

Gazette
officielle
DU Québec

Part

2

No. 9

27 February 2013

Laws and Regulations

Volume 145

Summary

Table of Contents
Acts 2012
Regulations and other Acts
Draft Regulations
Transport
Notices
Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
© Éditeur officiel du Québec, 2013

All rights reserved in all countries. No part of this publication may be translated, used or reproduced for commercial purposes by any means, whether electronic or mechanical, including micro-reproduction, without the written authorization of the Québec Official Publisher.

NOTICE TO USERS

The *Gazette officielle du Québec* is the means by which the Québec Government makes its decisions official. It is published in two separate editions under the authority of the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1) and the Regulation respecting the *Gazette officielle du Québec* (chapter C-8.1.1, r. 1). Partie 1, entitled “Avis juridiques”, is published at least every Saturday. If a Saturday is a legal holiday, the Official Publisher is authorized to publish it on the preceding day or on the following Monday. Partie 2, entitled “Lois et règlements”, and the English edition, Part 2 “Laws and Regulations”, are published at least every Wednesday. If a Wednesday is a legal holiday, the Official Publisher is authorized to publish them on the preceding day or on the Thursday following such holiday.

Part 2 – LAWS AND REGULATIONS

Internet

The *Gazette officielle du Québec* Part 2 will be available on the Internet at noon each Wednesday at the following address:

www.publicationsduquebec.gouv.qc.ca

The *Gazette officielle du Québec* published on the website is available to all free of charge.

Contents

Part 2 contains:

- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (chapter C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
- (4) decisions of the Conseil du trésor and ministers’ orders whose publications in the *Gazette officielle du Québec* is required by law or by the Government;
- (5) regulations and rules made by a Government agency which do not require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by law;
- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

French edition

In addition to the documents referred to in paragraphs 1 to 7 above, the French version of the *Gazette officielle du Québec* contains the orders in council of the Government.

Rates*

1. Annual subscription:

	Printed version
Partie 1 “Avis juridiques”:	\$475
Partie 2 “Lois et règlements”:	\$649
Part 2 “Laws and Regulations”:	\$649

2. Acquisition of a printed issue of the *Gazette officielle du Québec*: \$10.15 per copy.

3. Publication of a notice in Partie 1: \$1.63 per agate line.

4. Publication of a notice in Part 2: \$1.08 per agate line. A minimum rate of \$239 is applied, however, in the case of a publication of fewer than 220 agate lines.

* **Taxes not included.**

General conditions

The Division of the *Gazette officielle du Québec* must receive manuscripts, **at the latest, by 11:00 a.m. on the Monday** preceding the week of publication. Requests received after that time will appear in the following edition. All requests must be accompanied by a signed manuscript. In addition, the electronic version of each notice to be published must be provided by e-mail, to the following address: gazette.officielle@cspq.gouv.qc.ca

For information concerning the publication of notices, please call:

Gazette officielle du Québec
1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 644-7794
Fax: 418 644-7813
Internet: gazette.officielle@cspq.gouv.qc.ca

Subscriptions

For a subscription to the *Gazette officielle du Québec* in paper form, contact the customer service.

Les Publications du Québec
Customer service – Subscriptions
1000, route de l’Église, bureau 500
Québec (Québec) G1V 3V9
Telephone: 418 643-5150
Toll free: 1 800 463-2100
Fax: 418 643-6177
Toll free: 1 800 561-3479

All claims must be reported to us within 20 days of the shipping date.

Table of Contents

Page

Acts 2012

1	Integrity in Public Contracts Act	325
	List of Bills sanctioned (7 December 2012)	323

Regulations and other Acts

100-2013	Conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence	365
101-2013	Professional Code — Activities engaged in and described in sections 39.7 and 39.8 of the Code (Amend.)	381
102-2013	Nurses Act — Certificates issued by the Ordre des infirmières et infirmiers du Québec	382
115-2013	Construction Code (Amend.)	384

Draft Regulations

	Automobile insurance Act — Reimbursement of certain expenses	391
	Building Act — Construction Code.	391
	Consumer Protection Act — Regulation (Amend.)	448
	Environment Quality Act — Charges payable for the disposal of residual materials	449
	Individual and Family Assistance Act — Individual and Family Assistance.	450
	Parks Act — Parks	452
	Professional Code — Pharmacists — Diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders	454

Transport

107-2013	Minister of Transport's authorization to declare that one portion of chemin de mine Croinor, located in the territory of Ville de Senneterre, is no longer a mining road, and the amendment of Order in Council number 98-2003 of January 29, 2003, concerning bridges of strategic importance that are under the jurisdiction of the Minister of Transport	455
108-2013	Management and ownership of Halte de Sainte-Hélène-de-Bagot and a portion of autoroute 20 located in the territory of Municipalité de Sainte-Hélène-de-Bagot	460

Notices

	Commission des transports du Québec — Compendium of tariffs of private transportation by taxi	461
--	---	-----

PROVINCE OF QUÉBEC

1ST SESSION

40TH LEGISLATURE

QUÉBEC, 7 DECEMBER 2012

OFFICE OF THE LIEUTENANT-GOVERNOR

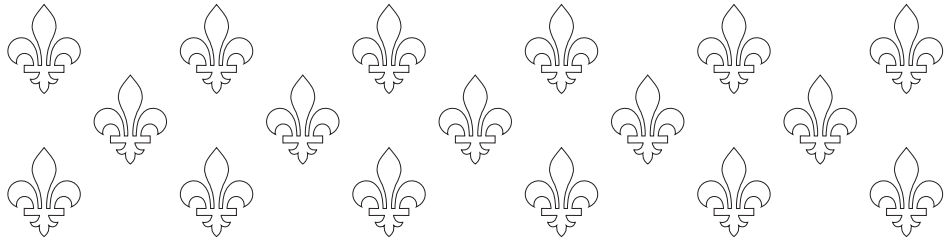
Québec, 7 December 2012

This day, at forty-five minutes past four o'clock in the afternoon, His Excellency the Lieutenant-Governor was pleased to sanction the following bills:

- 1 Integrity in Public Contracts Act
- 2 An Act to amend the Election Act in order to reduce the elector contribution limit, lower the ceiling on election expenses and increase public financing of Québec political parties (*modified title*)
- 4 An Act to amend the Act to regularize and provide for the development of local slaughterhouses
- 5 An Act to amend the Act respecting the Québec sales tax and other legislative provisions
- 6 An Act concerning the date of coming into force of certain provisions of the Act to eliminate union placement and improve the operation of the construction industry
- 8 An Act to amend various legislative provisions concerning municipal affairs

- 9 An Act to establish the Health and Social Services Information Resources Fund
- 15 An Act to provide for the establishment of target-benefit pension plans in certain pulp and paper sector enterprises
- 200 An Act respecting Ville de Saint-Hyacinthe
- 201 An Act to establish Mutuelle de microfinance (Québec)

To these bills the Royal assent was affixed by His Excellency the Lieutenant-Governor.



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Bill 1
(2012, chapter 25)

Integrity in Public Contracts Act

Introduced 1 November 2012
Passed in principle 20 November 2012
Passed 7 December 2012
Assented to 7 December 2012

Québec Official Publisher
2012

EXPLANATORY NOTES

This Act amends the Act respecting contracting by public bodies to enhance integrity in public contracts.

To that end, it proposes a system under which audits will be conducted to ascertain that enterprises wishing to enter into contracts with public bodies or municipalities meet the required conditions as regards integrity.

To enter into such a contract, an enterprise must first obtain an authorization from the Autorité des marchés financiers (the Authority). The Authority will examine the integrity of the enterprise and of its shareholders, partners, directors or officers and of any person or entity that has direct or indirect legal or de facto control over the enterprise.

To ensure that the Authority has all the relevant information it needs to make decisions as regards authorizations, it is empowered to mandate the Associate Commissioner for Audits appointed under the Anti-Corruption Act to conduct the audits the Associate Commissioner considers necessary. The factors to be considered by the Authority in making such decisions are specified in this Act.

An authorization will be valid for a period of three years and is renewable.

The scope of the Act respecting contracting by public bodies is broadened in order to extend the concept of “public body” to include other State entities and thus bring them under that Act.

Other amendments are made for more effective enforcement of the Act respecting contracting by public bodies.

LEGISLATION AMENDED BY THIS ACT:

- Tax Administration Act (chapter A-6.002);
- Act respecting the Autorité des marchés financiers (chapter A-33.2);
- Building Act (chapter B-1.1);

- Cities and Towns Act (chapter C-19);
- Code of Penal Procedure (chapter C-25.1);
- Labour Code (chapter C-27);
- Municipal Code of Québec (chapter C-27.1);
- Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01);
- Act respecting the Communauté métropolitaine de Québec (chapter C-37.02);
- Act respecting contracting by public bodies (chapter C-65.1);
- Anti-Corruption Act (chapter L-6.1);
- Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20);
- Act respecting occupational health and safety (chapter S-2.1);
- Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011);
- Act respecting mixed enterprise companies in the municipal sector (chapter S-25.01);
- Act respecting public transit authorities (chapter S-30.01).

Bill 1

INTEGRITY IN PUBLIC CONTRACTS ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

1. Section 1 of the Act respecting contracting by public bodies (chapter C-65.1) is replaced by the following section:

“**1.** The purpose of this Act is to determine the conditions applicable with regard to public contracts between a public body and a contractor who is a legal person established for a private interest, a general, limited or undeclared partnership or a natural person who operates a sole proprietorship.

The purpose of this Act is also to determine certain conditions applicable to subcontracts directly or indirectly related to a contract described in the first paragraph.

In addition, the purpose of this Act is to determine certain conditions applicable to any other contract related to a contract or a subcontract described in the first or second paragraph.”

2. Section 2 of the Act is amended by inserting the following subparagraph before subparagraph 1 of the first paragraph:

“(0.1) public confidence in the public procurement process by attesting to the integrity of tenderers;”.

3. Section 4 of the Act is amended by replacing subparagraph 4 of the first paragraph by the following subparagraph:

“(4) bodies at least half of whose members or directors are appointed or elected by the Government or a minister;”.

4. Sections 7 and 7.1 of the Act are repealed.

5. Section 10 of the Act is amended by inserting the following paragraph after the second paragraph:

“For the purposes of this section, if no threshold is applicable under an intergovernmental agreement, the threshold to be applied by a public body is the threshold set by the Government.”

6. Section 13 of the Act is amended

(1) by inserting “equal to or” after “expenditure” in the first paragraph;

(2) by replacing “minister responsible” in the last paragraph by “Conseil du trésor”.

7. Section 17 of the Act is amended by inserting “equal to or” after “involves an expenditure” in the first sentence of the second paragraph.

8. The Act is amended by inserting the following chapter after section 21:

“CHAPTER V.0.1

“CONTRACT RULES COMPLIANCE MONITOR

“21.0.1. The chief executive officer of a public body must designate a contract rules compliance monitor.

However, two public bodies under the responsibility of the same minister may agree to have the contract rules compliance monitor of one public body act in the same capacity for the other.

“21.0.2. The functions of the contract rules compliance monitor include

(1) seeing that the contract rules prescribed by this Act and the regulations, policies and directives under this Act are complied with;

(2) advising, and making recommendations or providing advisory opinions to, the chief executive officer on compliance with contract rules;

(3) seeing that measures are put in place within the public body to ensure the integrity of internal processes;

(4) seeing to the professional fitness of the personnel involved in contractual activities; and

(5) exercising any other function the chief executive officer may require to ensure that contract rules are complied with.”

9. Chapter V.1 of the Act, comprising sections 21.1 to 21.16, is repealed.

10. The Act is amended by inserting the following chapter after section 21.16:

“CHAPTER V.2**“PRIOR AUTHORIZATION FOR PUBLIC CONTRACT OR PUBLIC SUBCONTRACT****“DIVISION I****“CONDITIONS AND OBLIGATIONS**

“21.17. An enterprise that wishes to enter into a contract with a public body involving an expenditure equal to or greater than the amount determined by the Government must obtain an authorization for that purpose from the Autorité des marchés financiers (the Authority). The amount may vary according to the category of contract.

An enterprise that wishes to enter into a subcontract that involves an expenditure equal to or greater than that amount and that is directly or indirectly related to a contract described in the first paragraph must also obtain such an authorization. Such subcontracts are public subcontracts.

For the purposes of this chapter, “enterprise” means a legal person established for a private interest, a general, limited or undeclared partnership or a natural person who operates a sole proprietorship.

“21.18. An enterprise that enters into a contract with a public body or that enters into a public subcontract must hold an authorization on the date the contract or subcontract is entered into. In the case of a consortium, every enterprise in the consortium must hold an authorization on that date.

Moreover, an enterprise that responds to a call for tenders for a public contract or subcontract must hold an authorization on the date it submits its bid, unless the call for tenders specifies a different date which precedes the date the contract is entered into.

An authorization must be maintained throughout the contract or subcontract.

“21.19. A contractor or subcontractor who is in the process of performing a public contract or subcontract but no longer holds an authorization because it expired or the Authority revoked it or refused to renew it is deemed to have defaulted on the contract or subcontract on the expiry of a period of 60 days after the date the authorization expired or the Authority notified its decision. However, the contractor or subcontractor is not deemed to have defaulted in the case described in the fourth paragraph of section 21.41 or as regards honouring the contract or subcontract guarantees.

Despite the first paragraph and for a reason in the public interest, a public body may apply to the Conseil du trésor for permission for continued performance of a public contract or subcontract within 30 days after receiving notification from the Authority that the contractor or subcontractor no longer holds an authorization. The Conseil du trésor may subject the permission to

certain conditions, including that the contractor or subcontractor agree to the implementation, at the contractor's or subcontractor's expense, of oversight and monitoring measures.

“21.20. The Conseil du trésor may, in exceptional circumstances, give a public body permission to enter into a contract with an enterprise that does not hold an authorization, or give a contractor of a public body permission to enter into a public subcontract directly related to a public contract with such an enterprise, if it is in the public interest that the contract or subcontract be performed by that enterprise. The Conseil du trésor may subject the permission to certain conditions, including that the contractor or subcontractor agree to the implementation, at the contractor's or subcontractor's expense, of oversight and monitoring measures.

If a public body considers that urgent action is required and there is a threat to human safety or property, its chief executive officer may allow a contract to be entered into with an enterprise that does not hold an authorization or give a contractor of the public body permission to enter into a public subcontract directly related to a public contract with such an enterprise. The chief executive officer must however give the Chair of the Conseil du trésor notice in writing within 15 days.

The Chair of the Conseil du trésor publishes the name of the enterprise having entered into a contract or subcontract under the first or second paragraph by posting it on a website within 15 days after the decision of the Conseil or after receiving notice from the chief executive officer of the public body. The Chair also publishes the name of the enterprise in the *Gazette officielle du Québec*.

“21.21. Despite section 21.17, the chief executive officer of a public body may enter into a contract with an enterprise that does not hold an authorization if the enterprise does not have an establishment in Québec and the contract is to be performed outside Québec. The chief executive officer of the public body must give the Chair of the Conseil du trésor notice in writing within 30 days.

“21.22. To obtain the authorization required under section 21.17, an enterprise must submit an application to the Authority.

“21.23. The application for authorization must be filed with the Authority by the natural person who is the operator if it is for a sole proprietorship, by a director or an officer if it is for a legal person and by a partner if it is for a partnership. The person filing the application acts as respondent for the purposes of this chapter.

The application must be in the form prescribed by the Authority and be filed together with the information and documents prescribed by regulation of the Authority and the fee determined by a decision of the Conseil du trésor. The information, documents and fee required may vary according to the type of enterprise or the place where the enterprise mainly carries on its activities.

“21.24. In order for an application for authorization to be considered by the Authority, the enterprise must

(1) if it has an establishment in Québec, provide an attestation from Revenu Québec, issued not more than 30 days before the date on which the application is filed, stating that the enterprise has filed the returns and the reports that it was required to file under fiscal laws and that it has no overdue account payable to the Minister of Revenue, including when recovery of an account has been legally suspended or arrangements have been made with the enterprise to ensure payment and the enterprise has not defaulted on the payment arrangements; and

(2) not have been refused an authorization or have had its authorization revoked under any of sections 21.26 to 21.28 in the preceding 12 months; the Authority may consider a shorter period if it is satisfied that the enterprise has taken the necessary corrective measures.

Subparagraph 1 also applies to applications for renewal.

“21.25. The Authority suspends an authorization if the enterprise no longer complies with the requirements for obtaining the attestation from Revenu Québec referred to in subparagraph 1 of the first paragraph of section 21.24. The suspension becomes effective on the 30th day after the date written notice of the suspension is sent to the enterprise. An enterprise may, however, bring itself back into compliance with those requirements before that time.

An enterprise whose authorization is suspended may, nevertheless, perform a public contract or subcontract if it held an authorization on the date the contract or subcontract was entered into or, when the enterprise submitted a bid in response to a call for tenders, on the bid submission deadline.

“21.26. The Authority refuses to grant or to renew an authorization, or revokes an authorization, if

(1) the enterprise has, in the preceding five years, been found guilty of an offence listed in Schedule I;

(2) any of the enterprise’s shareholders holding 50% or more of the voting rights attached to the shares that may be exercised under any circumstances has, in the preceding five years, been found guilty of an offence listed in Schedule I;

(3) any of the enterprise’s directors or officers has, in the preceding five years, been found guilty of an offence listed in Schedule I;

(4) the enterprise has, in the preceding five years, been found guilty by a foreign court of an offence which, if committed in Canada, could have resulted in criminal or penal proceedings for an offence listed in Schedule I;

(5) the enterprise has been found guilty of an offence under section 641.2 of the Act respecting elections and referendums in municipalities (chapter E-2.2), section 221.1.2 of the Act respecting school elections (chapter E-2.3) or section 564.3 of the Election Act (chapter E-3.3), and the prohibition prescribed by that section in connection with the offence has not expired, unless a judge has suspended the prohibition;

(6) the enterprise has, in the preceding two years, been ordered to suspend work by a decision enforceable under section 7.8 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20); or

(7) the enterprise has, in the preceding two years, been ordered by a final judgment to pay an amount claimed under subparagraph *c.2* of the first paragraph of section 81 of that Act.

A finding of guilty must be disregarded if a pardon has been obtained.

“21.27. The Authority may refuse to grant or to renew an authorization or may revoke an authorization if the enterprise concerned fails to meet the high standards of integrity that the public is entitled to expect from a party to a public contract or subcontract.

“21.28. For the purposes of section 21.27, the integrity of an enterprise and that of its directors, partners, officers and shareholders as well as that of other persons or entities that have direct or indirect legal or de facto control over the enterprise may be examined.

To that end, the Authority may consider such factors as

(1) whether the enterprise or a person or entity referred to in the first paragraph maintains connections with a criminal organization within the meaning of subsection 1 of section 467.1 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) or with any other person or entity that engages in laundering of proceeds of crime or in trafficking in a substance included in any of Schedules I to IV to the Controlled Drugs and Substances Act (Statutes of Canada, 1996, chapter 19);

(2) whether the enterprise or a person or entity referred to in the first paragraph has been prosecuted, in the preceding five years, for any of the offences listed in Schedule I;

(3) whether an enterprise, any of its directors, partners, officers or shareholders or a person or entity that has direct or indirect legal or de facto control over the enterprise has direct or indirect legal or de facto control over the enterprise seeking or holding an authorization and was, at the time an offence listed in Schedule I was committed by another enterprise, a director, partner, officer or shareholder of that other enterprise or a person or entity that had direct or indirect legal or de facto control over that other enterprise, provided the other enterprise was found guilty of the offence in the preceding five years;

(4) whether the enterprise is under the direct or indirect legal or de facto control of another enterprise that has, in the preceding five years, been found guilty of an offence listed in Schedule I or whether any of the directors, partners or officers of that other enterprise or a person or entity that had direct or indirect legal or de facto control over that other enterprise was under such control at the time the offence was committed;

(5) whether the enterprise or a person or entity referred to in the first paragraph has, in the preceding five years, been found guilty of or prosecuted for any other criminal or penal offence committed in the course of the enterprise's business;

(6) whether the enterprise or a person or entity referred to in the first paragraph has repeatedly evaded or attempted to evade compliance with the law in the course of the enterprise's business;

(7) whether a reasonable person would conclude that the enterprise is the extension of another enterprise that would be unable to obtain an authorization;

(8) whether a reasonable person would conclude that the enterprise is lending its name to another enterprise that would be unable to obtain an authorization;

(9) whether the enterprise's activities are incommensurate with its legal sources of financing; and

(10) whether the enterprise's structure enables it to evade the application of this Act.

For the purposes of section 21.27, the Authority may also consider whether a person in authority acting on behalf of the enterprise has, in the preceding five years, been found guilty of or prosecuted for an offence listed in Schedule I.

A finding of guilty must be disregarded if a pardon has been obtained. The facts and circumstances surrounding an offence for which a pardon has been obtained may nevertheless be taken into consideration.

For an enterprise that is a public corporation, a person holding 10% or more of the voting rights attached to the shares of the enterprise is a shareholder.

“21.29. For the purposes of sections 21.26 to 21.28, the Authority does not take into consideration any pending recourse against a finding of guilty.

“21.30. When an enterprise submits an application for authorization or for renewal, the Authority sends the Associate Commissioner for Audits appointed under section 8 of the Anti-Corruption Act (chapter L-6.1) the information obtained so that the audit the Associate Commissioner considers necessary may be conducted.

“21.31. As soon as possible after receiving the information, the Associate Commissioner for Audits provides an advisory opinion to the Authority on the enterprise concerned.

The advisory opinion must state the grounds for any recommendation that an authorization be refused or not be renewed under sections 21.26 to 21.28.

“21.32. At any time during the validity period of an authorization, the Associate Commissioner may audit the enterprise concerned. If the Associate Commissioner, in the course of such an audit, finds that the validity of an authorization may be undermined, the Associate Commissioner provides an advisory opinion to that effect to the Authority. The advisory opinion must state the grounds on which it is recommended that the authorization be revoked under any of sections 21.26 to 21.28.

“21.33. The audits provided for in sections 21.30 and 21.32 may be conducted, in accordance with the Anti-Corruption Act, by the audit teams referred to in paragraph 1 of section 10 of that Act and by any person authorized for that purpose by the Associate Commissioner.

“21.34. The Authority sends the Associate Commissioner any new information regarding the enterprise that it obtains from the enterprise or a public body or otherwise.

“21.35. The Authority may require that an enterprise communicate any information needed for the purposes of this chapter. The enterprise must communicate the information to the Authority within the time limit specified by the Authority. If the enterprise fails to do so, the Authority may revoke its authorization.

“21.36. Before refusing to grant or renew or before revoking an authorization, the Authority may order the enterprise concerned to take the necessary corrective measures within the time it specifies.

“21.37. Before refusing to grant or renew or before revoking an authorization, the Authority must notify the enterprise concerned in writing as prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and allow the enterprise at least 10 days to submit written observations and provide additional documents to complete the file.

The Authority may make a decision without complying with those prior obligations if urgent action is required or to prevent irreparable harm. In such a case, the enterprise concerned may, within the time limit specified in the decision, submit written observations and provide additional documents to complete the file for the purposes of a review of the decision by the Authority.

“21.38. On the expiry of the time limit specified in the first paragraph of section 21.37 and after examining any observations submitted by the enterprise, the Authority informs the enterprise of its decision.

An enterprise to which the Authority has refused to grant an authorization, whose authorization the Authority has refused to renew or has revoked, or whose authorization has expired (unless, in the latter case, the fourth paragraph of section 21.41 applies) must, within 10 days after receiving the decision or after the authorization expires, provide in writing to the Authority the name of every public body with which it has a contract in process and the name of every enterprise with which it has a subcontract in process, stating the name of the public body that entered into the public contract to which the subcontract is related.

“21.39. The Authority informs the Associate Commissioner, Revenu Québec, the Commission de la construction du Québec and the Régie du bâtiment du Québec of its decision to grant, to revoke or to refuse to grant or renew an authorization. It also informs them of any application for removal from the register.

The Authority must further inform each public body concerned, as soon as possible, of the information it obtains from an enterprise under the second paragraph of section 21.38.

“21.40. An enterprise holding an authorization must notify the Authority, within the time specified by regulation of the Authority, of any change to any information previously provided.

“21.41. An authorization is valid for a period of three years.

To maintain its authorization, an enterprise must submit an application for renewal. The application for renewal must be submitted to the Authority at least 90 days before the authorization is to expire.

An authorization for which an application for renewal is submitted in time remains valid until the Authority rules on the application, unless the authorization is revoked in the meantime. The procedure for filing an application for renewal is the same as for an application for authorization, and the same conditions apply.

Despite section 21.18, an enterprise that no longer holds an authorization for the sole reason that it did not submit an application for renewal in time as required under the second paragraph may, despite the expiry of the authorization, continue public contracts or subcontracts already in process until the Authority's decision on the renewal of the authorization.

“21.42. The Government may amend Schedule I.

“21.43. A regulation of the Authority under this Act must be submitted for approval to the Conseil du trésor, which may approve it with or without amendment.

The Conseil du trésor may make such a regulation if the Authority fails to make it within the time determined by the Conseil du trésor.

“21.44. A decision of the Government under the first paragraph of section 21.17 or under section 21.42 and the decision of the Conseil du trésor under the second paragraph of section 21.23 come into force on the 30th day after their publication in the *Gazette officielle du Québec* or on any later date specified in the decision or regulation. Sections 4 to 8, 11 and 17 to 19 of the Regulations Act (chapter R-18.1) do not apply to those decisions.

“DIVISION II

“REGISTER OF AUTHORIZATIONS

“21.45. The Authority keeps a register of enterprises holding an authorization to enter into a contract or a subcontract under this chapter.

The content of the register is determined by regulation of the Authority.

“21.46. The register is public and the Authority must make it accessible to the public.

“21.47. The Authority may require that an enterprise holding an authorization communicate any information needed to maintain the register.

“21.48. An enterprise that has no public contracts or subcontracts in process may ask the Authority to withdraw its authorization. In such a case, the Authority removes the enterprise’s name from the register.”

11. Section 22 of the Act is amended

(1) by replacing “over” by “equal to or greater than”;

(2) by adding the following sentence at the end: “Such a regulation may prescribe how that information may be made available electronically in an open document format on a storage medium so that it can be reused.”;

(3) by adding the following paragraph:

“In addition to the initial amount of each contract, the information that must be published includes every additional expenditure exceeding that amount by more than 10% and the total amount paid by the public body for each contract.”

12. Section 22.1 of the Act is amended by replacing “The Minister of Health and Social Services and the Minister of Education, Recreation and Sports” in the second paragraph by “The chief executive officers of public bodies referred to in section 4”.

13. Section 23 of the Act is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph by the following:

“**23.** The Government may, by regulation and on the recommendation of the Conseil du trésor;”

(2) by replacing “, and that are awarded to public bodies, including contract management rules or procedures” in subparagraph 1 of the first paragraph by “entered into by public bodies, for subcontracts related to such contracts or for any other contracts related to such contracts or subcontracts, including contract or subcontract management rules or procedures”;

(3) by inserting “equal to or” after “expenditure” in subparagraph 5 of the first paragraph;

(4) by replacing “over” in subparagraph 6 of the first paragraph by “equal to or greater than”;

(5) by replacing “the minister responsible, the chief executive officer of a public body, a health and social services agency” in subparagraph 7 of the first paragraph by “the chief executive officer of a public body”;

(6) by striking out subparagraphs 8 to 13 of the first paragraph;

(7) by striking out the last paragraph.

14. Section 23.1 of the Act is repealed.

15. Section 24.1 of the Act is repealed.

16. Section 24.2 of the Act is repealed.

17. The heading of Chapter VIII of the Act is amended by replacing “THE MINISTERS RESPONSIBLE” by “THE CONSEIL DU TRÉSOR”.

18. Section 25 of the Act is amended

(1) by striking out “or a body described in section 7” in the first paragraph;

(2) by replacing “minister responsible for a public body or a body described in section 7 may authorize the body” in the second paragraph by “Conseil du trésor may authorize a public body”.

19. The Act is amended by inserting the following section after section 25:

“25.1. The Conseil du trésor may establish policies and determine directions, conditions or measures to support contract rules compliance monitors and ensure that their functions are exercised coherently.”

20. Section 26 of the Act is replaced by the following section:

“26. The Conseil du trésor may issue directives on the management of the supply, service and construction contracts of public bodies. Such directives may apply to all public bodies or a particular group of public bodies. They are binding on the public bodies concerned.

Directives issued under the first paragraph may also pertain to contracts entered into with a natural person who does not operate a sole proprietorship or with any other entity not mentioned in section 1.”

21. Section 27 of the Act is replaced by the following section:

“27. The Conseil du trésor may prescribe model contract forms or other standard documents to be used by public bodies or by a particular group of public bodies.”

22. The Act is amended by inserting the following chapter after section 27.4:

“CHAPTER VIII.2

“PENAL PROVISIONS

“27.5. Every person who makes a false or misleading statement to the Authority to obtain, renew or keep an authorization required under section 21.17 or to have the person’s name removed from the register of authorizations is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in any other case.

“27.6. Every person who makes a false or misleading statement when submitting a bid under this Act is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in any other case.

“27.7. A contractor who does not hold an authorization under the first paragraph of section 21.17 although required to hold one and submits a bid for a public contract in response to a call for tenders or enters into a public contract is guilty of an offence and liable to a fine of \$2,500 to \$13,000 in the case of a natural person and \$7,500 to \$40,000 in any other case, unless the contractor was given permission to continue a contract under section 21.19 or to enter into a contract under section 21.20.

“27.8. A contractor who, in the course of a contract described in section 21.17 entered into with a public body, enters into a subcontract with an enterprise that does not hold an authorization although it is required to hold one, is guilty of an offence and liable to a fine of \$2,500 to \$13,000 in the case of a natural person and \$7,500 to \$40,000 in any other case. The subcontractor is also guilty of an offence and liable to the same fine.

“27.9. An enterprise that fails to provide, in accordance with the second paragraph of section 21.38, the name of every public body referred to in that paragraph is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in any other case.

“27.10. An enterprise that fails to notify the Authority, as required under section 21.40, of any change to any information previously provided for the purpose of obtaining an authorization is guilty of an offence and liable to a fine of \$2,500 to \$13,000 in the case of a natural person and \$7,500 to \$40,000 in any other case.

“27.11. A contractor who makes a false or misleading request for payment to a public body for an amount that includes an amount to which the contractor is not entitled is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in any other case.

“27.12. Every person who contravenes a provision of a regulation whose contravention constitutes an offence under paragraph 15 of section 23 is guilty of an offence and liable to a fine of \$500 to \$5,000.

“27.13. Every person who helps or, by encouragement, advice, consent, authorization or command, induces another person to commit an offence under any of sections 27.5 to 27.12 is guilty of the same offence.

“27.14. For a subsequent offence, the minimum and maximum fines prescribed in this chapter are doubled.

“27.15. Penal proceedings for an offence under any of sections 27.5, 27.9 and 27.10 may be instituted by the Authority.

When the Authority takes charge of the prosecution, the fine imposed by the court belongs to the Authority.”

23. The Act is amended by inserting the following section after section 58:

“58.1. Despite section 57 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), any information allowing a person to be identified as a member of a selection committee set up under this Act or the regulations is not personal information that is public information.”

24. Section 59 of the Act is amended by striking out “, except the second and third paragraphs of section 21.2.1, the administration of which falls under the responsibility of the Minister of Revenue”.

25. The Act is amended by inserting the following schedule after section 60:

“SCHEDULE I

“(Sections 21.26, 21.28 and 21.42)

“OFFENCES

Act or Regulation	Section	Summary Description of Offence
Criminal Code (R.S.C. 1985, c. C-46)	119	Bribery of judicial officers
	120	Bribery of officers
	121	Frauds on the government – contractor subscribing to an election fund to obtain a contract with the government
	122	Breach of trust by public officer
	123	Municipal corruption
	124	Selling or purchasing office
	125	Influencing or negotiating appointments or dealing in offices
	132	Perjury relating to commercial, professional, industrial or financial business
	136	Witness giving contradictory evidence relating to commercial, professional, industrial or financial business
	220	Causing death by criminal negligence in the course of commercial, professional, industrial or financial business
	221	Causing bodily harm by criminal negligence in the course of commercial, professional, industrial or financial business
	236	Manslaughter committed in the course of commercial, professional, industrial or financial business
	334	Theft committed in the course of commercial, professional, industrial or financial business
	336	Criminal breach of trust
	337	Public servant refusing to deliver property
	346	Extortion
	347	Receiving interest at a criminal rate
	362	False pretence or false statement
	366	False document
368	Use of forged document	
375	Obtaining something by instrument based on forged document	
380	Fraud – property, money or valuable security or service	

	382	Fraudulent manipulation of stock exchange transactions
	382.1	Prohibited insider trading
	388	Misleading receipt or acknowledgment
	397	Falsification of books and documents
	398	Falsifying employment record
	422	Criminal breach of contract
	426	Secret commissions
	462.31	Laundering proceeds of crime
	463	Attempting to commit, and accessory to the commission of, an offence listed in this schedule
	464	Counselling another person to commit an offence listed in this schedule, if the offence is not committed
	465	Conspiring with another person to commit an offence listed in this schedule
	467.11	Participation in activities of criminal organization
	467.12	Commission of offence for criminal organization
	467.13	Instructing commission of offence for criminal organization
Competition Act (R.S.C. 1985, c. C-34)	45	Conspiracies, agreements or arrangements between competitors
	46	Implementation of foreign directives
	47	Bid-rigging
Corruption of Foreign Public Officials Act (S.C. 1998, c. 34)	3	Bribing a foreign public official
Controlled Drugs and Substances Act (S.C. 1996, c. 19)	5	Trafficking in substances and possession for purpose of trafficking
	6	Importing or exporting substances and possession for the purpose of exporting
	7	Production of substance
Income Tax Act (R.S.C. 1985, c. 1, 5th Supplement)	239(1)(a)	Making, or participating in, assenting to or acquiescing in the making of, false or deceptive statements in a return, certificate, statement, document or answer
	239(1)(b)	Having destroyed, altered, mutilated, secreted or otherwise disposed of records or books of account to evade payment of a tax

- 239(1)(c) Making, or assenting to or acquiescing in the making of, false or deceptive entries, or having omitted to enter a material particular, in records or books of account of a taxpayer
- 239(1)(d) Having wilfully evaded or attempted to evade compliance with the Act or payment of taxes
- 239(1)(e) Having conspired with any person to commit an offence described in paragraphs *a* to *d* of subsection 239(1)
- 239(1.1) Obtaining or claiming a refund or credit to which the person or another person is not entitled or a refund or credit in an amount greater than the amount to which the person or another person is entitled
- 239(2.1) Wilfully providing another person with an incorrect identification number for a tax shelter
- 239(2.2)(a) Knowingly providing, or knowingly allowing to be provided, to any person any taxpayer information – knowingly allowing any person to have access to any taxpayer information – knowingly using any taxpayer information otherwise than in the course of the administration or enforcement of this Act, the Canada Pension Plan, the Unemployment Insurance Act or the Employment Insurance Act or than for the purpose for which it was provided under this section
- 239(2.2)(b) Knowingly contravening an order made to implement such measures as are necessary to ensure that taxpayer information is not used or provided to any person for any purpose not relating to a legal proceeding relating to the supervision, evaluation or disciplining of an authorized person
- 239(2.21) Knowingly using, providing to any person, allowing the provision to any person, or allowing any person access to, taxpayer information provided for a particular purpose for any other purpose

	239(2.3)	Unlawfully using, communicating, or allowing the communication of, the social insurance number of an individual or the business number of a taxpayer or partnership
Excise Tax Act (R.S.C. 1985, c. E-15)	327(1)(a)	Making, or participating in, assenting to or acquiescing in the making of, false or deceptive statements in a return, application, certificate, statement, document or answer
	327(1)(b)	Destroying, altering or otherwise disposing of documents or making, or assenting to or acquiescing in the making of, false entries, or omitting to enter, or assenting to or acquiescing in the omission of, a material particular in the documents of a person for the purpose of evading payment or remittance of any tax or obtaining a refund or rebate to which the person is not entitled
	327(1)(c)	Having wilfully evaded or attempted to evade compliance with the Act or payment or remittance of tax or net tax imposed under the Act
	327(1)(d)	Having wilfully, in any manner, obtained or attempted to obtain a rebate or refund to which a person is not entitled
	327(1)(e)	Having conspired with any person to commit an offence described in paragraphs <i>a</i> to <i>c</i> of subsection 327(1)
Tax Administration Act (c. A-6.002)	60.1	Contravening section 34.1 – keeping a register in electronic form with a “zapper”
	60.2	Contravening section 34.2 – manufacturing or making a “zapper” available
	62	Making false or deceptive statements – evading payment or remittance of a duty – obtaining a refund without being entitled to it – conspiring to commit such an offence
	62.0.1	Failing to pay, deduct, withhold, collect or remit a duty and failing to file a return – conspiring to commit such an offence

	62.1	Evading remittance or payment of a duty – destroying, altering or secreting registers and supporting documents – false entries – omitting to enter a material particular in records or supporting documents – conspiring to commit such an offence
	68	Having directed, authorized or participated in the commission by a corporation of an offence listed in this schedule
	68.0.1	Aiding another person to commit a fiscal offence listed in this schedule
	71.3.2	Communicating or using information contained in a tax record or originating from such a record for a purpose not provided for in the Act
Deposit Insurance Act (c. A-26)	46(b)	Furnishing the Autorité des marchés financiers with false information
Act respecting insurance (c. A-32)	406(c)	Knowingly giving the Autorité des marchés financiers incorrect information
Act respecting contracting by public bodies (c. C-65.1)	27.5	Making a false or misleading statement to the Autorité des marchés financiers to obtain an authorization to enter into contracts or to have one's name removed from the register
	27.6	Making a false or misleading statement in connection with a bid
	27.11	Making a false or misleading request for payment
	27.13	Helping to commit an offence under section 27.5, 27.6 or 27.11
Act respecting financial services cooperatives (c. C-67.3)	605	Knowingly furnishing information, reports or other documents that are false or misleading
Act respecting the distribution of financial products and services (c. D-9.2)	16 with 485	Not acting with honesty and loyalty
	469.1	Making a misrepresentation when pursuing activities governed by the Act
Money-Services Businesses Act (c. E-12.000001)	66(1)	Making a misrepresentation when pursuing activities governed by the Act

Derivatives Act (c. I-14.01)	65 with	Not acting with honesty and loyalty
	160	
	144	Using information relating to an investment program for one's own benefit in trading in derivatives included in the program
	145.1	Trading in a standardized derivative that is the subject of material order information or recommending that another party do so, or disclosing the information to anyone
	148(6)	Providing false documents or information, or access to false documents or information, to the Autorité des marchés financiers
150	Influencing or attempting to influence the market price or the value of a derivative or of the underlying interest of a derivative by means of unfair, improper or fraudulent practices	
151	Perpetrating fraud or engaging or participating in market manipulation, dishonest transactions or fraudulent tactics	
Act respecting labour relations, vocational training and workforce management in the construction industry (c. R-20)	84	Molesting, hindering or insulting any member or employee of the Commission de la construction du Québec in the performance of duties, or otherwise obstructing such performance
	111.1	Carrying out construction work or causing such work to be carried out in contravention of a decision ordering the suspension of the work rendered under section 7.4.1
	122(4)	Knowingly destroying, altering or falsifying any register, pay-list, registration system or document relating to the application of the Act, a regulation or a collective agreement
Act respecting trust companies and savings companies (c. S-29.01)	356	Giving false or misleading information
Fuel Tax Act (c. T-1)	44	Obtaining or attempting to obtain a refund by means of false or misleading statements

Securities Act (c. V-1.1)	160 with 202 187	Not dealing fairly, honestly, loyally and in good faith
	187	Insider trading involving securities of a reporting issuer or changing an interest in a financial instrument related to such securities
	188	Disclosing privileged information to another party or recommending that another party trade in the securities of the issuer with respect to which the offender is an insider
	189.1	Unlawfully using privileged information
	190	Unlawfully using information relating to an investment program established by an investment fund or by a portfolio management adviser
	195(6)	Providing the Autorité des marchés financiers with false documents or information, or access to false documents or information
	195.2	Influencing or attempting to influence the market price or the value of securities by means of unfair, improper or fraudulent practices
	196	Making a misrepresentation
	197	Making a misrepresentation
	199.1	Engaging or participating in any transaction in securities or any trading method relating to a transaction in securities, or in any act, practice or course of conduct knowing that it constitutes fraud or is of a misleading nature
Regulation respecting construction contracts of municipal bodies (c. C-19, r. 3)	7 with 10	Producing an attestation from Revenu Québec that contains false or inaccurate information, using the attestation of a third party or making a false declaration on one's holding an attestation
	8 with 10	Assisting another person to contravene section 7

Regulation respecting supply contracts, service contracts and construction contracts of bodies referred to in section 7 of the Act respecting contracting by public bodies (c. C-65.1, r. 1.1)	7 with 10	Submitting an attestation from Revenu Québec that contains false or inaccurate information, submitting the attestation of a third person, or making a false declaration regarding the holding of an attestation
	8 with 10	Helping another person to contravene section 7
Regulation respecting supply contracts of public bodies (c. C-65.1, r. 2)	37.4 with 45.1	Submitting an attestation from Revenu Québec that contains false or inaccurate information, producing the attestation of a third person, or making a false declaration regarding the holding of an attestation
	37.5 with 45.1	Helping another person to contravene section 37.4
Regulation respecting service contracts of public bodies (c. C-65.1, r. 4)	50.4 with 58.1	Submitting an attestation from Revenu Québec that contains false or inaccurate information, producing the attestation of a third person, or making a false declaration regarding the holding of an attestation
	50.5 with 58.1	Helping another person to contravene section 50.4
Regulation respecting construction contracts of public bodies (c. C-65.1, r. 5)	40.6 with 58.1	Submitting an attestation from Revenu Québec that contains false or inaccurate information, producing the attestation of a third person, or making a false declaration regarding the holding of an attestation
	40.7 with 58.1	Helping another person to contravene section 40.6

”.

AMENDING PROVISIONS

TAX ADMINISTRATION ACT

26. The Tax Administration Act (chapter A-6.002) is amended by inserting the following section after section 69.4:

“69.4.1. The Associate Commissioner for Audits appointed under section 8 of the Anti-Corruption Act (chapter L-6.1) may communicate, without the consent of the person concerned, information obtained under subparagraph y of the second paragraph of section 69.1 to the Autorité des

marchés financiers for the purposes of Chapter V.2 of the Act respecting contracting by public bodies (chapter C-65.1).”

ACT RESPECTING THE AUTORITÉ DES MARCHÉS FINANCIERS

27. Section 9 of the Act respecting the Autorité des marchés financiers (chapter A-33.2) is amended by inserting “except the Act respecting contracting by public bodies (chapter C-65.1)” after “referred to in section 7” in the first paragraph.

28. The Act is amended by inserting the following section after section 43.1:

“**43.2.** No later than 31 July each year, the Authority must file with the Chair of the Conseil du trésor, for the previous fiscal year, a financial report and a report on its activities relating to the administration of Chapter V.2 of the Act respecting contracting by public bodies (chapter C-65.1).

The reports must contain all the information required by the Chair.”

29. Section 44 of the Act is amended by replacing “and the financial statements” in the second paragraph by “, the financial statements and the financial report”.

30. Section 749 of the Act is amended by adding “, except for the provisions relating to the functions and powers exercised by the Authority for the purposes of the Act respecting contracting by public bodies (chapter C-65.1), which are under the responsibility of the Minister who is the Chair of the Conseil du trésor” at the end.

BUILDING ACT

31. Section 56 of the Building Act (chapter B-1.1) is amended by striking out “or restriction” in the third paragraph.

32. Subdivision 3.1 of Division II of Chapter IV of the Act, including its heading and sections 65.1 to 65.4, is repealed.

33. Section 66 of the Act is amended by replacing “and the classes or subclasses of such licences and any restriction under section 65.1” by “and the classes and subclasses of such licences”.

34. Section 71 of the Act is amended by striking out paragraph 7.

35. Section 109.6 of the Act is amended by striking out paragraphs 2 and 3.

36. Section 185 of the Act is amended by striking out paragraph 16.1.

37. Section 197 of the Act is amended by replacing “, the first paragraph of section 37.1, the first paragraph of section 65.2 or section 65.3” by “or the first paragraph of section 37.1”.

CITIES AND TOWNS ACT

38. Section 573.3.1.1 of the Cities and Towns Act (chapter C-19) is amended by striking out the fourth and fifth paragraphs.

39. Section 573.3.3.2 of the Act is repealed.

40. The Act is amended by inserting the following section after section 573.3.3.2:

“573.3.3.3. Sections 21.17 to 21.20, 21.25, 21.34, 21.38, 21.39, 21.41, 27.6 to 27.9, 27.11, 27.13 and 27.14 of the Act respecting contracting by public bodies (chapter C-65.1) apply, with the necessary modifications, in respect of any municipal contract that involves an expenditure equal to or greater than the amount determined by the Government under section 21.17 of that Act and pertains to the performance of work or the supply of insurance, equipment, materials or services.

For the purposes of those sections, any contract referred to in the first paragraph is deemed to be a public contract, any subcontract that involves an expenditure equal to or greater than the amount determined by the Government under section 21.17 of that Act and is directly or indirectly related to such a contract is deemed to be a public subcontract, every municipality is deemed to be a public body, and the Minister of Municipal Affairs, Regions and Land Occupancy exercises, in respect of those public contracts and subcontracts, the responsibilities conferred on the Conseil du trésor or its Chair.”

CODE OF PENAL PROCEDURE

41. The Code of Penal Procedure (chapter C-25.1) is amended by inserting the following article after article 2:

“2.1. The provisions of this Code that apply to legal persons also apply to partnerships, with the necessary modifications.”

42. The Code is amended by inserting the following article after article 232:

“232.1. Unless otherwise provided by law, a sentence applicable to a legal person is also applicable to a partnership.”

LABOUR CODE

43. Schedule I to the Labour Code (chapter C-27) is amended by striking out “the first paragraph of section 80.2,” in paragraph 18.

MUNICIPAL CODE OF QUÉBEC

44. Article 938.1.1 of the Municipal Code of Québec (chapter C-27.1) is amended by striking out the fourth and fifth paragraphs.

45. Article 938.3.2 of the Code is repealed.

46. The Code is amended by inserting the following article after article 938.3.2:

“938.3.3. Sections 21.17 to 21.20, 21.25, 21.34, 21.38, 21.39, 21.41, 27.6 to 27.9, 27.11, 27.13 and 27.14 of the Act respecting contracting by public bodies (chapter C-65.1) apply, with the necessary modifications, in respect of any municipal contract that involves an expenditure equal to or greater than the amount determined by the Government under section 21.17 of that Act and pertains to the performance of work or the supply of insurance, equipment, materials or services.

For the purposes of those sections, any contract referred to in the first paragraph is deemed to be a public contract, any subcontract that involves an expenditure equal to or greater than the amount determined by the Government under section 21.17 of that Act and is directly or indirectly related to such a contract is deemed to be a public subcontract, every municipality is deemed to be a public body, and the Minister of Municipal Affairs, Regions and Land Occupancy exercises, in respect of those public contracts and subcontracts, the responsibilities conferred on the Conseil du trésor or its Chair.”

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL

47. Section 113.1 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01) is amended by striking out the fourth and fifth paragraphs.

48. Section 118.1.1 of the Act is repealed.

49. The Act is amended by inserting the following section after section 118.1.1:

“118.1.2. Sections 21.17 to 21.20, 21.25, 21.34, 21.38, 21.39, 21.41, 27.6 to 27.9, 27.11, 27.13 and 27.14 of the Act respecting contracting by public bodies (chapter C-65.1) apply, with the necessary modifications, in respect of any contract awarded by the Community that involves an expenditure equal to or greater than the amount determined by the Government under section 21.17 of that Act and pertains to the performance of work or the supply of insurance, equipment, materials or services.

For the purposes of those sections, any contract referred to in the first paragraph is deemed to be a public contract, any subcontract that involves an expenditure equal to or greater than the amount determined by the Government

under section 21.17 of that Act and is directly or indirectly related to such a contract is deemed to be a public subcontract, the Community is deemed to be a public body, and the Minister of Municipal Affairs, Regions and Land Occupancy exercises, in respect of those public contracts and subcontracts, the responsibilities conferred on the Conseil du trésor or its Chair.”

50. Section 118.2 of the Act is amended by replacing “118.1.1” in the first paragraph by “118.1.2”.

ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE QUÉBEC

51. Section 106.1 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) is amended by striking out the fourth and fifth paragraphs.

52. Section 111.1.1 of the Act is repealed.

53. The Act is amended by inserting the following section after section 111.1.1:

“111.1.2. Sections 21.17 to 21.20, 21.25, 21.34, 21.38, 21.39, 21.41, 27.6 to 27.9, 27.11, 27.13 and 27.14 of the Act respecting contracting by public bodies (chapter C-65.1) apply, with the necessary modifications, in respect of any contract awarded by the Community that involves an expenditure equal to or greater than the amount determined by the Government under section 21.17 of that Act and pertains to the performance of work or the supply of insurance, equipment, materials or services.

For the purposes of those sections, any contract referred to in the first paragraph is deemed to be a public contract, any subcontract that involves an expenditure equal to or greater than the amount determined by the Government under section 21.17 of that Act and is directly or indirectly related to such a contract is deemed to be a public subcontract, the Community is deemed to be a public body, and the Minister of Municipal Affairs, Regions and Land Occupancy exercises, in respect of those public contracts and subcontracts, the responsibilities conferred on the Conseil du trésor or its Chair.”

54. Section 111.2 of the Act is amended by replacing “111.1.1” in the first paragraph by “111.1.2”.

ANTI-CORRUPTION ACT

55. Section 1 of the Anti-Corruption Act (chapter L-6.1) is amended by inserting “and to enhance public confidence in the public procurement process” at the end of the first sentence.

56. Section 2 of the Act is amended by adding “or a contravention of any of sections 27.5 to 27.11 of the Act respecting contracting by public bodies (chapter C-65.1)” at the end of paragraph 1.

57. Section 7 of the Act is amended by adding the following sentence at the end of the first paragraph: “The Commissioner has the authority to prevent, detect or repress crime or statutory offences and to apprehend offenders.”

58. Section 8 of the Act is amended by replacing the second sentence of the first paragraph by the following sentence: “The Associate Commissioner exercises the functions conferred on the Associate Commissioner by this Act, with the independence provided for in this Act.”

59. Section 10 of the Act is amended by replacing paragraph 1 by the following paragraphs:

“(1) to direct and coordinate the activities of audit teams either made up of members of the Commissioner’s personnel placed under the Associate Commissioner’s authority, or designated by the Government, as the case may be;

“(1.1) to order audit teams, or a person authorized by the Associate Commissioner, to conduct the necessary audits so that the Associate Commissioner may provide to the Autorité des marchés financiers the advisory opinions required under sections 21.31 and 21.32 of the Act respecting contracting by public bodies (chapter C-65.1);”.

60. The Act is amended by inserting the following section after section 11:

“11.1. The Commissioner or the Associate Commissioner may, in accordance with the applicable legislative provisions, enter into an agreement with a government other than the Gouvernement du Québec, a department of such a government, an international organization, or a body of such a government or organization.”

61. The Act is amended by inserting the following sections after section 13:

“13.1. For the purposes of an audit under sections 21.30 and 21.32 of the Act respecting contracting by public bodies (chapter C-65.1), the Associate Commissioner or a person authorized by the Associate Commissioner may

(1) enter, at any reasonable hour, the establishment of an enterprise that is applying for an authorization to enter into a public contract or subcontract or that holds an authorization to enter into such a contract or subcontract under that Act or any other premises where documents or information relevant for the purposes of sections 21.26 to 21.28 of that Act may be found, and carry out inspections and examinations;

(2) use any computer, equipment or other thing that is on the premises to access data contained in an electronic device, computer system or other medium or to inspect, examine, process, copy or print out such data;

(3) require from the persons present any information relevant for the purposes of sections 21.26 to 21.28 of that Act as well as the production of any book, register, account, contract, record or other related document; and

(4) examine and make copies of documents containing information relevant for the purposes of those sections.

Any person who has the custody, possession or control of documents referred to in this section must communicate them to the person conducting the audit and facilitate their examination by that person.

An authorized person who has conducted an audit submits a report to the Associate Commissioner.

“13.2. The person conducting the audit must, on request, produce identification and show the document attesting his or her authorization.”

62. Section 14 of the Act is amended by replacing the second paragraph by the following paragraphs:

“Those investigators act within a specialized investigation unit under the authority of the Commissioner. They are peace officers for the whole territory of Québec and have the authority to prevent, detect or repress crime or statutory offences and to apprehend offenders.

They must take the oaths set out in Schedules A and B to the Police Act (chapter P-13.1) before the Commissioner.”

63. The Act is amended by inserting the following sections after section 14:

“14.1. Any person who hinders or attempts to hinder a person conducting an audit or an investigator in the exercise of auditing or investigating functions, refuses to provide any information or document that person or the investigator is entitled to require or examine, or conceals or destroys any document relevant to an audit or investigation is guilty of an offence and is liable to a fine of \$4,000 to \$20,000.

For any subsequent offence, the amounts are doubled.

“14.2. Any person who helps a person to commit an offence under section 14.1 or who, by encouragement, advice or consent or by an authorization or order, induces another person to commit such an offence is guilty of the same offence.”

64. Section 15 of the Act is amended by replacing paragraphs 1 and 2 by the following paragraphs:

“(1) conduct, on the Associate Commissioner’s request, the audits provided for in sections 21.30 and 21.32 of the Act respecting contracting by public

bodies (chapter C-65.1) and communicate the audit findings to the Associate Commissioner;

“(2) report to the Associate Commissioner on any action taken in the case files sent to them by the Associate Commissioner; and

“(3) inform the Associate Commissioner of any matter under audit that they believe could more appropriately be dealt with by an investigation or a proceeding in connection with a penal or criminal offence under a federal or a Québec law.”

65. The Act is amended by inserting the following section after section 16:

“**16.1.** Despite the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) and any other communication restrictions under other laws of Québec, a body or person referred to in section 3 must provide any information or document in their possession required, in keeping with the constitutional requirements regarding privacy, by the Commissioner or Associate Commissioner in the exercise of their functions.”

66. Sections 20 and 21 of the Act are amended by replacing “or members” by “, members” and by inserting “or a person authorized to conduct audits” after “Government”.

67. Section 26 of the Act is amended by adding the following paragraph:

“An employee of a body or person described in section 3 may make a disclosure to the Commissioner in accordance with the first paragraph.”

68. Section 31 of the Act is amended

(1) by striking out “, to the extent possible,”;

(2) by adding the following sentence at the end: “The Commissioner may however communicate the identity of such persons to the Director of Criminal and Penal Prosecutions.”

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING AND WORKFORCE MANAGEMENT IN THE CONSTRUCTION INDUSTRY

69. Section 7.3 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is amended by replacing the second paragraph by the following paragraph:

“The Commission may also, in the same manner, request any person who carries out construction work or causes construction work to be carried out under a contract described in section 3 of the Act respecting contracting by

public bodies (chapter C-65.1) to prove to the Commission that they hold an authorization under Chapter V.2 of that Act to the extent that they are required to hold one.”

70. Section 7.5 of the Act is replaced by the following section:

“7.5. The Commission may authorize the resumption of the suspended construction work upon proof by the person who intends to carry out the work or cause the work to be carried out that

(1) they are the holder of the appropriate licence issued under the Building Act (chapter B-1.1) and, where applicable, of the appropriate competency certificate or proof of exemption issued under this Act;

(2) that every person whose services they intend to hire to carry out the work or whom they intend to assign to the work is the holder of such a competency certificate or proof of exemption or, where applicable, of a licence referred to in paragraph 1; and

(3) that they hold an authorization under Chapter V.2 of the Act respecting contracting by public bodies (chapter C-65.1) if required to hold one or that they have been permitted to continue a public contract under section 21.19 of that Act.”

71. Section 80.2 of the Act is repealed.

72. Section 123 of the Act is amended

(1) by striking out subparagraphs 8.2 and 8.3 of the first paragraph;

(2) by striking out the last paragraph.

73. Section 123.4.2 of the Act is amended by replacing “a regulation under subparagraphs 8.2 and 8.3 of the first paragraph of section 123 and of the provisions of the Building Act (chapter B-1.1) pertaining to licences that contain a restriction as regards the obtention of a public contract” by “sections 21.26 to 21.28 of the Act respecting contracting by public bodies (chapter C-65.1)”.

74. Section 123.4.4 of the Act is amended

(1) by replacing “to the Régie du bâtiment du Québec and a mandatory Corporation referred to in section 129.3 of the Building Act (chapter B-1.1)” by “to the Associate Commissioner for Audits appointed under the Anti-Corruption Act (chapter L-6.1)”;

(2) by replacing “the provisions of the Building Act pertaining to licences that contain a restriction as regards the obtention of a public contract” by “Chapter V.2 of the Act respecting contracting by public bodies (chapter C-65.1)”.

ACT RESPECTING OCCUPATIONAL HEALTH AND SAFETY

75. Sections 167.2 and 176.0.3 of the Act respecting occupational health and safety (chapter S-2.1) are repealed.

76. Section 174 of the Act is amended by replacing “The Commission may” in the second paragraph by “Despite the first paragraph, the Commission may communicate to the Régie du bâtiment du Québec any information that is necessary for the application of the Building Act (chapter B-1.1). Similarly, it may communicate to the Commission de la construction du Québec any information that is necessary for the application of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20). It may also”.

77. The Act is amended by inserting the following section after section 174.1:

“**174.2.** The Commission must communicate to the Régie du bâtiment du Québec any information relating to a finding of guilty for an offence under any section of this Act, to the extent that the information is necessary for the application of the provisions of the Building Act (chapter B-1.1) pertaining to the issue, amendment, suspension or cancellation of a licence.”

ACT RESPECTING THE SOCIÉTÉ DE L'ASSURANCE AUTOMOBILE DU QUÉBEC

78. Section 23.0.14 of the Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011) is amended by striking out the second paragraph.

79. Section 23.0.15 of the Act is repealed.

ACT RESPECTING MIXED ENTERPRISE COMPANIES IN THE MUNICIPAL SECTOR

80. The Act respecting mixed enterprise companies in the municipal sector (chapter S-25.01) is amended by inserting the following section after section 41:

“**41.1.** Despite sections 40 and 41, sections 21.17 to 21.20, 21.25, 21.34, 21.38, 21.39, 21.41, 27.6 to 27.9, 27.11, 27.13 and 27.14 of the Act respecting contracting by public bodies (chapter C-65.1) apply, with the necessary modifications, to any contract awarded by a mixed enterprise company that involves an expenditure equal to or greater than the amount determined by the Government under section 21.17 of that Act and pertains to the performance of work or the supply of insurance, equipment, materials or services.

For the purposes of those sections, any contract referred to in the first paragraph is deemed to be a public contract, any subcontract that involves an expenditure equal to or greater than the amount determined by the Government under section 21.17 of that Act and is directly or indirectly related to such a

contract is deemed to be a public subcontract, every mixed enterprise company is deemed to be a public body, and the Minister of Municipal Affairs, Regions and Land Occupancy exercises, in respect of those public contracts and subcontracts, the responsibilities conferred on the Conseil du trésor or its Chair.

This section also applies to any body that is similar to a mixed enterprise company and is constituted under a private Act, including the legal persons constituted under chapters 56, 61 and 69 of the statutes of 1994, chapter 84 of the statutes of 1995 and chapter 47 of the statutes of 2004.”

ACT RESPECTING PUBLIC TRANSIT AUTHORITIES

81. Section 103.1 of the Act respecting public transit authorities (chapter S-30.01) is amended by striking out the fourth and fifth paragraphs.

82. Section 108.1.1 of the Act is repealed.

83. The Act is amended by inserting the following section after section 108.1.1:

“108.1.2. Sections 21.17 to 21.20, 21.25, 21.34, 21.38, 21.39, 21.41, 27.6 to 27.9, 27.11, 27.13 and 27.14 of the Act respecting contracting by public bodies (chapter C-65.1) apply, with the necessary modifications, in respect of any contract awarded by a transit authority that involves an expenditure equal to or greater than the amount determined by the Government under section 21.17 of that Act and pertains to the performance of work or the supply of insurance, equipment, materials or services.

For the purposes of those sections, any contract referred to in the first paragraph is deemed to be a public contract, any subcontract that involves an expenditure equal to or greater than the amount determined by the Government under section 21.17 of that Act and is directly or indirectly related to such a contract is deemed to be a public subcontract, every transit authority is deemed to be a public body, and the Minister of Municipal Affairs, Regions and Land Occupancy exercises, in respect of those public contracts and subcontracts, the responsibilities conferred on the Conseil du trésor or its Chair.”

84. Section 108.2 of the Act is amended by replacing “108.1.1” in the first paragraph by “108.1.2”.

TRANSITIONAL AND FINAL PROVISIONS

85. From 15 January 2013, for the purposes of section 21.17 of the Act respecting contracting by public bodies (chapter C-65.1), the contracts and subcontracts to which that section applies are construction contracts and subcontracts and service contracts and subcontracts that involve an expenditure equal to or greater than \$40,000,000 and for which the award process is underway on or begins after that date.

86. Despite the expenditure amount specified in section 85 or determined by the Government under section 21.17 of the Act respecting contracting by public bodies, the Government may, before 31 March 2016, determine that Chapter V.2 of that Act applies to public contracts or subcontracts or to contracts or subcontracts deemed to be public contracts or subcontracts under that Act even if they involve a lower expenditure amount. The Government may also determine that that chapter applies to a category of public contracts or subcontracts or of such deemed public contracts or subcontracts other than the categories determined under those sections or to groups of public contracts or subcontracts or of such deemed public contracts or subcontracts, whether or not they are of the same category. The Government may determine special terms for the applications for authorization that enterprises must file with the Autorité des marchés financiers in respect of such contracts or subcontracts.

87. The Government may, before 31 March 2016, require enterprises that are party to public contracts or subcontracts, or contracts or subcontracts deemed to be public contracts or subcontracts under the law, that are in process to file an application for authorization under Chapter V.2 of the Act respecting contracting by public bodies within the time specified by the Government. In such a case, the Government may determine, on the date or dates it sets, the provisions of that chapter that are applicable and modify them as necessary. The Government may also set a different time period from that specified in section 21.19 for the enterprise to be deemed to have defaulted on a contract.

For the purposes of the first paragraph, the Government may target contracts or subcontracts or groups of contracts or subcontracts, whether or not they are of the same category and even if they involve an expenditure that is lower than the expenditure amount specified in section 85 or determined under section 21.17 of the Act respecting contracting by public bodies. The Government may determine special terms for the applications for authorization that enterprises must file with the Autorité des marchés financiers.

88. An enterprise that has been refused an authorization or whose authorization has been revoked under Chapter V.2 of the Act respecting contracting by public bodies must be named in the register of enterprises ineligible for public contracts kept under Division II of Chapter V.1 of that Act for a period of five years or until the date preceding the date on which its name is registered in the register of enterprises holding an authorization, if earlier than the expiry of that period.

89. Chapter V.2 of the Act respecting contracting by public bodies applies to a body referred to in sections 7 and 7.1 of that Act as they read before being repealed by section 4 as of 7 December 2012.

90. Until the coming into force of sections 3 and 4, the second paragraph of section 1 of the Act respecting contracting by public bodies as it read on 6 December 2012 continues to apply. The second paragraph of section 1 of that Act, as replaced by section 1, also applies to bodies referred to in sections 7 and 7.1 of that Act.

91. Schedule I to the Regulation respecting the register of enterprises ineligible for public contracts and oversight and monitoring measures (chapter C-65.1, r. 8.1) is replaced by Schedule I to the Act respecting contracting by public bodies. The name of any enterprise named in the register only on account of an offence that is no longer listed in the schedule is removed from the register. Other enterprises named in the register remain so named until the end of the period for which they were declared ineligible for public contracts before the replacement of Schedule I to the regulation. An enterprise found guilty, after the coming into force of this section, of an offence listed in the schedule to the regulation as replaced by this section must be named in the register for a period of five years from the final judgment.

92. A policy made or deemed to be made under the Act respecting contracting by public bodies continues to apply to the extent that it is not incompatible with a directive or policy made under that Act as amended by this Act.

93. Until their repeal comes into force, sections 21.3 and 21.5 of the Act respecting contracting by public bodies are respectively replaced by sections 21.19 and 21.20 of that Act, with the necessary modifications, and the authorization required under section 65.2.1 of the Building Act (chapter B-1.1) is replaced by the permission required under that section 21.19.

94. Until the coming into force of paragraph 2 of section 18, the second paragraph of section 25 of the Act respecting contracting by public bodies is to be read as follows:

“The Conseil du trésor may authorize a public body or a body described in section 7 to enter into a contract on conditions different from those applicable to it under a regulation under this Act, and determine the conditions for such a contract.”

95. The authorization held by an enterprise under Chapter V.2 of the Act respecting contracting by public bodies stands in lieu of the attestation from Revenu Québec that every enterprise is required to hold in accordance with the regulations under that Act or under the Cities and Towns Act (chapter C-19), the Municipal Code of Québec (chapter C-27.1), the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01), the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) or the Act respecting public transit authorities (chapter S-30.01).

96. Until the coming into force of section 9, paragraph 1 of section 2 of the Anti-Corruption Act (chapter L-6.1) is to be read as follows:

“(1) a contravention of a federal or a Québec law or of a regulation made under such a law, if the contravention pertains to corruption, malfeasance, collusion, fraud or influence peddling in, for example, awarding, obtaining or performing contracts granted, in the exercise of their functions, by a body or a person belonging to the public sector or a contravention of any of sections 21.12

to 21.14 and 27.5 to 27.11 of the Act respecting contracting by public bodies (chapter C-65.1);”.

97. Until the coming into force of section 69, the second paragraph of section 7.3 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is to be read as follows:

“The Commission may also, in the same manner, request any person who carries out construction work or causes construction work to be carried out either under a contract described in section 3 of the Act respecting contracting by public bodies (chapter C-65.1) or under a public contract referred to in section 65.4 of the Building Act (chapter B-1.1) to prove to the Commission that they hold an authorization under Chapter V.2 of the Act respecting contracting by public bodies to the extent that they are required to hold one, and that the licence they held on the date they tendered for that contract following a call for tenders, or on the date the contract was awarded in other cases, did not contain any restriction as regards the obtention of a public contract.”

98. Until the coming into force of section 73, section 123.4.2 of the Act respecting labour relations, vocational training and workforce management in the construction industry is to be read as follows:

“**123.4.2.** The Commission shall collect and keep updated all data necessary for the purposes of a regulation under subparagraphs 8.2 and 8.3 of the first paragraph of section 123, the provisions of the Building Act (chapter B-1.1) pertaining to licences that contain a restriction as regards the obtention of a public contract and sections 21.26 to 21.28 of the Act respecting contracting by public bodies (chapter C-65.1).”

99. Until the coming into force of section 74, section 123.4.4 of the Act respecting labour relations, vocational training and workforce management in the construction industry is to be read as follows:

“**123.4.4.** The Commission shall communicate to the Régie du bâtiment du Québec, a mandatory Corporation referred to in section 129.3 of the Building Act (chapter B-1.1) and the Associate Commissioner for Audits appointed under the Anti-Corruption Act (chapter L-6.1) the information it holds in respect of a contractor and, in the case of a legal person, any of its directors or, in the case of a partnership, any of its partners, that is necessary for the purposes of the provisions of the Building Act pertaining to licences that contain a restriction as regards the obtention of a public contract and for the purposes of Chapter V.2 of the Act respecting contracting by public bodies (chapter C-65.1).”

100. The first regulation made by the Authority under sections 21.23, 21.40 and 21.45 of the Act respecting contracting by public bodies and the first decision of the Conseil du trésor made under section 21.23 of that Act come into force on the date of their publication in the *Gazette officielle du Québec*

or on any later date specified in the regulation or decision. A decision of the Government under section 86 or 87 comes into force on the date of its adoption or on any later date specified in it, and must be published in the *Gazette officielle du Québec* as soon as possible. Sections 4 to 8, 11 and 17 to 19 of the Regulations Act (chapter R-18.1) do not apply to those decisions or that regulation.

101. The Chair of the Conseil du trésor must, not later than 1 February 2014, report to the Government on the implementation of the amendments made by this Act to the Act respecting contracting by public bodies.

The report under the first paragraph is tabled in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption. The report is examined by the competent committee of the National Assembly.

102. This Act comes into force on 7 December 2012, except sections 3, 4, 5 and 9, paragraph 6 of section 13, sections 14 and 16, paragraph 1 of section 18, sections 23, 24, 31 to 39, 43 to 45, 47, 48, 51, 52, 56, 69, 71 to 75, 78, 79, 81 and 82, which come into force on the date or dates to be set by the Government.

Regulations and other Acts

Gouvernement du Québec

O.C. 100-2013, 13 February 2013

An Act respecting health services and social services
(chapter S-4.2)

Conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence

Regulation respecting the conditions for obtaining a
certificate of compliance and the operating standards
for a private seniors' residence

WHEREAS the Act to amend various legislative provisions concerning health and social services in order, in particular, to tighten up the certification process for private seniors' residences (2011, chapter 27) was assented to on 30 November 2011;

WHEREAS sections 7 to 10, 21 and 23 of the Act amend certain regulatory powers of the Government concerning private seniors' residences provided for in the Act respecting health services and social services (chapter S-4.2) or introduce new regulatory powers with regard to private seniors' residences;

WHEREAS the provisions of the Act respecting health services and social services, as amended by those sections, provide that the Government may, by regulation, provide for categories of private seniors' residences, the qualities required for a person applying for a temporary certificate of compliance, the health and social criteria which the operator of a private seniors' residence must meet to hold a certificate of compliance, the standards applicable to such an operation and the conditions that the staff members and volunteers of such a residence and any other person working in such a residence must fulfill, in particular conditions relating to training and security, including conditions relating to judicial records;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence was published in Part 2 of the *Gazette officielle du Québec* of 30 May 2012 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 17 of that Act, a regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* or on a later date indicated in the regulation or the Act under which the regulation is made;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence

An Act respecting health services and social services
(chapter S-4.2, ss. 346.0.1, 346.0.3, 346.0.6, 346.0.7,
346.0.20 and 346.0.20.1)

CHAPTER I GENERAL PROVISIONS, DEFINITIONS AND SCOPE

1. For the purposes of this Regulation,

(1) "accident" means an action or situation in which a risk is realized that has, or could have, consequences for the state of health or well-being of a resident, staff member, professional or third person;

(2) "incident" means an action or situation that has no consequences for the health or well-being of a resident, staff member, professional or third person but that has an unusual outcome and could, in other circumstances, have had consequences;

(3) "related person" means any person related to the operator by blood, marriage, civil union or de facto union;

(4) “care attendant” means any person, including the operator if applicable, who, in performing duties in the residence, intervenes directly with residents to provide assistance, support, supervision or aid, except a volunteer or any member of a professional order;

(5) “dangerous product” means any flammable or toxic product or product presenting a risk of explosion.

For the purposes of the second paragraph of section 346.0.1 of the Act respecting health services and social services (chapter S-4.2) and of this Regulation,

(1) “domestic help services” means housekeeping services in rooms or apartments, and laundry services for clothing and bedding;

(2) “personal assistance services” means one or more of the following services:

(2.1) feeding, daily personal hygiene, dressing and bathing assistance services;

(2.2) the invasive care services involved in assistance with activities of daily living or the administration of medication dispensed in accordance with section 32;

(2.3) medication distribution services;

(3) “recreation services” means organized recreation or entertainment services to promote socialization, in particular in the form of physical, mental, social or creative activities;

(4) “meal services” means the supply, on a daily basis, of one or more meals;

(5) “nursing care” means care provided in the course of the professional activities that nurses and nursing assistants are authorized to exercise under an Act or regulation, and the care provided during the exercise of such activities by any other person authorized to exercise them under an Act or regulation;

(6) “security services” means the full-time presence in a residence of a staff member providing supervision or the supply to residents of a call-for-help system.

2. Every private seniors’ residence belongs to one of the following categories:

(1) the category of private seniors’ residences offering services for independent elderly persons, meaning any residence providing, in addition to the leasing of rooms

or apartments, services in at least 2 of the following categories: meal services, domestic help services, security services and recreation services;

(2) the category of private seniors’ residences offering services for semi-independent elderly persons, meaning any residence providing, in addition to the leasing of rooms or apartments, services in at least 2 of the following categories: meal services, personal assistance services, nursing care, domestic help services, security services and recreation services; at least 1 of the services provided must be in the category of personal assistance services or the category of nursing care.

3. A residence may belong to both the category of private residences referred to in paragraph 1 of section 2 and the category referred to in paragraph 2 of section 2.

The operator of such a residence must, for each category, comply with all the criteria and standards applicable under the Act or this Regulation.

4. This Regulation and subdivision 2.1 of Division II of Chapter I of Title I of Part III of the Act do not apply to the operator of a private seniors’ residence housing fewer than 6 related persons exclusively.

5. Sections 3, 14, 21, 48, 55, the first paragraph of section 57, the second paragraph of section 62 and sections 63 and 68 do not apply to the operator of a private seniors’ residence housing fewer than 6 residents.

6. Sections 3 and 21 as well as the second paragraph of sections 62 and 63 do not apply to the operator of a private seniors’ residence housing 6 or more residents but that has fewer than 10 rooms or apartments.

In addition, section 14 does not apply to the operator of such a private seniors’ residence if it provides services for independent elderly persons.

7. In addition to the information listed in the third paragraph of section 346.0.1 of the Act, an agency must collect and update the following information in order to establish and maintain the register of private seniors’ residences:

(1) the date on which the residence opened;

(2) where applicable, the business number assigned to the operator by the enterprise registrar under the Act respecting the legal publicity of enterprises (chapter P-44.1);

(3) for each work shift, the number of staff members responsible for providing personal assistance services, the number of nurses and nursing assistants present in the residence, and the total number of staff members present in the residence.

In addition, the information on the building that the agency must collect and keep up to date for the purposes of the register in accordance with the third paragraph of section 346.0.1 of the Act respecting health services and social services must include the number of floors in the residence and the type of elevator with which it is equipped, if any.

8. In addition to the words “private seniors’ residence” provided for in section 346.0.20.1 of the Act, a congregate residential facility may not be operated under a name that includes the words listed in Schedule I unless the operator holds a temporary certificate of compliance or a certificate of compliance.

9. The operator of a private seniors’ residence must ensure compliance, within the private seniors’ residence, with all the provisions of this Regulation.

CHAPTER II TEMPORARY CERTIFICATE OF COMPLIANCE

10. In addition to the conditions set out in the Act, any person or partnership applying for a temporary certificate of compliance must meet the following conditions:

(1) neither the person or partnership, nor any officer of the residence, may have held a temporary certificate of compliance or a certificate of compliance that, in the year prior to the application, was revoked or was not renewed pursuant to section 346.0.11 of the Act;

(2) neither the person or partnership, nor any officer of the residence, may, in the year prior to the application, have been refused the issue of a certificate of compliance pursuant to the Act;

(3) neither the person or partnership, nor any officer of the residence, may, in the year prior to the application, have been found guilty of an offence under section 531.1 of the Act.

11. Any person or partnership applying for a temporary certificate of compliance must provide the agency with the following information and documents:

(1) the name and contact information of the applicant and the officers of the residence;

(2) the address where the applicant wishes to receive correspondence, if different from the address provided for the applicant under subparagraph 1;

(3) the name and address of the residence for which the application is made;

(4) where applicable, the name of any residence for which the applicant holds or has held a temporary certificate of compliance or a certificate of compliance;

(5) where applicable, a copy of the registration declaration filed in the enterprise register pursuant to the Act respecting the legal publicity of enterprises, and the business number assigned to the applicant;

(6) the category or categories of private seniors’ residence that the applicant intends to operate;

(7) a description of the target clientele, of all the services to be offered in the residence and their cost, and of the residence’s capacity for providing services and receiving persons with a disability;

(8) the number of rental units planned for the residence, specified in terms of rooms and apartments;

(9) a written declaration by the applicant, in the case of a natural person, and by each officer of the residence and, where applicable, by each director, stating that they are aware of all the relevant provisions of the Act and the provisions of this Regulation and that they undertake to comply or ensure compliance with those provisions from the beginning of the period of validity of the temporary certificate of compliance;

(10) a written declaration by the applicant and by each officer of the residence and, where applicable, by each director, who is, or has been, charged with or convicted of an indictable or other offence, unless, in the case of a conviction, a pardon has been obtained, along with all the information required for the verification of the declaration by a police force and written consent, from the person concerned, to the verification and to the disclosure of the results of the verification to the agency by the police force;

(11) an attestation from the municipality where the residence will be situated confirming that the project does not violate any zoning by-law;

(12) an attestation from a professional, such as an architect or engineer, confirming that the building or part of a building that will be used for the residence complies with the requirements of the Construction Code (chapter B-1.1, r. 2) and any other regulatory provision made under the Building Act (chapter B-1.1) or the Public Buildings Safety Act (chapter S-3) concerning such use.

In addition, where the application is made by a legal person or a partnership, the applicant must provide

(1) a certified copy of its constituting act or partnership agreement, as the case may be;

(2) a copy of the initial declaration filed in the enterprise register under the Act respecting the legal publicity of enterprises; and

(3) a certified copy of the resolution authorizing the application.

CHAPTER III HEALTH AND SOCIAL CRITERIA

DIVISION I CRITERIA APPLICABLE TO ALL RESIDENCES

§1. General

12. The operator of a private seniors' residence must, before receiving a resident, sign with the resident or the resident's representative, if applicable, a written lease using the relevant form prescribed by paragraph 4 or 5 of section 1 of the Regulation respecting mandatory lease forms and the particulars of a notice to a new lessee (chapter R-8.1, r. 3). In every case, the operator must also use the form prescribed by section 2 of the Regulation.

13. The operator of a private seniors' residence must hold and maintain current liability insurance coverage in a sufficient amount to cover any claim resulting from the operator's general civil or professional liability, the minimum amounts of which are provided for in Schedule II.

The operator must also hold and maintain current separate insurance coverage concerning the liability of the residence's directors and officers, where applicable.

The documents showing coverage under this section must be kept in the residence.

§2. Residents' health and safety

14. The operator of a private seniors' residence must make a call-for-help system available to each resident, enabling the resident to obtain, quickly and at all times, assistance from a staff member responsible for emergency calls. The person must be physically present in the residence and ensure access inside the residence by the emergency services, if applicable.

The call-for-help system may be fixed or mobile. If it is fixed, it must be accessible from the resident's bed, in each of the private bathrooms or washrooms attached to the room or apartment, and in each shared bathroom or washroom of the residence.

The resident or the resident's representative may refuse in writing the use of a mobile call-for-help system, where applicable.

15. The operator of a private seniors' residence must establish a fire safety plan and keep it up to date.

The fire safety plan must contain, as a minimum,

(1) the maximum time allowed to evacuate all residents;

(2) a list of the residents, specifying for each the measure or measures to be taken to ensure they are evacuated to a safe place;

(3) the telephone numbers of the people who must be alerted in the event of a fire in order to provide housing for the residents;

(4) the names of the staff members responsible, on each work shift, for applying the evacuation measures, and a description of their tasks;

(5) a list of all firefighting equipment;

(6) a sketch of each floor of the residence, showing the evacuation routes and the location of firefighting equipment;

(7) the names and contact information of all organizations, establishments, institutions or individuals that have undertaken to provide assistance in the event of an evacuation of the residence and to take charge of the persons evacuated, along with a copy of the agreements signed;

(8) a list of telephone numbers for the emergency services; and

(9) observation reports from the evacuation drills carried out during the 3 previous years, if available.

The operator establishes the fire safety plan using the guide *La prévention des incendies et l'évacuation des résidences hébergeant des personnes âgées* and its supplement, published by the Ministère de la Sécurité publique, and keeps it in the residence.

A copy of the plan must be kept near the main entrance of the residence for use by the emergency services. In addition, the sketch referred to in subparagraph 6 of the first paragraph must be posted on each floor of the residence in a place accessible to the public.

All staff members must be informed regularly of the content of the plan and of the specific tasks they are to perform in the event of an evacuation.

16. All dangerous products must be stored in a secure storage space under lock and key.

17. The operator of a private seniors' residence must establish, publicize and enforce, within the residence, the procedures to be followed in case of danger to the life and integrity of a resident, the death of a resident, the unexplained absence of a resident and of a heat wave advisory. The procedures must include at least the actions provided for in Schedule III.

18. The operator must make staff members aware of the *Guide de prévention des infections dans les résidences privées pour aînés* published by the Direction générale de la santé publique of the Ministère de la Santé et des Services sociaux.

19. The operator must ensure that staff members attest, in writing, that they are aware of the procedures and guide referred to in sections 17 and 18, respectively.

The attestation must be placed in the files kept pursuant to section 65.

20. Professional activities carried out in a residence, within the framework of the services provided by the operator, must be carried out by members in good standing of the professional order concerned or by persons who, even if they are not members of the professional order concerned, are authorized to carry out such activities pursuant to an Act or a regulation.

§3. *Persons working in a residence*

21. The operator of a private seniors' residence must, for all new employees, draw up and apply a reception and job induction program to familiarize the employees with their new work environment and job tasks.

22. Every care attendant must, no later than 1 year after starting work, hold an attestation of completion issued by the persons or organizations listed in Schedule IV confirming that the person has successfully completed the training on each of the following subjects:

- (1) cardiopulmonary resuscitation;
- (2) standard first aid;
- (3) the safe movement of persons.

In the case of the subjects referred to in subparagraphs 1 and 2 of the first paragraph, the training must enable the acquisition of the skills listed in that Schedule.

Every care attendant must, at all times after the period referred to in the first paragraph, hold such attestation.

23. Every care attendant must, no later than 1 year after beginning work,

(1) hold a vocational education diploma awarded by the Ministère de l'Éducation, du Loisir et du Sport in the fields of "Assistance in Health Care Facilities" or "Home Care Assistance";

(2) subject to the complementary skills provided for in section 34, hold an official document issued by a school board certifying competency in

(2.1) identifying the responsibilities and obligations of a care attendant and behaving and intervening in a manner consistent with professional ethics with regard to residents' rights;

(2.2) identifying the needs of elderly persons, recognizing the physical and physiological changes associated with normal aging, and taking into account the functional consequences of vision, hearing and expression problems such as aphasia, as well as their impact on residents' needs, in particular as part of the activities of daily living; and

(2.3) applying basic practices to prevent infection and contamination; or

(3) hold from a school board a document confirming that

(3.1) the care attendant has completed a number of courses equivalent to 1 year of full-time studies in a program leading to the title of nurse or nursing assistant; or

(3.2) the care attendant has 3 or more years of full-time experience in providing assistance, support, supervision or aid in direct interventions, acquired over the last 60 months and obtained as

(3.2.1) a beneficiary care attendant or equivalent in a community organization or private seniors' residence;

(3.2.2) a beneficiary care attendant in an institution or intermediate resource, or as the person responsible for an intermediate resource or family-type resource, provided the resource housed elderly persons and the person performed tasks in the resource that involved providing assistance and support services; or

(3.2.3) a family and social auxiliary or a home care auxiliary in an institution operating a local community service centre or rehabilitation centre, or in a social economy enterprise.

For the purposes of subparagraph 3 of the first paragraph, 1 year of full-time experience corresponds to 1,664 hours of paid work.

24. The staff members of a private seniors' residence and the volunteers working in the residence must not be charged with or have been convicted of an indictable or other offence related to the abilities and conduct required to work in the residence, unless, in the case of a conviction, a pardon has been obtained.

25. Every person wishing to join the staff of a private seniors' residence or to work there as a volunteer must, before beginning work, provide the operator with a declaration concerning any charge or conviction referred to in section 24 unless, in the case of a conviction, a pardon has been obtained.

The declaration must contain all the information necessary for verification by a police force and include written consent to the verification and to the disclosure of the results of the verification to the operator by the police force.

The operator must have the accuracy of the declaration referred to in the first paragraph verified by the police force before the staff member or volunteer begins work.

26. The verification of a judicial record referred to in section 25 must be repeated when

(1) the staff member or volunteer is charged with or convicted of an indictable or other offence; or

(2) the operator or the agency so requires.

Similarly, when a new director or officer is appointed, the operator must, within 60 days, provide the agency with the declaration and consent of the director or officer, as described in subparagraph 10 of the first paragraph of section 11.

27. The operator of a private seniors' residence must, without delay, inform the agency if the operator, or one of the directors or officers, is charged with or convicted of an indictable or other offence.

28. The operator of a private seniors' residence must keep, in the residence, a copy of the declaration and consent documents referred to in subparagraph 10 of the first paragraph of section 11, the first and second paragraphs of section 25 and the second paragraph of section 26, along with the results of the verifications of the declarations referred to in the first paragraph of section 25.

In the case of staff members, the documents are kept in the file referred to in section 65.

29. The operator of a private seniors' residence providing services to the residents through subcontractors or who uses the services of third persons to fill the operator's needs for personnel, in particular the services of a placement agency, must obtain from the subcontractors or other third persons, the guarantee that a police force has verified whether the persons that could be chosen to work in the residence have been charged with or convicted of an indictable or other offence. The operator must also obtain from any subcontractor or other third person the guarantee that a person who has been charged with or convicted of an indictable or other offence related to the abilities and conduct required to work in the residence will not work in the residence, unless, in the case of a conviction, a pardon has been obtained.

The operator must also obtain from the subcontractors or other third persons referred to in the first paragraph the guarantee that the persons chosen to work in the residence as care attendants hold the attestations referred to in section 22. The operator must also obtain from the subcontractors and third persons the guarantee that those persons hold a diploma referred to in subparagraph 1 of the first paragraph of section 23 or have obtained the document confirming that they hold the document certifying competency provided for in subparagraph 2 of the first paragraph of section 23 and, where applicable, section 34, or the document referred to in subparagraph 3 of the first paragraph of section 23.

DIVISION II **SPECIAL CRITERIA FOR PRIVATE SENIORS'** **RESIDENCES OFFERING SERVICES FOR** **INDEPENDENT ELDERLY PERSONS**

§1. Residents' health and safety

30. Subject to any other legislative or regulatory provision requiring the presence of a larger number of persons in a residence, at least 1 staff member of full age must be present, at all times, in a residence covered by this Division that has fewer than 200 rooms or apartments, in order to provide supervision. If the residence has 200 or more rooms or apartments, the minimum number of persons is 2.

Every person providing supervision pursuant to the first paragraph, whether or not the person is a care attendant, must hold the attestations referred to in section 22. The person must also hold the diploma referred to in subparagraph 1 of the first paragraph of section 23 or have obtained one of the documents referred to in subparagraph 2 or 3 of the first paragraph of section 23.

DIVISION III
SPECIAL CRITERIA FOR PRIVATE SENIORS’
RESIDENCES OFFERING SERVICES FOR
SEMI-INDEPENDENT ELDERLY PERSONS

§1. Residents’ health and safety

31. The operator of a residence covered by this Division must take all the measures necessary to prevent residents prone to wandering from leaving the residence or its grounds, including the installation of a security device that allows, in such a case, to alert a staff member.

The operator must also complete an information sheet, with residents prone to wandering or the resident’s representative, if applicable, describing the resident’s general profile and physical characteristics, and accompanied by a recent photograph.

Once completed, the information sheet must be kept in the file referred to in section 43.

32. The invasive care involved in assistance with activities of daily living that is required on a sustained basis for the maintenance of health may be provided in a residence referred to in this section only in accordance with section 39.7 of the Professional Code (chapter C-26) or a regulation made pursuant to section 39.9 of the Code.

In addition, prescribed ready-to-administer medications may be administered in such a residence only in accordance with section 39.8 of the Professional Code or a regulation made pursuant to section 39.9 of the Code.

33. Subject to any other provision requiring the presence of a larger number of persons in a residence, at least 1 staff member of full age must be present, at all times, in a residence covered by this Division that has fewer than 100 rooms or apartments, in order to provide supervision. If the residence has 100 to 199 rooms or apartments, the minimum number of persons is 2; if the residence has 200 or more rooms or apartments, the minimum number of persons is 3.

Every person providing supervision pursuant to the first paragraph, whether or not the person is a care attendant, must hold the attestations referred to in section 22. The person must also hold the diploma referred to in subparagraph 1 of the first paragraph of section 23 or have obtained one of the documents confirming that the person holds the document certifying competency provided for in subparagraph 2 of the first paragraph of section 23 and section 34, or the document referred to in subparagraph 3 of the first paragraph of section 23.

§2. Persons working in a residence

34. A document issued under section 23 must, in the case of a care attendant in a residence covered by this Division, in addition to confirming competency provided for in subparagraph 2 of the first paragraph of section 23, confirm the following complementary skills:

(1) applying basic care procedures, in particular as part of the activities of daily living; and

(2) taking into account the functional consequences of illness, physical and mental disability and cognitive impairment and their impact on the needs of the elderly person, in particular as part of the activities of daily living.

CHAPTER IV
OPERATING STANDARDS

DIVISION I
STANDARDS APPLICABLE TO ALL RESIDENCES

§1. General

35. All residents must be treated with courtesy, fairness and understanding, and with respect for their dignity, autonomy and needs.

The same applies to all residents’ close relatives.

36. The operator of a private seniors’ residence must adopt a code of conduct, for all the residence’s directors, staff members, volunteers and any other person working in the residence, setting out expected practices and behaviour toward residents and specifying, as a minimum,

(1) the right of residents and close relatives to be treated with respect and courtesy;

(2) the right to information and freedom of expression;

(3) the right to confidentiality and discretion; and

(4) the prohibition preventing the operator, staff members, volunteers and any other person working in the residence from accepting donations or bequests from a resident made while the resident is or was housed at the residence, or from soliciting residents in any way.

The persons referred to in the first paragraph must undertake, in writing, to comply with the code of conduct. The undertaking made by a staff member must be placed in the file kept pursuant to section 65.

The operator must ensure compliance with the code of conduct within the residence.

The operator must post the code of conduct visibly, in a place accessible to the residents.

37. The operator of a private seniors' residence must offer and maintain all the services listed in the lease and the appendix to the lease for the full term of the lease without increasing the cost or decreasing the provision of the services.

38. The operator of a private seniors' residence registered in the enterprise register must send to the agency any updating declaration the operator files under the Act respecting the legal publicity of enterprises.

39. The operator of a private seniors' residence must sign an agreement with the local authority in the territory where the residence is located setting out how health services and social services will be dispensed to the residents by the local authority, undertakings made by the local authority and the operator in that respect and any other modality concerning their cooperation.

40. The documents referred to in the first paragraph of section 28 must be kept for at least 3 years after the date on which a director, officer, staff member or volunteer leaves.

§2. Visits to see residents and access to health services and social services

41. The operator of a private seniors' residence must allow the residents to receive visits from visitors at all times.

The operator must ensure that the layout of the residence allows visits to take place in a way that respects the residents' privacy.

42. The operator of a private seniors' residence must allow health or social services professionals chosen by the residents and health and social services workers to have access to residents at all times, in particular to assess their psychosocial needs, monitor their state of health or provide care or services.

§3. Residents' files

43. The operator of a private seniors' residence must keep a file for each resident containing, in particular,

(1) the resident's name, date of birth and contact information;

(2) where applicable, the name and contact information of the resident's representative and a description of the acts that the representative is authorized to perform for the resident;

(3) a copy of the lease signed with the resident or the resident's representative, where applicable;

(4) the consent obtained by the operator for each disclosure of personal information concerning the resident;

(5) the name and contact information of a person to be contacted in the event of an emergency;

(6) a description of the resident's specific needs;

(7) a description of the resident's health problems that must be taken into account in the event of an emergency, including any allergies;

(8) the name and contact information of the resident's attending physician and pharmacist;

(9) the indication that the resident is registered for home support services with the local authority in the territory concerned and the name and contact information of the person responsible for the resident's follow-up within that authority;

(10) a written refusal to use a mobile call-for-help system obtained pursuant to the third paragraph of section 14, where applicable;

(11) a copy of any incident or accident report concerning the resident made under section 56;

(12) a record of any disclosure concerning the resident made under section 58;

(13) the indication that the notices referred to in sections 59 and 61 have been given, where applicable; and

(14) any other information or document that must be placed in the resident's file pursuant to this Regulation.

The information contained in a resident's file must be kept up to date.

If a person refuses to provide information required under the first paragraph, the operator must have the person sign a declaration to that effect. The declaration must be kept in the file.

44. The information listed in subparagraphs 5 to 9 and 11 to 13 of the first paragraph of section 43, and the information sheet referred to in the second paragraph of section 31, must be kept separately in the resident's file so that it can be consulted quickly.

45. All residents' files must be kept in the residence.

They must be accessible quickly in an emergency or when requested by a person authorized to consult them.

46. The operator of a private seniors' residence must protect the confidentiality of the personal information held, and may give access to personal information only in accordance with the Act respecting the protection of personal information in the private sector (chapter P-39.1).

The operator must keep a resident's file for at least 5 years after the resident's departure or death.

§4. Information given to residents

47. The operator of a private seniors' residence must inform the residents that they are entitled, in accordance with paragraph 1 of section 60 of the Act respecting health services and social services, to address a complaint directly to the agency concerning the services that the resident received or ought to have received from the residence.

The operator must post information about the exercise of the right, visibly and in a place accessible to the residents, including the information that a complaint may be sent to the regional service quality and complaints commissioner and the contact information of the commissioner.

48. The operator of a private seniors' residence must, before signing a lease, give a prospective resident, or the prospective resident's representative, if applicable, a document drafted in simple and clear terms specifying

- (1) the category to which the residence belongs;
- (2) all the services provided in the residence, with their cost;
- (3) the conditions on which persons with a disability may be admitted and the accommodation capacity for such persons;
- (4) the operating rules for the residence;
- (5) the fact that any resident may file a complaint with the agency for the region concerning the services that the resident received or ought to have received from the residence;
- (6) the fact that the operator applies an incident and accident reporting and disclosure procedure;
- (7) the indication that only the tools referred to in section 60 may be used to identify loss of autonomy and assess a resident's autonomy; and

(8) the fact that every resident must insure his or her personal property.

The operator also gives the person referred to in the first paragraph of the code of conduct adopted under the first paragraph of section 36, along with a copy of the recreational activities schedule for the current month referred to in the second paragraph of section 63.

§5. Residents' health and safety

49. The operator of a private seniors' residence must, before signing a lease, identify, with the prospective resident or the prospective resident's representative, the services that the prospective resident wishes to obtain.

The services must be identified using a table or grid showing all the services offered in the residence and detailing the cost of each service, whatever the means of payment used.

50. The operator of a private seniors' residence must not endanger the health or safety of residents by contravening

- (1) the Food Products Act (chapter P-29) or a regulation made under it while acting as a retailer or restaurateur or while offering services through a subcontractor who contravenes that Act or a regulation made under it;
- (2) any standard contained in a regulation or by-law, such as a municipal hygiene, sanitation, construction or safety including fire safety by-law applicable in the territory where the residence is located;
- (3) the Public Buildings Safety Act or the Building Act, or a regulation made under either Act; or
- (4) the Tobacco Act (chapter T-0.01) or a regulation made under it.

51. The operator of a private seniors' residence must keep in the residence, for at least 3 years, the orders, remedial notices and other documents of the same type issued to the operator by any authority responsible for the application of one of the Acts or regulations referred to in section 50, along with proof that the operator has complied with them by taking the appropriate remedial action, where applicable.

52. The operator of a private seniors' residence must regularly carry out the housekeeping of the residence, in particular in the common areas, in a way that does not endanger the health or safety of the residents.

The operator must also rapidly repair or carry out maintenance work necessary to ensure the health and safety of the residents.

53. Every private seniors' residence must be equipped with mobile first-aid kits, maintained clean, fully stocked and in good condition, that are easily accessible to the staff and conspicuously marked for rapid identification.

The minimum content of the kits is listed in Schedule V and the quantities must be adapted to the number of residents.

54. No medication, even medication that may be sold by anyone under the Regulation respecting the terms and conditions for the sale of medications (chapter P-10, r. 12), may be sold or placed at the disposal of residents by the operator of a private seniors' residence.

In addition, subject to paragraph 2 of section 74, no medication may be kept outside the residents' rooms or apartments.

55. To correct or reduce the frequency of situations creating a risk, the operator must keep a register of the incidents or accidents that occur in the residence and involve a resident.

The operator must designate a person responsible for keeping the register.

56. Every staff member at a private seniors' residence and every professional working in the residence must report in writing as soon as possible, to the person responsible for keeping the register, any incident or accident observed by the staff member or professional.

The report must include, if known,

- (1) the date and time of the incident or accident and the place where it occurred;
- (2) the nature of the incident or accident;
- (3) a description of the facts and a list of the witnesses to the incident or accident;
- (4) the circumstances in which the incident or accident occurred;
- (5) the actions taken and the persons notified in the residence following the incident or accident;

(6) the immediate consequences of the incident or accident; and

(7) any recommendations that the person making the report considers relevant.

Every volunteer or other person working in the residence must advise a staff member as soon as possible of any incident or accident observed and, with the help of a staff member if required, report it to the person responsible for keeping the register, in accordance with the first and second paragraphs.

In the case of a residence referred to in section 5, the declarations referred to in the first and third paragraphs must be made directly to the operator of the residence.

57. The person responsible for keeping the register of incidents and accidents must inform the operator of the private seniors' residence, as soon as possible, of any incident or accident.

The operator must take the necessary steps to correct or reduce the frequency of situations creating a risk.

58. The operator of a private seniors' residence or the person designated by the operator must disclose any accident to the residents and their representatives, where applicable, and to the persons to be contacted in the event of an emergency.

The operator or person designated by the operator must ensure that the residents and other persons referred to in the first paragraph have received all relevant information about the accident, that their questions have been answered, and that steps have been taken to allow residents to obtain all necessary assistance.

59. If the operator of a private seniors' residence notices that a resident is behaving unusually or in a way that may harm the resident or another person, or notes a loss of cognitive autonomy associated with behavioural disorders, the operator must notify as soon as possible the resident's representative, if applicable, and the person to be contacted in the event of an emergency. If that person cannot be reached in time, the operator must notify a close relative.

With the consent of the resident or the consent of any person authorized to give consent on the resident's behalf, the operator must also notify the local authority concerned.

60. The operator of a private seniors' residence who proceeds with or requests the identification of a loss of autonomy of a resident or a prospective resident, in order to determine the services required by the resident or prospective resident, must ensure that the identification is conducted using the tool for the identification of persons with decreasing autonomy Prisma-7.

The operator who, for the same purposes, proceeds with or requests an assessment of the autonomy of such a resident or prospective resident, must ensure that the assessment is conducted using the functional autonomy measurement system (*système de mesure de l'autonomie fonctionnelle* (SMAF)) by a professional authorized to do so.

Only the tools referred to in the first and second paragraphs may be used to conduct such identification or assessment.

61. If the operator notices that a resident's state of health requires care or services that are beyond the operator's capacity or represent a risk for the resident's safety if the residence has to be evacuated, the operator must notify the resident's representative, if applicable, and the person to be contacted in the event of emergency. If either person cannot be reached in time, the operator must notify a close relative.

With the resident's consent or the consent of the person authorized to give consent on the resident's behalf, if applicable, the operator also notifies the local authority concerned.

§6. Residents' food and recreation

62. The operator of a private seniors' residence who provides meal services for the residents must offer varied menus that conform to Canada's Food Guide, published by Health Canada, and are adapted to the specific nutritional needs of elderly persons.

The operator must maintain a list of menus covering a minimum period of 3 weeks and post it visibly in a place accessible to the residents for consultation by residents and close relatives.

63. The operator of a private seniors' residence must offer residents organized recreation and entertainment activities that are varied and adapted to the client profile for the residence, and that promote socialization.

The operator must post a schedule of recreational activities covering a period of at least 1 month, visibly and in a place accessible to the residents, for consultation by residents and close relatives.

§7. Residence staff

64. The operator of a private seniors' residence must maintain in the residence, at all times, sufficient staff to respond adequately to the residents' needs and to the commitments made to residents in a lease signed pursuant to section 12.

65. The operator of a private seniors' residence must establish a file for each staff member and keep it up to date.

The file must be kept in the residence and must contain, in addition to the other information that must be placed in the file pursuant to this Regulation, a description of the staff member's tasks, a summary of the staff member's skills and proof that the staff member holds the attestations and diploma or one of the documents required under sections 22, 23 and, where applicable, 34 and, in the case of a professional, the number of the professional's permit and annual proof of the professional's registration on the roll of the order concerned.

The first paragraph of section 45 and section 46 apply, with the necessary modifications, to the files established for staff members.

DIVISION II SPECIAL STANDARDS APPLICABLE TO PRIVATE RESIDENCES OFFERING SERVICES FOR INDEPENDENT ELDERLY PERSONS

§1. General

66. The operator of a residence covered by this Division cannot accept an elderly person who, before arriving at the residence, has a cognitive disorder that makes constant supervision necessary, unless the supervision is provided by a third person that does not act on behalf or at the request of the operator.

67. Force, isolation, mechanical means and chemical substances may not be used as a control measure for a person housed in a private seniors' residence covered by this Division.

§2. Information given to residents

68. In addition to the information listed in the first paragraph of section 48, the document that the operator of a residence covered by this Division must give to a prospective resident or the prospective resident's representative, if applicable, must state that no nursing services and no personal assistance services are provided.

DIVISION III
SPECIAL STANDARDS APPLICABLE TO PRIVATE
RESIDENCES OFFERING SERVICES FOR
SEMI-INDEPENDENT ELDERLY PERSONS

§1. General

69. An agreement entered into pursuant to section 39 between the operator of a residence covered by this Division and the local authority in the territory where the residence is located must set out the terms and conditions for the application of sections 39.7 and 39.8 of the Professional Code and the provisions of the regulation made pursuant to section 39.9 of the Code, where applicable.

§2. Residents' files

70. In addition to the information and documents listed in the first paragraph of section 43, the operator of a residence covered by this Division must record in each resident's file

(1) a description of the resident's health problems that must be taken into account in the services provided to the resident in the residence;

(2) the distribution procedure for the resident's medication, where applicable;

(3) the written consent or refusal given by the resident, or by the person authorized to give consent on the resident's behalf, to any care that may be provided by the operator under this Regulation, where applicable; and

(4) the result of any identification of loss of autonomy or assessment of the resident's autonomy conducted using the tools referred to in the first and second paragraphs of section 60.

§3. Residents' health and safety

71. When an assessment of a resident's autonomy has been conducted in accordance with the second paragraph of section 60, the needs identified must be communicated in writing to the residence staff, if the residence offers nursing care or personal assistance services, and in particular to the care attendants.

72. The devices and equipment needed to dispense care and personal assistance services to residents must be used safely and in compliance with the manufacturer's instructions.

The devices and equipment must be maintained in proper working order.

73. The operator of a residence covered by this Division must give priority to the self-administration of medication by the residents.

The operator must ensure that residents who self-administer medication keep the medication in their room or apartment in a safe manner and in such a way that the medication is not easily accessible to the other residents.

74. The operator of a residence covered by this Division who offers a medication distribution or administration service must

(1) designate a staff member responsible for supervising the distribution of medication during each work shift; and

(2) store the medication prescribed for each resident and prepared by a professional authorized to do so under lock and key, in a cupboard reserved for that purpose and in a refrigerated unit, if required.

75. The person who distributes medication must verify the identity of each resident and ensure that the medication distributed is intended for that resident.

76. The operator of a residence covered by this Division may only use control measures involving force, isolation or mechanical means on a resident in an emergency situation and as a last resort, to protect the resident or another person from an imminent danger of injury. Subject to the second paragraph of section 77, control measures may only be applied when alternative measures have been ineffective in reducing the danger. In addition, control measures may only be applied temporarily and in exceptional cases, in the least constraining way possible.

The operator may not use any chemical substance as a control measure.

77. When alternative control measures are applied to reduce the danger, the operator must

(1) advise without delay the resident's representative, if applicable, and the person to be contacted in the event of an emergency. If that person cannot be reached in time, the operator must notify a close relative;

(2) ask the local authority concerned to assess the resident's condition; and

(3) ensure that the following information is recorded in the resident's file:

(a) the date and time of the intervention;

(b) the alternative measures applied, the reason for applying the measures, and their effectiveness; and

(c) the name of the persons who have been informed of the situation, the date and time when they were informed, and the information provided to them.

When exceptionally, considering the seriousness of the danger and emergency, alternative control measures may not be used to reduce the danger, the operator must ensure that the reasons for which the measures were rejected are recorded in the resident's file.

78. The operator of a residence referred to in this Division who applies control measures in accordance with the first paragraph of section 76 must

(1) notify without delay the persons referred to in subparagraph 1 of the first paragraph of section 77;

(2) immediately ask the local authority concerned to assess the condition of the resident without delay and to identify and implement appropriate measures to ensure the resident's safety; and

(3) ensure that the following measures are recorded in the resident's file, in addition to the information listed in subparagraphs *a* and *c* of subparagraph 3 of the first paragraph of section 77:

(a) the measures applied, the reason for applying the measures, and the place and duration of their application; and

(b) the measures taken to ensure the resident's safety, including supervision measures, and the resident's reaction to the measures.

CHAPTER V RENEWAL AND TRANSFER

79. As soon as the agency starts the renewal process of his or her certificate of compliance, the operator of a private seniors' residence must send to the agency the documents and information listed in subparagraphs 1 to 10 of the first paragraph of section 11 and the second paragraph of that section, if applicable, except documents or information previously provided to the agency if the operator attests that they are still complete and accurate. This exception does not apply to the declarations referred to in subparagraphs 9 and 10 of the first paragraph of that section.

The operator must also provide the agency with any information it requires concerning compliance with the conditions set out in section 10 and complete the form for self-assessment of compliance with the conditions of the Act respecting health services and social services and of this Regulation provided by the agency.

80. Every person who, in accordance with section 346.0.20 of the Act, requests from an agency permission to become the transferee of the rights conferred by a temporary certificate of compliance or a certificate of compliance must meet the conditions set out in section 10 and provide the documents and information listed in section 11, except those listed in subparagraphs 11 and 12 of the first paragraph of that section.

CHAPTER VI OFFENCES

81. A violation of any of sections 12 to 19, 21, 27 to 29, 31, the first, third or fourth paragraph of section 36, sections 37 to 53, the first paragraph of section 54, section 55, the second paragraph of section 57, sections 58 to 66, 68 to 70, 73, 74 or 76 to 78 constitutes an offence.

A violation, by the operator, of section 9 in connection with compliance with any provision of sections 20, 22 to 26, 30, 32 to 35, the second paragraph of section 36 or 54, section 56, the first paragraph of section 57 or section 67, 71, 72 or 75 also constitutes an offence.

CHAPTER VII TRANSITIONAL AND FINAL

82. An agency must refuse every application for a temporary certificate of compliance if, in the year prior to the application, the person or partnership making the application or one of its officers has been refused the issue of a certificate of compliance under section 346.0.11 or was the holder of a certificate of compliance that was suspended, revoked or not renewed in accordance with section 346.0.12 of the Act respecting health services and social services, as those sections read on the day before the coming into force of section 13 of chapter 27 of the Statutes of 2011.

83. The operator of a private seniors' residence referred to in sections 5 and 6 has until 31 December 2013, and the operator of any other private seniors' residence has until 30 June 2014, to obtain from the staff members and volunteers working at the residence before 30 June 2013 the declaration referred to in section 25 and to have it verified by a police force in accordance with that section if it mentions a judicial record.

84. Despite section 88, section 14 has effect only from 1 June 2014 with respect to an operator of a private seniors' residence whose services are intended for independent elderly persons and having fewer than 50 rooms or apartments and from 30 November 2013 with respect to any other operator of a private seniors' residence whose services are intended for independent elderly persons.

85. Despite section 88, the first paragraph of section 30 has effect only from 1 June 2014 with respect to an operator of a private seniors' residence whose services are intended for independent elderly persons and having fewer than 50 rooms or apartments.

Until that date, the operator referred to in the first paragraph must implement measures ensuring that a person may be contacted at all times to ensure an immediate intervention in the event of an emergency. The measures must be approved by the operator's board of directors, if applicable.

86. Until the coming into force of the second paragraph of sections 30 and 33, every person providing supervision pursuant to the first paragraph of one of those sections must, whether or not the person is a care attendant, hold the attestations of completion issued by the persons or organizations listed in Schedule IV of this Regulation and confirming that the person has successfully completed the training in

- (1) cardiopulmonary resuscitation;
- (2) standard first aid; and
- (3) safe movement of persons.

In the case of the subjects referred to in subparagraphs 1 and 2 of the first paragraph, the training must allow the acquisition of the skills listed in that Schedule.

87. This Regulation replaces the Regulation respecting the conditions for obtaining a certificate of compliance for a private seniors' residence (chapter S-4.2, r. 5).

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

- (1) the first paragraph of section 29, which comes into force on 1 May 2013;
- (2) sections 22, 23, the second paragraph of section 29, section 34 and the second paragraph of sections 30 and 33, which come into force on 1 November 2015.

SCHEDULE I

(s. 8)

- Residential centre for seniors or for the elderly
- Retirement centre for seniors or for the elderly
- Long-term care centre for seniors or for the elderly
- Living centre for seniors or for the elderly
- Centre for seniors or for the elderly
- Private housing and residential establishment for seniors or for the elderly
- Home for seniors or for the elderly
- Foster home for seniors or for the elderly
- Evolutionary housing for the retired, for seniors or for the elderly
- Asylum for seniors or for the elderly
- Retirement home for seniors or for the elderly
- Residential home for seniors or for the elderly
- Residence for seniors or for the elderly
- Residence for the aged

SCHEDULE II

(s. 13)

1. For every residence, regardless of the category, general civil liability coverage of at least

— Residence with 1 to 9 rooms or apartments: \$1,000,000;

— Residence with 10 to 50 rooms or apartments: \$2,000,000;

— Residence with more than 50 rooms or apartments: \$5,000,000.

2. For every residence of the private seniors' residence category whose services are intended for independent elderly persons, professional liability coverage of at least \$500,000.

3. For every residence of the private seniors' residence category whose services are intended for semi-independent elderly persons, professional liability coverage of at least \$1,000,000.

SCHEDULE III

(s. 17)

1. Procedure to follow if the life or physical integrity of a resident is in danger:

- (1) ensure the resident's safety and provide first aid;
- (2) call the emergency 911 service and provide all relevant information concerning the emergency;
- (3) notify the resident's representative, if applicable, and the person to be contacted in the event of an emergency identified in the resident's file kept pursuant to section 43;
- (4) prepare the information required by the ambulance technicians;
- (5) record in the resident's file, kept pursuant to section 43, a description of the circumstances and facts of the event;
- (6) notify the person responsible at the residence of the situation and nature of the emergency.

2. Procedure to follow in the event of a resident's death:

- (1) call the emergency 911 service immediately;
- (2) give the authorities all the required information and follow the instructions of the emergency services;
- (3) notify the resident's representative, if applicable, and the person to be contacted in the event of an emergency.

3. Procedure to follow if a resident is absent without reason:

- (1) question staff members about possible reasons for the resident's absence and places where the resident may possibly be found;
- (2) inspect all rooms in the residence, the grounds and the surrounding area;
- (3) notify the resident's representative, if applicable, and the person to be contacted in the event of an emergency, and ask them about places where the resident may possibly be found;
- (4) call the emergency 911 service;
- (5) give the police the information sheet referred to in the second paragraph of section 31;

(6) notify the resident's representative, if applicable, the person to be contacted in the event of an emergency and the police if the resident is found;

(7) complete the incident or accident report referred to in section 58;

(8) take all necessary measures, working with the resident, the resident's close relatives and, if the person is prone to wandering, the local authority in the territory where the residence is located, to prevent a reoccurrence of the event.

4. Procedure to follow in the event of a heat wave advisory:

- (1) place a sufficient number of fans in the common areas and, where possible, in rooms and apartments;
- (2) distribute cold drinks and water frequently during the day;
- (3) cancel all physical activities in the recreation schedule and advise residents to stay in the shade or go outside late in the day, wear a hat and apply sunscreen;
- (4) ask residents to stay in air-conditioned rooms in the residence, where applicable;
- (5) early in the morning, close windows, drapes and blinds, especially on the sides of the building exposed to the sun, and keep them closed until the outdoor temperature drops;
- (6) when the outdoor temperature drops, open windows as wide as possible to create drafts;
- (7) conduct inspection tours of rooms and apartments;
- (8) call the emergency 911 service if any residents have symptoms that point to a deterioration in their physical condition.

SCHEDULE IV

(ss. 22 and 86)

1. For cardiopulmonary resuscitation and standard first aid:

- St. John Ambulance;
- Heart & Stroke Foundation of Québec;
- Canadian Red Cross;

—any other organization contractually linked with the Commission de la santé et de la sécurité du travail (CSST) to provide first aid training.

The training given by those organizations must allow the acquisition of the following skills:

(a) Skills in cardiopulmonary resuscitation:

—assess properly vital functions;

—be familiar with techniques to unblock airways, apply artificial respiration and perform cardiac massage;

—be able to apply the techniques;

(b) Skills in standard first aid:

—understand the role and responsibilities of a first aid provider with regard to the legislative and regulatory provisions in force;

—know how to take charge of an emergency situation;

—recognize urgent situations and intervene appropriately while waiting for emergency services, in particular in the following situations:

—allergic reactions;

—problems related to heat or cold, such as heatstroke and hypothermia;

—poisoning;

—hemorrhaging and shock, including the prevention of blood-borne contamination;

—muscular and skeletal injuries, including prevention during convulsions;

—eye injuries;

—open wounds of medical or accidental origin, including the application of sealed compression dressings;

—medical problems such as chest pain, hypoglycemia and epilepsy.

2. Training providers accredited by the Association paritaire pour la santé et la sécurité du travail du secteur affaires sociales (ASSTSAS) are recognized for the safe movement of persons.

SCHEDULE V

(s. 53)

FIRST AID KIT CONTENTS

(A) A first-aid manual approved by the Commission de la santé et de la sécurité du travail (CSST)

(B) The following instruments:

— 1 pair of bandage scissors;

— 1 pair of splinter forceps;

— safety pins (assorted sizes);

— disposable gloves;

— cardiopulmonary resuscitation (CPR) pocket mask with one-way valve.

(C) The following dressings (or equivalent sizes)

— sterile adhesive bandages (25 mm x 75 mm) individually wrapped;

— sterile gauze compresses (101.6 mm x 101.6 mm) individually wrapped;

— rolls of sterile gauze bandage (50 mm x 9 m) individually wrapped;

— rolls of sterile gauze bandage (101.6 mm x 9 m) individually wrapped;

— triangular bandages;

— sterile bandage compresses (101.6 mm x 101.6 mm) individually wrapped;

— 1 roll of adhesive tape (25 mm x 9 m).

(D) Antiseptics:

— individually wrapped antiseptic swabs.

Gouvernement du Québec

O.C. 101-2013, 13 February 2013

Professional Code
(chapter C-26)

Activities engaged in and described in sections 39.7 and 39.8 of the Code — Amendment

Regulation to amend the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code

WHEREAS, under the first paragraph of section 39.9 of the Professional Code (chapter C-26), the Office des professions du Québec may, by regulation, determine places, cases and circumstances in which a person may engage in the activities described in sections 39.7 and 39.8 of the Code as well as the applicable conditions and procedures;

WHEREAS, in accordance with the third paragraph of section 39.9 of the Professional Code, the Minister of Health and Social Services, the Ordre des infirmières et infirmiers du Québec, the Ordre des infirmières et infirmiers auxiliaires du Québec, the Ordre professionnel des inhalothérapeutes du Québec and the Collège des médecins du Québec have been consulted prior to the making of the Regulation to amend the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code;

WHEREAS the Office made the Regulation to amend the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the Regulation was published as a draft in Part 2 of the *Gazette officielle du Québec* of 14 January 2009 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 13 of the Professional Code, every regulation adopted by the Office under the Code or under an Act constituting a professional order must be submitted to 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 Justice:

THAT the Regulation to amend the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code

Professional Code
(chapter C-26, s. 39.9, 1st par.)

1. The Regulation respecting the activities engaged in and described in sections 39.7 and 39.8 of the Professional Code (chapter C-26, r. 3) is amended by inserting “nursing” in subparagraph 3 of the first paragraph of section 3 before “care”.

2. Section 3.2 is amended by inserting “nursing” in paragraph 3 before “care”.

3. The following is inserted after section 3.2:

“DIVISION III PRIVATE SENIORS’ RESIDENCES

3.3. For the purposes of this Division,

(1) “local authority” means a local authority within the meaning of the Act respecting health services and social services;

(2) “care attendant” means a care attendant within the meaning of the Regulation respecting the conditions for obtaining a certificate of compliance and the operating standards for a private seniors’ residence, made by Order in Council 100-2013 dated 13 February 2013;

(3) “professional” means a physician, a nurse, a nursing assistant or a respiratory therapist;

(4) “private seniors’ residence” means a private seniors’ residence whose services are intended for semi-independent elderly persons within the meaning of that Regulation.

3.4. A care attendant of a private seniors’ residence may engage, at any place they are required, in the activities described in sections 39.7 and 39.8 of the Professional Code on the following conditions:

(1) an agreement on those activities has been entered into between the operator of the residence and the local authority of the territory where the residence is located. Such agreement must provide for mechanisms to be implemented by the operator to ensure the quality and continuity of the activities covered by this Regulation, particularly in the case of a change of care attendant or professional in the residence; and

(2) the operator of the residence keeps a register containing

(a) the name of the residence's care attendant who is authorized to carry on those activities under this Division;

(b) the name of the school board that issued to the care attendant an official document attesting to the mastery of the skills related to those activities; and

(c) the name and title of the residence's professional or, failing that, of the professional who practises in a centre operated by the local authority of the territory where the residence is located, and who provides clinical support to and updates the knowledge and skills of the residence's care attendant who is authorized to engage in the activities under this Division.

3.5. To engage in the activities referred to in section 3.4, the care attendant of a private seniors' residence must

(1) have learned how to perform the activities with a school board professional, with a residence's professional or, failing that, with a professional who practises in a centre operated by the local authority of the territory where the residence is located;

(2) hold an official document issued by a school board attesting to the mastery of the skills related to the activities;

(3) be supervised, the first time he or she engages in those activities, by a residence's professional or, failing that, by a professional who practises in a centre operated by the local authority of the territory where the residence is located;

(4) engage in the activities in accordance with the rules of nursing care in force in the local authority of the territory where the residence is located; and

(5) have access at all times to a professional of the residence or, failing that, to a professional who practises in a centre operated by the local authority of the territory where the residence is located.”

4. This Regulation comes into force on 28 February 2014.

Gouvernement du Québec

O.C. 102-2013, 13 February 2013

Nurses Act
(chapter I-8)

Infirmières et infirmiers — **Registration certificates issued by the Ordre des infirmières et infirmiers du Québec**

Regulation respecting registration certificates issued by the Ordre des infirmières et infirmiers du Québec

WHEREAS, under section 12 of the Nurses Act (chapter I-8), the board of directors of the Ordre des infirmières et infirmiers du Québec must, by regulation, determine the conditions and formalities applicable to the issue of a registration certificate, and the causes for and the conditions and formalities applicable to the revocation of such a certificate;

WHEREAS the board of directors of the Ordre des infirmières et infirmiers du Québec made the Regulation respecting registration certificates issued by the Ordre des infirmières et infirmiers du Québec;

WHEREAS, pursuant to section 95 of the Professional Code (chapter C-26) and subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting registration certificates issued by the Ordre des infirmières et infirmiers du Québec was published in Part 2 of the *Gazette officielle du Québec* of 24 October 2012 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 has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation respecting registration certificates issued by the Ordre des infirmières et infirmiers du Québec, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting registration certificates issued by the Ordre des infirmières et infirmiers du Québec

Nurses Act
(chapter I-8, s. 12)

1. The purpose of this Regulation is to determine the conditions and formalities applicable to the issue of the registration certificate referred to in Division VII of the Nurses Act (chapter I-8) and the causes for and the conditions and formalities applicable to the revocation of such a certificate.

2. The Secretary of the Ordre des infirmières et infirmiers du Québec shall issue a registration certificate to a nursing student who meets the following terms and conditions:

(1) he has not had his registration certificate revoked in the year preceding his application for any of the causes mentioned in subparagraphs (3) to (5) of section 3;

(2) he requires that the educational institution where he is enrolled send the Order written confirmation that he holds a high school diploma and is enrolled in a program of studies leading to a diploma giving access to the permit of the Order;

(3) he provides a certified copy of his birth certificate;

(4) he provides a photograph no more than one year old, of passport size (5 cm x 7 cm), certified by a member of a Québec professional order who has known the person for at least two years or by a commissioner for oaths;

(5) he submits an application for registration on the form provided by the Order;

(6) he pays the fees prescribed by the Board of Directors pursuant to subparagraph (8) of section 86.0.1 of the Professional Code (chapter C-26).

A registration certificate shall also be issued to a person who serves a training period pursuant to a regulation under subparagraph *c* of section 93 of the Professional Code or whose diploma or training has been recognized

as equivalent by the Order and who has fulfilled the conditions and formalities mentioned in subparagraphs (1), (4), (5) and (6) of the first paragraph of this section.

3. The following constitute causes for revoking a registration certificate. The holder:

(1) has no longer been enrolled, for over one year, in a session of a program of studies leading to a diploma giving access to a permit from the Order or in a training course determined by the Order in accordance with section 9 of the Regulation respecting diploma or training equivalence for the issue of a permit by the Ordre des infirmières et infirmiers du Québec (chapter I-8, r. 16);

(2) fails the program of studies leading to a diploma giving access to a permit from the Order or the training course determined by the Order in accordance with section 9 of said regulation;

(3) is expelled from the program of studies leading to a diploma giving access to a permit from the Order or the training course determined by the Order in accordance with section 9 of said regulation;

(4) obtained the registration certificate under false pretences;

(5) performs professional acts reserved to nurses other than those authorized in a regulation under subparagraph *h* of section 94 of the Professional Code or does not meet the conditions for performing these acts, in particular those relating to the respect of the ethical obligations applicable to members of the Order.

4. Before revoking a registration certificate, the Board of Directors must give its holder an opportunity to submit comments.

Accordingly, the Secretary shall send the holder written notice of the date, place and time of the meeting at which these comments may be submitted. This notice shall indicate the cause for the revocation.

The holder who wishes to attend the meeting in order to submit comments must notify the Secretary of the Order before the scheduled meeting date. The holder may, however, submit comments in writing to the Secretary at any time before the scheduled meeting date.

5. The decision to revoke a registration certificate must be justified. The person concerned shall be notified of the decision as soon as possible and it shall take effect as of the date on which the notice is served.

6. This Regulation replaces the Regulation respecting conditions and procedures for revoking the registration of a student in nursing (chapter I-8, r. 12).

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

2500

Gouvernement du Québec

O.C. 115-2013, 13 February 2013

Building Act
(chapter B-1.1)

Construction Code — Amendment

Regulation to amend the Construction Code

WHEREAS, under section 173 of the Building Act (chapter B-1.1), the Régie du bâtiment du Québec must by regulation adopt a building code containing, in particular, building standards for buildings, facilities intended for use by the public, and installations independent of a building 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 paragraph 0.1 of section 185 of the Act, the Board may, by regulation, exempt from the application of the Act or certain of its provisions categories of persons, contractors, owner-builders, manufacturers of pressure installations, or owners of buildings, facilities intended for use by the public, installations independent of a building or petroleum equipment installations, and categories of buildings, pressure installations, facilities, installations or construction work;

WHEREAS, under paragraph 0.2 of section 185 of the Act, the Board may, by regulation, for the purposes of section 10, designate any facility as a facility intended for use by the public and establish criteria for determining whether or not a facility is intended for use by the public;

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

WHEREAS the Board adopted the Regulation to amend the Construction Code;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Construction Code was published in Part 2 of the *Gazette officielle du Québec* of 24 August 2011 with a notice that it could be approved by the Government, with or without amendment, on the expiry of 90 days following that publication;

WHEREAS the comments received were examined;

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 to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Construction Code

Building Act
(chapter B-1.1, ss. 10, 12, 13, 14, 15, 173, 176, 176.1, 178, 179, 185, pars. 0.1, 0.2, 1, 2.1, 6.2, 6.3, 37 and 38, and s. 192)

1. The Construction Code (chapter B-1.1, r. 2) is amended by inserting the following after section 9.17:

“CHAPTER X BATHING PLACES

DIVISION I INTERPRETATION

10.01. In this Chapter, unless the context indicates otherwise,

(a) “accessory” means a water slide, a dry slide or any structure in or projecting into a bathing place; (*accessoire*)

(b) “wading pool” means an indoor or outdoor artificial pool with a water depth not exceeding 600 millimetres; (*pataugeoire*)

(c) “swimming pool” means an indoor or outdoor artificial pool having a water depth exceeding 600 millimetres; (*piscine*)

(d) “diving platform” means a horizontal rigid and non-flexible, stationary diving structure; (*plate-forme*)

(e) “deck” means the surface immediately surrounding a swimming pool, to which bathers have direct access when leaving the water. (*promenade*)

DIVISION II APPLICATION

10.02. The provisions of this Chapter apply to all construction work on a swimming pool or wading pool constructed in a building to which Chapter I of the Construction Code applies, or constituting a facility intended for use by the public designated by section 10.03 of this Regulation, and carried out on or after 1 April 2011.

10.03. For the purposes of section 10 of the Building Act (chapter B-1.1), the following are facilities intended for use by the public:

swimming pools and wading pools constructed and operated as bathing places, offered to the general public or a restricted group of persons;

outdoor swimming pools of an immovable used as a dwelling unit that has more than 8 dwelling units, a rooming house that has more than 9 rooms or a supervised residence used to shelter or accommodate more than 9 persons

(a) the area of which exceeds 100 m²; or

(b) that have a diving board.

DIVISION III SWIMMING POOLS

§1. Construction

10.04. The basin, deck, pipe-work and accessories of a swimming pool must be constructed with materials that are inert, non-toxic for humans, impermeable, durable and non-corrosive, with smooth surfaces that may easily be cleaned, unless otherwise indicated in this Chapter.

10.05. The basin of the swimming pool, taking its useful life into account, must

(a) be constructed in such a way as to have sufficient structural resistance and integrity to safely withstand all the loads, effects and other forces that may be reasonably expected;

(b) be designed to avoid resonance; and

(c) be waterproof, durable and smooth, without cracks, corners or sharp edges.

10.06. The walls of a pool must be vertical down to 150 millimetres from the bottom for the section that is between 750 millimetres and 1,400 millimetres deep, and vertical down to 75 millimetres from the bottom for the section that is less than 750 millimetres deep, except for the section occupied by stairs or a ladder.

10.07. The walls of a pool must be equipped with recessed fittings in the shallow end, at a minimum distance of 300 millimetres before the change in slope of the pool bottom from gentle to steep, to which a safety line supported by buoys can be attached to warn bathers of the change in slope.

10.08. The maximum slope of the pool bottom must be

(a) 300 millimetres vertically in 3.6 metres horizontally for a water depth less than 1,400 millimetres; and

(b) 300 millimetres vertically in 900 millimetres horizontally for a water depth between 1,400 millimetres and 2,000 millimetres.

10.09. A ladder or stairs must be installed

(a) in the shallow end of the pool if the difference in elevation between the bottom of the pool and the deck is greater than 600 millimetres; and

(b) on both sides of the deep end of the pool.

10.10. Swimming pool stairs have steps

- (a) with a uniform rise between 125 and 200 millimetres;
- (b) with a uniform tread of at least 250 millimetres;
- (c) with nosing in a contrasting colour; and
- (d) with a non-slip surface.

The stairs may not project into the pool.

10.11. A swimming pool ladder must have rungs

- (a) with a minimum length of 300 millimetres between the rails; and
- (b) with a non-slip surface.

10.12. Swimming pools must be surrounded by a deck adjacent to the top of the walls. The deck must

- (a) have a non-slip surface;
- (b) have a minimum clear width of 1.5 metres;
- (c) provide a clear passage of at least 900 millimetres behind a springboard, diving platform or accessory and its supporting structure;
- (d) provide a clear passage of at least 900 millimetres in front of or behind a structural column; and
- (e) be equipped with a guardrail having a height of 1,070 millimetres if a drop greater than 600 millimetres exists between the level of the deck and the level of the adjacent surface.

Despite the first paragraph, in the section of the pool where the water is 1,400 millimetres or less in depth, there may be a deck along one side of the pool only, provided that no point in the pool is further than 3.6 metres from the edge of the deck.

10.13. The submerged surfaces of the pool must be white or a pastel colour, except for the markings indicating swimming corridors.

Basins used exclusively for underwater diving may be another colour.

10.14. The markings for swimming corridors must be a contrasting colour, no more than 250 millimetres wide and placed in a single direction.

10.15. The water depth must be clearly marked on the deck in letters at least 100 millimetres high, in a contrasting colour, on each side of the basin and opposite

- (a) the deepest point;
- (b) the change in slope between the gentle and steep bottom slopes; and
- (c) the shallow end.

10.16. A black circle 150 millimetres in diameter must be placed at the deepest point of the swimming pool.

10.17. A “no diving” sign must be placed on the deck, using a pictogram or letters at least 100 millimetres high, in the section where the water depth is 1,400 millimetres or less.

10.18. A swimming pool may be constructed with a slope towards the centre from the deck and such pool is not subject to sections 10.06 to 10.13, 10.15 and 10.16, provided that

- (a) the bottom is covered with a rigid white or pastel finish;
- (b) the maximum slope of the bottom is 300 millimetres vertically in 3.6 metres horizontally;
- (c) the water depth does not exceed 1.8 metres;
- (d) the entire pool is surrounded by a deck that is at least 3 metres wide;
- (e) the bottom of the pool is marked, along its length, with a broken black line 250 millimetres wide; and
- (f) there is no diving platform, springboard or accessory.

§2. Water treatment

10.19. The water supply and recirculation system for a swimming pool must be separated from the drinking water system by a shut-off valve and backflow preventer, in accordance with the provisions of Chapter III “Plumbing” of this Code.

10.20. The devices in the filtration system, overflows and floor drains in the deck must be connected indirectly to the drainage system in accordance with the provisions of Chapter III “Plumbing” of this Code.

10.21. Pipes, fittings, joints and filtration equipment in the water recirculation system of a swimming pool must be designed to resist at least 1½ times the maximum rated operating pressure.

10.22. The water recirculation system of a swimming pool must be designed to avoid trapping any swimmer who comes into contact with a drain or suction outlet. The system must be equipped, for each pump, with

(a) at least 2 drain or suction outlets at least 1 metre apart;

(b) a device to limit the water flow through the openings in each outlet to the maximum prescribed by the drain cover manufacturer;

(c) an emergency shut-off easily accessible to swimmers at a clearly indicated location; and

(d) drain or suction outlets covered by drain covers that comply with the standard “Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Whirlpool Bathtub Appliances”, ASME 112.19.8 M, and designed so that bathers cannot remove them without tools.

§3. *Lighting and access*

10.23. An outdoor pool used after sunset or an indoor pool must have

(a) a lighting system which illuminates the underwater areas of the pool and also illuminates all parts of the deck and water surface with an illumination level of at least

- i. 30 decalux, for an indoor swimming pool; and
- ii. 10 decalux, for an outdoor swimming pool; and

(b) an emergency lighting system supplied by a generator or a recharging battery with an automatic relay to illuminate the bottom of the pool, the deck and the changing room for an average illumination of at least 1 decalux at floor level, the steps and water surface in case of a failure of the electric lighting power supply. Any self-contained emergency lighting units must comply with CSA Standard CSA C22.2 No. 141-M, “Unit Equipment for Emergency Lighting”.

10.24. A swimming pool must be designed in such a way as not to be accessible to the public outside opening hours. The enclosure used for that purpose must have a minimum height of 1.20 metres and have no fixture, projection or opening enabling it to be climbed. It may, however, have openings provided that a spherical object of 100 millimetres in diameter cannot pass through them or, in the case of a chain link fence, that each link measures no more than 38 millimetres.

10.25. When the deck of the swimming pool is adjacent to an area used for purposes other than bathing, an enclosure with a minimum height of 900 millimetres must separate the deck from that area. The enclosure used for that purpose must have no fixture, projection or opening enabling it to be climbed. It may, however, have openings provided that a spherical object of 100 millimetres in diameter cannot pass through them or, in the case of a chain link fence, that each link measures no more than 38 millimetres. The enclosure must be equipped at each entrance with a lockable barrier.

§4. *Springboards, platforms and accessories*

10.26. The installation of a springboard or diving platform must comply with the minimum dimensions indicated in the table in Schedule III. The reference point when measuring is the plummet or vertical line passing through the centre of the end of the springboard or diving platform.

10.27. A springboard, diving platform or accessory

(a) must be accessible only by stairs or a ladder; and

(b) must have a walking surface designed with a non-slip finish, and the nosing of the springboard or diving platform must be in a contrasting colour.

10.28. A springboard, diving platform or accessory that is 3 metres high or more may only be accessible by stairs equipped with a lockable barrier to control access at the deck level.

10.29. The part of a springboard, diving platform or accessory that is not over water and that is 1 metre high or more must be equipped, on both sides, with a guard-rail that prevents bathers from passing through but allows them to be seen by the safety supervisors.

10.30. The ladder of a springboard, diving platform or accessory must

(a) have rungs of a minimum length of 300 millimetres between the rails; and

(b) have rungs with a non-slip surface.

The part of the ladder above a height of 1 metre must be equipped with handrails that comply with paragraphs *a* and *b* of section 10.33.

10.31. The stairs of a springboard, diving platform or accessory must have steps

- (a) with a uniform rise between 125 and 200 millimetres;
- (b) with a tread between 210 and 355 millimetres;
- (c) with a uniform depth between 235 and 355 millimetres;
- (d) with nosing in a contrasting colour; and
- (e) with a non-slip surface.

Each flight of stairs must have a vertical height of not more than 3.7 metres and be equipped, between each flight, with a landing of a length and width at least equal to the width of the stairs.

The stairs of a springboard, diving platform or accessory that is 1 metre high or more must be equipped with a guardrail and a handrail.

10.32. The guardrails must

- (a) not have any opening allowing a spherical object of over 100 millimetres in diameter to pass through;
- (b) have a height of at least
 - i. 1,070 mm in the part of a springboard, diving platform or accessory that is not over water and that is 1 metre high or more;
 - ii. 920 mm measured vertically to the top of the guardrail from a line drawn through the outside edges of the stair nosings;
 - iii. 1,070 mm around the landings.

10.33. The handrails must

- (a) be not more than 40 millimetres in diameter;
- (b) be continuous with the handrail around all horizontal areas; and
- (c) have a minimum height between 865 and 965 millimetres on stairs.

10.34. A swimming pool equipped with a diving platform exceeding 3 metres in height must be designed exclusively for diving or, to delimit the diving area, be equipped with a rigid barrier or recessed fittings to which a double safety line supported by buoys can be attached, the two lines being at least 300 millimetres apart. The minimum distance between the pool wall under the diving platform and the double safety line or rigid barrier must be as indicated in the following table:

Height of the diving platform	Distance from the pool wall
m	m
5	11.5
7.5	12.5
10	15

10.35. A device to agitate the surface water must be installed in order to allow divers to distinguish the water surface under diving installations of 3 metres or more.

10.36. The surface of a submersible platform must be free of cracks and corners, have a non-slip finish and be of a contrasting colour.

DIVISION IV WADING POOLS

10.37. The submerged area of a wading pool must be white or of a pastel colour. The bottom of the wading pool must have a non-slip surface.

10.38. Sections 10.04, 10.05 and 10.19 to 10.25 apply to wading pools, adapted as required.

Despite the first paragraph, section 10.24 does not apply to a wading pool that is emptied before the supervisor leaves.

DIVISION V OFFENCES

10.39. Every contravention of any of the provisions of this Chapter constitutes an offence.”.

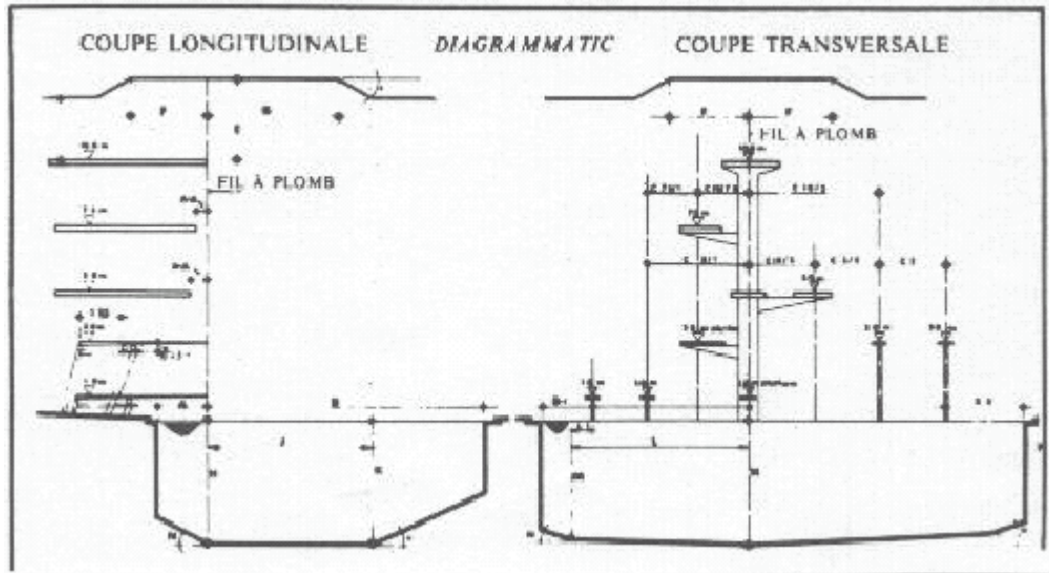
DIVISION VI TRANSITIONAL AND FINAL

2. Despite section 1, the Regulation respecting safety in public baths (chapter B-1.1, r. 11) may be applied to the construction of a bathing place or its transformation, as defined in the Chapter provided that the work has begun before the eighteenth month of the date of coming into force of this Regulation.

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

SCHEDULE III

(s. 10.26)

MINIMUM DIMENSIONS OF SPRINGBOARD AND DIVING PLATFORM INSTALLATIONS

	Springboard			Diving platform				
	≤ 0.5 m	0.5 m < h ≤ 1 m	3 m	1 m 0.6 m in width	3 m 0.6 m in width	5 m 1.5 m in width	7.5 m 1.5 m in width	10 m 2.5 m in width
A. From plummet to pool wall behind	1.50	1.50	1.50	1.25	1.25	1.50	1.50	1.50
AA. From plummet back to plummet for platform below						0.75	0.75	0.75
B. From plummet to side pool wall	2.50	2.50	3.50	2.30	2.90	4.25	4.50	5.25
C. From plummet to adjacent plummet	2.40	2.40	2.60	1.95	2.10	5/3 2.50 m 5/1 2.50 m	7.5/5 2.50 m 7.5/3/1 2.50 m	10/7.5/5 2.75 m 10/3 or 1 2.75 m
D. From plummet to pool wall ahead	9.00	9.00	10.25	8.00	9.50	10.25	11.00	13.50
E. From plummet to ceiling above	5.00	5.00	5.00	3.50	3.50	3.50	3.50	5.50
F. Clearance above, behind and to each side of plummet	2.50	2.50	2.50	2.75	2.75	2.75	2.75	2.75
G. Clearance above and ahead of plummet	5.00	5.00	5.00	5.00	5.00	5.00	5.00	6.00
H. Depth of water at plummet	3.05	3.50	3.80	3.40	3.60	3.80	4.50	5.00
J/K. Distance and depth ahead of plummet	at a distance of 4.60 minimum depth of 2.90	at a distance of 6.00 minimum depth of 3.40	at a distance of 6.00 minimum depth of 3.70	5.0 dist. 3.30 depth	6.00 3.50	6.00 3.70	8.00 4.40	12.00 4.75
L/M. Distance and depth to each side of plummet	at a distance of 2.50 minimum depth of 3.40	at a distance of 2.50 minimum depth of 3.40	at a distance of 3.25 minimum depth of 3.70	2.05 3.30	2.65 3.50	4.25 3.70	4.50 4.40	5.25 4.75
N. Maximum angle of slope to reduce pool depth beyond area of required depth	30 degrees	30 degrees	30 degrees		30 degrees			
P. Maximum angle of slope to reduce ceiling height beyond area of required clearance	30 degrees	30 degrees	30 degrees		30 degrees			

The dimensions indicated in rows B and C of the table in Schedule III apply to diving platforms having the width indicated in the table. For diving platforms of greater width, the dimensions must be increased by one-half of the extra width.

Draft Regulations

Draft Regulation

Automobile insurance Act
(chapter A-25)

Reimbursement of certain expenses — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the reimbursement of certain expenses, made by the Société de l'assurance automobile du Québec and appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft Regulation increases the maximum amount reimbursed by the Société de l'assurance automobile du Québec to accident victims for expenses incurred by them to receive psychological treatment.

The Société foresees no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Nancy LaRue, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, S-4-11, case postale 19600, Québec (Québec) G1K 8J6; telephone: 418 528-3926.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

SYLVAIN GAUDREAU,
Minister of Transport

Regulation to amend the Regulation respecting the reimbursement of certain expenses

Automobile Insurance Act
(chapter A-25, s. 195, par. 15)

1. The Regulation respecting the reimbursement of certain expenses (chapter A-25, r. 14) is amended in section 8 by replacing “\$65” in the second paragraph by “\$86.60”.

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

Draft Regulation

Building Act
(chapter B-1.1)

Construction Code — 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 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 adopts the new edition of the National Plumbing Code (NPC 2010) by amending it to adapt it to the specific needs of Québec to meet the various requests made by the construction industry in Québec. It also renews several amendments that were introduced at the time the previous edition was adopted.

The 2010 edition of the NPC includes a significant change to the sizing methods of water distribution systems. The requirements relating to water pipe sizing have been updated since the use of water-conserving appliances and fixtures in buildings is becoming standard practice.

Within the scope of the Québec strategy for drinking water conservation, the Board introduces certain provisions for conserving water in buildings. Those requirements apply to water consumption from toilets and urinals. Those amendments will not entail additional costs, but water conservation is related to the selected proposals. With the cost of water evaluated at \$1.51/cubic metre, the savings for Québec are significant.

Further information may be obtained by contacting Yves Duchesne, Régie du bâtiment du Québec, 800, place D'Youville, 15^e étage, Québec (Québec) G1R 5S3; telephone: 418 644-9590; fax: 418 646-9280.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Stéphane Labrie, President and Chief Executive Officer, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

AGNÈS MALTAIS,
Minister of Labour

Regulation to amend the Construction Code

Building Act

(R.S.Q., c. B-1.1, ss. 173, 176, 176.1, 178, 185, 1st par., subpars. 3, 6.2, 6.3, 7, 20, 21, 24, 36 and 38, and s. 192)

1. The Construction Code (c. B-1.1, r. 2) is amended in section 3.01
 - (1) by replacing "the "National Plumbing Code of Canada 2005" (NRCC 47668) and the "Code national de la plomberie – Canada 2005" (CNRC 47668F)" in the first paragraph by "the "National Plumbing Code of Canada 2010" (NRCC 53302) and the "Code national de la plomberie – Canada 2010" (CNRC 53302F)";
 - (2) by replacing "1 July 2008" in the second paragraph, by "(*insert the date of coming into force of this Regulation*)".

2. Section 3.02 is replaced by the following:

"3.02. Subject to the amendments made by this Chapter, the Code applies to all construction work on a plumbing system in a building to which the Building Act (R.S.Q., c. B-1.1) applies or in a facility intended for use by the public designated in the second paragraph of this section.

For the purposes of section 10 of the Act, tents or exterior inflatable structures to which Chapter I of the Construction Code applies are facilities intended for use by the public and used

- (a) as residential occupancies or care or detention occupancies whose floor area is 100 m² or more; or
- (b) as assembly occupancies or mercantile occupancies whose floor area exceeds 150 m² and whose load capacity exceeds 60 persons.

For the purposes of this section, the definitions of plumbing system and building are those provided for in the Code, as adopted by this Chapter. In addition, the definitions of the following terms are those provided for in the National Building Code, as adopted by Chapter I of the Construction Code: tent, inflatable structure, residential occupancy, care or detention facility, floor area, assembly occupancy, mercantile occupancy."

3. Section 3.04 is amended

- (1) by inserting the following after subparagraph (b) in Sentence (3):

"(b.1) by replacing the definition of "Storey" by the following:

"Storey (as applying to plumbing) means the interval between 2 successive floor levels, including mezzanine floors that contain at least one *fixture*, or between a floor level and roof.";

- (2) by inserting the following after Sentence (3):

"(3.1) by adding the following objectives at the end of Sentence (1) of Article 2.2.1.1:

"OE Environment

An objective of the NPC is to limit the probability that, as a result of the design or installation of the *plumbing system*, the environment will be exposed to an unacceptable risk.

OE1 Resources

An objective of the NPC is to limit the probability that, as a result of the design or installation of the *plumbing system*, resources will be used in a manner that will have an unacceptable impact on the environment. The risks of unacceptable impact on the environment due to use of resources addressed in this Code are those caused by

OE1.2 – Excessive use of water";";

- (3) by inserting the following after Sentence (5):

"(5.1) in Article 3.2.1.1., by adding the following functional statement at the end of Sentence (1):

"F130 To limit the excessive use of water.";"

4. Section 3.05 is amended

- (1) by replacing Sentence (1) by the following:

"(1) in Table 1.3.1.2. of Article 1.3.1.2.,

(a) by inserting the following references:

"

ANSI/CSA	ANSI Z21.10.1-2004/CSA 4.1-2009	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 Z21.10.3-2011/CSA 4.3-2011	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 (Addenda 1 and 2)	Relief Valves for Hot Water Supply Systems	2.2.10.11.(1)
----------	--	--	---------------

"

,

(b) by replacing the reference:

"

ASME/CSA	ASME A112.18.1-05/CAN/CSA-B125.1-05	Plumbing Supply Fittings	2.2.10.6.(1) 2.2.10.7.(1)
----------	-------------------------------------	--------------------------	------------------------------

"

by the following references:

"

ASME	A112.1.2-2004	Air Gaps in Plumbing Systems	2.2.10.22.(1)
ASME	A112.3.1-2007	Stainless Steel Drainage Systems for Sanitary DWV, Storm, and Vacuum Applications, Above and Below-Ground	2.2.6.10.(3)
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)
ASME/CSA	ASME A112.18.1-05/CAN/CSA-B125.1-05	Plumbing Supply Fittings	2.2.10.6.(1) 2.2.10.7.(1) 2.2.10.7.(2)

",
,

(c) by inserting the following reference:

"

ASME	B16.11-2009	Forged Fittings, Socket-Welding and Threaded	2.2.6.10.(2)
------	-------------	--	--------------

"

after the reference:

"

ASME	B16.4-2006	Gray Iron Threaded Fittings, Classes 125 and 250	2.2.6.5.(1)
------	------------	--	-------------

",
,

(d) by inserting the following reference:

"

ASSE	1072-2007	Performance Requirements for Barrier Type Floor Drain Trap Seal Protection Devices	2.2.10.24.(1)
------	-----------	--	---------------

"

after the reference:

"

ASSE	1051-2009	Individual and Branch Type Air Admittance Valves for Sanitary Drainage Systems	2.2.10.16.(1)
------	-----------	--	---------------

"

(e) by inserting the following reference:

"

ASTM	A 312/A 312M-09	Standard Specification for Seamless, Welded, and Heavily Cold Worked Austenitic Stainless Steel Pipes	2.2.6.10.(1)
------	-----------------	---	--------------

"

after the reference:

"

ASTM	A 53/A 53M-07	Pipe, Steel, Black and Hot-Dipped, Zinc-Coated, Welded and Seamless	2.2.6.7.(4)
------	---------------	---	-------------

"

(f) by inserting the following reference:

"

ASTM	A 778-01(2009)e1	Standard Specification for Welded, Unannealed Austenitic Stainless Steel Tubular Products	2.2.6.10.(1)
------	------------------	---	--------------

"

after the reference:

"

ASTM	A 518/A 518M-99	Corrosion-Resistant High-Silicon Iron Castings	2.2.8.1.(1)
------	-----------------	--	-------------

",

(g) by inserting the following references:

"

BNQ	NQ 2622-126-2009	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 3623-085-2002	Ductile-Iron Pipe for Pressure Piping Systems – Characteristics and Test Methods	2.2.6.4.(1)

BNQ	NQ 3624-027-2000 (Modificatif N° 1/03)	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	Polyethylene (PE) Pipe and Fittings – Smooth Inside Wall Open or Closed Profile Pipes for Storm Sewer and Soil Drainage – Characteristics and Test Methods	2.2.5.10.(1)
BNQ	NQ 3624-130-1997 (Amendment No. 1/90) (Amendment No. 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 Valves and Check Valves Made of Cast Iron or Thermoplastic Used in Drainage Systems – Characteristics and Test Methods	2.2.10.18.(1)

after the reference:

AWWA	ANSI/AWWA C151/A21.51-2002	Ductile-Iron Pipe, Centrifugally Cast, for Water	2.2.6.4.(1)
------	----------------------------	--	-------------

(h) by replacing the reference:

CCBFC	NRCC 53301	National Building Code – Canada 2010	1.1.1.1.(3) ⁽³⁾ 1.4.1.2.(1) ⁽³⁾ 2.1.3.1.(1) 2.2.5.12.(2) 2.2.5.12.(3) 2.2.6.7.(3) 2.4.3.1.(1) 2.4.10.4.(1)
-------	------------	--------------------------------------	---

by the following reference:

"

CCBFC	NRCC 53301	National Building Code – Canada 2010	1.1.1.1.(2) ⁽³⁾ 1.1.1.1.(3) ⁽³⁾ 1.4.1.2.(1) ⁽³⁾ 2.1.3.1.(1) 2.2.5.12.(2) 2.2.5.12.(3) 2.2.6.7.(3) 2.4.3.1.(1) 2.4.10.4.(1)
-------	------------	--------------------------------------	---

"

(i) by inserting the following reference:

"

CSA	CAN/CSA-B45.8-02	Terrazzo Plumbing Fixtures	2.2.2.2.(10)
-----	------------------	----------------------------	--------------

"

after the reference:

"

CSA	CAN/CSA-B45.5-02	Plastic Plumbing Fixtures	2.2.2.2.(6)
-----	------------------	---------------------------	-------------

"

(j) by inserting the following reference:

"

CSA	CAN/CSA-B45.11-04	Glass Lavatories	2.2.2.2.(9)
-----	-------------------	------------------	-------------

"

after the reference:

"

CSA	CAN/CSA-B45.10-01	Hydromassage Bathtubs	2.2.2.2.(7)
-----	-------------------	-----------------------	-------------

"

(k) by inserting the following reference:

"

CSA	B64.10.1-07	Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers	2.6.2.1.(4)
-----	-------------	--	-------------

"

after the reference:

"

CSA	B64.10-07	Selection and Installation of Backflow Preventers	2.6.2.1.(3)
-----	-----------	---	-------------

"

(l) by replacing the reference:

"

CSA	B70-06	Cast Iron Soil Pipe, Fittings, and Means	2.2.6.1.(1) 2.4.6.4.(2)
-----	--------	--	----------------------------

"

by the following references:

"

CSA	B70-06	Cast Iron Soil Pipe, Fittings, and Means	2.2.6.1.(1) 2.2.10.18.(1)
CSA	B79-05	Floor Drains, Area Drains, Shower Drains, and Cleanouts in Residential Construction	2.2.10.19.(1)

"

(m) by inserting the following reference:

"

CSA	CSA-B140.12-03 (R2008)	Oil-Burning Equipment: Service Water Heaters for Domestic Hot Water, Space Heating, and Swimming Pools	2.2.10.13.(1)
-----	---------------------------	---	---------------

"

after the reference:

"

CSA	CAN/CSA- B137.11-05	Polypropylene (PP-R) Pipe and Fittings for Pressure Applications	2.2.5.15.(1)
-----	------------------------	--	--------------

"

(n) by inserting the following references:

"

CSA	CSA B481 Series- 07	Grease Interceptors	2.2.3.2.(3) 2.4.4.3.(1)
CSA	CAN/CSA- B483.1-07	Drinking Water Treatment Systems	2.2.10.17.(1) 2.2.10.17.(2) 2.2.10.17.(3) 2.2.10.17.(4) 2.2.10.17.(5)
CSA	CAN/CSA-C22.2 110-94 (R2009)	Construction and Test of Electric Storage-Tank Water Heaters	2.2.10.13.(1)

"

after the reference:

"

CSA	CAN/CSA-B602-05	Mechanical Couplings for Drain, Waste, and Vent Pipe and Sewer Pipe	2.2.10.4.(2)
-----	-----------------	---	--------------

"

(o) by replacing the references:

"

CSA	CAN/CSA-F379.1-88	Solar Domestic Hot Water Systems (Liquid to Liquid Heat Transfer)	2.2.10.13.(1)
CSA	CAN/CSA-F383-87	Installation Code for Solar Domestic Hot Water Systems	2.6.1.8.(1)

"

by the following references:

"

CSA	CAN/CSA-F379.1-09	Packaged Solar Domestic Hot Water Systems (Liquid-to-Liquid Heat Transfer)	2.2.10.13.(1)
CSA	CAN/CSA-F383-08	Installation of Packaged Solar Domestic Hot Water Systems	2.6.1.8.(1)

"

(p) by inserting the following references:

"

ISO	ISO 11143-2008	Amalgam Separators	2.2.3.2.(4)
MSS	SP-58-2009	Pipe Hangers and Supports – Materials, Design, Manufacture, Selection, Application and Installation	2.2.10.23.(1)

"

after the reference:

"

CSA	CAN/CSA-G401-07	Corrugated Steel Pipe Products	2.2.6.8.(1)
-----	-----------------	--------------------------------	-------------

" ;

(q) by inserting the following references:

"

NSF	NSF/ANSI 53-2009	Drinking Water Treatment Units – Health Effects	2.2.10.17.(4)
NSF	NSF/ANSI 55-2009	Ultraviolet Microbiological Water Treatment Systems	2.2.10.17.(1)
NSF	NSF/ANSI 62-2009	Drinking Water Distillation Systems	2.2.10.17.(3)

"

after the reference:

"

NFPA	13D-2007	Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes	2.6.3.1.(3)
------	----------	---	-------------

" ;

(2) in Sentence (2)

(1) by replacing subparagraph (a) by the following:

"(a) by replacing "8614 Catalpa Avenue, suite 1007, Chicago, Illinois 60656-1116" in "ASPE...American Society of Plumbing Engineers (8614 Catalpa Avenue, Suite 1007, Chicago, Illinois 60656-1116 U.S.A.; www.aspe.org)" by "2980 S. River Rd, Des Plaines, IL 60018"";

(2) by replacing "NRC... National Research Council" in subparagraph (d), by "NRC-NRCC... National Research Council";

(3) by striking out Sentence (3);

(4) by inserting the following after Sentence (4):

"(4.1) in Article 2.2.2.2., by adding the following after Sentence (8):

"(9) Every glass *lavatory* must conform to CAN/CSA-B45.11, Glass Lavatories;

(10) Every terrazzo *plumbing fixture* must conform to CAN/CSA-B45.8, Terrazzo Plumbing Fixtures.";

(5) by replacing Sentence (5) by the following:

"(5) in Article 2.2.3.1.,

(1) by replacing Sentence (1) by the following:

"(1) Subject to Sentence 2.4.5.1.(5), every *trap*

must

(a) have a *trap seal depth* of not less than 50 mm,

(b) be so designed that failure of the seal walls will cause exterior leakage,

(c) have a water seal that does not depend on the action of moving parts, and

- (d) subject to Sentence 2.4.3.7.(2), have a constant semi-circular curvature.
(See Appendix A.)
- (2) by striking out Sentence (2);
- (3) by adding the following after Sentence (5):
- "(6)** A deep *trap seal* must be a minimum of 100 mm.";;
- (6) by replacing Sentence (6) by the following:
- "(6) by adding the following after Sentence (2) in Article 2.2.3.2.:
- "(3)** Every grease *interceptor* must conform to CSA B481 Series, Grease Interceptors.
- (4)** Every amalgam *separator* must conform to ISO 11143, Amalgam Separators.";;
- (7) by replacing Sentence (6.1) by the following:
- "(6.1) in Article 2.2.4.2., by replacing Sentence (1) by the following:
- "(1)** Subject to Article 2.4.3.7., a single or double sanitary T fitting must not be used in a *nominally horizontal pipe*, except that a single sanitary T fitting may be used to connect a *vent pipe*.";;
- (8) by inserting the following after Sentence (6.1):
- "(6.2) by adding "The prohibition also applies to any combination of 45° elbows displaying the same characteristics." at the end of Sentence (1) of Article 2.2.4.3.;"
- (9) by replacing Sentence (8) by the following:
- "(8) in Article 2.2.5.5., by replacing Sentence (1) by the following:

"(1) Polyethylene water pipe, tubing, and fittings must conform to Series 160 of

- (a) CAN/CSA-B137.1, Polyethylene (PE) 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.";

(10) by replacing Sentence (10) by the following:

"(10) in Article 2.2.5.10.,

- (a) by striking out "or" at the end of Clause (f) of Sentence (1);
- (b) by adding the following after Clause (g) of Sentence (1):

"(h) NQ 3624-120, Polyethylene (PE) Pipe and Fittings - Smooth Inside Wall Open or Closed Profile Pipes for Storm Sewer and Soil Drainage - Characteristics and Test Methods,

(i) NQ 3624-130, Unplasticized Poly(Vinyl Chloride) (PVC) Rigid Pipe and Fittings, 150 mm in Diameter or Smaller, for Underground Sewage Applications, or

(j) NQ 3624-135, 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.";

(11) by striking out Sentence (11);

(12) by inserting the following after Sentence (12):

"(12.1) in Article 2.2.6.7.,

- (a) by replacing, "Sentences (2) and (3)" in Sentence (1) by "Sentence (2)";
 - (b) by striking out Sentence (3);"
- (13) by replacing Article 2.2.6.10. in Sentence (13) by the following:

"2.2.6.10. Stainless Steel Pipes

- (1) In *water distribution systems*, stainless steel pipes must be of the 304, 304L, 316 or 316L type and conform to
 - (a) ASTM-A312/A312M, Standard Specification for Seamless, Welded, and Heavily Cold Worked Austenitic Stainless Steel Pipes, or
 - (b) ASTM-A778, Standard Specification for Welded, Unannealed Austenitic Stainless Steel Tubular Products.
 - (2) In *water distribution systems*, fittings must be of the 304, 304L, 316 or 316L type and conform to ASME B16.11, Forged Fittings, Socket-Welding and Threaded.
 - (3) In a *drainage system*, stainless steel pipes and fittings must be of the 316L type, or of the 304 type if installed above ground, and conform to ASME A112.3.1, Stainless Steel Drainage Systems for Sanitary DWV, Storm, and Vacuum Applications, Above and Below-Ground.";
- (14) by striking out Sentence (14);
- (15) by replacing subparagraph (b) of Sentence (16) by the following:

"(b) by replacing Sentence (1) by the following:

"(1) Service water heaters must 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).";

(16) in Sentence (17)

- (1) by replacing "Ultraviolet microbiological water treatment systems" in Clause (a) of Sentence (1) of Article 2.2.10.17. of the French text by "Ultraviolet Microbiological Water Treatment Systems";
- (2) by replacing "Drinking water distillation systems" in Clause (a) of Sentence 3 of that Article of the French text by "Drinking Water Distillation Systems";
- (3) by replacing "Drinking water treatment units – Health effects" in Clause (a) of Sentence (4) of that Article of the French text by "Drinking Water Treatment Units – Health Effects";

- (4) by replacing Clauses (b), (c), (d) and (e) of Article 2.2.10.18. by the following:
- "(b) CAN/CSA-B181.1, Acrylonitrile-Butadiene-Styrene (ABS) Drain, Waste, and Vent Pipe and Pipe Fittings,
 - (c) CAN/CSA-B181.2, Polyvinylchloride (PVC) and Chlorinated Polyvinylchloride (CPVC) Drain, Waste, and Vent Pipe and Pipe Fittings,
 - (d) CAN/CSA-B182.1, Plastic Drain and Sewer Pipe and Pipe Fittings, or
 - (e) NQ 3632-670, Backwater Valves and Check Valves Made of Cast Iron or Thermoplastic Used in Drainage Systems - Characteristics and Test Methods.";
- (5) by adding "(For Plumbing Fixtures and Water-Connected Receptors)" in Sentence (1) of Article 2.2.10.22. after "Air Gaps in Plumbing Systems";
- (6) by replacing "Pipe Hangers and Supports – Materials, Design, and Manufacture" in Sentence (1) of Article 2.2.10.23. by "Pipe Hangers and Supports – Materials, Design, Manufacture, Selection, Application, and Installation";
- (7) by adding the following at the end of Sentence (17) after Article 2.2.10.23.:

"2.2.10.24 Floor Drain Trap Seals

- (1) Floor drain trap seals used to maintain *trap seals* must be certified in accordance with ASSE 1072, Performance Requirements for Barrier Type Floor Drain Trap Seal Protection Devices.";
- (17) by striking out Sentence (18);
- (18) by inserting the following after Sentence (18):

"(18.1) by replacing "à l'intérieur d'un *bâtiment*" in Sentence (2) of Article 2.3.3.12. of the French text by "sous un *bâtiment*";";

(19) by replacing Sentence (19) by the following:

"(19) by replacing Sentence (3) of Article 2.3.4.1. by the following:

(3) Every wall-mounted *fixture* and every valve must be supported so that no strain is transmitted to the piping.";

(20) by inserting the following after Sentence (19):

"(19.1) by replacing "a water pressure test or an air pressure test" in Sentence (1) of Article 2.3.6.1. by "a water pressure test, smoke pressure test or air pressure test";

(19.2) by inserting ", smoke test" after "air pressure test" in Sentence (1) of Articles 2.3.6.2. and 2.3.6.3.;

(19.3) by adding the following after Article 2.3.6.7.:

"2.3.6.8. Smoke Tests

(1) Where a smoke test is made

(a) smoke from smoke-generating machines must be forced into the system, and

(b) a pressure equivalent to a 25 mm water column must be maintained for 15 min without the addition of more smoke.";

(21) in Sentence (20)

(1) by replacing subparagraph (a) by the following:

"(a) by striking out "and" at the end of Clause (d) and "or" at the end of Subclause (v) of Clause (e) of Sentence (1);";

(2) by replacing Subclause (viii) of subparagraph (b) by the following:

- "(viii) a drain from an ice machine;
 - (ix) a drain from a heating, air-conditioning or ventilation system.";
- (3) by replacing subparagraph (d) by the following:
- "(d) by replacing Sentences (4) and (5) by the following:
- "(4)** Every connection at the bottom of a *soil-or-waste stack* must be more than
- (a) 1.5 m in a *building drain* or a *branch* receiving sewage from the *soil-or-waste stack*, and
 - (b) 600 mm from the top of the *building drain* or *branch* to which the *soil-or-waste stack* is connected.
- (See Appendix A.)
- (5)** Every *trap arm* of a bathtub, shower, bidet, floor drain or service sink installed on the floor must have a *nominally horizontal* part not less than 450 mm in *developed length*. The *developed length* of the *trap arm* of a floor drain must 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.)
- (6)** Where a change of direction greater than 45° occurs in a *soil-or-waste pipe* that serves more than one clothes washer or domestic kitchen sink, and in which pressure zones are created by detergent suds, no *soil-or-waste pipe* must serve for connecting other *soil-or-waste pipe* over a length not less than
- (a) 40 times the *size* of the *soil-or-waste pipe* or 2.44 m maximum vertical, whichever is less, before changing direction,

- (b) 10 times the *size* of the *nominally horizontal soil-or-waste pipe* after changing direction.

(See Appendix A.)

- (7) Where a *vent pipe* is connected into the suds pressure zone referred to in Sentence (6), no other *vent pipe* must be connected to that *vent pipe* within the suds pressure zone.

(See Appendix A.);

(22) by inserting the following after Sentence (20):

"(20.1) in Article 2.4.2.3.,

- (a) by striking out "and" at the end of Clause (a) of Sentence (1);
- (b) by replacing "*air break*." in Clause (b) of Sentence (1) by "*air break*, and";
- (c) by inserting the following after Clause (b) of Sentence (1):

"(c) is located in the same room or *suite*.";
- (d) by striking out "and" at the end of Clause (a) of Sentence (2);
- (e) by replacing "(see A-2.4.2.1.(1)(a)(ii) and (e)(vi))." in Clause (b) of Sentence (2) by "(see A-2.4.2.1.(1)(a)(ii) and (e)(vi)), and";
- (f) by inserting the following after Clause (b) of Sentence (2):

"(c) is located in the same room or *suite*.";
- (g) by striking out "and" at the end of Clause (a) of Sentence (3);
- (h) by replacing "are connected to it." in Clause (b) of Sentence (3) by "are connected to it, and";
- (i) by inserting the following after Clause (b) of Sentence (3):

- "(c) is located in the same room or *suite*.";
- (20.2) in Article 2.4.3.5., by adding the following after Sentence (1):
- "(2) The number and type of fixtures that may be part of macerating toilet systems must comply with the manufacturer's recommendations of those systems.";
- (20.3) in Article 2.4.3.6., by replacing "that connects the sump well to the *drainage system*" in Clause (b) of Sentence (1) by "that connects the pit to the sump well";
- (23) in Sentence (21)
- (1) by adding "(See Appendix A.)" after "2.4.3.7. Retention Pit";
 - (2) by replacing the first two sentences of Sentence (1) of Article 2.4.3.7. by the following: "A retention pit must be made in one piece, be leakproof and smooth inside.";
 - (3) by striking out the last sentence of Sentence (2) of Article 2.4.3.7.;
 - (4) by adding the following sentence at the end of Sentence (3) of Article 2.4.3.7.: "The retention pit must have a running *trap* where it is connected to an oil *interceptor*.";
 - (5) by replacing "*sanitary drainage system*" in Sentence (7) of Article 2.4.3.7. by "*drainage system*";
 - (6) by replacing Sentence (9) of Article 2.4.3.7. by the following:

"(9) A retention pit must have a *fixture drain* 3 inches in *size* for a draining area not more than 370 m². For a *fixture drain* more than 3 inches in *size*, the drained area may be increased by 280 m² per additional inch.";
 - (7) by adding the following after Sentence (11) of Article 2.4.3.7.:

"(12) Retention pits to which a *subsoil drainage* pipe is connected must have

- (a) an air-tight cover, and
- (b) a *vent pipe* at least 1½ inches in *size* if the content of the retention pit is pumped.";

(24) by inserting the following after Sentence (21):

"(21.1) in Article 2.4.4.1., by adding the following after Sentence (1):

"(2) Every beauty parlour lavatory must be equipped with a hair *interceptor*.

(3) Every *fixture* that can receive dental amalgam waste must have an amalgam *separator*.";

(21.2) in Article 2.4.4.3., by inserting "and its choice must be made according to CAN/CSA-B481 Series, "Grease Interceptors" before "(See Appendix A.)" in Sentence (1);

(21.3) in Article 2.4.4.4., by replacing Sentence (1) by the following:

"(1) Where a *fixture* or equipment discharges corrosive or acid waste, it must discharge into a neutralizing or dilution tank that is connected to the *sanitary drainage system* through a *trap*. (See Appendix A.)";";

(25) by replacing Sentence (24) by the following:

"(24) by replacing Article 2.4.5.5. by the following:

"2.4.5.5. Trap seals

(1) Provision must be made for maintaining the *trap* seal of a floor drain by

- (a) the use of a *trap* seal primer,
- (b) using the drain as a receptacle for an *indirectly connected* drinking fountain,

- (c) using a floor drain trap seal, or
- (d) other equally effective means.

(See Appendix A.)

- (2)** Water from the *trap* seal of a floor drain in a *dwelling unit* need not be maintained by a *trap* seal primer.

(See Appendix A.);";

- (26) by inserting the following after Sentence (24):

"(24.1) by adding the following after Sentence (7) of Article 2.4.6.3.:

"(8) Every sump or receiving tank to which a *subsoil drainage pipe* is connected must have

- (a) an air tight cover, and
- (b) a *vent pipe* at least 1½ inches in *size* if the sump or tank is pumped." ;

- (27) by replacing Sentence (25) by the following:

"(25) in Article 2.4.6.4.,

- (1) by replacing Sentences (2) and (3) by the following:

"(2) A *backwater valve* may be installed in a *building drain*

- (a) provided that it is a "normally open" design, and
- (b) does not serve more than one *dwelling unit*.

(3) Subject to Sentences (4) and (5), where a *fixture*, a retention pit, a sump or running *trap* is located below the level of the adjoining street, a gate valve or a *backwater valve* must be installed on every *drain* connected to a *building drain* or a *branch*.";

- (2) by striking out Sentence (6);";
- (28) by inserting the following after Sentence (26):
- "(26.1) in Article 2.4.7.1., by adding the following after Sentence (9):
- "(10)** In a separate system, a *storm building drain* must be located to the left of the *sanitary building drain*, towards the street, from the *building*.";
- (26.2) in Article 2.4.10.4., by replacing Sentence (4) by the following:
- "(4)** Where the height of the parapet is more than 150 mm or exceeds the height of the adjacent wall, flashing emergency roof overflows or scuppers described in Clause (2)(c) must be provided.";
- (29) in Sentence (27)
- (1) by replacing subparagraph (c) by the following:
- "(c) by replacing Clause (j) of Sentence (1) by the following:
- "(j) the portion of the *soil-or-waste stack* having a *wet vent* that extends through more than one *storey* is the same *size* from its bottom to the uppermost connection of a *fixture*.";
- (2) by inserting the following after subparagraph (c):
- "(c.1) by replacing "limited." in Clause (k) by "limited;";
- (c.2) by adding the following after Clause (k):
- "(l) it is extended as a *stack vent* or as a *continuous vent*, and
- (m) *trap arms* are connected separately and directly to the *wet vent*.";
- (3) by striking out subparagraph (d);

(30) by inserting the following after Sentence (27):

- "(27.1) in Article 2.5.4.4., by replacing "d'au moins 1,5 m" in Sentence (1) of the French text by "de plus de 1,5 m";
- (27.2) in Article 2.5.6.2., by adding the following after Sentence (3):
- "(4) The plumbing *venting system* may not be used in other systems.";
- (27.3) in Article 2.5.6.5., by replacing "it penetrates the roof," in Clause (a) of Sentence (6) by "it penetrates the roof, except pipes 4 inches and longer that may be of the same size,";"

(31) by replacing Table 2.5.8.1. A in subparagraph (b) of Sentence (28) by the following:

"

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)

Size of Wet Vent for a Storey, inches	Maximum Hydraulic Load, fixture units
1 ¼	1
1 ½	2
2	5
3	18
4	120

";

(32) by inserting the following after Sentence (28):

- "(28.1) in Article 2.5.8.4., by replacing Sentence (5) by the following:
- "(5) At least one *soil-or-waste stack* or vertical *soil-or-waste pipe* must extend into a *stack vent* or into a *vent pipe* that is terminated in open air. That *soil-or-waste stack* or vertical *soil-or-waste pipe* must be as far as possible from the *building sewer* and have a minimum size of 3 inches up to the outlet on the roof.";

- (28.2) in Article 2.5.9.2., by replacing "shall only be used" in Sentence (1) by "may only be installed";;
- (33) by replacing Sentence (29) by the following:
- "(29) in Article 2.6.1.1., by adding the following after Sentence (2):
- "(3) In a hot *water distribution system* with a recirculation loop, the temperature of the water in the loop must not be less than 55°C when the water is circulating. (See A-2.6.1.12.(1)).
 - (4) The recirculation loop referred to in Sentence (3) may operate intermittently.
 - (5) The recirculation loop referred to in Sentence (3) may be replaced by a self-regulating heat-tracing system.";;
- (34) by inserting the following after Sentence (29):
- "(29.1) in Article 2.6.1.6.,
- (1) by replacing "Every" in Sentence (1) by "Subject to Sentences (3) and (4), every";
 - (2) by adding the following after Sentence (2):
 - "(3) The maximum water consumption of water closets must be 6.0 L/flush.
 - (4) The maximum water consumption of urinals must be 1.9 L/flush.
 - (5) Automatic flush tank urinals are prohibited.";;
- (35) by replacing Sentence (30) by the following:
- "(30) in Article 2.6.1.7.,
- (1) in Sentence (1)
 - (1) by striking out "and" at the end of Clause (a);

- (2) by replacing "distribution system." in Clause (b) by "distribution system, and";
- (3) by adding the following after Clause (b):
 - "(c) that has a drain complying with the requirements of Sentence (5).";
- (2) in Sentence (10)
 - (a) by replacing "The" in the part preceding Clause (a) by "Subject to Clause (d), the";
 - (b) by replacing "25 mm" in Clause (a) by "75 mm";
 - (c) by replacing ", and" in Clause (b), by ", without being less than 1 ¼ inches;";
 - (d) by inserting the following after Clause (c):
 - "(d) not be required to have a *fixture drain* where the relief valve discharge pipe conforms to Sentence (5).";
- (36) by inserting the following after Sentence 31:
 - "(31.1) by striking out Article 2.6.1.10.;
 - (31.2) in Article 2.6.1.11., by replacing "by Article 2.6.2.6." in Sentence (1) by "by Sentence 2.6.2.1.(3)";
- (37) by replacing "storage-type service water heaters" in Sentence (32) by "storage-type *service water heaters* and hot water storage tanks";
- (38) by replacing Sentence (4) in Sentence (33) by the following:
 - "(4) In the case of *backflow preventers* that, according to CSA B64.10, Selection and Installation of Backflow Prevention Devices, require testing after installation, the person testing the *backflow preventers* must hold a certificate issued in accordance with section 5 of CSA B64.10.1, Selection and Installation of Backflow Preventers/Maintenance and Field Testing of Backflow Preventers, by an organization or association certified by AWWA.";

(39) in Sentence (34)

(1) by replacing subparagraph (a) by the following:

"(a) by replacing Sentence (2) by the following:

"(2) Subject to Sentence (4), *potable water system* connections to fire sprinkler and standpipe systems must be protected against *backflow* caused by *back-siphonage* or *back pressure* in conformance with the following Clauses:

(a) *residential partial flow-through fire sprinkler/standpipe systems* in which the pipes and fittings are constructed of *potable water system* materials must be protected by a dual *check valve backflow preventer* conforming to one of the following standards:

(i) CAN/CSA-B64.6.1, Backflow Preventers, Dual Check Valve Type for Fire Systems (DuCF), or

(ii) CAN/CSA-B64.6, Backflow Preventers, Dual Check Valve Type (DuC),

(b) *Class 1 fire sprinkler/standpipe systems* must be protected by a single *check valve backflow preventer* or by a dual *check valve backflow preventer*, provided that the systems do not use antifreeze or other additives of any kind and that all pipes and fittings are constructed of *potable water system* materials. The *backflow preventer* must conform to one of the following standards:

(i) CAN/CSA-B64.9, Backflow Preventers, Single Check Valve Type for Fire Systems (SCVAF), or

- (ii) CAN/CSA-B64.6, Backflow Preventers, Dual Check Valve Type (DuC),
- (c) *Class 1 fire sprinkler/standpipe systems* not covered by Clause (b) as well as *Class 2 and Class 3 fire sprinkler/standpipe systems* must be protected by a *double check valve backflow preventer*, provided that the systems do not use antifreeze or other additives of any kind. The *backflow preventer* must conform to one of the following standards:
 - (i) CAN/CSA-B64.5.1, Backflow Preventers, Double Check Valve Type for Fire Systems (DCVAF), or
 - (ii) CAN/CSA-B64.5, Backflow Preventers, Double Check Valve Type (DCVAF),
- (d) *Class 1, Class 2 and Class 3 fire sprinkler/standpipe systems* in which antifreeze or other additives are used must be protected by a reduced pressure principle *backflow preventer* installed on the portion of the system that uses the additives and the balance of the system must be protected as required by Clause (b) or (c). The *backflow preventer* must conform to one of the following standards:
 - (i) CAN/CSA-B64.4.1, Backflow Preventers, Reduced Pressure Principle Type for Fire Systems (RPF), or
 - (ii) CAN/CSA-B64.4, Backflow Preventers, Reduced Pressure Principle Type (RP),

- (e) Class 4 and Class 5 fire sprinkler/standpipe systems must be protected by a reduced pressure principle backflow preventer conforming to one of the following standards:
 - (i) CAN/CSA-B64.4.1, Backflow Preventers, Reduced Pressure Principle Type for Fire Systems (RPF), or
 - (ii) CAN/CSA-B64.4, Backflow Preventers, Reduced Pressure Principle Type (RP),
- (f) Class 6 fire sprinkler/standpipe systems must be protected by a double check valve backflow preventer conforming to one of the following standards:
 - (i) CAN/CSA-B64.5.1, Backflow Preventers, Double Check Valve Type for Fire Systems (DCVAF), or
 - (ii) CAN/CSA-B64.5, Backflow Preventers, Double Check Valve Type (DCVA), or
- (g) where a potentially severe health hazard may be caused by backflow, Class 6 fire sprinkler/standpipe systems must be protected by a reduced pressure principle backflow preventer conforming to one of the following standards:
 - (i) CAN/CSA-B64.4.1, Backflow Preventers, Reduced Pressure Principle Type for Fire Systems (RPF), or
 - (ii) CAN/CSA-B64.4, Backflow Preventers, Reduced Pressure Principle Type (RP).

(See Appendix A.)";

- (2) by replacing Subclause (i) of Sentence (4) in subparagraph (b) by the following:

"(i) CAN/CSA-B64.4.1, Backflow Preventers, Reduced Pressure Principle Type for Fire Systems (RPF);";

- (40) by inserting the following after Sentence (34):

"(34.1) in Article 2.6.3.2., by replacing "in Table 2.6.3.2. A." in Sentence (2) by "in Table 2.6.3.2. A., 2.6.3.2. B. or 2.6.3.2. C.";

(34.2) in Table 2.6.3.2. A. of Article 2.6.3.2.,

- (a) by replacing

"

Bathtub with ¾ inch spout	¾	7.5	7.5	10	7.5	7.5	10
---------------------------	---	-----	-----	----	-----	-----	----

"

by the following:

"

Bathtub with ¾ inch spout	¾	2.25	2.25	3	4.5	4.5	6
---------------------------	---	------	------	---	-----	-----	---

"

- (b) by striking out the following:

"

Urinal, with flush tank	¾	(6)	-	(6)	(6)	-	(6)
Urinal, with direct flush valve	½	2	-	2	4	-	4
Water Closet, with flush tank	1	(6)	-	(6)	(6)	-	(6)

"

- (c) by replacing "Table 2.6.3.2. D." at the bottom of the Table in note ⁽²⁾ by "Table 2.6.3.2. B., 2.6.3.2. C. or 2.6.3.2 D.";
- (d) by striking out the following note at the bottom of the Table:

"⁽⁶⁾ For *fixture unit* values for *fixtures* with direct flush valves, see Sentence 2.6.3.2.(4) and Tables 2.6.3.2.B. and 2.6.3.2.C.";

(34.3) by replacing Tables 2.6.3.2. B. and 2.6.3.2. C. by the following:

**"Table 2.6.3.2. B.
Sizing of Water Distribution Systems for Urinals with Direct Flush Valves**
Forming Part of Sentences 2.6.3.2.(4) and 2.6.3.4.(5)

Fixture Device	or	Minimum Size of Supply Pipe, inches	Private Use Hydraulic Load, <i>fixture units</i>			Public Use Hydraulic Load, <i>fixture units</i>		
			Cold	Hot	Total	Cold	Hot	Total
Urinal with flush valve		$\frac{3}{4}$	-	-	-	5	-	5
		$\frac{1}{2}$	2	-	2	4	-	4

**Table 2.6.3.2.C.
Sizing of Water Distribution Systems for Water Closets with Direct Flush Valves**
Forming Part of Sentences 2.6.3.2.(4) and 2.6.3.4.(5)

Fixture Device	or	Minimum Size of Supply Pipe, inches	Private Use Hydraulic Load, <i>fixture units</i>			Public Use Hydraulic Load, <i>fixture units</i>		
			Cold	Hot	Total	Cold	Hot	Total
Water Closet with direct flush valve		1	6	-	6	10	-	10

,";

(34.4) in Article 2.6.3.4., by replacing "in Table 2.6.3.2.A." in Sentence (2) by "in Tables 2.6.3.2.A., 2.6.3.2.B and 2.6.3.2.C";";

- (34.5) in Article 2.6.3.5., by replacing "pipe and fitting manufacturer." at the end of Sentence (1) by "pipe and fitting manufacturer without ever exceeding 3.0 m/s.";"
- (41) by replacing Sentence (35) by the following:
- "(35) in Article 2.7.3.2., by replacing "An outlet" in the part of Sentence (1) preceding Clause (a) by "Subject to Sentence (2) of Article 2.7.4.1., an outlet";
- (42) by inserting the following after Sentence (35):
- "(35.1) in Article 2.7.4.1., by replacing Sentence (2) by the following:
- "(2) *Non-potable water systems* must only be used to supply
- (a) water closets,
- (b) urinals, or
- (c) sinks in tourist establishments referred to in Chapter V.1 of the Regulation respecting the quality of drinking water (c. Q-2, r. 40).";
- (43) in Sentence (36)
- (1) by replacing subparagraph (a) by the following:
- "(a) by adding the following after Article 2.1.3.2.:
- "2.1.4.1. Structural Movement**
- (1) [F23, F43-OS3.4]
 [F23-OH1.1]
 [F23-OH2.1, OH2.4]
 [F23-OH5]
 [F43-OH2.1, OH2.4]
 [F43-OH5]
 [F23,F43-OP5]";
- (2) by inserting the following after subparagraph (a):

- "(a.0.1) by adding the following after Sentence (8) of Article 2.2.2.2.:
- "(9) [F80-OH2.1, OH2.4]
[F80-OS3.1]
- (10) [F80-OH2.1, OH2.4]
[F80-OS3.1]";";
- (3) by replacing subparagraph (a.1) by the following:
- "(a.1) by striking out Sentence (2) of Article 2.2.3.1. and by adding the following after Sentence (5) of that Article:
- "(6) [F81-OH1.1]";";
- (4) by replacing subparagraph (b) by the following:
- "(b) by adding the following after Sentence (2) of Article 2.2.3.2.:
- "(3) [F81-OH2.1, OH2.3, OH2.4] [F46-OH2.2]
(4) [F43-OH5]";";
- (5) by striking out subparagraph (c);
- (6) by inserting the following after subparagraph (c):
- "(c.1) by striking out Sentence (3) of Article 2.2.6.7.;";
- (7) by replacing Sentence (1) of Article 2.2.6.10. in subparagraph (d) by the following:
- "(1) [F46-OH2.2]
(2) [F46-OH2.2]
(3) [F80-OH2.1, OH2.3]
[F80-OH1.1]";
- (8) by striking out subparagraph (e);
- (9) by inserting the following after subparagraph (e):

"(e.1) by replacing Sentences (1), (3) and (4) of Article 2.2.10.7. by the following:

"(1) [F30-OS3.1]

(2) [F30-OS3.1]

(3) [F31-OS3.2]";";

(10) by inserting the following Article in subparagraph (g) after Article 2.2.10.23.:

"2.2.10.24. Floor Drain Trap Seals

(1) [F82-OH1.1]";

(11) by striking out subparagraphs (h) and (i);

(12) by inserting the following after subparagraph (i):

"(i.1) by adding the following after Article 2.3.6.7.:

"2.3.6.8. Smoke Tests

(1) [F81-OH1.1]
[F81-OH2.1, OH2.3]";";

(13) by replacing subparagraph (j) by the following:

"(j) by adding the following after Sentence (5) of Article 2.4.2.1.:

"(6) [F81-OH1.1]

(7) [F81-OH1.1]";";

(14) by inserting the following after subparagraph (j):

"(j.1) by adding the following after Sentence (1) of Article 2.4.3.5.:

"(2) [F72-OH2.1]";";

- (15) in subparagraph (k)
- (a) by replacing Sentence (2) by the following:
- "(2) [F81-OH1.1]
[F81-OH2.1]";
- (b) by adding the following Sentence:
- "(12) [F81-OH2.1]
[F43-OH1.1]";
- (16) by inserting the following after subparagraph (k):
- "(k.1) by adding the following after Sentence (1) of Article 2.4.4.1.:
- "(2) [F81-OH2.1]
(3) [F43-OS3.4]";";
- (17) by inserting the following after subparagraph (m):
- "(m.0.1) by adding the following after Sentence (7) of Article 2.4.6.3.:
- "(8) [F81-OH2.1]
[F43-OH1.1]";
- (m.0.2) by striking out Sentence (6) of Article 2.4.6.4.;";
- (18) by inserting the following after subparagraph (m.1):
- "(m.2) by adding the following after Sentence (9) of Article 2.4.7.1.:
- "(10) [F62-OH1.1]
[F72-OH2.3]";
- (m.3) by adding the following after Sentence (3) of Article 2.5.6.2.:
- "(4) [F43-OS3.4, OH1.1]";";

(19) by replacing subparagraph (n) by the following:

"(n) by adding the following after Sentence (2) of Article 2.6.1.1.:

"(3) [F40-OH1.1]

(4) [F40-OH1.1]

(5) [F40-OH1.1]";";

(20) by adding the following after subparagraph (n):

"(o) by adding the following after Sentence (2) of Article 2.6.1.6.:

"(3) [F130-OE1.2]

(4) [F130-OE1.2]

(5) [F130-OE1.2]";

(p) by striking out Article 2.6.1.10.;"

(44) by inserting the following after Sentence (37):

"(37.1) note A-1.3.1.2.(1) in Table A-1.3.1.2.(1):

(1) by inserting the following reference:

ASME	A112.3.1-2007	Stainless Steel Drainage Systems for Sanitary DWV, Storm, and Vacuum Applications, Above and Below- Ground	Table A-2.2.5., 2.2.6. and 2.2.7.
------	---------------	---	--------------------------------------

"

before the reference:

ASME	B16.3-2006	Malleable Iron Threaded Fittings, Classes 150 and 300	Table A-2.2.5., 2.2.6. and 2.2.7.
------	------------	---	-----------------------------------

”;

(2) by inserting the following reference:

ASME	B16.11-2009	Forged Fittings, Socket-Welding and Threaded	Table A-2.2.5., 2.2.6. and 2.2.7.
------	-------------	--	-----------------------------------

”

after the reference:

ASME	B16.4-2006	Gray Iron Threaded Fittings, Classes 125 and 250	Table A-2.2.5., 2.2.6., 2.2.7.
------	------------	--	--------------------------------

”;

(3) by inserting the following references:

ASTM	A 312/A 312M-09	Standard Specification for Seamless, Welded, and Heavily Cold Worked Austenitic Stainless Steel Pipes	Table A-2.2.5., 2.2.6., 2.2.7.
ASTM	A 778-01(2009)e1	Standard Specification for Welded, Unannealed Austenitic Stainless Steel Tubular Products	Table A-2.2.5., 2.2.6. and 2.2.7.

”

after the reference:

"

ASTM	A 53/A 53M-07	Pipe, Steel, Black and Hot-Dipped, Zinc-Coated, Welded and Seamless	Table A-2.2.5., 2.2.6. and 2.2.7.
------	---------------	---	-----------------------------------

"

(4) by inserting the following reference:

"

CSA	CSA B481 Series 07	Grease Interceptors	A-2.4.4.3.(1)
-----	--------------------	---------------------	---------------

"

after the reference:

"

CSA	CAN/CSA B182.6-06	Profile Polyethylene (PE) Sewer Pipe and Fittings For Leak-Proof Sewer Applications	Table A-2.2.5., 2.2.6. and 2.2.7.
-----	-------------------	---	-----------------------------------

"

(37.2) in Tables A-2.2.5., 2.2.6. and 2.2.7.,

(1) by replacing the reference:

"

Welded and seamless steel galvanized pipe	ASTM A53/A 53M	2.2.6.7.	P	N	N	P	N	P ⁽⁹⁾	P ⁽⁹⁾	P ⁽⁹⁾	P ⁽⁹⁾
---	----------------	----------	---	---	---	---	---	------------------	------------------	------------------	------------------

"

by the following reference:

"

Welded and seamless steel galvanized pipe	ASTM A53/A 53M	2.2.6.7.	P	N	N	P	N	N	N	N	N
---	----------------	----------	---	---	---	---	---	---	---	---	---

"

(2) by adding the following references:

"

Stainless steel pipes Type 304, 304L, 316 or 316L	ASTM A 312/A 312M ASTM A 778	2.2.6.10. (1)	N	N	N	N	N	P	P	P	P
Stainless steel fittings Type 304, 304L, 316 or 316L	ASTM B16.11	2.2.6.10. (2)	N	N	N	N	N	P	P	P	P
Stainless steel pipes and fittings Type 304	ASME A112.3.1	2.2.6.10. (3)	P	N	N	P	N	N	N	N	N
Stainless steel pipes and fittings Type 316L	ASME A112.3.1	2.2.6.10. (3)	P	P	P	P	P	N	N	N	N

"

at the end after the reference:

"

Lead waste pipe	-	2.2.7.8.	P ⁽⁵⁾⁽⁶⁾	P	N	P ⁽⁵⁾⁽⁶⁾	P	N	N	N	N
-----------------	---	----------	---------------------	---	---	---------------------	---	---	---	---	---

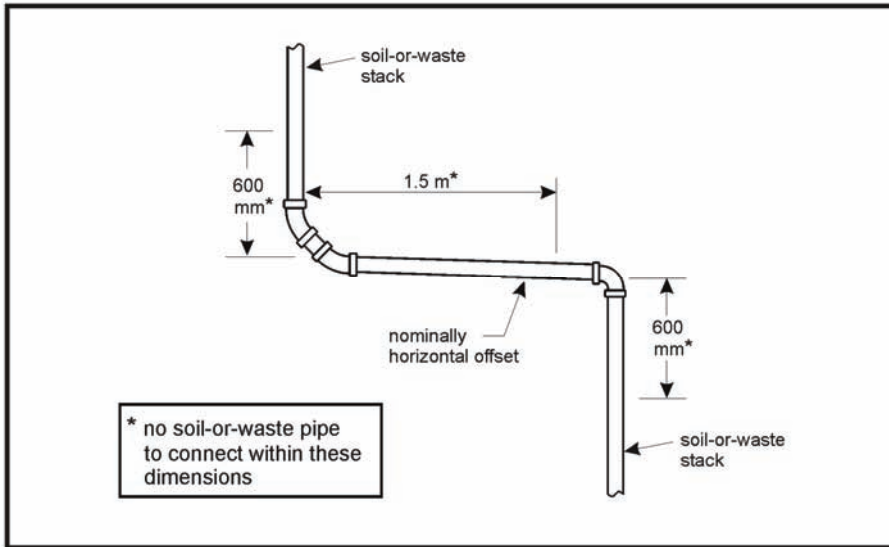
"

(3) by replacing note ⁽⁹⁾ at the bottom of the Table by the following:

"⁽⁹⁾ Struck out.";

(37.3) by striking out note A-2.2.6.7.(3);"

(45) by replacing Figure A-2.4.2.1.(2) in Sentence (38) by the following:



(46) by replacing Sentence (39) by the following:

"(39) by replacing note A-2.4.2.1.(4) by the following:

"A-2.4.2.1.(4) Soil-or-Waste Pipe Connections.

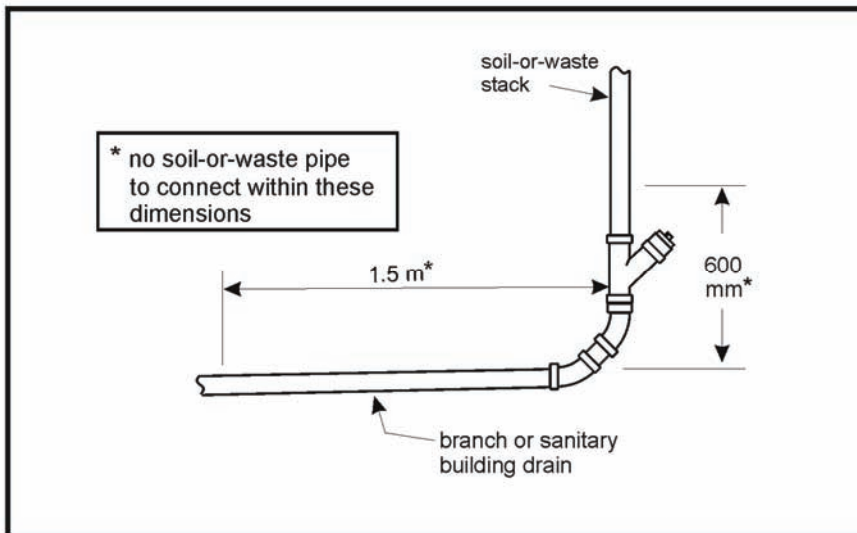


Figure A-2.4.2.1.(4)
Soil-or-Waste Pipe Connections

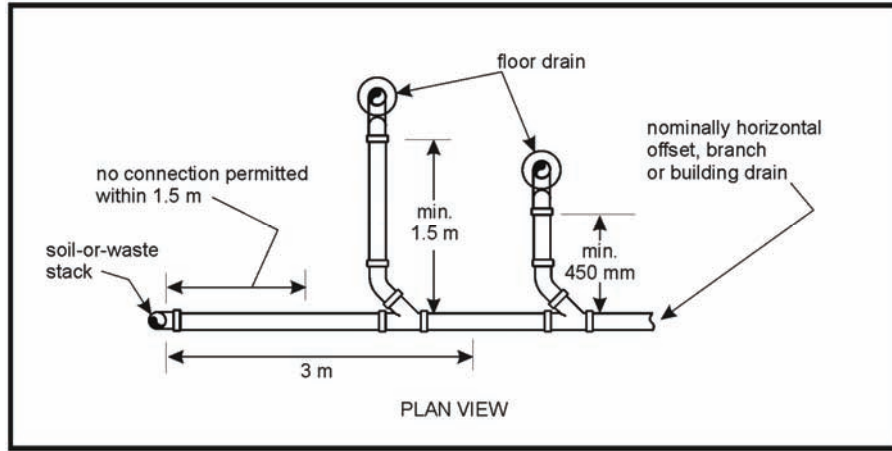
A-2.4.2.1.(5) Soil-or-Waste Pipe Connections.

Figure A-2.4.2.1.(5)
Soil-or-Waste Pipe Connections

A-2.4.2.1.(6) and (7) Suds pressure zones. High sudsing detergents used in clothes washers produce suds that tend to disrupt the venting action of venting systems and can also spread through the lower portions of multi-storey drainage systems. The more turbulence, the greater the suds. One solution that avoids the creation of suds pressure zones involves connecting the suds-producing stack downstream of all other stacks and increasing the size of the horizontal building drain to achieve a greater flow of air and water. Using streamlined fittings, such as wyes, tends to reduce suds formation. Check valves or backwater valves in fixture outlet pipes have also been used to correct problem installations.

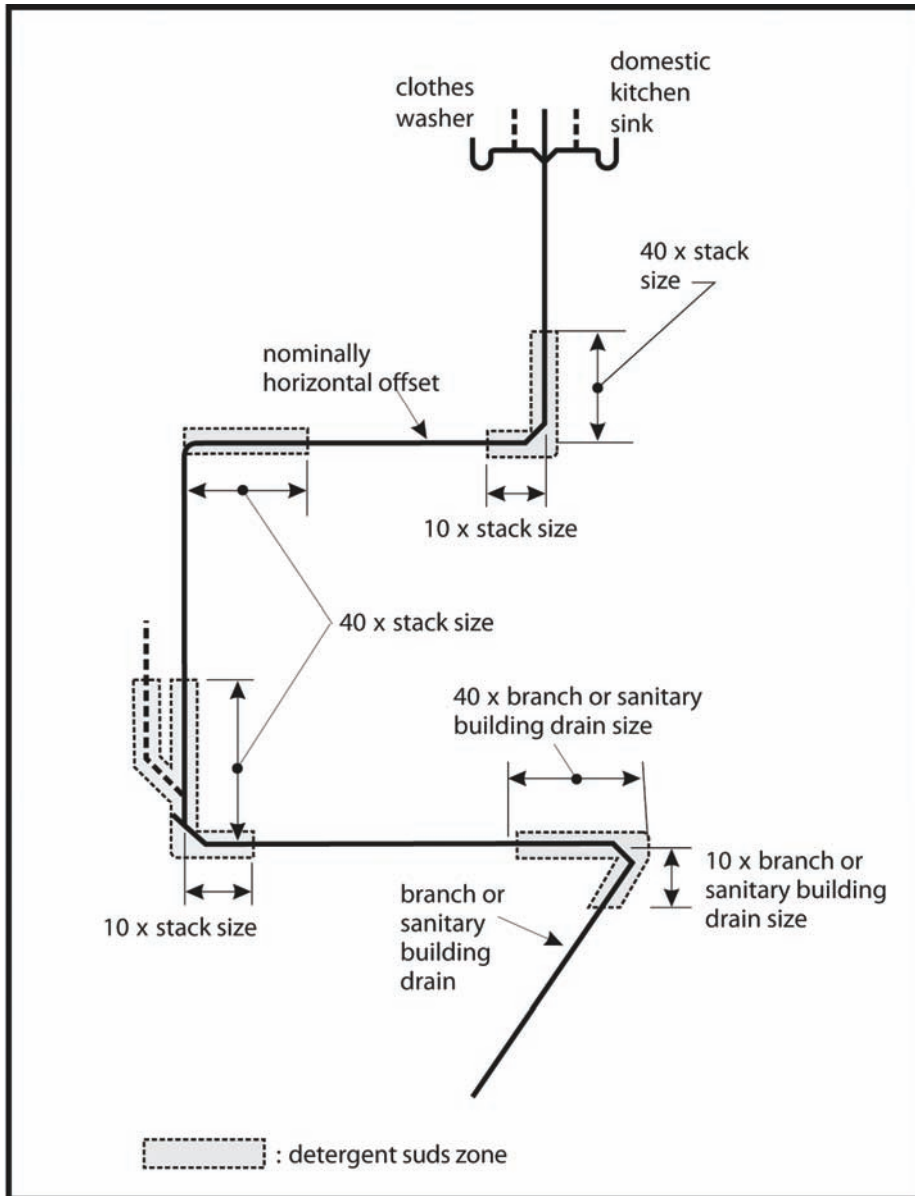
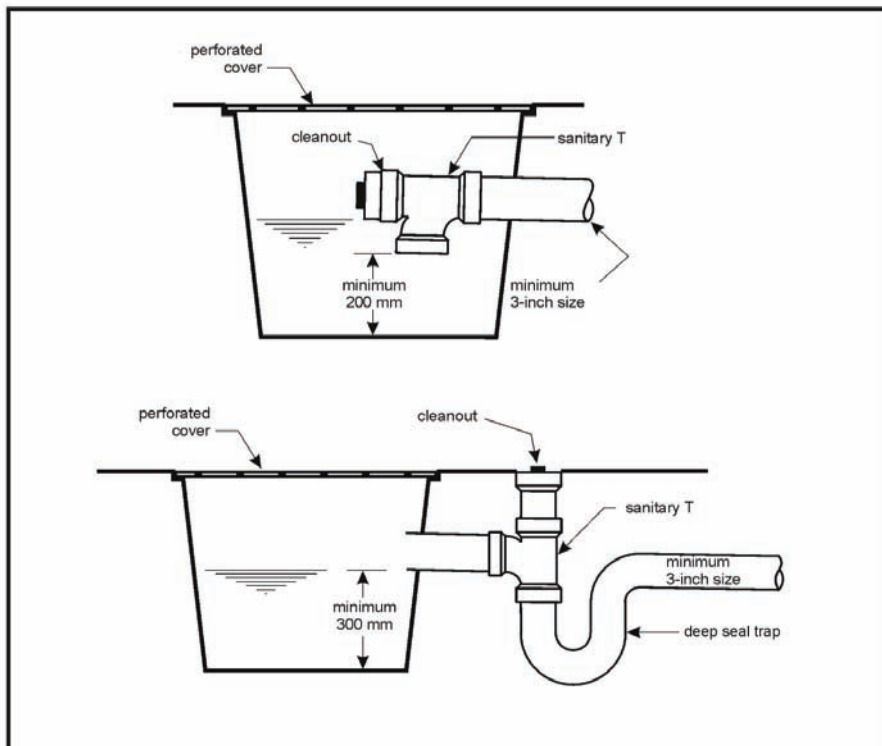


Figure A-2.4.2.1.(6) and (7)
Suds pressure zones

";";

(47) by replacing note A-2.4.3.7 in Sentence (40) by the following:

"A-2.4.3.7. Retention Pit



**Figure A-2.4.3.7.
Retention Pit.**

”;

(48) by inserting the following after Sentence (40):

”(40.1) by replacing note A-2.4.4.3.(1) by the following:

"A-2.4.4.3.(1) Grease Interceptors. Grease interceptors may be required when it is considered that the discharge of fats, oil or grease may impair the drainage system. Further information on the sizing, selection, location, installation and maintenance of grease interceptors can be found in CAN/CSA-B481.”;

(49) by inserting the following after Sentence (44):

"(44.1) by striking out note A-2.4.6.4.(6);";

(50) by replacing Sentence (45) by the following:

"(45) by replacing note A-2.4.8.2.(1) by the following:

"A-2.4.8.2.(1) Island Fixture Installation.

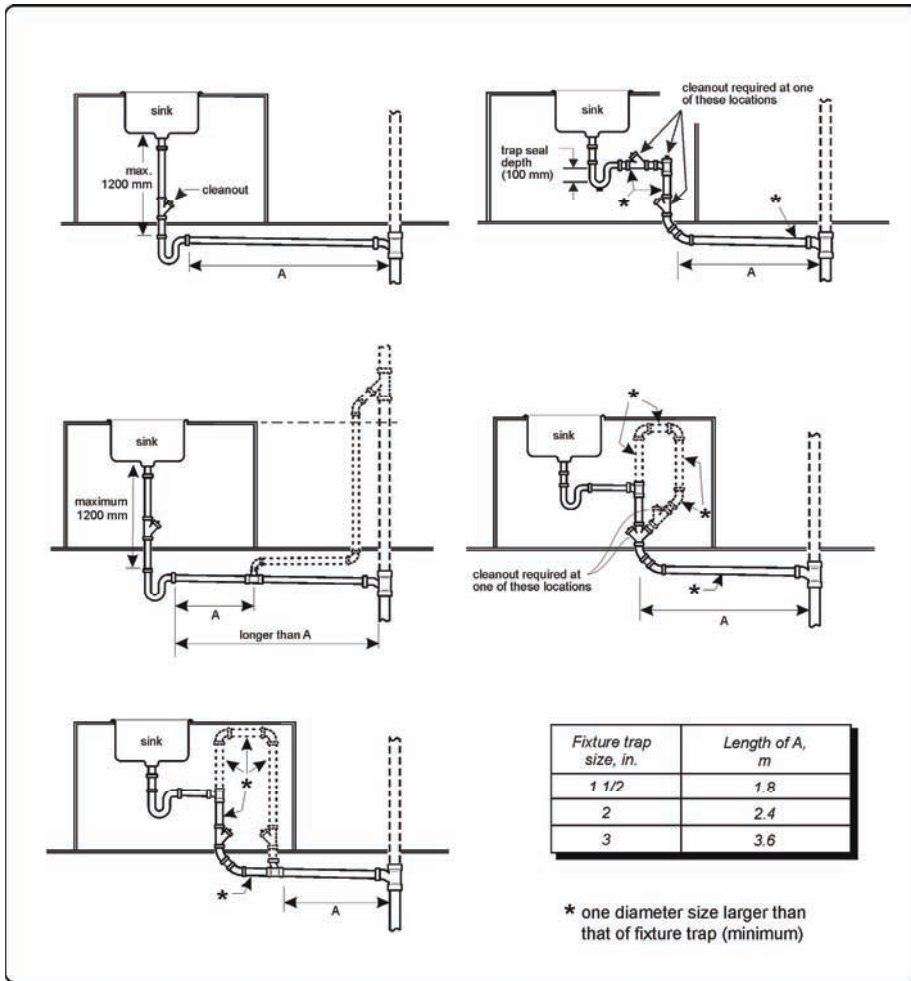


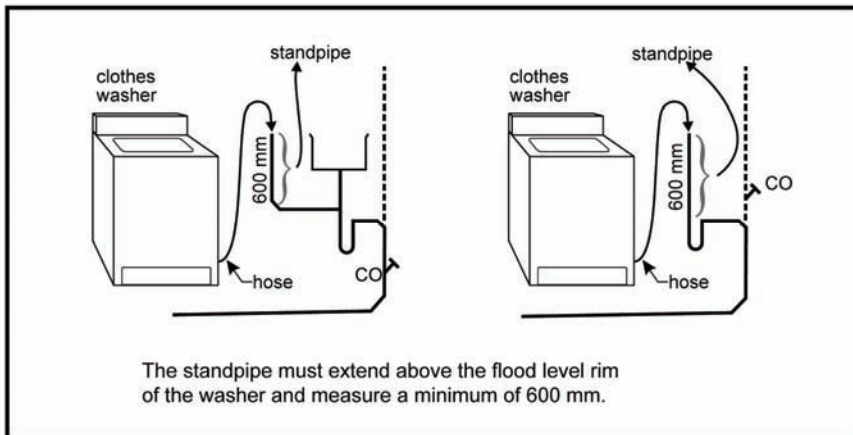
Figure A-2.4.8.2.(1)
Island Fixture Installation.

"",
, ,

(51) by inserting the following after Sentence (45):

"(45.1) by replacing note A-2.4.9.3.(3) by the following:

"A-2.4.9.3.(3) Standpipe Illustration.



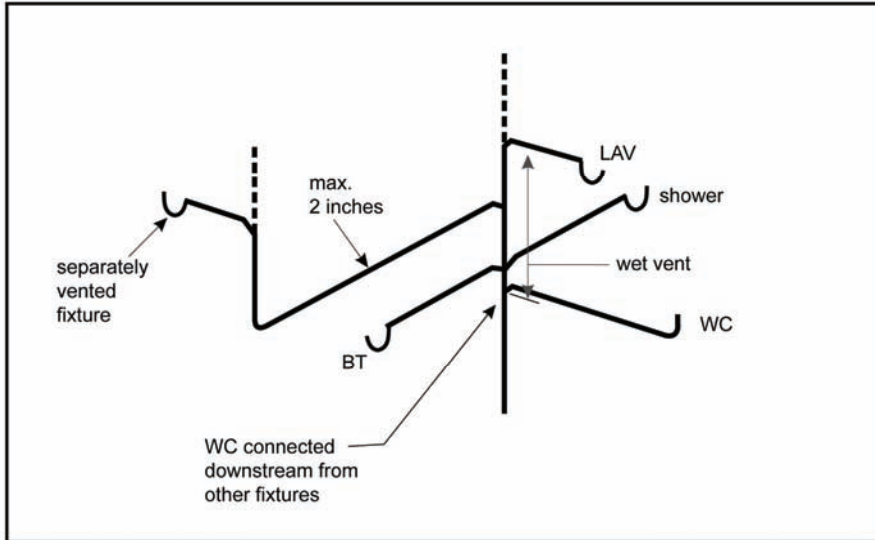
**Figure A-2.4.9.3.(3)
Standpipe Illustration**

“.”
””

(52) by replacing Sentence (46) by the following:

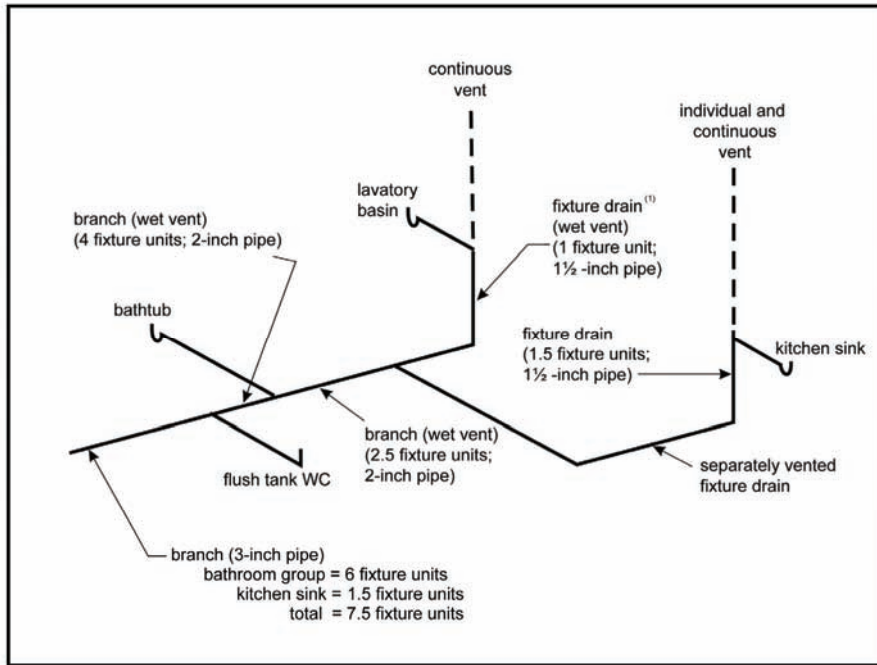
"(46) in note A-2.5.2.1.,

(a) by replacing Figure A-2.5.2.1. –C by the following:



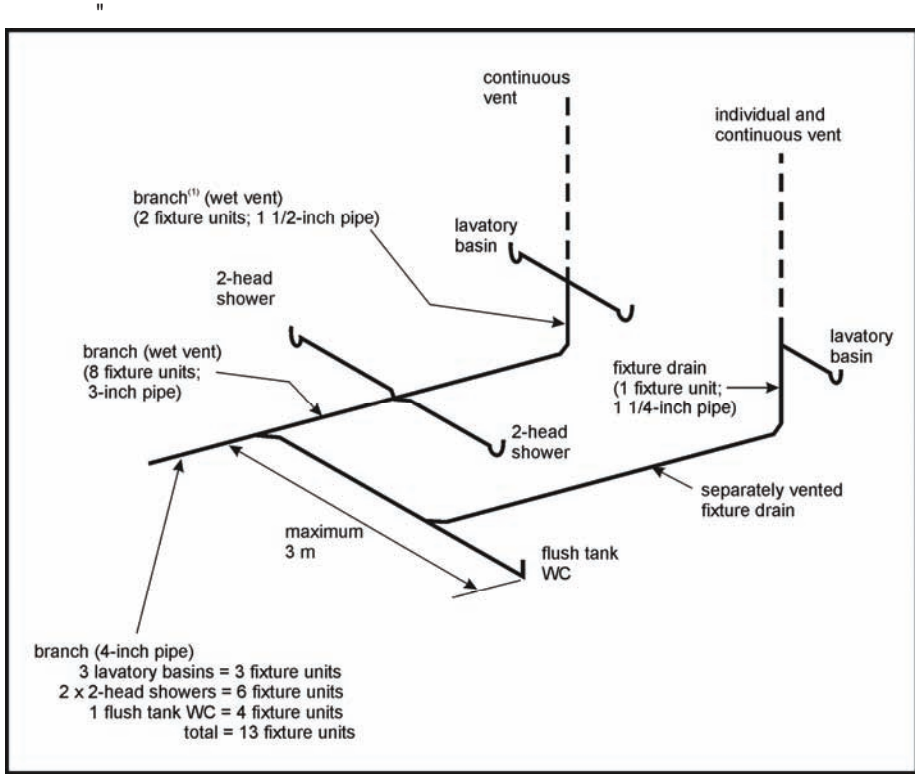
"
;

(b) by replacing Figure A-2.5.2.1.-E by the following:



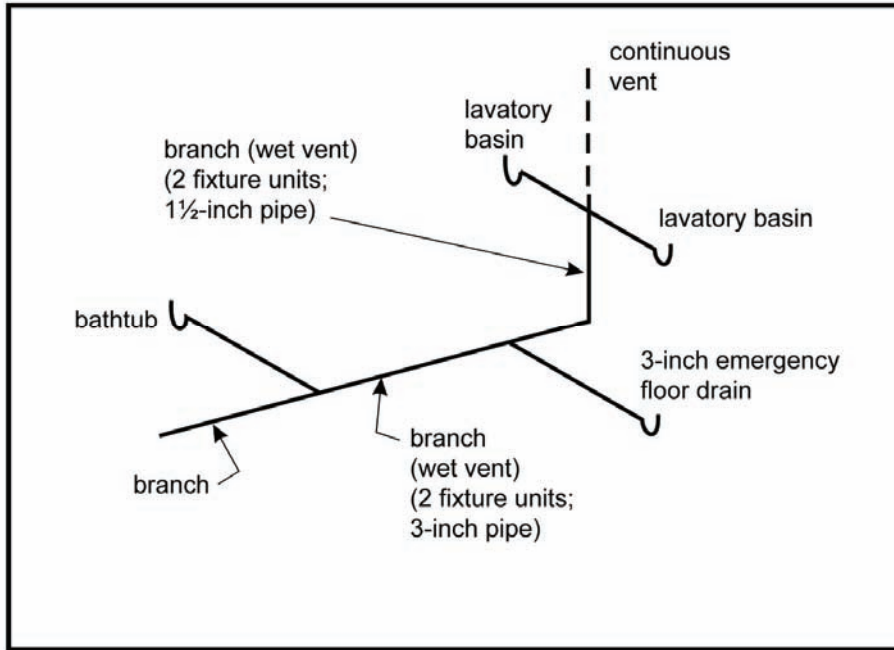
" ;

(c) by replacing Figure A-2.5.2.1.-F by the following:



"
 ;

(d) by replacing Figure A-2.5.2.1.-L by the following:



"",
";

(53) by inserting the following after Sentence (46):

"(46.1) by replacing note A-2.5.5.2. by the following:

"A-2.5.5.2. Venting of Oil Interceptors.

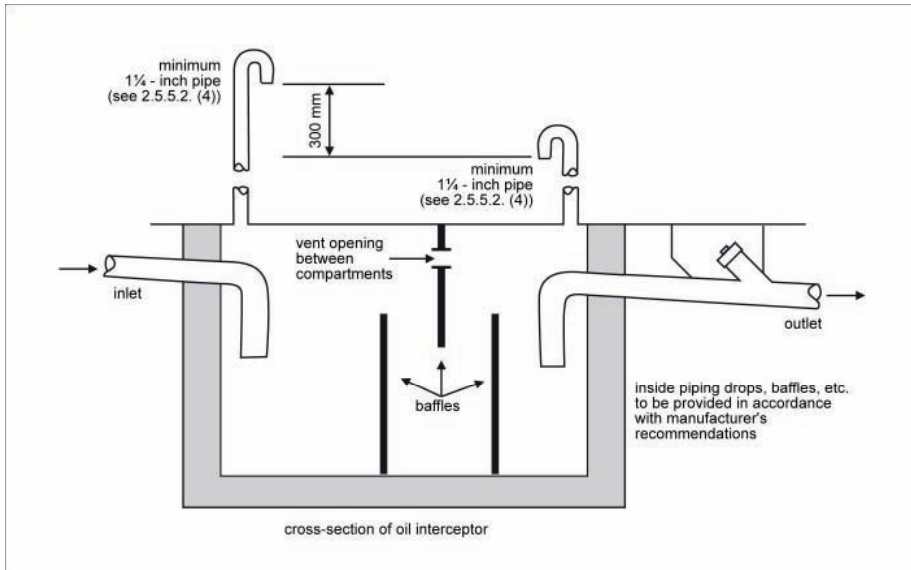


Figure A-2.5.5.2.
Venting of Oil Interceptors

" " ,

(54) by replacing note A-2.6.1.12.(1) in Sentence (47) by the following:

"A-2.6.1.12.(1) Service Water Heater. Water in a service water heater or in a distribution system that is kept at less 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.";

(55) by adding the following after Sentence (47):

"(48) in note A-2.6.3.1.(2),

(a) by inserting the following after the title "**Method for Small Commercial Buildings**":

""Small commercial building" means a building of groups A, D, E, F2 or F3, as defined in Subsection 3.1.2., Division B of the NBC, not more than 3 storeys in building height according to the definition of the NBC, and having a building area not more than 600 m².";

(b) by replacing Table A-2.6.3.1.(2)A. by the following:

**"Table A-2.6.3.1.(2)A.
Pipe Sizes for Water Systems Based on Number of Fixture Units Served
Method for Small Commercial Buildings⁽¹⁾**

Water Service Pipe, inches	Water Distribution System, inches	Maximum Allowable Length, m														
		12	18	24	30	46	61	76	91	122	152	183	213	244	274	305
		Number of Fixture Units Served														
		Flow Velocity, m/s								3.0	2.4	1.5				
Pressure Range – 200 to 310 kPa																
¾	½	6	5	4	3	2	1	1	1	0	0	0	0	0	0	
¾	¾	18	16	14	12	9	6	5	5	4	4	3	2	2	1	
1	1	36	31	27	25	20	17	15	13	12	10	8	6	6	6	
1½	1¼	83	68	57	48	38	32	28	25	21	18	15	12	12	11	
1½	1½	151	124	105	91	70	57	49	45	36	31	26	23	21	20	
2	1½	151	151	132	110	80	64	53	46	38	32	27	23	21	20	
2	2	359	329	292	265	217	185	164	147	124	96	70	61	57	54	
2½	2½	445	418	390	370	330	300	280	265	240	220	198	175	158	143	
Pressure Range – 311 to 413 kPa																
¾	½	8	7	6	5	4	3	2	2	1	1	1	0	0	0	
¾	¾	21	21	19	17	14	11	9	8	6	5	4	4	3	3	
1	1	42	42	41	36	30	25	23	20	18	15	12	10	9	8	
1½	1¼	83	83	83	83	66	52	44	39	33	29	24	20	19	17	
1½	1½	151	151	151	151	128	105	90	78	62	52	42	38	35	32	
2	1½	151	151	151	151	150	117	98	84	67	55	42	38	35	32	
2	2	359	359	359	359	359	318	280	250	205	165	142	123	110	102	
2½	2½	611	611	610	580	535	500	470	440	400	365	335	315	285	250	
Pressure Range – Over 413 kPa																
¾	½	8	8	7	6	5	4	3	3	2	1	1	1	1	0	
¾	¾	21	21	21	21	17	13	11	10	8	7	6	6	5	4	
1	1	42	42	42	42	38	32	29	26	22	18	14	13	12	11	
1½	1¼	83	83	83	83	83	74	62	54	43	34	26	25	23	21	
1½	1¼	151	151	151	151	151	151	130	113	88	73	51	51	46	43	
2	1½	151	151	151	151	151	151	142	122	98	82	64	51	46	43	
2	2	359	359	359	359	359	359	359	340	288	245	204	172	153	141	
2½	2½	611	611	611	611	611	611	610	570	510	460	430	404	380	356	

(1) Where total fixture unit values exceed those given in this Table, a detailed design system must be used.

”
;

(49) by striking out "and irrigating lawns and gardens" after "such as flushing toilets" in note A-2.7.4.1."

5. Section 3.06 is amended

(1) in Sentence (2)

(1) by adding the following after Sentence (1) of Article 2.2.2.1.:

"(2) When required, the plans and specifications must be available on the worksite.";

(2) by replacing Clause (c) of Sentence (1) of Article 2.2.2.2. by the following:

"(c) the connection of the *subsoil drainage pipe* if it enters the *building*.";

(2) in Sentence (3)

(1) by replacing "(ITS)" in Clause (i) of Sentence (1) of Article 2.2.3.1. by "(ETL)";

(2) by replacing Article 2.2.4.1. by the following:

"2.2.4.1. Application

(1) A plumbing contractor or owner-builder must declare to the Régie du bâtiment du Québec all construction work performed and 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.";

(3) by replacing "the plumbing contractor" in Clause (c) of Article 2.2.4.4. by "the plumbing contractor or owner-builder, where applicable";

(4) by replacing Clause (f) of Article 2.2.4.4. by the following:

"(f) the *occupancy* of the *building* or facility intended for use by the public and the existing and planned number of *storeys*, and;"

- (5) in Sentence (1) of Article 2.2.5.1.
- (1) by replacing "the plumbing contractor" in the part preceding Clause (a) by "the plumbing contractor or owner-builder,";
- (2) by replacing "*appareil sanitaire*" in Subclauses (i) and (ii) of Clause (c) of the French text by "*appareil*".

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

2508

Draft Regulation

Consumer Protection Act
(chapter P-40.1)

Consumer protection

— Application

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the application of the Consumer Protection Act, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides that, in the same manner as certain distance contracts, a contract for the sale of goods to which sections 208 to 213 of the Consumer Protection Act (chapter P-40.1) apply is exempt from the application of certain rules applicable to a distance contract and certain formality rules when such a contract is a distance contract.

It also exempts

— non-profit legal persons and cooperatives that are parties to contracts for the loan of money not exceeding \$5,000 and whose credit rate does not exceed the legal interest rate, from paying the duties related to the application for a money lender's permit;

— until 31 December 2015, from the prohibition against providing an expiry date on a prepaid card, prepaid cards issued by a tourism enterprise, usable during an entire determined season exclusively for a determined service that, by its nature, is seasonal;

— merchants from the prohibition to ask for a price higher than the price advertised for goods or services where the consumer pays cash and the only difference between the price advertised and the price charged for goods or services is the amount rounded off to the nearest multiple of 5 cents;

— merchants from the obligation of including the deposit payable for recycling purposes in the advertised price.

Further information may be obtained by contacting Johanne Renaud, Office de la protection du consommateur, Village olympique – 5199, rue Sherbrooke Est, bureau 3721, Montréal (Québec) HIT 3X2; telephone: (514) 253-6556, extension 3426; fax: (514) 864-2400; email: johanne.renaud@opc.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments before the expiry of the 45-day period to the Minister of Justice, 1200, route de l'Église, Québec (Québec) G1V 4M1.

BERTRAND ST-ARNAUD,
Minister of Justice

Regulation to amend the Regulation respecting the application of the Consumer Protection Act

Consumer Protection Act
(chapter P-40.1, s. 350)

1. The Regulation respecting the application of the Consumer Protection Act (chapter P-40.1, r. 3) is amended by replacing section 6.3 by the following:

“6.3. Contracts of credit, contracts of service involving sequential performance within the meaning of Division VI of Chapter III of Title I of the Act, even if entered into by a person listed in section 188 of the Act, contracts for the sale of goods to which sections 208 to 213 of the Act apply, contracts of service or for the lease of goods entered into at the time of the entering into or performance of such a contract of service involving sequential performance are exempt from the application of Chapter II of Title I and sections 54.8 to 54.16 of the Act and section 26 of this Regulation if they are distance contracts.”.

2. The following is inserted after section 18:

“18.1. A non-profit legal person or a cooperative within the meaning of the Act respecting cooperatives (chapter C-67.2), that enters into contracts for the loan of money whose net capital does not exceed \$5,000 and under which the credit rate, computed in accordance with the Act, does not exceed the legal interest rate is exempt from the obligation of paying the duties provided for in section 107.».

3. The following is inserted after section 79.3:

“79.3.1. A stipulation providing an expiry date for a prepaid card if the card is issued by a tourism enterprise, is usable during an entire determined season and is exclusively for a determined service that, by its nature, is seasonal, provided that the nature of the service, the fact that the service is seasonal and the expiry date are on the card is exempt from the application of section 187.3 of the Act until 31 December 2015.”.

4. The following is inserted after section 91.7:

“91.7.1. The merchant is exempt from the application of subparagraph *c* of the first paragraph of section 224 of the Act where the consumer pays cash and the only difference between the price advertised and the price charged for goods or services is the amount rounded off to the nearest multiple of 5 cents after calculating the Québec sales tax and the Goods and Services Tax if they are payable.

The rounding off is deemed not to constitute a pricing error within the meaning of the Order in Council respecting the Policy on accurate pricing for merchants who use optical scanner technology (chapter P-40.1, r. 2).”.

5. Section 91.8 is amended by adding the following paragraph:

“The merchant, manufacturer or advertiser is also exempt from the obligation of including in the advertised price the deposit payable by a consumer, for recycling purposes, on the purchase of containers, packaging, materials or products and that is refunded on their return.”.

TRANSITIONAL AND FINAL

6. Section 79.3.1 of the Regulation respecting the application of the Consumer Protection Act (chapter P-40.1, r. 3), introduced by section 3 of this Regulation, ceases to have effect on 1 January 2016.

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

2506

Draft Regulation

Environment Quality Act
(chapter Q-2)

Charges payable for the disposal of residual materials — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act (chapter Q-2), that the Regulation to amend the Regulation respecting the charges payable for the disposal of residual materials, appearing below, may be made by the Government on the expiry of 60 days following this publication.

The draft Regulation is to extend to 5 additional years, from 30 September 2015 to 31 December 2020, the period to collect additional charges provided for in the Regulation respecting charges payable for the disposal of residual materials (chapter Q-2, r. 43). Those charges are fixed at \$9.50 for each ton of residual materials received for disposal and will be adjusted as of 2013.

By extending the period to collect additional charges, the draft Regulation further reduces the quantity of residual materials that are sent for disposal and thus achieves the objectives specified in the Québec residual materials management policy. It will also enable the financing of more projects under the program for the treatment of organic matters by biomethanization and composting.

The draft Regulation does not involve any new administrative requirement for the disposal sites concerned. The additional charges will be required for 5 additional years, which will have an impact on the fees payable to clients of those disposal sites, including municipalities.

Further information on the draft Regulation may be obtained by contacting André G. Bernier, Director, Direction de l'analyse et des instruments économiques, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 29^e étage, boîte 97, Québec (Québec) G1R 5V7; telephone: 418 521-3929; email: agbernier@mddefp.gouv.qc.ca; fax: 418 644-4598.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 60-day period to André G. Bernier at the abovementioned address or by email at agbernier@mddefp.gouv.qc.ca.

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development,
Environment, Wildlife and Parks*

Regulation to amend the Regulation respecting the charges payable for the disposal of residual materials

Environment Quality Act
(chapter Q-2, s. 31, 1st par., subpar. e.1)

1. The Regulation respecting the charges payable for the disposal of residual materials (chapter Q-2, r. 43) is amended by replacing “30 September 2015” in the second paragraph of section 3 by “31 December 2020”.

2. Section 4 is amended by replacing “in the first paragraph of” in the first paragraph by “in”.

3. Despite section 4 of the Regulation, the charges prescribed in the second paragraph of section 3 of the Regulation are indexed, for 2013, on the first day of the quarter following the coming into force of this Regulation.

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

2511

Draft Regulation

Individual and Family Assistance Act
(chapter A-13.1.1)

Individual and Family Assistance — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Individual and Family Assistance Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation proposes various amendments regarding last resort financial assistance.

In order to reinforce the incentive to work and foster participation in the labour market of all labour pools, the draft Regulation intends to review certain rules of eligibility for temporarily limited capacity allowance granted because of the age of or childcare provided to a preschool child. The draft Regulation also reviews the conditions of eligibility relating to special benefits for living expenses for addiction services with accommodations. Lastly, it increases the special benefits payable to cover the cost of accessories related to the elimination system for financial assistance recipients suffering from a significant health problem in that regard.

Further information on the draft Regulation may be obtained by contacting François Roussin, Direction des politiques de prestations, Ministère de l'Emploi et de la Solidarité sociale, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1; telephone: 418 646-0425, extension 62571; fax: 418 644-1299; email: francois.roussin@mess.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Employment and Social Solidarity, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1.

AGNÈS MALTAIS
Minister of Employment and Social Solidarity

Regulation to amend the Individual and Family Assistance Regulation

Individual and Family Assistance Act
(chapter A-13.1.1, s. 132, pars. 4, 5 and 8, and s. 136)

1. The Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) is amended in section 62

(1) by inserting “independent” before “adult provides”;

(2) by adding the following at the end:

“In the case of a family referred to in subparagraph 2 of the first paragraph of section 25 of the Act, the basic benefit is increased if an adult member provides childcare to the adult’s dependent child who is under 5 years of age on the previous 30 September or, if the child is 5 years of age on that date, if no full-time kindergarten class is available for the child, and the adult’s spouse is in one of the following situations:

(1) the spouse shows, by producing a medical report, that the spouse is unable, owing to the spouse’s physical or mental state, for a period of at least 1 month, to engage in a job preparation, integration or retention activity;

(2) the spouse provides childcare to the spouse’s dependent child, other than the child of 5 years of age or under, who is handicapped within the meaning of subparagraph b of the second paragraph of section 1029.8.61.18 of the Taxation Act (chapter I-3);

(3) the spouse provides constant care to an adult, other than his or her spouse, whose autonomy is significantly reduced because of a physical or mental condition.

In the case of an adult whose spouse is an ineligible student under paragraph 1 of section 27 of the Act, the provisions provided for in the second paragraph apply with the necessary modifications.”.

2. Section 63 is amended by replacing “55 years of age” by “58 years of age”.

3. Section 88 is amended by inserting “, except for accommodations in a centre that offers addiction services with accommodations,” in the first paragraph after “transportation and living expenses”.

4. Section 88.1 is amended by replacing the second paragraph by the following:

“The special benefit is granted no more than twice per 12-month period, up to a total of 90 days, to an adult who is a recipient. The necessity of the need for accommodations must be certified in writing by a physician or a person designated by the Minister.”.

5. Schedule III is amended

(1) by replacing “\$3.50” and “\$15” in section 2.8.1 by “\$5.95” and “\$26.80”, respectively;

(2) by replacing “\$1.30”, “\$1.50”, “\$9.50” and “\$6.50” in section 2.8.2 by “\$5.45”, “\$3.85”, “\$27.40” and “\$7.95”, respectively;

(3) by replacing “\$1.75”, “\$1.50”, “\$1” and “\$0.05” in section 2.8.3 by “\$10.10”, “\$2.75”, “\$3.85” and “\$2.15”, respectively;

(4) by replacing section 2.8.4 by the following:

“**2.8.4** Drainage bags (unit): \$14.30”;

(5) by replacing “\$0.30” in section 2.8.9 by “\$0.40”;

(6) by adding the following after section 2.8.9:

“**2.8.10** Sodium chloride \$4.85

2.8.11 Ostomy (unit)

— Adhesive: \$15.95

— Skin barrier ring: \$8.80

— Skin protector: \$4.85

— Solvent or cleansing pad: \$0.60

— Flange: \$17.50

— Medium belt or elastic band: \$16.75

— Skin revitalizing cream: \$2.25

— Ostomy pouch closure: \$4.35

— Two-piece ostomy pouch: \$4.70

— Ostomy paste: \$16.25

— Ostomy powder: \$11.45

— One-piece ostomy pouch: \$18.00

— Deodorant: \$3.90

— Skin barrier: \$9.70

— Wet wipe: \$0.28”;

(7) by replacing “\$2.50” and “\$0.35” in section 2.9.6 by “\$9.75” and “\$1.95”, respectively;

(8) by replacing in order “\$4”, “\$0.10” and “\$0.15” in section 2.9.7 by “\$5.10”, “\$0.44” and “\$3.30”, respectively;

(9) by replacing “\$0.25” in section 2.9.8 by “\$0.65”.

6. Section 63 of the Individual and Family Assistance Regulation, as it read on 31 May 2013, continues to apply to the independent adult or an adult member of a family who, on that date, is between 55 and 57 years of age and is a recipient under a last resort financial assistance program or is eligible to receive dental and pharmaceutical services pursuant to section 48 of the Regulation, so long as the independent adult or the adult member of a family remains, without interruption, a recipient of the program or is eligible to receive those services.

7. This Regulation comes into force on 1 June 2013.

2509

Draft Regulation

Parks Act
(chapter P-9)

Parks — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Parks Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the zoning of the future Parc national Tursujuq. The proposed park covers an area of 26,107 km². It will be divided into different zones, namely, maximum preservation zones covering an area of 25.7 km² and allocated to the preservation of rare or fragile elements, preservation zones covering an area of 19,596.6 km² and allocated to the preservation of representative elements of the park, natural environment zones covering an area of 6,475.6 km² and allocated to the discovery and exploration of the natural environment, and services zones covering an area of 8.8 km² and allocated to reception and management of the park.

For that purpose, the draft Regulation amends the Parks Regulation (chapter P-9, r. 25) to add Schedule 26, which comprises the zoning plan of the future Parc national Tursujuq.

The draft Regulation will have a positive impact for the beneficiaries of the James Bay and Northern Québec Agreement, who will be able to profit from the economic spinoffs generated by park visitors.

Further information may be obtained by contacting Nathalie Girard, Direction du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, édifice Marie-Guyart, 675, boulevard René-Lévesque Est, 4^e étage, boîte 21, Québec (Québec) G1R 5V7; telephone: 418 521-3907, extension 4633; fax: 418 646-6169; email: nathalie.girard@mddefp.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Serge Alain, Director, Service des parcs, Ministère du Développement durable, de l'Environnement, de la Faune et des Parcs, 675, boulevard René-Lévesque Est, 4^e étage, boîte 21, Québec (Québec) G1R 5V7.

YVES-FRANÇOIS BLANCHET,
*Minister of Sustainable Development, Environment,
Wildlife and Parks*

Regulation to amend the Parks Regulation

Parks Act
(chapter P-9, s. 9, pars. a and b)

1. The Parks Regulation (chapter P-9, r. 25) is amended in the second paragraph of section 3 by adding “Schedule 26: Parc national Tursujuq zoning map” after “Schedule 25: Parc national du Lac-Témiscouata zoning map”.

2. The Regulation is amended by adding the attached Schedule 26.

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

SCHEDULE 26

13 756 - 2



Draft Regulation

Professional Code
(chapter C-26)

Pharmacists

— Diplomas giving access to permits — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation replaces, in section 1.13 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, which lists the diplomas giving access to the permit issued by the Ordre des pharmaciens du Québec, the Baccalauréat en pharmacie issued by Université Laval by the Doctorat de premier cycle en pharmacie issued by the same university since the doctorate program has been available since fall 2011.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

The draft Regulation will be submitted to the Office des professions du Québec and to the Ordre des pharmaciens du Québec for their opinion. To that end, the Office will seek the opinion of the Order and forward it with its own opinion to the Minister of Justice after consultation with the educational institutions and other bodies concerned.

Further information may be obtained by contacting Manon Bonnier, Assistant Secretary General, Ordre des pharmaciens du Québec, 266, rue Notre-Dame Ouest, bureau 301, Montréal (Québec) H2Y 1T6; telephone: 514 284-9588 or 1 800 363-0324; fax: 514 284-2285.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jean Paul Dutrisac, Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the Order and to interested persons, departments and bodies.

BERTRAND ST-ARNAUD
Minister of Justice

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

Professional Code
(c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (c. C-26, r. 2) is amended by replacing paragraph a of section 1.13 by the following:

“(a) Doctorat de premier cycle en pharmacie from Université Laval;”.

2. Paragraph a of section 1.13, replaced by section 1 of this Regulation, remains applicable to persons who, on (*insert the date of coming into force of this Regulation*), hold the diploma referred to in the replaced section or are registered in a program leading to that diploma.

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

2505

Transport

Gouvernement du Québec

O.C. 107-2013, 13 February 2013

Mining Act
(chapter M-13.1)

An Act respecting roads
(chapter V-9)

CONCERNING the Minister of Transport's authorization to declare that one portion of chemin de mine Croinor, located in the territory of Ville de Senneterre, is no longer a mining road, and the amendment of Order in Council number 98-2003 of January 29, 2003, concerning bridges of strategic importance that are under the jurisdiction of the Minister of Transport

WHEREAS the chemin Croinor mining road was approved as a mining road under Orders in Council numbers 3278 of December 14, 1937, 346 of January 31, 1945, and 1886 of May 24, 1945, and that it has been under the authority of the Minister of Transport since April 1, 1973;

WHEREAS a portion of the chemin Croinor mining road is located on land in the domain of the State, in the territory of Ville de Senneterre, in undivided territory, and is composed of undivided portions on the original survey of the townships of Tiblemont, Tavernier and Pershing, about 34 km long and with a total area of 691,315.9 square meters, in the Abitibi registration division;

WHEREAS the Minister of Transport declares that this portion of the chemin Croinor mining road is no longer a mining road, as it is no longer used for mining purposes and providing access to resources in the territory;

WHEREAS, pursuant to section 247 of the Mining Act (chapter M-13.1), the Minister of Transport may for instance, with the authorization of the Government, declare that a mining road is no longer a mining road;

WHEREAS it is appropriate to authorize the Minister of Transport to declare that this portion of the chemin Croinor mining road running through the townships of Tiblemont, Tavernier and Pershing is no longer a mining road;

WHEREAS, pursuant to the third paragraph of section 2 of the Act respecting roads (chapter V-9), the Government may, by an order published in the *Gazette officielle du Québec*, recognize certain bridges as strategic so that the management of such bridges is under the responsibility of the Minister of Transport, even though they are part of highways that remain under municipal jurisdiction;

WHEREAS Order in Council number 98-2003 dated January 29, 2003, amended notably by Order in Council number 1176-2007 dated December 19, 2007, recognized the strategic importance of three bridges (P-00130, P-10757 and P-10758) which are part of the chemin Croinor mining road, on land in the domain of the State, located in the territory of Ville de Senneterre;

WHEREAS these three bridges are not part of roads under the management of Ville de Senneterre and that it is, therefore, appropriate to amend Order in Council number 98-2003 dated January 29, 2003, to remove them from the list of bridges recognized as of strategic importance;

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

THAT the Minister of Transport be authorized to declare that a portion of the chemin Croinor mining road, as described in the technical description enclosed with the order in council, about 34 km long, located on land in the domain of the State, in the territory of Ville de Senneterre, in undivided territory, and composed of undivided portions on the original survey of the townships of Tiblemont, Tavernier and Pershing, with a total area of 691,315.9 square meters, in the Abitibi registration division, is no longer a mining road;

THAT the schedule of Order in Council number 98-2003 dated January 29, 2003, amended notably by Order in Council number 1176-2007 dated December 19, 2007, be amended by removing the three bridges (P-00130, P-10757 and P-10758) from the list of strategic bridges, being part of the chemin Croinor mining road, on land in the domain of the State, located in the territory of Ville de Senneterre;

THAT the current Order in Council be effective as of the date it is published in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

SCHEDULE**PARCEL No. 1**

A parcel in undivided territory, undivided portion on the original survey of the TIBLEMONT TOWNSHIP, in the ABITIBI registration division, in the TOWN OF SENNETERRE, being a mining road according to Orders in Council numbers 3278 of December 14, 1937, 346 of January 31, 1945, and 1886 of May 24, 1945, of irregular form, bounded, and described as follows: toward the north, by a part of lot 19 of row 1 of the township of Senneterre being chemin Croinor, measuring, along that line, twenty metres and fourteen hundredths (20.14 m); toward the east, by an undivided part of the township of Tiblemont, measuring, along that line, ninety-three and forty-nine hundredths (93.49 m) and three hundred five metres and forty-three hundredths (305.43 m); toward the north-east, by an undivided part of the township, measuring, along that line, hundred forty-four metres and eighty-eight hundredths (144.88 m) along an arc of a circle with a radius of one hundred eighty-six metres and thirty-nine hundredths (186.39 m), nine hundred thirty-one metres and ten hundredths (931.10 m), eight hundred sixty-two metres and nineteen hundredths (862.19 m), seven hundred eighty-two metres and sixty hundredths (782.60 m), five hundred twelve metres and seventy-six hundredths (512.76 m), eight hundred eighty-seven metres and thirty hundredths (887.30 m) and hundred fifty-five metres and ninety-nine hundredths (155.99 m) along an arc of a circle with a radius of two hundred five metres and six hundredths (205.06 m); toward the east, by an undivided part of the township, measuring, along that line, four hundred sixty-one metres and fifty-five hundredths (461.55 m), one hundred three metres and ninety-six hundredths (103.96 m) along an arc of a circle with a radius of three hundred three metres and forty-four hundredths (303.44 m), three hundred twenty-five metres and one hundredth (325.01 m), ninety-six metres and fifty hundredths (96.50 m) along an arc of a circle with a radius of two hundred twenty metres and twenty-four hundredths (220.24 m), six hundred thirty-eight metres and one hundredth (638.01 m) and one hundred sixty-five metres and five hundredths (165.05 m) along an arc of a circle with a radius of two hundred seventy-nine metres and twelve hundredths (279.12 m); toward the south east, by an undivided part of the township measuring, along that line, four hundred seventeen metres and ninety-one hundredths (417.91 m), one hundred ninety-five metres and fifty-two hundredths (195.52 m) along an arc of a circle with a radius of one thousand seven hundred forty-three metres and ninety-four hundredths (1,743.94 m) and six hundred fifty-three metres and ninety-three hundredths (653.93 m); toward the east, by an undivided part of the township, measuring, along these lines, one hundred thirty-one metres and seventy-eight hundredths (131.78 m) along an

arc of a circle with a radius of one hundred sixty-four metres and ninety-four hundredths (164.94 m), five hundred fifty-nine metres and two hundredths (559.02 m), three hundred forty metres and sixty-nine hundredths (340.69 m), one hundred sixteen metres and ninety-seven hundredths (116.97 m) along an arc of a circle with a radius of nine hundred ninety-eight metres and four hundredths (998.04 m), one hundred twenty-two metres and fifty hundredths (122.50 m) along an arc of a circle with a radius of four hundred seventy-three metres and sixteen hundredths (473.16 m), one thousand fifty-three metres and forty-four hundredths (1 053.44 m), one hundred eleven metres and fifty hundredths (111.50 m) along an arc of a circle with a radius of three hundred fifty-three metres and six hundredths (353.06 m), one hundred twenty-seven metres and fifty-six hundredths (127.56 m) and eighty-seven metres and sixty hundredths (87.60 m) along an arc of a circle with a radius of two hundred seventy-eight metres and six hundredths (278.06 m); toward the south-east, by an undivided part of the township, measuring along that line, two hundred fifty-nine metres and seventy-two hundredths (259.72 m), three hundred thirty-nine metres and twenty-two hundredths (339.22 m), four hundred sixty metres and seventy-one hundredths (460.71 m) and one hundred thirty-nine metres and sixty-six hundredths (139.66 m) along an arc of a circle with a radius of five hundred ninety-five metres and ninety-four hundredths (595.94 m); toward the east, by an undivided part of the township, measuring, along these lines, two hundred eighty-two metres and thirteen hundredths (282.13 m), five hundred ninety-nine metres and seventy-eight hundredths (599.78 m), four hundred fifty-nine metres and seventy-five hundredths (459.75 m), one hundred thirty-four metres and two hundredths (134.02 m) along an arc of a circle with a radius of two hundred twenty-five metres and ninety-four hundredths (225.94 m) and five hundred thirty-five metres and ninety-eight hundredths (535.98 m); toward the north-east, by an undivided part of the township, measuring, along that line, one hundred three metres and eleven hundredths (103.11 m) along an arc of a circle with a radius of two hundred seventy metres and eighty-one hundredths (270.81 m), eight hundred forty-three metres and ten hundredths (843.10 m), two hundred seventy-seven metres and sixty-one hundredths (277.61 m), two hundred ninety-two metres and eighty-six hundredths (292.86 m), one hundred twenty-three metres (123.00 m), three hundred eighteen metres and fifty-four hundredths (318.54 m), one hundred thirteen metres and five hundredths (113.05 m) along an arc of a circle with a radius of two hundred thirty-seven metres and thirty-nine hundredths (237.39 m) and four hundred forty-eight metres and sixteen hundredths (448.16 m); toward the north, by an undivided part of the township, measuring, along this line, seventy-six metres and thirty-two hundredths (76.32 m) along an arc of a circle with a radius of one hundred fifty-four metres and ninety-four

hundredths (154.94 m), sixty-eight metres and sixty-four hundredths (68.64 m), one hundred ninety-eight metres and twelve hundredths (198.12 m), three hundred fifteen metres and fifty hundredths (315.50 m), two hundred ninety-seven metres and seventy-four hundredths (297.74 m) and one hundred sixteen metres and sixty-four hundredths (116.64 m) along an arc of a circle with a radius of two hundred thirty-nine metres and ninety-four hundredths (239.94 m); toward the north-west, by an undivided part of the township, measuring, along this line, three hundred twenty-four metres and forty-eight hundredths (324.48 m); toward the north, by an undivided part of the township, measuring, along this line, one hundred sixty-seven metres and six hundredths (167.06 m) along an arc of a circle with a radius of one hundred ninety-seven metres and fifty-six hundredths (197.56 m), three hundred fifty-nine metres and nineteen hundredths (359.19 m) and one hundred seventy-two metres and ninety-three hundredths (172.93 m) along an arc of a circle with a radius of one hundred fifty-four metres and thirty-three hundredths (154.33 m); toward the north-west, by an undivided part of the township, measuring, along this line, six hundred ninety-four metres and sixty-two hundredths (694.62 m) and one hundred thirty-eight metres and twenty-three hundredths (138.23 m) along an arc of a circle with a radius of one hundred sixty-four metres and six hundredths (164.06 m); toward the north, by an undivided part of the township, measuring, along this line, three hundred sixty-one metres and fifty-two hundredths (361.52 m), six hundred thirty-seven metres and eight hundredths (637.08 m), one thousand one hundred forty-seven metres and fifty-two hundredths (1,147.52 m), two hundred seven metres and ninety-four hundredths (207.94 m) along an arc of a circle with a radius of two thousand seven hundred eighty metres and ninety-four hundredths (2,780.94 m), one hundred seventy-one metres and thirteen hundredths (171.13 m), one hundred thirty-one metres and thirty-four hundredths (131.34 m) along an arc of a circle with a radius of six hundred thirty-two metres and fifty hundredths (632.50 m), one hundred twenty-five metres and thirty-four hundredths (125.34 m), four hundred seventy-nine metres and ninety-seven hundredths (479.97 m) and eight hundred eighty-nine metres and seventy-five hundredths (889.75 m); toward the north-east, by an undivided part of the township, measuring, along this line, ninety-three metres and thirty-eight hundredths (93.38 m) along an arc of a circle with a radius of one hundred sixty-six metres and eight hundredths (166.08 m), eighty-three metres and forty-two hundredths (83.42 m) along an arc of a circle with a radius of four hundred forty-three metres and sixty hundredths (443.60 m), five hundred seventy-three metres and sixteen hundredths (573.19 m), ninety-seven metres and sixty-two hundredths (97.62 m) along an arc of a circle with a radius of one hundred ninety-nine metres and ninety-four hundredths (199.94 m), one hundred seventy-nine metres (179.00 m),

one hundred sixty-one metres and thirty-seven hundredths (161.37 m) along an arc of a circle with a radius of two hundred forty-one metres and fifty-six hundredths (241.56 m), two hundred thirty-seven metres and eight hundredths (237.08 m) and nine hundred nineteen metres and six hundredths (919.06 m); toward the east, by an undivided part of the township of Tavernier, being Parcel No. 2, measuring, along this line, thirty-nine metres and thirty hundredths (39.30 m); toward the south-west, by an undivided part of the township of Tiblemont, measuring, along this line, nine hundred fifty-three metres and seven hundredths (953.07 m), two hundred thirty-seven metres and thirty-two hundredths (237.32 m), one hundred forty-seven metres and ninety-three hundredths (147.93 m) along an arc of a circle with a radius of two hundred twenty-one metres and forty-four hundredths (221.44 m), one hundred seventy-nine metres (179.00 m), one hundred seven metres and forty-four hundredths (107.44 m) along an arc of a circle with a radius of two hundred twenty metres and six hundredths (220.06 m), five hundred seventy-three metres and nineteen hundredths (573.19 m), seventy-nine metres and sixty-four hundredths (79.64 m) along an arc of a circle with a radius of four hundred twenty-three metres and forty-nine hundredths (423.49 m) and eighty-two metres and seven hundredths (82.07 m) along an arc of a circle with a radius of one hundred forty-five metres and ninety-six hundredths (145.96 m); toward the south, by an undivided part of the township and by Block A, measuring, along this line, eight hundred eighty-nine metres and seventy-three hundredths (889.73 m), four hundred eighty metres and four hundredths (480.04 m), one hundred twenty-five metres and forty-four hundredths (125.44 m), one hundred twenty-seven metres and sixteen hundredths (127.16 m) along an arc of a circle with a radius of six hundred twelve metres and thirty-eight hundredths (612.38 m), one hundred seventy-one metres and thirteen hundredths (171.13 m), two hundred nine metres and forty-four hundredths (209.44 m) along an arc of a circle with a radius of two thousand eight hundred one metres and six hundredths (2,801.06 m), one thousand one hundred forty-seven metres and fifty-five hundredths (1,147.55 m), six hundred thirty-seven metres and twelve hundredths (637.12 m) and three hundred sixty-one metres and fifty-four hundredths (361.54 m); toward the south-east, by an undivided part of the township, measuring, along this line, one hundred twenty-one metres and twenty-eight hundredths (121.28 m) along an arc of a circle with a radius of one hundred forty-three metres and ninety-four hundredths (143.94 m) and six hundred ninety-four metres and sixty-two hundredths (694.62 m); toward the south, by an undivided part of the township, measuring, along this line, one hundred ninety-five metres and forty-eight hundredths (195.48 m) along an arc of a circle with a radius of one hundred seventy-four metres and forty-five hundredths (174.45 m), three hundred fifty-nine metres and nineteen hundredths (359.19 m) and one hundred fifty

metres and five hundredths (150.05 m) along an arc of a circle with a radius of one hundred seventy-seven metres and forty-four hundredths (177.44 m); toward the south-east, by an undivided part of the township, measuring, along this line, three hundred twenty-four metres and forty-eight hundredths (324.48 m); toward the south, by an undivided part of the township, measuring, along this line, one hundred twenty-six metres and forty-two hundredths (126.42 m) along an arc of a circle with a radius of two hundred sixty metres and six hundredths (260.06 m), two hundred ninety-seven metres and sixty-seven hundredths (297.67 m), three hundred fifteen metres and thirty-one hundredths (315.31 m), one hundred ninety-eight metres and twenty-three hundredths (198.23 m), sixty-eight metres and eighty-eight hundredths (68.88 m) and eighty-six metres and twenty-three hundredths (86.23 m) along an arc of a circle with a radius of one hundred seventy-five metres and six hundredths (175.06 m); toward the south-west, by an undivided part of the township, measuring, along this line, four hundred forty-eight metres and sixteen hundredths (448.16 m), one hundred twenty-two metres and sixty-three hundredths (122.63 m) along an arc of a circle with a radius of two hundred fifty-seven metres and fifty hundredths (257.50 m), three hundred eighteen metres and sixty-two hundredths (318.62 m), one hundred twenty-two metres and eighty-seven hundredths (122.87 m), two hundred ninety-two metres and seventy-five hundredths (292.75 m), two hundred seventy-seven metres and fifty-eight hundredths (277.58 m), eight hundred forty-two metres and ninety-seven hundredths (842.97 m) and one hundred ten metres and seventy-seven hundredths (110.77 m) along an arc of a circle with a radius of two hundred ninety metres and ninety-three hundredths (290.93 m); toward the west, by an undivided part of the township, measuring, along this line, five hundred thirty-five metres and ninety-eight hundredths (535.98 m), one hundred forty-five metres and ninety-five hundredths (145.95 m) along an arc of a circle with a radius of two hundred forty-six metres and six hundredths (246.06 m), four hundred fifty-nine metres and ninety-six hundredths (459.96 m), five hundred ninety-nine metres and ninety-six hundredths (599.96 m) and two hundred eighty-two metres and ten hundredths (282.10 m); toward the north-west, by an undivided part of the township, measuring, along this line, one hundred forty-four metres and thirty-eight hundredths (144.38 m) along an arc of a circle with a radius of six hundred sixteen metres and six hundredths (616.06 m), four hundred sixty metres and fifty-seven hundredths (460.57 m), three hundred thirty-eight metres and ninety-five hundredths (338.95 m) and two hundred fifty-nine metres and fifty-nine hundredths (259.59 m); toward the west, by an undivided part of the township, measuring, along this line, eighty-one metres and twenty-six hundredths (81.26 m) along an arc of a circle with a radius of two hundred fifty-seven metres and ninety-four hundredths (257.94 m), one hundred twenty-seven metres and fifty-six hundredths (127.56 m),

one hundred five metres and fifteen hundredths (105.15 m) along an arc of a circle with a radius of three hundred thirty-two metres and ninety-four hundredths (332.94 m), one thousand fifty-three metres and forty-four hundredths (1,053.44 m), one hundred seventeen metres and twenty-nine hundredths (117.29 m) along an arc of a circle with a radius of four hundred fifty-three metres and four hundredths (453.04 m), one hundred nineteen metres and thirty-two hundredths (119.32 m) along an arc of a circle with a radius of one thousand eighteen metres and sixteen hundredths (1,018.16 m), three hundred forty metres and seventy-one hundredths (340.71 m), five hundred fifty-nine metres and four hundredths (559.04 m) and one hundred forty-seven metres and eighty-five hundredths (147.85 m) along an arc of a circle with a radius of one hundred eighty-five metres and six hundredths (185.06 m); toward the north-west, by an undivided part of the township, measuring, along this line, six hundred fifty-three metres and ninety-three hundredths (653.93 m), one hundred ninety-seven metres and seventy-seven hundredths (197.77 m) along an arc of a circle with a radius of one thousand seven hundred sixty-four metres and six hundredths (1,764.06 m) and four hundred seventeen metres and ninety hundredths (417.90 m); toward the west, by an undivided part of the township, measuring, along this line, one hundred fifty-three metres and sixteen hundredths (153.16 m) along an arc of a circle with a radius of two hundred fifty-nine metres (259.00 m), six hundred thirty-eight metres and one hundredth (638.01 m), eighty-seven metres and sixty-nine hundredths (87.69 m) along an arc of a circle with a radius of two hundred metres and thirteen hundredths (200.13 m), three hundred twenty-five metres and one hundredth (325.01 m), one hundred ten metres and eighty-five hundredths (110.85 m) along an arc of a circle with a radius of three hundred twenty-three metres and fifty-six hundredths (323.56 m) and four hundred sixty-one metres and fifty-five hundredths (461.55 m); toward the south-west, by an undivided part of the township, measuring, along this line, one hundred forty metres and sixty-nine hundredths (140.69 m) along an arc of a circle with a radius of one hundred eighty-four metres and ninety-four hundredths (184.94 m), eight hundred eighty-seven metres and twenty-eight hundredths (887.28 m), five hundred twelve metres and sixty-eight hundredths (512.68 m), seven hundred eighty-two metres and fifty-three hundredths (782.53 m), eight hundred sixty-two metres and ten hundredths (862.10 m), nine hundred thirty-one metres and three hundredths (931.03 m) and one hundred sixty metres and fifty-two hundredths (160.52 m) along an arc of a circle with a radius of two hundred six metres and fifty hundredths (206.50 m); toward the west, by an undivided part of the township, measuring, along this line, three hundred five metres and twenty-five hundredths (305.25 m) and ninety-four metres and nineteen hundredths (94.19 m).

Area: Five hundred fourteen thousand two hundred twenty-four square metres and eight tenths (514,224.8 m²).

PARCEL No. 2

A parcel in undivided territory, undivided portion on the original survey of the TAVERNIER TOWNSHIP, in the ABITIBI registration division, in the TOWN OF SENNETERRE, being a mining road according to Orders in Council numbers 3278 of December 14, 1937, 346 of January 31, 1945, and 1886 of May 24, 1945, of irregular form, bounded, and described as follows: toward the north-east, by an undivided part of the township of Tiblemont, measuring, along this line, one hundred forty-seven metres and ninety-one hundredths (147.91 m), six hundred one metres and seventy-eight hundredths (601.78 m) and two hundred ninety-one metres and eighty-nine hundredths (291.89 m); toward the south, by an undivided part of the township of Pershing, being Parcel No. 3, measuring, along this line, twenty-three metres and twenty-three hundredths (23.23 m); toward the south-west, by an undivided part of the township of Tavernier, measuring, along this line, two hundred eighty metres and twenty-seven hundredths (280.27 m), six hundred one metres and seventy-one hundredths (601.71 m) and one hundred fourteen metres and nine hundredths (114.09 m) and toward the west, by an undivided part of the township of Tiblemont, being Parcel No. 1, measuring, along this line, thirty-nine metres and thirty hundredths (39.30 m).

Area: Twenty thousand four hundred ninety-five square metres and five tenths (20,495.5 m²).

PARCEL No. 3

A parcel in undivided territory, undivided portion on the original survey of the PERSHING TOWNSHIP, in the ABITIBI registration division, in the TOWN OF SENNETERRE, being a mining road according to Orders in Council numbers 3278 of December 14, 1937, 346 of January 31, 1945, and 1886 of May 24, 1945, of irregular form, bounded, and described as follows: toward the north, by an undivided part of the township of Tavernier, being Parcel No. 2, measuring, along this line, twenty-three metres and twenty-three hundredths (23.23 m); toward the north-east, by an undivided part of the township of Pershing, measuring, along this line, one hundred ninety-nine metres and sixty-three hundredths (199.63 m), one thousand six hundred sixty-five metres and eighty-six hundredths (1,665.86 m), three hundred ninety-six metres and fifty-four hundredths (396.54 m), fifty-nine metres and twenty-two hundredths (59.22 m) along an arc of a circle with a radius of hundred four metres and ninety-four hundredths (104.94 m), two thousand one hundred sixty-five metres and ninety-seven hundredths (2,165.97 m), four hundred fifty-one metres and fifty hundredths (451.50 m), five hundred thirty-eight metres and seventy-one hundredths (538.71 m), one thousand four

hundred twenty-four metres and twenty-one hundredths (1,424.21 m), thirty-five metres and seventy-four hundredths (35.74 m) along an arc of a circle with a radius of one hundred seventy-two metres and forty-seven hundredths (172.47 m), twenty-seven metres and thirty-five hundredths (27.35 m) along an arc of a circle with a radius of one hundred seven metres and fifty-two hundredths (107.52 m), seventy-five metres and fifty-nine hundredths (75.59 m), fifty-seven metres and seventy-six hundredths (57.76 m) along an arc of a circle with a radius of one thousand five hundred fifty-seven metres and seventy-three hundredths (1,557.73 m) and one hundred forty-seven metres and eleven hundredths (147.11 m); toward the north, by an undivided part of the township, measuring, along this line, one hundred six metres and thirty-eight hundredths (106.38 m) along an arc of a circle with a radius of two hundred thirty-five metres and five hundredths (235.05 m), one hundred fifty-two metres and eighty-one hundredths (152.81 m), one hundred fifty-one metres and fifty-seven hundredths (151.57 m), fifty-four metres and sixty-one hundredths (54.61 m), fifty-seven metres and forty-three hundredths (57.43 m); toward the east, by an undivided part of the township, being the extension of chemin Croinor, measuring, along this line, twenty metres and twelve hundredths (20.12 m); toward the south, by an undivided part of the township, measuring, along this line, fifty-seven metres and thirty-seven hundredths (57.37 m), fifty-four metres and sixty-three hundredths (54.63 m), one hundred fifty-one metres and seventy-three hundredths (151.73 m), one hundred fifty-two metres and ninety hundredths (152.90 m) and one hundred fifteen metres and forty-eight hundredths (115.48 m) along an arc of a circle with a radius of two hundred fifty-five metres and sixteen hundredths (255.16 m); toward the south-west, by an undivided part of the township, measuring, along these lines, one hundred forty-seven metres and eleven hundredths (147.11 m), fifty-seven metres and one hundredth (57.01 m) along an arc of a circle with a radius of one thousand five hundred thirty-seven metres and sixty-one hundredths (1,537.61 m), seventy-five metres and fifty-nine hundredths (75.59 m), thirty-two metres and forty-six hundredths (32.46 m) along an arc of a circle with a radius of one hundred twenty-seven metres and sixty-four hundredths (127.64 m), thirty-one metres and fifty-seven hundredths (31.57 m) along an arc of a circle with a radius of one hundred fifty-two metres and thirty-five hundredths (152.35 m), one thousand four hundred twenty-four metres and twenty-five hundredths (1,424.25 m), five hundred thirty-eight metres and sixty-eight hundredths (538.68 m), four hundred fifty-one metres and fifty-one hundredths (451.51 m), two thousand one hundred sixty-six metres and six hundredths (2,166.06 m), seventy metres and fifty-seven hundredths (70.57 m) along an arc of a circle with a radius of one hundred twenty-five metres and six hundredths (125.06 m), three hundred ninety-six metres

and fifty-seven hundredths (396.57 m), one thousand six hundred sixty-five metres and ninety-two hundredths (1,665.92 m) and two hundred eleven metres and twenty-seven hundredths (211.27 m).

Area: One hundred fifty-six thousand five hundred ninety-five square metres and six tenths (156,595.6 m²).

The whole as shown on the drawing prepared by Mr. Jean-Louis Leclerc, land surveyor, on February 20, 2012, under number 764 of his minutes and kept in the archives of the ministère des Transports under number TR-9106-154-11-7320.

2502

Gouvernement du Québec

O.C. 108-2013, 13 February 2013

An Act respecting roads
(chapter V-9)

CONCERNING the management and ownership of Halte de Sainte-Hélène-de-Bagot and a portion of autoroute 20 located in the territory of Municipalité de Sainte-Hélène-de-Bagot

WHEREAS autoroute 20 was built under the Trans-Canada Highway Act (14 George VI, 1950, c. 44, modified by 9-10 Elizabeth II, 1960-61, c. 8) and is State property under section 7 of the Act respecting roads (chapter V-9);

WHEREAS, pursuant to section 2 of the Act respecting roads, the government determined by Order in Council 292-93 dated March 3, 1993, that autoroute 20 is under the management of the Minister of Transport;

WHEREAS Halte de Sainte-Hélène-de-Bagot, located in the territory of Municipalité de Sainte-Hélène-de-Bagot, in the right-of-way of autoroute 20, is under the management of the Minister of Transport pursuant to Order in Council 483-95 of April 5, 1995, and that this rest area became State property under section 24 of the Act amending the Act respecting roads and other legislative provisions (1998, Chapter 35);

WHEREAS the rest area located on lots 4 578 051 and 4 578 050 of the Québec cadastre, in the Saint-Hyacinthe registration division, is no longer required and that it is, therefore, appropriate to cease recognizing these lots as a rest area;

WHEREAS lot 4 578 051 of the Québec cadastre is no longer required for autoroute 20 and that it is, therefore, appropriate to relinquish management of this lot and cease recognizing it as an autoroute, so that the Minister of Transport can dispose of it as surplus immovable property, in compliance with the Regulation respecting the terms and conditions for the disposal of surplus immovable property of departments and public bodies (chapter C-65.1, r. 1);

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

THAT the management of Halte de Sainte-Hélène-de-Bagot, located on lots 4 578 051 and 4 578 050 of the Québec cadastre, in the Saint-Hyacinthe registration division, in Municipalité de Sainte-Hélène-de-Bagot, shown on the plan prepared by Mr. François Malo, land surveyor, on June 10, 2010, under number 3712 of his minutes and kept in the archives of the ministère des Transports under number XX-8607-154-07-7139, page 1/1, be relinquished and that these lots be no longer recognized as a rest area;

THAT the management of the portion of autoroute 20, known and designated as lot 4 578 051 of the Québec cadastre, in the Saint-Hyacinthe registration division, in Municipalité de Sainte-Hélène-de-Bagot, be relinquished and that this lot be no longer recognized as part of an autoroute, so that the Minister of Transport can dispose of it as surplus immovable property;

THAT the schedule of Order in Council 483-95 of April 5, 1995, be amended accordingly;

THAT the schedule of Order in Council 292-93 of March 3, 1993, be amended accordingly;

THAT the current Order in Council be effective as of the date it is published in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

2503

Notices

Notice

Act respecting transportation services by taxi
(chapter S-6.01)

Commission des transports du Québec — Compendium of tariffs of private transportation by taxi

Please note that the Commission des transports du Québec has corrected the method of calculating the Québec sales tax, stipulated in the Compendium of tariffs of private transportation by taxi, so it is in accordance with the new method of calculating in force as of January 1, 2013, as enacted by An Act to amend the act respecting the Québec sales tax and other legislative provisions (2012, c. 28). This correction has no effect on the total amount charged for transportation services by taxi and does not modify the tariffs in force as of January 28, 2012, fixed by its decisions MPTC12-00022 of January 13, 2012, and MPTC12-00026 of January 16, 2012, in accordance with section 60 of the Act respecting transportation services by taxi (R.S.Q., c. S-6.01).

Please note that the Compendium of tariffs of private transportation by taxi, the text of which follows, replaces the Compendium of tariffs of private transportation by taxi published in the *Gazette officielle du Québec* on February 1, 2012.

CHRISTIAN DANEAU,
*Secretary of the Commission
des transports du Québec*

Compendium of tariffs of private transportation by taxi

Act respecting transportation services by taxi
(chapter S-6.01)

DIVISION I GENERAL PROVISIONS

1. This tariff is applicable to private transportation by taxi except for transportation provided under a specialized taxi permit.
2. When the vehicle used by the holder of a taxi permit is not equipped with a taximeter, the distance covered with a customer is measured by the odometer.

3. A taxi driver cannot claim for the price of a trip a price higher than the one calculated in accordance with this tariff.

4. For the purpose of this tariff, the term “hour or fraction of an hour wait” designates the time during which the taxi is not running or is running at less than 22.382 km per hour during a trip.

The number 22.382 is calculated from the hourly tariff divided by the tariff per km specified in section 6.

DIVISION II GENERAL TARIFFS

5. General tariffs are applicable to private transportation provided by holders of taxi owner’s permits throughout Québec, subject to the application of special tariffs.

6. The price of a trip calculated by the taximeter is as follows:

	Drop rate	Per kilometre covered with a customer	Per hour or fraction of an hour wait
Basic price	\$3.00	\$1.48	\$33.09
5% GST	\$0.15	\$0.07	\$1.65
9.975% QST	<u>\$0.30</u>	<u>\$0.15</u>	<u>\$3.31</u>
Taximeter rate	\$3.45	\$1.70	\$38.05

7. The price of a trip calculated by the odometer is as follows:

	Drop rate	Per kilometre covered with a customer	Per hour or fraction of an hour wait
Basic price	\$0.00	\$1.48	\$33.09
5% GST	\$0.00	\$0.07	\$1.65
9.975% QST	<u>\$0.00</u>	<u>\$0.15</u>	<u>\$3.31</u>
Odometer rate	\$0.00	\$1.70	\$38.05

DIVISION III SPECIAL TARIFFS

§1. *Tariffs applicable to transportation for which the starting point or destination is Montréal Trudeau Airport*

8. The price of a trip between the airport and downtown Montréal, whatever the number of passengers, is as follows:

Basic flat rate	\$34.79
5% GST	\$1.74
9.975% QST	<u>\$3.47</u>
Total flat rate	\$40.00

This price applies when the trip has only one pick-up point and one drop-off point.

For the purpose of this section, downtown Montréal is bounded as follows:

— westward: Avenue Atwater to the Lachine Canal; the Lachine Canal to the foot of Rue de Condé; Rue de Condé to Rue Saint-Patrick; Rue Saint-Patrick eastward to Rue Bridge; Rue Bridge to the Victoria Bridge;

— eastward: Avenue Papineau;

— southward: the buildings located on Avenue Pierre-Dupuy to the De la Concorde bridge;

— northward: Avenue des Pins; Rue Saint-Denis, from Avenue des Pins to Rue Cherrier; Rue Cherrier, from Rue Saint-Denis to Rue Sherbrooke; Rue Sherbrooke, from Rue Cherrier to Avenue Papineau.

Houses and buildings on either side of bordering streets are part of downtown Montréal.

9. When picking up customers at more than one location, and after having stopped a first time to drop off a customer, a taxi driver must calculate the price of a trip with the taximeter.

10. The minimum price for a trip starting at the main terminal of Montréal Trudeau Airport is \$17.00, including GST and QST.

Any lower taximeter reading is assumed to be \$17.00.

§2. Tariffs applicable to Québec Jean-Lesage Airport

11. The price of a trip between the main terminal of Jean-Lesage Airport and downtown Québec, whatever the number of passengers, is as follows:

Basic flat rate	\$29.79
5% GST	\$1.49
9.975% QST	<u>\$2.97</u>
Total flat rate	\$34.25

For the purpose of this section, downtown Québec is bounded as follows:

— northward: Autoroute Félix-Leclerc;

— eastward: Avenue d'Estimauville and its extension to the St. Lawrence River;

— southward: St. Lawrence River;

— westward: Autoroute Laurentienne; Rue Saint-Anselme to Rue des Commissaires; Rue des Commissaires; Boulevard Langelier; Côte-de-Salaberry; Avenue de Salaberry and its extension to the St. Lawrence River.

Houses and buildings on either side of bordering streets are part of downtown Québec.

12. The price of a trip from the main terminal of Jean-Lesage Airport to the Sainte-Foy area, whatever the number of passengers, is as follows:

Basic flat rate	\$13.05
5% GST	\$0.65
9.975% QST	<u>\$1.30</u>
Total flat rate	\$15.00

These tariffs are applicable when there are only one pick-up point and one drop-off point.

For the purpose of this section, the Sainte-Foy area is bounded as follows:

— northward: Rang Sainte-Anne; Route de l'Aéroport; Avenue Sainte-Geneviève;

— eastward: Autoroute Henri IV;

— southward: Autoroute Charest;

— westward: Avenue Jean-Gauvin; Boulevard Wilfrid-Hamel; Rue des Champs-Élysées and its extension between Boulevard Wilfrid-Hamel and Autoroute Charest.

Houses and buildings on either side of bordering streets are part of the Sainte-Foy area.

13. When picking up customers at more than one location, and after having stopped a first time to drop off a customer, a taxi driver must calculate the price of a trip with the taximeter.

§3. Tariffs applicable to the Fermont 297201 and James Bay (Radisson) 299101 servicing areas

14. The price of a trip calculated by the odometer is as follows:

	Drop rate	Per kilometre covered with a customer	Per hour or fraction of an hour wait
BBasic price	\$0.00	\$2.05	\$33.09
5% GST	\$0.00	\$0.10	\$1.65
9.975% QST	<u>\$0.00</u>	<u>\$0.20</u>	<u>\$3.31</u>
Odometer rate	\$0.00	\$2.35	\$38.05

15. The minimum price of a trip with an origin or destination in one of these servicing areas is \$6.40, including GST and QST.

Any lower reading is assumed to be \$6.40.

§4. Tariffs applicable to the Saint-Augustin 298206 (Lower North Shore) servicing area

16. The price of a trip between Saint-Augustin Airport or pier and the Saint-Augustin servicing area as well as between Saint-Augustin Airport and Pakuashipi Reservation is \$8.00, including GST and QST, per customer per trip.

DIVISION IV **FINAL PROVISIONS**

17. This tariff replaces *Tariffs of private transportation by taxi* set by decision MPTC1100085 rendered by the Commission on March 3, 2011, considering decision MPTC12-00022 rendered by the Commission on January 13, 2012.

Index

Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

	Page	Comments
Activities engaged in and described in sections 39.7 and 39.8 of the Code (Professional Code, chapter C-26)	381	M
Anti-Corruption, amended (2012, Bill 1)	325	
Automobile insurance Act — Reimbursement of certain expenses (chapter A-25)	391	Draft
Autorité des marchés financiers, An Act respecting the..., amended (2012, Bill 1)	325	
Building Act — Construction Code. (chapter B-1.1)	384	M
Building Act — Construction Code. (chapter B-1.1)	391	Draft
Building Act, amended. (2012, Bill 1)	325	
Charges payable for the disposal of residual materials (Environment Quality Act, chapter Q-2)	449	Draft
Cities and Towns Act, amended (2012, Bill 1)	325	
Code of Penal Procedure, amended (2012, Bill 1)	325	
Commission des transports du Québec — Compendium of tariffs of private transportation by taxi (An Act respecting transportation services by taxi, chapter S-6.01)	461	Notice
Communauté métropolitaine de Montréal, An Act respecting the..., amended (2012, Bill 1)	325	
Communauté métropolitaine de Québec, An Act respecting the..., amended (2012, Bill 1)	325	
Conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence. (An Act respecting health services and social services, chapter S-4.2)	365	N
Construction Code (Building Act, chapter B-1.1)	384	M
Construction Code (Building Act, chapter B-1.1)	391	Draft
Consumer Protection Act — Regulation (chapter P-40.1)	448	Draft
Contracting by public bodies, An Act respecting..., amended (2012, Bill 1)	325	

Environment Quality Act — Charges payable for the disposal of residual materials (chapter Q-2)	449	Draft
Health services and social services, An Act respecting... — Conditions for obtaining a certificate of compliance and the operating standards for a private seniors' residence (chapter S-4.2)	365	N
Individual and Family Assistance Act — Individual and Family Assistance. (chapter A-13.1.1)	450	Draft
Individual and Family Assistance (Individual and Family Assistance Act, chapter A-13.1.1)	450	Draft
Infirmières et infirmiers — Certificates issued by the Ordre des infirmières et infirmiers du Québec (Nurses Act, chapter I-8)	382	N
Integrity in Public Contracts Act (2012, Bill 1)	325	
Labour Code, amended. (2012, Bill 1)	325	
Labour relations, vocational training and workforce management in the construction industry, An Act respecting..., amended (2012, Bill 1)	325	
List of Bills sanctioned (7 December 2012)	323	
Management and ownership of Halte de Sainte-Hélène-de-Bagot and a portion of autoroute 20 located in the territory of Municipalité de Sainte-Hélène-de-Bagot (An Act respecting roads, chapter V-9)	460	
Mining Act — Minister of Transport — Authorization to declare that one portion of chemin de mine Croinor, located in the territory of Ville de Senneterre, is no longer a mining road (chapter M-13.1)	455	
Mining Act — Minister of Transport — Bridges of strategic importance that are under the jurisdiction of the Minister of Transport — Amendment of Order in Council number 98-2003 of January 29, 2003 (chapter M-13.1)	455	
Minister of Transport — Authorization to declare that one portion of chemin de mine Croinor, located in the territory of Ville de Senneterre, is no longer a mining road (An Act respecting roads, chapter V-9)	455	
Minister of Transport — Authorization to declare that one portion of chemin de mine Croinor, located in the territory of Ville de Senneterre, is no longer a mining road (Mining Act, chapter M-13.1)	455	
Minister of Transport — Bridges of strategic importance that are under the jurisdiction of the Minister of Transport — Amendment of Order in Council number 98-2003 of January 29, 2003 (An Act respecting roads, chapter V-9)	455	

Minister of Transport — Bridges of strategic importance that are under the jurisdiction of the Minister of Transport — Amendment of Order in Council number 98-2003 of January 29, 2003	455	
(Mining Act, chapter M-13.1)		
Mixed enterprise companies in the municipal sector, An Act respecting..., amended	325	
(2012, Bill 1)		
Municipal Code of Québec, amended	325	
(2012, Bill 1)		
Nurses Act — Infirmières et infirmiers — Certificates issued by the Ordre des infirmières et infirmiers du Québec	382	N
(chapter I-8)		
Occupational health and safety, An Act respecting..., amended.	325	
(2012, Bill 1)		
Parks Act — Parks	452	Draft
(chapter P-9)		
Parks	452	Draft
(Parks Act, chapter P-9)		
Pharmacists — Diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders	454	Draft
(Professional Code, chapter C-26)		
Professional Code — Activities engaged in and described in sections 39.7 and 39.8 of the Code	381	M
(chapter C-26)		
Professional Code — Pharmacists — Diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders	454	Draft
(chapter C-26)		
Public transit authorities, An Act respecting..., amended.	325	
(2012, Bill 1)		
Reimbursement of certain expenses	391	Draft
(Automobile insurance Act, chapter A-25)		
Roads, An Act respecting... — Management and ownership of Halte de Sainte-Hélène-de-Bagot and a portion of autoroute 20 located in the territory of Municipalité de Sainte-Hélène-de-Bagot	460	
(chapter V-9)		
Roads, An Act respecting... — Minister of Transport — Authorization to declare that one portion of chemin de mine Croinor, located in the territory of Ville de Senneterre, is no longer a mining road	455	
(chapter V-9)		
Roads, An Act respecting... — Minister of Transport — Bridges of strategic importance that are under the jurisdiction of the Minister of Transport — Amendment of Order in Council number 98-2003 of January 29, 2003	455	
(chapter V-9)		

Société de l'assurance automobile du Québec, An Act respecting the..., amended. (2012, Bill 1)	325	
Tax Administration Act, amended. (2012, Bill 1)	325	
Transportation services by taxi, An Act respecting... — Commission des transports du Québec — Compendium of tariffs of private transportation by taxi. (chapter S-6.01)	461	Notice