

Gazette
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DU Québec

Part

2

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19 April 2017

Laws and Regulations

Volume 149

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Contents

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- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
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Regulations and other Acts

Gouvernement du Québec

O.C. 369-2017, 5 April 2017

Crop Health Protection Act
(chapter P-42.1)

Designation of the protected crop zones in respect of potatoes

Designation of the protected crop zones in respect of potatoes

WHEREAS, under the first paragraph of section 7 of the Crop Health Protection Act (chapter P-42.1), the Government may designate any part of the territory of Québec as a protected crop zone, in respect of any species of plant or type of production it determines;

WHEREAS, under the second paragraph of section 7 of the Crop Health Protection Act, the Government must publish in the *Gazette officielle du Québec* and publicize, using any means that ensures that the persons concerned are rapidly and efficiently informed, a notice stating its intentions to designate any part of the territory of Québec as a protected crop zone, in respect of any species of plant or type of production;

WHEREAS the Government indicated its intention to designate the territories listed in the notice as protected crop zones in respect of potatoes in a notice published in Part 2 of the *Gazette officielle du Québec* of 18 May 2016;

WHEREAS, in order to consult the persons concerned, the notice of the Government's intention was also publicized in the Réseau d'avertissements phytosanitaires, the Bulletin Vertige and the Agri-Réseau portal;

WHEREAS the 45-day period provided for in the notice before the expiry of which the Order in Council of designation could not be made has expired;

WHEREAS the Government designated the territories protected to prevent disease in potatoes by Order in Council 860-88 dated 8 June 1988;

WHEREAS it is expedient for the Government to further designate the protected crop zones;

IT IS ORDERED, therefore, on the recommendation of the Minister of Agriculture, Fisheries and Food:

THAT the territory of the following municipalities be designated as protected crop zones in respect of potatoes:

Municipality	Regional county	Designation municipality
Albanel	Maria-Chapdelaine	Municipality
Auclair	Témiscouata	Municipality
Bégin	Le Fjord-du-Saguenay	Municipality
Cacouna	Rivière-du-Loup	Municipality
Chapais	Outside the RCM	Town
Chute-aux-Outardes	Manicouagan	Village
Dolbeau-Mistassini	Maria-Chapdelaine	Town
Kamouraska	Kamouraska	Municipality
L'Isle-Verte	Rivière-du-Loup	Municipality
Labrecque	Lac-Saint-Jean-Est	Municipality
Lejeune	Témiscouata	Municipality
Notre-Dame-des-Neiges	Les Basques	Municipality
Notre-Dame-du-Portage	Rivière-du-Loup	Municipality
Péribonka	Maria-Chapdelaine	Municipality
Petit-Saguenay	Le Fjord-du-Saguenay	Municipality
Pointe-aux-Outardes	Manicouagan	Village
Pointe-Lebel	Manicouagan	Village
Ragueneau	Manicouagan	Parish
Rivière-du-Loup	Rivière-du-Loup	Town
Rivière-Ouelle	Kamouraska	Municipality
Saint-Ambroise	Le Fjord-du-Saguenay	Municipality
Saint-André	Kamouraska	Municipality
Saint-Antonin	Rivière-du-Loup	Municipality

Municipality	Regional county	Designation municipality
Saint-Arsène	Rivière-du-Loup	Parish
Saint-Bruno-de-Kamouraska	Kamouraska	Municipality
Saint-David-de-Falardeau	Le Fjord-du-Saguenay	Municipality
Saint-Denis-De La Bouteillerie	Kamouraska	Municipality
Saint-Éloi	Les Basques	Parish
Saint-Épiphane	Rivière-du-Loup	Municipality
Saint-Fulgence	Le Fjord-du-Saguenay	Municipality
Saint-Germain	Kamouraska	Parish
Saint-Honoré	Le Fjord-du-Saguenay	Town
Saint-Juste-du-Lac	Témiscouata	Municipality
Saint-Modeste	Rivière-du-Loup	Municipality
Saint-Pascal	Kamouraska	Town
Trois-Pistoles	Les Basques	Town;

THAT part of the territories of the following municipalities whose map and technical description appear in the Schedules to this Order in Council also be designated as protected crop zones in respect of potatoes:

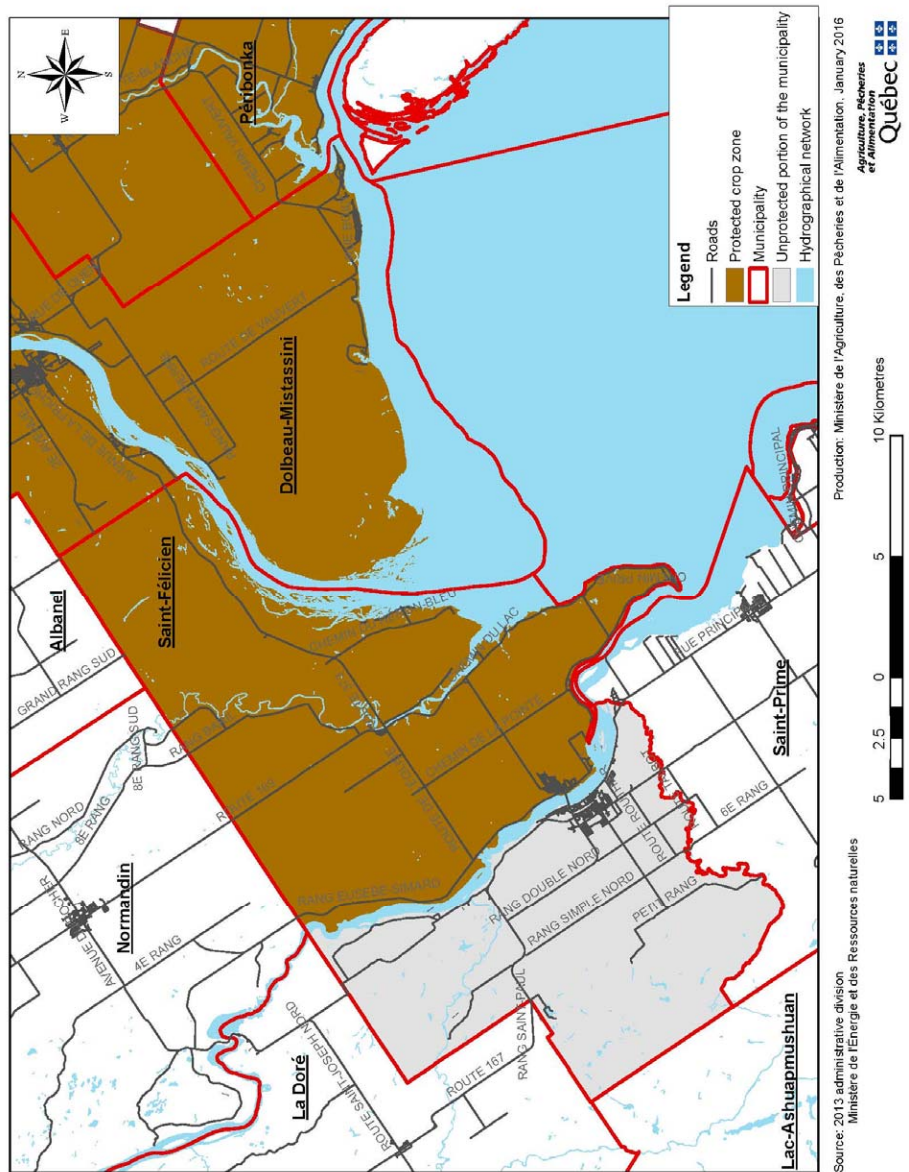
Saint-Félicien	Le Domaine-du-Roy	Town
Sainte-Jeanne-d'Arc	Maria-Chapdelaine	Village
Saguenay	Outside the RCM	Town;

THAT this Order in Council replace Order in Council 860-88 dated 8 June 1988;

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

SCHEDULE I
MAP OF THE TERRITORY OF SAINT-FÉLICIEN AND TECHNICAL
DESCRIPTION



Production: Ministère de l'Agriculture, des Pêcheries et de l'Alimentation, January 2016
 Agriculture, Pêcheries
 et Alimentation
Québec

Source: 2013 administrative division
 Ministère de l'Énergie et des Ressources naturelles

CANADA

PROVINCE OF QUÉBEC

REGISTRATION DIVISION OF
LAC-SAINT-JEAN-OUEST

TECHNICAL DESCRIPTION

TERRITORY OF MUNICIPALITÉ DE
SAINT-FÉLICIEN DESIGNATED AS
A PROTECTED CROP ZONE FOR THE
CULTIVATION OF POTATOES

A territory located in Municipalité de Saint-Félicien, having a total area of about 220 km² and whose perimeter is described as follows:

Starting from the northern corner of lot 5 156 449 of the official cadastre of Québec corresponding to the northern corner of Municipalité de Saint-Félicien,

Thence, southeasterly following the northeastern limit of lots 5 156 449, 2 672 842, 2 672 844, 2 672 845, 2 672 841, 5 156 448 et 2 671 048, 2 912 666, 2 671 093, 2 912 735, 2 912 713, 2 912 671, 2 672 927 and the extension of the said limit to the centre line of rivière Mistassini,

Thence, southwesterly following the centre line of the said river going downstream and skirting to the left the islands nearest to the right bank and to the right the islands nearest to the left bank to the intersection of the northeasterly extension of the southeastern limit of lot 2 672 421 with the said centre line,

Thence, southwesterly following the northeasterly extension of the southeastern limit of lot 2 672 421 to its eastern corner,

Thence, southeasterly, southerly and southwesterly following the shore of lac Saint-Jean to rivière Ashuapmushuan,

Thence, northwesterly following the northeastern limit of rivière Ashuapmushuan to the western corner of lot 2 671 121,

Thence, northeasterly following the northwestern limit of lots 2 671 121, 2 912 607, 2 912 606, 2 672 917, 5 157 777 to the northern corner of the said lot 5 157 777,

Thence, northeasterly following the southeastern limit of lots 3 554 931, 3 307 549 and 3 307 556 to the eastern corner of the said lot,

Thence, northwesterly following the southwestern limit of lot 2 912 610 to the western corner of the said lot,

Thence, northeasterly following the northwestern limit of lots 2 912 610, 2 670 948, 2 670 975, 2 912 621, 2 670 997, 2 912 634, 2 912 140, 2 912 142, 3 369 545, 2 912 142, 2 912 143 to the intersection of the northwestern limit of lot 2 912 142 and rivière Ticouapé,

Thence, northeasterly following a straight line across rivière Ticouapé to the northwestern corner of lot 2 912 145,

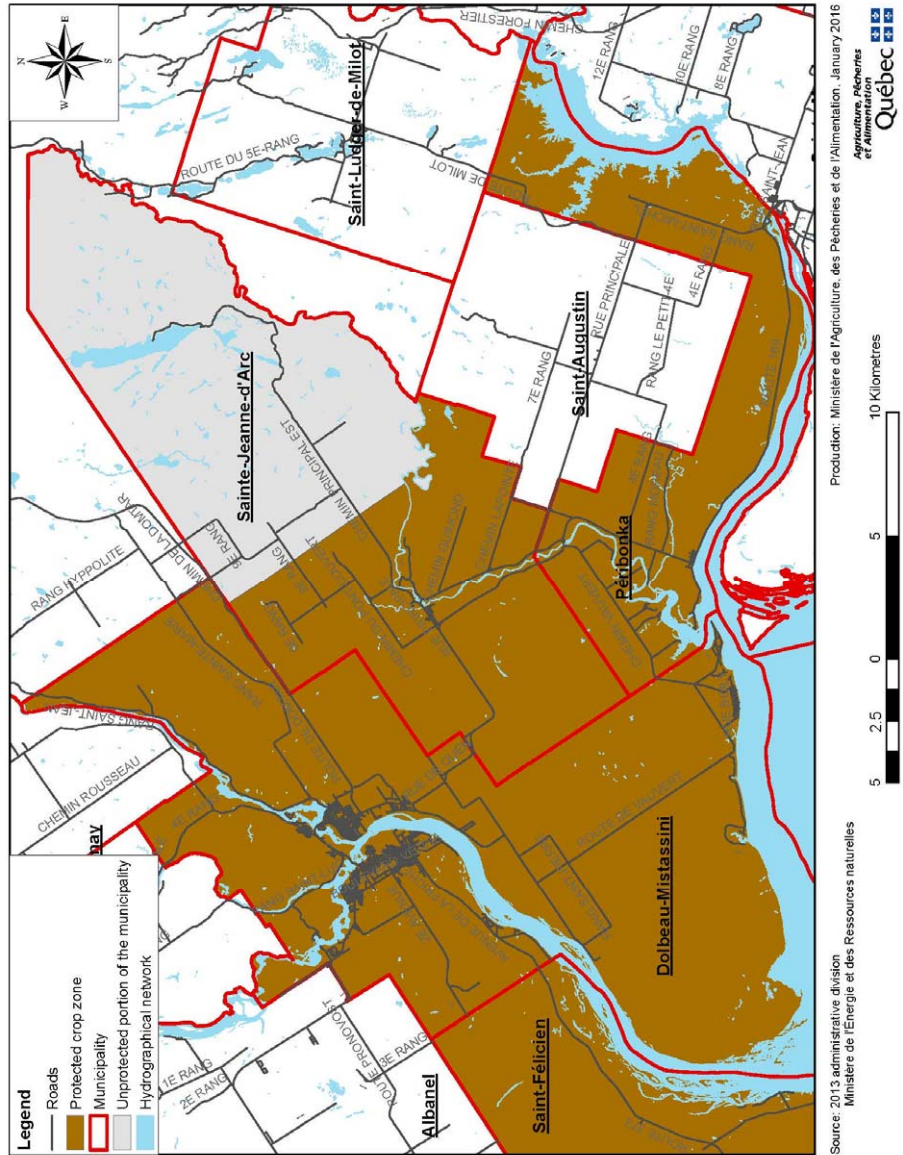
Thence, northeasterly following the northwestern limit of lots 2 912 145, 2 911 971, 2 911 980, 2 911 984, 2 911 985, 2 911 987, 5 157 776 and 5 156 449 to the starting point.

The data in this document are expressed in the International System of Units (SI).

Done and prepared in Saguenay, this twenty-sixth day of the month of January of the year 2016, under number 3054 of my minutes.

SÉBASTIEN BERGERON,
Land Surveyor

SCHEDULE II
MAP OF THE TERRITORY OF SAINTE-JEANNE-D'ARC AND
TECHNICAL DESCRIPTION



CANADA

PROVINCE OF QUÉBEC

REGISTRATION DIVISION OF
LAC-SAINT-JEAN-OUEST

TECHNICAL DESCRIPTION

TERRITORY OF MUNICIPALITÉ DE
SAINTE-JEANNE-D'ARC DESIGNATED
AS A PROTECTED CROP ZONE FOR THE
CULTIVATION OF POTATOES

A territory located in Municipalité de Saint-Jeanne-d'Arc, having a total area of about 118 km² and whose perimeter is described as follows:

Starting from the western corner of lot 1 of Rang 2 of the official cadastre of Canton de Dolbeau,

Thence, northeasterly following the dividing line of Rang 1 and Rang 2 of the said township to the eastern corner of lot 21 of the said range,

Thence, northeasterly following a straight line to the southwestern corner of lot 10 of Rang 6 of the official cadastre of Canton Dalmas,

Thence, easterly following the dividing line of Rang 5 and Rang 6 of the said township to the southeastern corner of lot 10 of Rang 6 of the said township,

Thence, northerly following the western limit of lot 16 of Rang 6 of the said township to the northwestern corner of the said lot,

Thence, easterly following the dividing line of Rang 6 and Rang 7 to the southeastern corner of lot 20 of Rang 7,

Thence, northerly following the eastern limit of lot 20 to the northeastern corner of the said lot,

Thence, easterly following the dividing line of Rang 7 and Rang 8 of the said township to the southeastern corner of lot 26 of Rang 8,

Thence, following the extension of the eastern limit of lot 26 of Rang 7 northerly to the intersection with the dividing line of Canton de Dalmas and Canton de Milot,

Thence, westerly following the dividing line of the said townships to the meeting point with Petite rivière Péribonka,

Thence, westerly following the south bank of Petite rivière Péribonka to the intersection of the southeasterly extension of the northeastern limit of lot 47 of Rang 5 of the official cadastre of Canton de Dolbeau and the south bank of the said river,

Thence, northwesterly following the northeastern limit of lots 47 of ranges 5, 6, 7, 8 and 9 to the northern corner of lot 47 of Rang 9,

Thence, southwesterly following the dividing line of Rang 9 and Rang 10 of the said township to the northwesterly intersection of the southeastern limit of lot 31 of Rang 7 with the said dividing line of Rang 9 and Rang 10,

Thence, following the northwesterly extension of the southeastern limit of lot 31 of Rang 7 to the western corner of the said lot,

Thence, southwesterly following the dividing line of Rang 7 and Rang 8 to the western corner of lot 11 of Rang 7,

Thence, southeasterly following the southwestern limit of lot 11 to the southern corner of the said lot,

Thence, southwesterly following the dividing line of Rang 6 and Rang 7 to the dividing limit of Canton de Dolbeau and Canton de Racine,

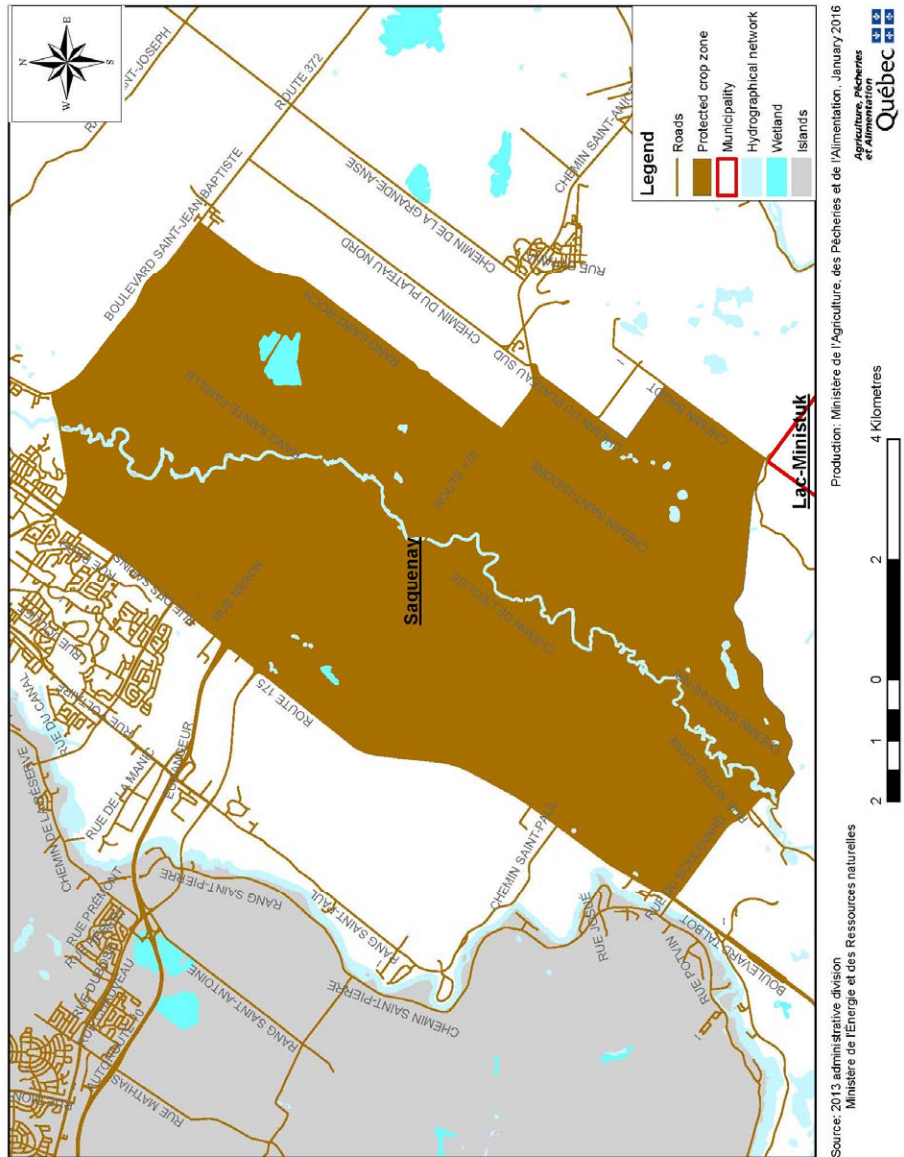
Thence, southeasterly following the limit of the township to the starting point.

The data in this document are expressed in the International System of Units (SI).

Done and prepared in Saguenay, this twenty-sixth day of the month of January of the year 2016, under number 3052 of my minutes

SÉBASTIEN BERGERON,
Land Surveyor

SCHEDULE III
MAP OF THE TERRITORY OF SAGUENAY AND TECHNICAL
DESCRIPTION



CANADA

PROVINCE OF QUÉBEC

REGISTRATION DIVISION OF CHICOUTIMI

TECHNICAL DESCRIPTION

TERRITORY OF THE MUNICIPALITY OF VILLE DE SAGUENAY DESIGNATED AS A PROTECTED CROP ZONE FOR THE CULTIVATION OF POTATOES

A territory located in the municipality of Ville de Saguenay, having a total area of 73.9 km² and whose perimeter is described as follows:

Starting from the intersection between the southeastern right of way of boulevard Talbot and the southwestern right of way of boulevard de l'Université Est, that is, the northwesternmost corner of lot 4 231 097 of the cadastre of Québec.

Approximate coordinates: 5 363 827 m N. and 264 007 m E.

Thence, easterly, southeasterly, easterly and northeasterly following the southern, southwestern, southern and southeastern right of way of boulevard de l'Université to the intersection of the southern right of way of boulevard de l'Université Est and the southwestern right of way of boulevard Saint-Jean-Baptiste, that is, at the northeasternmost corner of lot 3 803 114 of the cadastre of Québec.

Approximate coordinates: 5 363 902 m N. and 265 986 m E.

Thence, southeasterly following the southwestern right of way of boulevard Saint-Jean-Baptiste to the intersection of the southwestern right of way of boulevard Saint-Jean-Baptiste and the northwestern right of way of rang Saint-Roch, that is, the easternmost corner of lot 4 228 962 of the cadastre of Québec.

Approximate coordinates: 5 361 585 m N. and 268 891 m E.

Thence, southwesterly, southerly and again southwesterly following the northwestern and western right of way of rang Saint-Roch to the intersection of the northwestern right of way of rang Saint-Roch and the southwestern right of way of route 170, that is, the northern corner of lot 4 408 136 of the cadastre of Québec.

Approximate coordinates: 5 356 456 m N. and 265 578 m E.

Thence, southeasterly and northeasterly following the southwestern and southeastern right of way of route 170 to the intersection of the southeastern right of way of route 170 and the northwestern limit of lot 4 014 435 of the cadastre of Québec.

Approximate coordinates: 5 355 965 m N. and 266 568 m E.

Thence, southwesterly following the northwestern limit of lot 4 014 435 of the cadastre of Québec then the northwestern right of way of chemin des Sables to the meeting point with the northeastern limit of lot 4 406 304.

Approximate coordinates: 5 354 865 m N. and 265 805 m E.

Thence, northwesterly following the northeastern limit of lot 4 406 304 to the northern corner of the said lot.

Approximate coordinates: 5 354 867 m N. and 265 802 m E.

Thence, southwesterly following the southwesterly extension of the southeastern limit of lot 4 406 375 of the cadastre of Québec to the northern corner of lot 4 406 303.

Approximate coordinates: 5 354 398 m N. and 265 469 m E.

Thence, southeasterly following the northeastern limit of lot 4 406 303 of the said cadastre to the intersection of the said limit and the northwestern right of way of chemin des Sables (lot 4 408 134).

Approximate coordinates: 5 353 762 m N. and 266 392 m E.

Thence, southwesterly following the northwestern right of way of chemin des Sables to the intersection of the northwestern right of way of the said road and the northeastern limit of lot 4 408 009 (railway).

Approximate coordinates: 5 352 085 m N. and 265 228 m E.

Thence, northwesterly following the northeastern, northern and northwestern limits of the right of way of the railway to a point whose coordinates are 5 351 427.4 m N. and 259 998.4 m E.

Thence, northwesterly following a straight line to a point located on the southeastern right of way of rue Gauthier and whose coordinates are 5 351762.4 m N. and 259505.9 m E.

Thence, northeasterly following the southeastern right of way of rue Gauthier to the intersection of the said right of way and the southeasterly extension of the northeastern limit of lot 4 408 098 of the said cadastre.

Approximate coordinates: 5 351 990 m N. and 259 593 m E.

Thence, northwesterly following the northeastern right of way of rue du Boulevard to the intersection with the southeastern right of way of boulevard Talbot, that is, the western corner of lot 4 407 831 of the cadastre of Québec.

Approximate coordinates: 5 353 373 m N. and 257 889 m E.

Thence, northeasterly following the southeastern right of way of boulevard Talbot to the starting point.

The data in this document are expressed in the International System of Units (SI) and refer to the SCOPQ SYSTEM, NAD83, Zone 7, central meridian at 70°30'.

Done and prepared in Saguenay, this fifteenth day of the month of December of the year 2015, under number 3031 of my minutes

SÉBASTIEN BERGERON,
Land Surveyor

102924

Gouvernement du Québec

O.C. 382-2017, 5 April 2017

An Act to establish the Administrative Labour Tribunal (chapter T-15.1)

Administrative Labour Tribunal —Code of Ethics of the Members

CONCERNING the Code of Ethics of the Members of the Administrative Labour Tribunal

WHEREAS pursuant to the first paragraph of section 2 of the Act to establish the Administrative Labour Tribunal (chapter T-15.1) (the Act), the Tribunal is composed of members appointed by the Government after consultation with the Comité consultatif du travail et de la main-d'œuvre established under section 12.1 of the Act respecting the Ministère du Travail (chapter M-32.2);

WHEREAS pursuant to the first paragraph of section 67 of the Act to establish the Administrative Labour Tribunal, the Government must, after consultation with the president of the Tribunal, establish a code of ethics applicable to the members;

WHEREAS pursuant to sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft version of the Code of Ethics of the Members of the Administrative Labour Tribunal was published in Part 2 of the Gazette officielle du Québec on October 5, 2016, with a notice that it may be enacted by the Government upon expiry of 45 days from its publication;

WHEREAS no comments were received further to publication of the draft code; it therefore is appropriate to enact the code without amendments;

IT IS ORDERED, therefore, on the recommendation of the minister responsible for Labour:

THAT the Code of Ethics of the Members of the Administrative Labour Tribunal, appended hereto, be enacted.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Code of ethics of the members of the Administrative Labour Tribunal

An Act to establish the Administrative Labour Tribunal (chapter T-15.1, s. 67)

DIVISION I GENERAL

1. The purpose of this Code is to ensure and promote public trust in the integrity and impartiality of the Tribunal by favouring high standards of conduct for its members appointed by the Government.

2. Members must render justice under the applicable rules of law.

DIVISION II RULES OF CONDUCT AND DUTIES OF MEMBERS

3. Members must perform their duties with honour, dignity and integrity, keeping in mind that accessibility and promptness are important values of the Tribunal.

4. Members must perform their duties without discrimination.

5. Members must act in a respectful and courteous manner towards persons appearing before them, while exercising the authority necessary for the proper conduct of the hearing.

6. Members must uphold the integrity of the Tribunal and defend its independence in the best interest of justice.

7. Members must make themselves available to discharge their duties conscientiously, carefully and diligently.

8. Members must take the measures required to keep up-to-date and upgrade the knowledge and skills necessary to perform their duties.

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

10. Members are bound by deliberative secrecy.

11. Members must be overtly objective and impartial.

12. Members must perform their duties with complete independence, free of any interference.

13. Members must act with reserve and prudence in public, particularly when using information and communication technologies.

14. Members must disclose to the president any direct or indirect interest that they have in any enterprise that could cause a conflict between personal interest and the duties of their office.

15. Members must be politically neutral in the performance of their duties.

16. A member may exercise functions gratuitously within a professional order or a non-profit organization. The member must inform the president of his or her intention to do so.

The functions a member wants to exercise must not compromise the effective performance of the member's duties as a member, or the member's or the Tribunal's impartiality or independence.

DIVISION III INCOMPATIBLE SITUATIONS AND ACTIVITIES

17. Members must refrain from pursuing an activity or placing themselves in a situation that may undermine the honour, dignity, integrity or independence of their office, or discredit the Tribunal.

18. The following is incompatible with the performance of their duties:

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

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

(3) giving advice related to matters that come within the jurisdiction of the Tribunal, except if such advice is not likely to compromise the member's or the Tribunal's impartiality or integrity;

(4) becoming involved in any cause or participating in any lobby whose objectives or activities are related to matters that come within the jurisdiction of the Tribunal.

19. Members must not engage in any activity or partisan political participation at the federal, provincial, municipal or school level.

DIVISION IV FINAL PROVISION

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

102925

Gouvernement du Québec

O.C. 385-2017, 5 April 2017

An Act to establish the Administrative Labour Tribunal (chapter T-15.1)

Administrative Labour Tribunal — Rules of evidence and procedure

CONCERNING the Rules of evidence and procedure of the Administrative Labour Tribunal

WHEREAS pursuant to the first paragraph of section 105 of the Act to establish the Administrative Labour Tribunal (chapter T-15.1), the Administrative Labour Tribunal may, in a regulation passed by a majority of its members, make rules of evidence and procedure specifying the manner in which the rules established by this Act or by the Acts under which matters are heard by the Tribunal are to be applied and make exceptions in the application of the rules established by law concerning a recourse or a division of the Tribunal;

WHEREAS pursuant to the third paragraph of section 105 of the above Act, a regulation passed by the Tribunal pursuant to the first paragraph of the section is submitted to the Government for approval.

WHEREAS pursuant to sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft version of the Rules of evidence and procedure of the Administrative Labour Tribunal was published in Part 2 of the *Gazette officielle du Québec* of 5 October 2016, with a notice that it may be submitted for approval by the Government upon expiry of 45 days from its publication;

WHEREAS it is appropriate to approve the rules, without amendments;

IT IS ORDERED, therefore, on the recommendation of the minister responsible for Labour:

THAT the Rules of evidence and procedure of the Administrative Labour Tribunal, appended hereto, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Rules of evidence and procedure of the Administrative Labour Tribunal

An Act to establish the Administrative Labour Tribunal (chapter T-15.1, s. 105)

CHAPTER I GENERAL PROVISIONS

DIVISION I PRELIMINARY PROVISIONS

1. These rules apply to all the matters brought before the Tribunal.

Their purpose is to ensure the simple, flexible and prompt processing of applications, particularly with the cooperation of the parties and their representatives and the use of available technological means by the parties and the Tribunal, in accordance with the rules of natural justice and the equality of parties.

2. At any stage, the proceedings and the presentation of evidence must be proportionate to the nature and complexity of the matter.

DIVISION II RULES RELATING TO PROCEEDINGS

3. The application instituting a proceeding must be made in writing and it must make it possible to identify the author by the author's signature or that which serves the purpose of a signature.

It must contain the following information:

(1) the applicant's name, address, electronic mail address, and telephone and fax numbers;

(2) if the applicant is represented, the representative's name, address, electronic mail address, and telephone and fax numbers;

(3) the other parties' names, addresses, electronic mail addresses, and telephone and fax numbers;

(4) the identification of the contested decision;

(5) any other information required by the present rules, by the Tribunal or pursuant to the legal provision on which the application is based.

Any changes to the information must be immediately confirmed to the Tribunal in writing.

The application instituting a proceeding must be accompanied by a summary of the facts and conclusions sought. The contested decision must also be provided when required by the Tribunal.

4. Any subsequent written communication must specify the record number assigned by the Tribunal to each matter to which it pertains.

5. An application instituting a proceeding or any other application or document may be filed by any means compatible with the Tribunal's technological environment.

The Tribunal's website contains the list of those means, as well as the technical conditions specific to their use.

6. The Tribunal may require a party to explain or clarify the party's contentions in writing, file documents or present evidence within the time period it determines.

It may also require a party to provide a list of the witnesses the party intends to call at the hearing, as well as a summary of their testimony.

7. If the party does not meet one of the requirements provided for in section 6 within the set time period, the Tribunal may, depending on the circumstances:

- (1) refuse the filing of the document or evidence;
- (2) refuse to receive any evidence related to the required information, document or evidence;
- (3) render its decision accordingly, without further delay or notice.

8. An application instituting a proceeding or any other proceeding may be discontinued by the filing with the Tribunal of a written notice from the discontinuing party or the party's representative. The notice must make it possible to identify the author by the author's signature or that which serves the purpose of a signature.

A party may also give notice of discontinuance orally at the hearing.

DIVISION III REPRESENTATION

9. A person who agrees to represent a party after the application instituting a proceeding has been filed must provide written confirmation to the Tribunal and specify the number of each matter for which the person is authorized to act. The authorization is valid for all the stages of the proceeding.

Any change of representative must be promptly confirmed to the Tribunal in writing.

DIVISION IV COMMUNICATION OF THE PROCEEDINGS AND EVIDENCE

10. For matters falling under the occupational health and safety division, the Tribunal must send the other parties in the matter the proceedings and the evidence filed by a party with the Tribunal more than 15 days before the date set for the hearing.

A party who files a proceeding or evidence with the Tribunal within a shorter time period must notify the other parties as soon as possible before the hearing.

11. For matters falling under the labour relations division, the essential services division or the construction industry and occupational qualification division, a party who files a proceeding or any other document with the Tribunal must notify the other parties and ensure that it indicates its notification and the method used for that purpose.

If, for certain matters contemplated in the first paragraph, the Tribunal's technological environment enables it to assume the responsibility of the parties, it will post the list of those matters on its website.

12. When a party is represented, communications must be sent to the party's representative.

However, in the occupational health and safety division, when a party is represented, the Tribunal must also send the party the proceedings that have an impact on the continuation or on the end of the matter, or on the hearing.

13. If the Tribunal encounters technical difficulties in reproducing a piece of evidence it must send the parties, the Tribunal may require the party who filed the evidence to reproduce it and to send it to the other parties within the time and on the conditions determined by the Tribunal.

14. If a piece of evidence filed in the record by a party cannot be communicated to the other parties by the Tribunal because of the nature or characteristics of the evidence, the Tribunal must inform the parties that the piece of evidence has been filed and that it may be examined at the office of the Tribunal where it was filed.

15. An expert report must be filed in the record of the Tribunal at least 30 days before the date set for the hearing.

The Tribunal may however authorize the filing of such a report within any other number of days and on the conditions determined by the Tribunal.

16. A party who files a written document at the hearing must provide copies for the other parties and the Tribunal.

17. A piece of evidence may not be withdrawn before the record is closed, except with the permission of the Tribunal and on the conditions it determines.

DIVISION V SUBPŒNA

18. A party who wants a witness to be required to appear or file documents at a hearing must use the form provided by Tribunal.

The subpoena form is issued by the Tribunal or the attorney representing the party.

19. The subpoena must be notified at least 10 days prior to the date of appearance.

However, in the interest of justice, the Tribunal may reduce the 10-day notification period. That decision must be specified in the subpoena.

20. A witness who is required to provide documents concerning a person's state of health must take the necessary measures to protect the confidentiality of the information in the documents.

21. A party who plans to have a professional testify on a person's state of health or to produce an expert witness must inform the Tribunal as soon as possible.

The party must then indicate the name and occupation of the witness to the Tribunal.

DIVISION VI HEARING

22. The hearing of a matter falling under the occupational health and safety division must take place in the region, identified by the Tribunal, where the worker is domiciled.

The hearing of a matter falling under another division of the Tribunal must take place in the region, identified by the Tribunal, where the employer has an establishment and where the facts of the matter originated.

For any matter, the Tribunal may determine another place in the interest of justice.

23. A party who is of the opinion that the Tribunal must schedule more than one day of hearing applies for it as soon as possible. The party must then indicate to the Tribunal the expected duration of the hearing and the grounds justifying it.

24. Applications for postponement of a hearing must be filed in writing as soon as possible.

The application, in writing, must include supporting documents, be notified to the other parties and contain the following information:

- (1) the grounds invoked;
- (2) the consent of the other parties, where applicable;
- (3) the probable duration of the hearing;
- (4) the need for expert evidence and the presence of an expert at the hearing;
- (5) the early dates when all the parties, their representatives and witnesses, including the experts, are available.

25. A hearing is postponed only if the grounds invoked are serious and if required for the ends of justice.

The parties' consent is not in itself sufficient ground to grant a postponement.

26. The Tribunal may refuse an application for postponement because of the nature of the matter, the impossibility to set a new hearing at an early enough date, the obligation to comply with a time period prescribed by law, or the conduct of the party submitting the application.

27. When the application for postponement is substantiated by the need for the services of an expert or by the expert's unavailability for the hearing, the Tribunal may ask the party submitting the application to confirm, as the case may be, that the expert accepts the mandate or that the expert will be available to testify at the next date to be set.

28. All persons attending a hearing must behave with dignity and respect. They must refrain from disrupting the hearing.

29. The Tribunal may make an audio recording of the hearing. It may also receive testimonies and arguments by videoconference, telephone conference or any other means the Tribunal deems appropriate.

An authorization by the Tribunal is necessary for any other audio recording.

30. In no case may images be recorded or all or part of an audio recording be broadcasted.

31. The Tribunal may order the exclusion of witnesses.

32. A person called to testify must swear to tell the truth. The person must then state his or her name, address and occupation, unless the Tribunal decides otherwise.

33. An expert witness must also swear that his or her testimony will respect the primary duty to enlighten the Tribunal and that the opinion provided will be objective, impartial, thorough and based on the most current knowledge on the questions on which the expert's opinion is required.

34. Where the services of an interpreter are needed for a hearing, the interpreter must swear that the translation will be faithful.

35. The Tribunal may prohibit or restrict the disclosure, publication or broadcasting of testimonies, information or documents identified by the Tribunal where required to preserve public order or if required for confidentiality purposes to ensure the proper administration of justice.

36. The Tribunal must take judicial notice of generally recognized facts, opinions and information within its field of specialization.

37. Evidence provided in relation to a matter may also be presented in another matter of the Tribunal with the authorization of the Tribunal and on the conditions it determines.

38. When a visit of the premises is ordered, the Tribunal must determine the rules applicable to the visit.

39. The minutes of the hearing must contain:

- (1) the name of the member and of the assessor;
- (2) the date and place of the hearing, and the time at which it began and ended;
- (3) the name and address of each party and those of each party's representative;
- (4) the name of each witness;
- (5) the name of the interpreter;
- (6) the identification and number of each exhibit;
- (7) an indication that the hearing was recorded;
- (8) all admissions of importance for the conduct of hearing and the decision to be rendered;
- (9) the orders of the Tribunal and the decisions rendered during the hearing, except those concerning the evidence;
- (10) the date on which the matter was taken under advisement; and
- (11) any other information useful for the purposes of the matter.

DIVISION VII RECUSATION

40. If a member of the Tribunal recuses himself or herself, the hearing must be suspended until another member is appointed or until a new bench is formed.

41. An application for the recusation of a member of the Tribunal addressed to the president must give a written account of the facts and grounds on which it is based.

The proceedings are suspended as soon as the application is filed in the record. The suspension is in effect until the president or the member designated by the president rules on the application.

42. The member named in an application for recusation may file in the record a statement indicating the member's position as to the truthfulness of the facts alleged in support of the application.

The statement of the member whose recusation is sought can only be contradicted by written proof.

43. The application may be heard during the hearing. Otherwise, it is decided on the record, unless the president or the member designated by the president considers it necessary to summon the parties to a hearing.

The hearing must be held in the absence of the member whose recusation is sought.

DIVISION VIII COMPUTING A TIME PERIOD PRESCRIBED BY THESE RULES

44. The day marking the start of the period is not counted, but the last day is counted.

A time period expires on the last day at midnight; a time period that would normally expire on a holiday must be extended until the next working day.

The following are holidays:

- (1) Saturdays and Sundays;
- (2) January 1 and 2;
- (3) Good Friday;
- (4) Easter Monday;
- (5) June 24, the Québec National Holiday;
- (6) July 1, Canada Day, or July 2 if July 1 falls on a Sunday;
- (7) the first Monday of September, Labour Day;
- (8) the second Monday of October;
- (9) December 25 and 26;

(10) the day set by proclamation of the Governor General for the celebration of the birthday of the Sovereign;

(11) any other day set by proclamation or order of the Government as a public holiday or as a day of thanksgiving.

45. A document sent by mail is presumed to be filed with the Tribunal on the date postmarked.

A document sent by fax is presumed to be filed with the Tribunal on the date and at the time appearing in the report produced by the Tribunal's fax machine that received the document.

A message sent by electronic mail is presumed to be filed with the Tribunal on the date of receipt, as recorded by the Tribunal's server.

CHAPTER II SPECIAL PROVISIONS APPLICABLE TO THE LABOUR RELATIONS DIVISION, THE ESSENTIAL SERVICES DIVISION AND THE CONSTRUCTION INDUSTRY AND OCCUPATIONAL QUALIFICATION DIVISION

46. A party who wants a matter brought before the Tribunal, including an application for a provisional order, to be heard and decided by preference must file a written document setting out the grounds in support of the main application and the conclusions sought, as well as the grounds in support of the application for proceeding by preference.

Unless the Tribunal itself summons the parties, the application must also contain a notice indicating the date, time and place where the application will be heard. That information must have been validated by the Tribunal beforehand.

A sworn statement attesting to the truthfulness of the facts alleged in the application must be submitted along with an application for a provisional order, as well as the documents invoked in support of the application.

47. A person who claims to have an interest in a matter may submit an application for intervention with the Tribunal by means of a written document containing the information provided for in section 3 of these rules, and a summary of the reasons for the person's interest.

48. Objections to an application for intervention must be substantiated and filed in writing with the Tribunal immediately following notification of the request.

CHAPTER III SPECIAL PROVISIONS APPLICABLE TO THE LABOUR RELATIONS DIVISION

49. The notice provided by the employer under the first paragraph of the section 20.0.1 of the Labour Code (chapter C-27) must accompany an application for the conversion of the status of an employee provided for under that section.

50. A petition for certification must be submitted by means of a form provided by the Tribunal. The form contains, among other things, the following information:

(1) the name of the petitioning association, its address, electronic mail address, and telephone and fax numbers;

(2) the name of the employer, its address, electronic mail address, and telephone and fax numbers;

(3) the address of the establishment concerned, and its telephone and fax numbers;

(4) if a certification already exists, the name of any certified association, its address, electronic mail address, and telephone and fax numbers.

The petition must be accompanied by the resolution authorizing the petition and by any other document required under the Labour Code (chapter C-27).

The Tribunal sends the petition to the employer, to the associations already certified to represent the employees concerned by the petition (where applicable), and to the other parties.

51. An application for recognition of a home childcare providers association must be filed by means of a form provided by the Tribunal. The form contains, among other things, the following information:

(1) the name of the applicant association, its address, electronic mail address, and telephone and fax numbers;

(2) the name of the affiliated association, its address, electronic mail address, and telephone and fax numbers;

(3) the address of the institution concerned, and its telephone and fax numbers;

(4) if recognition already exists, the name of any recognized association, its address, electronic mail address, and telephone and fax numbers.

The application must be accompanied by the resolution authorizing the application and by any other document required under the Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements (chapter R-24.0.1).

The Tribunal sends the application to the Minister, to the associations already recognized to represent the home childcare providers concerned by the application (where applicable), and to the other parties.

52. An application for recognition of an association representing family-type resources and certain intermediate resources must be filed by means of a form provided by the Tribunal. The form contains, among other things, the following information:

(1) the name of the applicant association, its address, electronic mail address, and telephone and fax numbers;

(1) the name of the affiliated association, its address, electronic mail address, and telephone and fax numbers;

(2) the address of the institution concerned, and its telephone and fax numbers;

(3) if recognition already exists, the name of any recognized association, its address, electronic mail address, and telephone and fax numbers.

The application must be accompanied by the resolution authorizing the application and by any other document required under the Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements (chapter R-24.0.2).

The Tribunal sends the application to the Minister, to the institution concerned and, where applicable, to the associations already recognized to represent the resources concerned by the application, and to the other parties.

53. An application for an order regarding the holding of a secret ballot provided for in section 58.2 of the Labour Code (chapter C-27) must be accompanied by the employer's last offers.

54. An application for the setting of an indemnity further to a decision by the Tribunal must be accompanied by a detailed statement of the claim.

55. The party concerned by the application must indicate, within 30 days after notification, the elements of the claim the party is contesting, the grounds for the contestation and, where applicable, the amounts that should be granted by the Tribunal.

CHAPTER IV SPECIAL PROVISIONS APPLICABLE TO THE OCCUPATIONAL HEALTH AND SAFETY DIVISION

56. The contestation of a decision that does not recognize the existence of an occupational disease must be accompanied by the names of the employers for whom the worker carried on work conducive to the occupational disease.

57. The Tribunal must forward an income and expenditures statement to a party who, for financial reasons, applies for a suspension order provided for in section 359 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001).

The application for a suspension order must be processed upon the filing of the duly completed statement.

58. A party to a decision rendered under section 193 of the Act respecting occupational health and safety (chapter S-2.1), other than the party contesting it before the Tribunal, who wishes to take part in the matter before the Tribunal must file a written document within 10 days of the date on which the application instituting a proceeding was sent to him or her by the Tribunal. The document must contain, in particular, the information required from an applicant in subparagraphs (1) and (2) of the second paragraph of section 3.

The applications, documents and notices that are subsequently filed in the record must be sent by the Tribunal or notified by a party, as provided for in section 10, only to the persons who filed the written document mentioned in the preceding paragraph.

CHAPTER V SPECIAL PROVISION APPLICABLE TO THE ESSENTIAL SERVICES DIVISION

59. The strike notice provided for in sections 111.0.23 and 111.11 of the Labour Code (chapter C-27) must indicate the time at which the strike begins and, where applicable, the time at which the strike ends, the name and address of the establishment in question and the file number of the bargaining unit contemplated in the notice.

CHAPTER VI SPECIAL PROVISIONS APPLICABLE TO THE CONSTRUCTION INDUSTRY AND OCCUPATIONAL QUALIFICATION DIVISION

60. An application provided for in section 21 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) must be notified to the owner of the job site or to the contractor concerned by the conflict or the

interpretation or application issue, to each contractors' association listed in subparagraph (c.1) of section 1 of the Act, as well as to each employees' association with a certificate of representativeness under section 34 of the Act.

Any party identified in the application who wants to take part in the debate must file with the Tribunal a written document containing the information required from an applicant in subparagraphs (1) and (2) of the second paragraph of section 3 within 10 days of receiving notification of the application.

The applications, documents and notices that are subsequently filed in the record must be notified only to the persons who filed the written document provided for in the preceding paragraph.

61. For the applications contesting the decision of an administrative authority, each party must file a summary of their claims and indicate the conclusions sought.

Such a summary is also required for the applications provided for in section 21 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) and in section 11.1 of the Building Act (chapter B-1.1), as well as for the applications concerning the exercise of freedom of association.

The summary must be filed with the Tribunal within 30 days of notification of the application.

62. Unless the Act that provides for contestation of a decision determines a different time period, the administrative authority that rendered the decision must send the Tribunal, within 30 days of notification of the application contemplated in section 61, a copy of its record in relation to the decision.

63. For the applications provided for in section 7.7 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) and in section 57 of the Regulation respecting the labour-referral service licence in the construction industry (chapter R-20, r. 8.1), the time period provided for in sections 61 and 62 is 48 hours.

CHAPTER VII FINAL PROVISION

64. These rules come into force on the 15th day following the date of their publication in the *Gazette officielle du Québec*.

M.O., 2017

Order of the Minister responsible for Higher Education dated 30 March 2017

General and Vocational Colleges Act
(chapter C-29)

CONCERNING the Regulation to amend the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges

THE MINISTER RESPONSIBLE FOR HIGHER EDUCATION,

WHEREAS in and by section 18.1 of the General and Vocational Colleges Act (CQLR, chapter C-29);

WHEREAS the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges was made by the Minister's Order dated 17 June 2005 approved by the Conseil du trésor on 21 June 2005 (C.T. 202573) and as amended;

WHEREAS it is expedient to amend the current Regulation and to make the Regulation attached hereto;

WHEREAS, pursuant to section 18.1 of the General and Vocational Colleges Act, the Conseil du trésor has given its authorization;

WHEREAS the Regulations Act (CQLR, chapter R-18.1) does not apply to such a Regulation;

ORDERS THAT:

The Regulation to amend the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges, herewith attached, be made.

HÉLÈNE DAVID,
*The Minister responsible
for Higher Education*

Regulation to amend the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges¹

General and Vocational Colleges Act
(CQLR, chapter C-29, s. 18.1)

1. Division VII of Chapter III of the Regulation respecting certain conditions of employment of senior executives of general and vocational colleges, including sections 23 and 24, is repealed.

2. The Regulation is amended by inserting, after section 26, the following:

“DIVISION IX ADDITIONAL REMUNERATION

26.1 A senior executive is entitled to additional remuneration for the periods set and according to the terms and conditions prescribed in Schedule III of this Regulation.

The additional remuneration is not considered part of salary and is not pensionable.”

26.2 For the purposes of applying section 26.1, salary includes maternity, paternity or adoption leave allowances, parental leave benefits, salary insurance benefits including those paid by the CNESST, the IVAC compensation plan and the SAAQ as well as employment-injury benefits paid by the employer, if need be.”

3. The title of Chapter IV of the Regulation is amended by inserting, after “APPOINTMENT,” “EVALUATION,”

4. The title of Division I of Chapter IV of the Regulation is amended by adding, after “APPOINTMENT”, “AND EVALUATION”.

5. The Regulation is amended by inserting, after section 29, the following:

“**29.1** The college shall review the performance of its senior executive staff annually for the reference period of 1 July to 30 June according to the terms and conditions determined by the college.”

6. Schedule II of the Regulation is replaced with the following:

“SCHEDULE II SALARY INCREASES AND SALARY SCALES ACCORDING TO JOB CLASSIFICATIONS OF SENIOR EXECUTIVES

1. A senior executive’s salary scales and salary shall be increased according to the following periods and parameters:

(1) Period from 1 April 2015 to 31 March 2016

Each salary scale in effect on 31 March 2015 shall be maintained without increase.

(2) Period from 1 April 2016 to 31 March 2017

Each salary scale in effect on 31 March 2016 shall be increased, effective on 1 April 2016, by 1.5%.

(3) Period from 1 April 2017 to 31 March 2018

Each salary scale in effect on 31 March 2017 shall be increased, effective on 1 April 2017, by 1.75%.

(4) Period from 1 April 2018 to 31 March 2019

Each salary scale in effect on 31 March 2018 shall be increased, effective on 1 April 2018, by 2.0%.

(5) Period from 1 April 2019 to 31 March 2020

Each salary scale in effect on 31 March 2019 shall be maintained without increase.

In the case of subparagraphs (2), (3) and (4), a senior executive’s salary shall be increased on the date on which the salary scales come into force by a percentage equal to that of the salary scale corresponding to his classification without, however, exceeding the maximum of the salary scale of the class of employment corresponding to his classification.

¹ The Regulation respecting certain conditions of employment of senior executives of general and vocational colleges made by the Minister’s Order dated 17 June 2005 approved by the Conseil du trésor, C.T. 202573 on 21 June 2005 (2005, *G.O.* 2, 2423) was amended by the Regulation made by the Minister’s Order dated 18 May 2006 approved by the Conseil du trésor, C.T. 203754 (2006, *G.O.* 2, 1708), the Regulation made by the Minister’s Order dated 18 November 2008 approved by the Conseil du trésor, C.T. 207141 (2008, *G.O.* 2, 5545), the Regulation made by the Minister’s Order dated 18 June 2009 approved by the Conseil du trésor, C.T. 207980 (2009, *G.O.* 2, 2111), the Regulation made by the Minister’s Order dated 6 June 2011 (2011, *G.O.* 2, 1398), the Regulation made by the Minister’s Order dated 11 July 2012 (2012, *G.O.* 2, 4128) and the Regulation made by the Minister’s Order dated 5 September 2012 (2012, *G.O.* 2, 2752).

2. Salary Scales

CLASSES	RATES		RATES		RATES		RATES	
	on		on		on		on	
	2015-03-31		2016-04-01		2017-04-01		2018-04-01	
	(S)		(S)		(S)		(S)	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
15	114 882	153 178	116 605	155 476	118 646	158 197	121 019	161 361
14	108 528	144 703	110 156	146 874	112 084	149 444	114 326	152 433
13	102 522	136 696	104 060	138 746	105 881	141 174	107 999	143 997
12	96 852	129 136	98 305	131 073	100 025	133 367	102 026	136 034
11	91 494	121 992	92 866	123 822	94 491	125 989	96 381	128 509
10	86 433	115 244	87 729	116 973	89 264	119 020	91 049	121 400
9	81 650	108 871	82 875	110 504	84 325	112 438	86 012	114 687

7. The Regulation is amended by adding, after Schedule II, the following:

«**SCHEDULE III**
ADDITIONAL REMUNERATION

1. Period from 1 April 2015 to 31 March 2016

A senior executive is entitled to additional remuneration of 1.0% of the salary received from 1 April 2015 to 31 March 2016.

2. Period from 1 April 2019 to 31 March 2020

A senior executive is entitled to additional remuneration of 0.5% of the salary received from 1 April 2019 to 31 March 2020.”

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

102932

M.O., 2017

Order of the Minister of Education, Recreation and Sports dated 30 March 2017

Education Act
(chapter I-13.3)

CONCERNING the Regulation to amend the Regulation respecting certain conditions of employment of senior executives of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal

THE MINISTER OF EDUCATION, RECREATION AND SPORTS,

WHEREAS in and by section 451 of the Education Act (CQLR, chapter I-13.3);

WHEREAS the Regulation respecting certain conditions of employment of senior executives of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal was made by the Minister's Order dated 18 November 2004 approved by the Conseil du trésor on 30 November 2004 (C.T. 201768) and as amended;

WHEREAS it is expedient to amend the current Regulation and to make the Regulation attached hereto;

WHEREAS, pursuant to section 451 of the Education Act, the Conseil du trésor has given its authorization;

WHEREAS the Regulations Act (CQLR, chapter R-18.1) does not apply to such a Regulation;

ORDERS THAT:

The Regulation to amend the Regulation respecting certain conditions of employment of senior executives of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal, herewith attached, be made.

SÉBASTIEN PROULX,
*The Minister of Education,
Recreation and Sports*

Regulation to amend the Regulation respecting certain conditions of employment of senior executives of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal¹

Education Act
(CQLR, chapter I-13.3, s. 451)

1. Section 4 of the Regulation respecting certain conditions of employment of senior executives of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal is amended by replacing the definition of “salary” with the following:

¹ The Regulation respecting certain conditions of employment of senior executives of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal made by the Minister's Order dated 18 November 2004 approved by the Conseil du trésor, C.T. 201768, on 30 November 2004 (2004, *G.O.* 2, 3529) was amended by the Regulation made by the Minister's Order dated 17 June 2005 approved by the Conseil du trésor, C.T. 202756 (2005, *G.O.* 2, 2483), the Regulation made by the Minister's Order dated 6 October 2005 approved by the Conseil du trésor, C.T. 202857 (2005, *G.O.* 2, 4715), the Regulation made by the Minister's Order dated 5 December 2005 approved by the Conseil du trésor, C.T. 203161 (2006, *G.O.* 2, 246), the Regulation made by the Minister's Order dated 2 December 2005 approved by the Conseil du trésor, C.T. 203163 (2006, *G.O.* 2, 318), the Regulation made by the Minister's Order dated 18 May 2006 approved by the Conseil du trésor, C.T. 203753 (2006, *G.O.* 2, 1698), the Regulation made by the Minister's Order dated 18 June 2009 approved by the Conseil du trésor, C.T. 207979 (2009, *G.O.* 2, 2110), the Regulation made by the Minister's Order dated 6 June 2011 (2011, *G.O.* 2, 1399), the Regulation made by the Minister's Order dated 11 July 2012 (2012, *G.O.* 2, 4137) and the Regulation made by the Minister's Order dated 10 August 2012 (2012, *G.O.* 2, 2754).

““salary”: means remuneration paid to a senior executive in accordance with the salary scales that are part of this Regulation, excluding lumpsum payments, premiums for regional disparities or the salary increase in lieu of fringe benefits.”

2. Section 18 of the Regulation is replaced with the following:

“**18.** Where in the Minister's opinion, the principal and usual duties do not correspond to any of the job descriptions prescribed in Schedule 1, he shall determine the class based on the results of a job evaluation process using the Hay© method and the corresponding salary scale found in Schedule 3 of this Regulation.

The class may be revised according to the terms and conditions determined by the Minister.”

3. The title of Division 2 of Chapter 3 is replaced with the following:

“**DIVISION 2**
ADDITIONAL REMUNERATION”

4. Section 24 of the Regulation is replaced with the following:

“**24.** A senior executive is entitled to additional remuneration of 1.0% of the salary received from 1 April 2015 to 31 March 2016.

A senior executive is entitled to additional remuneration of 0.5% of the salary received from 1 April 2019 to 31 March 2020.

For the purposes of this section, salary includes maternity, paternity or adoption leave allowances, parental leave benefits, salary insurance benefits including those paid by the CNESST, the IVAC compensation plan and the SAAQ as well as employmentinjury benefits paid by the employer, if need be.

The additional remuneration prescribed in this section is not considered part of salary and is not pensionable.”

5. Sections 25 to 27 of the Regulation are repealed.

6. Section 33 of the Regulation is replaced with the following:

“**33.** A senior executive’s salary scales and salary shall be increased by:

- (1) 1.50% from 1 April 2016 to 31 March 2017;
- (2) 1.75% from 1 April 2017 to 31 March 2018;
- (3) 2.00% from 1 April 2018 to 31 March 2019.

The salary scales are found in Schedule 3.”.

7. Sections 33.1 to 33.5 are repealed.

8. The title of Division 1 of Chapter 6 of the Regulation is amended by replacing “AND APPOINTMENT” with “; APPOINTMENT AND EVALUATION”.

9. The Regulation is amended by inserting, after section 112, the following:

“**112.1.** The school board shall review the performance of its senior executive staff annually.”.

10. Schedule 3 of the Regulation is replaced with the following:

CLASSES	RATES on 2015-03-31 (\$)		RATES on 2016-04-01 (\$)		RATES on 2017-04-01 (\$)		RATES on 2018-04-01 (\$)	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
	18	136 261	181 694	138 305	184 419	140 725	187 646	143 540
17	128 732	171 644	130 663	174 219	132 950	177 268	135 609	180 813
16	121 611	162 148	123 435	164 580	125 595	167 460	128 107	170 809
15	114 882	153 178	116 605	155 476	118 646	158 197	121 019	161 361
14	108 528	144 703	110 156	146 874	112 084	149 444	114 326	152 433
13	102 522	136 696	104 060	138 746	105 881	141 174	107 999	143 997
12	96 852	129 136	98 305	131 073	100 025	133 367	102 026	136 034
11	91 494	121 992	92 866	123 822	94 491	125 989	96 381	128 509
10	86 433	115 244	87 729	116 973	89 264	119 020	91 049	121 400
9	81 650	108 871	82 875	110 504	84 325	112 438	86 012	114 687
8	77 134	102 846	78 291	104 389	79 661	106 216	81 254	108 340
7	71 838	95 783	72 916	97 220	74 192	98 921	75 676	100 899

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

102930

M.O., 2017

Order of the Minister responsible for Higher Education dated 30 March 2017

General and Vocational Colleges Act
(chapter C-29)

CONCERNING the Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges

THE MINISTER RESPONSIBLE FOR HIGHER EDUCATION,

WHEREAS in and by section 18.1 of the General and Vocational Colleges Act (CQLR, chapter C-29);

WHEREAS the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges was made by the Minister's Order dated 17 June 2005 approved by the Conseil du trésor on 21 June 2005 (C.T. 202574) and as amended;

WHEREAS it is expedient to amend the current Regulation and to make the Regulation attached hereto;

WHEREAS, pursuant to section 18.1 of the General and Vocational Colleges Act, the Conseil du trésor has given its authorization;

WHEREAS the Regulations Act (CQLR, chapter R-18.1) does not apply to such a Regulation;

ORDERS THAT:

The Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges, herewith attached, be made.

HÉLÈNE DAVID,
*The Minister responsible
for Higher Education*

Regulation to amend the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges¹

General and Vocational Colleges Act
(CQLR, chapter C-29, s. 18.1)

1. Division VI of Chapter IV of the Regulation respecting certain conditions of employment of senior staff of general and vocational colleges, including sections 37 and 38, is repealed.

2. The Regulation is amended by inserting, after section 38, the following:

“DIVISION VII ADDITIONAL REMUNERATION

38.1 A senior staff member is entitled to additional remuneration for the periods set and according to the terms and conditions prescribed in Schedule IV of this Regulation.

The additional remuneration is not considered part of salary and is not pensionable.

38.2 For the purposes of applying section 38.1, salary includes maternity, paternity or adoption leave allowances, parental leave benefits, salary insurance benefits including those paid by the CNESST, the IVAC compensation plan and the SAAQ as well as employment-injury benefits paid by the employer, if need be.”

3. Schedule II of the Regulation is replaced with the following:

“SCHEDULE II SALARY INCREASES AND SALARY SCALES ACCORDING TO CLASSES OF SENIOR STAFF POSITIONS

1. A senior staff member’s salary scales and salary shall be increased according to the following periods and parameters:

(1) Period from 1 April 2015 to 31 March 2016

Each salary scale in effect on 31 March 2015 shall be maintained without increase.

(2) Period from 1 April 2016 to 31 March 2017

Each salary scale in effect on 31 March 2016 shall be increased, effective on 1 April 2016, by 1.5%.

(3) Period from 1 April 2017 to 31 March 2018

Each salary scale in effect on 31 March 2017 shall be increased, effective on 1 April 2017, by 1.75%.

(4) Period from 1 April 2018 to 31 March 2019

Each salary scale in effect on 31 March 2018 shall be increased, effective on 1 April 2018, by 2.0%.

(5) Period from 1 April 2019 to 31 March 2020

Each salary scale in effect on 31 March 2019 shall be maintained without increase.

In the case of subparagraphs (2), (3) and (4), a senior staff member’s salary shall be increased on the date on which the salary scales come into force by a percentage equal to that of the salary scale corresponding to his classification without, however, exceeding the maximum of the salary scale of the class of employment corresponding to his classification.

¹ The Regulation respecting certain conditions of employment of senior staff of general and vocational colleges made by the Minister’s Order dated 17 June 2005 approved by the Conseil du trésor, C.T. 202574 dated 21 June 2005 (2005, *G.O.* 2, 2449) was amended by the Regulation made by the Minister’s Order dated 18 May 2006 approved by the Conseil du trésor, C.T. 203752 (2006, *G.O.* 2, 1688), the Regulation made by the Minister’s Order dated 16 June 2009 approved by the Conseil du trésor, C.T. 207978 (2009, *G.O.* 2, 2108) the Regulation made by the Minister’s Order dated 6 June 2011 (2011, *G.O.* 2, 1400), the Regulation made by the Minister’s Order dated 11 July 2012 (2012, *G.O.* 2, 2585), the Regulation made by the Minister’s Order dated 10 August 2012 (2012, *G.O.* 2, 2756) and the Minister’s Order dated 23 June 2015 (2015, *G.O.*, 1090).

2. Salary Scales

CLASSES	RATES on 2015-03-31 (S)		RATES on 2016-04-01 (S)		RATES on 2017-04-01 (S)		RATES on 2018-04-01 (S)	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
	_____	_____	_____	_____	_____	_____	_____	_____
10	86 433	115 244	87 729	116 973	89 264	119 020	91 049	121 400
9	81 650	108 871	82 875	110 504	84 325	112 438	86 012	114 687
8	77 134	102 846	78 291	104 389	79 661	106 216	81 254	108 340
7	71 838	95 783	72 916	97 220	74 192	98 921	75 676	100 899
6	66 905	89 207	67 909	90 545	69 097	92 130	70 479	93 973
5	62 310	83 079	63 245	84 325	64 352	85 801	65 639	87 517
4	58 032	77 375	58 902	78 536	59 933	79 910	61 132	81 508
3	51 788	69 052	52 565	70 088	53 485	71 315	54 555	72 741
2	46 220	61 624	46 913	62 548	47 734	63 643	48 689	64 916
1	41 247	54 993	41 866	55 818	42 599	56 795	43 451	57 931

SALARY SCALES RESULTING FROM PAY EQUITY

Employment group	Class	Title	Min./Max.	Rates on 2015-03-31 (S)	Rates on 2016-04-01 (S)	Rates on 2017-04-01 (S)	Rates on 2018-04-01 (S)
31	3	Superintendent of Community Services	Minimum	52 428	53 214	54 145	55 228
			Maximum	69 690	70 735	71 973	73 412
32	3	Superintendent of Supply Services	Minimum	52 428	53 214	54 145	55 228
			Maximum	69 690	70 735	71 973	73 412
35	2	Administration Officer	Minimum	55 647	56 482	57 470	58 619
			Maximum	64 704	65 675	66 824	68 160

SALARY SCALES RESULTING FROM PAY EQUITY (2010)

Employment group	Class	Title	Min./Max.	Rates on 2015-03-31 (\$)	Rates on 2016-04-01 (\$)	Rates on 2017-04-01 (\$)	Rates on 2018-04-01 (\$)
13	7	Director of Corporate Affairs and Communications	Minimum	71 896	72 974	74 251	75 736
			Maximum	95 862	97 300	99 003	100 983
17	7	Director of International Cooperation and Specialized Centre (IRPI), Maisonneuve	Minimum	71 896	72 974	74 251	75 736
			Maximum	95 862	97 300	99 003	100 983
19	6	Coordinator of Continuing Education not reporting to a director	Minimum	66 959	67 963	69 152	70 535
			Maximum	89 280	90 619	92 205	94 049
19	7	Coordinator of Continuing Education not reporting to a director	Minimum	71 896	72 974	74 251	75 736
			Maximum	95 862	97 300	99 003	100 983
21	6	Coordinator of Human Resources Services	Minimum	66 959	67 963	69 152	70 535
			Maximum	89 280	90 619	92 205	94 049
58	6	Coordinator of Department of International Cooperation	Minimum	66 959	67 963	69 152	70 535
			Maximum	89 280	90 619	92 205	94 049
58	6	Coordinator of Communications	Minimum	66 959	67 963	69 152	70 535
			Maximum	89 280	90 619	92 205	94 049
58	6	Coordinator of Corporate Affairs and Communications	Minimum	66 959	67 963	69 152	70 535
			Maximum	89 280	90 619	92 205	94 049
58	6	Coordinator of Corporate Affairs	Minimum	66 959	67 963	69 152	70 535
			Maximum	89 280	90 619	92 205	94 049
58	6	Artistic and General Director–Salle Pauline Julien	Minimum	66 959	67 963	69 152	70 535
			Maximum	89 280	90 619	92 205	94 049
58	7	Coordinator of Specialized Centre (Jonquière-Centre linguistique, Jonquière-NAD, Jonquière-ECOBES)	Minimum	71 896	72 974	74 251	75 736
			Maximum	95 862	97 300	99 003	100 983
59	6	Coordinator of Continuing Education Services reporting to a director	Minimum	66 959	67 963	69 152	70 535
			Maximum	89 280	90 619	92 205	94 049
145	10	Director of Continuing Education (Marie-Victorin)	Minimum	86 709	88 010	89 550	91 341
			Maximum	115 610	117 344	119 398	121 786
166	7	Coordinator of Continuing Education Services reporting to a director	Minimum	71 896	72 974	74 251	75 736
			Maximum	95 862	97 300	99 003	100 983

4. Schedule III of the Regulation is replaced with the following:

**“SCHEDULE III
EVENING SHIFT, WEEKEND AND NIGHT SHIFT PREMIUMS
(managers)**

PREMIUMS	RATES until 2015-03-31	RATES on 2015-04-01	RATES on 2016-04-01	RATES on 2017-04-01	RATES on 2018-04-01	RATES as of 2019-04-02
Evening shift premium	\$0.73/hour	\$0.73/hour	\$0.74/hour	\$0.75/hour	\$0.77/hour	\$0.79/hour
Weekend premium	\$2.98/hour	\$2.98/hour	\$3.02/hour	\$3.07/hour	\$3.13/hour	\$3.19/hour
Night shift premium (years of seniority)						
0 to 5 years	11%	11%	11%	11%	11%	11%
5 to 10 years	12%	12%	12%	12%	12%	12%
10 years or more	14%	14%	14%	14%	14%	14%

5. The Regulation is amended by adding, after Schedule III, the following:

**«SCHEDULE IV
ADDITIONAL REMUNERATION**

1. Period from 1 April 2015 to 31 March 2016

A senior staff member is entitled to additional remuneration of 1.0% of the salary received from 1 April 2015 to 31 March 2016.

2. Period from 1 April 2019 to 31 March 2020

A senior staff member is entitled to additional remuneration of 0.5% of the salary received from 1 April 2019 to 31 March 2020.”

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

102931

M.O., 2017

**Order of the Minister of Education, Recreation
and Sports dated 30 March 2017**

Education Act
(chapter I-13.3)

CONCERNING the Regulation to amend the Regulation respecting certain conditions of employment of senior staff of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal

THE MINISTER OF EDUCATION, RECREATION AND SPORTS,

WHEREAS in and by section 451 of the Education Act (CQLR, chapter I-13.3);

WHEREAS the Regulation respecting certain conditions of employment of senior staff of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal was made by the Minister's Order dated 10 May 2012 approved by the Conseil du trésor on 8 May 2012 (C.T. 211408);

WHEREAS it is expedient to amend the current Regulation and to make the Regulation attached hereto;

WHEREAS, pursuant to section 451 of the Education Act, the Conseil du trésor has given its authorization;

WHEREAS the Regulations Act (CQLR, chapter R-18.1) does not apply to such a Regulation;

ORDERS THAT:

The Regulation to amend the Regulation respecting certain conditions of employment of senior staff of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal, herewith attached, be made.

SÉBASTIEN PROULX,
*The Minister of Education,
Recreation and Sports*

Regulation to amend the Regulation respecting certain conditions of employment of senior staff of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal¹

Education Act
(CQLR, chapter I-13.3, s. 451)

1. Section 39 of the Regulation respecting certain conditions of employment of senior staff of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal is replaced with the following:

“**39.** A senior staff member’s salary scales and salary shall be increased by:

- (1) 1.50% from 1 April 2016 to 31 March 2017;
- (2) 1.75% from 1 April 2017 to 31 March 2018;
- (3) 2.00% from 1 April 2018 to 31 March 2019.

The salary scales are found in Schedule III.”.

2. Sections 40 to 44 of the Regulation are repealed.

3. Section 46 of the Regulation is amended by inserting, at the end, the following paragraph:

“A senior staff member’s salary on the applicable salary scale shall be determined by maintaining the same relative position as that of his reference salary at the end of the first 104 weeks of total disability in relation to the salary scale applicable to him at the end of that period.”.

4. The Regulation is amended by inserting, after section 46, the following title:

“DIVISION II ADDITIONAL REMUNERATION”.

5. Section 47 of the Regulation is replaced with the following:

“**47.** A senior staff member is entitled to additional remuneration of 1.0% of the salary received from 1 April 2015 to 31 March 2016.

A senior staff member is entitled to additional remuneration of 0.5% of the salary received from 1 April 2019 to 31 March 2020.

For the purposes of this section, salary includes maternity, paternity or adoption leave allowances, parental leave benefits, salary insurance benefits including those paid by the CNESST, the IVAC compensation plan and the SAAQ as well as employment injury benefits paid by the employer, if need be.

The additional remuneration prescribed in this section is not considered part of salary and is not pensionable.”.

6. The title “DIVISION II, ADDITIONAL REMUNERATION”, which follows section 47 of the Regulation, is deleted.

7. Schedule III of the Regulation is replaced with the following:

¹ Regulation respecting certain conditions of employment of senior staff of school boards and of the Comité de gestion de la taxe scolaire de l'île de Montréal was made by the Minister’s Order dated 10 May 2012 (2012, G.O. 2, 1817).

CLASSES	RATES on 2015-03-31 (\$)		RATES on 2016-04-01 (\$)		RATES on 2017-04-01 (\$)		RATES on 2018-04-01 (\$)	
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum
17	128 732	171 644	130 663	174 219	132 950	177 268	135 609	180 813
16	121 611	162 148	123 435	164 580	125 595	167 460	128 107	170 809
15	114 882	153 178	116 605	155 476	118 646	158 197	121 019	161 361
14	108 528	144 703	110 156	146 874	112 084	149 444	114 326	152 433
13	102 522	136 696	104 060	138 746	105 881	141 174	107 999	143 997
12	96 852	129 136	98 305	131 073	100 025	133 367	102 026	136 034
11	91 494	121 992	92 866	123 822	94 491	125 989	96 381	128 509
10	86 433	115 244	87 729	116 973	89 264	119 020	91 049	121 400
9	81 650	108 871	82 875	110 504	84 325	112 438	86 012	114 687
8	77 134	102 846	78 291	104 389	79 661	106 216	81 254	108 340
7	71 838	95 783	72 916	97 220	74 192	98 921	75 676	100 899
6	66 905	89 207	67 909	90 545	69 097	92 130	70 479	93 973
5	62 310	83 079	63 245	84 325	64 352	85 801	65 639	87 517
4	58 032	77 375	58 902	78 536	59 933	79 910	61 132	81 508
3	51 788	69 052	52 565	70 088	53 485	71 315	54 555	72 741
2	46 220	61 624	46 913	62 548	47 734	63 643	48 689	64 916
1	41 247	54 993	41 866	55 818	42 599	56 795	43 451	57 931

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

102929

Draft Regulations

Draft Regulation

Building Act
(chapter B-1.1)

Construction Code

Regulation respecting the application of the Building Act — 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 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 updates the referenced technical standards in Chapter VIII Petroleum Equipment Installation of the Construction Code (chapter B-1.1, r. 2), adopts CAN/CSA Standard Z662, Oil and Gas Pipeline Systems, published by the CSA Group, introduces a measure to automatically adopt a new edition or an amendment to a standard so as to put it into force 6 months after its publication by the standardization agency thereby making it possible to take into account technological developments in the field. In addition, the draft Regulation incorporates into Chapter VIII Petroleum Equipment Installation of the Construction Code the exemptions provided for in section 3.3.6 of the Regulation respecting the application of the Building Act (chapter B-1.1, r. 1).

The proposed measures will not entail additional costs for the enterprises in the industry as a whole, since the measures comply with current practices in the industry.

Further information may be obtained by contacting Liliane Gras, director of building and technical installations, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 7^e étage, Montréal (Québec) H2M 2V2; telephone: 514 864-2492; fax: 514 873-1939.

Any person wishing to comment on the matter 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.

DOMINIQUE VIEN,
Minister responsible for Labour

Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act

Building Act
(chapter B-1.1, ss. 173, 176, 176.1, 178, 185, pars. 0.1,
6.2, 6.3 and 38, and s. 192)

1. The Construction Code (chapter B-1.1, r. 2) is amended by replacing the heading “INTERPRETATION” of Division I of Chapter VIII Petroleum Equipment Installation by “DEFINITIONS”.

2. Section 8.01 is amended

(1) by adding the following definition in alphabetical order:

““pipeline” means an intra-provincial structure in which a petroleum product is transported, including the pipes, the components and the other related apparatus connected to the pipes as well as the isolation valves used in the stations and other installations marking the beginning and end of that infrastructure, excluding storage systems for petroleum products; (*canalisation*)”;

(2) by replacing the definition of “high-risk petroleum equipment” by the following:

““high-risk” petroleum equipment” means petroleum equipment having one of the following characteristics:

(1) petroleum equipment, one or more components of which is partially or completely buried, having a capacity of

(a) 500 or more litres, when it is installed to store motor fuel; or

(b) 4,000 or more litres, when it is installed to store heating fuel oil, except petroleum equipment of less than 10,000 litres used for heating a single-family dwelling;

(2) aboveground petroleum equipment that has a capacity of 2,500 or more litres, if it is installed to store Class 1 fuel;

(3) petroleum equipment that has a capacity of 10,000 or more litres, if it is installed to store a petroleum product;

(4) petroleum equipment installed for the purposes of trade in petroleum products;

(5) petroleum equipment that is a pipeline.

For the purposes of subparagraph 1, 2 or 3, the capacity of petroleum equipment that is joined, connected to or used with other petroleum equipment, both intended for a common purpose, is determined by combining their respective capacities; (*équipement pétrolier à risque élevé*);

(3) by striking out the following definitions: “aviation fuel”, “aviation turbine fuel”, “biodiesel fuel”, “diesel fuel”, “fuel oil”, “gasoline” and “motor fuel”.

3. Section 8.02 is replaced by the following:

“**8.02.** For the purposes of this Chapter, petroleum products

(1) are those referred to in the Petroleum Products Regulation (chapter P-30.01, r. 2);

(2) comprise the following classes:

(a) Class 1: liquid having a flash point below 37.8 °C determined according to the method provided by ASTM D56, Standard Test Method for Flash Point by Tag Closed Cup Tester, published by the American Society for Testing and Materials International;

(b) Class 2: liquid having a flash point equal to or above 37.8 °C but below 60 °C determined according to the method provided by ASTM D93, Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester, published by the American Society for Testing and Materials International;

(c) Class 3: liquid having a flash point equal to or above 60 °C determined according to the method provided by ASTM D93, Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester, published by the American Society for Testing and Materials International.”

4. Division II of Chapter VIII Petroleum Equipment Installation is replaced by the following:

“DIVISION II SCOPE

8.03. This Chapter applies to construction work on a petroleum equipment installation, including its vicinity.

It does not apply to equipment or apparatus intended to use a petroleum product, such as an internal combustion engine or fuel burning equipment”.

5. The heading “REFERENCED DOCUMENTS” of Division III of Chapter VIII Petroleum Equipment Installation is replaced by “REGULATIONS AND TECHNICAL STANDARDS APPLICABLE DEPENDING ON THE TYPE OF WORK”.

6. Section 8.04 is replaced by the following:

“**8.04.** In this Chapter, a reference to a regulation, or a technical standard developed by a body other than the Board, refers to the most recent regulation, or the most recent edition of the technical standard and includes any amendments to that edition.

However, the amendments and editions of the technical standards published after (*insert the date of coming into force of this Regulation*) apply to petroleum equipment only from the last day of the sixth month following the publication of the French and English versions of those texts. Where those versions are not published at the same time, the period runs from the date of publication of the last version. If the amendments or editions are in one language, the period runs from their publication.”

7. The following is added after section 8.05:

“**8.05.01.** Construction work on a petroleum equipment installation must be carried out in accordance with this Chapter, except for the following work:

(1) construction work on a storage and supply system for fuel burning equipment or an engine covered by CSA Standard B139, Installation code for oil-burning equipment, published by the CSA Group, which must be carried out in accordance with that standard, and with sections 8.08 to 8.22 of this Chapter;

(2) construction work on a petroleum equipment installation, inside a building, not covered by paragraph 1, which must be carried out in accordance with Part 4 of Division B of the NFCC, National Fire Code of Canada, published by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada, and with sections 8.08 to 8.22 and with the applicable provisions of Divisions VIII and IX of this Chapter;

(3) construction work carried out on a pipeline, which must be carried out in accordance with CAN/CSA Standard Z662, Oil and Gas Pipeline Systems, published by the CSA Group, and with sections 8.08 to 8.22 of this Chapter.

Sections 8.01 to 8.05 and 8.218 of this Chapter apply to the work referred to in subparagraphs 1 to 3 of the first paragraph.”

8. Section 8.06 is replaced by the following:

“**8.06.** The technical standards developed by another agency and referenced in this Chapter are those indicated in the table below.

TABLE 1

REFERENCED TECHNICAL STANDARDS DEVELOPED BY ANOTHER AGENCY

Designation	Title	Reference
ACC - Association canadienne des carburants / Canadian Fuels Association		
CFA	Colour-Symbol System to Mark Equipment and Vehicles for Product Identification	8.106, 1st paragraph 8.194
API - American Petroleum Institute		
API 5L	Specification for Line Pipe	8.25, 1st paragraph, subpar. 1
API 650	Welded Tanks for Oil Storage	8.24, subpar. 6
API 1104	Welding of Pipelines and Related Facilities	8.70
API 1542	Identification Markings for Dedicated Aviation Fuel Manufacturing and Distribution Facilities, Airport Storage and Mobile Fuelling Equipment	8.188
API 2000	Venting Atmospheric and Low-Pressure Storage Tanks	8.102
ASME - American Society of Mechanical Engineers		
ASME B16.5	Pipe Flanges and Flanged Fittings: NPS ½ through NPS 24 Metric/Inch Standard	8.107, 2nd paragraph
ASME B31.3	Process Piping	8.25, 2nd paragraph
ASTM - American Society for Testing and Materials International		
ASTM A53/A53M	Standard Specification for Pipe, Steel, Black and Hot-Dipped, Zinc-Coated, Welded and Seamless	8.25, 1st paragraph, subpar. 2
ASTM A193/A193M	Standard Specification for Alloy-Steel and Stainless Steel Bolting for High Temperature or High Pressure Service and Other Special Purpose Applications	8.109, 1st paragraph
ASTM D56	Standard Test Method for Flash Point by Tag Closed Cup Tester	8.02, subpar. 2 a)
ASTM D93	Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester	8.02, subpar. 2 b) and c)
BNQ - Bureau de normalisation du Québec		
CAN/BNQ 2501-255	Sols - Détermination de la relation teneur en eau - masse volumique sèche – Essai avec énergie de compactage modifiée (2 700 kN.m/m ³)	8.33, 1st paragraph, subpars. 2 and 3
NRCC - Canadian Commission on Building and Fire Codes (National Research Council of Canada)		
NFCC	National Fire Code - Canada	8.05.01, subpar. 2 8.12, 1st paragraph, subpar. 1.2
Groupe CSA / CSA Group		
CSA B139 Series	Installation code for oil-burning equipment	8.05.01, subpar. 1 8.12, 1st paragraph, subpar. 1.1
CSA B346	Power-Operated Dispensing Devices for Flammable Liquids	8.141
CSA Z245.1	Steel Pipe	8.25, 1st paragraph, subpar. 3
CAN/CSA Z662	Oil and Gas Pipeline Systems	8.05.01, subpar. 3 8.12, 1st paragraph, subpar. 1.3 8.103

Designation	Title	Reference
EPA - Environmental Protection Agency		
EPA/530/UST-90/004	Standard Test Procedures for Evaluating Leak Detection Methods: Volumetric Tank Tightness Testing Methods	8.130, 2nd paragraph
EPA/530/UST-90/007	Standard Test Procedures for Evaluating Leak Detection Methods: Statistical Inventory Reconciliation Methods	8.130, 2nd paragraph
NACE International - National Association of Corrosion Engineers		
NACE SP0169	Control of External Corrosion on Underground or Submerged Metallic Piping Systems	8.42, subpar. 2 8.130, 1st paragraph
NACE SP0285	Corrosion Control of Underground Storage Tank Systems by Cathodic Protection	8.42, subpar. 2 8.130, 1st paragraph
NFPA - National Fire Protection Association		
NFPA 30	Flammable and Combustible Liquids Code	8.65, subpar. 4
SAE International - Society of Automotive Engineers		
SAE AS 1852D	Nozzles and Ports - Gravity Fueling Interface Standard for Civil Aircraft	8.181
ULC - Laboratoires des assureurs du Canada / Underwriters' Laboratories of Canada		
CAN/ULC-S601	Standard for Shop Fabricated Steel Aboveground Tanks for Flammable and Combustible Liquids	8.24, subpar. 1 8.54, subpar.2
CAN/ULC-S602	Standard for Aboveground Steel Tanks for Fuel Oil and Lubricating Oil	8.24, subpar. 2
CAN/ULC-S603	Standard for Steel Underground Tanks for Flammable and Combustible Liquids	8.23, 1st paragraph, subpar. 1
CAN/ULC-S603.1	External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids	8.23, 1st paragraph, subpar. 2 8.35, 1st paragraph, subpar. 2 b) 8.42, subpar. 1 8.88, 1st paragraph
CAN/ULC-S612	Standard for Hose and Hose Assemblies for Flammable and Combustible Liquids	8.155
CAN/ULC-S615	Standard for Fibre Reinforced Plastic Underground Tanks for Flammable and Combustible Liquids	8.23, 1st paragraph, subpar. 3
CAN/ULC-S620	Standard for Hose Nozzle Valves for Flammable and Combustible Liquids	8.154
CAN/ULC-S642	Standard for Compounds and Tapes for Threaded Pipe Joints	8.69
CAN/ULC-S651	Standard for Emergency Valves for Flammable and Combustible Liquids	8.115 8.149, 1st paragraph
CAN/ULC-S653	Standard for Aboveground Horizontal Steel Contained Tank Assemblies for Flammable and Combustible Liquids	8.24, subpar. 3 8.143
CAN/ULC-S655	Standard for Aboveground Protected Tank Assemblies for Flammable and Combustible Liquids	8.24, subpar. 4
CAN/ULC-S660	Standard for Nonmetallic Underground Piping for Flammable and Combustible Liquids	8.27
CAN/ULC-S661	Standard for Overfill Protection Devices for Flammable and Combustible Liquid Storage Tanks	8.61, subpar. 1 a) 8.125, subpar. 1 8.127
CAN/ULC-S663	Standard for Spill Containment Devices for Flammable and Combustible Liquid Aboveground Storage Tank	8.61, subpar. 1 a)
CAN/ULC-S668	Standard for Liners Used for Secondary Containment of Aboveground Flammable and Combustible Liquid Tanks	8.62, subpar. 5 a)

Designation	Title	Reference
CAN/ULC-S675.1	Standard for Volumetric Leak Detection Devices for Underground and Aboveground Storage Tanks for Flammable and Combustible Liquids	8.29, subpar. 2
CAN/ULC-S675.2	Standard for Nonvolumetric Precision Leak Detection Devices for Underground and Aboveground Storage Tanks and Piping for Flammable and Combustible Liquids	8.28, 3rd paragraph 8.29, subpar. 2
CAN/ULC-S676	Standard for Refurbishing of Storage Tanks for Flammable and Combustible Liquids	8.44 8.67, subpar. 1
CAN/ULC-S677	Standard for Fire Tested Aboveground Tank Assemblies for Flammable and Combustible Liquids	8.24, subpar. 5
ULC/ORD-C58.19	Spill Containment Devices for Underground Flammable Liquid Storage Tanks	8.127
ULC/ORD-C107.12	Line Leak Detection Devices for Flammable Liquid Piping	8.28, 3rd paragraph
ULC/ORD-C107.21	Under-Dispenser Sumps	8.143
ULC/ORD-C842	Guide for the Investigation of Valves for Flammable and Combustible Liquids	8.115

9. Section 8.07 is struck out.

10. The first paragraph of section 8.08 is replaced by the following:

“Petroleum equipment used in a petroleum equipment installation must, when required by a provision of this Chapter, be approved for the use for which it is intended.

A tank for which paragraph 1 or 2 of section 8.05.01 applies must also be approved for the use for which it is intended.”

11. Section 8.09 is replaced by the following:

“**8.09.** All petroleum equipment that has been certified by a certification agency accredited by the Standards Council of Canada in the field of petroleum equipment is considered to be approved.”

12. Section 8.11 is replaced by the following:

“**8.11.** For the purposes of this Chapter, “certification” or “certified” means recognition by one of the certification agencies accredited by the Standards Council of Canada in the field of petroleum equipment, by means of a label affixed on certified equipment, attesting that the equipment complies with the construction and testing requirements in the standards published by the agency.”

13. Section 8.12 is amended

(1) by replacing “A contractor” in the part preceding subparagraph 1 by “Subject to subparagraphs 1.1 to 1.3, a contractor”;

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

“(1) the work has been carried out in accordance with sections 8.23, 8.24, 8.26 to 8.28, paragraphs 1 to 3 of section 8.29, section 8.30, sections 8.31 and 8.32, only with regard to the clearance between the top of the tank and ground level, sections 8.42 to 8.44, paragraphs 1 and 2 of section 8.45, section 8.46, except subparagraphs 1 to 3 of the second paragraph, sections 8.48 to 8.50, paragraph 1 of section 8.51, sections 8.53, 8.55 to 8.57, 8.60 to 8.65, except paragraph 4 of that section, paragraph 2 of section 8.66, sections 8.69, 8.72, 8.75, 8.78 to 8.80 and section 8.83, only with regard to the clearance between the piping and ground level, sections 8.85, 8.88 to 8.95, the third paragraph of section 8.96, sections 8.97, 8.98, 8.100, 8.102, 8.108, paragraph 1 of section 8.110, the third paragraph of section 8.112, sections 8.116, 8.124, 8.125, 8.127, 8.128, 8.138, 8.141 to 8.147, 8.149 to 8.154, 8.156, 8.158 to 8.160, the first paragraph of section 8.162, section 8.164, the first and second paragraphs of section 8.166, sections 8.168, 8.170 to 8.172, 8.174, 8.175, the second paragraph of section 8.177, section 8.178, except paragraph 5 of that section, sections 8.179, 8.180, 8.182, 8.185, 8.186, 8.195 and 8.197 to 8.199, section 8.200, with regard to the manual valve, sections 8.201, 8.203 to 8.205, 8.207 to 8.209, 8.211 to 8.213 and 8.215 to 8.217;

(1.1) in the case of a storage and supply system for fuel burning equipment or an engine covered by CSA Standard B139, Installation code for oil-burning equipment, published by the CSA Group, the work has been carried out in accordance with the requirements of that standard;

(1.2) in the case of petroleum equipment installed inside a building not covered by subparagraph 1.1, the work has been carried out in accordance with the requirements of Part 4 of Division B of the NFCC, National Fire Code of Canada, published by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada, and the applicable provisions of Divisions VIII and IX of this Chapter;

(1.3) in the case of a pipeline, the work has been carried out in accordance with the requirements of CAN/CSA Standard Z662, Oil and Gas Pipeline Systems, published by the CSA Group;”

(3) by replacing “, temporary or accreditation permit issued under the Act respecting petroleum products and equipment (chapter P-29.1)” in the third paragraph by “or the temporary permit issued under the Engineers Act (chapter I-9)”.

14. Section 8.13 is amended by striking out the last paragraph.

15. Section 8.20 is replaced by the following:

“**8.20.** In the presence of petroleum equipment, electrical service equipment, a pump or any other electrical equipment must meet the requirements regarding hazardous locations in Chapter V Electricity of the Construction Code.”

16. Section 8.21 is struck out.

17. Section 8.23 is replaced by the following:

“**8.23.** A contractor or owner-builder may not install an underground tank unless it has been approved in accordance with one of the following standards:

(1) CAN/ULC-S603, Standard for Steel Underground Tanks for Flammable and Combustible Liquids, published by Underwriters’ Laboratories of Canada;

(2) CAN/ULC-S603.1, External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids, published by Underwriters’ Laboratories of Canada;

(3) CAN/ULC-S615, Standard for Fibre Reinforced Plastic Underground Tanks for Flammable and Combustible Liquids, published by Underwriters’ Laboratories of Canada.

The installation must also be carried out in compliance with the standard under which the tank has been approved.”

18. Section 8.24 is replaced by the following:

“**8.24.** A contractor or owner-builder may not install an aboveground tank unless it has been approved in accordance with one of the following standards:

(1) CAN/ULC-S601, Standard for Shop Fabricated Steel Aboveground Tanks for Flammable and Combustible Liquids, published by Underwriters’ Laboratories of Canada;

(2) CAN/ULC-S602, Standard for Aboveground Steel Tanks for Fuel Oil and Lubricating Oil, published by Underwriters’ Laboratories of Canada;

(3) CAN/ULC-S653, Standard for Aboveground Horizontal Steel Contained Tank Assemblies for Flammable and Combustible Liquids, published by Underwriters’ Laboratories of Canada;

(4) CAN/ULC-S655, Standard for Aboveground Protected Tank Assemblies for Flammable and Combustible Liquids, published by Underwriters’ Laboratories of Canada;

(5) CAN/ULC-S677, Standard for Fire Tested Aboveground Tank Assemblies for Flammable and Combustible Liquids, published by Underwriters’ Laboratories of Canada;

(6) API 650, Welded Tanks for Oil Storage, published by the American Petroleum Institute.”

19. Section 8.25 is replaced by the following:

“**8.25.** A contractor or owner-builder may install steel piping only if it meets the manufacturing requirements of one of the following standards:

(1) API 5L, Specification for Line Pipe, published by the American Petroleum Institute;

(2) ASTM A53/A53M, Standard Specification for Pipe, Steel, Black and Hot-Dipped, Zinc-Coated, Welded and Seamless, published by the American Society for Testing and Materials International;

(3) CSA Z245.1, Steel Pipe, published by the CSA Group.

In addition, if service pressure exceeds 875 kPa, piping and fittings must meet the requirements of ASME Standard B31.3, Process Piping, published by the American Society of Mechanical Engineers.”.

20. Section 8.26 is replaced by the following:

“**8.26.** A contractor or owner-builder may not install copper piping.”.

21. Section 8.27 is amended by replacing “ULC/ORD Standard C971 Nonmetallic Underground Piping for Flammable and Combustible Liquids” by “CAN/ULC-S660, Standard for Nonmetallic Underground Piping for Flammable and Combustible Liquids”.

22. Section 8.28 is replaced by the following:

“**8.28.** A contractor or owner-builder may install double-walled piping only if the piping meets the requirements of

- (1) section 8.25, if it is steel; or
- (2) section 8.27, if it is nonmetallic.

Such piping must be installed inside other piping that meets the requirements of section 8.25 or 8.27, as the case may be.

It must also have an automatic leak detection system with a visual and audible alarm that meets the requirements of ULC/ORD Standard C107.12, Line Leak Detection Devices for Flammable Liquid Piping, or CAN/ULC-S675.2, Standard for Nonvolumetric Precision Leak Detection Devices for Underground and Aboveground Storage Tanks and Piping for Flammable and Combustible Liquids.”.

23. Section 8.29 is amended by replacing “ULC/ORD Standard C58.12 Leak Detection Devices (Volumetric Type) for Underground Flammable Liquid Storage Tanks or ULC/ORD Standard C58.14 Non-Volumetric Leak Detection Devices for Underground Flammable Liquid Storage Tanks” in paragraph 2 by “CAN/ULC-S675.1, Standard for Volumetric Leak Detection Devices for Underground and Aboveground Storage

Tanks for Flammable and Combustible Liquids or CAN/ULC-S675.2, Standard for Nonvolumetric Precision Leak Detection Devices for Underground and Aboveground Storage Tanks and Piping for Flammable and Combustible Liquids”.

24. Section 8.33 is amended by replacing “Determination of the Water-Density Relation” in subparagraphs 2 and 3 of the first paragraph by “Determination of the Water Content-Dry Density Relation”.

25. Section 8.35 is amended by replacing “ULC/ORD Standard C58.10 Jacketed Steel Underground Tanks for Flammable and Combustible Liquids” in subparagraph *b* of subparagraph 2 of the first paragraph by “CAN/ULC Standard S603.1, External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids”.

26. Section 8.42 is replaced by the following:

“**8.42.** A contractor or owner-builder may not carry out construction work on a steel underground tank unless it is protected against corrosion in accordance with one of the methods in the following standards:

(1) CAN/ULC Standard S603.1, External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids, published by Underwriters’ Laboratories of Canada; or

(2) NACE SP0169, Control of External Corrosion on Underground or Submerged Metallic Piping Systems, or NACE SP0285, Corrosion Control of Underground Storage Tank Systems by Cathodic Protection, published by NACE International, if the petroleum equipment installation is protected by an induced current system.”.

27. Section 8.44 is replaced by the following:

“**8.44.** A contractor or owner-builder may neither install an underground tank that has been removed from the ground, nor refurbish, repair or alter it, unless it meets the requirement of CAN/ULC-S676, Standard for Refurbishing of Storage Tanks for Flammable and Combustible Liquids, published by Underwriters’ Laboratories of Canada.”.

28. Section 8.48 is amended by replacing Table 2 by the following:

TABLE 2
SITING OF ABOVEGROUND TANKS

Tank capacity (litres)	Product	Minimum distance, in metres, measured horizontally, between any point on outside tank shell and		
		Dike centre line when required by sections 8.60 and 8.61	Closest building	Property line
2,000 to 5,000	Class 1	D	D	D
	Classes 2 and 3	0.5	0.5	1.5
5,001 to 47,000	Class 1	D	D	D
	Classes 2 and 3*	1.5	1.5	1.5
	Class 3 — flash point above 93.3 °C	0.5	0.5	1.5
47,001 to 200,000	Class 1	D	D	D
	Classes 2 and 3*	D	D	D
	Class 3 — flash point above 93.3 °C	1	1	D
200,001 to 400,000	All	D	5	5
400,001 to 2,000,000	All	D	9	9
	All	D	12	12
2,000,001 to 4,000,000	All	D	15	15
More than 4,000,000				

D: The greater distance between 3 m and one-half tank height. Tank height is measured from the bottom of the diked areas.

* Class 3 products are products with a flash point not above 93.3 °C.”.

29. Section 8.54 is amended by replacing “ULC Standard S630 Shop Fabricated Steel Aboveground Vertical Tanks for Flammable and Combustible Liquids” in paragraph 2 by “CAN/ULC-S601, Standard for Shop Fabricated Steel Aboveground Tanks for Flammable and Combustible Liquids”.

30. Section 8.61 is replaced by the following:

“**8.61.** The dike referred to in section 8.60 is not required for

(1) a tank with a capacity of 50,000 litres or less that meets the following requirements:

(a) it has an overfill protection device that meets the requirements of CAN/ULC-S661, Standard for Overfill Protection Devices for Flammable and Combustible Liquid Storage Tanks, published by Underwriters’ Laboratories of Canada, and a containment device with a capacity of at least 15 litres that meets the requirements of CAN/ULC-S663 Standard for Spill Containment Devices for Flammable and Combustible Liquid Aboveground Storage Tank, published by Underwriters’ Laboratories of Canada;

(b) it meets one of the standards referred to in paragraphs 3 to 5 of section 8.24 or, in the case of a double-walled tank, the standard referred to in paragraph 1 of that section;

(2) a tank used to store Type No. 4, No. 5 or No. 6 heating fuel oil if it has a system capable, in the event of leakage, of containing or directing the product to a safe location.”.

31. Section 8.62 is amended by replacing “ULC/ORD Standard C58.9 Secondary Containment Liners for Underground and Aboveground Flammable and Combustible Liquids Tanks” in subparagraph *a* of paragraph 5 by “CAN/ULC-S668, Standard for Liners Used for Secondary Containment of Aboveground Flammable and Combustible Liquid Tanks”.

32. Section 8.65 is amended by replacing “paragraph *f* of section 4.3.2.3.2” in paragraph 4 by “section 22.11.2.6”.

33. Section 8.67 is amended

(1) by replacing “manufactured and approved in accordance with the provisions of section 8.24, and the plates identifying the manufacturer and the certification agency referred to in section 8.09 must be affixed to the tank and be legible” in paragraph 1 by “approved in accordance with CAN/ULC-S676, Standard for Refurbishing of Storage Tanks for Flammable and Combustible Liquids, published by Underwriters’ Laboratories of Canada”;

(2) by striking out paragraph 2.

34. Section 8.69 is amended by replacing “Compounds and Tapes for Threaded Pipe Joints” by “Standard for Compounds and Tapes for Threaded Pipe Joints”.

35. Section 8.71 is amended by replacing “gasoline” wherever that term appears by “automotive gasoline”.

36. Section 8.84 is amended by striking out “despite the foregoing, the suction piping that is to contain fuel oil or motor fuel to supply a generator engine and that is referred to in CSA Standard B139 Installation Code for Oil Burning Equipment, published by the Canadian Standards Association, may be vacuum tested under at least 68 kPa” in subparagraph *c* of paragraph 1.

37. Section 8.102 is amended by replacing “API Standard 2000 Venting Atmospheric and Low Pressure Storage Tanks: Nonrefrigerated and Refrigerated” by “API Standard 2000, Venting Atmospheric and Low-Pressure Storage Tanks”.

38. Section 8.103 is amended by replacing “CAN/CSA Standard Z662 Oil and Gas Pipeline Systems, published by the Canadian Standards Association” by “CAN/CSA Standard Z662, Oil and Gas Pipeline Systems, published by the CSA Group”.

39. Section 8.106 is amended by replacing “Canadian Petroleum Products Institute” in the first paragraph by “Canadian Fuels Association”.

40. Section 8.107 is amended by adding “: NPS ½ through NPS 24 Metric/Inch Standard” after “Pipe Flanges and Flanged Fittings” in the second paragraph.

41. Section 8.109 is amended

(1) by inserting “aboveground” in the first paragraph before “piping”;

(2) by replacing “ASTM Standard A193/A193M, Alloy-Steel and Stainless Steel Bolting Materials for High Temperature or High Pressure Service and Other Purpose Applications, published by the American Society for Testing and Materials” in the first paragraph by “ASTM A193/A193M, Standard Specification for Alloy-Steel and Stainless Steel Bolting for High Temperature or High Pressure Service and Other Special Purpose Applications, published by the American Society for Testing and Materials International”.

42. The Code is amended by striking out section 8.111.

43. The Code is amended by striking out section 8.114.

44. Section 8.115 is amended by replacing “ULC-S651 Emergency Valves for Flammable and Combustible Liquids” by “CAN/ULC-S651, Standard for Emergency Valves for Flammable and Combustible Liquids”.

45. Section 8.124 is amended by striking out paragraph 2.

46. Section 8.125 is amended by replacing “ULC/ORD Standard C58.15 Overfill Protection Devices for Flammable Liquid Storage Tanks” in paragraph 1 by “CAN/ULC-S661, Standard for Overfill Protection Devices for Flammable and Combustible Liquid Storage Tanks”.

47. Section 8.127 is amended

(1) by striking out “, except a tank that is to supply a generator engine”;

(2) by replacing “ULC/ORD Standard C58.15 Overfill Protection Devices for Flammable Liquid Storage Tanks” by “CAN/ULC-S661 Standard for Overfill Protection Devices for Flammable and Combustible Liquid Storage Tanks”.

48. Section 8.129 is amended by striking out “, except a fill pipe installed on a tank connected to a generator engine that is to use diesel fuel or biodiesel fuel,”.

49. Section 8.130 is amended by replacing “RP0169-2002” in the first paragraph by “NACE SP0169” and by replacing “RP0285-2002 Corrosion Control of Underground Storage Tank System by Cathodic Protection” by “NACE SP0285, Corrosion Control of Underground Storage Tank Systems by Cathodic Protection”.

50. Section 8.141 is amended by replacing “CSA Standard B346 Power-Operated Dispensing Devices for Flammable Liquids, published by the Canadian Standards Association” by “CSA Standard B346, Power-Operated Dispensing Devices for Flammable Liquids, published by the CSA Group”.

51. Section 8.143 is amended by replacing “ULC Standard S653 Aboveground Steel Contained Tank Assemblies for Flammable and Combustible Liquids” by “CAN/ULC-S653, Standard for Aboveground Horizontal Steel Contained Tank Assemblies for Flammable and Combustible Liquids”.

52. Section 8.149 is amended by replacing “ULC Standard S651 Emergency Valves for Flammable and Combustible Liquids” in the first paragraph by “CAN/ULC-S651, Standard for Emergency Valves for Flammable and Combustible Liquids”.

53. Section 8.155 is amended by replacing “CAN/ULC Standard S612 Hose for Flammable and Combustible Liquids” by “CAN/ULC-S612, Standard for Hose and Hose Assemblies for Flammable and Combustible Liquids”.

54. Section 8.172 is amended by replacing “4.5 m from the average annual high-water mark” by “10 m from the high-water mark”.

55. Section 8.194 is amended by replacing “Canadian Petroleum Products Institute” by “Canadian Fuels Association”.

56. The Regulation respecting the application of the Building Act (chapter B-1.1, r. 1) is amended by striking out section 3.3.6.

57. This Regulation comes into force on the forty-fifth day following the date of its publication in the *Gazette officielle du Québec*.

The former provisions of Chapter VIII Petroleum Equipment Installation of the Construction Code, as they read on (*insert the date of the day before the date of coming into force of this Regulation*) may apply to construction work on a petroleum equipment installation that begins before (*insert the date occurring 3 months after the date of coming into force of this Regulation*).

102927

Draft Regulation

Building Act
(chapter B-1.1)

Safety Code — 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 Safety 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 updates the referenced technical standards in Chapter VI Petroleum Equipment Installation of the Safety Code (chapter B-1.1, r. 3) and adopts CAN/CSA Standard Z662, Oil and Gas Pipeline Systems, published by the CSA Group, in order to take into account technological developments in the field.

The proposed measures will not entail additional costs for the enterprises in the industry as a whole, since the measures comply with current practices in the industry.

Further information may be obtained by contacting Liliane Gras, director of building and technical installations, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 7^e étage, Montréal (Québec) H2M 2V2; telephone: 514 864-2492; fax: 514 873-1939.

Any person wishing to comment on the matter 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.

DOMINIQUE VIEN,
Minister responsible for Labour

Regulation to amend the Safety Code

Building Act
(chapter B-1.1, ss. 175, 176, 176.1, 178, 185, pars. 0.1, 2.1, 5, 5.1 and 38, and s. 192)

1. The Safety Code (chapter B-1.1, r. 3) is amended by replacing the heading “INTERPRETATION” of Division I of Chapter VI Petroleum Equipment Installation by “DEFINITIONS”.

2. Section 109 of the Code is amended in the second paragraph

(1) by inserting ““pipeline,”” after ““petroleum equipment,””;

(2) by striking out ““aviation fuel,””, ““biodiesel fuel,””, ““diesel fuel,””, ““fuel oil,”” and ““motor fuel,””.

3. Section 110 is amended by replacing “petroleum products include the classes and types” by “petroleum products and their classes are those”.

4. Division II of Chapter VI Petroleum Equipment Installation is replaced by the following:

“DIVISION II SCOPE

111. This Chapter applies to a petroleum equipment installation, including its vicinity.

This Chapter does not apply to

(1) internal combustion engines, fuel burning systems or any other equipment or device intended to use a petroleum product;

(2) an installation intended to use a petroleum product to provide the motive power of a vehicle or of any other mobile device or equipment.”.

5. The heading “REFERENCED DOCUMENTS” of Division III of Chapter VI Petroleum Equipment Installation is replaced by “REGULATIONS AND TECHNICAL STANDARDS APPLICABLE DEPENDING ON THE PETROLEUM EQUIPMENT INSTALLATION”.

6. Section 112 is replaced by the following:

“**112.** In this Chapter, a reference to a regulation, or a technical standard developed by a body other than the Board, refers to the text applicable at the time of the construction or alteration of the petroleum equipment installation.

However, the most recent regulation, or the most recent edition of the technical standard including any amendment, must be applied in the following cases:

(1) CFA, “Colour-Symbol System to Mark Equipment and Vehicles for Product Identification”, published by the Canadian Fuels Association;

(2) CAN/ULC-S676, Standard for Refurbishing of Storage Tanks for Flammable and Combustible Liquids, published by the Underwriters’ Laboratories of Canada;

(3) CSA B836, Storage, handling and dispensing of aviation fuels at aerodromes, published by the CSA Group;

(4) CAN/CSA Z662, Oil and Gas Pipeline Systems, published by the CSA Group, with regard to the maintenance, use, operation and safety requirements;

(5) NFCC, National Fire Code of Canada, published by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada, with regard to a portable container or tank;

(6) EPA/530/UST-90/004, Standard Test Procedures for Evaluating Leak Detection Methods: Volumetric Tank Tightness Testing Methods, published by the Environmental Protection Agency;

(7) EPA/530/UST-90/007, Standard Test Procedures for Evaluating Leak Detection Methods: Statistical Inventory Reconciliation Methods, published by the Environmental Protection Agency;

(8) NFPA 30, Flammable and Combustible Liquids Code, published by the National Fire Protection Association;

(9) Transportation of Dangerous Substances Regulation (chapter C-24.2, r. 43).

For the purposes of the second paragraph, amendments and editions of the technical standards published after (*insert the date of coming into force of this Regulation*) apply to petroleum equipment installations only from the last day of the sixth month following the publication of the French and English versions of those texts. Where those versions are not published at the same time, the period runs from the date of publication of the last version. If the amendments or editions are in one language, the period runs from their publication.

In addition, despite the first paragraph, in the case of a petroleum equipment installation built or altered before 1 April 2007, a reference in this Chapter to the provisions of Chapter VIII of the Construction Code (chapter B-1.1, r. 2) refers to the provisions of the Code as they read on 1 April 2007 under Order in Council 220-2007 dated 21 February 2007.”.

7. The Code is amended by inserting the following after section 113:

“**113.1.** A petroleum equipment installation must comply with this Chapter, except for

(1) a system to store and supply heating oil, in the case of a fuel burning system, or diesel fuel, in the case of an engine that must comply with the regulation that was applicable to it at the time of its construction or alteration, with Divisions I to V and XI of this Chapter and with the requirements applicable to the testing of the operating performance, maintenance, use, operation and safety provided for in Divisions VI to VIII of this Chapter;

(2) a system to store and supply fuel of a motor fuel dispenser or engine inside a building that must comply with the regulation that was applicable to it at the time of its construction or alteration, with Divisions I to V and XI of this Chapter and with the requirements applicable to the testing of the operating performance, maintenance, use, operation and safety provided for in Divisions VI to IX of this Chapter;

(3) a pipeline built as of (*insert the date of coming into force of the regulation amending Chapter VIII of the Construction Code*) that must comply with CAN\CSA Standard Z662, Oil and Gas Pipeline Systems, published by the CSA Group, and with Divisions I to V and XI of this Chapter; and

(4) a portable container and tank that must comply with Divisions 4.2 and 4.6 of Division B of the NFCC, National Fire Code of Canada, published by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada, and with subdivisions 1 to 3 of Division VII and with Divisions I to V and XI of this Chapter.

113.2. The technical standards developed by another body and referenced in this Chapter are indicated in the table below.

TABLE 1
REFERENCED TECHNICAL STANDARDS DEVELOPED BY ANOTHER
BODY

Designation	Title	Reference
ACC – Association canadienne des carburants / Canadian Fuels Association		
CFA	Colour-Symbol System to Mark Equipment and Vehicles for Product Identification	112, 2nd paragraph, subpar. 1 219 258 (via 8.194 of the Construction Code)
API – American Petroleum Institute		
API 5L	Specification for Line Pipe	166 (via 8.25, 1st paragraph, subpar. 1, of the Construction Code) 168, 1st paragraph (via 8.25, 1st paragraph, subpar. 1, of the Construction Code)
API 650	Welded Tanks for Oil Storage	166 (via 8.24, subpar. 6, of the Construction Code)
API 1542	Identification Markings for Dedicated Aviation Fuel Manufacturing and Distribution Facilities, Airport Storage and Mobile Fuelling Equipment	250 (via 8.188 of the Construction Code)
API 2000	Venting Atmospheric and Low-Pressure Storage Tanks	205 (via 8.102 of the Construction Code)
ASME – American Society of Mechanical Engineers		
ASME B16.5	Pipe Flanges and Flanged Fittings: NPS ½ through NPS 24 Metric/Inch Standard	201 (via 8.107, 2nd paragraph, of the Construction Code)
ASME B31.3	Process Piping	166 (via 8.25, 2nd paragraph, of the Construction Code) 168, 1st paragraph (via 8.25, 2nd paragraph, of the Construction Code)
ASTM – American Society for Testing and Materials International		
ASTM A53/A53M	Standard Specification for Pipe, Steel, Black and Hot-Dipped, Zinc-Coated, Welded and Seamless	166 (via 8.25, 1st paragraph, subpar. 2, of the Construction Code) 168, 1st paragraph (via 8.25, 1st paragraph, subpar. 2, of the Construction Code)
ASTM A193/A193M	Standard Specification for Alloy-Steel and Stainless Steel Bolting for High Temperature or High Pressure Service and Other Special Purpose Applications	201 (via 8.109, 1st paragraph, of the Construction Code)
ASTM D56	Standard Test Method for Flash Point by Tag Closed Cup Tester	110 (via 8.02, subpar. 2 a), of the Construction Code)

Designation	Title	Reference
ASTM D93	Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester	110 (via 8.02, subpar. 2 b) and c), of the Construction Code)
NRCC – Canadian Commission on Building and Fire Codes (National Research Council of Canada)		
NFCCI	National Fire Code – Canada	112, 2nd paragraph, subpar. 5 113.1, subpar. 4 117, 1st paragraph, subpar. 7
Groupe CSA / CSA Group		
CSA B139 Series	Installation code for oil-burning equipment	117, 1st paragraph, subpar. 6
CSA B346	Power-Operated Dispensing Devices for Flammable Liquids	225, 1st paragraph
CSA B836	Storage, handling, and dispensing of aviation fuels at aerodromes	112, 2nd paragraph, subpar. 3 252
CSA Z245.1	Steel Pipe	166 (via 8.25, 1st paragraph, subpar. 3, of the Construction Code) 168, 1st paragraph (via 8.25, 1st paragraph, subpar. 3, of the Construction Code)
CAN/CSA Z662	Oil and Gas Pipeline Systems	112, 2nd paragraph, subpar. 4 113.1, subpar. 3 119.2, subpar. 1.1 201 (via 8.103 of the Construction Code)
EPA – Environmental Protection Agency		

Designation	Title	Reference
EPA/530/UST-90/004	Standard Test Procedures for Evaluating Leak Detection Methods: Volumetric Tank Tightness Testing Methods	112, 2nd paragraph, subpar. 6 142, 1st paragraph (via 8.130, 2nd paragraph, of the Construction Code) 143, 2nd paragraph (via 8.130, 2nd paragraph, of the Construction Code) 145, 1st paragraph (via 8.130, 2nd paragraph, of the Construction Code) 177, 2nd paragraph, subpar. 1 (via 8.130, 2nd paragraph, of the Construction Code) 178 (via 8.130, 2nd paragraph, of the Construction Code) 215, 2nd paragraph (via 8.130, 2nd paragraph, of the Construction Code) 217, 1st paragraph (via 8.130, 2nd paragraph, of the Construction Code) Schedule I (section 215) (via 8.130, 2nd paragraph, of the Construction Code)
EPA/530/UST-90/007	Standard Test Procedures for Evaluating Leak Detection Methods: Statistical Inventory Reconciliation Methods	112, 2nd paragraph, subpar. 7 142, 1st paragraph (via 8.130, 2nd paragraph, of the Construction Code) 143, 2nd paragraph (via 8.130, 2nd paragraph, of the Construction Code) 145, 1st paragraph (via 8.130, 2nd paragraph, of the Construction Code) 177, 2nd paragraph, subpar. 1 (via 8.130, 2nd paragraph, of the Construction Code) 178 (via 8.130, 2nd paragraph, of the Construction Code) 215, 2nd paragraph (via 8.130, 2nd paragraph, of the Construction Code) 217, 1st paragraph (via 8.130, 2nd paragraph, of the Construction Code) Schedule I (section 215) (via 8.130, 2nd paragraph, of the Construction Code)
NACE International – National Association of Corrosion Engineers		
NACE SP0169	Control of External Corrosion on Underground or Submerged Metallic Piping Systems	139, subpar. 1 b) 215, 1st paragraph (via 8.42, subpar. 2, of the Construction Code) 215, 2nd paragraph Schedule I (section 215)

Designation	Title	Reference
NACE SP0285	Corrosion Control of Underground Storage Tank Systems by Cathodic Protection	139, subpar. 1 b) 215, 1st paragraph (via 8.42, subpar. 2, of the Construction Code) 215, 2nd paragraph Schedule I (section 215)
NFPA – National Fire Protection Association		
NFPA 30	Flammable and Combustible Liquids Code	112, 2nd paragraph, subpar. 8 182 (via 8.65, subpar. 4, of the Construction Code) 194
ULC – Laboratoires des assureurs du Canada / Underwriters' Laboratories of Canada		
CAN/ULC-S601	Standard for Shop Fabricated Steel Aboveground Tanks for Flammable and Combustible Liquids	166 (via 8.24, par. 1, of the Construction Code)
CAN/ULC-S602	Standard for Aboveground Steel Tanks for Fuel Oil and Lubricating Oil	166 (via 8.24, subpar. 2, of the Construction Code)
CAN/ULC-S603	Standard for Steel Underground Tanks for Flammable and Combustible Liquids	166 (via 8.23, 1st paragraph, subpar. 1, of the Construction Code)
CAN/ULC-S603.1	External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids	139, subpar. 1 a) 166 (via 8.23, 1st paragraph, subpar. 2, of the Construction Code) 215, 1st paragraph
CAN/ULC-S612	Standard for Hose and Hose Assemblies for Flammable and Combustible Liquids	233
CAN/ULC-S615	Standard for Fibre Reinforced Plastic Underground Tanks for Flammable and Combustible Liquids	166 (via 8.23, 1st paragraph, subpar. 3, of the Construction Code)
CAN/ULC-S620	Standard for Hose Nozzle Valves for Flammable and Combustible Liquids	218 (via 8.154 of the Construction Code)
CAN/ULC-S651	Standard for Emergency Valves for Flammable and Combustible Liquids	201 (via 8.115 of the Construction Code)
CAN/ULC-S653	Standard for Aboveground Horizontal Steel Contained Tank Assemblies for Flammable and Combustible Liquids	117, 1st paragraph, subpars. 3, 4 and 5 (via 8.143 of the Construction Code) 166 (via 8.24, subpar. 3, of the Construction Code) 218 (via 8.143 of the Construction Code)
CAN/ULC-S655	Standard for Aboveground Protected Tank Assemblies for Flammable and Combustible Liquids	166 (via 8.24, subpar. 4, of the Construction Code)
CAN/ULC-S660	Standard for Nonmetallic Underground Piping for Flammable and Combustible Liquids	167 168, 1st paragraph

Designation	Title	Reference
CAN/ULC-S661	Standard for Overfill Protection Devices for Flammable and Combustible Liquid Storage Tanks	117, 1st paragraph, subpars. 3 and 4 (via 8.125, subpar. 1, of the Construction Code), and; (via 8.127 of the Construction Code) 183 (via 8.61, subpar. 1 a), of the Construction Code) 189 (via 8.61, subpar. 1 a), of the Construction Code) 201 (via 8.125, subpar. 1, of the Construction Code), and; (via 8.127 of the Construction Code) 249, 2nd paragraph (via 8.61, subpar. 1 a), of the Construction Code)
CAN/ULC-S663	Standard for Spill Containment Devices for Flammable and Combustible Liquid Aboveground Storage Tank	183 (via 8.61, subpar. 1 a), of the Construction Code) 189 (via 8.61, subpar. 1 a), of the Construction Code 249, 2nd paragraph (via 8.61, subpar. 1 a), of the Construction Code)
CAN/ULC-S668	Standard for Liners Used for Secondary Containment of Aboveground Flammable and Combustible Liquid Tanks	191 (via 8.62, subpar. 5 a), of the Construction Code)
CAN/ULC-S675.1	Standard for Volumetric Leak Detection Devices for Underground and Aboveground Storage Tanks for Flammable and Combustible Liquids	172, 2nd paragraph 174, 1st paragraph (via 8.29, subpar. 2, of the Construction Code)
CAN/ULC-S675.2	Standard for Nonvolumetric Precision Leak Detection Devices for Underground and Aboveground Storage Tanks and Piping for Flammable and Combustible Liquids	168, 2nd paragraph 172, 2nd paragraph 174, 1st paragraph (via 8.29, subpar. 2, of the Construction Code)
CAN/ULC-S676	Standard for Refurbishing of Storage Tanks for Flammable and Combustible Liquids	112, 2nd paragraph, subpar. 2 180 199, subpar. 1
CAN/ULC-S677	Standard for Fire Tested Aboveground Tank Assemblies for Flammable and Combustible Liquids	166 (via 8.24, subpar. 5, of the Construction Code)
ULC/ORD-C58.19	Spill Containment Devices for Underground Flammable Liquid Storage Tanks	117, 1st paragraph, subpars. 3 and 4 (via 8.127 of the Construction Code) 201 (via 8.127 of the Construction Code)
ULC/ORD-C107.12	Line Leak Detection Devices for Flammable Liquid Piping	168, 2nd paragraph

Designation	Title	Reference
ULC/ORD-C107.21	Under-Dispenser Sumps	117, 1st paragraph, subpars. 3, 4 and 5 (via 8.143 of the Construction Code) 218 (via 8.143 of the Construction Code)
ULC/ORD-42	Guide for the Investigation of Valves for Flammable and Combustible Liquids	201 (via 8.115 of the Construction Code)

8. Section 114 is amended in the second paragraph

- (1) by replacing “fuel oil” by “heating fuel oil tanks”;
- (2) by replacing “diesel and biodiesel tanks” by “diesel tanks and diesel tanks containing biodiesel”;
- (3) by replacing “subparagraph 1” by “subparagraph *a* of subparagraph 3 of the first paragraph”.

9. Section 115 is amended

- (1) by inserting “heating” before “fuel oil” in subparagraph *b* of subparagraph 1 of the first paragraph;
- (2) by striking out the second paragraph;
- (3) by adding the following paragraph at the end:

“This section does not apply to the owner of a pipeline. However, the owner must implement a quality control program approved by the Board in accordance with section 119.2.”

10. Section 117 is amended

- (1) by replacing “sections 158 and 188” in subparagraph 5 of the first paragraph by “section 188”;
- (2) by inserting the following after subparagraph 5 of the first paragraph:

“(6) that, in the case of high-risk petroleum equipment covered by CSA Standard B139 Installation Code for Oil-Burning Equipment, published by CSA Group, he or she has examined the operation of the equipment to ensure that it meets the requirements of that standard; and

(7) that, in the case of high-risk petroleum equipment inside a building, not covered by subparagraph 6, he or she has examined the operation of the equipment to ensure that it meets the requirements in Part 4 of Division B of the NFCC, National Fire Code of Canada, published by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada.”;

(3) by replacing “professional order membership number and temporary permit or certification number issued pursuant to the Petroleum Products Act (chapter P-30.01)” in the third paragraph by “professional order membership number or the number of the temporary permit issued pursuant to the Engineers Act (chapter I-9)”.

11. Section 119.2 is amended

- (1) by replacing “the program” in paragraph 1 by “in the case of high-risk petroleum equipment other than a pipeline, the program”;
- (2) by inserting the following after paragraph 1:

“(1.1) in the case of a pipeline, the program meets the applicable requirements of CAN/CSA Standard Z662, Oil and Gas Pipeline Systems, published by the CSA Group;”;

(3) by replacing “the owner” in paragraph 4 by “except in the case of a pipeline, the owner”.

12. Section 121 is amended by inserting the following after paragraph 4:

“(4.1) if the application concerns a pipeline, a quality control program in accordance with the requirements of sections 119.2 and 119.4;”.

13. Section 124 is amended by inserting the following after paragraph 5:

“(5.1) in the case of a pipeline, the quality control program has been approved by the Board; and”.

14. Section 139 is amended

(1) in subparagraph *a* of paragraph 1 by replacing “CAN/ULC Standard S603.1-03 External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids” by “CAN/ULC Standard S603.1 External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids”;

(2) in subparagraph *b* of paragraph 1 by replacing “RP0 Standard 169-2002” by “NACE Standard SP0169” and “RP0 Standard 285-2002 Corrosion Control of Underground Storage Tank System by Cathodic Protection” by “NACE Standard SP0285 Corrosion Control of Underground Storage Tank Systems by Cathodic Protection”.

15. Section 158 is revoked.

16. Section 167 is replaced by the following:

“**167.** Nonmetallic piping must meet the requirements of CAN/ULC-S660 Standard for Nonmetallic Underground Piping for Flammable and Combustible Liquids, published by the Underwriters’ Laboratories of Canada. The piping must also be installed so that there are no joints in the ground.”.

17. Section 168 is amended

(1) in the first paragraph by replacing “ULC/ORD Standard C107.19 Secondary Containment of Underground Piping for Flammable and Combustible Liquids” by “CAN/ULC-S660 Standard for Nonmetallic Underground Piping for Flammable and Combustible Liquids”;

(2) in the second paragraph by replacing “ULC/ORD Standard C107.12-1992 Line Leak Detection Devices – Flammable Liquid Piping” by “ULC/ORD Standard C107.12, Line Leak Detection Devices for Flammable Liquid Piping,” and “ULC/ORD Standard C58.14-1992 Non-Volumetric Leak Detection Devices for Underground Flammable Liquid Storage Tanks” by “CAN/ULC-S675.2 Standard for Nonvolumetric Precision Leak Detection Devices for Underground and Aboveground Storage Tanks and Piping for Flammable and Combustible Liquids”.

18. Section 172 is amended in the second paragraph

(1) by replacing “ULC/ORD Standard C58.12-1992 Leak Detection Devices (Volumetric Type) for Underground Flammable Liquid Storage Tanks” by “CAN/ULC-S675.1 Standard for Volumetric Leak Detection Devices for Underground and Aboveground Storage Tanks for Flammable and Combustible Liquids”;

(2) by replacing “ULC/ORD Standard C58.14-1992 Non-Volumetric Leak Detection Devices for Underground Flammable Liquid Storage Tanks” by “CAN/ULC-S675.2 Standard for Nonvolumetric Precision Leak Detection Devices for Underground and Aboveground Storage Tanks and Piping for Flammable and Combustible Liquids”.

19. Section 180 is replaced by the following:

“**180.** An underground tank removed from the ground may not be reused to store petroleum products underground unless the tank is approved in accordance with CAN/ULC-S676 Standard for Refurbishing of Storage Tanks for Flammable and Combustible Liquids, published by the Underwriters’ Laboratories of Canada.”.

20. Section 194 is replaced by the following:

“**194.** The tank in a petroleum equipment installation may not be used to store a product other than a petroleum product unless the diked area of the installation meets the requirements of section 22.11.2.6 of NFPA Standard 30, Flammable and Combustible Liquids Code, published by the National Fire Protection Association.”.

21. Section 199 is replaced by the following:

“**199.** An aboveground tank or piping component may not be reused to store petroleum products aboveground unless the following requirements are met:

(1) the tank must be approved in accordance with CAN/ULC S676 Standard for Refurbishing of Storage Tanks for Flammable and Combustible Liquids, published by the Underwriters’ Laboratories of Canada;

(2) the piping must be cleaned, inspected and protected against outside corrosion.”.

22. Section 200 is replaced by the following:

“**200.** Any tank removed that is not to be reused or that cannot be reused under the requirements of paragraph 1 of section 199 must be demolished in accordance with the requirements of section 8.68 of Chapter VIII of the Construction Code (chapter B-1.1, r. 2).”.

23. Section 212 is amended by inserting “heating” before “fuel oil”.

24. Section 213 is amended by replacing “diesel or biodiesel fuel” by “diesel fuel or diesel fuel containing biodiesel”.

25. Section 215 is amended

(1) in the first paragraph by replacing “ULC/ORD Standard C58.10-1992 Jacketed Steel Underground Tanks for Flammable and Combustible Liquids” by “CAN/ULC Standard S603.1 External Corrosion Protection Systems for Steel Underground Tanks for Flammable and Combustible Liquids”;

(2) in the second paragraph by replacing “RP0 Standard 169-2002” by “NACE Standard SP0169” and “RP0 Standard 285-2002 Corrosion Control of Underground Storage Tank System by Cathodic Protection” by “NACE Standard SP0285 Corrosion Control of Underground Storage Tank Systems by Cathodic Protection”.

26. Section 219 is amended by replacing “Canadian Petroleum Products Institute” by “Canadian Fuels Association”.

27. Section 225 is amended in the first paragraph

(1) by replacing “CSA Standard B346-M1980” by “CSA Standard B346”;

(2) by replacing “Canadian Standards Association” by “CSA Group”.

28. Section 227 is amended

(1) by replacing “Table 1” by “Table 2”;

(2) by replacing “TABLE 1” in the heading of the table by “TABLE 2”.

29. Section 233 is amended by replacing “CAN/ULC Standard S612-99 Hose for Flammable and Combustible Liquids” by “CAN/ULC-S612 Standard for Hose and Hose Assemblies for Flammable and Combustible Liquids”.

30. Section 252 is amended by replacing “CAN/CSA Standard B836-2005 Storage, Handling and Dispensing of Aviation Fuel at Aerodromes, published by the Canadian Standards Association” by “CAN/CSA Standard B836, Storage, handling, and dispensing of aviation fuel at aerodromes, published by the CSA Group”.

31. Schedule I is amended in the third paragraph of the section concerning section 215

(1) by replacing “RP0 Standard 169-2002” by “NACE Standard SP0169”;

(2) by replacing “RP0 Standard 285-2002 Corrosion Control of Underground Storage Tank System by Cathodic Protection” by “NACE Standard SP0285 Corrosion Control of Underground Storage Tank Systems by Cathodic Protection”.

32. This Regulation comes into force on the forty-fifth day following the date of its publication in the *Gazette officielle du Québec*.

The former provisions of Chapter VI Petroleum Equipment Installation of the Safety Code, as they read on (*insert the date of the day before the date of coming into force of this Regulation*) may apply to a petroleum equipment installation until (*insert the date occurring 3 months after the date of coming into force of this Regulation*).

102928

Draft regulation

Medical Act
(chapter M-9)

Physicians

—Specialized nurse practitioners

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting specialized nurse practitioners, adopted by the board of directors of the Collège des médecins du Québec and appearing below, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days that following this publication.

This draft Regulation provides for new classes of specialization of specialized nurse practitioners and for the withdrawal of all lists of medications, laboratory analyses or diagnostic examinations. This draft Regulation also prescribes the imposition of a new condition of practice, namely, the need for the specialized nurse practitioner to record her partnership with a physician in a written agreement; this applied to all specialties. Finally, this draft Regulation creates a consultative committee on the practice of the specialized nurse practitioner.

The draft Regulation has no impact on the public and on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting, Mre Linda Bélanger, Assistant Director of the Legal Services Division, Collège des médecins du Québec, 1250, boul. René-Lévesque Ouest, Montréal (Québec) H3B 0G2; Telephone No.: 1 888 633-3246 or 514 933-4441, extension 5362; Fax No.: 514 933-3276; e-mail: lbelanger@cmq.org

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to the 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 Collège des médecins du Québec, as well as to interested persons, departments and bodies.

JEAN PAUL DUTRISAC,
*Chair of the Office des
professions du Québec*

Regulation respecting specialized nurse practitioners

Medical Act
(chapter M-9, s. 19, 1st par., subpar. *b*)

1. The purpose of this Regulation is to determine, among the professional activities that may be performed by physicians, those that pursuant to the terms and conditions set out in the Regulation, may be engaged in by the specialized nurse practitioner contemplated by the Regulation respecting the classes of specialities of specialized nurse practitioners (chapter I-8, r. 8) or another person.

DIVISION I AUTHORIZED ACTIVITIES AND TARGETED CLIENTELE

2. A nurse who holds a specialist's certificate in any of the classes of specialties stipulated in the Regulation respecting the classes of specialities of specialized nurse practitioners (chapter I-8, r. 8) may perform the following medical activities under the terms and conditions prescribed in Division 2:

- (1) prescribe diagnostic examinations;
- (2) use diagnostic techniques that are invasive or entail risks of injury;
- (3) prescribe medications and other substances;
- (4) prescribe medical treatments;
- (5) use techniques or apply medical treatments that are invasive or entail risks of injury.

3. A nurse practitioner specialized in neonatology is authorized to perform an activity stipulated in section 2, in neonatology, in a hospital centre at which secondary and tertiary care is provided.

For the purpose of performing the activities contemplated in the first paragraph, the nurse must maintain their skills in neonatal resuscitation by obtaining an attestation in resuscitation issued by the Canadian Paediatric Society.

4. A nurse practitioner specialized in pediatric care is authorized to perform an activity stipulated in section 2 on a pediatric clientele in a hospital centre or in a clinic in which secondary and tertiary care is provided.

5. A nurse practitioner specialized in adult care is authorized to perform an activity stipulated in section 2 on an adult clientele in a hospital centre or in a clinic in which secondary and tertiary care is provided.

6. A nurse practitioner specialized in mental health is authorized to perform an activity stipulated in section 2 in the field of mental health and human relations on a clientele of any age.

7. A nurse practitioner specialized in primary care is authorized to perform an activity stipulated in section 2 on a clientele of any age, ambulatory or housed in a residential centre or a child and youth protection centre presenting one of the following conditions:

- (1) a common health problem;
- (2) a stable chronic disease;
- (3) requiring the monitoring of a normal or low risk pregnancy;
- (4) requiring end-of-life care.

The pregnancy monitoring noted in subparagraph 3 is performed according to conditions established with the partner physician and described in the partnership agreement.

8. For the purposes of this Regulation, "common health problem" means a health problem that presents the following characteristics:

- (1) a relatively high incidence in the community;
- (2) clinical symptoms and signs usually affecting a single system;
- (3) an absence of deterioration in the general condition of the person;
- (4) usually a quick and favourable course.

9. For the purposes of this Regulation, “stable chronic disease” means a disease that has been the subject of a diagnosis by a physician and of a medical treatment plan giving the expected results.

10. Besides the activities stipulated in section 7, a nurse practitioner specialized in primary care who practices in isolated region facility may perform the following activities:

(1) medical activities in advanced cardiac life support, advanced pediatric life support, advanced neonatal life support and advanced trauma life support, including the prescription of the drugs and substances necessary for such care;

(2) perform an emergency delivery and treat postpartum hemorrhages;

(3) provide treatment for intoxication.

For the purposes of this Division, “an isolated region facility” means a primary care facility or a dispensary listed in Schedule II.

11. To perform an activity stipulated in section 10, the nurse must acquire and maintain skills, as appropriate:

(1) in Advanced Cardiac Life Support (ACLS) and Pediatric Advanced Life Support (PALS) by obtaining an attestation issued by the Heart and Stroke Foundation of Québec in accordance with the standards of the Heart and Stroke Foundation of Canada;

(2) in neonatal resuscitation by obtaining an attestation issued by the Canadian Paediatric Society;

(3) in trauma nursing care (Trauma Nursing Core Course (TNCC)) by obtaining an attestation issued by the National Emergency Nurses’ Affiliation (NENA, Canada) and the Emergency Nurses Association (ENA, United States).

In addition to all of the training provided in the first paragraph, the nurse practitioner specialized in primary care who practices in an isolated region must, in order to perform the activities provided in section 7, hold an attestation, issued by the Ordre des infirmières et infirmiers du Québec, that he or she has successfully completed a nine-week clinical training structured as follows:

(1) 5 weeks of emergency care in a hospital centre with a high-volume emergency department;

(2) 2 weeks of pediatric emergency care in a hospital centre with a high-volume emergency department;

(3) 2 weeks in the delivery room in a hospital centre which offers high-volume obstetric services.

During the training period stipulated in the second paragraph, the nurse may perform the professional activities required for the purpose of completing this training, in the presence of a physician.

12. For the purposes of sections 3 to 6, meant by:

(1) primary care: care offered at contact points of the population with the health and social services network. These include a series of common health services that are based on a light infrastructure of diagnostic and therapeutic means allowing resolution of most common health concerns and problems of the population. They are intended for a population living at home during any new episode of care or as part of periodic monitoring;

(2) secondary care: care addressing complex health problems. It includes assistance, support, housing services and a series of mostly specialized health services based on an adapted infrastructure and a heavy but widespread diagnostic and therapeutic technology. It is intended for persons who can no longer remain in their natural habitat because of a severe loss of functional or psychosocial autonomy or for persons dealing with complex health problems that cannot be solved by primary care;

(3) tertiary care: as ultraspecialized care, tertiary services are intended for persons presenting health problems that are very complex or have a low prevalence. They rely on a concept of rarity.

DIVISION II **TERMS AND CONDITIONS OF PRACTICE**

§1. Partnership

13. A specialized nurse practitioner engages in the activities provided in this Regulation in partnership with a physician who practices in the fields in which the nurse practices, and their partnership must be recorded in a written agreement. The partner physician may practice in physical locations separate from those of the nurse but must have established care trajectories that ensure continuity of care.

A nurse may establish a partnership with more than one physician to cover all of the activities he or she performs. Excluding the specialization in primary care, the partnership may also be established with a department or clinical service of a hospital centre.

14. The partnership agreement must include at least the following elements:

- (1) the name of the partner physicians collaborating in the agreement;
- (2) the type of clientele served by the nurse or the one excluded;
- (3) the services or care that are offered by the nurse or those excluded;
- (4) the procedure to follow for the requests for assistance from the physician;
- (5) the procedure to follow for the requests for a medical consultation;
- (6) the forms of communication between the nurse and the physician;
- (7) the monitoring mechanisms provided in Division IV;
- (8) the process applicable to revising or amending of the agreement;
- (9) the term of the agreement and its resiliation or renewal procedure;
- (10) the rules for the conservation or transfer of records when the partnership agreement ends.

15. The specialized nurse practitioner must request the intervention of the partner physician in the following cases:

- (1) when the care required by the patient exceeds their competencies, field of intervention or is intended for a clientele of a different specialty;
- (2) the signs, symptoms or results of diagnostic examinations indicate that the patient's health condition has become destabilized or deteriorated, and the nurse is not able to ensure its management;
- (3) the results expected from the therapy have not been obtained or the therapeutic target has not been achieved and the patient does not respond to the usual treatment.

In a request for intervention addressed to the partner physician, the nurse must state the reason for the request and specify its urgency and the type of intervention desired. After the intervention by the partner physician, the nurse may continue to perform activities within the limits of the medical treatment plan determined by that physician.

§2. Prescription of tests and diagnostic examinations

16. The specialized nurse practitioner prescribes diagnostic examinations according to his or her specialty. Before prescribing a diagnostic examination, a nurse must make sure that a recent result for this examination is not otherwise available.

17. The specialized nurse practitioner prescribes the medications and other substances necessary for the patient's health condition that he or she determines within the framework of his or her specialty.

In performing the activities contemplated in the first paragraph, the specialized nurse practitioner respects the limits provided in Schedule I for certain classes of medications.

18. The specialized nurse practitioner prescribes, within the framework of his or her specialty, the medical treatments, supplies, equipment or apparatus necessary for the patient's condition.

19. The nurse engages in the activities provided in sections 16 to 18 in accordance with the provisions applicable to individual prescriptions provided in the Règlement sur les normes relatives aux ordonnances faites par un médecin (chapter M-9, r. 25.1).

20. The specialized nurse practitioner, within the framework of his or her specialty, uses techniques or applies medical treatments that are invasive or presenting risks of injury that are necessary for the patient's condition.

§3. Place of practice

21. The specialized nurse practitioner may not exclusively perform her activities in the emergency department of a hospital centre.

DIVISION III
CONSULTATIVE COMMITTEE ON THE PRACTICE OF THE SPECIALIZED NURSE PRACTITIONER

22. A consultative committee on the practice of the specialized nurse practitioner is created. The committee's mandate is to:

(1) examine generally the quality of clinical practice of the specialized nurse practitioner in the various specialties in application of the regulations, in particular with respect to:

- (a) quality of the prescription;
- (b) quality of interventions;

(c) quality of interprofessional collaboration;

(2) recommend new clinical practices or improvements to respond to scientific developments and new conclusive data;

(3) make recommendations to the Board of Directors of the Collège des médecins du Québec and of the Ordre des infirmières et infirmiers du Québec on the terms and conditions of practice of the specialized nurse practitioner as well as amendments to be made to the regulations governing the practice of the specialized nurse practitioner;

(4) analyze any issue related to the practice of the specialized nurse practitioner.

23. This committee consists of eleven members, appointed, as appropriate, by the Board of Directors of the Collège des médecins du Québec or of the Ordre des infirmières et infirmiers du Québec. Its composition is as follows:

- (1) one representative of each of the two Orders;
- (2) one physician partner in acute care;
- (3) one physician partner in primary care;
- (4) one nurse practitioner specialized in primary care;
- (5) one nurse practitioner specialized in neonatology;
- (6) one nurse practitioner specialized in adult care;
- (7) one nurse practitioner specialized in pediatric care;
- (8) one nurse practitioner specialized in mental health;
- (9) one specialized nurse practitioner with teaching responsibilities in a university program for the practice of the specialized nurse practitioner;
- (10) one representative of the Direction nationale des soins infirmiers of the ministère de la Santé et des Services sociaux.

The Committee may add any person deemed necessary to achieve its mandate.

24. Quorum for this committee is six members, made up of three specialized nurse practitioners, one partner physician and the representatives of the two professional orders.

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

DIVISION IV MONITORING OF PRACTICE BY THE PHYSICIAN

26. The partner physician exercises general monitoring of the quality and relevance of the medical activities or the observance of standards for these purposes associated with the practice of medical activities.

General monitoring by the physician includes particularly the following elements:

- (1) meetings to discuss collaboration mechanisms;
- (2) case discussions selected by the partner physician or the specialized nurse practitioner;
- (3) selection and review of records of the specialized nurse practitioner by the partner physician to evaluate the quality and relevance of the medical activities engaged in by the former;
- (4) evaluation of the prescription of medications, analyses and diagnostic examinations.

The meetings contemplated in subparagraph 1 of the second paragraph must take place on a regular basis and may be conducted remotely using technological resources.

DIVISION V OTHER AUTHORIZED PERSONS

27. A student specialized nurse practitioner contemplated in the Regulation respecting the classes of specialties of specialized nurse practitioners (chapter I-8, r. 8) may perform an activity provided in section 2, in accordance with the terms and conditions provided in the Regulation by making the necessary modifications and by respecting the following conditions:

- (1) the activities are performed in a site determined in application of the Regulation respecting the classes of specialties of specialized nurse practitioners (chapter I-8, r. 8), under the supervision of a specialist physician in his field of activities or by a specialized nurse practitioner practicing in his or her field of activities physically present;
- (2) the activities are required to complete the program in which the student nurse is registered or, where appropriate, to complete a training period or training for the recognition of an equivalence.

28. The candidate specialized nurse practitioner who holds an attestation of practice issued in application of the Regulation respecting the classes of specialties of specialized nurse practitioners (chapter I-8, r. 8) may perform an activity provided in section 2 in accordance with the terms and conditions provided in the Regulation by making the necessary modifications and by respecting the following conditions:

(1) in a centre operated by an institution in the meaning of the Act respecting health services and social services (chapter S-4.2) or by an institution within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5) where a director of nursing care has been appointed;

(2) in a medical office, medical clinic, dispensary, residential centre or other place offering primary care, to the extent that the nurse is employed by an institution within the meaning of Act respecting health services and social services (chapter S-4.2) or by an institution within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5) where a director of nursing care has been appointed and where the supervision of the nursing care provided by the candidate specialized nurse practitioner is the responsibility of the director of nursing care of that institution;

(3) under the supervision of a specialist physician in his field of activities or by a specialized nurse practitioner practicing in his or her field of activities, who is physically present.

29. Sections 13 and 14 do not apply to the student specialized nurse practitioner or to the candidate specialized nurse practitioner.

DIVISION VI

TRANSITIONAL AND FINAL PROVISIONS

30. A specialized nurse practitioner in primary care who has obtained the diploma giving rise to the certificate of specialist nurse practitioner specialized in primary care before [insert date] and who decides to practice their activities in a long-term care centre must first pass the supplementary 35-hour theoretical and practical training on the clinical examination and the treatment of persons living in long-term care facilities, of which at least 14 hours is on persons presenting the behavioural and psychological symptoms of dementia.

31. This Regulation replaces the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians (chapter M-9, r. 13).

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

SCHEDULE I

(s. 17, 2nd par.)

Limitation with respect to the prescription of medications

1. The specialized nurse practitioner may not prescribe, adjust or renew:

(1) medical marijuana;

(2) methadone and buprenorphine/naloxone for the treatment of opioid dependence.

SCHEDULE II

(s. 10, 2nd par.)

1. A primary care facility located in the Basse-Côte-Nord territory and managed by the Centre de santé et de services sociaux de la Basse-Côte-Nord.

2. A primary care facility located in the territory of Nunavik and managed by the Inuulitsivik Health Centre or the Tulattavik Health Centre.

3. A primary care facility located in the James Bay territory and managed by the Cree Board of Health and Social Services of James Bay.

4. A dispensary serving First Nations communities and located in the following regions:

(1) Basse-Côte-Nord;

(2) Moyenne-Côte-Nord;

(3) Schefferville;

(4) Haute-Mauricie.

5. A dispensary managed by the First Nations and Inuit Health Branch of Health Canada and located in the following regions:

(1) Haute-Gatineau (Algonquins of Barrière Lake);

(2) Témiscamingue (Long Point First Nation).

102933

Draft Regulation

Nurses Act
(chapter I-8)

Nurses

— **Classes of specialization for the activities referred to in section 36.1 of the Nurses Act to be engaged in**
— **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 classes of specialization of the Ordre des infirmières et infirmiers du Québec for the activities referred to in section 36.1 of the Nurses Act to be engaged in, made by the board of directors of the Ordre des infirmières et infirmiers du Québec and appearing below, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting the classes of specialization of the Ordre des infirmières et infirmiers du Québec for the activities referred to in section 36.1 of the Nurses Act to be engaged in (chapter I-8, r. 8) to update various classes of specialization of the Ordre des infirmières et infirmiers du Québec, to require that specialized nurse practitioners file a declaration of exercise and to establish an advisory committee on the practice of specialized nurse practitioners.

The draft Regulation has no impact on the public or on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Marie-Claude Simard, Direction des services juridiques, Ordre des infirmières et infirmiers du Québec, 4200, rue Molson, Montréal (Québec) H1Y 4V4; telephone: 514 935-2501 or 1 800 363-6048; fax: 514 935-3147; email: marie-claude.simard@oiiq.org

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the 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 Ordre des infirmières et infirmiers du Québec and to interested persons, departments and bodies.

JEAN PAUL DUTRISAC,
*Chair of the Office des
professions du Québec*

Regulation amending the Regulation respecting the classes of specialization of the Ordre des infirmières et infirmiers du Québec for the activities referred to in section 36.1 of the Nurses Act to be engaged in

Nurses Act
(chapter I-8, ss. 3 and 14, par. f)

DIVISION I AMENDMENTS

1. The title of the Regulation respecting the classes of specialization of the Ordre des infirmières et infirmiers du Québec for the activities referred to in section 36.1 of the Nurses Act to be engaged in (chapter I-8, r. 8) is replaced with the following: “Regulation respecting the classes of specialization of specialized nurse practitioner.”

2. Section 1 of this regulation is amended:

(1) by the addition, at the end of the first paragraph, of “of specialized nurse practitioner;”

(2) by the addition, at the end of the section, of the following paragraph:

“It introduces the obligation for a nurse holding a specialist’s certificate for a specialized nurse practitioner to make a declaration of practice, and it creates an advisory committee on the practice of specialized nurse practitioner.”

3. Section 2 of this regulation is amended by the addition, under sub-paragraph (1.1), of the word “class” between “corresponding to the specialty” and “concerned.”

4. Section 3 of this regulation is amended:

(1) by the replacement, in the first paragraph, of “The classes of nursing specialization for the activities referred to in section 36.1 of the Nurses Act (chapter I-8)” with “The specialization classes of specialized nurse practitioners;”

(2) by the replacement of subparagraphs (1) to (4) as follows:

“(1) nurse practitioner specializing in neonatology;

(2) nurse practitioner specializing in adult care;

(3) nurse practitioner specializing in paediatric care;

- (4) nurse practitioner specializing in primary care;
- (5) nurse practitioner specializing in mental health.”

5. Section 4 of this regulation is amended:

(1) *(Amendment to French text does not affect English text)*

(2) by the addition, under sub-paragraph (3), of the word “class” between “corresponding to the specialty” and “concerned.”

6. Section 5 of this regulation is amended by the replacement of “Division II of the Regulation respecting the activities contemplated in section 31 of the Medical Act which may be engaged in by classes of persons other than physicians (chapter M-9, r. 13)” with “Regulation respecting specialized nurse practitioners.”

7. *(Amendment to French text does not affect English text)*

8. *(Amendment to French text does not affect English text)*

9. Section 9 of this regulation is modified by the deletion, in the first paragraph, of the word “professional” before “examination.”

10. Section 9.3 of this regulation is amended:

(1) *(Amendment to French text does not affect English text)*

(2) by the replacement, in the second paragraph, of “determined by the Order’s Board of Directors” with “determined by the Order;”

(3) *(Amendment to French text does not affect English text)*

11. Section 10 of this regulation is amended:

(1) by the addition of the word “class” between “aspects of the specialty and “concerned;”

(2) by the addition of the word “class” between “specialized nurse practitioner in the specialty” and “concerned.”

12. Section 11 of this regulation is amended by the addition of the word “class” after “For each specialty.”

13. This regulation is amended by the addition, after section 22, of the following:

“DIVISION III.1 CONDITIONS OF PRACTICE

22.1. Prior to engaging in the professional activities referred to in section 36.1 of the Nurses Act, and by April 1 of each year thereafter at the time of registration, a nurse holding a specialist’s certificate for a specialized nurse practitioner must provide the secretary of the Order, on the form prescribed by the Order, with a declaration containing the following information:

(1) her specialization class;

(2) the name and number of the partnering physician with whom she has signed a partnership agreement pursuant to the “Regulation respecting specialized nurse practitioners;”

(3) the name, address and telephone number of the establishment, clinic, dispensary or any other location where she practices under the partnership agreement;

(4) the area of care in which she engages in professional activities referred to in section 36.1 of the Nurses Act.

22.2. A nurse holding a specialist’s certificate for a specialized nurse practitioner shall notify the secretary of the Order in writing of any change to the information mentioned in subparagraphs (1) to (4) of section 22.1.

Any such change shall be reported within 10 days following its occurrence, except where it concerns an area of care referred to in subparagraph (4) of section 22.1. In this case, the nurse shall report the new area of care at least 10 days prior to engaging in the professional activities referred to in section 36.1 of the Nurses Act in this area.

DIVISION III.2 ADVISORY COMMITTEE

22.3. An advisory committee on the practice of specialized nurse practitioner is created. The purpose of this committee is to:

(1) examine the general quality of the clinical practice of specialized nurse practitioner pursuant to the regulations, including in terms of:

i. quality of prescription;

ii. quality of intervention;

iii. quality of interprofessional collaboration;

(2) recommend new clinical practices or improvements in response to scientific developments and new evidence;

(3) make recommendations to the board of directors of the Order and to that of the Collège des médecins du Québec regarding the terms and conditions of practice of specialized nurse practitioner as well as any changes to be made to the regulations governing such activities;

(4) analyze any other matter in connection with the practice of specialized nurse practitioner.

22.4. This committee shall be made up of 11 members appointed, as the case may be, by the board of directors of the Order or by that of the Collège des médecins du Québec. It shall be made up of the following:

- (1) one representative of each of the two bodies;
- (2) one nurse practitioner specializing in neonatology;
- (3) one nurse practitioner specializing in paediatric care;
- (4) one nurse practitioner specializing in adult care;
- (5) one nurse practitioner specializing in primary care;
- (6) one nurse practitioner specializing in mental health;
- (7) one specialized nurse practitioner who has teaching duties in a university-level training program on the practice of specialized nurse practitioner;
- (8) one partnering acute care physician;
- (9) one partnering primary care physician;
- (10) one representative from the Direction nationale des soins infirmiers of the Ministère de la Santé et des Services sociaux.

The committee may appoint any person deemed appropriate to carry out its mandate.

22.5. A quorum of the committee shall be six members, including three specialized nurse practitioners, one partnering physician, and the representatives of both professional bodies.

22.6. The members of the committee are appointed for a term of three years and shall remain in place until reappointed or replaced.”

14. This regulation is amended by the replacement of “Règlement sur les normes d’équivalence de diplôme ou de la formation aux fins de la délivrance d’un certificat de spécialiste de l’Ordre des infirmières et infirmiers du Québec pour l’exercice des activités visées à l’article 36.1 de la Loi sur les infirmières et les infirmiers” with “Règlement sur les normes d’équivalence de diplôme ou de la formation aux fins de la délivrance d’un certificat de spécialiste d’infirmière praticienne spécialisée” wherever it appears.

15. This regulation is amended by the replacement of the words “to a specialist’s certificate issued by the Order” with “to a specialist’s certificate for a specialized nurse practitioner” wherever it appears.

DIVISION II TRANSITIONAL AND FINAL PROVISIONS

16. The specialist’s certificate for a nurse practitioner specializing in nephrology and the specialist’s certificate for a nurse practitioner specializing in cardiology issued by the Order prior to (*enter effective date of this regulation*) shall become a specialist’s certificate for a nurse practitioner specializing in adult care.

17. A nurse who, on (*enter effective date of this regulation*), is the holder of a specialist’s certificate for a specialized nurse practitioner must, within 30 days following this date, provide the secretary of the Order with the declaration referred to in section 22.1.

18. A nurse who, on (*enter effective date of this regulation*), is the holder of a specialist’s certificate for a nurse practitioner specializing in primary care must, in order to engage in the activities referred to in section 36.1 of the Nurses Act in a nursing home and long-term care facility, complete 35 hours of theoretical and practical training on physical examination and the treatment of persons in long-term care, including at least 14 hours on persons exhibiting the behavioral and psychological symptoms of dementia.

19. This regulation will come into force on the fifteenth day following the date of its publication in *Gazette Officielle du Québec*.

Parliamentary Committees

Committee on Institutions

General consultation

On the 2016 five-year report entitled “Rétablir l'équilibre – Rapport sur l'application de la Loi sur l'accès aux documents des organismes publics et sur la protection des renseignements personnels et de la Loi sur la protection des renseignements personnels dans le secteur privé”

The Committee on Institutions has been mandated to hold public hearings as part of its general consultation on the 2016 five-year report entitled “Rétablir l'équilibre – Rapport sur l'application de la Loi sur l'accès aux documents des organismes publics et sur la protection des renseignements personnels et de la Loi sur la protection des renseignements personnels dans le secteur privé”. This document is available on the Committee's web page at www.assnat.qc.ca and from the Committee clerk.

Individuals and organizations wishing to express their views during public hearings must submit a brief to the Committee clerk no later than June 1, 2017. Briefs must be on letter-size paper and can be sent by email (a single unlocked PDF file) or regular mail. They must include a short summary of their contents.

Individuals who do not submit a brief but wish to be heard during the public hearings must file a request to that effect with the Committee clerk no later than June 1, 2017. The request must include a short statement summarizing the nature of the presentation to be made.

The Committee decides which individuals and organizations it will hear from among those that have submitted a brief. The same holds for the individuals that have filed a request to be heard. Hearings will begin on August 16, 2017.

Unless the Committee decides otherwise, briefs will be made public and posted on the National Assembly's website, along with any personal information they contain.

Deadlines for submitting briefs and requests to be heard are subject to change, as is the opening date for public hearings. If changes are made, the information will be made public via the National Assembly website without further notice being published in the newspapers.

Briefs, requests to be heard and information requests must be sent to: Mr. Maxime Perreault, Clerk of the Committee on Institutions, Édifice Pamphile-Le May, 1035, rue des Parlementaires, 3^e étage, Québec (Québec), G1A 1A3.

Telephone: 418-643-2722

Fax: 418-643-0248

Email: ci@assnat.qc.ca

Toll-free number: 1-866-DÉPUTÉS (337-8837)

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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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