Business location information**

Business address:

\_\_\_\_\_

Telephone number: (    ) \_\_\_\_\_

Facsimile number: (    ) \_\_\_\_\_

Mailing address (if different from business address):

\_\_\_\_\_

**Notice of Collection and Use of Personal Information**

The personal information required under this form is collected on behalf of and used by the securities regulatory authorities set out below for the administration and enforcement of certain provisions of the securities legislation in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland and Labrador, Northwest Territories, Yukon Territory, and Nunavut.

If you have any questions about the collection and use of this information, you may contact the securities regulatory authority in any jurisdiction in which the required information is filed, at the address or telephone number provided in Schedule "A".

**WARNING:**

It is an offence to submit information that, in a material respect and at the time and in the light of the circumstances in which it is submitted, is misleading or untrue.

**CERTIFICATION****The following certification is to be used when submitting this form in NRD format:**

I am making this submission as agent for the NRD filer. By checking this box, I certify that all statements of fact in this submission were provided to me by the NRD filer.

**The following certification is to be used when submitting this form in paper format:**

I, the undersigned, certify that I have read and that I understand the questions in this notice and the Warning set out above. I also certify that all statements of fact made in the answers to the questions are true.

\_\_\_\_\_  
Signature of authorized officer or partner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Firm name

**SCHEDULE “A”****Notice and Collection and Use of Personal Information**

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**Contact Information**

---

**Alberta**

Alberta Securities Commission  
4th Floor, 300 B 5th Avenue S.W.  
Calgary, AB T2P 3C4  
Attention: Information Officer  
Telephone: (403) 297-6454

**British Columbia**

British Columbia Securities Commission  
P.O. Box 10142, Pacific Centre  
701 West Georgia Street  
Vancouver, BC V7Y 1L2  
Attention: Freedom of Information Officer  
Telephone: (604) 899-6500 or (800) 373-6393  
(in B.C.)

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**Manitoba**

The Manitoba Securities Commission  
500-400 Ave St-Mary  
Winnipeg, MB R3C 4K5  
Attention: Director – Legal  
Telephone: (204) 945-4508

**New Brunswick**

New Brunswick Securities Commission  
85 Charlotte Street, Suite 300  
Saint John, New Brunswick E2L 2J2  
Commission des valeurs mobilières du Nouveau-Brunswick  
85, rue Charlotte, bureau 300  
Saint John (Nouveau-Brunswick) E2L 2J2  
Attention: Director Market Regulation  
Directeur de la réglementation du marché  
Telephone: (506) 658-3021

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**Newfoundland and Labrador**

Securities Commission of Newfoundland and Labrador  
P.O. Box 8700, 2nd Floor, West Block  
Confederation Building  
St. John's, NF A1B 4J6  
Attention: Director of Securities  
Tel: (709) 729-4189

**Nova Scotia**

Nova Scotia Securities Commission  
2nd Floor, Joseph Howe Building  
1690 Hollis Street  
P.O. Box 458  
Halifax, NS B3J 3J9  
Attention: FOI Officer  
Telephone: (902) 424-7768

---

**Northwest Territories**

Government of the Northwest Territories  
P.O. Box 1320  
Yellowknife, NWT X1A 2L9  
Attention: Deputy Registrar of Securities  
Telephone: (867) 920-8984

**Nunavut**

Legal Registries Division  
Department of Justice  
Government of Nunavut  
P.O. Box 1000 Station 570  
Iqaluit, NU X0A 0H0  
Attention: Deputy Registrar of Securities  
Telephone: (867) 975-6190

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**Ontario**

Ontario Securities Commission  
Suite 1903, Box 55  
20 Queen Street West  
Toronto, ON M5H 3S8  
Attention: FOI Coordinator  
Telephone: (416) 593-8314

**Prince Edward Island**

Securities Registry  
Office of the Attorney General B  
Consumer, Corporate and Insurance Services Division  
P.O. Box 2000  
Charlottetown, PE C1A 7N8  
Attention: Deputy Registrar of Securities  
Telephone: (902) 368-4569

---

**Québec**

Autorité des marchés financiers  
800, square Victoria  
C.P. 246, 22<sup>e</sup> étage  
Montréal (Québec) H4Z 1G3  
À l'attention du responsable de l'accès à l'information  
Telephone: (514) 395-0337 or  
(877) 525-0337 (in Québec)

**Saskatchewan**

Saskatchewan Financial Services Commission  
800 B1920 Broad Street  
Regina, SK S4P 3V7  
Attention: Director  
Telephone: (306) 787-5842

**Yukon**

Department of Community Services Yukon  
P.O. Box 2703  
Whitehorse, YU Y1A 2C6  
Attention: Registrar of Securities  
Telephone: (867) 667-5225

**FORM 33-109F4****REGISTRATION INFORMATION FOR AN INDIVIDUAL****SUBMISSION TO NRD**

Enter the following information using the online version of this submission at the NRD web site ([www.nrd.ca](http://www.nrd.ca)). If the NRD filer is relying on the temporary hardship exemption in Regulation 31-102 this form is required to be delivered to the regulator in paper format.

**INSTRUCTIONS FOR FILING IN PAPER FORMAT**

1. This form is to be used by every individual seeking registration from a securities regulatory authority or a self-regulatory organization or who is a permitted individual with a registered firm or a firm seeking registration.
2. This form is also to be used by any sole proprietor submitting an application for registration as a dealer, broker, adviser or underwriter to a securities regulatory authority.
3. Failure to answer all applicable questions may cause delays in the processing of the application form.
4. This form must be legible.
5. To complete the application, individuals should seek advice from an authorized officer of the sponsoring firm or from a legal adviser.
6. The number of originally-signed copies of the form to be filed with the self-regulatory organization and/or securities regulatory authority or similar authority varies from province to province. If unsure of the procedure, please consult the Registration Department of the self-regulatory organization to which you are applying or the applicable securities regulatory authority, or similar authority.

**Item 1 – Name****1. Legal name**

Last name	First name	Second name (if applicable)	Third name (if applicable)

**2. Other names**

Are you currently, or have you previously been, known by a name other than the name provided above?  Yes  No

If “Yes”, complete Schedule “A”.

**Item 2 – Residential address****Current address**

Provide all residential addresses, including any foreign residential addresses, for the past 10 years.

Current residential address: \_\_\_\_\_  
(number, street, city, province, territory or state, country, postal code)

Telephone number: ( ) \_\_\_\_\_ Resided at this address since: \_\_\_\_\_  
(YYYY/MM)

If you have resided at this address for less than 10 years, complete Schedule “B”.

**Item 3 – Personal information****Personal description**

Date of birth: \_\_\_\_\_ Place of birth: \_\_\_\_\_  
(city, province, territory or state, country)

Gender:  Female  Male      Colour of eyes: \_\_\_\_\_      Colour of hair: \_\_\_\_\_

Height: imperial units: \_\_\_\_\_ OR metric units: \_\_\_\_\_

Weight: imperial units: \_\_\_\_\_ OR metric units: \_\_\_\_\_

**Item 4 – Citizenship****Citizenship information**

What is your citizenship?

Canadian

Other, specify: \_\_\_\_\_

If you are a citizen of a country other than Canada, complete the following for that other citizenship. You are only required to provide the following information for one citizenship.

Passport number: \_\_\_\_\_ Country of citizenship: \_\_\_\_\_

Date of issue: \_\_\_\_\_  
(YYYY/MM/DD)

Place of issue: \_\_\_\_\_  
(city, province, territory or state, country)

---

### Item 5 – Registration jurisdictions

#### Jurisdictions

Indicate, by checking the appropriate box, each province or territory to which you are submitting this form:

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Alberta                   | <input type="checkbox"/> Northwest Territories | <input type="checkbox"/> Prince Edward Island |
| <input type="checkbox"/> British Columbia          | <input type="checkbox"/> Nova Scotia           | <input type="checkbox"/> Québec               |
| <input type="checkbox"/> Manitoba                  | <input type="checkbox"/> Nunavut               | <input type="checkbox"/> Saskatchewan         |
| <input type="checkbox"/> New Brunswick             | <input type="checkbox"/> Ontario               | <input type="checkbox"/> Yukon Territory      |
| <input type="checkbox"/> Newfoundland and Labrador |  |   |

---

### Item 6 – Individual categories

#### Categories

Indicate, by checking the appropriate box in Schedule “C”, each registration category for which you are applying. If you are a permitted individual and you are not applying for registration, indicate each category that describes your position with your sponsoring firm.

---

### Item 7 – Address and agent for service

#### 1. Address for service

You must have one address for service in each province or territory in which you are now, or are applying to become, a registered individual or permitted individual. A post office box is not an acceptable address for service. Complete Schedule “D” for each additional address for service you are providing.

Address for service: \_\_\_\_\_  
(number, street, city, province or territory, postal code)

Telephone number: ( ) \_\_\_\_\_ Fax number: ( ) \_\_\_\_\_

E-mail address: \_\_\_\_\_

#### 2. Agent for service

If you have appointed an agent for service, provide the following information for the agent. The address for service provided above must be the address of any agent named below.

Name of agent for service: \_\_\_\_\_

Contact person: \_\_\_\_\_  
Last name First name

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**Item 8 – Proficiency**

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**1. Course or examination information**

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Complete Schedule “E” to indicate each course and examination that you have successfully completed or for which you have received an exemption.

If you are not required under securities legislation or the rules of a self-regulatory organization to satisfy any course or examination requirements you are not required to complete this item.

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**2. Student numbers**

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If you have a student number with one of the following institutions, provide it below:

Canadian Securities Institute (CSI): \_\_\_\_\_

Investment Funds Institute of Canada (IFIC): \_\_\_\_\_

Institute of Canadian Bankers (ICB): \_\_\_\_\_

Association for Investment Management and Research (AIMR): \_\_\_\_\_

Canadian Association of Insurance and Financial Advisors (CAIFA): \_\_\_\_\_

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**3. Exemption refusal**

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Has any securities regulatory authority or self-regulatory organization refused to grant you an exemption from a course, examination or experience requirement?  Yes  No

If “Yes”, complete Schedule “F”.

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**Item 9 – Location of employment**

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**Location of employment**

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Provide the following information for the location of the sponsoring firm at which you will be working. If you will be working out of more than one location, provide the following information for the location out of which you will be doing most of your business.

NRD number: \_\_\_\_\_

Business address: \_\_\_\_\_  
(number, street, city, province, territory or state, country, postal code)

Telephone number: ( ) \_\_\_\_\_ Fax number: ( ) \_\_\_\_\_

Check here if the mailing address of the location is the same as the business address provided above. Otherwise, complete the following:

Mailing address: \_\_\_\_\_  
(number, street, city, province, territory or state, country, postal code)

---

**Item 10 – Current employment****Employment information**

On Schedule “G”, provide the information requested for your current business and employment activities, including those with your sponsoring firm.

Check here if you are not required under securities legislation to provide this information.

**Item 11 – Previous employment****Employment information**

On Schedule “H”, provide the information requested for your previous business and employment activities for the 10-year period before the date of this application. Include any periods of self-employment or unemployment during this period. Do not include summer employment while you were a full-time student.

In addition, provide the information requested for all of your securities or exchange contracts (including commodity futures contracts and commodity futures options) business and employment activities during and prior to the ten-year period.

Check here if you are not required under securities legislation to provide this information.

Check here if the information required by this section has been provided in Item 10.

**Item 12 – Resignations and terminations****Resignation and termination information**

Have you ever resigned or been terminated following allegations, made by a client, sponsoring firm, self-regulatory organization, securities regulatory authority or any other regulatory authority that you:

- a) violated investment related statutes, regulations, rules or industry standards of conduct?  Yes  No
- b) failed to supervise in connection with investment related statutes, regulations, rules or industry standards of conduct?  Yes  No
- c) committed fraud or the wrongful taking of property?  Yes  No

If “Yes”, to any of the above questions, complete Schedule “I”.

**Item 13 – Regulatory disclosure****1. Securities regulatory authorities**

- a) Other than a registration that has been recorded on NRD under the NRD number you are using to make this submission, are you now, or have you ever been, registered or licensed to trade in or advise on securities or exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?  Yes  No

If “Yes”, complete Schedule “J”, section 1(a).



b) Are you now, or have you ever been, a partner, director, officer, or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of any firm which has been registered or licensed, or is now registered or licensed, to trade in or advise on securities or exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?

Yes  No

If “Yes”, complete Schedule “J”, section 1(b).

---

c) Have you, or has any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1)(b)), when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been refused registration or a license to trade in or advise on securities or exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?

Yes  No

If “Yes”, complete Schedule “J”, section 1(c).

---

d) Have you, or has any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1)(b)), when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been denied the benefit of any exemption from registration provided by securities legislation or legislation governing exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?

Yes  No

If “Yes”, complete Schedule “J”, section 1(d).

---

e) Have you, or has any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1)(b)), when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been subject to a cease trade order, a cease distribution order, a suspension or termination order, any disciplinary proceedings or any order resulting from disciplinary proceedings pursuant to securities legislation or legislation governing exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?

Yes  No

If “Yes”, complete Schedule “J”, section 1(e).

---

## 2. Self-regulatory organizations

---

a) Have you, or has any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1)(b)), when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been a member or participating organization of any stock exchange or other self-regulatory organization in any province, territory, state or country?

Yes  No

If “Yes”, complete Schedule “J”, section 2 (a).

---

b) Have you, or has any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1)(b)), when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been refused membership or entry as a participating organization in any stock exchange or other self-regulatory organization in any province, territory, state or country?

Yes  No

If “Yes”, complete Schedule “J”, section 2 (b).

---

c) Have you, or has any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1)(b)), when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been subject to a suspension, expulsion or termination order, or been subject to any disciplinary proceedings or any order resulting from disciplinary proceedings conducted by any stock exchange or other self-regulatory organization in any province, territory, state or country?

Yes  No

If “Yes”, complete Schedule “J”, section 2 (c).

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### 3. Non-securities regulation

---

a) Have you, or has any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1)(b)), when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been registered or licensed under any legislation which requires registration or licensing to deal with the public in any capacity other than to trade in or advise on securities or exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?

Yes  No

If “Yes”, complete Schedule “J”, section 3 (a).

---

b) Have you, or has any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1)(b)), when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been refused registration or a licence under any legislation which requires registration or licensing to deal with the public in any capacity other than to trade in or advise on securities or exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?

Yes  No

If “Yes”, complete Schedule “J”, section 3(b).

---

c) Have you, or has any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1)(b)), when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been subject to a suspension or termination order, or disciplinary proceedings or any order resulting from disciplinary proceedings conducted under any legislation which requires registration or licensing to deal with the public in any capacity other than to trade in or advise on securities or exchange contracts (including commodity futures contracts and commodity futures options) in any province, territory, state or country?

Yes  No

If “Yes”, complete Schedule “J”, section 3(c).

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## Item 14 – Criminal disclosure

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### Criminal, provincial and territorial offences

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With respect to questions (b) and (d) below, if you or your firm have pleaded guilty or been found guilty of an offence, that offence must be reported even if an absolute or conditional discharge has been granted with respect to the offence. You are not required to disclose any offence for which a pardon has been granted under the *Criminal Records Act* (Canada) unless the pardon has been revoked. You are not required to disclose speeding or parking violations.

a) Is there currently an outstanding charge against you alleging an offence that was committed in any province, territory, state, or country?  Yes  No

If “Yes”, complete Schedule “K”, section (a).

---

b) Have you, since attaining the age of 18, ever been convicted of, pleaded guilty to or no contest to an offence that was committed in any province, territory, state, or country?  Yes  No

If “Yes”, complete Schedule “K”, section (b).

---

c) Have charges been laid, alleging an offence that was committed in any province, territory, state, or country against any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1)(b)) in which you are or were at the time of that event a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities?  Yes  No

If “Yes”, complete Schedule “K”, section (c).

---

d) Has any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1)(b)), when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been convicted of, pleaded guilty to or no contest to an offence that was committed in any province, territory, state, or country?  Yes  No

If “Yes”, complete Schedule “K”, section (d).

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## Item 15 – Civil disclosure

---

### Current and past civil proceedings

a) Have you, or has any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1)(b)), when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, been a defendant or respondent in any civil proceeding in which fraud, theft, deceit, misrepresentation, or similar conduct is, or was, alleged?  Yes  No

If “Yes”, complete Schedule “L”, section (a).

---

b) Other than what you disclosed in Item 15(a), were you, at the time the events that led to the civil proceeding occurred, a partner, director or officer or a holder of securities carrying more than 10 percent of the votes of all outstanding voting securities of a firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13 (1) (b)) that is or was a defendant or respondent in any civil proceeding in which fraud, theft, deceit, misrepresentation, or similar conduct is or was alleged?  Yes  No

If “Yes”, complete Schedule “L”, section (b).

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## Item 16 – Financial disclosure

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### 1. Bankruptcy

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Under the law of any province, territory, state, or country, have you, or has any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1) (b)), when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm:

- a) had a petition in bankruptcy issued against you or the firm or made a voluntary assignment in bankruptcy?  Yes  No
- b) made a proposal under any legislation relating to bankruptcy or insolvency?  Yes  No
- c) been subject to proceedings under any legislation relating to the winding up, dissolution or companies' creditors arrangement?  Yes  No
- d) been subject to or instituted any proceedings, arrangement or compromise with creditors (including having a receiver, receiver-manager, administrator or trustee appointed by or at the request of creditors, either privately, or through court process, or by order of a regulator, to hold your assets)?  Yes  No

If "Yes" to any of the above questions, complete Schedule "M", section 1.

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## 2. Debt Obligations

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Have you ever failed to meet a financial obligation of \$500 or more as it came due, or has any firm (other than your sponsoring firm or a firm that is or was registered in a Canadian jurisdiction and identified in response to Item 13(1)(b)), when you were a partner, director, officer or holder of voting securities carrying more than 10 percent of the votes carried by all outstanding voting securities of that firm, failed to meet a financial obligation as it came due?  Yes  No

If "Yes", complete Schedule "M", section 2.

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## 3. Surety bond or fidelity bond

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Have you ever applied for a surety or fidelity bond and been refused?  Yes  No

If "Yes", complete Schedule "M", section 3.

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## 4. Garnishments, unsatisfied judgments or directions to pay

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Are there currently, or have there been, outstanding against you any of the following:

- a) garnishments,
- b) unsatisfied judgments, or
- c) directions to pay;
- issued by a federal, provincial, territorial or state authority?  Yes  No

If "Yes", complete Schedule "M", section 4.

---

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**Item 17 – Related securities firms**

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**Related securities firms and holdings**

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Are you a partner, director, or officer of a firm (other than your sponsoring firm) whose principal business is trading in or advising on securities or exchange contracts (including commodity futures contracts and commodity futures options) or are you a holder of 10 percent or more of the voting securities of any firm (including your sponsoring firm) whose principal business is trading in or advising on securities or exchange contracts (including commodity futures contracts and commodity futures options)?  Yes  No

If “Yes”, complete Schedule “N”.

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Agent for Service

By submitting this form you certify that in each jurisdiction in which you have appointed an agent for service you have properly executed the appointment of agent for service required by the regulator or the securities legislation of that jurisdiction.

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Submission to Jurisdiction

By submitting this application you irrevocably and unconditionally submit to the non-exclusive jurisdiction of the judicial, quasi-judicial and administrative tribunals of each jurisdiction to which you have submitted this application and any administrative proceeding in that jurisdiction, in any action, investigation or administrative, criminal, quasi-criminal, penal or other proceeding (each, a “Proceeding”) arising out of or relating to or concerning your activities as a registrant or an officer, partner or director of a registrant under the securities legislation of the jurisdiction, and irrevocably waive any right to raise as a defence in any Proceeding any alleged lack of jurisdiction to bring that Proceeding.

---

Notice of collection and use of personal information

The personal information required under this form is collected on behalf of and used by the securities regulatory authorities set out below for purposes of the administration and enforcement of certain provisions of the securities legislation in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland and Labrador, Northwest Territories, Yukon Territory, and Nunavut.

By submitting this application you consent to the collection by the securities regulatory authority to which this application is being submitted of the personal information contained in the application, police records, records from other government or non-governmental regulatory authorities or self-regulatory organizations, credit records and employment records about you as may be necessary for the securities regulatory authority to complete its review of your application or continued fitness for registration in accordance with the legal authority of the securities regulatory authority for the duration of the period which you remain registered or approved by the securities regulatory authority. The sources the securities regulatory authority may contact include government and private bodies or agencies, individuals, corporations and other organizations.

The principal purpose for which this collection of personal information is to be used is to assess your suitability for registration and to assess your continued fitness for registration in accordance with the applicable securities legislation.

If you have any questions about the collection and use of this information, you may contact the securities regulatory authority in any jurisdiction in which the required information is filed, at the address or telephone number set out in Schedule “O”. In Québec, questions may also be addressed to the *Commission d'accès à l'information du Québec* (1-888-528-7741, web site: [www.cai.gouv.qc.ca](http://www.cai.gouv.qc.ca)).

**WARNING:** It is an offence to submit information that, in a material respect and at the time and in the light of the circumstances in which it is submitted, is misleading or untrue.

\_\_\_\_\_  
 Certification

**The following certification is to be used when submitting this form in NRD format:**

I am making this submission as agent for the individual to whom this submission relates. By checking this box I certify that all statements of fact in this submission were provided to me by the individual.

**Both of the following certifications are to be used when submitting this form in paper format:**

I, the undersigned, certify that I have read and that I understand the questions in this form and the Warning set out above.

I also certify that all statements of fact provided in this application are true.

\_\_\_\_\_  
 Signature of applicant or permitted individual

\_\_\_\_\_  
 Date

I, the undersigned, certify on behalf of the sponsoring firm that the individual will be engaged by the sponsoring firm as a registered individual or a permitted individual. I certify that I have, or a branch manager or another officer or partner has, discussed the questions set out in this form with the individual and I am satisfied that the individual fully understands the questions.

\_\_\_\_\_  
 Signature of authorized officer or partner

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Firm name

**SCHEDULE "A"**  
**Name**

**Item 1**

**Other names**

\_\_\_\_\_  
 Last name

\_\_\_\_\_  
 First name

\_\_\_\_\_  
 Second name  
*(if applicable)*

\_\_\_\_\_  
 Third name  
*(if applicable)*

Provide the reasons for the use of this name (for example, marriage, divorce, court order, commonly used name).

When did you use this name? From: \_\_\_\_\_ To: \_\_\_\_\_  
 (YYYY/MM) (YYYY/MM)

\_\_\_\_\_  
 Last name

\_\_\_\_\_  
 First name

\_\_\_\_\_  
 Second name  
*(if applicable)*

\_\_\_\_\_  
 Third name  
*(if applicable)*

Provide the reasons for the use of this name (for example, marriage, divorce, court order, commonly used name).

When did you use this name? From: \_\_\_\_\_ To: \_\_\_\_\_  
 (YYYY/MM) (YYYY/MM)

Last name	First name	Second name (if applicable)	Third name (if applicable)
-----------	------------	--------------------------------	-------------------------------

Provide the reasons for the use of this name (for example, marriage, divorce, court order, commonly used name).

When did you use this name? From: \_\_\_\_\_ To: \_\_\_\_\_  
(YYYY/MM) (YYYY/MM)

## SCHEDULE "B"

### Residential address

#### Item 2

#### Previous addresses

A postal code (or ZIP code) and a telephone number are not required for any previous address.

Residential address: \_\_\_\_\_  
(number, street, city, province, territory or state, country)

When did you live at this address? From: \_\_\_\_\_ To: \_\_\_\_\_  
(YYYY/MM) (YYYY/MM)

Residential address: \_\_\_\_\_  
(number, street, city, province, territory or state, country)

When did you live at this address? From: \_\_\_\_\_ To: \_\_\_\_\_  
(YYYY/MM) (YYYY/MM)

Residential address: \_\_\_\_\_  
(number, street, city, province, territory or state, country)

When did you live at this address? From: \_\_\_\_\_ To: \_\_\_\_\_  
(YYYY/MM) (YYYY/MM)

Residential address: \_\_\_\_\_  
(number, street, city, province, territory or state, country)

When did you live at this address? From: \_\_\_\_\_ To: \_\_\_\_\_  
(YYYY/MM) (YYYY/MM)

Residential address: \_\_\_\_\_  
(number, street, city, province, territory or state, country)

When did you live at this address? From: \_\_\_\_\_ To: \_\_\_\_\_  
(YYYY/MM) (YYYY/MM)

## SCHEDULE “C”

### Individual categories

#### Item 6

#### Categories

Indicate, by checking the appropriate box, each category for which you are applying.

#### Alberta

- |  |  |
|--|--|
| <input type="checkbox"/> Salesperson           | <input type="checkbox"/> Shareholder               |
| <input type="checkbox"/> Officer (Trading)     | <input type="checkbox"/> Branch Manager            |
| <input type="checkbox"/> Officer (Non-Trading) | <input type="checkbox"/> Officer (Advising)        |
| <input type="checkbox"/> Partner (Trading)     | <input type="checkbox"/> Officer (Non-Advising)    |
| <input type="checkbox"/> Partner (Non-Trading) | <input type="checkbox"/> Junior Officer (Advising) |
| <input type="checkbox"/> Director              | <input type="checkbox"/> Partner (Advising)        |
|  | <input type="checkbox"/> Partner (Non-Advising)    |

#### British Columbia

- |   |  |
|---|--|
| <input type="checkbox"/> Salesperson            | <input type="checkbox"/> Officer (Advising)      |
| <input type="checkbox"/> Officer (Trading)      | <input type="checkbox"/> Officer (Non-Advising)  |
| <input type="checkbox"/> Officer (Non-Trading)  | <input type="checkbox"/> Partner (Advising)      |
| <input type="checkbox"/> Partner (Trading)      | <input type="checkbox"/> Partner (Non-Advising)  |
| <input type="checkbox"/> Partner (Non-Trading)  | <input type="checkbox"/> Director (Advising)     |
| <input type="checkbox"/> Director (Trading)     | <input type="checkbox"/> Director (Non-Advising) |
| <input type="checkbox"/> Director (Non-Trading) | <input type="checkbox"/> Advising Employee       |
| <input type="checkbox"/> Compliance Officer     |  |
| <input type="checkbox"/> Shareholder            |  |
| <input type="checkbox"/> Branch Manager         |  |

#### Manitoba

- |   |  |
|---|--|
| <input type="checkbox"/> Salesperson            | <input type="checkbox"/> Associate Advising Officer                    |
| <input type="checkbox"/> Officer (Trading)      | <input type="checkbox"/> Associate Advising Partner                    |
| <input type="checkbox"/> Officer (Non-Trading)  | <input type="checkbox"/> Associate Advising Director                   |
| <input type="checkbox"/> Partner (Trading)      | <input type="checkbox"/> Associate Advising Employee                   |
| <input type="checkbox"/> Partner (Non-Trading)  | <input type="checkbox"/> Non-trading                                   |
| <input type="checkbox"/> Director (Trading)     | <input type="checkbox"/> Officer                                       |
| <input type="checkbox"/> Director (Non-Trading) | <input type="checkbox"/> Partner                                       |
| <input type="checkbox"/> Branch Manager         | <input type="checkbox"/> Futures Contract Portfolio Manager            |
| <input type="checkbox"/> Advising Officer       | <input type="checkbox"/> Associate Futures Contracts Portfolio Manager |
| <input type="checkbox"/> Advising Partner       | <input type="checkbox"/> Floor Trader                                  |
| <input type="checkbox"/> Advising Director      | <input type="checkbox"/> Floor Broker                                  |
| <input type="checkbox"/> Non-Advising Officer   | <input type="checkbox"/> Local   |
| <input type="checkbox"/> Non-Advising Partner   | <input type="checkbox"/> Adviser                                       |
| <input type="checkbox"/> Non-Advising Director  |  |
| <input type="checkbox"/> Advising Employee      |  |

#### New Brunswick

- |  |  |
|--|--|
| <input type="checkbox"/> Salesperson           | <input type="checkbox"/> Compliance Officer        |
| <input type="checkbox"/> Officer (Trading)     | <input type="checkbox"/> Officer (Advising)        |
| <input type="checkbox"/> Officer (Non-Trading) | <input type="checkbox"/> Officer (Non-Advising)    |
| <input type="checkbox"/> Partner (Trading)     | <input type="checkbox"/> Junior Officer (Advising) |
| <input type="checkbox"/> Partner (Non-Trading) | <input type="checkbox"/> Partner (Advising)        |
| <input type="checkbox"/> Director              | <input type="checkbox"/> Partner (Non-Advising)    |



- |  |  |
|--|--|
| <input type="checkbox"/> Shareholder                         | <input type="checkbox"/> Officer (Advising or Trading and Advising)        |
| <input type="checkbox"/> Officer (Non-Advising, Non-Trading) | <input type="checkbox"/> Junior Officer (Advising or Trading and Advising) |
| <input type="checkbox"/> Mutual Fund Salesperson (only)      | <input type="checkbox"/> Partner (Advising or Trading and Advising)        |
| <input type="checkbox"/> Branch Manager                      | <input type="checkbox"/> Partner (Non-Advising, Non-Trading)               |
| <input type="checkbox"/> Representative                      | <input type="checkbox"/> Sole Proprietor (advising)                        |
- 

*Newfoundland and Labrador*

- |  |   |
|--|---|
| <input type="checkbox"/> Salesperson           | <input type="checkbox"/> Officer (Advising)     |
| <input type="checkbox"/> Officer (Trading)     | <input type="checkbox"/> Officer (Non-Advising) |
| <input type="checkbox"/> Officer (Non-Trading) | <input type="checkbox"/> Director               |
| <input type="checkbox"/> Director              | <input type="checkbox"/> Shareholder            |
| <input type="checkbox"/> Shareholder           | <input type="checkbox"/> Partner (Advising)     |
| <input type="checkbox"/> Partner (Trading)     | <input type="checkbox"/> Partner (Non-Advising) |
| <input type="checkbox"/> Partner (Non-Trading) | <input type="checkbox"/> Branch Manager         |
| <input type="checkbox"/> Branch Manager        |   |
- 

*Northwest Territories*

- |  |  |
|--|--|
| <input type="checkbox"/> Salesperson           | <input type="checkbox"/> Shareholder               |
| <input type="checkbox"/> Officer (Trading)     | <input type="checkbox"/> Branch Manager            |
| <input type="checkbox"/> Officer (Non-Trading) | <input type="checkbox"/> Representative (Advising) |
| <input type="checkbox"/> Director              | <input type="checkbox"/> Officer (Advising)        |
| <input type="checkbox"/> Partner (Trading)     | <input type="checkbox"/> Officer (Non-Advising)    |
| <input type="checkbox"/> Partner (Non-Trading) | <input type="checkbox"/> Partner (Advising)        |
| <input type="checkbox"/> Sole Proprietor       | <input type="checkbox"/> Partner (Non-Advising)    |
- 

*Nova Scotia*

- |  |   |
|--|---|
| <input type="checkbox"/> Salesperson               | <input type="checkbox"/> Officer (Advising)         |
| <input type="checkbox"/> Officer (Trading)         | <input type="checkbox"/> Officer (Non-Advising)     |
| <input type="checkbox"/> Officer (Non-Trading)     | <input type="checkbox"/> Associate Partner          |
| <input type="checkbox"/> Sole Proprietor (Trading) | <input type="checkbox"/> Partner (Advising)         |
| <input type="checkbox"/> Director                  | <input type="checkbox"/> Partner (Non-Advising)     |
| <input type="checkbox"/> Partner (Trading)         | <input type="checkbox"/> Sole Proprietor (Advising) |
| <input type="checkbox"/> Partner (Non-Trading)     |   |
- 

*Nunavut*

- |  |  |
|--|--|
| <input type="checkbox"/> Salesperson           | <input type="checkbox"/> Shareholder               |
| <input type="checkbox"/> Officer (Trading)     | <input type="checkbox"/> Branch Manager            |
| <input type="checkbox"/> Officer (Non-Trading) | <input type="checkbox"/> Representative (Advising) |
| <input type="checkbox"/> Director              | <input type="checkbox"/> Officer (Advising)        |
| <input type="checkbox"/> Partner (Trading)     | <input type="checkbox"/> Officer (Non-Advising)    |
| <input type="checkbox"/> Partner (Non-Trading) | <input type="checkbox"/> Partner (Advising)        |
| <input type="checkbox"/> Sole Proprietor       | <input type="checkbox"/> Partner (Non-Advising)    |
- 

*Ontario*

Except as indicated the following categories are available under the Securities Act and the Commodity Futures Act.

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- |  |   |
|--|---|
| <input type="checkbox"/> Floor Trader          | <input type="checkbox"/> Associate Advising Representative (Securities Act category only) |
| <input type="checkbox"/> Salesperson           | <input type="checkbox"/> Officer (Advising)   |
| <input type="checkbox"/> Officer (Trading)     | <input type="checkbox"/> Officer (Non-Advising)   |
| <input type="checkbox"/> Officer (Non-Trading) | <input type="checkbox"/> Associate Officer (Securities Act category only)                 |
| <input type="checkbox"/> Partner (Trading)     | <input type="checkbox"/> Partner (Advising)   |
| <input type="checkbox"/> Partner (Non-Trading) |   |

- |  |   |
|--|---|
| <input type="checkbox"/> Sole Proprietor (Trading) | <input type="checkbox"/> Partner (Non-Advising)                           |
| <input type="checkbox"/> Director                  | <input type="checkbox"/> Associate Partner (Securities Act category only) |
| <input type="checkbox"/> Advising Representative   | <input type="checkbox"/> Sole Proprietor (Advising)                       |
|  | <input type="checkbox"/> Shareholder                                      |

*Prince Edward Island*

- |  |  |
|--|--|
| <input type="checkbox"/> Salesperson           | <input type="checkbox"/> Branch Manager                |
| <input type="checkbox"/> Officer (Trading)     | <input type="checkbox"/> Compliance Officer            |
| <input type="checkbox"/> Officer (Non-Trading) | <input type="checkbox"/> Counselling Officer (Officer) |
| <input type="checkbox"/> Partner (Trading)     | <input type="checkbox"/> Counselling Officer (Partner) |
| <input type="checkbox"/> Partner (Non-Trading) | <input type="checkbox"/> Counselling Officer (Other)   |
| <input type="checkbox"/> Director              | <input type="checkbox"/> Officer (Non-Advising)        |
| <input type="checkbox"/> Shareholder           | <input type="checkbox"/> Partner (Non-Advising)        |

*Québec***Dealer**

- Representative
- Representative – group savings plan brokerage
- Representative – commodity pool brokerage
- Representative – permanent and preferred shares brokerage
- Representative – investment contract brokerage
- Representative – scholarship plan brokerage
- Director
- Officer
- Officer responsible for the activities in Québec
- Compliance supervisor
- Correspondent (contact person)
- Branch Manager
- Shareholder
- Partner

**Adviser**

- Representative (portfolio manager)
- Representative (adviser)
- Representative acting in derivatives-Options
- Representative acting in derivatives-Futures
- Director
- Officer
- Officer in charge of derivatives-Options
- Officer in charge of derivatives-Futures
- Shareholder
- Officer responsible for the activities in Québec
- Partner

*Saskatchewan*

- |  |   |
|--|---|
| <input type="checkbox"/> Salesperson           | <input type="checkbox"/> Employee (Advising)    |
| <input type="checkbox"/> Officer (Trading)     | <input type="checkbox"/> Officer (Advising)     |
| <input type="checkbox"/> Officer (Non-Trading) | <input type="checkbox"/> Officer (Non-Advising) |
| <input type="checkbox"/> Partner (Trading)     | <input type="checkbox"/> Partner (Advising)     |
| <input type="checkbox"/> Partner (Non-Trading) | <input type="checkbox"/> Partner (Non-Advising) |
| <input type="checkbox"/> Director              |   |

*Yukon*

- |  |   |
|--|---|
| <input type="checkbox"/> Salesperson               | <input type="checkbox"/> Shareholder                |
| <input type="checkbox"/> Officer (Trading)         | <input type="checkbox"/> Officer (Advising)         |
| <input type="checkbox"/> Officer (Non-Trading)     | <input type="checkbox"/> Officer (Non-Advising)     |
| <input type="checkbox"/> Partner (Trading)         | <input type="checkbox"/> Partner (Advising)         |
| <input type="checkbox"/> Partner (Non-Trading)     | <input type="checkbox"/> Partner (Non-Advising)     |
| <input type="checkbox"/> Director                  | <input type="checkbox"/> Sole Proprietor (Advising) |
| <input type="checkbox"/> Sole Proprietor (Trading) |   |
| <input type="checkbox"/> Branch Manager            |   |

*Investment Dealers Association*

- |  |   |
|--|---|
| <input type="checkbox"/> Partner (Industry)                              | <input type="checkbox"/> Registered Representative (Mutual Funds)       |
| <input type="checkbox"/> Partner (Non-Industry)                          | <input type="checkbox"/> Registered Representative (Retail)             |
| <input type="checkbox"/> Director (Industry)                             | <input type="checkbox"/> Registered Representative (Non-Retail)         |
| <input type="checkbox"/> Director (Non-Industry)                         | <input type="checkbox"/> Registered Representative Options (Retail)     |
| <input type="checkbox"/> Officer (Trading)                               | <input type="checkbox"/> Registered Representative Options (Non-Retail) |
| <input type="checkbox"/> Officer (Non-Trading)                           | <input type="checkbox"/> Registered Futures Contract Representative     |
| <input type="checkbox"/> Industry Investor                               | <input type="checkbox"/> Options (Retail)                               |
| <input type="checkbox"/> Non-Industry Investor                           | <input type="checkbox"/> Registered Futures Contract Representative     |
| <input type="checkbox"/> Chief Compliance Officer                        | <input type="checkbox"/> Options (Non-Retail)                           |
| <input type="checkbox"/> Ultimate Designated Person                      | <input type="checkbox"/> Trader - CATS                                  |
| <input type="checkbox"/> Alternate Designated Person                     | <input type="checkbox"/> Trader - TradeCDNX                             |
| <input type="checkbox"/> Designated Registered Options Principal         | <input type="checkbox"/> Trader - Commodity Floor Trader                |
| <input type="checkbox"/> Alternate Registered Options Principal          | <input type="checkbox"/> Associate Portfolio Manager - Securities       |
| <input type="checkbox"/> Designated Registered Futures Options Principal | <input type="checkbox"/> Associate Portfolio Manager - Security Options |
| <input type="checkbox"/> Alternate Registered Futures Options Principal  | <input type="checkbox"/> Associate Portfolio Manager - Commodity        |
| <input type="checkbox"/> Sales Manager                                   | <input type="checkbox"/> Futures Options                                |
| <input type="checkbox"/> Branch Manager                                  | <input type="checkbox"/> Portfolio Manager - Securities                 |
| <input type="checkbox"/> Co-Branch Manager                               | <input type="checkbox"/> Portfolio Manager - Security Options           |
| <input type="checkbox"/> Assistant Branch Manager                        | <input type="checkbox"/> Portfolio Manager - Commodity Futures Options  |
| <input type="checkbox"/> Futures Contract Options Supervisor             |   |
| <input type="checkbox"/> Investment Representative (Mutual Funds)        |   |
| <input type="checkbox"/> Investment Representative (Retail)              |   |
| <input type="checkbox"/> Investment Representative (Non-Retail)          |   |
| <input type="checkbox"/> Investment Representative Options (Retail)      |   |
| <input type="checkbox"/> Investment Representative Options (Non-Retail)  |   |
| <input type="checkbox"/> Investment Futures Contract Representative      |   |
| <input type="checkbox"/> Options (Retail)                                |   |
| <input type="checkbox"/> Investment Futures Contract Representative      |   |
| <input type="checkbox"/> Options (Non-Retail)                            |   |

**SCHEDULE “D”****Address and Agent for Service****Item 7****Address for Service****1. Address for service**

You must have one address for service in each province or territory in which you are now, or are applying to become, a registered individual or permitted individual. A post office box is not an acceptable address for service.

Address for service: \_\_\_\_\_  
(number, street, city, province or territory, postal code)

Telephone number: ( ) \_\_\_\_\_ Fax number: ( ) \_\_\_\_\_

E-mail address: \_\_\_\_\_

**2. Agent for service**

If you have appointed an agent for service, provide the following information for the agent. The address for service provided above must be the address of the agent named below.



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CATS Examination-Written

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Certified Financial Planners Program

---

Chartered Financial Analyst Charter

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Chartered Financial Analyst Course (Level I)

---

Chartered Financial Analyst Course (Level II)

---

Chartered Financial Analyst Course (Level III)

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Commodity Futures Exam (Part 1)

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Commodity Futures Exam (Part 2)

---

Conduct and Practices Handbook Course

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Derivatives Fundamentals Course

---

Derivatives Operational Management Course

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Effective Management Seminar

---

Energy Markets - Risk Management Course

---

Ensis Growth Fund Understanding Labour Sponsored  
Investment Funds (Full Course)

---

Examination based on Manual for Registered Representatives  
(RR Exam)

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Fellow of the Canadian Securities Institute

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Financial Markets Risk Management Course

---

Examination based on Manual for Registered Representatives  
(RR Exam)

---

Futures Floor Trader Examination (Winnipeg Stock Exchange)

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Futures Licensing Course

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General Securities Representative Examination (Series 7)

---

In-House Scholarship Training Program

---

Investment Funds Course

---

Investment Management Techniques

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Labour Sponsored Investment Funds Course

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National Commodity Futures Examination

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New Entrants Examination

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Officers' Partners' and Directors' Course

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Operations Course

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Options Licensing Course

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Options Strategies Course

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Options Supervisors Course

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Partners, Directors and Senior Officers Qualifying Examination

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Personal Financial Planning Diploma

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Portfolio Management Techniques

---

Principles of Mutual Funds Investment Course

---

Professional Financial Planning Course

---

Professional Options Trader Examination

---

Real Estate Agent's Pre-Licensing Course

---

Registered Options Principal's Qualifying Examination

---

Technical Analysis Course (TAC)

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Trader Training Course

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VCT Trader Exam

---

Wealth Management Techniques

---

Other, specify:

---

Other, specify:

---

Other, specify:

---

Other, specify:

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## **SCHEDULE "F"**

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### **Proficiency**

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#### **Item 8**

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##### **Exemption refusal**

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Complete the following for each exemption that was refused.

Which securities regulatory authority or self-regulatory organization refused to grant the exemption?

State the name of the course, examination or experience requirement:

State the reason given for not being granted the exemption:

---

Which securities regulatory authority or self-regulatory organization refused to grant the exemption?

State the name of the course, examination or experience requirement:

State the reason given for not being granted the exemption:

---

**SCHEDULE "G"**  
**Current employment****Item 10****Employment information**

Provide the information requested for each of your current business and employment activities, including those with your sponsoring firm.

- Unemployed
- Full-time student
- Employed or self-employed

From: \_\_\_\_\_  
(YYYY/MM/DD)

You are only required to fill in the following if you have indicated above that you are employed or self-employed.

Name of business or employer:

\_\_\_\_\_

Address of business or employer:

\_\_\_\_\_

(number, street, city, province, territory or state, country)

Name and title of immediate supervisor: \_\_\_\_\_

Describe the type of business or employment and your duties. If you are seeking a type of registration for which specified experience is required, provide details of that experience below (for example, level of responsibility, value of accounts under direct supervision, and research experience):

Indicate the number of hours per week you will be devoting to this business or employment:

\_\_\_\_\_

If the business or employment described above is with the sponsoring firm and if you are working less than 30 hours per week for the firm, explain why you are working less than 30 hours per week for the firm:

If the business or employment described above is not with the sponsoring firm, disclose any potential for confusion by clients and any potential for conflicts of interest arising from your proposed activities as a registrant and the business or employment described above (include whether the business is listed on an exchange):

\_\_\_\_\_

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**SCHEDULE “H”**  
**Previous employment**

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**Item 11**

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**Employment information**

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Provide the information requested for your previous business and employment activities for the 10 year period before the date of this application. Include any periods of self-employment or unemployment during this period. Do not include summer employment while you were a full-time student.

In addition, provide the information requested in respect of all of your securities or exchange contracts (including commodity futures contracts and commodity futures options) business and employment activities during and prior to the ten-year period.

- Unemployed
- Full-time student
- Employed or self-employed

From: \_\_\_\_\_ To: \_\_\_\_\_  
(YYYY/MM/DD) (YYYY/MM/DD)

You are only required to fill in the following if you have indicated above that you are, or were, employed or self-employed.

Name of business or employer:

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Address of business or employer:

---

(number, street, city, province, territory or state, country)

---

Name and title of immediate supervisor: \_\_\_\_\_

Describe the type of business or employment and your duties. If you are seeking a type of registration for which specified experience is required, provide details of that experience below (for example, level of responsibility, value of accounts under direct supervision, and research experience):

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**SCHEDULE “I”**  
**Resignations and terminations**

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**Item 12**

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**Resignation and Termination information**

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For each resignation or termination indicate below, (1) the name of the firm from which you resigned or were terminated, (2) whether you resigned or were terminated, (3) the date you resigned or were terminated, and (4) the circumstances relating to your resignation or termination (including whether the allegations were made by a client, sponsoring firm, self-regulatory organization or securities regulatory authority).

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**SCHEDULE “J”**  
**Regulatory disclosure**

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**Item 13**

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**1. Securities regulatory authorities**

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a) For each registration or licence, indicate below (1) the securities regulatory authority with which you are, or were, registered or licensed, (2) the type or category of registration or licence, and (3) the dates between which you held the registration or licence.

---

b) For each registration or licence, indicate below (1) the name of the firm, (2) the securities regulatory authority with which the firm is, or was, registered or licensed, (3) the type or category of registration or licence, and (4) the dates between which you held the registration or licence.

---

c) For each registration or licence refused, indicate below (1) the party that was refused the registration or licence, (2) the securities regulatory authority that refused the registration or licence, (3) the type or category of registration or licence refused, (4) the date of the refusal, and (5) the reasons for the refusal.

---

d) For each exemption from registration denied, indicate below (1) the party that was denied the exemption, (2) the securities regulatory authority that denied the exemption, (3) the date the exemption was denied, and (4) any other information that you think is relevant or that is requested by the regulator.

---

e) For each order or disciplinary proceeding, indicate below (1) the party against whom the order was made or the proceeding taken, (2) the securities regulatory authority that issued the order or that is, or was, conducting the proceeding, (3) the date any notice of proceeding was issued, (4) the date any order or settlement was made, (5) a summary of any notice, order or settlement (including any sanctions imposed), and (6) any other information that you think is relevant or that is requested by the regulator.

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**2. Self-regulatory organizations**

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a) For each membership or participation, indicate below (1) the party that is, or was, a member or participating organization, (2) the self-regulatory organization with which the party is, or was, a member or participating organization, (3) the type or category of membership or participation, and (4) the dates between which the party was a member or participating organization.

---

b) For each membership or participation refused, indicate below (1) the party that was refused membership or participation, (2) the self-regulatory organization that refused the membership or participation, (3) the type or category of membership or participation refused, (4) the date of the refusal, and (5) the reasons for the refusal.

---

c) For each order or disciplinary proceeding, indicate below (1) the party against whom the order was made or the proceeding taken, (2) the self-regulatory organization that issued the order or that is, or was, conducting the proceeding, (3) the date any notice of proceeding was issued, (4) the date any order or settlement was made, (5) a summary of any notice, order or settlement (including any sanctions imposed), and (6) any other information that you think is relevant or that is requested by the regulator.

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**3. Non-securities regulation**

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a) For each registration or licence, indicate below (1) the party is, or was, registered or licensed, (2) with which regulatory authority, or under what legislation, the party is, or was, registered or licensed, (3) the type or category of registration or licence, and (4) the dates between which the party held the registration or licence.

---

---

b) For each registration or licence refused, indicate below (1) the party that was refused registration or licensing, (2) with which regulatory authority, or under what legislation, the registration or licence was refused, (3) the type or category of registration or licence refused, (4) the date of the refusal, and (5) the reasons for the refusal.

---

c) For each order or disciplinary proceeding, indicate below (1) the party against whom the order was made or the proceeding taken, (2) the regulatory authority that made the order or that is, or was, conducting the proceeding, or under what legislation the order was made or the proceeding is being, or was, conducted, (3) the date any notice of proceeding was issued, (4) the date any order or settlement was made, (5) a summary of any notice, order or settlement (including any sanctions imposed), and (6) any other information that you think is relevant or that is requested by the regulator.

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## **SCHEDULE “K”**

### **Criminal disclosure**

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#### **Item 14**

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##### **Criminal, provincial and territorial offences**

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a) For each charge, indicate below (1) the charge, (2) the date of the charge, (3) any trial or appeal dates, and (4) the court location.

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b) For each conviction, indicate below (1) the offence, (2) the date of the conviction, and (3) the disposition (state any penalty or fine and the date any fine was paid).

---

c) For each charge, indicate below (1) the name of the firm, (2) the charge, (3) the date of the charge, (4) any trial or appeal dates, and (5) the court location.

---

d) For each conviction, indicate below (1) the name of the firm, (2) the offence, (3) the date of the conviction, and (4) the disposition (state any penalty or fine and the date any fine was paid).

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## **SCHEDULE “L”**

### **Civil disclosure**

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#### **Item 15**

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##### **Current and past civil proceedings**

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a) For each civil proceeding, indicate below (1) the party that is, or was, a defendant or respondent, (2) each plaintiff in the proceeding, (3) whether the proceeding is pending, on appeal or final, (4) the jurisdiction in which the action is being, or was, pursued, and (5) a summary of any disposition or settlement. (Disclosure must include those actions settled without admission of liability.)

---

b) For each civil proceeding, indicate below (1) the firm that was a defendant or respondent in the proceeding, (2) your relationship to the firm, (3) each plaintiff in the proceeding, (4) whether the proceeding is pending, on appeal or final, (5) the jurisdiction in which the action is being, or was, pursued, and (6) a summary of any disposition or settlement. (Disclosure must include those actions settled without admission of liability.)

---

## SCHEDULE “M” Financial Disclosure

### Item 16

#### 1. Bankruptcy

For each event, indicate below (1) the party about whom this disclosure is being made, (2) any amounts currently owing, (3) the creditors, (4) the status of the matter, (5) a summary of any disposition or settlement, and (6) any other information that you think is relevant or that is requested by the regulator.

#### 2. Solvency

For each event, indicate below (1) the party that failed to meet its financial obligation, (2) the amount that was owing at the time the party failed to meet its financial obligation, (3) the party to whom the amount is, or was, owing, (4) any relevant dates (for example, when payments are due or when final payment was made), (5) any amounts currently owing, and (6) any other information that you think is relevant or that is requested by the regulator.

#### 3. Surety Bond or Fidelity Bond

For each bond refused, indicate below (1) the name of the bonding company, (2) the address of the bonding company, (3) the date of the refusal, and (4) the reasons for the refusal.

#### 4. Garnishments, Unsatisfied Judgments or Directions to Pay

For each garnishment, unsatisfied judgement or direction to pay, indicate below (1) the amount that was owing at the time the garnishment, judgement or direction to pay was rendered, (2) the party to whom the amount is, or was, owing, (3) any relevant dates (for example, when payments are due or when final payment was made), (4) any amounts currently owing, and (5) any other information that you think is relevant or that is requested by the regulator.

## SCHEDULE “N” Related securities firms

### Item 17

#### Related Securities Firms and Holdings

Indicate below (a) the name of the firm and (b) your relationship to the firm.

a) Firm name:

b) Relationship to the firm and period of relationship:

Partner From: \_\_\_\_\_ / \_\_\_\_\_ To: \_\_\_\_\_ / \_\_\_\_\_ (if applicable)  
(YYYY/MM) (YYYY/MM)

Director From: \_\_\_\_\_ / \_\_\_\_\_ To: \_\_\_\_\_ / \_\_\_\_\_ (if applicable)  
(YYYY/MM) (YYYY/MM)

Officer From: \_\_\_\_\_ / \_\_\_\_\_ To: \_\_\_\_\_ / \_\_\_\_\_ (if applicable)  
(YYYY/MM) (YYYY/MM)

Holder of voting securities over 10 percent From: \_\_\_\_\_ / \_\_\_\_\_ To: \_\_\_\_\_ / \_\_\_\_\_ (if applicable)  
(YYYY/MM) (YYYY/MM)

If you are a holder of 10 percent or more of the voting securities of the firm, complete (c), (d), (e), (f), (g) and (h).

c) State the number, value, class and percentage of securities or the amount of partnership interest you own or propose to acquire upon approval. If acquiring shares upon approval, state source (for example, treasury shares, or if upon transfer, state name of transferor).

d) State the value of subordinated debentures or bonds of the firm to be held by you or any other subordinated loan to be made by you to the firm (if applicable):

e) If another party has provided you with funds to invest in the firm, identify the party and state the relationship between you and that party:

f) Are the funds to be invested (or proposed to be invested) guaranteed directly or indirectly by any person or firm?  Yes  No

If “Yes”, identify the party and state the relationship between you and that party:

g) Have you either directly or indirectly given up any rights with respect to such securities or partnership interest, or do you, on approval of this application, intend to give up any such rights (including by hypothecation, pledging or depositing as collateral the securities or partnership interest with any institution or person)?  Yes  No

If “Yes”, identify the party, state the relationship between you and that party and describe the rights that have been or will be given up:

h) Is a person other than you the beneficial owner of the shares, bonds, debentures, partnership units or other notes held by you?  Yes  No

If “Yes”, complete (i), (j) and (k).

i) Name of beneficial owner:

Last name	First name	Second name (if applicable)	Third name (if applicable)

j) Residential address:

\_\_\_\_\_  
(number, street, city, province, territory or state, country, postal code)

k) Occupation:

**SCHEDULE “O”****Notice and Collection and Use of Personal Information**

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**Contact Information**

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**Alberta**

Alberta Securities Commission  
4th Floor, 300 B 5th Avenue S.W.  
Calgary, AB T2P 3C4  
Attention: Information Officer  
Telephone: (403) 297-6454

**British Columbia**

British Columbia Securities Commission  
P.O. Box 10142, Pacific Centre  
701 West Georgia Street  
Vancouver, BC V7Y 1L2  
Attention: Freedom of Information Officer  
Telephone: (604) 899-6500 or (800) 373-6393  
(in B.C.)

**Manitoba**

The Manitoba Securities Commission  
500-400 Ave St-Mary  
Winnipeg, MB R3C 4K5  
Attention: Director – Legal  
Telephone: (204) 945-4508

**New Brunswick**

New Brunswick Securities Commission  
85 Charlotte Street, Suite 300  
Saint John, New Brunswick E2L 2J2  
Commission des valeurs mobilières du Nouveau-Brunswick  
85, rue Charlotte, bureau 300  
Saint John (Nouveau-Brunswick) E2L 2J2  
Attention: Director Market Regulation  
Directeur de la réglementation du marché  
Telephone: (506) 658-3021

**Newfoundland and Labrador**

Securities Commission of Newfoundland and Labrador  
P.O. Box 8700, 2nd Floor, West Block  
Confederation Building  
St. John's, NF A1B 4J6  
Attention: Director of Securities  
Tel: (709) 729-4189

**Nova Scotia**

Nova Scotia Securities Commission  
2nd Floor, Joseph Howe Building  
1690 Hollis Street  
P.O. Box 458  
Halifax, NS B3J 3J9  
Attention: FOI Officer  
Telephone: (902) 424-7768

**Northwest Territories**

Government of the Northwest Territories  
P.O. Box 1320  
Yellowknife, NT X1A 2L9  
Attention: Deputy Registrar of Securities  
Telephone: (867) 920-8984

**Nunavut**

Legal Registries Division  
Department of Justice  
Government of Nunavut  
P.O. Box 1000 Station 570  
Iqaluit, NU X0A 0H0  
Attention: Deputy Registrar of Securities  
Telephone: (867) 975-6190

**Ontario**

Ontario Securities Commission  
Suite 1903, Box 55  
20 Queen Street West  
Toronto, ON M5H 3S8  
Attention: FOI Coordinator  
Telephone: (416) 593-8314

**Prince Edward Island**

Securities Registry  
Office of the Attorney General B  
Consumer, Corporate and Insurance Services Division  
P.O. Box 2000  
Charlottetown, PE C1A 7N8  
Attention: Deputy Registrar of Securities  
Telephone: (902) 368-4569

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**Québec**

Autorité des marchés financiers  
 800, square Victoria  
 C.P. 246, 22<sup>e</sup> étage  
 Montréal (Québec) H4Z 1G3  
 À l'attention du responsable de l'accès à l'information  
 Telephone: (514) 395-0337 or  
 (877) 525-0337 (in Québec)

**Saskatchewan**

Saskatchewan Financial Services Commission  
 800 B1920 Broad Street  
 Regina, Saskatchewan S4P 3V7  
 Attention: Director  
 Telephone: (306) 787-5842

**Yukon**

Department of Community Services Yukon  
 P.O. Box 2703  
 Whitehorse, YT Y1A 2C6  
 Attention: Registrar of Securities  
 Telephone: (867) 667-5225

**FORM 33-109F5****CHANGE OF REGISTRATION INFORMATION****GENERAL INSTRUCTIONS**

1. This notice must be submitted when notifying a regulator of changes to Form 3 or Form 4 information in accordance with Regulation 33-109.
2. If the NRD filer is relying on the temporary hardship exemption in Regulation 31-102, this form is required to be delivered to the regulator in paper format when notifying a regulator of changes to Form 33-109F4.
3. If this form is being submitted in respect of a change to a Form 3, Form 4 or Form 33-109F4, an authorized partner or officer of the firm must sign the form.

**1. Type of form**

Identify the part of Form 3, Form 4, or Form 33-109F4 for which this notice is being provided. If this notice is being provided to update an individual's Form 4 or Form 33-109F4, provide the name of the individual.

- Form 3, Item(s) \_\_\_\_\_,
- Form 4, Item(s) \_\_\_\_\_, name of individual \_\_\_\_\_, or
- Form 33-109F4, Item(s) \_\_\_\_\_, name of individual \_\_\_\_\_

**2. Details of Change**

Provide the details of the change for each item identified above:

**Notice of Collection and Use of Personal Information**

The personal information required under this form is collected on behalf of and used by the securities regulatory authorities set out below for the administration and enforcement of certain provisions of the securities legislation in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Québec, Nova Scotia, New Brunswick, Prince Edward Island, Newfoundland and Labrador, Northwest Territories, Yukon Territory, and Nunavut.

By submitting this information, you consent to the collection by the securities regulatory authority of the personal information provided above, police records, records from other government or non-governmental regulatory authorities or self-regulatory organizations, credit records and employment records about you as may be necessary for the

securities regulatory authority to complete its review of your continued fitness for registration, if applicable, in accordance with the legal authority of the securities regulatory authority for the duration of the period that you remain registered or approved by the securities regulatory authority. The sources the securities regulatory authority may contact include government and private bodies or agencies, individuals, corporations and other organizations.

If you have any questions about the collection and use of this information, you may contact the securities regulatory authority in any jurisdiction in which the required information is filed, at the address or telephone number provided in Schedule "A".

**WARNING:** It is an offence to submit information that, in a material respect and at the time and in the light of the circumstances in which it is submitted, is misleading or untrue.

### CERTIFICATION

I, the undersigned, certify that I have read and that I understand the questions in this notice and the Warning set out above. I also certify that all statements of fact made in the answers to the questions are true.

\_\_\_\_\_  
Signature of registered or permitted individual

\_\_\_\_\_  
Date

(No signature is required here if this form is being submitted in respect of a change to Form 3 information.)

If this form is being submitted in respect of a change to Form 3, I, the undersigned, certify that I understand the requirements and the Warning in this notice and that all statements of fact provided in this notice are true.

\_\_\_\_\_  
Signature of authorized officer or partner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Firm name

### SCHEDULE "A"

#### Notice and Collection and Use of Personal Information

##### Contact Information

###### Alberta

Alberta Securities Commission  
4th Floor, 300 B 5th Avenue S.W.  
Calgary, AB T2P 3C4  
Attention: Information Officer  
Telephone: (403) 297-6454

###### British Columbia

British Columbia Securities Commission  
P.O. Box 10142, Pacific Centre  
701 West Georgia Street  
Vancouver, BC V7Y 1L2  
Attention: Freedom of Information Officer  
Telephone: (604) 899-6500 or (800) 373-6393  
(in B.C.)

###### Manitoba

The Manitoba Securities Commission  
500-400 Ave St-Mary  
Winnipeg, MB R3C 4K5  
Attention: Director – Legal  
Telephone: (204) 945-4508

###### New Brunswick

New Brunswick Securities Commission  
85 Charlotte Street, Suite 300  
Saint John, New Brunswick E2L 2J2  
Commission des valeurs mobilières du Nouveau-Brunswick  
85, rue Charlotte, bureau 300  
Saint John (Nouveau-Brunswick) E2L 2J2  
Attention: Director Market Regulation  
Directeur de la réglementation du marché  
Telephone: (506) 658-3021

**Newfoundland and Labrador**

Securities Commission of Newfoundland and Labrador  
P.O. Box 8700, 2nd Floor, West Block  
Confederation Building  
St. John's, NF A1B 4J6  
Attention: Director of Securities  
Tel: (709) 729-4189

**Nova Scotia**

Nova Scotia Securities Commission  
2nd Floor, Joseph Howe Building  
1690 Hollis Street  
P.O. Box 458  
Halifax, NS B3J 3J9  
Attention: FOI Officer  
Telephone: (902) 424-7768

**Northwest Territories**

Government of the Northwest Territories  
P.O. Box 1320  
Yellowknife, NT X1A 2L9  
Attention: Deputy Registrar of Securities  
Telephone: (867) 920-8984

**Nunavut**

Legal Registries Division  
Department of Justice  
Government of Nunavut  
P.O. Box 1000 Station 570  
Iqaluit, NU X0A 0H0  
Attention: Deputy Registrar of Securities  
Telephone: (867) 975-6190

**Ontario**

Ontario Securities Commission  
Suite 1903, Box 55  
20 Queen Street West  
Toronto, ON M5H 3S8  
Attention: FOI Coordinator  
Telephone: (416) 593-8314

**Prince Edward Island**

Securities Registry  
Office of the Attorney General B  
Consumer, Corporate and Insurance Services Division  
P.O. Box 2000  
Charlottetown, PE C1A 7N8  
Attention: Deputy Registrar of Securities  
Telephone: (902) 368-4569

**Québec**

Autorité des marchés financiers  
800, square Victoria  
C.P. 246, 22<sup>e</sup> étage  
Montréal (Québec) H4Z 1G3  
À l'attention du responsable de l'accès à l'information  
Telephone: (514) 395-0337 or  
(877) 525-0337 (in Québec)

**Saskatchewan**

Saskatchewan Financial Services Commission  
800 B1920 Broad Street  
Regina, Saskatchewan S4P 3V7  
Attention: Director  
Telephone: (306) 787-5842

**Yukon**

Department of Community Services Yukon  
P.O. Box 2703  
Whitehorse, YT Y1A 2C6  
Attention: Registrar of Securities  
Telephone: (867) 667-5225



## Draft Regulations

### Draft Regulation

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

#### Agricultural Operations — Amendments

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, that the Regulation to amend the Agricultural Operations Regulation, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The purpose of the draft Regulation is to replace the blanket prohibition in Québec on the spreading of fertilizing materials containing carcasses of ruminants, and the spreading in certain places of fertilizing materials containing other types of animal carcasses, by a less restrictive prohibition. The new provision will prohibit compost containing all or any part of carcasses of mammals or fowl as well as municipal sludge or treatment wastewater sludge from being spread on land where crops are being grown for human consumption and on pasture land. Compost derived from household food waste or other sources and sewer sludge from the wastewater treatment plants of slaughterhouses, rendering plants or other meat processing plants will be exempt from the application of the new provision. The fertilizing materials subject to the prohibition may be spread on crops or pasture land if the materials are compliant with the certification standards that govern fertilizer safety.

The proposed amendment will allow for more precise application of the regulation and for limits to be established, in particular as regards the spreading of municipal and other biosolids.

Further information may be obtained by contacting Caroline Fleury, Direction des politiques en milieu terrestre at the Ministère du Développement durable, de l'Environnement et des Parcs, telephone: 418 521-3950 ext. 7242; fax: 418 528-1035; e-mail: caroline.fleury@mddep.gouv.qc.ca.

Any interested 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 Minister of Sustainable Development, Environment and Parks, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7.

LINE BEAUCHAMP,  
*Minister of Sustainable Development,  
Environment and Parks*

### Regulation to amend the Agricultural Operations Regulation\*

Environment Quality Act  
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. a, c and e  
and s. 53.30, 1st par., subpars. 1, 2, 4 and 5)

**1.** The Agricultural Operations Regulation is amended by replacing section 29.1 by the following:

“**29.1.** The spreading of the following fertilizing materials or a product containing any amount of such materials on a parcel of land where a crop for human consumption is grown, or on pasture land, is prohibited:

(1) compost from all or any part of a carcass of a mammal or fowl, including a carcass originating outside Québec; and

(2) sludge from a municipal wastewater treatment plant or any other wastewater treatment or collection system, including sludge originating outside Québec.

Subparagraph 1 of the first paragraph does not apply

(1) to food waste compost composed of organic, vegetal or animal matter, of domestic origin or derived from the preparation, consumption or distribution of food or drink; or

(2) to sewage sludge compost from a wastewater treatment plant of a slaughterhouse, rendering plant or other meat processing plant.

\* The Agricultural Operations Regulation, made by Order in Council 695-2002 dated 12 June 2002 (2002, G.O. 2, 2643), was last amended by the regulation made by Order in Council 906-2005 dated 4 October 2005 (G.O. 2, 4449). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

The first paragraph does not apply to the fertilizing materials to which it refers if they are certified compliant with CAN/BNQ Standard 0413-200 or 0413-400, or with BNQ Standard 0419-090.”.

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

8207

## Draft Regulation

Forest Act  
(R.S.Q., c. F-4.1; 2006, c. 45)

### Changes in the destination of timber allocated to a holder of a timber supply and forest management agreement

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 respecting changes in the destination of timber allocated to a holder of a timber supply and forest management agreement, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the volume of timber harvested during the year which, under a timber supply and forest management agreement, is intended for the agreement holder's wood processing plant and which may, pursuant to the first paragraph of section 43.1.1 of the Forest Act, be sent to other wood processing plants operating under such an agreement; that volume may not exceed in any given year 10% of the annual volumes of timber allocated to the agreement holder under the agreement.

The draft Regulation also determines the volume of timber which, pursuant to the second paragraph of section 43.1.1 of the Act, may be sent to the plant of an agreement holder from other plants operating under an agreement; that volume may not exceed in any given year 10% of the annual volumes of timber allocated to the agreement holder under the agreement, to which may be added volumes equal to the volumes of timber that the agreement holder may have sent to other plants under the first paragraph of section 43.1.1 of the Act.

The draft Regulation will have a positive financial impact on enterprises in the forest industry which will generally translate into positive economic benefits for the regions. It should have no significant impact on the marketing of timber from private forests.

Further information on the draft Regulation may be obtained by contacting Réal Paris, Director, Direction de la gestion des stocks ligneux, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, bureau 7.00, Québec (Québec) G1S 4X4; telephone: 418 627-8648, extension 4275; fax: 418 643-1690; e-mail: real.paris@mrnf.gouv.qc.ca.

Interesting persons having comments to make on the draft Regulation are asked to send them in writing before the expiry of the 45-day period to Paule Têtu, Associate Deputy Minister for Forêt Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10<sup>e</sup> étage, Québec (Québec) G1S 4X4.

CLAUDE BÉCHARD,  
*Minister of Natural Resources  
and Wildlife*

### Regulation respecting changes in the destination of timber allocated to a holder of a timber supply and forest management agreement

Forest Act  
(R.S.Q., c. F-4.1, s. 172, 1st par., subpar. 6.1;  
2006, c. 45, s. 20, par. 1)

**1.** The volume of timber harvested during the year which, under a timber supply and forest management agreement, is intended for the agreement holder's wood processing plant and which may, pursuant to the first paragraph of section 43.1.1 of the Forest Act (R.S.Q., c. F-4.1), be sent to other wood processing plants operating under such an agreement may not exceed, during a given year, 10% of the annual volumes of timber allocated to the agreement holder under the holder's agreement.

**2.** The volume of timber which, pursuant to the second paragraph of section 43.1.1 of the Act, may be sent to an agreement holder's plant from other plants operating under a timber supply and forest management agreement may not exceed, during a given year, 10% of the annual volumes of timber allocated to the agreement holder under the holder's agreement.

**3.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

8220

## Draft Regulation

Building Act  
(R.S.Q., c. B-1.1; 2005, c. 10)

### Construction Code — Chapter I – Building — 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, appearing below, may be approved by the Government, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation amends the Construction Code – Building, to integrate the new edition of the National Building Code (2005 NBC), to add new provisions to meet the various requests made by the construction industry in Québec and to renew most of the amendments introduced at the time Chapter I – Building in the Construction Code was adopted, including the new Part 10 that applies to work performed on existing buildings.

A number of provisions have no significant impact on the public and enterprises, in particular the provisions that

— amend the provisions of the 2005 NBC that introduce the objectives and functional statements attributed to acceptable solutions and that permit the use of alternative solutions to satisfy the regulatory powers in the Building Act (R.S.Q., c. B-1.1);

— better adapt the requirements concerning the construction of a residential board and care occupancy; and

— remove the less stringent condition introduced in the Construction Code adopted in November 2000 concerning the installation of a sprinkler system in residential occupancies of more than 3 storeys to meet the new safety policies in residences for independent-living seniors.

Other provisions will, however, have a significant monetary impact on construction costs. The purpose of these provisions is to

— improve the provisions concerning barrier-free access, including the addition of electric doors in certain vestibules and visual signal devices in dwelling units;

— ensure backfilling under concrete slabs is free of pyrite and require the installation of a membrane to protect against radon infiltration; and

— require the distribution of ventilation in each room of dwelling units.

The provisions should facilitate access to buildings for persons with reduced mobility, increase safety for the hearing-impaired and reduce health costs by ensuring enhanced construction quality and surroundings.

An impact assessment has identified the costs of certain of the new measures.

The provisions concerning resistance to seismic loads when altering existing buildings have been eased to facilitate their application while maintaining a minimum level of safety, mainly for post-disaster buildings.

The measures were adopted by the Régie du bâtiment du Québec under the Building Act.

Further information may be obtained by contacting Yvon Migneault, telephone: 418 643-9906, Régie du bâtiment du Québec, 800, place D'Youville, 15<sup>e</sup> étage, Québec (Québec) G1R 5S3; fax 418 646-9280.

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 Daniel Gilbert, President and Chief Executive Officer, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3<sup>e</sup> étage, Montréal (Québec) H2M 2V2.

DAVID WHISELL,  
*Minister of Labour*

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## Regulation 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, 6.3, 7, 37 and 38, and s. 192;  
2005, c. 10, ss. 59, 62 and 63)

**I.** The Construction Code is amended by replacing Chapter I by the following:

### “CHAPTER I BUILDING

#### DIVISION I INTERPRETATION

**1.01.** In this Chapter, unless the context indicates otherwise, “Code” means the “National Building Code of Canada 2005” (NRCC 47666) and the “Code national du bâtiment – Canada 2005” (CNRC 47666F), published by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, as well as all subsequent amendments and later editions that may be published by that organization.

Despite the foregoing, amendments and new editions published after (*insert the date of coming into force of this Regulation*) apply to construction work only as of the date that is the last day of the sixth month following the month of publication of the French text of the amendments or editions.

#### DIVISION II APPLICATION OF THE NATIONAL BUILDING CODE

**1.02.** Subject to the exemptions set out in a 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 the amendments made by this Chapter, the Code applies to all construction work to which the Act applies that is performed on a building, including its vicinity. The Code also applies to any facility intended for use by the public, designated by a regulation made by the Government under subparagraph 4 of the first paragraph of section 182 of the Act.

#### DIVISION III AMENDMENTS TO THE CODE

**1.03.** A reference in this Chapter to a standard or code that appears in Table 1 is a reference to the standard or code as adopted by the Chapter of the Construction Code that refers to it.

**TABLE 1**

DESIGNATION	TITLE	Construction Code CHAPTER
CAN/CGA-B149.1-M	Natural Gas Installation Code	II
CAN/CGA-B149.2-M	Propane Installation Code	II
NRCC 47668	National Plumbing Code of Canada 2005	III
CAN/CSA-B44	Safety Code for Elevators	IV
CSA-B355	Lifts for Persons with Physical Disabilities	IV
CSA-C22.1	Canadian Electrical Code, Part I	V
CSA-B51	Boiler, Pressure Vessel, and Pressure Piping Code	VI
CAN/CSA-B52	Mechanical Refrigeration Code	VI

\* The Construction Code, approved by Order in Council 953-2000 dated 26 July 2000 (2000, G.O. 2, 4203), was last amended by the regulation approved by Order in Council 220-2007 dated 21 February 2007 (2007, G.O. 2, 1140). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

**1.04.** The Code is amended

(1) by adding the following in the Table of Contents of Volume 1 after Part 9, Division B:

**“Part 10 Existing Buildings under Alteration, Maintenance or Repair”.**

**1.05.** The Code is amended in Division A of Volume 1,

(1) in Article 1.1.1.1., by replacing Sentences (1) to (3) by the following:

“(1) The NBC applies to the construction work performed on every building and facility intended for use by the public as provided in section 1.02 of Chapter I of the Construction Code made pursuant to the Building Act (R.S.Q., c. B-1.1). (See Appendix A.)”;

(2) in Article 1.2.1.1., by replacing Clause (b) of Sentence (1) by the following:

“(b) using alternative solutions that will achieve at least the minimum level of performance required by Division B in the areas defined by the objectives and functional statements attributed to the applicable acceptable solutions approved by the Board (see Appendix A.)”;

(3) by adding the following after Article 1.2.2.3.:

**“1.2.2.4. Lightning Protection**

(1) Every lightning protection system shall comply with CAN/CSA-B72-M, Installation Code for Lightning Protection Systems.”;

(4) by replacing Article 1.3.3.1. by the following:

**“1.3.3.1. Application of Parts 1, 7, 8 and 10**

(1) Parts 1, 7 and 8 of Division B apply to all buildings covered by the NBC. (See Article 1.1.1.1.)

(2) Part 10 of Division B applies to every building under alteration, maintenance or repair that has been built for not less than 5 years, in accordance

with section 1.02 of Chapter I of the Construction Code made pursuant to the Building Act.”;

(5) in Sentence (1) of Article 1.4.1.2.,

(1) by replacing the definition of “Authority having jurisdiction” by “Authority having jurisdiction means the Régie du bâtiment du Québec.”;

(2) by replacing the definition of “Boiler” by “Boiler means an appliance, other than a direct-fired service water heater, for heating a liquid or transforming it into steam.”;

(3) by striking out the definition of “Constructor”;

(4) by replacing the definition of “Grade” by the following:

“Grade (as applying to the determination of building height) means the lowest of the average levels of finished ground when the levels are measured along each exterior wall of a building within 3 m from the wall, based on surveys that include any differences in level other than those providing access to the entrance door of the building for vehicles or pedestrians. (see First storey).”;

(5) by striking out the definition of “Owner”;

(6) by inserting the following after the definition of “Repair garage”:

“Residential board and care occupancy means a care or detention occupancy classified as Group B, Division 2 other than a hospital, an infirmary, a rehabilitation centre or a nursing home for persons requiring personal-support services and needing assistance for their evacuation. (See Appendix A.)”;

(7) by replacing the definition of “Theatre” by the following:

“Theatre means a place of assembly intended for public performances or viewing of plays, operas, cinematographic works or other similar performances or viewing

consisting of an auditorium with permanently fixed seats intended solely for a viewing audience.”;

(8) by replacing “theatrical” in the definition of “Stage” by “public”;

(9) by replacing the definition of “Suite” by the following:

“Suite means a single room or series of rooms of complementary use, operated under a single tenancy, and includes dwelling units, individual guest rooms in motels, hotels, rooming houses and boarding houses, dormitories, single-family dwellings as well as individual stores and indi-

vidual or complementary rooms for business and personal services occupancies. (See Appendix A.)”;

(10) by adding “(See Appendix A.)” at the end of the definition of “Alteration”;

(11) by replacing the definition of “Occupancy” by the following:

“Occupancy means the use or intended use of a building or part thereof.”.

**1.06.** The Code is amended in Division B of Volume 1,

(1) in Table 1.3.1.2. of Article 1.3.1.2.,

(1) by replacing the reference:

“	ANSI/ ASHRAE	62-2001	Ventilation for Acceptable Indoor Air Quality	6.2.2.1.(1)	”
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by the following reference:

“	ANSI/ ASHRAE	62.1-2004	Ventilation for Acceptable Indoor Air Quality	6.2.2.1.(1)	”;
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(2) by inserting the following reference:

“	BNQ	NQ 5710-500/2000	Gaz médicaux ininflammables – Réseaux de distribution des établissements fournissant des services de santé – caractéristiques et méthodes d’essais	3.7.3.1.(1)	”
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after the reference:

“	AWPA	M4-02	Care of Preservative-Treated Wood Products	4.2.3.2.(2) Table 5.10.1.1.	”
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(3) by replacing the reference:

“	CSA	B44-00	Safety Code for Elevators	3.2.6.7.(2) 3.5.2.1.(1) 3.5.2.1.(2) 3.5.2.1.(3) 3.5.4.2.(1) Table 4.1.5.12.	”
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by the following reference:

“	CSA	B44-00 <sup>(2)</sup>	Safety Code for Elevators	3.2.6.7.(2) 3.5.2.1.(1) 3.5.2.1.(2) 3.5.2.1.(3) 3.5.4.2.(1) Table 4.1.5.12.	”
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(4) by replacing the reference:

“	CSA	CAN/CSA-C282-00	Emergency Electrical Power Supply for Buildings	3.2.7.5.(1)	”
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by the following reference:

“	CSA	CAN/CSA-C282-05	Emergency Electrical Power Supply for Buildings	3.2.7.5.(1)	”
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(5) by inserting the following reference:

“	CSA	CAN/CSA-Z91-02	Health and Safety Code for Suspended Equipment Operations	3.5.5.1.(1)	”
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after the reference:

“	CSA	CAN/CSA-Z32-04	Electrical Safety and Electrical Systems in Health Care Facilities	3.2.7.3.(4) 3.2.7.6.(1)	”
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(6) by inserting the following reference:

“	CSA	CAN3-Z271-98	Safety Code for Suspended Elevating Platforms	3.5.5.1.(1)	”
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after the reference:

“	CSA	Z240.10.1-94	Site Preparation, Foundation, and Anchorage of Mobile Homes	9.15.1.3.(1) 9.23.6.3.(1)	”
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(7) by striking out the following reference:

“	CSA	CAN/CSA-Z305.1-92	Nonflammable Medical Gas Piping Systems	3.7.3.1.(1)	”;
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(8) by adding the following after note (1):

“(2) Reference to the edition in force under Chapter IV.”;

(2) by adding the following in the Table of Contents after Subsection 3.5.4. of Part 3 of Division B:

“3.5.5. Window Cleaning System”;

(3) by replacing Article 3.1.2.5. by the following:

**“3.1.2.5. Residential Board and Care Occupancies**

(1) Except as permitted by Sentences (2) to (4), every residential board and care occupancy with sleeping accommodation for not more than 30 persons is permitted, despite the provisions on care or detention occupancies, to be built in compliance with the residential occupancy requirements provided

(a) the building height is not more than 3 storeys,

(b) the residential board and care occupancy is sprinklered throughout (see Article 3.2.2.18.), and

(c) each sleeping room has an addressable photoelectric smoke detector installed in conformance with Sentence 3.2.4.11.(2).

(2) Every residential board and care occupancy with sleeping accommodation for not more than 16 persons is permitted, despite the provisions on care or detention occupancies, to be built in compliance with the residential occupancy requirements provided

(a) the residential board and care occupancy is located on the first storey of a residential occupancy building that is not more than 3 storeys in building height and has one exit opening directly to the exterior at ground level,

(b) where a fire alarm system is not required under Clause 3.2.4.1.(2)(i), photoelectric smoke alarms are

installed in each corridor on each storey and in each sleeping room in conformance with the standards in Article 3.2.4.20. provided

(i) they are interconnected and connected to visual signal devices that allow personnel assigned to the sleeping rooms to see from where the smoke alarm is triggered, and

(ii) they are connected to the fire department or a private monitoring station,

(c) the basement, if it is designed for the occupants of the residential board and care occupancy,

(i) has one exit opening directly to the exterior, and

(ii) does not have sleeping rooms, and

(d) each sleeping room door opening onto a corridor has a hold-open device designed to keep the door open at different positions, installed in conformance with Sentence 3.1.8.12.(5), unless the sleeping rooms are located in fire compartments conforming to the requirements of Sentences 3.3.3.5.(2) to 3.3.3.5.(8).

(3) Every residential board and care occupancy with sleeping accommodation for not more than 10 persons is permitted, despite the provisions on care or detention occupancies, to be built in compliance with the residential occupancy requirements provided

(a) the building not more than 2 storeys in building height consists of one dwelling unit,

(b) each storey designed to receive persons lodged in the occupancy is served by two means of egress,

(i) one opening directly to the exterior, and

(ii) the other leading to another floor area separated from adjoining spaces by a fire separation.



(c) photoelectric smoke alarms are installed in each corridor on each storey and in each sleeping room in conformance with the standards in Article 3.2.4.20. provided

(i) they are interconnected and connected to visual signal devices that allow personnel assigned to the sleeping rooms to see from where the smoke alarm is triggered, and

(ii) they are connected to the fire department or a private monitoring station, and

(d) emergency lighting is provided in all means of egress to maintain the minimum value of illumination in conformance with Article 3.2.7.3. and be equipped with emergency power supply for lighting installed in conformance with Article 3.2.7.4. to maintain emergency lighting for not less than 30 min.

(4) Every convalescent home or children's custodial home with sleeping accommodation for not more than 10 persons is permitted, despite the provisions on care or detention occupancies, to be built in compliance with the residential occupancy requirements provided

(a) the occupants are ambulatory,

(b) the occupants live in a building constituting a dwelling unit, and

(c) each storey designed to receive persons lodged in the occupancy has two means of egress,

(i) one opening directly to the exterior, and

(ii) the other leading to another floor area separated from adjoining spaces by a fire separation.”;

(4) in Article 3.1.4.3.,

(1) by replacing the part of Sentence (1) that precedes Clause (a) by the following:

“(1) Electrical wires and cables, telecommunication wires and cables and optical fibre cables installed in a building permitted to be of combustible construction shall”;

(2) by replacing Subclause (i) of Clause (b) of Sentence (1) by the following:

“(i) a totally enclosed noncombustible raceway; a combustible raceway is permitted to be used provided it does not penetrate a fire separation for which a fire-resistance rating is required (see Appendix A).”;

(3) by adding the following after Sentence (1):

“(2) In the case of a telecommunication cable located within a building, the requirements of Sentence (1) apply to the part of the cable exceeding 3 m, as measured from its point of entry into the building.”;

(5) in Article 3.1.5.6., by adding the following after Sentence (1):

“(2) Continuous wood nailing elements for covering a roof or a bead-type copper wall are permitted in a building required to be of noncombustible construction provided they are installed directly on Type X gypsum board that is at least 15.9 mm thick.”;

(6) in Article 3.1.5.12., by replacing Clause (e) of Sentence (2) by the following:

“(e) any thermal barrier other than foamed plastic insulation that meets the requirements of classification B when tested in conformance with ULC standard CAN4-S124-M, Test for the Evaluation of Protective Coverings for Foamed Plastic (see Appendix A).”;

(7) in Article 3.1.5.16., by replacing Sentence (2) by the following:

“(2) The use of combustible piping is permitted

(a) for water supply, if the piping has an outside diameter not more than 30 mm, and

(b) for sprinklers in a sprinklered floor area in a building required to be of noncombustible construction (see also Article 3.2.5.14.);”;

(8) by replacing Article 3.1.5.18. by the following:

**“3.1.5.18. Wires and Cables**

(1) Except as permitted by Article 3.1.5.19., electrical wires and cables, telecommunication wires and cables and optical fibre cables with combustible insulation, jackets or sheathes are permitted in a building required to be of noncombustible construction provided

(a) the wires and cables exhibit a vertical char of not more than 1.5 m when tested in conformance with the Vertical Flame Test – Cables in Cabletrough in Clause 4.11.4 of CSA C22.2 No. 0.3, Test Methods for Electrical Wires and Cables,

(b) the wires and cables are located in

(i) totally enclosed noncombustible raceways (see A-3.1.4.3.(1)(b)(i) in Appendix A),

(ii) totally enclosed nonmetallic raceways conforming to Article 3.1.5.20.,

(iii) masonry walls,

(iv) concrete slabs, or

(v) a service room separated from the remainder of the building by a fire separation having a fire-resistance rating not less than 1 h,

(c) the wires and cables are communication cables used at the service entry to a building and are not more than 3 m long, or

(d) the wires and cables

(i) do not convey flame or continue to burn for more than 1 min when tested in conformance with the Vertical Flame Test in Clause 4.11.1

of CSA C22.2 No. 0.3, Test Methods for Electrical Wires and Cables,

(ii) are located in concealed spaces within walls.

(See Appendix A.)

(2) The requirement in Clause (1)(a) is considered to be met if the wires and cables exhibit a flame-spread of not more than 1.5 m, a smoke density of not more than 0.5 at peak optical density and a smoke density not more than 0.15 at average optical density when tested in conformance with the Flame and Smoke Test described in Table 1 of Appendix A to CSA C22.2 No. 0.3, Test Methods for Electrical Wires and Cables (FT6 Rating).”;

(9) in Article 3.1.5.20., by replacing “optical fibre cables and electrical wires and cables” in Sentence (1) by “electrical wires and cables, telecommunication wires and cables and optical fibre cables”;

(10) in Article 3.1.8.11., by adding the following after Clause (d) of Sentence (2):

“(e) a sleeping room in a residential board and care occupancy and a public corridor or a room adjoining the sleeping room when it is sprinklered or located in a fire compartment built in conformance with Sentences 3.3.3.5. (2) to 3.3.3.5. (8).”;

(11) in Article 3.1.8.12.,

(1) by replacing “and (4)” in Sentence (1) by “, (4) and (5)”;

(2) by adding the following after Sentence (4):

“(5) A hold-open device permitted by Sentence (1), installed on doors serving sleeping rooms in a residential board and care occupancy referred to in Sentence 3.1.2.5.(2), shall be designed to release upon a signal from a smoke detector or a smoke alarm.”;

(12) in Article 3.1.9.1., by inserting “telecommunication wires and cables” after “electrical wires and cables” in Sentences (1) and (2);

(13) in Article 3.1.9.3.,

(1) by inserting “telecommunication wires and cables” after “electrical wires and cables” in Sentence (1);

(2) by replacing Sentences (2) and (3) by the following:

“(2) Except as permitted by Sentence (3), electrical wires or cables, single or grouped, telecommunication wires and cables and optical fibre cables that are not installed in totally enclosed noncombustible raceways and the wire, cable or group of wires has an outside diameter of not more than 30 mm are permitted to

(a) penetrate a fire separation required to have a fire-resistance rating without being incorporated in the separation at the time of testing as required by Article 3.1.9.2, provided the combustible insulation, jackets and sheathes are in conformance with Clause 3.1.5.18.(1)(a),

(b) penetrate a vertical fire separation required to have a fire-resistance rating, provided the combustible insulation, jackets and sheathes are in conformance with Clause 3.1.5.18.(1)(d), or

(c) penetrate without passing through a horizontal fire separation required to have a fire-resistance rating, provided the combustible insulation, jackets and sheathes are in conformance with Clause 3.1.5.18.(1)(d).

(3) Totally enclosed nonmetallic raceways conforming to Article 3.1.5.20. and single conductor metal sheathed cables with combustible jacketting more than 30 mm in overall outside diameter are permitted to penetrate a fire separation required to have a fire-resistance rating without being incorporated in the separation at the time of testing as required by Article 3.1.9.2.”;

(14) in Article 3.1.9.4.,

(1) by replacing the title “Combustible Piping Penetrations” by “Combustible Duct and Piping Penetrations”;

(2) by replacing Sentence (2) by the following:

“(2) Combustible water distribution piping that has an outside diameter not more than 30 mm is permitted

(a) to penetrate a vertical fire separation that is required to have a fire-resistance rating without being incorporated in the assembly at the time of testing as required by Article 3.1.9.2., provided the piping is sealed in conformance with Clause 3.1.9.1.(1)(b), or

(b) to be embedded in a concrete floor slab that is required to have a fire-resistance rating without being incorporated in the slab at the time of testing as required by Article 3.1.9.2., if the concrete thickness between the combustible raceway and the bottom of the slab is not less than 50 mm.”;

(3) by replacing the part of Sentence (4) preceding Clause (a) by the following:

“(4) Combustible drain, waste, vent and central vacuum cleaning system piping or a bathroom exhaust duct is permitted to penetrate a fire separation required to have a fire-resistance rating or a membrane that forms part of an assembly required to have a fire-resistance rating, provided”;

(4) by striking out “and” at the end of Clause (a) of Sentence (4);

(5) by adding the following after Clause (b) of Sentence (4):

“(c) the vacuum cleaning system piping or the bathroom exhaust duct is serving only one dwelling unit.”;

(15) in Article 3.1.10.7., by replacing Sentence (2) by the following:

“(2) If buildings are separated by a firewall, combustible projections on the exterior of one building, including balconies, platforms, canopies, eave projections and stairs, that extend outward beyond the end of the firewall shall not be permitted within 1.2 m of the centreline of the firewall. (See Article 3.2.3.6.)”;

(16) in Article 3.1.17.1.,

(1) by adding the following in Table 3.1.17.1. under the column Type of Use of Floor Area or Part Thereof, at the end of the list Assembly uses:

“arcades  
libraries, museums and skating rinks  
gymnasiums and physical fitness facilities  
swimming pools  
dance floors  
exhibition halls and interpretation centres”;

(2) by adding the following values in the Table under the column Area per person m<sup>2</sup>, opposite

arcades: “1.85”  
libraries, museums and skating rinks: “3.00”  
gymnasiums and physical fitness facilities: “9.30”  
swimming pools: “(2)”  
dance floors: “0.40”  
exhibition halls and interpretation centres: “3.00”;

(3) by replacing notes (2) and (3) after the Table by the following:

“(2) The occupant load in a swimming pool is obtained by allowing 1.40 m<sup>2</sup> of water area per person in the part of the pool where the depth is 1.40 m or less, and 2.20 m<sup>2</sup> in the other part.

(3) See Clause 3.1.17.1(1)(b).

(4) See A-3.3. in Appendix A.”;

(17) in Article 3.2.2.18.,

(1) by striking out “3.2.2.22.” in Sentence (1);

(2) by replacing Sentence (2) by the following:

“(2) In a building having more than one major occupancy, if a storey or a floor area is required to have an automatic sprinkler system installed throughout in accordance with Article 3.1.2.5., Articles 3.2.2.20. to 3.2.2.83. or Section 3.3., the automatic sprinkler system shall also be installed throughout all lower storeys in the building notwithstanding permission in Articles 3.2.2.20. to 3.2.2.83. (See Appendix A.)”;

(18) by replacing Article 3.2.2.22. by the following:

**“3.2.2.22. Group A, Division 1, One Storey**

(1) A building classified as Group A, Division 1 is permitted to conform to Sentence (2) provided

(a) the building height is 1 storey,

(b) no part of an auditorium floor is more than 5 m above or below grade,

(c) the occupancy of any space above or below the auditorium is a subsidiary occupancy, and

(d) the occupant load of the auditorium floor is not more than 300.

(2) The building is permitted to be of combustible construction if

(a) floor assemblies are fire separations with a fire-resistance rating not less than 45 min,

(b) mezzanines have, if of combustible construction, a fire-resistance rating not less than 45 min,

(c) the roof has a fire-resistance rating not less than 45 min if it is not completely sprinklered or non-combustible,

(d) loadbearing walls, columns and arches supporting an assembly having a fire-resistance rating that meets one of the following requirements:

(i) they have a fire-resistance rating not less than 45 min, or

(ii) they are of noncombustible construction, and

(e) loadbearing walls, columns and arches supporting a fire separation have a fire-resistance rating not less than that required for the fire separation.”;

(19) by replacing Article 3.2.3.6. by the following:

#### **“3.2.3.6. Combustible Projections**

(1) Except for a building containing one or 2 dwelling units only, combustible projections on the exterior of a wall that could expose an adjacent building to fire spread and are more than 1 m above ground level, including balconies, platforms, canopies, eave projections and stairs, shall not be permitted within 1.2 m, calculated horizontally, of

(a) a property line,

(b) the centreline of a public way,

(c) any imaginary line used to determine the limiting distance between 2 buildings or fire compartments located on the same property.”;

(20) in Article 3.2.3.20., by replacing Sentence (1) by the following:

“(1) An underground walkway shall not be designed or used for any purpose other than pedestrian travel unless

(a) the walkway is sprinklered,

(b) the occupancies are limited to major occupancies in Groups D and E, a restaurant or a licensed beverage establishment, and

(c) the walkway and spaces occupied by the occupancies in Clause (b) are in conformance with the requirements of this Code regarding floor areas and occupancy separation.”;

(21) in Article 3.2.4.1., by replacing Clauses (d) and (i) of Sentence (2) by the following:

“(d) an occupant load more than 150, in the case of a Group A, Division 1 building, or 300 in other cases, except in open air seating areas,

(i) a residential occupancy or a residential board and care occupancy with sleeping accommodation for more than 10 persons.”;

(22) in Article 3.2.4.8.,

(1) by inserting “stair” before “shaft” in Clause (c) of Sentence (2);

(2) by adding the following after Clause (g) of Sentence (2):

“(h) walkway having an occupancy permitted by Sentence 3.2.3.19.(1).”;

(23) in Article 3.2.4.10.,

(1) by striking out “and” after “shafts,” in Clause (e) of Sentence (2);

(2) by adding the following after Clause (f) of Sentence (2):

“(g) rooms or premises not intended for the public of a building classified as Group A, Division 1 major occupancy.”;

(3) by adding the following after Sentence (3):

“(4) Fire detectors installed in rooms referred to in Clause (2)(g) shall be rate-of-rise heat detectors.”;

(24) in Article 3.2.4.11., by inserting “and a residential board and care occupancy referred to in Article 3.1.2.5.” after “care or detention occupancy” in Sentence (2);

(25) in Article 3.2.4.17., by adding the following after Sentence (4):

“(5) Visual signal devices connected to the alarm system shall be installed in each dwelling unit and in each sleeping room in a residential occupancy.”;

(26) in Article 3.2.4.18., by replacing Sentence (4) by the following:

“(4) The fire alarm signal sound pressure level shall be not more than 95 dBA measured at a distance of 3 m from each audible signal device.”;

(27) in Article 3.2.4.20., by replacing Sentence (1) by the following:

“(1) Smoke alarms conforming to CAN/ULC-S531-M, Smoke Alarms, shall be installed in each dwelling unit and in each sleeping room not within a dwelling unit, except a sleeping room in

(a) a care or detention occupancy required to have a fire alarm system, or

(b) a residential board and care occupancy in which each sleeping room has a smoke detector.”;

(28) in Article 3.2.5.9., by adding the following after Sentence (6):

“(7) The connection of a standpipe system to the potable water system shall be protected against back-siphonage or back pressure backflow in conformance with Chapter III of the Construction Code.”;

(29) in Article 3.2.5.13.,

(1) by replacing Sentences (2) and (3) by the following:

“(2) Instead of the requirements of Sentence (1), NFPA 13R, Installation of Sprinkler Systems in Residential Occupancies up to and

Including Four Stories in Height, is permitted to be used for the design, construction, installation and testing of an automatic sprinkler system if the system protects

(a) a residential occupancy not more than 4 storeys in building height conforming to Article 3.2.2.42., 3.2.2.43., 3.2.2.45. or 3.2.2.48., or

(b) a residential board and care occupancy with sleeping accommodation for not more than 16 persons.

(3) NFPA 13D, Installation of Sprinkler Systems in One-and Two-Family Dwelling Units and Manufactured Homes, is permitted to be applied instead of the standard in Sentence (1) for the design, construction, installation and testing of an automatic sprinkler system if the system protects

(a) a residential occupancy containing not more than 2 dwelling units,

(b) a residential board and care occupancy in which the occupants reside in a building having only one dwelling unit with sleeping accommodation for not more than 10 persons, or

(c) a building not more than 2 storeys in building height and not more than 2 dwelling units in which

(i) the dwelling unit on the first storey is used as residential board and care occupancy with sleeping accommodation for not more than 10 persons,

(ii) the basement is designed only for the installation of mechanical or maintenance equipment for the building or for storage rooms for the occupants, and

(iii) the water supply capacity for the sprinkler system is not less than 30 min.”;

(2) by adding the following after Sentence (8):

“(9) the connection of a sprinkler system to a potable water system shall be protected against back-siphonage or back pressure backflow in conformance with Chapter III of the Construction Code.”;

(30) in Article 3.2.5.15., by adding “(See Appendix A.)” after “catwalks.” in Sentence (1);

(31) in Article 3.2.6.5., by replacing Clause (a) of Sentence (6) by the following:

“(a) installed in service spaces that do not contain other combustible material and separated from the remainder of the building by a fire separation having a fire-resistance rating not less than 1 h, or”;

(32) by replacing Article 3.2.6.9. by the following:

**“3.2.6.9. Protection of Electrical Conductors**

(1) Electrical conductors used in connection with fire alarm systems and safety equipment described in Articles 3.2.6.2. to 3.2.6.8. shall be protected against fire exposure from the source of power supply to the branch circuits serving the system or equipment in conformance with Sentence (3).

(2) Electrical conductors connecting an alarm and control facility to the fire alarm control unit that are in different fire compartments shall be protected against fire exposure in conformance with Sentence (3).

(3) Conductors referred to in Sentences (1) and (2) shall be

(a) installed in a service space that does not contain other combustible material and separated from the remainder of the building by a fire separation having a fire-resistance rating not less than 1 h, or

(b) protected against fire exposure to ensure operation of the system or equipment for not less than 1 h; the

protection shall be determined following testing in conformance with CAN/ULC-S101-M, Fire Endurance Tests of Building Construction and Materials.”;

(33) in Article 3.2.8.1., by adding the following after Sentence (3):

“(4) In a building of Group C major occupancy, the public corridor shall not be in an interconnected floor space and shall not penetrate an interconnected floor space to reach an exit.”;

(34) in Article 3.2.8.2., by inserting “stairways that do not serve as exit,” before “escalators” in Sentence (5);

(35) in Article 3.3.1.5., by inserting “and indoor ranges having an occupant load not more than 10 persons” after “dwelling units” in Sentence (1);

(36) in Article 3.3.1.12., by replacing Sentence (3) by the following:

“(3) Movable partitions used to separate a public corridor from an assembly occupancy, a business and personal services occupancy, a mercantile occupancy or a low hazard industrial occupancy need not conform to Sentence (1) and Sentences 3.3.1.11.(1) and (2), provided the partitions are not located in the only means of egress. (See Appendix A.)”;

(37) in Article 3.3.1.13., by replacing Sentence (2) by the following:

“(2) A door in an access to exit shall be readily openable in travelling to an exit without requiring keys, special devices or specialized knowledge of the door opening mechanism, except that this requirement does not apply to

(a) a door serving a contained use area or an impeded egress zone, provided the locking devices conform to Sentence (6), and

(b) a door located in a corridor serving a patient’s sleeping room in a facility operating a residential and long-care care centre within the meaning of

section 83 of the Act respecting health services and social services (R.S.Q., c. S-4.2) if the door has an electromagnetic lock installed in conformance with Sentence 3.4.6.15.(4).”;

(38) by replacing Article 3.3.1.16. by the following:

**“3.3.1.16. Curved or Spiral Stairs**

(1) Except as permitted by Sentence (2), a curved or spiral stair is permitted in a stairway not required as an exit under Section 3.4. provided

(a) each tread has a minimum run not less than 150 mm and an average run not less than 200 mm, and

(b) risers are in conformance with Sentence 3.4.6.7.(2).

(2) A curved or spiral stair is permitted in a stairway not accessible to the public, that is not required as an exit under Section 3.4. and that is located within a dwelling unit or in part of a floor area of a Group C, D, E or F, Division 2 or 3 occupancy provided

(a) it serves not more than 2 consecutive floor areas and not more than 6 persons,

(b) it has a clear width not less than 860 mm if it is adjacent to walls and not less than 760 mm in other cases,

(c) it has a run equal to not less than 225 mm measured at 500 mm from the end of the narrowest tread,

(d) risers are uniform between 125 and 200 mm, and

(e) the stairway between 2 storeys turns in the same direction.”;

(39) in Article 3.3.2.4.,

(1) by replacing “Sentence (4)” in Sentence (3) by “Sentences (4) and (5)”;

(2) by adding the following after Sentence (4):

“(5) The requirements of Sentence (3) for fixed seats with backs do not apply if

(a) each row has an unobstructed passage with minimum width of 400 mm required by Clause (1)(c) plus 6.1 mm for each additional seat above 16 seats in the row, and

(b) the travel distance is not more than 45 m measured along the path of travel from any seat to an exit or to an egress doorway.”;

(40) in Article 3.3.3.1., by replacing Sentence (1) by the following:

“(1) This Subsection applies to care or detention occupancies other than a residential board and care occupancy built in conformance with Article 3.1.2.5. (See Appendix A.)”;

(41) by adding the following after Article 3.3.4.7.:

**“3.3.4.8. Height of door sills and window sills**

(1) Windows and doors with sills located at more than 600 mm above the floor, another floor level or a landing shall be conform to Articles 9.6.4.1. and 9.7.1.5.”;

(42) in Article 3.3.5.4., by replacing “The” in Sentence (5) by “Except as permitted by Clause 3.8.3.18.(1)(c), the”;

(43) by adding the following after Article 3.3.5.9.:

**“3.3.5.10. Flat Roofs for Heliports**

(1) A flat roof used for landing a helicopter shall comply with the requirements of Articles 2.13.1.1. to 2.13.2.2. of the NFC.”;

(44) in Article 3.4.2.1.,

(1) by replacing Sentence (2) by the following:



“(2) Every floor area or part of a floor area located at not more than 1 storey above or below the first storey is permitted to be served by one exit, provided

(a) the occupant load having access to the exit is not more than 60,

(b) the exit leads directly to the exterior without passing through another exit serving another storey,

(c) the floor area or part of the floor area and the travel distance are not more than the values in Table 3.4.2.1.A. if the floor area is not sprinklered throughout, and

(d) if the floor area is sprinklered throughout,

(i) the travel distance is not more than 25 m,

(ii) the floor area or part of the floor area is not more than the value in Table 3.4.2.1.B.

(See Appendix A.)”;

(2) by striking out “from a floor area classified as Group B or Group C occupancy,” in Sentence (3);

(45) in Article 3.4.4.4., by inserting “telecommunication wires and cables” in Clause (b) of Sentence (1) after “electrical wires and cables”;

(46) in Article 3.4.6.15.,

(1) by replacing Clauses (e) and (g) of Sentence (4) by the following:

“(e) except as permitted by Sentence (5), the locking device is permitted to be released by

(i) a force of not more than 90 N applied to the door opening hardware that initiates an irreversible process that will release the locking device within 15 s and not relock until the door has been opened; or

(ii) in the case of a building or part of a building used by a facility operating a residential and long-term care centre, by a manual pull station installed within 0.5 m of each door equipped with such a mechanism and on which the following notice is written, in letters at least 15 mm high with lines at least 3 mm wide, in contrasting colours:

**In case of fire, the door may be opened by activating the manual pull station located**

(left or right depending on the location of the station);

(g) the exit door, equipped with the unlocking device described in Subclause 3.4.6.15.(4)(e)(i), has a permanent sign in letters at least 15 mm high with lines at least 3 mm wide, in contrasting colours, indicating that the locking device will release within 15 s of applying pressure to the door-opening hardware.”;

(2) by replacing Sentence (5) by the following:

“(5) The release of the unlocking device in Subclause (4)(e)(i) may be delayed not more than 3 s within the 15 s for the opening of the door provided a visual sign informs the occupants that they must push on the door-opening hardware for not less than 3 s.

(6) The lock installed on the principal entrance door of a building of residential occupancy containing more than one suite shall have a device

(a) permitting its automatic unlocking when an alarm signal is triggered, and

(b) designed to leave the door unlocked during the entire time the alarm signal is sounding in the building.

(7) Door hardware for the operation of the doors referred to in this Section shall be installed at a height not more than 1,200 mm above the finished floor.”;

(47) in Article 3.5.1.1., by replacing “and dumbwaiters” in Sentence (1) by “, dumbwaiters and window cleaning systems”;

(48) in Article 3.5.2.1., by adding the following after Sentence (3):

“(4) Every passenger elevator shall have a voice synthesizer announcing the storeys served installed in conformance with Appendix E of CAN/CSA-B44, Safety Code for Elevators.”;

(49) in Article 3.5.4.1.,

(1) by replacing “If” in Sentence (1) by “Except as permitted by Sentence (3), if”;

(2) by adding the following after Sentence (2):

“(3) An elevator serving a building not more than 3 storeys and not more than 600 m<sup>2</sup> is permitted to have dimensions that are less than the dimensions in Sentence (1) without being less than the dimensions required in Appendix E of CAN/CSA-B44, Safety Code for Elevators, provided it

(a) serves an occupancy other than a Group B, Division 2 occupancy, and

(b) is not described to in Article 3.3.1.7.”;

(50) by adding the following Subsection after Article 3.5.4.2.:

### “3.5.5. Window Cleaning Systems

#### 3.5.5.1. Referenced Standards

(1) Every window cleaning system shall conform to

(a) CAN/CSA-Z91, Health and Safety Code for Suspended Equipment Operations, and

(b) CAN3-Z271, Safety Code for Suspended Elevating Platforms.”;

(51) in Article 3.6.3.4., by replacing Clause (b) of Sentence (1) by the following:

“(b) the individual fire compartments shall not have individual fans that exhaust directly into the exhaust duct, except if the fans have a connection that extends at least 500 mm into the exhaust duct.”;

(52) in Article 3.6.4.3., by replacing Subclause (ii) of Clause (a) of Sentence (1) by the following:

“(ii) electrical wires and cables, telecommunication wires and cables and optical fibre cables that exhibit a vertical char not more than 1.5 m when tested in conformance with the Vertical Flame Test in Article 4.11.4. of CSA-C22.2 No. 0.3, Test Methods for Electrical Wires and Cables, or that meet the conditions in Sentence 3.1.5.18. (2).”;

(53) in Article 3.7.2.2.,

(1) by striking out Sentence (2);

(2) by replacing “Except as permitted by Sentence (2), if” in Sentence (3) by “If”;

(3) by replacing Sentence (4) by the following:

“(4) A single water closet shall be permitted to be installed for both sexes if

(a) the occupant load determined for one of the occupancies described in Sentence (6), (10), (12), (13), (14) or (16) is not more than 10,

(b) the total area used for an art gallery or a Group E occupancy is not more than 250 m<sup>2</sup>,

(c) the occupant load in a facility where courses are given or in a restaurant is not more than 25, or

(d) the number of children in a day care centre is not more than 15.”;

(3) by adding the following after Sentence (16):

“(17) Except as permitted by Section 3.8., the required water closets shall be located

(a) at not more than one storey above or below the storey containing the persons who require the fixtures, or

(b) at such a distance that no person shall be required to walk more than 60 m to reach the facilities in the case of a restaurant or a licensed beverage establishment.”;

(54) in Article 3.7.2.7., by adding the following after Sentence (1):

“(2) A cemented or paved floor or part of floor that is below ground level shall have a floor drain in its lower part or shall drain towards such a floor drain.

(3) A paved garage attached or adjacent to a building shall be equipped with a sump or retention pit used as a floor drain.”;

(55) by replacing Article 3.7.3.1. by the following:

**“3.7.3.1. Medical Gas Piping**

(1) A non-flammable medical gas piping system shall be installed in conformance with NQ 5710-500, Gaz médicaux ininflammables – Réseaux de distribution des établissements fournissant des services de santé – caractéristiques et méthodes d’essais.”;

(56) in Article 3.8.1.1.,

(1) by replacing Clause (a) of Sentence (1) by the following:

“(a) houses, including semi-detached houses, duplexes, triplexes, town houses, row houses, boarding houses and rooming houses with not more than 10 rooms.”;

(2) by replacing “buildings” in Clause (c) of Sentence (1) by “industrial occupancies”;

(57) in Article 3.8.1.2., by replacing Sentence (1) by the following:

“(1) In addition to the barrier-free entrances required by Sentence (2), not less than 50% of the pedestrian entrances, including the principal entrance, except service entrances, shall be barrier-free and shall lead from

(a) the outdoors at sidewalk level, or

(b) a ramp that conforms to Article 3.8.3.4. and leads from a sidewalk.”;

(58) in Article 3.8.1.4., by inserting “and be located not more than 45 m from the escalator” after “level” at the end of Sentence (1);

(59) in Article 3.8.1.5., by striking out “that are intended to be operated by the occupant and are located in or adjacent to a barrier-free path of travel” in Sentence (1);

(60) in Article 3.8.2.1.,

(1) by replacing “or other platform-equipped passenger-elevating device” in Sentence (1) by “platform-equipped passenger-elevating device or ramps that shall conform to 3.4.6.6.(1)(a)”;

(2) by replacing Clause (g) of Sentence (2) by the following:

“(g) to floor levels not served by a passenger elevator, a platform-equipped passenger-elevating device, an escalator, an inclined moving walk or a ramp that shall conform to 3.4.6.6.(1)(a)”;

(3) by replacing Clause (k) of Sentence (2) by the following:

“(k) within a suite of residential occupancy not referred to in Article 3.8.2.4.”;

(61) in Article 3.8.2.2.,

(1) by striking out “(See Appendix A.)” at the end of Sentence (1);

(2) by replacing Sentence (3) by the following:

“(3) If a barrier-free path of travel is required for a parking area of 25 spaces or more, at least 1% of the parking spaces, with a minimum of one space, shall

(a) conform to Article 3.8.3.18., and

(b) be located, in the parking area, as near as possible to the closest barrier-free entrance of the building.

(4) Each barrier-free parking space shall

(a) have a width not less than 2400 mm,

(b) have a side aisle not less than 1500 mm, parallel to the entire length of the space, indicated by contrasting marking; the aisle is permitted to be shared by 2 parking spaces, and

(c) have a clear height of not less than 2,300 mm in the case of an indoor parking area.

(5) An exterior passenger loading zone shall have

(a) an access aisle not less than 1,500 mm wide and 6,000 mm long, adjacent and parallel to the vehicle pull-up space,

(b) a curb ramp, where there are curbs between the access aisle and the vehicle pull-up space, and

(c) a clear height of not less than 2,750 mm at the pull-up space and along the vehicle access and egress routes.”;

(62) in Article 3.8.2.3.,

(1) by replacing Sentence (2) by the following:

“(2) A washroom need not conform to the requirements of Sentence (1) provided

(a) the washroom is located within a suite of residential occupancy,

(b) the washroom is located within a suite not more than 250 m<sup>2</sup> and other barrier-free washrooms are provided on the same floor area within 45 m, or

(c) the suite has not less than one barrier-free washroom on the same floor area.”;

(2) by replacing “for dwelling units only” in Clause (b) of Sentence (3) by “located in dwelling units”;

(63) by adding the following after Article 3.8.2.3.:

#### “3.8.2.4. Hotels and Motels

(1) At least 10% of the suites of a hotel or motel shall

(a) have a barrier-free path of travel extending to the inside of each room and to the balcony, where applicable, and

(b) be distributed evenly among storeys having a barrier-free path of travel.

(2) Every suite having a barrier-free path of travel as required by Sentence (1) shall have a bathroom that

(a) conforms to Clauses 3.8.3.12.(1)(a) to (i),

(b) has an unobstructed area not less than 1,200 mm in diameter extending the full height of the room; a door is permitted to open inward if it does not reduce the unobstructed area,

(c) has a bathtub conforming to Article 3.8.3.17. or a shower conforming to Article 3.8.3.13., and

(d) has a towel rod located not higher than 1,200 mm from the floor so as to be easily accessible by a person in a wheelchair.

- (3) Every closet in such a suite shall
- (a) have an open space not less than 1,500 mm in diameter in front of the door,
  - (b) have a door that opens to its full width, and
  - (c) have a rod located not more than 1.3 m from the floor.”;
- (64) in Article 3.8.3.1.,
- (1) by replacing “, elevator or parking space” in Sentence (2) by “or elevator”;
  - (2) by adding the following after Sentence (4):
 

“(5) Parking designed to be barrier-free shall be designated by a P-150-5 sign standardized by the Minister of Transportation where section 308 of the Highway Safety Code so requires. (See Appendix A.)”;
- (65) in Article 3.8.3.2., by adding the following after Sentence (1):
- “(2) If an exterior walk that is part of a barrier-free path of travel measures more than 30 m long, it shall include sections not less than 1,500 mm wide by 2,000 mm long at intervals not more than 30 m.”;
- (66) in Article 3.8.3.3.,
- (1) by replacing Sentence (4) by the following:
 

“(4) A threshold for a doorway described in Sentences (1) and (2) shall be,

    - (a) except as permitted by Clause (b), not more than 13 mm higher than the finished floor and beveled, and
    - (b) in the case of a threshold for a doorway giving access to a balcony, not more than 75 mm higher than the finished floor.”;
- (2) by inserting “, including the interior door of a vestibule referred to in Article 3.8.1.2. and every door of a vestibule leading from a barrier-free interior parking area to an elevator.”;
- (67) in Article 3.8.3.4., by replacing Clause (a) of Sentence (1) by the following:
- “(a) have a width not less than 870 mm between two handrails and not more than 920 mm, if the ramp does not reduce the required width of a means of egress.”;
- (68) in Article 3.8.3.5., by adding the following after Sentence (1):
- “(2) Every passenger-elevating device shall conform to the following requirements:
- (a) each landing door shall have an electric opening mechanism when it is required under Sentence 3.8.3.3.(5),
  - (b) every control device shall be operable by hand pressure, and
  - (c) every device travelling vertically shall have a platform not less than 800 mm by 1,500 mm; if the exit need to be at right-angle, the dimension of the platform shall be sufficient for a wheelchair to turn.”;
- (69) in Article 3.8.3.8., by replacing Subclause (iii) of Clause (b) of Sentence (1) by the following:
- “(iii) swings outward, unless an unobstructed area not less than 1,200 mm in diameter is provided within the stall (see Appendix A).”;
- (70) in Article 3.8.3.11.,
- (1) by striking out Subclause (ii) of Clause (c) of Sentence (1);
  - (2) by replacing “205” in Subclause (iii) of Clause (c) of Sentence (1) by “280”;
- (71) in Article 3.8.3.12., by replacing Subclause (iii) of Clause (b) of Sentence (1) by the following:

“(iii) if it is an outward swinging door, a delayed action door closer so that the door closes automatically and that a door closer is not required under 3.1.8.11.”;

(72) in Article 3.8.3.14., by striking out Sentence (4);

(73) by replacing Article 3.8.3.17. by the following:

**“3.8.3.17. Bathtubs**

(1) Every barrier-free bathtub shall

(a) have a clear floor space not less than 800 by 1,500 mm along its full length,

(b) have a slip-resistant surface on the bottom,

(c) have a rim that is between 400 and 460 mm above the floor,

(d) have no doors,

(e) have faucets conforming to Clause 3.8.3.13.(1)(g),

(f) have a hand-held shower head equipped with

(i) a diverter valve that can be operated with a closed fist by a seated person,

(ii) a flexible hose not less than 1,800 mm long, and

(iii) a bracket enabling a seated person to use the hand-held shower head as a fixed shower head,

(g) have a soap holder that conforms to Clause 3.8.3.13.(1)(i), and

(h) have 2 grab bars having a finish that prevents hands from slipping and that

(i) can resist a load of 1.3 kN,

(ii) have a section between 30 and 40 mm in diameter,

(iii) measure not less than 1,200 mm long,

(iv) are installed with a clearance between 35 and 45 mm from the wall,

(v) in the case of one grab bar, is installed horizontally between 180 and 280 mm above the rim of the bathtub and lengthwise, and

(vi) in the case of the other grab bar, is installed vertically near the faucets, on the access side of the bathtub so that the lower end is between 180 and 280 mm above the bathtub rim.”;

(74) in Table 3.9.1.1. of Article 3.9.1.1.,

(1) by adding the following at the end of Sentence 3.1.8.12.(4):

“

(5)	[F03-OP1.2]
	[F03-OS1.2]

”;

(2) by striking out “, Sprinklered” in the title of Article 3.2.2.22.;

(3) by striking out Sentence 3.2.2.22.(1);

(4) by replacing the last two lines of Sentence 3.2.2.22.(2) by the following:

“

	(b), (c), (d) [F04-OP1.3]
	(b), (c), (d) [F04-OS1.3]

”;

(5) by adding the following in Sentence 3.2.3.20.(1):

“

	[F03-OP1.2]
	[F03-OS1.2]

”;

(6) by adding the following after Sentence 3.2.4.10.(3):

“

(4)	[F11-OS1.5]
-----	-------------

”;

(7) by adding the following after Sentence 3.2.5.9.(6):

“

(7)	[F46-OH2.2]
-----	-------------

”;

(8) by adding the following after Sentence 3.2.5.13.(8):

“

(9)	[F46-OH2.2]
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”;

(9) by adding the following after Sentence 3.2.6.9.(2):

“

(3)	[F06-OP1.2]
	[F06-OS1.2]

”;

(10) by adding the following after Sentence 3.2.8.1.(1):

“

(4)	[F10, F12-OS1.5]
-----	------------------

”;

(11) by replacing Sentence 3.4.6.15.(5) by the following:

“

(6)	[F12-OS1.5]
	[F12-OP1.2]
(7)	[F10-OS3.7]
	[F73-OA1]

”;

(12) by adding the following after Sentence 3.5.2.1.(3):

“

(4)	[F73 -OA1]
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”;

(13) by adding the following after Sentence 3.5.4.2.(1):

“

<b>3.5.5.1. Referenced Standards</b>	
(1)	[F30, F81-OS3.1] [F30-OS2.3]

”;

(14) by adding the following after Sentence 3.7.2.7.(1):

“

(2)	[F30-OS3.1]
	[F40-OH2.4]
(3)	[F30-OS3.1]
	[F40-OH2.4]

”;

(15) by replacing Sentence 3.8.2.2.(3) by the following:

“

(3)	(b) [F73-OA1]
(4)	[F73-OA1]
(5)	(a) [F74-OA2]
	(b) [F73-OA1]
	(c) [F74-OA2]

”;



(16) by adding the following after Article 3.8.2.3.:

“

<b>3.8.2.4. Hotels and Motels</b>	
(1)	[F73-OA1]
(2)	[F74-OA2]
(3)	[F74-OA2]

”;

(17) by adding the following after Sentence 3.8.3.1.(4):

“

(5)	[F73 -OA1]
-----	------------

”;

(18) by adding the following after Sentence 3.8.3.2.(1):

“

(2)	[F73 -OA1]
-----	------------

”;

(19) by adding the following after Sentence 3.8.3.5.(1):

“

(2)	(a) [F73-OA1]
	(b) [F74-OA2]
	(c) [F73-OA1]

”;

(20) by adding the following after Article 3.8.3.16.:

“

<b>3.8.3.17. Bathtubs</b>	
(1)	[F74-OA2]

”;

(75) in Article 4.2.5.8., by adding “(See Appendix A.)” after Sentence (2);

(76) by replacing Article 6.2.2.1. by the following:

**“6.2.2.1. Required Ventilation**

(1) All buildings shall be ventilated in accordance with this Part.

(2) Except in storage garages covered by Article 6.2.2.3., dwelling units and corridors covered by Article 6.2.2.8., ventilation systems that supply outdoor air to buildings shall

(a) have rates that are not less than the rates required by ANSI/ASHRAE-62.1, Ventilation for Acceptable Indoor Air Quality, or

(b) be installed in conformance with one of the methods in that standard.

(3) The installation shall be verified and tested to ensure that the difference between the air flow rate measured and the rate prescribed by the designer does not exceed 10% and a report must be drawn up to record the air flow rate measured and the corresponding air flow rate for each outlet grill, diffuser, outdoor air intake, used air outlet and ventilation system indicated on the plans given to the owner.”;

(77) in Article 6.2.2.6., by replacing Sentence (1) by the following:

“(1) Except as required by Sentence 3.6.3.1.(1) and Article 3.6.4.2., ventilation systems shall be designed, constructed and installed to conform to NFPA-96, Ventilation Control and Fire Protection of Commercial Cooking Operations, in the following cases:

(a) the cooking equipment, except a microwave oven, a food-warmer or a toaster, is of a commercial type; and

(b) the cooking equipment is listed according to the applicable manufacturing standard as a residential type and is used for cooking or heating food for an occupant load that exceeds the limit of one family.”;

(78) by adding the following after Article 6.2.2.7.:

#### “6.2.2.8. Dwelling Units

(1) This Article applies to the ventilation of dwelling units and corridors serving the dwelling units.

(2) Ventilation of all other occupancies, rooms and spaces of occupancies shall conform to Part 6.

(3) Self-contained mechanical ventilation systems that serve only one dwelling unit and that conform to Subsection 9.32.3. are deemed to conform to this Article.

(4) Dwelling units and corridors serving the dwelling units shall be mechanically ventilated.

(5) Stair wells serving dwelling units need not be ventilated unless such ventilation is required by other parts of this Code.

(6) Mechanical ventilation systems of dwelling units shall include

(a) a main ventilation system, and

(b) additional exhaust fans.

(7) The main ventilation system of dwelling units shall include

(a) a used air outlet located inside the dwelling unit, and

(b) air outlets that allow the supply of outdoor air to the dwelling unit.

(8) The main ventilation system of the dwelling unit shall be operated by a manual switch located in the living-room of the dwelling unit and marked **VENTILATION FAN**.

(9) The main ventilation system of the dwelling unit shall not be in operation when all the manual controls are in the off position.

(10) The main ventilation system of the dwelling unit shall have the operating exhaust capacity indicated in Table 9.32.3.3.

(11) The outdoor air supply ventilation system shall have a rated capacity equal to plus or minus 10% of the actual normal operating exhaust capacity of the exhaust ventilation system.

(12) The air intake and air outlets of the main ventilation system of a dwelling unit shall be installed in the ceiling or in a wall, not less than 2 m above the floor, and be designed and installed to promote air diffusion at the ceiling level.

(13) Outdoor air admitted shall be heated to not less than 12°C before it reaches living areas.

(14) Outdoor air shall be supplied to the dwelling units by a network of main and secondary supply ducts that conform to the requirements of Articles 9.32.3.5.(10) and 9.32.3.5.(11).

(15) Measures shall be taken to ensure free circulation of the air from one room to another, in particular by providing spaces under the doors or by doors with tilted louvers or grilles.

(16) A range hood with a rated capacity not less than 50 L/s shall be installed in the kitchen.

(17) An exhaust ventilation fan having a rated capacity not less than 25 L/s shall be installed in a bathroom or washroom.

(18) Article 9.32.3.8. shall apply to all dwelling units that

(a) have a space-heating appliance or a combustion storage-type service water heater of a type other than a direct ventilation or a forced ventilation, and

(b) are located in regions where soil gas emissions are a problem and are not equipped with an active system for attenuating gas fumes.

(19) Corridors serving dwelling units shall be ventilated mechanically with an outdoor air supply system at an air exchange rate of 0.3 per hour.”;

(79) in Article 6.2.3.15., by replacing Sentence (2) by the following:

“(2) Fans and associated air-handling equipment such as air washers, filters, heating or cooling units, shall be

(a) of a type designed for outdoor use, when installed on the roof or elsewhere outside the building, and

(b) equipped with a nameplate of a contrasting colour that is easily accessible and that indicates the features of the equipment.”;

(80) in Article 6.2.6.1., by replacing “construction, installation and alteration” in Sentence (1) by “construction and installation”;

(81) by striking out Article 6.3.1.4.;

(82) in Table 6.4.1.1. of Article 6.4.1.1.,

(1) by adding the following after Sentence 6.2.2.1.(2):

“

(3)	[F81 –OH1.1]
-----	--------------

”;

(2) by adding the following after Article 6.2.2.7.:

“

<b>6.2.2.8 Dwelling Units</b>	
(4)	[F40, F50, F52-OH1.1] [F51, F52-OH1.2] [F40, F50, F53-OS3.4]
(6)	[F40, F50, F52-OH1.1] [F51, F52-OH1.2]
(7)	[F40, F50, F52-OH1.1] [F51, F52-OH1.2]
(8)	[F81-OH1.1]

(9)	[F81-OH1.1]
(10)	[F40, F50, F52-OH1.1] [F51, F52-OH1.2]
(11)	[F43, F50, F53-OS3.4]
	[F53-OH1.1]
	[F53, F63-OS2.3]
(12)	[F40-OH1.1] [F51, F54-OH1.2]
(13)	[F51, F54-OH1.2]
(14)	[F40, F50, F52-OH1.1]
(15)	[F40, F50, F52-OH1.1]
(16)	[F40, F52-OH1.1]
(17)	[F40, F52-OH1.1]
(18)	[F53-OH1.1]
(19)	[F40, F50, F52-OH1.1] [F51, F52-OH1.2]
	[F40, F50, F53-OS3.4]

(83) by striking out Article 7.1.1.2.;

(84) by striking out Articles 8.2.3.3. to 8.2.3.5.;

(85) by striking out Subsections 8.2.4. and 8.2.5.;

(86) by striking out Sentences 8.2.3.3.(1) to 8.2.5.4.(1) in Table 8.3.1.1. of Article 8.3.1.1.;

(87) in Article 9.3.1.3., by replacing Sentence (1) by the following:

“(1) Concrete in contact with soil or with an aggregate backfill likely to produce sulfates deleterious to normal cement shall meet the requirements of Clause 15.5 of CSA-A23.1, Concrete Materials and Methods of Concrete Construction, or be adequately protected against sulfating by another means of protection. (See note A-9.13.2.1.3.)”;

(88) in Article 9.7.1.5., by replacing Sentences (1) and (2) by the following:

“(1) Except as provided in Sentence (2), every openable window in a residential occupancy shall be protected by

(a) a guard installed in accordance with Section 9.8, or

(b) a mechanism capable of blocking the free swinging or sliding of the window and limit vertically or horizontally the opening to not more than 100 mm.

(2) Windows need not be protected according to Sentence (1) where

(a) the window sill is located not less than 900 mm above the finished floor on the inside of the room, or

(b) the floor level, under the window, is located not more than 600 mm above another floor or the ground located on the other side of the window.”;

(89) in Article 9.8.3.1.,

(1) by replacing the title by the following:

“**Straight, Curved and Spiral Runs in Stairs**”;

(2) by inserting “and stairs not accessible to the public in other occupancies” after “dwelling units” in Sentence (2);

- (3) by inserting “or spiral” after “curved” in Clause (b) of Sentence (2);
- (90) in Article 9.8.4.5.,
- (1) by replacing “Individual” in the part of Sentence (1) preceding Clause (a) by “Except as provided in Sentences (3) and (4), individual”;
- (2) by replacing “Where” in Sentence (2) by “Except as provided in Sentences (3) and (4), where”;
- (3) by adding the following after Sentence (2):
- “(3) Winders in a spiral stair serving not more than two dwelling units and not constituting the only means of egress of a dwelling unit shall
- (a) have a clear width between 760 mm and 860 mm,
- (b) have equal runs not less than 225 mm when measured 500 mm from the narrower end, and
- (c) turn in the same direction between two storeys.
- (4) Winders of spiral stairs not accessible to the public, located within a dwelling unit or that are not a required exit in part of a floor area that has another occupancy serving not more than 2 consecutive floor areas and not more than 6 persons, shall
- (a) have a clear width not less than 860 mm if adjacent to walls and not less than 760 mm in other cases,
- (b) have equal runs not less than 225 mm measured 500 mm from the narrower end, and
- (c) turn in the same direction between two storeys.”;
- (91) in Article 9.8.8.1., by adding the following after Clause (c) of Sentence (2):
- “(d) for interior stairs of a dwelling unit serving a basement designed only for the installation of mechanical or maintenance equipment of the building, if each open side of the stairs is equipped with a hand-rail.”;
- (92) in Article 9.9.4.2., by replacing “adjacent floor area or from another exit” in Sentence (1) by “floor area or from another adjacent exit”;
- (93) by inserting “, 9.9.8.2.(2)” after “9.9.7.4.(1)” in the title of Table 9.9.7.4.;
- (94) in Article 9.9.8.2., by replacing Sentence (2) by the following:
- “(2) Except as provided in Subsection 9.9.9., a single exit is permitted from every floor area or part of a floor area located not more than one storey above or below the first storey if
- (a) the occupant load having access to the exit is not more than 60,
- (b) the exit leads directly to the exterior without passing through another exit serving another storey, and
- (c) the floor area or part of the floor area and the travel distance are not more than the values in Table 9.9.7.3.”;
- (95) in Article 9.9.8.5., by replacing Sentence (5) by the following:
- “(5) If exit stairs open into a lobby, the stairs shall be isolated from the lobby by a fire separation that conforms to Sentence 9.9.4.2.(1).
- (6) Passenger elevators shall be permitted to open into the lobby provided the elevator doors are designed to remain closed except while loading and unloading passengers.”;
- (96) in Article 9.10.2.1., by replacing “Except as provided in Article 9.10.2.2., every” in Sentence (1) by “Every”;
- (97) by striking out Article 9.10.2.2.;
- (98) in Article 9.10.9.6., by replacing Sentences (4) and (9) by the following:
- “(4) Electrical wires and cables, telecommunication wires and cables and optical fibre cables, single or grouped, having an

overall diameter not more than 30 mm, with combustible jacketing that is not totally enclosed in raceways of noncombustible material, are permitted to partly or wholly penetrate an assembly required to have a fire-resistance rating without being incorporated in the assembly at the time of testing as required by Sentence (2).

(9) Combustible piping for central vacuum systems or a bathroom exhaust duct not more than 100 mm in diameter is permitted to penetrate a fire separation provided the installation conforms to the requirements that apply to combustible drain, waste and vent piping specified in Sentences 9.10.9.7.(2) to (6).”;

(99) in Article 9.10.9.7., by adding the following after Sentence (6):

“(7) Water distribution piping is permitted to be embedded in a concrete slab required to have a fire-resistance rating without being incorporated in the slab at the time of testing as required by Article 3.1.9.2., if the concrete thickness between the piping and the bottom of the slab is not less than 50 mm.”;

(100) in Article 9.10.9.18., by replacing Sentence (2) by the following:

“(2) Individual fire compartments referred to in Sentence (1) shall not be equipped with individual fans that exhaust directly into the exhaust duct unless the fans have upward extensions that reach not less than 500 mm into the exhaust duct located in the vertical service space.”;

(101) in Article 9.13.2.1., by replacing Sentence (3) by the following:

“(3) Floors in detached garages and floors in unenclosed portions of buildings need not be dampproofed. (See Appendix A.)”;

(102) in Article 9.13.2.7., by replacing Sentence (2) by the following:

“(2) Dampproofing membranes installed below the floor shall conform to Article 9.13.4.2.”;

(103) in Article 9.13.4.1.,

(1) by replacing Sentence (2) by the following:

“(2) Construction to prevent the leakage of soil gas into the building is not required for detached garages or garages adjacent to the building and unenclosed portions of buildings.”;

(2) by replacing “or” in Clause (a) of Sentence (4) by “and”;

(104) in Article 9.13.4.2., by adding “(See Appendix A-9.13.2.1.(3).)” at the end of Sentence (1);

(105) in Article 9.13.4.6., by replacing “building owner” in Sentence (7) by “contractor”;

(106) in Article 9.14.6.3., by replacing Sentence (1) by the following:

“(1) If a window well is drained to the foundation footing or other suitable location of a building, the drain shall be oriented towards the foundation drainage system.”;

(107) in Article 9.16.2.1., by replacing Sentence (2) by the following:

“(2) Granular material need not be installed under

(a) slabs in detached garages, carports or accessory buildings, or

(b) an industrial occupancy where the nature of the process contained therein permits or requires the use of large openings in the building envelope even during the winter.”;

(108) in Article 9.16.2.2., by replacing “(See also Article 9.4.4.4. and A-9.4.4.4.(1) in Appendix A” in Sentence (1) by “(See Appendix A, Article 9.4.4.4. and notes A-4.2.5.8. and A-9.4.4.4.(1).)”;

(109) in Article 9.31.6.1., by replacing Sentence (1) by the following:

“(1) Where a hot water supply is required by Article 9.31.4.2., equipment shall

(a) ensure an adequate supply of service hot water, and

(b) be installed in conformance with Chapter III of the Construction Code.”;

(110) in Article 9.31.6.2., by inserting “combustion storage-type” before “service water heaters” in Sentence (3);

(111) by striking out Article 9.32.3.6.;

(112) in Article 9.34.1.5.,

(1) by inserting “, telecommunication wires and cables and optical fibre cables” after “cables” in Sentence (1);

(2) by inserting “, telecommunication wires and cables and optical fibre cables” after “cables” in Sentence (2);

(113) in Article 9.35.2.2, by replacing Sentence (1) by the following:

“(1) The floor of an interior garage or a garage attached to a dwelling unit shall drain into a sump or a retention pit used as a floor drain.”;

(114) in Table 9.36.1.1. of Article 9.36.1.1.,

(1) by replacing “and curved” in the title of Article 9.8.3.1. by “, curved and spiral”;

(2) by adding the following after Sentence 9.8.4.5.(2):

“

(3)	[F30-OS3.1] [F10-OS3.7]
(4)	[F30-OS3.1] [F10-OS3.7]

”;

(3) by replacing Sentence 9.9.8.5.(5) by the following:

“

(5)	[F12, F10, F05, F06-OS1.5]
(6)	[F05-OS1.5]

”;

(115) by adding the following after Part 9:

**“PART 10**

**Existing Buildings under Alteration, Maintenance or Repair**

**10.1. General**

**10.1.1. Application**

**10.2. Application Conditions**

**10.2.1. Calculation of Building Height**

**10.2.2. Provisions applicable to Maintenance, Repair or Alteration Work**

**10.3. Fire Protection, Occupant Safety and Accessibility**

**10.3.1. General**

**10.3.2. Building Fire Safety**

**10.3.3. Safety in Floor Areas**

**10.3.4. Exit Requirements**

**10.3.5. Vertical Transportation**

**10.3.6. Service Facilities**

**10.3.7. Health Requirements**

**10.3.8. Barrier-Free Design**

**10.4. Structural Design**

**10.4.1. Structural Loads and Procedures**

**10.5. Environmental Separation**

**10.5.1. Exclusion**

**10.6. Heating, Ventilation and Air Conditioning**

**10.6.1. General**

**10.7. Plumbing**

**10.7.1. General**

**10.8. Safety Measures at Construction and Demolition Sites**

**10.8.1. General**

**10.9. Housing and Small Buildings****10.9.1. Structural Requirements and Barrier-Free Design****10.9.2. Means of Egress****10.9.3. Fire Protection****10.10. Objectives and Functional Statements****10.10.1. Objectives and Functional Statements****PART 10****Existing Buildings under Alteration, Maintenance or Repair****Section 10.1 General****10.1.1. Application****10.1.1.1. Application**

(1) The application of this Part shall be as described in Article 1.3.3.1. of Division A.

**10.1.1.2. Definitions**

(1) Words in italics are defined in Section 1.4 of Division A.

**Section 10.2. Application Conditions****10.2.1. Calculation of Building Height****10.2.1.1. Determination of the First Storey**

(1) For the purposes of this Part, the reference level for determining the first storey used to establish the building height or to determine if a building is a high building, shall be

- (a) the grade,
- (b) the average finished ground level differences around the building, excluding entrances, or
- (c) the level of the ground adjacent to the existing principal entrance for any building built before 1 December 1977, unless an alteration modifies more than 50% of the floor areas of the building and the alteration involves the change of its structural elements when rebuilding.

**10.2.2. Provisions Applicable to Maintenance, Repair or Alteration Work****10.2.2.1. Maintenance or Repair Work**

(1) Maintenance or repair work on a building, part of a building, or an element thereof, and on an appliance, equipment, system, or facility covered by this Code shall be performed so as to maintain or restore it in good condition without altering its characteristics or functions.

**10.2.2.2. Alterations**

(1) The Code applies

(a) except as provided in Sentence (2) and the provisions of this Part, to every alteration of a building or part of a building, including the design and construction work (foundation, erection, renovation, modification or demolition work) performed for that purpose,

(b) in the provisions of this Part, to every element, appliance, system, facility, equipment or unaltered portion of a building or part of a building.

(2) The Code does not apply to a change in occupancy for which there is no alteration work, unless such a change involves

(a) an increase in the occupant load, as determined in conformance with Subsection 3.1.17.,

(b) a Group A, B, C, E, or F, Division 1 or 2 occupancy, or

(c) a building becoming a high building, as determined in conformance with Subsection 3.2.6.

(3) For the purposes of this Part,

(a) the retrofitting of a floor area or part of a floor area is considered a major alteration if it involves altering the majority of the elements and components of the walls, ceilings and floors, renders the alarm or sprinkler system inoperative or renders the means of egress unusable, and



(b) any other retrofitting of a floor area or part of a floor area is considered a minor alteration.

(See Appendix A.)

### Section 10.3. Fire Protection, Occupant Safety and Accessibility

#### 10.3.1. General

##### 10.3.1.1. Separation of Major Occupancies

(1) A fire separation that separates the altered part from another occupancy shall have a fire-resistance rating determined according to Subsection 3.1.7. and conform to Article 3.1.3.1.; the fire-resistance rating measured on the unaltered side may be

(a) less than the required fire-resistance rating, without being less than 45 min if the fire separation between the two occupancies must have a fire-resistance rating of more than one hour, or

(b) less than 45 min in the case of a fire separation having a fire-resistance rating not less than one hour or in the case of a minor alteration.

##### 10.3.1.2. Combustible and Noncombustible Construction

(1) The provisions of Subsections 3.1.4. and 3.1.5. for the protection of foamed plastic insulation apply to the unaltered elements of a building or part of a building under alteration and to the unaltered elements of any means of egress of the building.

##### 10.3.1.3. Interior Finish

(1) Except in the case of a minor alteration, the provisions of Subsection 3.1.13. concerning the flame-spread rating apply to the unaltered interior finish of ceilings and the upper half of the walls of every access to exit corridor from the access to exit door serving a part of the building under alteration to the nearest exit, provided

(a) the flame-spread rating exceeds 75, and

(b) the alteration involves an increase in the occupant load as determined in conformance with Subsection 3.1.17.

#### 10.3.2. Building Fire Safety

##### 10.3.2.1. Noncombustibility of Buildings

(1) Except as provided in Sentence (2), the provisions of this Code requiring a noncombustible construction for a building having a building height equal to that of the uppermost storey where the alteration is being carried out, apply, in the altered part, to the unaltered combustible elements of a building required to be of noncombustible construction, except in the case of a minor alteration or provided

(a) the floor area where the altered part is located and the storeys located below are equipped with a sprinkler system conforming to Articles 3.2.5.13. to 3.2.5.15.; a sprinkler system is not required for the storey below if the floor of the altered part forms a fire separation having a fire-resistance rating at least equal to the fire-resistance rating required for the floor area of the storey below having an occupancy other than a Group B, Division 2 occupancy or a Group F, Division 1 occupancy, and

(b) the building is not equipped with a fire alarm and detection system conforming to Subsection 3.2.4.

(2) The provisions of this Code requiring a noncombustible construction also apply to the unaltered combustible elements of a building required to be of noncombustible construction provided

(a) the floor area is increased during an alteration by more than 10% of the floor area or 150 m<sup>2</sup>, except if

(i) the altered floor area and the storeys located below are equipped with a sprinkler system conforming to Articles 3.2.5.13. to 3.2.5.15., and

- (ii) the building is equipped with a fire alarm and detection system conforming to Subsection 3.2.4., and
- (b) the building height is increased, except if the building is equipped with
  - (i) a sprinkler system conforming to Articles 3.2.5.13. to 3.2.5.15., and
  - (ii) a fire alarm and detection system conforming to Subsection 3.2.4.
- (3) If the Code requires both noncombustible construction and a sprinkler system, the design and installation of the sprinkler system shall conform to Chapters 4 and 5 of NFPA 13, Installation of Sprinkler Systems, for a level of risk higher than the level established in that standard for the intended occupancy.

### 10.3.2.2. Construction and Protection of Buildings

- (1) Except as provided in Sentences (2) and (3), when an alteration increases the level of the requirements of Subsection 3.2.2. following a change of occupancy or an increase in the building height or floor area, the requirements of Subsection 3.2.2. concerning the construction and protection of buildings in relation to their occupancies and dimensions that apply to the part under alteration also apply to
  - (a) any other adjacent part that is not separated from the altered part by a fire separation having a fire-resistance rating at least equal to the fire-resistance rating required for the floors under Subsection 3.2.2., and
  - (b) the storey below the altered part when
    - (i) the altered part must be sprinklered, and
    - (ii) the fire-resistance rating of the fire separation, between the altered part and the floor area below, is less than the fire-resistance rating required in conformance with Articles 3.1.3.1. and 3.2.2.20. to 3.2.2.83., if the building need not

be sprinklered; the fire-resistance rating is permitted to be limited to the part of the floor and to the structural elements supporting the altered part, if the latter is separated from the remainder of the floor area in accordance with Clause (a).

(2) During a major alteration, if the provisions concerning the installation of a sprinkler system in Subsection 3.2.2. apply to the alteration, the provisions also apply to an adjacent part of a building that is not separated from the altered part by a fire separation having a fire-resistance rating at least equal to the fire-resistance rating required for the floors under Subsection 3.2.2.

(3) The provisions concerning the installation of a sprinkler system under Subsection 3.2.2. do not apply to the alteration of a building or a part of a building not equipped with such a system, in the following cases:

- (a) the increase in floor area during an alteration is not more than 10% of the building area or 150 m<sup>2</sup>,
- (b) the work carried out is a minor alteration within the meaning of Sentence 10.2.2.2.(3),
- (c) for a noncombustible building, when the work carried out does not require the noncombustibility of the building or floor area under alteration,
- (d) for the alteration of a building containing an occupancy other than a Group B, Division 2 or Group F, Division 1 occupancy, by limiting the building height to that of the uppermost storey where the alteration is being carried out and for which a sprinkler system would not be required,
- (e) for the alteration of a combustible building containing an occupancy other than a Group B, Division 2 or Group F, Division 1 occupancy, by limiting the building height to that of the uppermost storey where the alteration is being carried out and for which a sprinkler system is not required if the occu-

pant load, determined according to Subsection 3.1.17. for the intended occupancy, is not more than 60, or

(f) except in the case of a high building or a Group B, Division 2 or a Group F, Division 1 occupancy, during a major alteration if the fire-resistance rating of the floors, walls, columns and support arches of the altered floor area conform to the fire-resistance rating required under Articles 3.1.3.1 and 3.2.2.20. to 3.2.2.83.

### 10.3.2.3. Spatial Separation and Exposure Protection

(1) The provisions of Subsection 3.2.3. for spatial separation and exposure protection apply in the case of an alteration, to the modification of any existing part of an exposing building face, if the modification results in

(a) an increase in the surface of the openings beyond the limit referred to in Sentence 3.2.3.1.(1) for unprotected openings,

(b) a reduction in the limiting distance, or

(c) a reduction in the resistance to fire.

(2) When a building or part of a building is under alteration, a party wall that is not built as a firewall shall

(a) conform to the provisions of Subsection 3.1.10. for the construction of a firewall from the ground up, if the height of the party wall has been increased, except as provided in Clause (b), and

(b) have a fire-resistance rating not less than 2 h on the altered side and ensure smoke-tightness from the floor of the altered part to the underface of the floor or roof located above the alteration.

### 10.3.2.4. Fire Alarm and Detection Systems

(1) For an alteration, Subsection 3.2.4. covering fire alarm and detection systems applies to the building that is not equipped

with such a system and any part of a system that is not electrically supervised and equipped with separate zone indicators if the alteration results in

(a) an increase in the occupant load, in the altered part, that exceeds the occupant load stated in Sentence 3.2.4.1.(2),

(b) a new Group A, B, C, E, or F, Division 1 or 2 occupancy,

(c) an increase in the building area by more than 10% or 150 m<sup>2</sup>,

(d) an increase in the number of storeys, or

(e) an alteration that constitutes a major alteration within the meaning of Sentence 10.2.2.2.(3).

(2) This Section does not apply to a voice communication system, except in the case of an increase in the number of storeys.

### 10.3.2.5. Provisions for Firefighting

(1) The provisions of Articles 3.2.5.7. to 3.2.5.19. apply to the unaltered part of a sprinkler system or standpipe system, where the alteration of a building or part of a building increases building height or floor area by more than 10% of the building area or more than 150 m<sup>2</sup>, except if the system

(a) has a fire department connection,

(b) is of the wet pipe type in the heated parts of the building, and

(c) has an approved booster pump capable of providing the pressure required by NFPA 13, Installation of Sprinkler Systems, or NFPA 14, Installation of Standpipe and Hose Systems, when the water pressure in the system is lower than that pressure, except as provided in Sentence (2).

(2) The residual water pressure at the top-most hose connection of a standpipe system of a building referred to in Clause (1)(c) is permitted to be less than the pressure required by NFPA 14, Instal-

lation of Standpipe and Hose Systems, but not lower than 207 kPa if the requirement in Clause 3.2.5.9.(5)(c) is met.

### 10.3.2.6. Additional Requirements for High Buildings

(1) Except as provided in Sentence (2), Subsection 3.2.6. covering additional requirements for high buildings applies to a high building in accordance with Part 3 that is under an alteration that results in

- (a) a change of occupancy so that it becomes a Group B or C building,
- (b) an increase in building height, or
- (c) an alteration of more than 50% of the floor areas for a reconstruction.

(2) This Subsection also applies to the entire building that becomes a high building following an alteration resulting in

- (a) a change of occupancy of the building, or
- (b) an increase in building height, except if the increase is not more than 4 m and its floor area is not more than 10% of the area of the storey located immediately below without exceeding 150 m<sup>2</sup>.

(3) Sentence 3.2.6.5.(2) does not apply to an elevator modified to become an elevator for use by firefighters.

### 10.3.2.7. Emergency Power for Firefighting

(1) The provisions of Clause 3.2.7.9.(1)(b) covering emergency power for water supply apply to an existing fire pump if an alteration results in an increase in building height.

### 10.3.3. Safety Within Floor Areas

#### 10.3.3.1. Access to Exit

(1) The provisions of Section 3.3. covering access to exit apply to every unaltered access to exit serving part of a floor area under alteration provided

(a) the unobstructed height is not more than 1,900 mm,

(b) the unobstructed width is not more than 760 mm in the case of a corridor covered in Sentence 3.3.1.9.(2),

(c) the length of dead-end corridors exceeds

- (i) 6 m for a residential occupancy, except as provided in Sentences (2) and (3), or
- (ii) 12 m for Groups A, D, E and F, Divisions 2 and 3, occupancies, and

(d) the separation of the corridors from the remainder of the building is not smoke-tight.

(2) A public corridor covered in Subclause (1)(c)(i) that is located in a residential occupancy other than a hotel or motel is permitted, when the fire separation of the corridor has a fire-resistance rating of not less than 45 min, to have a dead-end part not exceeding 12 m provided

- (a) the doors of the dwelling units have
  - (i) a self-closing mechanism and they do not lock automatically, and
  - (ii) a smoke barrier around them,

(b) the corridor has smoke detectors connected to a fire alarm system installed as required by Subsection 3.2.4., and

(c) the floor area is sprinklered throughout as required by Articles 3.2.5.13. to 3.2.5.15., except if the building has a building height of not more than 4 storeys and each dwelling unit has a balcony accessible to the fire department.

(3) A public corridor covered in Subclause (1)(c)(i) that is located in a residential occupancy other than a hotel or motel is permitted, when the fire separation of the corridor has a fire-resistance rating of not less than 1 h, to have a dead-end part not exceeding 15 m provided

(a) the doors of the dwelling units have

(i) a self-closing mechanism and they do not lock automatically, and

(ii) a smoke barrier around them,

(b) the corridor has smoke detectors connected to a fire alarm system installed as required by Subsection 3.2.4., and

(c) the floor area is sprinklered throughout, as required by Articles 3.2.5.13. to 3.2.5.15., except if the building has a building height not more than 6 storeys and each dwelling unit has a balcony accessible to the fire department.

### 10.3.3.2. Separation of Suites

(1) In the case of the alteration of a suite, the fire separation separating the suite from any other unaltered suite or room shall have a fire-resistance rating determined according to Subsection 3.1.7. and comply with Article 3.3.1.1; the fire-resistance rating on the unaltered side is permitted to be less than the required fire-resistance rating.

### 10.3.3.3. Barrier-Free Floor Areas

(1) Except in the case of a minor alteration, any part of an unaltered floor area on a storey under alteration shall comply with Article 3.3.1.7., if the room or part of the floor area accessible by elevator must be barrier-free as required by Article 10.3.8.1.

### 10.3.4. Exit Requirements

#### 10.3.4.1. Dimensions and Protection of Exits and Exit Stairs

(1) Except in the case of a minor alteration, any unaltered exit required to serve a floor area or part of a floor area under alteration shall

(a) have a minimum unobstructed width not less than 760 mm (see Appendix A), and

(b) subject to Sentences (2) and (3), be separated from the remainder of the building by a fire separation with a fire-resistance rating not less than 45 min for a building not more than 3 storeys in building height and not less than 1 h for other buildings.

(2) An unaltered stairway required as an exit to serve a floor area or part of a floor area under alteration need not have the fire separation required in Clause (b) of Sentence (1) provided

(a) the alteration work will not increase the requirements for the means of egress,

(b) the building is not more than 3 storeys in building height,

(c) the main occupancy of the building is a school,

(d) half of the required exits are separated from the remainder of the building by a fire separation having a fire-resistance rating required by this Code,

(e) it is not necessary to pass through it to reach another exit required when the occupant load is more than 60,

(f) any corridor or room opening onto it is separated from it by a fire separation having a fire-resistance rating not less than 45 min and any door opening onto it has a self-closing mechanism, a latching mechanism and, if it is kept opened, an electromagnetic device connected to the alarm system, and

(g) any corridor or room opening onto it has smoke detectors that must be placed near the openings on the stairway.

(3) An unaltered stairway required as an exit to serve a floor area or a part of a floor area under alteration need not have the fire separation required in Clause (b) of Sentence (1) provided

(a) the alteration work will not increase the requirements for the means of egress,

(b) it is used to connect the first storey with the storey above or below but not both,

(c) the floor areas it connects serve any occupancy other than a Group A, B or C occupancy,

(d) half of the exits required are separated from the remainder of the building by a fire separation having a fire-resistance rating required by this Code and they lead directly to the exterior,

(e) the travel distance to the exterior exit door on the first storey is not more than 15 m,

(f) the building has an alarm system that conforms to Subsection 3.2.4., and

(g) a smoke detector is located above the uppermost flight of stairs.

#### 10.3.4.2. Direction of Door Swing

(1) The provisions of Article 3.4.6.11. covering the direction of an exit door swing apply to every unaltered exterior exit door serving a floor area or part of a floor area of an occupancy other than a Group F, Division 1 occupancy that is under alteration, except if

(a) the exit door opens directly onto a public way, independently from any other exit when it serves only one floor area or part of a floor area under an occupant load determined according to Subsection 3.1.17., not more than

(i) 40 persons when there is only one exit door, or

(ii) 60 persons when there is one exit door and a second means of egress, or

(b) the exit door serves not more than 30 persons in a building not more than 18 m in building height and

(i) it opens directly onto a step, a public way or an obstacle which reduces its required minimum width and it is located not more than 1.5 m above the public way, and

(ii) the occupants have access to a second means of egress.

#### 10.3.4.3. Curved Exit Stairs

(1) A curved or spiral exit stair that is not under alteration but that is used to serve a floor area or part of a floor area under alteration shall

(a) comply with Article 10.3.4.1., and

(b) not serve a day care centre or a residential board and care occupancy.

#### 10.3.5. Vertical Transportation

##### 10.3.5.1. Exclusion

(1) Article 3.5.4.1. covering the inside dimensions of elevator cars does not apply to a facility under alteration.

#### 10.3.6. Service Facilities

##### 10.3.6.1. Service Rooms and Vertical Service Spaces

(1) The provisions of Subsections 3.6.2. and 3.6.3. apply during an alteration other than a minor alteration to an unaltered service room located on a floor area or part of a floor area and to an unaltered vertical service space passing through it, except if the room or space is separated from the remainder of the building by a fire separation having a fire-resistance rating not less than

(a) 2 h for any room containing combustion appliances, located in a Group B or F, Division 1 building that is more than 2 storeys in building height or that has a building area more than 400 m<sup>2</sup>,

(b) 1 h for any other service room or a linen chute or refuse chute, or

(c) 45 min for any other vertical service space.

### 10.3.7. Health Requirements

#### 10.3.7.1. Plumbing Facilities

(1) An unaltered plumbing facility serving part of a building under alteration shall meet the requirements of Subsection 3.7.2. when the alteration involves an increase in occupant load by more than 25.

### 10.3.8. Barrier-Free Design

#### 10.3.8.1. General

(1) When a building does not have barrier-free access, section 3.8. covering barrier-free design does not apply to the building or part of the building under alteration, provided

- (a) the work involves
  - (i) a service facility other than a vertical transportation facility for which a barrier-free path of travel is required by Article 10.3.8.2., or
  - (ii) a floor area or suite occupied by not more than 60 persons or that has an area not more than 250 m<sup>2</sup>,
- (b) the floor area served by a pedestrian entrance
  - (i) cannot be accessed from the public way by an external ramp built in conformance with Article 10.3.8.4., without encroaching on that way,
  - (ii) is located more than 900 mm from the public way level, or
  - (iii) is located more than 600 mm from the entrance level, and
- (c) the difference in levels between the floor of the pedestrian entrance and the floor of the elevator is more than 600 mm, when the part of the floor area under alteration can be accessed by an elevator.

#### 10.3.8.2. Areas Requiring Barrier-Free Paths of Travel

(1) When the application of Section 3.8. is not excluded by Sentence 10.3.8.1.(1), Sentence 3.8.2.1.(1) applies in the part of the building not under alteration only to the path of travel required to connect

- (a) at least one pedestrian entrance to
  - (i) the floor area or part of a floor area under alteration and to at least one existing elevator serving it where applicable, or
  - (ii) an existing outdoor parking area serving the building, and
- (b) the floor area or part of a floor area under alteration to at least one accessible washroom, when there is no other accessible washroom in the altered part.

#### 10.3.8.3. Washroom

(1) In the case referred to in Clause 10.3.8.2.(1)(b), when a washroom located in the unaltered part of a floor area must be made accessible, it shall conform to Article 3.8.2.3.

#### 10.3.8.4. Ramps

(1) Any ramp in a barrier-free path of travel required by Article 10.3.8.2. is permitted, despite the requirement of Article 3.8.3.4., to have a slope that does not exceed

- (a) 1:8 if the length of the ramp is not more than 3 m, or
- (b) 1:10 in all other cases.

### Section 10.4. Structural Design

#### 10.4.1. Structural Loads and Procedures

##### 10.4.1.1. General

(1) Except as provided in Article 10.4.1.2., the provisions of Part 4 covering structural design apply to any floor area or part of a floor area, structural element, roof and

foundation of a building not under alteration when an alteration requires modification to maintain stability, resistance or structural integrity.

#### 10.4.1.2. Live Loads

(1) The live load required by Article 4.1.5.3. does not apply to an alteration to a floor area used as an office and located on the first storey of a building, or to such a floor area used for a wholesale and retail business, provided

(a) the live loads applied to the existing areas have a value of not less than 2.4 kPa, and

(b) the alteration of the existing areas does not result in an increase in their live loads or dead loads.

#### 10.4.1.3. Live Loads Due to Earthquakes

(1) Where a building is under alteration, its capacity to resist seismic loads shall comply with the following conditions:

(a) it must not be reduced by the alteration,

(b) it must be increased to not less than 60% of the seismic protection level that would be prescribed according to Part 4 if the alteration results in

(i) more than 25% of all the floor areas undergoing gutting or a major alteration,

(ii) the resistance system of lateral loads being modified by the alteration, or

(iii) the mass of the building being increased by more than 5%.

(2) In the case of post-disaster buildings, the requirements of Article 4.1.8.17. covering anchorage of non-structural elements and components listed in Table 4.1.8.17. shall be verified and brought into conformance in the case of elements and components that would likely interfere with the post-disaster function of the building in case of failure.

## Section 10.5. Environmental Separation

### 10.5.1. Exclusion

#### 10.5.1.1. Change of Occupancy

(1) Despite Sentence 10.2.2.2.(2), Part 5 covering environmental separation does not apply to materials, components, assemblies and air barrier systems for any change in occupancy that does not involve modification work affecting the separation between the two different environments.

## Section 10.6. Heating, Ventilating and Air-conditioning

### 10.6.1. General

#### 10.6.1.1. Natural Ventilation

(1) Articles 6.2.2.1. and 6.2.2.2. covering natural ventilation do not apply to rooms and spaces under alteration if they have windows that open with an unobstructed surface for ventilation equal to not less than 5% of the floor area of the rooms or spaces.

## Section 10.7. Plumbing Services

### 10.7.1. General

#### 10.7.1.1. Plumbing Systems

(1) Part 7, which covers plumbing services, applies to an unaltered plumbing system if an alteration requires modification to the system to ensure its conformance with health requirements or its operation.

## Section 10.8. Safety Measures at Construction and Demolition Sites

### 10.8.1. General

#### 10.8.1.1. Application

(1) Part 8, which covers safety measures at construction and demolition sites, applies to an existing part of a building if the alteration or demolition work requires modification of the part of the building, or modification of the operation of the appliances or equipment it contains, to ensure public safety.



## Section 10.9. Housing and Small Buildings

### 10.9.1. Structural Design Requirements and Barrier-Free Design

#### 10.9.1.1. Application

(1) Subsection 9.4.1., which covers the design of structural elements and their connections, applies only in the cases and to the extent referred to in Subsection 10.4.1.

(2) Subsection 9.5.2., which covers the barrier-free design, applies only in the cases and to the extent referred to in Subsection 10.3.8.

#### 10.9.2. Means of Egress

##### 10.9.2.1. Dimensions of Means of Egress and Direction of Door Swing

(1) The provisions of Article 9.9.1.1. covering the dimensions of stairs that are part of a means of egress and Subsection 9.9.3. covering the dimensions of a means of egress apply to every unaltered means of egress that serves a part of a building under alteration, if the exit or access to exit has a minimal unobstructed width not more than 760 mm.

(2) Sentence 9.9.6.5.(3) covering the direction of door swing of an exit applies to every unaltered exterior exit door that serves a floor area or part of a floor area under alteration, unless the door opens directly on a public way, independently of any other exit, and serves only one floor area or part of a floor area that has an occupant load as determined in conformance with Subsection 3.1.17. not more than

(a) 40, when there is only one exit door, or

(b) 60, when there is one exit door and a second means of egress.

##### 10.9.2.2. Fire Protection of Exits and Separation of Public Corridors

(1) The provisions of Subsection 9.9.4. covering the fire protection of exits apply to every unaltered exit serving a floor area

or part of a floor area under alteration that is not separated from the remainder of the building by a fire separation having a fire-resistance rating not less than 45 min.

(2) Except as provided in Articles 10.9.2.3. and 10.9.3.2., the provisions of Sections 9.9. and 9.10. covering public corridors apply to every unaltered public corridor serving a floor area or part of a floor area under alteration, if

(a) its unobstructed height is not more than 1,900 mm,

(b) its unobstructed width is not more than 760 mm,

(c) its dead-end length exceeds

(i) 6 m in the case of a residential occupancy, except as provided in Sentence (3), or

(ii) 12 m for Group D, E and F, Division 2 and 3 occupancies, and

(d) the separation of the corridor from the remainder of the building is not smoke-tight.

(3) A public corridor referred to in Subclause (2)(c)(i) located in a residential occupancy other than a hotel or motel is permitted, when the fire separation of the corridor has a fire-resistance rating not less than 45 min, to have a dead-end part not exceeding 12 m provided

(a) the door of each dwelling unit has a self-closing device and does not lock automatically,

(b) the corridor has smoke detectors connected to the fire alarm system, installed as required by Subsection 3.2.4., and

(c) the floor area is sprinklered throughout, as required by Articles 3.2.5.13. to 3.2.5.15., except if each dwelling unit has a balcony accessible to the fire department.

### 10.9.2.3. Flame Spread Limits in Means of Egress

(1) The provisions of Subsection 9.10.17. covering flame spread limits apply to the unaltered interior finish of ceilings and the upper half of walls of every public corridor, from the access to exit door of the part under alteration to the nearest exit, provided

(a) the flame-spread rating exceeds 75, and

(b) the alteration involves an increase in occupant load, as determined in Subsection 3.1.17.

### 10.9.3. Fire Protection

#### 10.9.3.1. Spatial Separation and Exposure Protection

(1) The provisions of Subsection 9.10.14. covering spatial separations do not apply to an alteration to any existing part of an exposing building face, unless the alteration results in

(a) an increase of the opening surfaces beyond the limit referred to in Sentence 9.10.14.4.(1), for unprotected openings,

(b) a reduction of the limiting distance, or

(c) a reduction of resistance to fire.

(2) When a building or part of a building is under alteration, any party wall that is not built as a firewall shall,

(a) except as provided in Clause (b), have a fire-resistance rating not less than 2 h on the altered side and ensure smoke-tightness from the floor of the altered part to the underface of the floor or roof located above the alteration, and

(b) for an increase in height, conform to Subsection 9.10.11. for the construction of a firewall from the ground up.

#### 10.9.3.2. Fire Alarm and Detection Systems

(1) Subsection 9.10.18. covering fire alarm and detection systems under alteration does not apply to a building not equipped with such a system, unless the alteration results in

(a) an increase in the occupant load in the altered part,

(b) a new Group C, E, or F, Division 2 occupancy,

(c) an increase in the building area by more than 10%, or

(d) an increase in the number of storeys.

(2) This Subsection applies to any unaltered part of a fire alarm and detection system if the system is not electrically supervised and equipped with separate zone indicators.

### Section 10.10. Objectives and Functional Statements

#### 10.10.1. Objectives and Functional Statements

##### 10.10.1.1. Attribution to Acceptable Solutions

(1) For the purposes of compliance with the NBC as required by Clause 1.2.1.1.(1)(b) of Division A, the objectives and functional statements attributed to the acceptable solutions in this Part shall be the objectives and functional statements listed in Table 10.10.1.1. (See Note A-1.1.2.1.(1) in Appendix A.)

**Table 10.10.1.1.**

**Objectives and Functional Statements  
Attributed to the Acceptable Solutions in Part 10  
Forming Part of Sentence 10.10.1.1.(1)**

Acceptable Solutions	Objectives and Functional Statements <sup>(1)</sup>
10.3.1.1. Separation of Major Occupancies	
(1)	See Sentences 3.1.7.1.(1) to 3.1.7.5.(3) of Table 3.9.1.1.
	See Article 3.1.3.1. of Table 3.9.1.1.
10.3.1.2. Combustible and Noncombustible Construction	
(1)	See Sentences 3.1.4.1.(2) to 3.1.5.1.(1) of Table 3.9.1.1.
10.3.1.3. Interior Finish	
(1)	See Sentences 3.1.13.2.(1) to 3.1.13.10.(1) of Table 3.9.1.1.
10.3.2.1. Noncombustibility of Buildings	
(1)	See Sentences 3.2.2.20.(2) to 3.2.2.81.(1) of Table 3.9.1.1.
(2)	See Sentences 3.2.2.20.(2) to 3.2.2.81.(1) of Table 3.9.1.1.
(3)	See Sentences 3.2.2.20.(2) to 3.2.2.81.(1) of Table 3.9.1.1.
10.3.2.2. Construction and Protection of Buildings	
(1)	See Sentences 3.2.2.20.(2) to 3.2.2.81.(1) of Table 3.9.1.1.
(2)	See Sentences 3.2.2.20.(2) to 3.2.2.81.(1) of Table 3.9.1.1.
(3)	See Sentences 3.2.2.20.(2) to 3.2.2.81.(1) of Table 3.9.1.1.
10.3.2.3. Spatial Separation and Exposure Protection	
(1)	See Sentences 3.2.3.1.(1) to 3.2.3.20.(4) of Table 3.9.1.1.
(2)	See Sentences 3.1.10.1.(1) to 3.1.10.7.(2) of Table 3.9.1.1.
10.3.2.4. Fire Alarm and Detection Systems	
(1)	See Sentences 3.2.4.1.(1) to 3.2.4.21.(5) of Table 3.9.1.1.
10.3.2.5. Provisions for Firefighting	
(1)	See Sentences 3.2.5.7.(1) to 3.2.5.19.(1) of Table 3.9.1.1.
10.3.2.6. Additional Requirements for High Buildings	
(1)	See Sentences 3.2.6.2.(1) to 3.2.6. 10.(1) of Table 3.9.1.1.
10.3.2.7. Emergency Power for Firefighting	
(1)	See Clause 3.2.7.9.(1)(b) of Table 3.9.1.1.

10.3.3.1. Access to Exit	
(1)	See Sentences 3.3.1.1.(1) to 3.1.1.25.(1) of Table 3.9.1.1.
10.3.3.2. Separation of Suites	
(1)	See Sentences 3.1.7.1.(1) to 3.1.7.5.(3) and Sentence 3.3.1.1. of Table 3.9.1.1.
10.3.3.3. Barrier-Free Floor Areas	
(1)	See Article 3.3.1.7. of Table 3.9.1.1.
10.3.4.1. Dimensions and Protection of Exits and Exit Stairs	
(1)	(a) [F10, F12-OS1.5]
	(b) [F05-OS1.2]
	(b) [F05-OP1.2]
(2)	[F02, F05-OS1.2]
	[F02, F05- OP1.2]
(3)	[F02, F05-OS1.2]
	[F02, F05- OP1.2]
10.3.4.2. Direction of Door Swing	
(1)	[F10-OS3.7]
10.3.4.3. Curved Exit Stairs	
(1)	(a) [F02, F05-OS1.5]
	(a) [F02, F05- OS3.7]
10.3.6.1. Service Rooms and Vertical Service Spaces	
(1)	See Sentences 3.6.2.1.(1) to 3.6.3.4.(1) of Table 3.9.1.1.
10.3.7.1. Plumbing Facilities	
(1)	See Sentences 3.7.2.1.(1) to 3.7.2.9.(1) of Table 3.9.1.1.
10.3.8.2. Areas Requiring a Barrier-Free Path of Travel	
(1)	[F73-OA1]
10.3.8.3. Washroom	
(1)	See Article 3.8.2.3. of Table 3.9.1.1.
10.3.8.4. Ramps	
(1)	[F73-OA1]
10.4.1.3. Live Loads due to Earthquakes	
(1)	[F20-OP1.2]
	[F20, F22-OP2.4]
	[F20-OS2.1]

10.7.1.1. Plumbing Systems	
(1)	[F70-OH2.2] [F71-OH2.3] [F72-OH2.1]
10.8.1.1. Application	
(1)	See Sentences 8.1.1.3.(1) to 8.2.3.2.(1) of Table 8.3.1.1.
10.9.2.1. Dimensions of Means of Egress and Direction of Door Swing	
(1)	See Sentences 9.9.3.2.(1) to 9.9.3.4.(2) of Table 9.36.1.1.
(2)	[F10-OS3.7]
10.9.2.2. Fire Protection of Exits and Separation of Public Corridors	
(1)	See Sentences 9.9.4.2.(1) to 9.9.4.7.(1) of Table 9.36.1.1.
(2)	See Sentences 9.9.1.3.(1) to 9.10.23.(3) of Table 9.36.1.1.
10.9.2.3. Flame Spread Limits in Means of Egress	
(1)	See Sentences 9.10.17.1.(1) to 9.10.17.(2) of Table 9.36.1.1.
10.9.3.1. Spatial Separation and Exposure Protection	
(2)	[F02, F03-OP1.2]
	[F02, F03- OP3.1]
10.9.3.2. Fire Alarm and Detection System	
(1)	(b) See Sentences 9.10.18.1.(1) to 9.10.18.7.(1) of Table 9.36.1.1.

Note to Table 10.10.11.: See Parts 2 and 3 of Division A.”;

**1.07.** The Code is amended in Division C of Volume 1

(1) by replacing “2.2.7. Review of Work” in the Table of Contents of Part 2 by “2.2.7. Declaration of Construction Work”;

(2) by replacing “2.3.1. Documentation of Alternative Solutions” in the Table of Contents of Part 2 by “2.3.1. Approval of Alternative Solutions”;

(3) in Article 2.2.2.1., by replacing Sentences (2) and (3) by the following:

“(2) Plans and specifications shall be required for construction work on a building, part of a building or equipment intended for use by the public to which Chapter I of the Construction Code applies when information is required with regard to the work under Subsections 2.2.2. to 2.2.6.

(3) Plans shall be drawn to scale and shall, with the specifications, indicate the nature and extent of the work or proposed occupancy in sufficient detail to establish that, when completed, the work and the proposed occupancy will conform to the Code referred to in section 1.01 of Chapter I of the Construction Code.

(4) When proposed work is modified during construction, information on the changes shall conform to the requirements of this Section.”;

(4) in Article 2.2.4.2., by striking out “submitted with the application to build” in Sentence (1);

(5) in Article 2.2.4.3., by striking out “submitted with the application to build” in Sentence (1);

(6) in Article 2.2.4.6.

(1) by striking out “submitted with the application to build or excavate” in Sentence (1);

(2) by replacing Sentence (2) by the following:

“(2) Evidence that justifies the information on the drawings shall be available for verification purposes.”;

(7) by replacing Subsection 2.2.7. by the following:

### **“2.2.7. Declaration of Construction Work**

#### **2.2.7.1. Application**

(1) The general contractor or, in the general contractor’s absence, the specialized contractor or the owner-builder shall declare to the Régie du bâtiment du Québec all construction work performed on a building or facility intended for use by the public and to which Chapter I of the Construction Code applies.

(2) Sentence (1) does not apply to construction work declared under subparagraph 1.1 of the first paragraph of section 120 of the Act respecting land use planning and development (R.S.Q., c. A-19.1) or under another chapter of the Construction Code or maintenance or repair work to which Chapter I of the Construction Code applies.

#### **2.2.7.2. Sending of the Declaration**

(1) The declaration required under Article 2.2.7.1. shall be sent to the Board not later than the twentieth day of the month following the date on which work starts.

#### **2.2.7.3. Form**

(1) The declaration of work is permitted to be made on the form provided by the Board or on any other document clearly and legibly completed for that purpose.

### **2.2.7.4. Content**

(1) The declaration shall contain

(a) the address of the building or facility intended for use by the public, if applicable, and the lot number of the site where the work is performed,

(b) the name, address and telephone number of the person for whom the work is performed,

(c) the name, address, telephone number and licence number of the contractor or owner-builder,

(d) the estimated start and end dates of the construction work,

(e) the nature and type of the work,

(f) the occupancy of the building or facility intended for use by the public, its classification under the Code, the number of storeys and building area, and

(g) the name, address and telephone number of the person who prepared the plans and specifications relating to the construction work.”;

(8) by replacing Subsection 2.3.1. by the following:

### **“2.3.1. Approval of Alternative Solutions**

#### **2.3.1.1. Conditions for Approval**

(1) The proposed alternative solutions shall be approved by the Board on the conditions it sets pursuant to section 127 of the Building Act (R.S.Q., c. B-1.1).”.

**1.08.** The Code is amended in Division A of Volume 2

(1) by inserting “and be approved by the Board on the conditions it sets pursuant to section 127 of the Building Act” at the end of the first sentence of Note A-1.2.1.1.(1)(b);

(2) in Note A-1.4.1.2.(1)

(1) by inserting the following paragraph after the paragraph entitled Public Corridor:

**“Residential board and care occupancy**

In this Code,

“be assisted” means direct support to a person physically or mentally unable to move or direct himself or herself in case of evacuation;

“lodge persons” means residence and other services provided to persons by an institution;

“personal-support services” means services to compensate a temporary or permanent disability related to hygiene, food, maintenance, use of personal goods, movement of a person or rehabilitation and services for supervising medication or managing a possible crisis, emergency or evacuation of the building;

“rest home”, “rehabilitation centre” or “residential and long-term care centre” means a residential and long-term care centre (CHSLD) within the meaning of section 83 of the Act respecting health services and social services (R.S.Q., c. S-4.2).

A building or part of building is considered to be a residential board and care occupancy when the occupancy occupies more than 10% of the floor area and becomes, in accordance with 3.2.2.8., a major occupancy.”;

(2) by inserting the following paragraph before the paragraph entitled Exit:

**“Alteration**

An alteration does not include the types of work such as work required to bring the building into conformance with the regulations in force and the maintenance and repairs that do not affect the

characteristics and functions of the elements involved. It does, however, include the following types of intervention:

(1) a change of occupancy without modification, including a change in the same Group or Division and resulting in

(a) an increase in occupant load,

(b) a new occupancy other than the occupancies in Groups D and F, Division 3, or

(c) a change from building to a high building,

(2) a change such as an addition, restoration, rehabilitation, renovation or retrofitting related to

(a) an increase in building height,

(b) an increase in building area,

(c) an increase in floor area,

(d) the creation of an interconnected area,

(e) the installation of a barrier-free access to a building or a barrier-free path of travel in the building,

(f) a modification of the provisions for firefighting, or

(g) a modification or addition affecting the safety and health conditions of a building or part of a building.”.

**1.09.** The Code is amended in Division B of Volume 2

(1) by inserting reference “NFPA 92A-2006, Recommended Practice for Smoke-Control Systems, B-3.2.6.2.(3)” after reference NFPA 91-1999, Exhaust Systems for Air Conveying of Vapors, Gases, Mists and Noncombustible Particulate Solids A-6.2.2.5(1)” in the list of documents in Table A-1.3.1.2.(1);

(2) in Note A-3.1.2.1.(1)

(1) by inserting “Rehabilitation centres” after “Reformatories without detention quarters” in Group B, Division 2;

(2) by inserting “Residential board and care occupancy” after “Motels” in Group B, Division 2;

(3) by inserting “Rooming houses” after “Residential board and care occupancy”;

(4) by inserting “Outfitting operations” after “Motels” and “Shelters” after “Schools, residential” in Group C;

(3) by striking out note A-3.2.4.18.(4);

(4) by inserting the following after note A-3.2.5.14.(1):

**“A-3.2.5.15.(1) Protected Service Spaces**

A permanent floor in a service space if need be may be used to store maintenance products and supplies, without frequent monitoring of the combustible content accumulated in the service space. Because access to the spaces is difficult for firefighting, the spaces must be protected by a sprinkler system. When the floor is only a walkway, the risk of significant accumulation of combustible content is considerably reduced, and this requirement no longer applies.”;

(5) by adding the following after note A-3.4.1.6.(2):

**“A-3.4.2.1.(2) Minimum Number of Exits.** When the only exit is separated and leads to the outside at a level other than the level it serves, no other access door shall be installed at that exit at a storey other than the storey served unless the door is an exit door and the occupant load of all the spaces served that is permitted to access the exit is not more than 60. This requirement is necessary to reduce the risk of smoke filling the only exit serving the floor area or parts of floor areas having access to that only exit. (See Figure A-3.4.2.1.(2).)”;

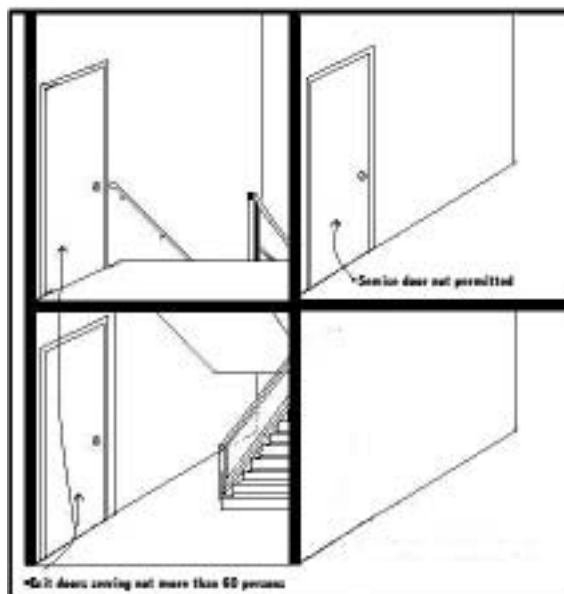


Figure A-3.4.2.1.(2)

Example of a configuration for a single exit

(6) by adding the following at the end of note A-3.8.1.2.:

“Service entrances such as those for delivery and receipt of goods, and those accessing Group F service rooms and workshops, need not be made accessible.”;

(7) by striking out note A-3.8.2.2.;

(8) by inserting the following after note A-3.8.1.4.(1):

**“A-3.8.3.1.(5) Sign for barrier-free parking.** Sign P-150-5 is represented in Schedule 1 of the Regulation respecting road signs, made by Minister’s Order 1999 dated 15 June 1999. (See Figure A-3.8.3.1.(5).)”





Figure A-3.8.3.1.(5)  
Sign for barrier-free parking”;

(9) by striking out note A-3.8.3.3.(2);

(10) by adding the following at the end of note A-3.8.3.3.(5):

“The electrical opening mechanism must prevent the closing of the door when a person is in the swing area. Mechanisms conforming to ANSI 156.10 include a device for stopping the door from closing to ensure the safety of users and reduce the risk of injury.”;

(11) by inserting the following after note A-4.2.5.1.(1):

“**A-4.2.5.1.(2) Backfilling.** Certain granular material may swell under chemical reactions involving certain minerals constituting the granular material. A number of reactions involve iron sulphide (pyrite, pyrrhotite, etc.) and carbonates present, crystallizing the sulfates and the subsequent increase of volumes of the granular backfilling. The reactions are influenced by a number of factors, including the presence of clay mineral, that facilitate water absorption and oxidation of iron sulphides, particle-size distribution, water content of materials, the presence of bacteria and temperature.

The most prevalent characterization method of granular materials, the petrographic index for potential swelling, may be accepted to meet the requirement.

The method is described in the following documents:

— NQ 2560-500 Granulats – Détermination de l’indice pétrographique du potentiel de gonflement sulfatique des matériaux granulaires – méthode d’essai pour l’évaluation de l’IPPG,

— NQ 2560-510 Granulats – Guide d’application de la méthode d’essai pour la caractérisation du potentiel de gonflement sulfatique des matériaux granulaires.

The non-swelling rock accepted under the two standards is commonly called “DB certified rock” (DB for “Dalle de Béton”).

Other methods, such as the chemically or biologically accelerated swelling test, may determine swelling but are less used because of the time required for the test.

Other granular materials from industrial processes, such as blast furnace slag, may also swell under certain conditions. Verifications are recommended before using granular materials in works sensitive to volumetric changes.”;

(12) by replacing note A-9.7.1.5. by the following:

“**A-9.7.1.5. Height of Window Sills Above Floors or Ground.** This requirement is primarily designed to reduce the possibility of young children falling from a window. The requirement applies to dwelling units with mostly swinging or sliding windows. The choice of windows must therefore be made carefully because, even when equipped with special hardware, certain ajar windows may open wider with a simple push.

Swinging windows with rotating opening mechanisms are considered to be in conformance with Clause 9.7.1.5.(1)(b). To ensure the safety of older children, parents may easily remove the crank handles from the windows. The scissor opening mechanisms of awning windows, however, do not prevent these windows from being opened wide once unlocked. Sash windows are not considered safe if both sashes are

mobile, because they provide openings at the top and bottom. This requirement prevents the use of sliding windows that do not have a device for limiting the opening.

The maximum opening of a window, 100 mm, and the maximum drop on the other side of a window to the ground, 600 mm, were determined according to the same principles that were applied for guards.”;

(13) by inserting the following after note A-9.9.4.5.(1):

**“A-9.9.8.2.(2) Minimum Number of Exits.**

When the only exit is separated and leads to the outside at a level other than the level it serves, no other access door shall be installed at that exit at a storey other than the storey served unless the door is an exit door and the occupant load of all the spaces served that is permitted to access the exit is not more than 60. This requirement is necessary to reduce the risk of smoke filling the only exit serving the floor area or parts of floor areas having access to that only exit. (See Figure A-3.4.2.1.(2).)”;

(14) by inserting the following after note A.9.12.3.3.(1):

**“A-9.13.2.1.(3) Required Dampproof Protection.** The use of a protection membrane on the ground under floors protects against humidity, protects concrete against sulfate attack from the ground or subjacent granular materials and protects the occupants against the effects of soil gases such as radon.

Certain granular materials, including hornfels, may produce a significant quantity of sulfates likely to migrate by capillarity towards the underside of floors on ground and cause sulfatization of concrete. The following methods are recommended to protect concrete against sulphate-laden humidity:

(a) the use of sulfate resistant concrete (Article 9.3.1.3.),

(b) the use of a vapour barrier (Article 9.13.4.2.),

(c) the use of clean coarse aggregates limiting capillarity effects and preventing migration of sulfates (Article 9.16.2.1.)”;

(15) by inserting the following after note A-9.15.3.4.(2):

**“A-9.16.2.2.(1) Support of Floors.** In a granular mixture, the fine portion of aggregates is generally composed, because of the manufacturing process, of more friable minerals that are more susceptible to fragmentation, alteration and swelling. Aggregates containing mostly fine materials are also more susceptible to swelling given the small intergranular space available for the formation of secondary minerals. A large quantity of fine material promotes the diffusion of humidity by capillarity (see A-9.13.2.1.). It is preferable to limit the quantity of fine materials.”;

(16) by adding the following after note A-9.34.2.:

**“A-10.2.2.2.(3) Major or Minor Alteration**

The concepts of major or minor alteration are used for retrofitting. The term “retrofitting” means all the alteration work carried out in view of a different occupancy of the altered part. The alteration types, such as enlargement, change of major occupancy, alteration of shell or exterior element, increase in occupant load, construction of or change to a mezzanine or interconnected floor space, or the addition or alteration of a lift are not governed by this type of alteration since they are already governed by other requirements of Part 10.

**A-10.3.4.1. Capacity of Exits Serving an Altered Part.** Even if the exits must have a minimum width of 760 mm, the exits must comply, for the altered part they serve, with the minimum capacity prescribed in Article 3.4.3.4., calculated according to the occupant load under Subsection 3.1.17. of this Code.

If the calculation of the capacity results in the exits having a width larger than 760 mm, they should be changed or another exit should be added.

This provision refers to an alteration, other than a minor alteration, that does not include an exit.”;

(17) by adding the following at the end of note B-3.2.6.2.(3):

“Standard NFPA-92A, Recommended Practice for Smoke-Control Systems, suggests mechanical smoke control methods. These methods may be used as alternatives to venting required by this Article. Designers will, however, need to demonstrate that the method they propose under this standard satisfies the objectives of the Code.”.

#### DIVISION IV OFFENCES

**1.10.** Every contravention against a provision of this Chapter constitutes an offence.”.

**2.** Despite section 1.02, the provisions of Chapter I of the Construction Code made by Order in Council 953-2000 dated 26 July 2000 apply to a building or its alteration as defined in that Chapter when the plans and specifications are submitted in accordance with the Building Act (R.S.Q., c. B-1.1), before (*insert the date that occurs one hundred and eighty days after the date of coming into force of this Regulation*) and the work starts within 12 months of the notification that the plans and specifications are accepted.

**3.** This Regulation comes into force on (*insert the date that occurs forty-five days after the date of publication in the Gazette officielle du Québec*).

8199

### Draft Regulation

Building Act  
(R.S.Q., c. B-1.1; 2005, c. 10)

#### Construction Code — Chapter III – Plumbing — 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, appear-

ing below, may be approved by the Government, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation amends Chapter III – Plumbing, in the Construction Code to integrate the new edition of the National Plumbing Code (2005 NPC), to add new provisions to meet the various requests made by the construction industry in Québec and to renew most of the amendments introduced at the time the chapter in the Construction Code on plumbing was adopted.

Analyses have shown that most of the proposed amendments have no significant impact on the public or enterprises. The amendments modify the provisions of the 2005 NPC that present the objectives and functional statements attributed to acceptable solutions and that permit the use of alternative solutions to adapt the regulation to the legal framework of the Building Act (R.S.Q., c. B-1.1), introduce a prohibition on selling unapproved plumbing products, add requirements concerning the connection of drainage piping for detergent suds, and update the National Sanitary Foundation (NSF) standards concerning potable water treatment units. The introduction of the approach by objectives in the 2005 NPC will provide designers and builders with an interpretative framework facilitating the use of alternative solutions that conform to the regulation.

The provision adding devices to limit bathtub water temperature to 49°C as a measure to better protect against burns will, however, have an impact on construction costs. The additional costs resulting from the provision are estimated at approximately \$3,575,000 over five years.

Further information may be obtained by contacting Michel Légaré, telephone: 418 643-0066, Régie du bâtiment du Québec, 800, place D’Youville, 15<sup>e</sup> étage, Québec (Québec) G1R 5S3; fax 418 646-9280.

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 Daniel Gilbert, President and Chief Executive Officer, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3<sup>e</sup> étage, Montréal (Québec) H2M 2V2

DAVID WHISSELL,  
*Minister of Labour*

## Regulation to amend the Construction Code\*

Building Act  
(R.S.Q., c. B-1.1, ss. 16, 173, 176, 176.1, 178, 179, 185, 1st par., subpars. 2.1, 3, 6.3, 7, 20, 36, 37 and 38, and s. 192; 2005, c. 10, ss. 59, 62 and 63)

**1.** The Construction Code is amended by replacing Chapter III by the following:

### “CHAPTER III PLUMBING

#### DIVISION I INTERPRETATION

**3.01.** In this Chapter, unless the context indicates otherwise, “Code” means the “National Plumbing Code of Canada 2005” (NRCC 47668) and the “Code national de la plomberie – Canada 2005” (CNRC 47668F), published by the Canadian Commission on Building and Fire Codes, National Research Council of Canada, as well as all subsequent amendments and later editions that may be published by that organization.

Despite the foregoing, amendments and new editions published after (*insert the date of coming into force of this Regulation*) apply to construction work only as of the date that is the last day of the sixth month following the month of publication of the French text of the amendments or editions.

#### DIVISION II APPLICATION OF THE NATIONAL PLUMBING CODE

**3.02.** Subject to the amendments made by this Chapter, the Code applies to all construction work on a plumbing system in a building or facility intended for use by the public to which the Building Act (R.S.Q., c. B-1.1) applies.

**3.03.** A reference in this Chapter to the NBC (National Building Code) is a reference to the Code as adopted by Chapter I of the Construction Code.

### DIVISION III AMENDMENTS TO THE CODE

**3.04.** The Code is amended in Division A

(1) by replacing Article 1.1.1.1. by the following:

#### “1.1.1.1. Application of the NPC

(1) The NPC applies to the construction work performed on a plumbing system in every building and facility intended for use by the public as provided in section 3.02 of Chapter III of the Construction Code made pursuant to the Building Act (R.S.Q., c. B-1.1). (See Appendix A.)

(2) In accordance with the NPC, every building shall, except as provided by Sentence (3), have plumbing facilities.

(3) If a hot water system is required under the NPC, the facility shall

(a) provide an adequate hot water supply, and

(b) be installed in conformance with this Chapter.”;

(2) in Article 1.2.1.1., by replacing Clause (b) of Sentence (1) by the following:

“(b) using alternative solutions that will achieve at least the minimum level of performance required by Division B in the areas defined by the objectives and functional statements attributed to the applicable acceptable solutions approved by the Régie du bâtiment in accordance with section 127 of the Building Act (R.S.Q., c. B-1.1). (See Appendix A).”;

(3) in Sentence (1) of Article 1.4.1.2.,

(1) by inserting the following after the definition of “Combustible”:

“Construction Code means the Construction Code made pursuant to the Building Act (R.S.Q., c. B-1.1).”;

(2) by inserting “, retention pit” after “sump” in the definition of “Storm building drain”;

\* The Construction Code, approved by Order in Council 953-2000 dated 26 July 2000 (2000, G.O. 2, 4203), was last amended by the regulation approved by Order in Council 220-2007 dated 21 February 2007 (2007, G.O. 2, 1140). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

(3) by replacing the definition of “Potable” by the following:

“Potable means water intended for human consumption.”

(4) by replacing the definition of “Suite” by the following:

“Suite\* means a single room or series of rooms of complementary use, operated under a single tenancy and includes dwelling units, individual guest rooms in motels, hotels, rooming houses, boarding houses, dormitories and single-family dwellings, as well as individual stores and individual or complementary rooms for business and personal services occupancies.”;

(5) by replacing the definition of “Occupancy” by the following:

“Occupancy\* means the use or intended use of a building or part thereof.”;

(6) by replacing the definition of “Public use” by the following:

“Public use (as applying to the classification of plumbing fixtures) means fixtures installed in locations other than those designated as private use.”;

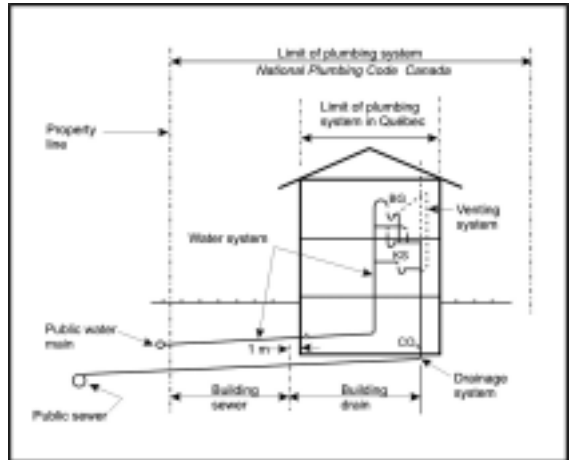
(4) in Article 3.2.1.1., by inserting the following after the functional statement “F46 To minimize the risk of contamination of potable water”:

“**F60** To control the accumulation and pressure of surface water, groundwater and sewage.

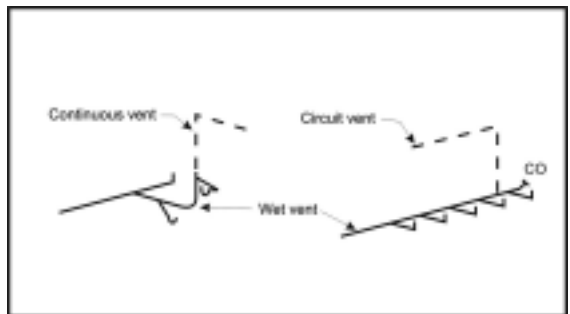
**F61** To resist the ingress of precipitation, water or moisture from the exterior or from the ground.”;

(5) in note A-1.4.1.2.(1) of Appendix A,

(1) by replacing Figure A-1.4.1.2.(1)-L by the following:



(2) by replacing Figure A-1.4.1.2.(1)-E by the following:



(3) by replacing the title of Figure A-1.4.1.2.(1)-E by the following: “Continuous Vent and Circuit Vent”.

**3.05.** The Code is amended in Division B,

(1) in Table 1.3.1.2. of Article 1.3.1.2.,

(1) by inserting the following references:

“			
ASME	A112.1.2-2004	Air Gaps in Plumbing Systems	2.2.10.22.(1)
ASME	A112.6.3-2001	Floor and Trench Drains	2.2.10.19.(2)
ASME	A112.6.4-2003	Roof, Deck, and Balcony Drains	2.2.10.20.(2)
”			

before the reference:

“			
ANSI/ASME	B16.3-1998	Malleable-Iron Threaded Fittings	2.2.6.6.(1)
”;			

(2) by inserting the following references:

“			
ANSI/CSA	ANSI Z21.10.1-2004/CSA 4.1-2004	Gas Water Heaters – Volume I, Storage Water Heaters with Input Ratings of 75,000 Btu Per Hour or Less	2.2.10.13.(1)
ANSI/CSA	ANSI Z21.10.3-2004/CSA 4.3-2004	Gas Water Heaters – Volume III, Storage Water Heaters with Input Ratings Above 75,000 Btu Per Hour, Circulating and Instantaneous	2.2.10.13.(1)
”			

before the reference:

“			
ANSI/CSA	ANSI Z21.22-1999/CSA 4.4-M99	Relief Valves for Hot Water Supply Systems	2.2.10.11.(1)
”;			

(3) by inserting the following references:

“			
ASSE	1018-2001	Performance Requirements for Trap Seal Primer Valves – Potable Water Supplied	2.2.10.21.(1)
ASSE	1044-2001	Performance Requirements for Trap Seal Primer Devices – Drainage Types and Electronic Design Types	2.2.10.21.(1)
”			

after the reference:

“	ASSE	1010-2004	Water Hammer Arresters	2.2.10.15.(1)	”;
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(4) by inserting the following references:

“	ASTM	A268/A268M-05a	Standard Specification for Seamless and Welded Ferritic and Martensitic Stainless Steel Tubing for General Service	2.2.6.10.(1)	”
	ASTM	A269-04	Standard Specification for Seamless and Welding Austenitic Stainless Steel Tubing for General Service	2.2.6.10.(1)	
	ASTM	A312/A312M-05a	Standard Specification for Seamless, Welded, and Heavily Cold Worked Austenitic Stainless Steel Pipes	2.2.6.10.(1)	

after the reference:

“	ASTM	A53/53M-02	Pipe, Steel, Black and Hot-Dipped, Zinc – Coated, Welded and Seamless	2.2.6.7.(4)	”;
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(5) by inserting the following references:

“	AWS	AWS A5.8-92	Specification for Filler Metals for Brazing and Braze Welding	2.2.9.2.(1)	”
	BNQ	NQ 2622-126 (1999)	Reinforced Concrete and Unreinforced Concrete Pipes and Monolithic Lateral Connections for Evacuation of Domestic Wastewater and Storm Water	2.2.5.3.(1)	
	BNQ	NQ 3619-280 (1991)	Séparateurs de graisse – Critères de performance	2.2.3.2.(3)	
	BNQ	NQ 3623-085 (2002)	Ductile-Iron Pipes for Pressure Piping Systems – Characteristics and Test Methods	2.2.6.4.(1)	
	BNQ	NQ 3624-027 (2000)	Tuyaux et raccords en polyéthylène (PE) – Tuyaux pour le transport des liquides sous pression – Caractéristiques et méthodes d’essais	2.2.5.5.(1)	
	BNQ	NQ 3624-120 (2006) (Modificatif N° 1/03)	Polyethylene (PE) Plastic Pipe and fittings – Smooth Inside Wall Open or Closed Profile Pipes for Storm Sewer and Soil Drainage	2.2.5.10.(1)	
	BNQ	NQ-3624-130 (1997) (Modificatif N° 1/98) (Modificatif N° 2/01)	Unplasticized Poly(Vinyl Chloride) (PVC) Rigid Pipe and Fittings, 150 mm in Diameter or Smaller, for Underground Sewage Applications	2.2.5.10.(1)	
	BNQ	NQ-3624-135 (2000)	Unplasticized Poly(Vinyl Chloride) [PVC-U] Pipe and Fittings – Pipes of 200 mm to 600 mm in Diameter for Underground Sewage and Soil Drainage – Characteristics and Test Methods	2.2.5.10.(1)	

BNQ	NQ 3624-250 (2000)	Unplasticized Poly(Vinyl Chloride) [PVC-U] Pipe and Fittings – Rigid Pipe for Pressurized Water Supply and Distribution – Characteristics and Test Methods	2.2.5.8.(1)
BNQ	NQ 3632-670 (2005)	Backwater and Check Valves for Sewage Systems – Characteristics and Test Methods	2.2.10.18.(1)

”

after the reference:

“	ASTM	F 714-03	Polyethylene (PE) Plastic Pipe (SCR-PR) Based on Outside Diameter	2.2.5.6.(1)
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”;

(6) by inserting the following reference:

“	CSA	CSA-B79-05	Floor Drains, Area Drains, Shower Drains, and Cleanouts in Residential Construction	2.2.10.19.(1)
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”

after the reference:

“	CSA	CAN/CSA-B70-02	Cast Iron Soil Pipe, Fittings, and Means of Joining	2.2.6.1.(1) 2.4.6.4.(2)
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”;

(7) by replacing the reference:

“	CSA	CAN/CSA-B125-01	Plumbing Fittings	2.2.3.3.(1) 2.2.10.6.(1) 2.2.10.7.(1) 2.2.10.7.(2) 2.2.10.10.(2)
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”

by the following references:

“	ASME/CSA	ASME A112.18.1-2005/CSA B125.1-05	Plumbing Supply Fittings	2.2.10.6.(1) 2.2.10.7.(1)
	ASME/CSA	ASME A112.18.2-2005/CSA B125.2-05	Plumbing Waste Fittings	2.2.3.3.(1) 2.2.10.6.(2)
	CSA	CSA B125.3	Plumbing Fittings	2.2.10.6.(1) 2.2.10.6.(2) 2.2.10.7.(2) 2.2.10.10.(2)

”;



(8) by replacing the reference:

“	CSA	CSA-B137.10-02	Crosslinked Polyethylene/Aluminum/ Crosslinked Polyethylene Composite Pressure-Pipe Systems	2.2.5.14.(1)	”
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by the following reference:

“	CSA	CSA-B137.10-02	Crosslinked Polyethylene/Aluminum/ Crosslinked Polyethylene Composite Pressure-Pipe Systems	2.2.5.13.(3) 2.2.5.14.(1)	”;
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(9) by inserting the following reference:

“	CSA	CSA B140.12-03	Oil-Burning Equipment: Service Water Heaters for Domestic Hot Water, Space Heating, and Swimming Pools	2.2.10.13.(1)	”
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after the reference:

“	CSA	CAN/CSA- B137.11-02	Polypropylene (PP-R) Pipe and Fittings for Pressure Applications	2.2.5.15.(1)	”;
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(10) by replacing the reference:

“	CSA	CAN/CSA- B181.1-02	ABS Drain, Waste, and Vent Pipe and Pipe Fittings	2.2.5.10.(1) 2.2.5.11.(1) 2.2.5.12.(1) 2.4.6.4.(2)	”
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by the following reference:

“	CSA	CAN/CSA- B181.1-02	ABS Drain, Waste, and Vent Pipe and Pipe Fittings	2.2.5.10.(1) 2.2.5.11.(1) 2.2.5.12.(1) 2.2.10.18.(1)	”;
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(11) by replacing the reference:

“	CSA	CAN/CSA- B181.2-02	PVC Drain, Waste, and Vent Pipe and Pipe Fittings	2.2.5.10.(1) 2.2.5.11.(1) 2.2.5.12.(1) 2.4.6.4.(2)	”
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by the following reference:

“	CSA	CAN/CSA- B181.2-02	PVC Drain, Waste, and Vent Pipe and Pipe Fittings	2.2.5.10.(1) 2.2.5.11.(1) 2.2.5.12.(1) 2.2.10.18.(1)	”;
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(12) by replacing the reference:

“	CSA	CAN/CSA- B182.1-02	Plastic Drain and Sewer Pipe and Pipe Fittings	2.2.5.10.(1) 2.4.6.4.(2)	”
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by the following reference:

“	CSA	CAN/CSA- B182.1-02	Plastic Drain and Sewer Pipe and Pipe Fittings	2.2.5.10.(1) 2.2.10.18.(1)	”;
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(13) by inserting the reference:

“	CSA	CAN/CSA- C22.2 110-94 (R2004)	Construction and Test of Electric Storage-Tank Water Heaters	2.2.10.13.(1)	”
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after the reference:

“	CSA	CAN/CSA- B602	Mechanical Couplings for Drain, Waste, and Vent Pipe and Sewer Pipe	2.2.10.4.(2)	”;
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(14) by inserting the following references:

“				
MSS	SP-58-2002	Pipe Hangers and Supports – Materials, Design, and Manufacture	2.2.10.23(1)	
ANSI/MSS	SP-69-2003	Pipe Hangers and Supports - Selection and Application	2.3.4.1.(4)	
NSF	NSF/ANSI 42-2002	Drinking Water Treatment Units - Aesthetic Effects	2.2.10.17.(3)	
NSF	NSF/ANSI 44-2004	Residential Cation Exchange Water Softeners	2.2.10.17.(3)	
NSF	NSF/ANSI 53-2002	Drinking Water Treatment Units - Health Effects	2.2.10.17.(1)	
			2.2.10.17.(2)	
			2.2.10.17.(3)	
NSF	NSF/ANSI 55-2002	Ultraviolet Microbiological Water Treatment Systems	2.2.10.17.(1)	
			2.2.10.17.(2)	
			2.2.10.17.(3)	
NSF	NSF/ANSI 58-2004	Reverse Osmosis Drinking Water Treatment Systems	2.2.10.17.(1)	
			2.2.10.17.(2)	
			2.2.10.17.(3)	
NSF	NSF/ANSI 61-2005	Drinking Water Systems Components – Health Effects	2.2.10.17.(3)	
NSF	NSF/ANSI 62-2004	Drinking Water Distillation Systems	2.2.10.17.(1)	
			2.2.10.17.(3)	
				”

after the reference:

“				
CSA	G401-01	Corrugated Steel Pipe Products	2.2.6.8.(1)	
				”;

(15) by inserting the reference:

“				
PDI	PDI-G101 (1996)	Testing and Rating Procedure for Grease Interceptors with Appendix of Sizing and Installation Data	2.2.3.2.(3)	
				”

after the reference:

“				
NSF	NSF/ANSI 62-2004	Drinking Water Distillation Systems	2.2.10.17.(1)	
			2.2.10.17.(3)	
				”;

## (2) in Article 1.3.2.1

(1) by inserting the following after “ASTM... American Society for Testing and Materials International (100 Barr Harbor Drive, West Conshohocken, Pennsylvania 19428-2959 U.S.A.; www.astm.org)”:

“AWS... American Welding Society (550 N.W. LeJeune Road, Miami, Florida 33126 U.S.A.; www.aws.org)”;

(2) by inserting the following after; AWWA... American Water Works Association (6666 West Quincy Avenue, Denver, Colorado 80235 U.S.A.; www.awwa.org)”:

“BNQ... Bureau de normalisation du Québec (333, rue Franquet, Québec, (Québec) G1P 4C7)”;

(3) by replacing “NBC... National Building Code of Canada 2005 (see CCBFC) by the following:

NBC... National Building Code of Canada within the meaning of section 1.01 of Chapter I of the Construction Code, as amended by this Chapter;

(4) by inserting the following after “MSC... Meteorological Service of Canada [formerly AES – Atmospheric Environment Service] (Environment Canada, 4905 Dufferin Street, Toronto, Ontario M3H 5T4; www.msc-smc.ec.gc.ca):

“MSS... Manufacturers Standardization Society of the Valve and Fittings Industry (127 Park Street, N.E., Vienna, Virginia 22180 U.S.A.; www.mss-hq.com)”;

(5) by inserting the following after “NPC... National Plumbing Code of Canada 2005 (see CCBFC)” and “NRC... National Research Council of Canada (Ottawa, Ontario K1A 0R6; www.nrc-cnrc.gc.ca) respectively:

“NQ... Québec standard” and

NSF... NSF International (PO Box 130140, Ann Arbor, Michigan 48113-0140, U.S.A.; www.nsf.com)”;

(6) by inserting the following after “NSF... NSF International (PO Box 130140, Ann Arbor, Michigan 48113-0140, U.S.A.; www.nsf.com)”;

“PDI... Plumbing & Drainage Institute (800, Turnpike Street, Suite 300, North Andover, Massachusetts 01845 U.S.A.; www.pdionline.org)”;

(3) in Article 2.1.2.3., by replacing “Every” in Sentence (1) by “Except as provided in Clause (a) of Sentence 2.7.3.2(1), every”;

(4) in article 2.2.3.1., by adding the following after Sentence (5):

“(6) A deep trap seal depth shall be not less than 100 mm.”;

(5) in Article 2.2.3.2., by adding the following after Sentence (2):

“(3) Every grease interceptor shall conform to

(a) NQ 3619-280, Séparateurs de graisse - Critère de performance, or

(b) PDI-G101, Testing and Rating Procedure for Grease Interceptors with Appendix of Sizing and Installation Data.”;

(6) in Article 2.2.3.3., by replacing “CAN/CSA B125, Plumbing Fittings” in Sentence (1) by “ASME A112.18.2/CSA B125.2, Plumbing Waste Fittings”;

(7) in Article 2.2.5.3., by inserting the following after Clause (b) of Sentence (1):

“(c) NQ 2622-126, Tuyaux et branchements latéraux monolithiques en béton armé et non armé pour l'évacuation des eaux d'égout domestique et pluvial”;

(8) in Article 2.2.5.5., by replacing Sentence (1) by the following:

“(1) Polyethylene water pipe, tubing, and fittings shall conform to Series 160 of

(a) CAN/CSA-B137.1, Polyethylene Pipe, Tubing, and Fittings for Cold-Water Pressure Services, or

(b) NQ 3624-027, Tuyaux et raccords en polyéthylène (PE) -Tuyaux pour le transport des liquides sous pression - Caractéristiques et méthodes d'essais.”;

(9) in Article 2.2.5.8., by replacing Clause (a) of Sentence (1) by the following:

“(a) conform to

(i) CAN/CSA B137.3, Rigid Polyvinyl Chloride (PVC) Pipe for Pressure Applications, or

(ii) NQ 3624-250, Unplasticized Poly(Vinyl Chloride) [PVC-U] Pipe and Fittings – Rigid Pipe for Pressurized Water Supply and Distribution – Characteristics and Test Methods.”;

(10) in Article 2.2.5.10.

(1) by striking out “or” at the end of Clause (g) of Sentence (1);

(2) by adding the following after Clause (h) of Sentence (1):

(i) NQ 3624-120, Polyethylene (PE) Plastic Pipe and fittings – Smooth Inside Wall Open or Closed Profile Pipes for Storm Sewer and Soil Drainage – Characteristics and Test Methods,

(j) NQ 3624-130, Tuyaux et raccords rigides en poly (chlorure de vinyle) (PVC) non plastifié, de diamètre égal ou inférieur à 150 mm, pour égouts souterrains, or

(k) NQ 3624-135, Unplasticized Poly(Vinyl Chloride) [PVC-U] Pipe and Fittings – Pipes of 200mm to 600 mm in Diameter for Underground Sewage and Soil Drainage – Characteristics and Test Methods.”;

(11) in Article 2.2.5.13.,

(1) by inserting “with a nominal pressure not more than 690 kPa and a nominal temperature not more than 82°C” after “PE/AL/PE pipe and fittings” in Sentence (2);

(2) by adding the following after Sentence (2):

“(3) PE/AL/PE composite pipe with a nominal pressure not less than 690 kPa and a nominal temperature not less than 82°C are permitted to be used in a hot water system with connections conforming to CAN/CSA-B137.10, Crosslinked Polyethylene/Aluminum/Crosslinked Polyethylene Composite Pressure-Pipe Systems.”;

(12) in Article 2.2.6.4., by replacing Sentence (1) by the following:

“(1) Cast-iron water pipes shall conform to

(a) ANSI AWWA-C151/A21.51, Ductile-Iron Pipe, Centrifugally Cast, for Water, or

(b) NQ 3623-085, Ductile-Iron Pipes for Pressure Piping Systems – Characteristics and Test Methods.”;

(13) by adding the following after Article 2.2.6.9.:

**“2.2.6.10. Stainless Steel Pipes**

(1) Stainless steel pipe and fittings shall conform to

(a) A268/A268M-05a, Standard Specification for Seamless and Welded Ferritic and Martensitic Stainless Steel Tubing for General Service,

(b) A269-04, Standard Specification for Seamless and Welded Austenitic Stainless Steel Tubing for General Service, or

(c) A312/A312M-05a, Standard Specification for Seamless, Welded, and Heavily Cold Worked Austenitic Stainless Steel Pipes.”;

(14) in Article 2.2.9.2., by replacing Sentence (1) by the following:

“(1) Solders for solder joint fittings shall conform to

(a) ASTM-B 32, Solder Metal, or

(b) AWS A5.8-92, Specification for Filler Metals for Brazing and Braze Welding.”;

(15) in Article 2.2.10.5., by inserting “, except at the point of connection to a standpipe system” after “water systems” in Sentence (1);

(16) in Article 2.2.10.6.,

(1) by replacing Sentence (1) by the following:

“(1) Supply fittings shall conform to

(a) ASME A112.18.1/CSA B125.1, Plumbing Supply Fittings, or

(b) CSA B125.3, Plumbing Fittings.

(2) Waste fittings shall conform to

(a) ASME A112.18.2/CSA B125.2, Plumbing Waste Fittings, or

(b) CSA B125.3, Plumbing Fittings.”;

(17) in Article 2.2.10.7.

(1) by replacing the title “**Shower Valves**” by “**Water Temperature Control**”;

(2) by replacing “CAN/CSA-B125, Plumbing fittings” in Sentence (1) by “ASME A112.18.1/CSA-B125.1, Plumbing Supply Fittings”;

(3) by replacing “CAN/CSA-B125, Plumbing Fittings” in Sentence (2) by “CSA B 125.3, Plumbing Fittings”;

(4) by replacing Sentence (4) by the following:

“(4) Every valve supplying a shower head shall be a pressure-balanced or thermostatic-mixing valve capable of

(a) maintaining the outlet temperature at not more than 49°C, and

(b) limiting thermal shock.

(5) The temperature of water supplying bathtubs shall not be more than 49°C.”;

(18) in Article 2.2.10.10., by replacing “CAN/CSA-B125, Plumbing Fittings” in Sentence (2) by “CSA B125.3, Plumbing Fittings”;

(19) in Article 2.2.10.13.

(1) by striking out “**Solar Domestic**” in the title;

(2) by replacing Sentence (1) by the following:

“(1) Service water heaters shall conform to

(a) ANSI Z21.10.1/CSA 4.1, Gas Water Heaters - Volume I, Storage Water Heaters with Input Ratings of 75,000 Btu Per Hour or Less,

(b) ANSI Z21.10.3/CSA 4.3, Gas Water Heaters - Volume III, Storage Water Heaters with Input Ratings Above 75,000 Btu Per Hour, Circulating and Instantaneous,

(c) CAN/CSA-C22.2 No. 110, Construction and Test of Electric Storage-Tank Water Heaters,

(d) CSA B140.12, Oil-Burning Equipment: Service Water Heaters for Domestic Hot Water, Space Heating, and Swimming Pools, or

(e) CAN/CSA-F379.1, Solar Domestic Hot Water Systems (Liquid to Liquid Heat Transfer).”;

(20) by adding the following after Article 2.2.10.16.:

**“2.2.10.17. Potable Water Treatment Units**

(1) Potable water treatment units installed at the point of use to meet the requirements of the Regulation respecting the quality of drinking water shall conform to one of the following NSF International standards:

(a) NSF/ANSI 53, Drinking Water Treatment Units – Health Effects,

(b) NSF/ANSI 55, Ultraviolet Microbiological Water Treatment Systems,

(c) NSF/ANSI 58, Reverse Osmosis Drinking Water Treatment Systems, or

(d) NSF/ANSI 62, Drinking Water Distillation Systems.

(2) Potable water treatment units installed for disinfecting water shall conform to one of the following NSF International standards:

(a) NSF/ANSI 53, Drinking Water Treatment Units – Health Effects,

(b) NSF/ANSI 55, Ultraviolet Microbiological Water Treatment Systems, or

(c) NSF/ANSI 58, Reverse Osmosis Drinking Water Treatment Systems.

(3) Potable water treatment units not covered in Sentences (1) and (2) or any component in contact with potable water shall conform to one of the following NSF International standards:

(a) NSF/ANSI 42, Drinking Water Treatments Units - Aesthetic Effects,

(b) NSF/ANSI 44, Residential Cation Exchange Water Softeners,

(c) NSF/ANSI 53, Drinking Water Treatment Units – Health Effects,

(d) NSF/ANSI 55, Ultraviolet Microbiological Water Treatment Systems,

(e) NSF/ANSI 58, Reverse Osmosis Drinking Water Treatment Systems,

(f) ANSI/NSF 61, Drinking Water System Components – Health Effects, or

(g) NSF/ANSI 62, Drinking Water Distillation Systems.

#### **2.2.10.18. Backwater Valves**

(1) Backwater valves shall conform to

(a) CAN/CSA-B70, Cast Iron Soil Pipe, Fittings, and Means of Joining,

(b) CAN/CSA-B181.1, ABS Drain, Waste, and Vent Pipe and Pipe Fittings,

(c) CAN/CSA-B181.2, PVC Drain, Waste, and Vent Pipe and Pipe Fittings,

(d) CAN/CSA-B182.1, Plastic Drain and Sewer Pipe and Pipe Fittings,

(e) NQ 3632-670, Backwater and Check Valves for Sewage Systems.

#### **2.2.10.19. Floor Drains and Shower Drains**

(1) Floor drains, including emergency floor drains, and shower drains installed in an individual house shall conform to CSA-B79, Floor Drains, Area Drains, Shower Drains, and Cleanouts in Residential Construction.

(2) Floor drains, including emergency floor drains, and shower drains installed in an occupancy other than an individual house shall conform to ASME A112.6.3, Floor and Trench Drains.

#### **2.2.10.20. Roof Drains**

(1) Roof drains shall conform to ASME A112.6.4, Roof, Deck, and Balcony Drains.

#### **2.2.10.21. Trap Seal Primer Devices**

(1) Trap seal primer devices shall conform to

(a) ASSE 1018, Performance Requirements for Trap Seal Primer Valves - Potable Water Supplied, or

(b) ASSE 1044, Performance Requirements for Trap Seal Primer Devices - Drainage Types and Electronic Design Types.

#### **2.2.10.22. Air Gaps**

(1) Prefabricated air gaps shall conform to ASME A112.1.2, Air Gaps in Plumbing Systems.

**2.2.10.23. Pipe Hangers and Supports**

(1) Prefabricated pipe hangers and supports shall conform to MSS SP-58, Pipe Hangers and Supports – Materials, Design, and Manufacture.”.

(21) in Article 2.3.4.1.,

(1) by inserting “and every valve” after “fixture” in Sentence (3);

(2) by adding the following after Sentence (3):

“(4) Pipe hangers and supports shall be selected according to ANSI/MSS SP-69, Pipe Hangers and Supports – Selection and Application.”;

(22) in Article 2.4.2.1.,

(1) by striking out “or” at the end of Clause (v) of Sentence (1);

(2) by inserting the following after Subclause (vi) of Clause (e) of Sentence (1):

“(vii) a drain or overflow from a swimming or wading pool and deck floor drains, or

(viii) a drain from an elevator, dumbwaiter or elevating device pit.”;

(3) by replacing Sentence (2) by the following:

“(2) Where the upper vertical part of an offset soil-or-waste stack receives water from fixtures from more than one storey, a connection in that offset soil-or-waste stack shall not be less than

(a) 1.5 m downstream from the base of the upper section of the soil-or-waste stack or from another connection receiving sewage from another soil-or-waste stack connected to the offset, and

(b) 600 mm higher or lower than the nominally horizontal offset in the upper or lower vertical section of an offset soil-or-waste stack.

(See Appendix A.)”;

(4) by adding the following after Sentence (4):

“(5) Every connection at the bottom of a soil-or-waste stack shall be not less than

(a) 1.5 m in a building drain or a branch receiving sewage from the soil-or-waste stack,

(b) 600 mm from the top of the building drain or branch to which the soil-or-waste stack is connected.

(See Appendix A.)

(6) Every trap arm of a floor drain or a fixture without a flushing system shall have a nominally horizontal part not less than 450 mm in developed length, measured between the trap and its connection to a nominally horizontal soil-or-waste pipe. The developed length of the trap arm of a floor drain shall be increased to 1.5 m if it is connected not more than 3 m downstream from the bottom of a soil-or-waste stack or a leader.

(See Appendix A.)

(7) If a soil-or-waste pipe receives sewage containing detergent suds, no other soil-or-waste pipe shall be connected to the soil-or-waste pipe near a change of direction of the soil-or-waste pipe of more than 45°, over a length not less than

(a) 40 times the size of the soil-or-waste pipe receiving the sewage containing the detergent suds before changing direction, or

(b) 10 times the size of the soil-or-waste pipe receiving the sewage containing the detergent suds after changing direction.

(See Appendix A.)

(8) Where a vent pipe is connected into one of the detergent suds zones of a soil-or-waste pipe referred to in Sentence (7), no other vent pipe shall be



connected to that vent pipe over a length equal to 40 times the size of the soil-or-waste pipe, measured from the connection of the vent pipe to the soil-or-waste pipe.

(See Appendix A.)”;

(23) by adding the following after Article 2.4.3.6.:

#### “2.4.3.7. Retention Pit

(1) A retention pit shall be made of concrete or be approved in accordance with Article 2.2.3.1. of Division C. It must be made in one piece, be leakproof and smooth inside. Its length shall not be less than 600 mm and its minimum width shall not be less than 450 mm, the length being taken in the direction of its fixture drain. A round retention pit shall be not less than 600 mm in size.

(2) The fixture drain of the retention pit shall be not less than 3 inches in size and be protected by a reversed sanitary T fitting with a cleanout at the end or by a deep seal trap with cleanout. The fixture drain shall be 4 inches in size if the retention pit receives storm water. Despite the foregoing, for a single-family house, the fixture drain may be 3 inches in size. No mechanical fitting shall be used inside a retention pit.

(3) A reversed sanitary T fitting shall be located inside the retention pit and the deep seal trap may be located inside or outside the retention pit. In the last case, the trap cleanout shall be extended to the floor level.

(4) The lower end of the reversed sanitary T fitting shall be placed 200 mm or more from the bottom of the retention pit. For a deep seal trap, the upper end of the trap shall be placed not less than 300 mm from the bottom of the retention pit.

(5) The retention pit shall be covered, at the floor or ground level, by a cast iron or steel cover not less than 6 mm thick or any other material conforming to the Code.

(6) The fixture drain of a retention pit exposed to frost shall have a trap inside the building, unless it drains into another retention pit that is not exposed.

(7) The fixture drain of a retention pit shall be directly connected to the sanitary drainage system and drain into it by gravity or in the manner described in Article 2.4.6.3.

(8) The invert of a discharge pipe connected to a retention pit shall be higher than the crown of the fixture drain.

(9) A retention pit with a fixture drain 4 inches in size for a draining area of 370 m<sup>2</sup> shall be provided. For a fixture drain more than 4 inches in size, the drained area may be increased by 280 m<sup>2</sup> by additional inch.

(10) A check valve is permitted to be installed inside a retention pit provided it is extended by a length equal to the length of the valve.

(11) The requirements relating to the fall and ventilation of trap arms do not apply to the fixture drain serving a retention pit.”;

(24) by replacing Article 2.4.5.3. by the following:

#### “2.4.5.3. Connection of Subsoil Drainage Pipe to a Drainage System

(1) Where a subsoil drainage pipe is connected to a drainage system, the connection shall be made on the upstream side of a trap with a cleanout, a trapped sump or a retention pit. (See Appendix A.)”;

(25) in Article 2.4.5.4., by adding the following after Sentence (1):

“(2) No sanitary drainage system or combined building drain shall have a building trap.”;

(26) in Article 2.4.5.5., by adding the following after Sentence (1):

“(2) Water from the trap seal of a floor drain in a dwelling unit need not be maintained by a trap seal primer.”;

(27) in Article 2.4.6.4., by replacing Sentence (2) by the following:

“(2) A backwater valve may be installed in a building drain if

(a) it is of a “normally open” design, and

(b) it does not serve more than one dwelling unit.”;

(28) by striking out Article 2.4.6.5.;

(29) in Article 2.5.2.1.,

(1) by replacing “Table 2.5.2.1.” in Clause (a) of Sentence (1) by “Article 2.5.8.1.”;

(2) by replacing Clause (d) of Sentence (1) by the following:

“(d) the trap arms of the WCs connected to a vertical pipe are connected downstream from all other fixtures.”;

(3) by replacing Clause (j) of Sentence (1) by the following:

“(j) the portion of the soil-or-waste stack including a wet vent that extends above more than one storey is the same size as its bottom up to the uppermost connection of a fixture.”;

(4) by striking out Table 2.5.2.1.;

(30) in Article 2.5.8.1.,

(1) by replacing “Table 2.5.8.1.” in Sentence (1) by “Tables 2.5.8.1.A. and 2.5.8.1.B.”;

(2) by inserting the following before Table 2.5.8.1.:

**“Table 2.5.8.1.A.  
Maximum Permitted Hydraulic Loads  
Drained to a Wet Vent Serving  
Fixtures on the same Storey  
Forming Part of Sentence 2.5.8.1.(1)**

<u>Size of Wet Vent</u> of a <u>Storey</u> , inches	Maximum Hydraulic Load, <u>fixture units</u>
1 <sup>1</sup> / <sub>4</sub>	1
1 <sup>1</sup> / <sub>2</sub>	2
2	5
2 <sup>1</sup> / <sub>2</sub>	8
3	18
4	120

”;

(3) by replacing the title of Table 2.5.8.1. by “Table 2.5.8.1.B.”;

(31) in Article 2.6.1.1., by adding the following after Sentence (3):

“(4) In a hot water distribution system with a recirculation loop, the temperature of the water in the loop shall not be less than 55°C when the water is circulating. (See note A-2.6.1.12.(1).)

(5) The recirculation loop referred to in Sentence (4) may operate intermittently.

(6) The recirculation loop referred to in Sentence (4) may be replaced by a self-regulating heat tracing system.”;

(32) in Sentence (10) of Article 2.6.1.7.,

(1) by replacing “The” in the part of the Sentence preceding Clause (a) by “Except as provided in Clause (d), the”;

(2) by replacing Clause (a) by the following:

“(a) be not less than 50 mm larger than the walls of the service water heater and have side walls not less than 75 mm high.”;

(3) by replacing “, and” in Clause (b) by “, without being less than 1<sup>1</sup>/<sub>4</sub> inches.”;

(4) by inserting the following in Clause (c):

“(d) not be required to have a fixture drain where the relief valve discharge pipe conforms to Sentence (5).”;

(33) in Article 2.6.1.9., by replacing Sentence (1) by the following:

“(1) Water distribution systems shall be protected against water hammers by pre-fabricated water-hammer arresters.

(See Appendix A.)”;

(34) by inserting the following after Article 2.6.1.11.:

**“2.6.1.12. Storage-Type Service Water Heater**

(1) The temperature control device of storage-type service water heaters shall be set so that the temperature of stored water is not less than 60°C. (See Appendix A.)”;

“

(3)	[F81-OH2.1,OH2.3,OH 2.4] [F46-OH2.2]
-----	--------------------------------------

”;

(2) by adding the following after Sentence 2.2.5.13.(2):

“

(3)	[F20-OP5]
-----	-----------

”;

(3) by adding the following after Article 2.2.6.9.:

“

<b>2.2.6.10. Stainless Steel Pipes</b>	
(1)	[F80-OH2.1,OH2.3,OH1.1] applies to <u>drainage systems</u> and <u>ventilation systems</u> [F46-OH2.2] applies to <u>water systems</u>
	[F80-OP5]

(35) in Article 2.6.2.1., by adding the following after Sentence (3):

“(4) In the case of backflow preventers that, according to CSA B64.10, require testing after installation, the person testing the backflow preventers shall hold a certificate issued in accordance with section 4 of CSA B64.10.1. by an organization or association certified by AWWA.”;

(36) in Article 2.7.3.2., by replacing Clause (a) of Sentence (1) by the following:

“(a) a sink or lavatory, except in the case of a seasonal tourist establishment referred to in Chapter V.1 of the Regulation respecting the quality of drinking water, made by Order in Council 647-2001 dated 30 May 2001.”;

(37) in Table 2.8.1.1. of Article 2.8.1.1.,

(1) by adding the following after Sentence 2.2.3.2.(2):

”;

(4) by replacing Sentence 2.2.10.6.(1) by the following:

“

(1)	[F80-OP5]
(2)	[F80-OH2.1, OH2.3]

”;

(5) by adding the following after Sentence 2.2.10.7.(4):

“

(5)	[F31-OS53.2]
-----	--------------

”;

(6) by replacing Article 2.2.10.13.(1) by the following:

“

<b>2.2.10.13. Service Water Heater</b>	
(1)	[F46-OH2.2]
	[F80,F81-OP5]
	[F31, F81-OS3.2]
	[F43-OS3.4]

”;

(7) by adding the following after Article 2.2.10.16.(1):

“

<b>2.2.10.17. Potable Water Treatment Units</b>	
(1)	[F70,F81,F46-OH2.1, OH2.2, OH2.3]
(2)	[F70,F81,F46-OH2.1, OH2.2, OH2.3]
(3)	[F70,F81,F46-OH2.1, OH2.2, OH2.3]
<b>2.2.10.18. Backwater Valves</b>	
(1)	[F80-OH2.1]
<b>2.2.10.19. Floor Drains and Shower Drains</b>	
(1)	[F80-OH2.1,OH2.4]

<b>2.2.10.20. Roof Drains</b>	
(1)	[F80-OP5]
	[F80-OS2.1]
<b>2.2.10.21. Trap Seal Primers</b>	
(1)	[F80-OH1.1]
<b>2.2.10.22. Air Gaps</b>	
(1)	[F80-OH2.1, OH2.2, OH2.3]
<b>2.2.10.23. Pipe Hangers and Supports</b>	
(1)	[F20-OH2.1]
	[F20-OS3.1]
	[F80-OP5]

”;

(8) by adding the following after Sentence 2.3.4.1.(3):

“

(4)	[F20-OH2.1, OH2.4]
	[F20-OP5]
	[F20-OS3.1]

”;

(9) by adding the following after Sentence 2.4.2.1.(4):

“

(5)	[F81-OH1.1]
(6)	[F81-OH1.1]
(7)	[F81-OH1.1]
(8)	[F81-OH1.1]

”;

(10) by adding the following after Article 2.4.3.6.:

“

<b>2.4.3.7. Retention Pit</b>	
(1)	[F60, F61-OH1.1]
(2)	[F81-OH1.1, OH2.1]

(3)	[F81-OH1.1]
(4)	[F81-OH1.1]
(5)	[F40-OH1.1]
	[F30-OS3.1]
(6)	[F81-OH2.1, OH2.3]
	[F81-OP5]
(7)	[F81-OH2.1, OH2.2]
	[F72-OH2.1]
(8)	[F81-OH2.1]
(9)	[F72-OH2.1]
	[F81-OS2.1]
	[F81-OP5]
(10)	[F81-OH2.1]
(11)	[F81-OH1.1]

”;

(11) by adding the following after Sentence 2.4.5.4.(1):

“

(2)	[F81-OH2.1]
-----	-------------

”;

(12) by adding the following after Sentence 2.4.5.5.(1):

“

(2)	[F81-OH1.1]
-----	-------------

”;

(13) by adding the following after Sentence 2.6.1.1.(3):

“

(4)	[F40-OH1.1]
(6)	[F40-OH1.1]

”;

(14) by adding the following after Article 2.6.1.11.:

“

<b>2.6.1.12. Storage-Type Service Water Heater</b>	
(1)	[F40-OH1.1]

”;

(38) by adding the following after note A-2.2.10.5.(1):

**“A-2.2.10.7. Maximum Temperature of Hot Water**

A hot water temperature of 60°C at the outlet of a fixture severely burns the skin in 1 to 5 seconds. At 49°C, it takes 10 minutes to cause a third degree burn. Children, elderly people and people with disabilities are more vulnerable to burns. Conformance with Article 2.2.10.7. will prevent burns and thermal shock in showers and bathtubs. Devices ensuring conformance with the NPC shall conform to ASME A112.18.1/CSA B125.1, Plumbing Supply Fittings, or CSA B125.3, Plumbing Fittings, as indicated in Sentence 2.2.10.16.(1).

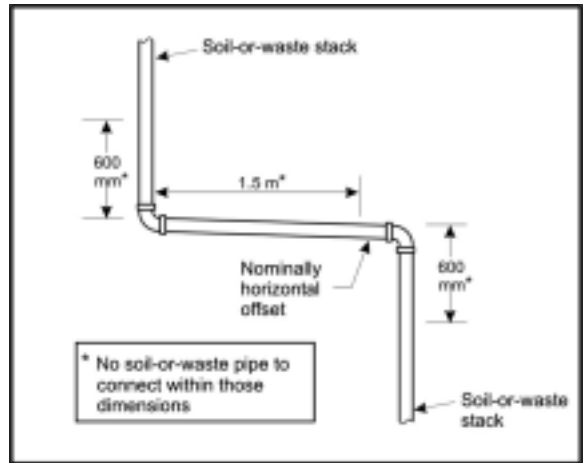
Those requirements cover all uses and are not limited to residences.

Article 2.2.10.7. does not apply to water temperature at the outlet of other fixtures such as sinks, lavatory basins, laundry trays or bidets for which a burn hazard remains.”;

(39) by replacing “(3)” in the title of Sentence A-2.2.10.9.(3) by “(4)”;

(40) by replacing Figure A-2.4.2.1.(2) in Sentence A-2.4.2.1.(2) by the following:

“

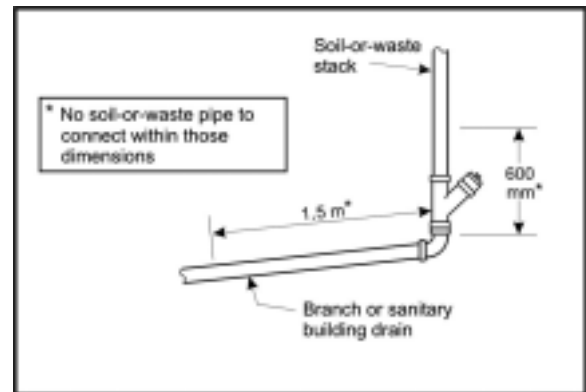


”;

(41) by adding the following after note A-2.4.2.1.(4):

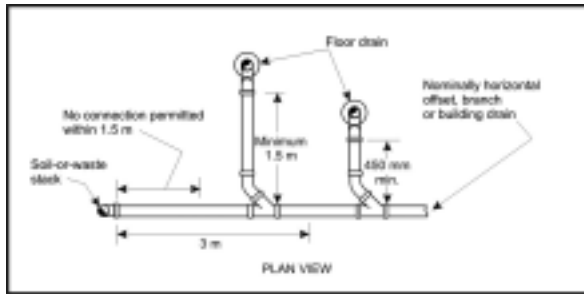
**“Suds Pressure Zones Connections**

**A-2.4.2.1.(5) Soil-or-Waste Pipe Connections**



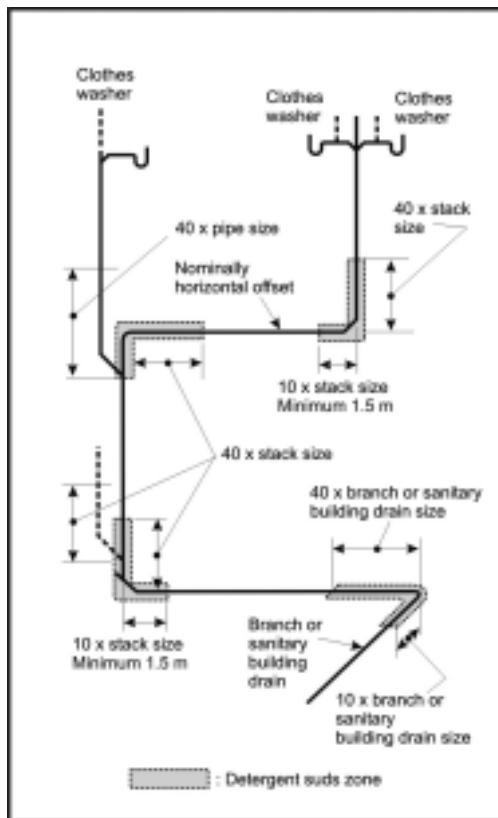
**Figure A-2.4.2.1.(5) Soil-or-Waste Pipe Connections;**

**A-2.4.2.1.(6) Soil-or-Waste Pipe Connections**



**Figure A-2.4.2.1.(6) Soil-or-Waste Pipe Connections;**

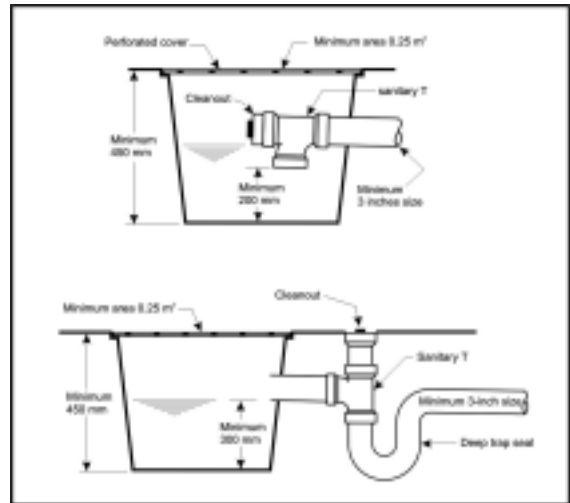
**A-2.4.2.1.(7) Suds Pressure Zones Connections**



**Figure A-2.4.2.1.(7) Suds Pressure Zones Connections”;**

(42) by adding the following after note A-2.4.3.3.(1):

**“A-2.4.3.7. Retention Pit**



**Figure A-2.4.3.7. Retention Pit”;**

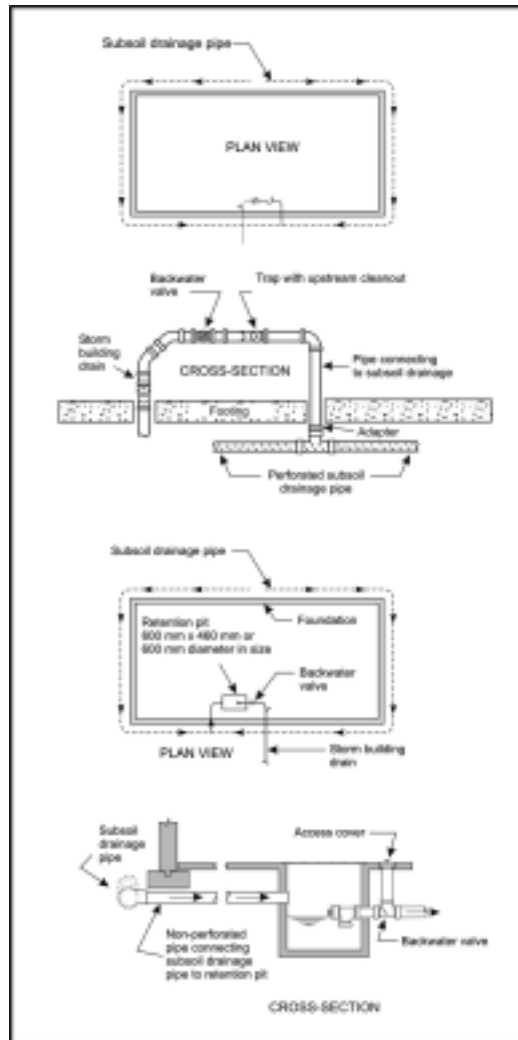
(43) in note A-2.4.5.3.(1),

(1) by striking out “A trap or sump may be provided specifically for the subsoil drains, or the trap of a floor drain or storm water sump as shown in Figure A-2.4.5.3.(1) may be used.”;



(2) by replacing Figure A-2.4.5.3.(1) by the following:

“



**Figure A-2.4.5.3.(1) Subsoil Drainage Connection”;**

(44) by striking out note A-2.4.5.4.(1);

(45) in note A-2.4.5.5.(1), by striking out “Periodic manual replenishment of the water in a trap is considered to be an equally effective means of maintaining the trap seal in floor drains in residences.”;

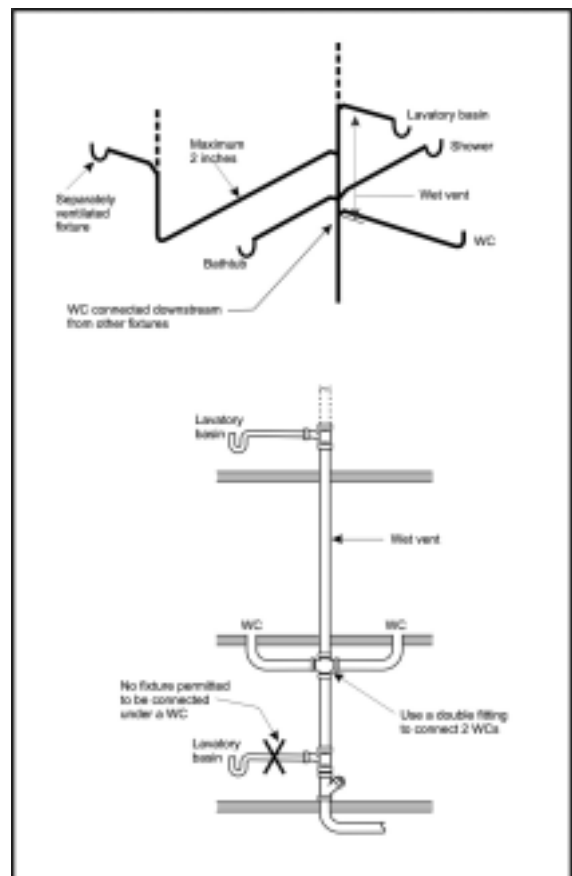
(46) by adding the following after note A-2.4.5.5.(1):

“**A-2.4.5.5.(2) Maintaining Trap Seals in Floor Drains in Dwelling Units.** Periodic manual replenishment of the water in a trap maintains the trap seal in floor drains in dwelling units.”;

(47) in note A-2.5.2.1 and 2.5.3.1.,

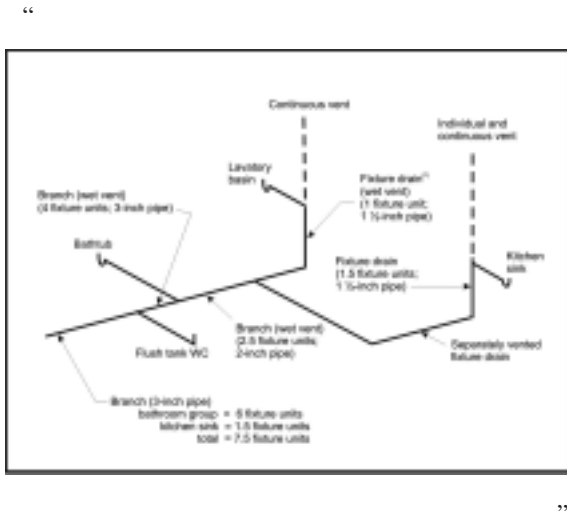
(1) by replacing Figure A-2.5.2.1. and 2.5.3.1.-C by the following:

“

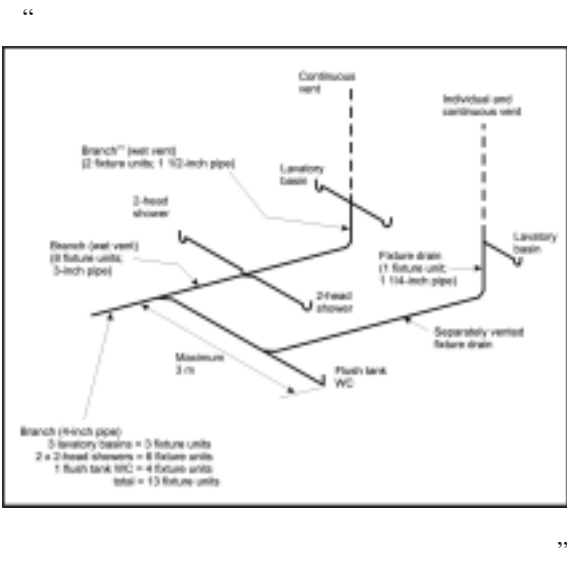


”;

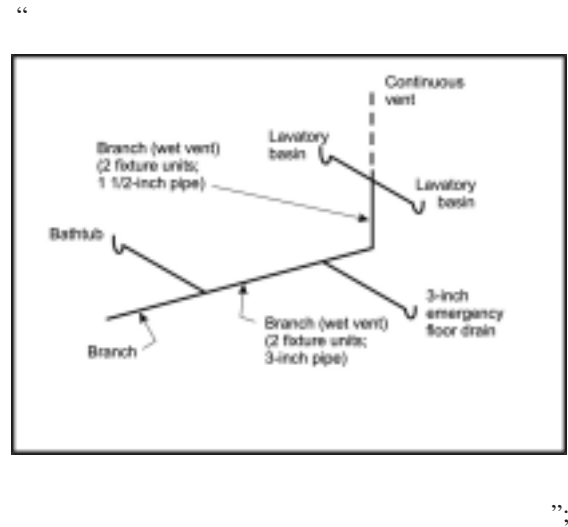
(2) by replacing Figure A-2.5.2.1. and 2.5.3.1.-E by the following:



(3) by replacing Figure A-2.5.2.1. and 2.5.3.1.-F by the following:



(4) by replacing Figure A-2.5.2.1. and 2.5.3.1.-L by the following:



(48) by adding the following after note A-2.6.1.11.:

**“A-2.6.1.12.(1) Service Water Heater**

Water in a service water heater or a distribution system at a temperature not more than 60°C permits *Legionella* bacteria to survive and thrive. Water heated at a temperature equal to or greater than 60°C reduces bacterial contamination of the hot water distribution system. To do so, the thermostat must be set at different temperatures depending on the type of service water heater.”

**3.06. The Code is amended in Division C,**

- (1) by striking out Article 2.2.1.1.;
- (2) by replacing Subsection 2.2.2. by the following:

**“2.2.2. Plans and Specifications**

**2.2.2.1. Requirements**

- (1) A plumbing contractor or owner-builder may not begin construction work on a plumbing system to which Chapter III of the Construction Code applies unless there are plans and speci-

fications for the work, if the total hydraulic load to be installed exceeds 180 fixture units.

#### 2.2.2.2. Content

(1) Plans shall be drawn to scale and show

(a) a plan view of the location and dimension of the drains and cleanouts, the location of fixtures and the water distribution system,

(b) an elevation view of the location of fixtures and traps, the dimension of drains, leaders, soil-or-waste stacks and vent stacks, as well as the water distribution system, and

(c) the connection of the subsoil drainage pipe.”;

(3) by adding the following after Subsection 2.2.2.:

#### “2.2.3. Approval of Materials

##### 2.2.3.1. Approved Materials, Fixtures and Facilities used in a Plumbing System

(1) In a plumbing system, only materials, fixtures or facilities that are certified or approved by one of the following organizations may be used:

(a) Canadian Gas Association (CGA),

(b) Bureau de normalisation du Québec (BNQ),

(c) CSA International (CSA),

(d) IAPMO Research and Testing Inc. (UPC),

(e) Underwriters’ Laboratories of Canada (ULC),

(f) NSF International (NSF),

(g) Canadian General Standards Board (CGSB),

(h) Quality Auditing Institute (QAI),

(i) Intertek Testing Services NA Ltd. (ITS),

(j) Underwriters Laboratories Inc. (UL),

(k) Water Quality Association (WQA),

(l) any other organization accredited by the Standards Council of Canada as a certifying organization in the field of plumbing which has notified the Board of its accreditation.

#### 2.2.3.2. Sale and lease

(1) Materials, fixtures or facilities to be used in a plumbing system must be certified or approved by an organization listed in Sentence 2.2.3.1.(1) before being sold or leased.

#### 2.2.4. Declaration of Work

##### 2.2.4.1. Application

(1) A plumbing contractor shall declare to the Régie du bâtiment du Québec all construction work to which Chapter III of the Construction Code applies if the work pertains to a new plumbing system or requires the replacement of a service water heater or pipes.

##### 2.2.4.2. Submission of the Declaration

(1) The declaration required under Article 2.2.4.1. shall be forwarded to the Board not later than the twentieth day of the month following the date on which work starts.

##### 2.2.4.3. Form

(1) The declaration of work shall be made on the form provided by the Board or on any other document prepared for that purpose.

##### 2.2.4.4. Content

(1) The declaration shall contain

(a) the address of the site where the work is performed,

- (b) the name, address and telephone number of the person for whom the work is performed,
- (c) the name, address, telephone number and licence number of the plumbing contractor,
- (d) the estimated start and end dates of the construction work,
- (e) the nature and type of the work,
- (f) the occupancy of the building or facility intended for use by the public, the classification and building area under the code referred to in Chapter I of the Construction Code, and the existing and planned number of storeys, and
- (g) the number of fixtures and service water heaters to be installed.

### 2.2.5. Inspection Fees

#### 2.2.5.1. Calculation

- (1) The following fees shall be paid to the Board by the plumbing contractor for the inspection of the construction work pertaining to plumbing systems for which a declaration is required under Article 2.2.4.1.:
  - (a) \$127.14 for a new single-family detached or semi-detached house or row house,
  - (b) \$76.96 per dwelling unit other than those referred to in Clause (a) for the construction of a new building intended for housing or for the conversion of a building of another nature into a building intended for housing, regardless of the number of fixtures and service water heaters, or
  - (c) in the case of work other than work referred to in Clauses (a) and (b),
    - (i) \$10.20 per fixture or service water heater, where the work is performed on more than one, or
    - (ii) \$17.51 where the work is performed on only one or no fixture or service water heater.

(2) A plumbing contractor or owner-builder shall pay the following inspection fees to the Board for the inspection of a plumbing system following the issue of a remedial notice provided for in section 122 of the Building Act:

- (a) \$85.88 for the first hour or any fraction thereof,
  - (b) half the hourly rate established in Clause (a) for each half-hour or fraction thereof added to the first hour.
- (3) A plumbing owner-builder shall pay to the Board the inspection fees fixed in Clauses (a) and (b) of Sentence (2) for the inspection of a plumbing system.
- (4) For the approval of a plumbing material, fixture or facility that cannot be certified or approved by one of the organizations listed in Article 2.2.3.1., approval fees corresponding to the amounts established in Clauses (a) and (b) of Sentence (2) shall be paid to the Board.

#### 2.2.5.2. Sending

- (1) The fees payable under Sentence 2.2.5.1.(1) shall be included with the declaration of work required under Article 2.2.4.1.
- (2) The fees payable under Sentences 2.2.5.1.(2), (3) and (4) shall be paid to the Board not later than 30 days after the billing date.”;
- (9) by replacing Subsection 2.3.1. by the following:

### “2.3.1. Approval of Alternative Solutions

#### 2.3.1.1 Conditions for Approval

(1) The proposed alternative solutions shall be approved by the Board on the conditions it sets pursuant to section 127 of the Building Act (R.S.Q., c. B-1.1).”.

## DIVISION IV OFFENCES

**3.07.** Every contravention against a provision of this Chapter, except Subsection 2.2.5., introduced by paragraph 3 of section 3.06., constitutes an offence.”

**2.** This Regulation comes into force on the ninetieth day following the date of publication in the *Gazette officielle du Québec*, except Article 2.2.3.2., introduced by paragraph 3 of section 3.06, which comes into force six months after the date of coming into force of this Regulation.

8198

## Draft Regulation

Master Electricians Act  
(R.S.Q., c. M-3)

### Corporation of Master Electricians of Québec — Admission as members

Notice is hereby given, in accordance with section 13 of the Master Electricians Act (R.S.Q., c. M-3) and sections 10, 11 and 26 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting admission as members of the Corporation of Master Electricians of Québec, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The Corporation advises that the Regulation, adopted simultaneously with the regulations respecting committees, sections, discipline of the members and the internal management of the Corporation, repeats most of the rules contained in the regulation currently in force. In addition to regrouping the provisions respecting the rights and duties of the members of the Corporation, the regulation is updated to reflect the mandate entrusted by the Government to the Corporation as regards the vocational qualification of electrical contractors. It also establishes the procedure for the appointment of an honorary member.

The Corporation foresees no significant impact on the enterprises that are members.

Further information may be obtained by contacting Yvon Guilbault, Executive Vice President, Corporation of Master Electricians of Québec, 5925, boulevard Décarie, Montréal (Québec) H3W 3C9; telephone: 514 738-2184; fax: 514 738-2192; e-mail: yvon.guilbault@cmeq.org

Any interested person having comments to make on the Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1. The comments will be sent by the Minister to the Corporation of Master Electricians of Québec.

DAVID WHISSELL,  
*Minister of Labour*

## Regulation respecting admission as members of the Corporation of Master Electricians of Québec

Master Electricians Act  
(R.S.Q., c. M-3, s. 12, par. 1, subpar. c)

### DIVISION I ADMISSION

**1.** An application for admission to the Corporation of Master Electricians of Québec is not deemed to be received unless it contains all the required information and documents and is accompanied by the payment of the annual assessment and entrance dues payable to the Corporation.

**2.** An application for the admission of a partnership or legal person must be made on its behalf by a technical guarantor.

A technical guarantor is a natural person who has shown that, following examinations passed under the Regulation respecting the professional qualification of building contractors and owner-builders (R.R.Q., 1981, c. B-1.1, r.1), he or she has the knowledge required for the management of electrical installation work.

**3.** A person applying for admission must provide the Corporation with the following information and documents:

(1) the person's name and address and the telephone number of the person's principal establishment;

(2) an undertaking to meet the conditions listed in section 4 regarding the person's principal establishment and any vehicle used by the person;

(3) a statement by the technical guarantor regarding the person's representative; and

(4) an undertaking to answer for acts and omissions in a case of a change in legal status.

**4.** A person applying for admission to the Corporation must undertake in the application to meet the following conditions on or before the 30th day following the issue of the person's electrical contractor's licence:

(1) maintain an office at its principal establishment that is at least 15 square metres laid out exclusively for the purpose of carrying on the business of electrical contractor;

(2) be listed in the municipal telephone book with the address of its principal establishment, in reference to the business of electrical contractor;

(3) post a sign at least 23 cm x 46 cm in size in public view at its principal establishment, bearing the person's name, the nature of the activities carried on and the Corporation logo at least 15 cm x 15 cm in size; the person may be wholly or partially exempted from that obligation if the Corporation is provided with a certified true copy of a municipal by-law prohibiting such a sign; and

(4) permanently display the name of the holder of the electrical contractor's licence and the Corporation logo on the sides of every vehicle used or allowed to be used by the person to travel between construction sites and to transport material and equipment; the name must be at least 23 cm x 46 cm in size and the logo at least 15 cm x 15 cm.

**5.** The annual assessment payable to the Corporation is \$633.43. It is adjusted on 1 August each year based on the percentage change in the general Consumer Price Index for Montréal, as determined by Statistics Canada, for the 12-month period ending on 31 December of the same year.

The amount of the adjusted assessment is rounded up or down to the nearest hundredth of a dollar.

The Corporation informs the public of the adjustment under this section in Part 1 of the *Gazette officielle du Québec* and, if the Corporation considers it appropriate, gives notice by any other means.

**6.** The Corporation's entrance dues are \$100. They are adjusted on 1 August each year based on the percentage change in the general Consumer Price Index for Montréal, as determined by Statistics Canada, for the 12-month period ending on 31 December of the same year.

The amount of the adjusted dues is rounded up or down to the nearest hundredth of a dollar.

The Corporation informs the public of the adjustment under this section in Part 1 of the *Gazette officielle du Québec* and, if the Corporation considers it appropriate, gives notice by any other means.

**7.** The annual assessment of the Corporation is payable on application for the issue or renewal of an electrical contractor's licence.

The annual assessment to maintain an electrical contractor's licence is payable on the issuance anniversary date.

Failure to pay the assessment on the due date entails the striking off of the name of the electrical contractor's licence holder from the list of members of the Corporation.

**8.** The Corporation sends the notice of assessment to the principal establishment of each of its members.

**9.** A member who changes legal status must pay entrance dues to the Corporation. The assessment paid before the change is valid as the new member's assessment until the date on which the annual assessment becomes payable.

**10.** The Corporation may publish the name of a person who is no longer a member.

**11.** A person who ceases or abandons activities as an electrical contractor or whose licence as such is suspended or cancelled is not entitled to any refund of the assessment paid to the Corporation.

If an electrical contractor's licence is abandoned, suspended, cancelled or not renewed, the name of the licence holder is struck from the list of members of the Corporation.

## DIVISION II CERTIFICATE AND MEMBERSHIP CARD

**12.** The Corporation issues a certificate and a membership card to every new member and to every member renewing a licence.

The Corporation issues a certificate and a membership card to every member maintaining a licence.

The documents remain the property of the Corporation.

**13.** The membership card contains the following information:

- (1) the name of the electrical contractor's licence holder;
- (2) the expiry date of the membership card;
- (3) the name of the enterprise's representative; and
- (4) an indication that the membership card is no longer valid if the electrical contractor's licence is suspended or has been cancelled or expired.

A representative is a technical guarantor, a partner or an officer of an enterprise who is a member of the Corporation and who is designated as a representative for the enterprise in accordance with sections 79 and 80 of the Regulation respecting the internal management of the Corporation of Master Electricians of Québec, approved by Order in Council (*insert the number and date of approval of the Order in Council*).

**14.** The certificate and membership card are mailed by the Corporation to the member's principal establishment.

**15.** The certificate and membership card cease to be valid if the electrical contractor's licence is suspended, cancelled or expired; in such a case, they must be returned to the Corporation within 10 days of a written request from the Corporation to that effect.

### DIVISION III RIGHTS AND DUTIES OF MEMBERS

**16.** A member has the rights granted by the Act and the regulations of the Corporation, in particular the right

- (1) to receive calls to meetings and to attend the meetings of the Corporation and those of the members of the section;
- (2) to take part in the discussions at a meeting of the Corporation;
- (3) to take part in the discussions and to vote, if applicable, at a meeting of the members of the section;
- (4) to elect the members of the executive committee of the Corporation and the administrators of the section;
- (5) to be a candidate for a position of director on the executive committee of the Corporation or the section, in accordance with the eligibility criteria defined in the Regulation respecting the internal management of the Corporation of Master Electricians of Québec; and

(6) to consult the books of the Corporation and the minutes of the general meetings of the members of the Corporation during the Corporation's business hours.

The correspondence and records of the Corporation and the minutes of council and committee sittings are confidential and may be consulted only by members of the council and of the respective committees.

A section is an administrative division of the Corporation established by the Regulation respecting the sections of the Corporation of Master Electricians of Québec, approved by Order in Council (*insert the number and date of approval of the Order in Council*).

**17.** A member must comply with the obligations imposed by the Act and the regulations of the Corporation and in particular,

- (1) pay the assessment and dues due to the Corporation;
- (2) answer in writing without delay to any correspondence from the various committees of the Corporation, an investigator, the executive vice-president or any person designated by the latter for the purposes of the Act and the regulations of the Corporation;
- (3) inform the Corporation of any change in the member's enterprise affecting the information or documents sent to the Corporation in accordance with this Regulation, within 30 days of the change;
- (4) give notice in writing to the Corporation of the intention to terminate or abandon activities as an electrical contractor and inform the Corporation of the date of the termination or abandonment; and
- (5) provide identification and identify any document used or published by the member on behalf of the licence holder indicated on the member's electrical contractor's licence.

### DIVISION IV HONORARY MEMBERS

**18.** A section or the executive committee may recommend the appointment of an honorary member. After study, the council may, by resolution, decide to issue an honorary member's certificate to a natural person who

- (1) was a master electrician and technical guarantor of an electrical contractor's licence for at least 10 years;

(2) is no longer involved in the carrying on of an electrical contractor business; and

(3) has distinguished himself or herself through exceptional services rendered to the Corporation within a section or on a province-wide basis.

**19.** An honorary member's certificate is irrevocable. It only entitles its holder

(1) to receive calls to meetings and other correspondence pertaining to the meetings of the Corporation and the meetings of the members in the section in which the honorary member resides;

(2) to attend the meetings of the Corporation and the meetings of the members in the section in which the honorary member resides, without voting rights; and

(3) to receive certain of the Corporation's publications.

#### **DIVISION V** **TRANSITIONAL AND FINAL**

**20.** During the 12 months following the coming into force of this Regulation, the annual assessment payable under the first paragraph of section 7 on the renewal of an electrical contractor's licence is established in proportion to the number of months elapsed since 1 August preceding the licence renewal date.

During the 12 months following the coming into force of this Regulation, the annual assessment payable under the second paragraph of section 7 to maintain an electrical contractor's licence is established in proportion to the number of months elapsed since 1 August preceding the issuance anniversary date.

**21.** This Regulation replaces sections 3 to 3.5, 5 to 9, 12, 13, 159 to 168, 171 and 172 of the Regulation of the Corporation of Master Electricians of Québec (R.R.Q., 1981, c. M-3, r.2).

**22.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except the second paragraph of section 7, the second paragraph of section 12 and the second paragraph of section 20, which come into force at the same time as paragraph 2 of section 44 of the Act to amend the Building Act and other legislative provisions (2005, c. 22).

## **Draft Regulation**

Master Electricians Act  
(R.S.Q., c. M-3)

### **Corporation of Master Electricians of Québec — Committees**

Notice is hereby given, in accordance with section 13 of the Master Electricians Act (R.S.Q., c. M-3) and sections 10, 11 and 26 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the committees of the Corporation of Master Electricians of Québec, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The Corporation advises that the Regulation, adopted simultaneously with the regulations respecting admission as members, discipline of the members, sections and the internal management of the Corporation, repeats most of the rules contained in the regulation currently in force. In addition to regrouping the general provisions applicable to the committees of the Corporation, it provides for special rules for the appointment of the members of certain committees, in order to ensure their independence and impartiality, and specifies the cases where persons are disqualified from sitting on the committees of the Corporation.

The Corporation foresees no significant impact on the enterprises that are members.

Further information may be obtained by contacting Yvon Guilbault, Executive Vice President, Corporation of Master Electricians of Québec, 5925, boulevard Décarie, Montréal (Québec) H3W 3C9; telephone: 514 738-2184; fax: 514 738-2192; e-mail: yvon.guilbault@cmeq.org

Any interested person having comments to make on the Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1. The comments will be sent by the Minister to the Corporation of Master Electricians of Québec.

DAVID WHISSELL,  
*Minister of Labour*

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## Regulation respecting the committees of the Corporation of Master Electricians of Québec

Master Electricians Act  
(R.S.Q., c. M-3, s. 12, par. 1, subpars. *h* and *i*)

### DIVISION I GENERAL

**1.** The Provincial Council of Administration of the Corporation of Master Electricians of Québec appoints the members of every committee.

**2.** A member of the council of the Corporation may not be a member of the committee on discipline, the appeals committee, the qualification committee or the review committee.

**3.** Each member of a committee, other than a member of the committee on discipline, the appeals committee, the qualification committee or the review committee, remains in office until replaced or reappointed.

Subject to the first paragraph, at its sitting following the annual meeting, the council must revise the list of members on the committees to make any appointments and changes it considers expedient to make.

The resignation of a committee member must be made by a notice in writing. It takes effect on the date on which the notice is received.

**4.** The acts and proceedings of a committee may be reviewed by the council or the executive committee, except those of the nominating and election committee, the complaints examination committee, the committee on discipline, the appeals committee, the qualification committee and the review committee.

**5.** The members of the committee on discipline, the appeals committee, the qualification committee and the review committee are appointed by the council for a three-year term.

Despite the expiry of term, a member of one of those committees may, however, continue to hear a matter under his or her consideration.

The members of the other committees are appointed for a one-year term.

**6.** The executive committee may for cause, including illness or absence, dismiss any member of a committee. Such a dismissal must be approved by the council.

**7.** The executive committee fills any vacant seat on a committee. Such an appointment must be approved by the council.

**8.** The number of members of a committee may be increased by the executive committee or the council.

**9.** The executive vice-president may designate an employee of the Corporation as the coordinator of a committee or as a resource person or secretary for that committee. That person has no decision-making power.

**10.** A committee sits when the need arises.

**11.** Each committee must record the minutes of its sittings and on request, report on its activities to the executive committee and the council.

**12.** A committee has an advisory or a decision-making role.

**13.** Each member of a committee must sign the oath of discretion in Schedule I.

A committee member who violates the oath is dismissed from the committee by resolution of the council.

**14.** A member of the complaints examination committee is disqualified from sitting and a member of the committee on discipline, the appeals committee, the qualification committee or the review committee is disqualified from sitting and must refrain from taking part in a hearing if

(1) the member is a relative of an officer of the member mentioned in the complaint by blood or by alliance to the degree of cousin-german;

(2) there is a mortal enmity between the member and the member mentioned in the complaint;

(3) the member is a relative by blood or by alliance of the attorney of one of the parties;

(4) the member is a party to a dispute regarding the issue involved in the complaint; or

(5) the member has tendered for the project involved in the complaint under investigation.

A ground for disqualification or recusation must be raised at the first opportunity and be dealt with immediately.

## DIVISION II COMMITTEES

**15.** The committees of the Corporation are

- (1) the nominating and election committee;
- (2) the legislation and regulation committee;
- (3) the committee on the professional development of master electricians and manpower training;
- (4) the audit committee;
- (5) the complaints examination committee;
- (6) the committee on discipline;
- (7) the appeals committee;
- (8) the qualification committee; and
- (9) the review committee.

### *§1. Nominating and election committee*

**16.** The nominating and election committee is composed of five members. It is a decision-making committee that performs the functions set out in Division VI of the Regulation respecting the internal management of the Corporation of Master Electricians of Québec, approved by Order in Council (*insert the number and date of approval of the Order in Council*).

The decisions of the committee are made by a majority.

### *§2. Legislation and regulation committee*

**17.** The legislation and regulation committee is composed of nine members. It is an advisory committee that performs the following functions at the request of the executive committee:

- (1) it examines all legislation and regulations relevant to the activities of the Corporation's members;
- (2) it examines and coordinates every resolution of the council regarding the legislation and regulations relevant to the activities of the Corporation's members; and
- (3) it makes recommendations to the council on amendments to the Act and the Corporation's regulations or to any other Act or regulation relevant to the activities of electrical contractors.

### *§3. Committee on the professional development of master electricians and manpower training*

**18.** The committee on the professional development of master electricians and manpower training is composed of five members.

It is an advisory committee that performs its mandate of seeing to the development of master electricians under the name "Institute for the development of master electricians".

It may take part in the preparation of courses to upgrade the skills of master electricians and any training program relating to apprenticeship in the trade of electrician.

### *§4. Audit committee*

**19.** The audit committee is composed of five members. Members of the executive committee may not sit on the audit committee, although the treasurer of the Corporation attends its sittings without voting rights.

The audit committee is an advisory committee having the following functions:

- (1) it examines the Corporation's financial statements;
- (2) it examines the Corporation's budget before it is submitted by the executive committee to the council and at the Corporation's annual meeting;
- (3) it examines the financial statements of the sections of the Corporation and makes recommendations concerning them to the section council, the executive committee and the council;
- (4) it verifies the Corporation's expenditures against administrative authorizations, the budget and the regulations of the Corporation, and makes recommendations and observations to the executive committee and the council concerning any discrepancies noted;
- (5) it ensures the books of the Corporation are audited by independent auditors; and
- (6) it monitors the performance of the Corporation's investment funds.

The audit committee may submit to the executive committee any observation or recommendation arising out of its functions.

### §5. *Complaints examination committee*

**21.** The complaints examination committee is composed of five members. It is a decision-making committee and its decisions are made by a majority. The complaints examination committee has the following functions:

(1) it decides whether a complaint filed with it is admissible;

(2) it requests any document or information necessary to perform its functions; and

(3) it requests that the member who is the subject of the complaint be called by the Corporation before the committee on discipline or the qualification committee or that proceedings be instituted by the Corporation pursuant to section 28 of the Act.

**22.** A member of the committee on discipline, the appeals committee, the qualification committee or the review committee may not be appointed to the complaints examination committee.

### §6. *Committee on discipline*

**23.** The committee on discipline is composed of five members and may sit with three or five members.

It is a decision-making committee having the functions set out in the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec, approved by Order in Council (*insert the number and date of approval of the Order in Council*).

Its decisions are made by a majority.

**24.** A member of the complaints examination committee or the appeals committee may not be appointed to the committee on discipline.

### §7. *Appeals committee*

**25.** The appeals committee is composed of five members and may sit with three or five members.

It is a decision-making committee having the functions set out in the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec.

Its decisions are made by a majority.

**26.** A member of the complaints examination committee or the committee on discipline may not be appointed to the appeals committee.

### §8. *Qualification committee*

**27.** The qualification committee is composed of five members and may sit with three or five members.

It is a decision-making committee that hears any matter submitted to it involving a refusal to issue or renew an electrical contractor's licence or the suspension or cancellation of a licence, if the Corporation has entered into an agreement pursuant to paragraph 1 of section 9.1 of the Act.

Its decisions are made by a majority.

Sections 8, 12 to 19 and 25 of the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec apply to the qualification committee, with the necessary modifications.

**28.** A member of the complaints examination committee or the review committee may not be appointed to the qualification committee.

### §9. *Review committee*

**29.** The review committee is composed of five members and may sit with three or five members.

It hears and decides every application for review of a decision of the qualification committee.

Its decisions are made by a majority.

Sections 12 to 19, 25 and 30 of the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec apply to the review committee, with the necessary modifications.

**30.** A member of the complaints examination committee or the qualification committee may not be appointed to the review committee.

## DIVISION III TRANSITIONAL AND FINAL

**31.** This Regulation replaces sections 52 to 78 and 101 to 102.2 of the Regulation of the Corporation of Master Electricians of Québec (R.R.Q., 1981, c. M-3, r.2).

However, a member of the Corporation may continue to use the title of electric heating specialist if the member has a permanent and full-time employee who holds an electric heating specialization certificate issued by the Institute for the improvement of the master electrician under section 69 of the Regulation of the Corporation of Master Electricians of Québec.

The holder of the certificate may not allow two members to use the title of electric heating specialist concurrently.

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

## SCHEDULE I

(s. 13)

### OATH OF DISCRETION

I, \_\_\_\_\_, declare under oath that I will not reveal or disclose, unless so authorized, anything of a confidential or privileged nature that may come to my knowledge in the performance of my functions.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ .

8203

## Draft Regulation

Master Electricians Act  
(R.S.Q., c. M-3)

### Corporation of Master Electricians of Québec — Discipline of the members

Notice is hereby given, in accordance with section 13 of the Master Electricians Act (R.S.Q., c. M-3) and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The Corporation advises that the Regulation, adopted simultaneously with the regulations respecting admission as members, the sections, committees and the internal management of the Corporation, repeats most of the rules contained in the regulation currently in force. In addition to regrouping and reformulating the wording of derogatory acts, it amends the rules respecting the processing of complaints and the procedure for disciplinary hearings, and increases the amounts of disciplinary fines as well as the registration fees for appeals of a disciplinary decision.

The Corporation foresees no significant impact on the enterprises that are members.

Further information may be obtained by contacting Yvon Guilbault, Executive Vice President, Corporation of Master Electricians of Québec, 5925, boulevard Décarie, Montréal (Québec) H3W 3C9; telephone: 514 738-2184; fax: 514 738-2192; e-mail: yvon.guilbault@cmeq.org

Any interested person having comments to make on the Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1. The comments will be sent by the Minister to the Corporation of Master Electricians of Québec.

DAVID WHISSELL,  
*Minister of Labour*

## Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec

Master Electricians Act  
(R.S.Q., c. M-3, s. 12, par. 1, subpar. c and s. 20)

### DIVISION I DEROGATORY ACTS

**1.** In addition to the acts in section 20 of the Master Electricians Act (R.S.Q., c. M-3), a member who commits any of the following is guilty of an act derogatory to the honour of the trade of master electrician and is liable to the disciplinary measures in section 33:

- (1) maliciously damaging the reputation of a colleague;
- (2) filing a frivolous or clearly unfounded complaint against a colleague;
- (3) being disloyal towards the Corporation of Master Electricians of Québec, maliciously damaging its reputation or speaking on its behalf without authorization;
- (4) impairing the work of an employee of the Corporation in the performance of duties or insulting or intimidating an employee in any way;
- (5) failing to reply to communications from the executive vice-president or a person designated by him or her, an investigator or a committee of the Corporation if they request information or explanations on any matter within the purview of the Act and regulations of the Corporation;
- (6) using disloyal and dishonest practices to obtain information on a tender submitted by a colleague;

(7) using disloyal and dishonest practices to obtain a contract or to gain the favour of clients;

(8) finishing work stopped by a contractor that is a member of the Corporation for non-payment of bills owing;

(9) performing the work, or a part thereof, specified in the written contract of another member;

(10) entering into any type of agreement with any person for the purpose of obtaining contracts or clients, in particular by offering commissions or other benefits to intermediaries;

(11) misleading a client as to the cost and performance of a contract, in particular by

(a) providing the client with false information on the quality and quantity of materials used or the labour involved;

(b) deviating from the plans and specifications of a project; or

(c) overbilling a client in relation to the services rendered;

(12) defrauding an employee by illegally retaining the employee's wages;

(13) making a false statement in a document to be used for admission to the Corporation;

(14) failing to compensate a client who is a victim of fraud, embezzlement or misappropriation of funds on the part of the member or to reimburse the Corporation for any amount the Corporation pays as security to one of the member's clients;

(15) lending his or her name or licence to a person who is not a member of the Corporation so that the person may work as an electrical contractor;

(16) contravening the Act and its regulations;

(17) contravening a provision of a statute or regulation that applies to the activities carried on by the member in the construction industry or being convicted of an offence against any such statute or regulation;

(18) being convicted of a summary conviction offence relating to the member's activities in the construction industry;

(19) accepting money or any other actual or promised benefit for the member's contribution to the making of any decision detrimental to the Corporation;

(20) using in an advertisement or on a sign a title or name of a position that the member or the member's delegate holds or held in the Corporation; and

(21) failing to comply with a final judgment rendered by a court of justice following a breach of the member's professional responsibility.

**2.** In addition to the offences in section 24 of the Act, a member who contravenes a bidding rule arising from an agreement for the establishment of a bid depository pursuant to section 24 of the Act is guilty of an act derogatory to the honour of the trade of master electrician and is liable to the disciplinary measures in section 33.

## DIVISION II PROCESSING OF COMPLAINTS

**3.** Complaints received by the Corporation and the resulting investigation reports are submitted for examination to the complaints examination committee established under the Regulation respecting the committees of the Corporation of Master Electricians of Québec, approved by Order in Council (*insert the number and date of approval of the Order in Council*).

**4.** An inadmissible complaint is rejected and the complainant is so informed in writing.

**5.** If the complaints examination committee concludes that a complaint is admissible, it requests that the member complained of be called by the Corporation before the committee on discipline or the qualifications committee, or that proceedings be instituted by the Corporation against the member under section 28 of the Act.

**6.** A notice of hearing stating the date, time and place of the hearing and the alleged acts giving rise to the complaint must be served on the member complained of at least 10 days before the date set for the hearing.

The document setting out the alleged acts may be amended at any time. An amendment that would entail an entirely new alleged act may not be authorized, except with the consent of the parties.

**7.** A member called before a committee by the Corporation may, not later than five clear days before the hearing, request complete disclosure of the evidence in the Corporation's possession.

**8.** Only one postponement may be requested, for a serious reason. The request must be made in writing to the Corporation not later than one clear day before the hearing.

No later request for postponement may be considered, unless exceptional circumstances arise that are set out in writing and submitted not later than one clear day before the hearing.

**9.** If the committee on discipline considers that an offence against a bidding rule arising from an agreement for the establishment of a bid depository pursuant to section 24 of the Act appears founded and is not of a serious nature, the committee may send a letter of warning to the member complained of, without a prior hearing.

**10.** If the member considers that the letter of warning is not warranted, the member may make a written request to the Corporation for a hearing by the committee on discipline within 30 days of the date on which the letter was sent. The member is then heard at the next sitting of the committee on discipline after receipt of the request, provided a notice of hearing can be given at least 10 clear days before the sitting.

**11.** No penalty other than the letter of warning may be imposed on a member if the member has not been called to appear before the committee on discipline.

### DIVISION III HEARING

**12.** The sittings of the committee on discipline are held at the head office of the Corporation, or are held elsewhere if the committee considers it preferable in the circumstances.

**13.** The chair of the committee on discipline is master of the hearing.

**14.** A member called before the committee may appear in person or be represented by an advocate.

**15.** The parties may call witnesses and make their representations. They must answer the questions the committee considers appropriate.

A member called before the committee may request the Corporation to summon the member's witnesses. The member must pay in advance to the Corporation the travel expenses and summons costs payable under the Regulation respecting indemnities and allowances payable to witnesses summoned before courts of justice (R.R.Q., 1981, c. C-25, r.2). The member must reimburse the Corporation for any excess amount it disburses.

**16.** The hearing is recorded by mechanical means or taken down by an official stenographer.

**17.** If a member duly called before the committee on discipline fails to appear or to plead, the committee on discipline may proceed with the hearing in the member's absence.

**18.** Documents produced during a hearing of the committee on discipline are confidential. They may not be removed from the record before the expiry of the appeal period or before a decision by the appeals committee, except with the written consent of the parties. Documents that are not retrieved by the parties are destroyed one year after the date of the final decision in the matter.

### DIVISION IV DECISIONS

**19.** The committee on discipline, after deliberating, renders a decision, with reasons in writing, signed by the chair or alternate chair, as the case may be.

**20.** A member found guilty following failure to appear may request that the decision of the committee on discipline be withdrawn if the member could not attend the hearing for a serious reason, such as

- (1) no notice of hearing was served on the member;
- (2) illness; or
- (3) an event of irresistible force.

**21.** A request for withdrawal of the decision must be made in writing to the Corporation within 15 days of the date on which the decision was sent by the committee on discipline.

The request is heard at the next sitting of the committee following its receipt, provided a notice of hearing can be given at least 10 clear days before the sitting.

**22.** At the withdrawal hearing, the member must prove the reasons that prevented the member from appearing. If the withdrawal request is granted, the committee on discipline may proceed with the hearing immediately or postpone it to a later date.

**23.** The decision of the committee on discipline becomes binding on the expiry of the appeal period.

**24.** The appeals committee hears any appeal made from a decision by the committee on discipline.

**25.** The costs for transcribing the recording or the stenographer's notes of the hearing before the committee on discipline is borne by the person who requested the recording or stenographer's services.

**26.** A party may file a notice of appeal in writing with the Corporation within 30 days of the date on which the decision of the committee on discipline was sent.

**27.** A notice of appeal must state the name and address of the appellant, the decision or part thereof appealed from and the reasons for the appeal, and be accompanied by a certified cheque or money order made out to the Corporation in the amount of \$300.

That amount is adjusted on 1 August each year based on the percentage change in the general Consumer Price Index for Montréal, as determined by Statistics Canada, for the 12-month period ending on 31 May of the same year. The adjusted amount is rounded up or down to the nearest hundredth of a dollar.

The Corporation informs the public of the adjustment under this section in Part 1 of the *Gazette officielle du Québec* and, if the Corporation considers it appropriate, gives notice by any other means.

If the decision is changed in favour of the appellant, the costs of the appeal are reimbursed to the appellant.

**28.** A notice indicating the date, time and place of the hearing must be served on the appellant at least 10 days before the date set for the hearing.

**29.** Each party may send the Corporation a statement of allegations, not later than five days before the appeal hearing.

**30.** The record of first instance, the notice of appeal and the statement of allegations of the parties are the only documents produced in the appeal. If it considers it appropriate, the appeals committee may, however, authorize the filing of additional documents.

**31.** No witness may be heard on appeal, unless the appeals committee so authorizes.

**32.** The appeals committee may dismiss the appeal, grant it or make the decision it believes should have been made by the committee on discipline.

The decision of the appeals committee becomes binding on the date on which it is sent.

**33.** The disciplinary measures that the committee on discipline or the appeals committee may impose on a member found guilty of an offence against the Act or this Regulation are

(1) a letter of warning;

(2) a reprimand in the form of a letter signed by the chair of the committee or a member of the committee acting in that capacity; and

(3) a fine of not less than \$200 nor more than \$6,000 for each offence committed.

The name of the member found guilty, the nature of the offence and the penalty imposed are sent to all members of the Corporation, by any means the Corporation considers appropriate.

**34.** In addition to the disciplinary measures in the first paragraph of section 33, the committee on discipline or the appeals committee may recommend to any body authorized to issue construction contractor's licences, including the Corporation, the suspension or cancellation of the licence if the committee considers that the licence holder's conduct so warrants.

The Corporation must then send the record and recommendation to the body that issued the licence, so that the body may make a decision following the recommendation.

**35.** The identity of the person who filed a complaint against a member of the Corporation must be kept confidential at all times.

**36.** Sections 12 to 14 and 17 to 19 apply to the appeals committee, with the necessary modifications.

#### **DIVISION V** **TRANSITIONAL AND FINAL**

**37.** This Regulation applies to matters pending on the date of its coming into force.

**38.** This Regulation replaces sections 79 to 86, 88 to 100, 153 and 155 of the Regulation of the Corporation of Master Electricians of Québec (R.R.Q., 1981, c. M-3, r.2).

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

## Draft Regulation

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1)

### Fishing activities — Amendment

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 fishing activities, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to make provision for enhanced monitoring of the salmon resource in the salmon rivers in Area 23.

To that end, the draft Regulation proposes that all Québec residents who fish in one of the four salmon rivers in Area 23 be required to register with an outfitter operating in that area or with one of the three existing Inuit landholding corporations. At the end of their stay, the fishers will again be required to register and declare their catch with those same outfitters or corporations or at one of the five seaplane bases mentioned in the draft Regulation.

Study of the matter has shown no impact on small and medium-sized businesses. There will be no costs associated with the registration formality for fishers residing in Québec.

Further information on the draft Regulation may be obtained by contacting Gaétan Hamel, Direction des territoires fauniques et de la réglementation, Ministère des Ressources naturelles et de la Faune, Direction des territoires fauniques et de la réglementation, 880, chemin Sainte-Foy, 2<sup>e</sup> étage, Québec (Québec) G1S 4X4; telephone: 418 627-8691, extension 7396; fax: 418 646-5179; e-mail: gaetan.hamel@mrfn.gouv.qc.ca.

Any interested person having comments to make on the draft Regulation is asked to send them in writing before the expiry of the 45-day period to Denis Gagnon, Director General for Faune Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10<sup>e</sup> étage, Québec (Québec) G1S 4X4.

CLAUDE BÉCHARD,  
*Minister of Natural Resources  
and Wildlife*

## Regulation to amend the Regulation respecting fishing activities\*

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1, s. 162, pars. 9 and 16)

**1.** The Regulation respecting fishing activities is amended by inserting the following after section 3:

“**3.1.** To fish in the parts of the Area 23 rivers referred to in sections 1, 2, 3 and 4 of Part IV of Schedule XXIII to the Quebec Fishery Regulations, 1990 (SOR/90-214) that are situated on Category III lands, the holder of a resident fishing licence shall first register with an outfitter operating an outfitting operation in those river parts or with the Qiniqtiq Landholding Corporation situated at Kangiqsualujuaq, the Nayumivik Landholding Corporation situated at Kuujuaq or the Arqivik Landholding Corporation situated at Tasiujaq, and indicate the planned fishing dates and places.

The holder to which the first paragraph refers shall, at the end of the fishing trip, register the salmon caught and kept at one of the registration posts mentioned in the first paragraph or at one of the Lac Margane, Lac Pau, Squaw Lake, Lac Louise (Manic 5) or Stewart Lake (Kuujuaq) seaplane bases. The holder shall also declare the actual fishing dates and places.”

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

8219

## Draft Regulation

An Act respecting health services and social services  
(R.S.Q., c. S-4.2; 2006, c. 43)

### Issue of permits

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 respecting the issue of permits under the Act respecting health services and social services, appearing below, may be made by the Government on the expiry of 45 days following this publication.

\* The Regulation respecting fishing activities made by Order in Council 952-2001 dated 23 August 2001 (2001, *G.O.* 2, 4857) was last amended by the regulation made by Order in Council 21-2005 dated 19 January 2005 (2005, *G.O.* 2, 474). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.



The draft Regulation determines the conditions to be satisfied by a person applying for a permit under the Act respecting health services and social services, as well as the information and documents to be provided. The permits that may be issued under that Act are the institution permit and the specialized medical centre permit.

The draft Regulation has no significant impact on the public or enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Gilles Houde, 1075, chemin Sainte-Foy, 3<sup>e</sup> étage, Québec (Québec) G1S 2M1; telephone: 418 266-6815; fax: 418 266-4612; e-mail: gilles.houde@mss.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 45-day period, to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15<sup>e</sup> étage, Québec (Québec) G1S 2M1.

PHILIPPE COUILLARD,  
*Minister of Health  
and Social Services*

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## **Regulation respecting the issue of permits under the Act respecting health services and social services**

An Act respecting health services and social services (R.S.Q., c. S-4.2, s. 505, par. 21; 2006, c. 43, s. 31)

**1.** A natural person applying for a permit under the Act respecting health services and social services (R.S.Q., c. S-4.2) must

- (1) be solvent;
- (2) not have been convicted of an offence against the Act respecting health services and social services or its regulations in the three years preceding the application;
- (3) not have been the holder of a permit that was revoked or not renewed under section 446 or 446.1 of the Act in the three years preceding the application; and
- (4) not have been convicted of an indictable offence in connection with the performance of activities for which a permit is applied for in the five years preceding the application unless, if convicted, the person was granted a pardon.

In the case of an application for a specialized medical centre permit, the applying physician must

- (1) not have had his or her right to practise limited or suspended or been temporarily struck off the roll in the three years preceding the application; and
- (2) have a liability insurance contract in the amount of not less than \$1,000,000 per claim providing coverage against the pecuniary consequences of any liability for fault or negligence in operating the specialized medical centre, and commit to maintaining the contract in force for the entire term of the permit.

**2.** A physician applying for a specialized medical centre permit must provide his or her membership number assigned by the Collège des médecins du Québec and proof that he or she has the insurance contract required by subparagraph 2 of the second paragraph of section 1.

**3.** A legal person or a partnership applying for a permit under the Act respecting health services and social services must

- (1) be solvent;
- (2) not, nor must any of its directors, have been convicted of an offence against the Act respecting health services and social services or its regulations in the three years preceding the application;
- (3) not have been the holder of a permit that was revoked or not renewed under section 446 or 446.1 of the Act in the three years preceding the application;
- (4) not have any directors who have been forfeited of office as a member of the board of directors of an institution under paragraph 2 of section 498 of the Act in the three years preceding the application; and
- (5) not, nor must any of its directors, have been convicted of an indictable offence in connection with the performance of activities for which a permit is applied for in the five years preceding the application unless, if convicted, a pardon was granted.

In the case of an application for a specialized medical centre permit, the legal person or partnership applying for the permit must

- (1) not have any physician sitting on the board of directors or on the internal management board, as the case may be, who has had his or her right to practise limited or suspended or been temporarily struck off the roll in the three years preceding the application; and

(2) have a liability insurance contract in the amount of not less than \$1,000,000 per claim providing coverage against the pecuniary consequences of any liability for fault or negligence in operating the specialized medical centre, and commit to maintaining the contract in force for the entire term of the permit.

**4.** An application for a permit made by a legal person or a partnership to which section 3 applies must be accompanied by

(1) a resolution from the board of directors or the internal management board, as the case may be, authorizing the filing of a permit application; and

(2) a copy of the constituting act or contract of partnership, as the case may be.

In the case of an application for a specialized medical centre permit, the following information and documents are also required:

(1) the name and address of the shareholders or partners, the percentage of their shares in the legal person or partnership and the voting rights attached to the shares, their profession in the case of natural persons or their object in the case of legal persons or partnerships;

(2) the name and profession of the members of the board of directors or the internal management board;

(3) for any physician who is a shareholder, a partner or a member of the board of directors or internal management board, his or her membership number assigned by the Collège des médecins du Québec; and

(4) proof that the legal person or partnership has the insurance contract required by subparagraph 2 of the second paragraph of section 3.

**5.** An application for renewal of a specialized medical centre permit must be made at least 6 months before its date of expiry.

The person or partnership applying for renewal must satisfy the conditions and provide the documents and information referred to in section 1, 2, 3 or 4, as the case may be, except documents that have already been provided to the Minister if the applicant certifies that they are still complete and accurate.

**6.** The person or partnership applying for a permit must submit with the application a written undertaking to the effect that the person or partnership will post and maintain the permit posted in full view of the public.

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

8205

## Draft Regulation

Professional Code  
(R.S.Q., c. C-26; 2006, c. 20)

### Certified management accountants — Standards for equivalence of diplomas for the issue of a permit of the Ordre professionnel des comptables en management accrédités du Québec — 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 standards for equivalence of diplomas for the issue of a permit of the Ordre professionnel des comptables en management accrédités du Québec, made by the Bureau of the Ordre professionnel des comptables en management accrédités du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The Regulation modifies the procedure for recognizing an equivalence, essentially to provide that a decision being reviewed is to be dealt with by persons other than those who made it, pursuant to paragraph c.1 of section 93 of the Professional Code. It is a new regulatory power introduced by the Act to amend the Professional Code as regards the issue of permits (2006, c. 20), which came into force on 14 June 2006.

The Order advises that the amendments have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Isabelle LeBlanc, Secretary General, Ordre professionnel des comptables en management accrédités du Québec, 715, rue du Square-Victoria, 3<sup>e</sup> étage, Montréal (Québec) H2Y 2H7; telephone: 514 849-1155; fax: 514 849-9674.

Any person having comments to make is asked to send them, before the expiry of the 45 day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister responsible for the administration

of legislation respecting the professions; they may also be sent to the professional order that made the Regulation as well as to interested persons, departments and bodies.

GAÉTAN LEMOYNE,  
*Chair of the Office des  
professions du Québec*

## **Regulation to amend the Regulation respecting the standards for equivalence of diplomas for the issue of a permit of the Ordre professionnel des comptables en management accrédités du Québec\***

Professional Code  
(R.S.Q., c. C-26, s. 93, pars. c and c.1)

**1.** The Regulation respecting the standards for equivalence of diplomas for the issue of a permit of the Ordre professionnel des comptables en management accrédités du Québec is amended by striking out “the Bureau of” in the second paragraph of section 1.

**2.** Section 2 is amended by replacing “section 86” in the part before subparagraph 1 of the first paragraph by “paragraph 8 of section 86.0.1”.

**3.** Sections 6 to 8 are replaced by the following:

“6. The secretary must send the documents referred to in section 2 to the committee formed by the Bureau pursuant to paragraph 2 of section 86.0.1 of the Professional Code made up of persons other than members of the administrative committee to examine and decide diploma equivalence applications.

If the committee refuses to grant the diploma equivalence, it must give the reasons and inform the candidate of any programs of study, training periods or examinations which if successfully completed would enable the candidate to be granted the equivalence. The committee must also inform the candidate of the candidate’s right to apply for a review of the decision in accordance with section 7.

The secretary must send a copy of the committee’s decision to the candidate by registered or certified mail within 30 days of the decision.

\* The Regulation respecting the standards for equivalence of diplomas for the issue of a permit of the Ordre professionnel des comptables en management accrédités du Québec, approved by Order in Council 321-92 dated 4 March 1992 (1992, *G.O.* 2, 1727), has not been amended since its approval.

**7.** A candidate who is informed of the committee’s decision not to grant the diploma equivalence may apply to have the decision reviewed by the administrative committee by sending a written request to that effect to the secretary of the Order within 30 days of receiving the decision. The candidate may include written submissions for the administrative committee.

The administrative committee has 60 days from the date of receipt of the review application to make its decision.

**8.** The decision of the administrative committee is final and must be sent to the candidate in writing by registered or certified mail within 30 days following the date of the meeting.”.

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

8222

## **Draft Regulation**

Professional Code  
(R.S.Q., c. C-26; 2006, c. 20)

### **Certified management accountants — Standards for equivalence of training for the issue of a permit of the Ordre professionnel des comptables en management accrédités du Québec — 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 standards for equivalence of training for the issue of a permit of the Ordre professionnel des comptables en management accrédités du Québec, made by the Bureau of the Ordre professionnel des comptables en management accrédités du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The Regulation modifies the procedure for recognizing an equivalence, essentially to provide that a decision being reviewed is to be dealt with by persons other than those who made it, pursuant to paragraph c.1 of section 93 of the Professional Code. It is a new regulatory power introduced by the Act to amend the Professional Code as regards the issue of permits (2006, c. 20), which came into force on 14 June 2006.

The Order advises that the amendments have no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Isabelle LeBlanc, Secretary General, Ordre professionnel des comptables en management accrédités du Québec, 715, rue du Square-Victoria, 3<sup>e</sup> étage, Montréal (Québec) H2Y 2H7; telephone: 514 849-1155; fax: 514 849-9674.

Any person having comments to make is asked to send them, before the expiry of the 45 day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional order that made the Regulation as well as to interested persons, departments and bodies.

GAÉTAN LEMOYNE,  
*Chair of the Office des  
professions du Québec*

## **Regulation to amend the Regulation respecting the standards for equivalence of training for the issue of a permit of the Ordre professionnel des comptables en management accrédités du Québec\***

Professional Code  
(R.S.Q., c. C-26, s. 93, pars. c and c.1)

**1.** The Regulation respecting the standards for equivalence of training for the issue of a permit of the Ordre professionnel des comptables en management accrédités du Québec is amended by striking out “the Bureau of” in the second paragraph of section 1.

**2.** Section 2 is amended by replacing “section 86” in the part before subparagraph 1 of the first paragraph by “paragraph 8 of section 86.0.1”.

**3.** Section 4 is amended by replacing “Bureau” in the part before paragraph 1 by “Order”.

**4.** Sections 5 to 7 are replaced by the following:

“**5.** The secretary must send the documents referred to in section 2 to the committee formed by the Bureau pursuant to paragraph 2 of section 86.0.1 of the Professional Code made up of persons other than members of the administrative committee to examine and decide training equivalence applications.

If the committee refuses to grant the training equivalence or grants it in part, it must give the reasons and inform the candidate of any programs of study, training periods or examinations which if successfully completed would enable the candidate to be granted the equivalence. The committee must also inform the candidate of the candidate’s right to apply for a review of the decision in accordance with section 6.

The secretary must send a copy of the committee’s decision to the candidate by registered or certified mail within 30 days of the decision.

**6.** A candidate who is informed of the committee’s decision not to grant the training equivalence or to grant the equivalence in part may apply to have the decision reviewed by the administrative committee by sending a written request to that effect to the secretary of the Order within 30 days of receiving the decision. The candidate may include written submissions for the administrative committee.

The administrative committee has 60 days from the date of receipt of the review application to make its decision.

**7.** The decision of the administrative committee is final and must be sent to the candidate in writing by registered or certified mail within 30 days following the date of the meeting.”.

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

8223

\* The Regulation respecting the standards for equivalence of training for the issue of a permit of the Ordre professionnel des comptables en management accrédités du Québec, approved by Order in Council 322-92 dated 4 March 1992 (1992, *G.O.* 2, 1728), has not been amended since its approval.

## Draft Regulation

Medical Act  
(R.S.Q., c. M-9)

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

### Physicians

#### — Professional activities that may be performed by a clinical perfusionist — 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 amending the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be performed by classes of persons other than physicians,” adopted by the Bureau of the Collège des médecins du Québec, may be submitted to the Government, which may approve it with or without amendment, upon the expiry of 45 days following this publication.

The purpose of this Regulation is to extend the application of this regulation until January 1, 2009 and to modify the title of the diploma issued by Université de Montréal.

The Collège does not expect these amendments to have any impact on businesses, including small to medium-sized businesses.

Further information may be obtained by contacting, M<sup>e</sup> Linda Bélanger, Legal Advisor, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8; telephone number: 514 933-4441, extension 362, facsimile number: 514 933-5374, e-mail: lbelanger@cmq.org

Any person having comments to make on the following text is asked to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, 800, place D’Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. Comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional order that has adopted the Regulation, namely the Collège des médecins du Québec, as well as to interested persons, ministries and organizations.

GAÉTAN LEMOYNE,  
*Chair of the Office des  
professions du Québec*

## Regulation amending the Regulation respecting the professional activities which may be performed by a clinical perfusionist\*

Professional Code  
(R.S.Q., c. C-26, s. 94, subpar. h)

**1.** The Regulation respecting the professional activities which may be performed by a clinical perfusionist is amended by replacing the words “clinical perfusionist diploma” in subparagraph (1) of section 2 by “clinical perfusionist diploma or Diplôme d’études supérieures spécialisées (D.E.S.S.) en perfusion extracorporelle”.

**2.** Section 5 of this Regulation is amended:

1° in the French version, by replacing “pour une période de 3 ans” by “jusqu’au 1<sup>er</sup> janvier 2009”;

2° in the English version, by adding at the end “and shall remain in force until 1 January 2009”.

**3.** This Regulation comes into force on the fifteenth day after its publication in the *Gazette officielle du Québec*.

8200

## Draft Regulation

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

### Water containers with a capacity exceeding 8 litres — Reuse

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 the reuse of water containers with a capacity exceeding 8 litres, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation provides that containers with a capacity exceeding 8 litres used to market water intended for human consumption be designed and manufactured to be refilled a number of times during their useful life

\* The Regulation respecting the professional activities which may be performed by a clinical perfusionist was approved by Order in Council 520-2005 of June 1, 2005 (2005, *G.O.* 2, 1870). The regulation has not been amended since then.

so as to reduce the volume of residual materials produced and promote source reduction and reuse. The draft Regulation also requires that the reusable containers be handled by a recovery system. Under the draft Regulation, containers must bear a clear indication that they are returnable and reusable.

From an environmental perspective, the Regulation, once made, will prevent the emergence of a new market for large non-refillable containers that would substantially increase the number of containers used to market bottled water. It will also prevent an increase in the volume of residual materials going to landfill and thereby alleviate storage and handling problems for municipal recovery services. From an economic standpoint, the Regulation will consolidate our efforts by strengthening the private consignment system implemented by Québec bottlers that has a recovery rate exceeding 98%, and will maintain associated employment, particularly in the regions.

Further information may be obtained by contacting Marie Dussault, Direction des politiques en milieu terrestre, Ministère du Développement durable, de l'Environnement et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 9<sup>e</sup> étage, boîte 71, Québec (Québec) G1R 5V7; telephone: 418 521-3950, extension 7053; fax: 418 644-3386; e-mail: marie.dussault@mddep.gouv.qc.ca

Interested persons having comments to make on the draft Regulation are asked to send them in writing before the expiry of the 60-day period to Marie Dussault at the above-mentioned address.

LINE BEAUCHAMP,  
*Minister of Sustainable Development,  
Environment and Parks*

## **Regulation respecting the reuse of water containers with a capacity exceeding 8 litres**

Environment Quality Act  
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. *c* and *e*,  
and ss. 53.28 and 109.1)

**1.** In this Regulation, “to market” means to offer for sale, sell, distribute or otherwise make available to consumers.

**2.** To reduce the volume of residual materials and facilitate reclamation by reuse, containers with a capacity exceeding 8 litres used to market water intended for human consumption must satisfy the following conditions:

(1) be designed and manufactured to be refilled a number of times during their useful life for the purposes of the marketing;

(2) be handled by a recovery system with a view to their reuse; and

(3) bear a clear indication that they are returnable and reusable.

**3.** Every person marketing water intended for human consumption in containers with a capacity exceeding 8 litres who does not comply with any of the conditions in section 2 is liable

(1) to a fine of \$2,000 to \$25,000 in the case of a natural person;

(2) to a fine of \$5,000 to \$150,000 in the case of a legal person.

In the case of a second or subsequent offence, the fines are doubled.

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

8206

## Transport

Gouvernement du Québec

### O.C. 566-2007, 27 June 2007

An Act respecting roads  
(R.S.Q., c. V-9)

Management of certain portions of local roads in the corridor of the Highway 25 completion in the territory of the cities of Laval and Montréal

WHEREAS, under the first paragraph of section 2 of the Act respecting roads (R.S.Q., c. V-9), the Government determined, by Order in Council 292-93 dated 3 March 1993, the roads which are under the management of the Minister of Transport;

WHEREAS, under the second paragraph of section 3 of the Act, the Government may, by an order published in the *Gazette officielle du Québec*, determine that a road which is under the management of a municipality is, from the date indicated in the order, to pass under the management of the Minister of Transport;

WHEREAS it is expedient to amend the Schedule to Order in Council 292-93 dated 3 March 1993 in order to add to the roads currently under the management of the Minister of Transport certain portions of local roads situated in the territory of the cities of Laval and Montréal on which work to complete Highway 25 will be carried out;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport:

THAT the Schedule to Order in Council 292-93 dated 3 March 1993 be amended to add to the roads under the management of the Minister of Transport the portions of local roads situated in the territory of the cities of Laval and Montréal and listed in the Schedule to this Order in Council;

THAT this Order in Council take effect on 15 August 2007.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### SCHEDULE

#### ROADS UNDER THE MANAGEMENT OF THE MINISTER OF TRANSPORT

#### EXPLANATORY NOTE

#### A. CORRECTIONS TO DESCRIPTIONS, ADDITIONS OR WITHDRAWALS

The roads identified in the Schedule have been described for each municipality in which they are situated using the five following elements:

- (1) Route class
- (2) Section identification
- (3) Name
- (4) Location of the beginning
- (5) Length in km

#### (1) Route class

The designation of the route classes is taken from the functional classification established by the Ministère des Transports.

#### (2) Section identification

Roads are identified by a sequence of figures composed of seven different groups:

Road:	Group 1:	road number
	Group 2:	road segment number
	Group 3:	road section number
Sub-road:	Group 4:	the only figure other than zero that may appear in this group is 3, and it is used to identify one or more ramps
	Group 5:	this group of figures indicates the sequential number of an intersection within a road segment
	Group 6:	a letter identifying a ramp, if any
	Group 7:	a letter identifying the type of roadway (C: contiguous S: separate)

**(3) Name**

For roads whose number is lower than 1,000, the road number is indicated instead of the road name. For roads whose number is 10,000 or higher, the road name is indicated instead of the road number.

Where there are one or more ramps along a road section, the total number of ramps for that section is also indicated; the combined length of all the ramps is indicated under "Length in km".

**(4) Length in km**

The length in kilometres is indicated for each road or part of a road. That length, which is determined by the Minister of Transport, corresponds to the actual distance that a vehicle would travel between two points without taking into account the configuration of the road (number of lanes, extra width, etc.). The length is therefore the same whether the road is an autoroute or a feeder road.

## ADDITIONS:

**LAVAL, V (6500500)**

<b>Route class</b>	<b>Section identification</b>	<b>Name</b>	<b>Length in km</b>
Local	00125-02-015-000-C	Route 125	1.58
Local	61283-01-010-000-C	Boulevard Lévesque-Est	1.07
Local	61285-01-010-000-C	Rang du Bas-Saint-François	0.58
Local	61287-01-010-000-C	Avenue Marcel-Villeneuve	0.67

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**MONTRÉAL, V (6602300)**

<b>Route class</b>	<b>Section identification</b>	<b>Name</b>	<b>Length in km</b>
Local	61080-01-100-000-S	Boulevard Henri-Bourassa	0.67
Local	61084-01-100-000-S	Boulevard Maurice-Duplessis	0.34
Local	61188-01-100-000-S	Boulevard Perras	0.26
Local	61192-02-100-000-C	Boulevard Gouin	0.33
Local	61245-01-100-000-S	Boul. Louis-H.-La Fontaine	2.00

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Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

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