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## Part 2

# LAWS AND REGULATIONS

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13 September 2023 / Volume 155

### Summary

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Regulations and other Acts  
Draft Regulations

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Regulation respecting the *Gazette officielle du Québec*, section 4

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## Regulations and other Acts

Gouvernement du Québec

### O.C. 1389-2023, 30 August 2023

Professional Code  
(chapter C-26)

#### Dentistes

#### — Indemnity fund of the Ordre des dentistes du Québec

Regulation respecting the indemnity fund of the Ordre des dentistes du Québec

WHEREAS, under the first paragraph of section 89 of the Professional Code (chapter C-26), the members of a professional order may not, in the practice of their profession, hold funds or property, including advances on fees, on behalf of a client or another person, unless it is expressly authorized by the board of directors by regulation;

WHEREAS, under the first and second paragraphs of section 89.1 of the Code, a board of directors of a professional order that makes a regulation under section 89 of the Code authorizing the members of the order to hold funds or property must determine by regulation the compensation procedure and, if appropriate, conditions for the setting up of a compensation fund and rules for the administration and investment of the sums making up the fund;

WHEREAS the board of directors of the Ordre des dentistes du Québec, in the Règlement sur la détention de sommes par les dentistes, approved by the Office des professions du Québec on 20 February 2023, authorizes its members to hold funds;

WHEREAS the board of directors of the Ordre des dentistes du Québec made the Regulation respecting the indemnity fund of the Ordre des dentistes du Québec on 27 January 2023;

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

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the indemnity fund of the Ordre des dentistes du Québec was published in Part 2 of the *Gazette officielle du Québec* of 8 March 2023 with a notice that it could be examined by the Office then submitted to the Government, which may approve it, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 16 June 2023 and subsequently submitted it to the Government with its recommendation;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Regulation respecting the indemnity fund of the Ordre des dentistes du Québec, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

### Regulation respecting the indemnity fund of the Ordre des dentistes du Québec

Professional Code  
(chapter C-26, s. 89.1, 1st and 2nd par.)

#### DIVISION I

#### SETTING UP OF A COMPENSATION FUND

**1.** The board of directors of the Ordre des dentistes du Québec sets up a compensation fund to be used to compensate a claimant following the use by a dentist of funds for purposes other than those for which the claimant had entrusted them to the dentist under a regulation of the Order made under section 89 of the Professional Code (chapter C-26).

**2.** The compensation fund is maintained at a minimum amount of \$200,000.

It consists of

- (1) sums allocated to the fund by the board of directors;
- (2) assessments fixed for that purpose by the board of directors;
- (3) sums recovered from a dentist by subrogation pursuant to the seventh paragraph of section 89.1 or 159 of the Professional Code (chapter C-26) following a payment made from the fund; and
- (4) income earned on the sums constituting the fund.

## **DIVISION II**

### **RULES FOR THE ADMINISTRATION AND INVESTMENT OF THE COMPENSATION FUND**

- 3.** The accounting for the fund must be kept separate from the accounting of the other funds of the Order.
- 4.** The board of directors of the Order administers the fund and withdraws therefrom administration fees.

The sums constituting the fund are invested by the board of directors of the Order as follows:

- (1) the portion of the sums the board of directors of the Order intends to use on a short-term basis is deposited in a financial institution governed by the Trust Companies and Savings Companies Act (chapter S-29.02), the Bank Act (S.C. 1991, c. 46), the Act respecting financial services cooperatives (chapter C-67.3) or the Trust and Loan Companies Act (S.C. 1991, c. 45) and whose deposits are covered by deposit insurance pursuant to the Canada Deposit Insurance Corporation Act (R.S.C. 1985, c. C-3) or guaranteed under the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2);
- (2) the other portion is constituted of investments presumed sound, within the meaning of article 1339 of the Civil Code.

## **DIVISION III**

### **COMPENSATION FUND COMMITTEE**

- 5.** The board of directors forms a committee charged with examining and deciding claims.

The committee is composed of at least 3 members, including one elected director and one director appointed by the Office des professions du Québec.

The board of directors designates the committee's chair, secretary, and, if necessary, an assistant secretary who performs the same duties as the secretary. The secretary and the assistant secretary are not members of the committee.

The quorum of the committee is a majority of its members.

- 6.** Committee members remain in office at the end of their mandates until they are reappointed or replaced by the board of directors.

## **DIVISION IV**

### **COMPENSATION PROCEDURE**

- 7.** To be admissible, a claim must

- (1) be sent by means of a sworn declaration signed by the claimant and addressed to the Order within 12 months of the claimant becoming aware that the funds have been used by a dentist for purposes other than those for which they were entrusted to the dentist by the claimant;

- (2) be accompanied by proof of the steps taken with the dentist to recover the funds;

- (3) state the facts in support of the claim and be accompanied by all relevant documents; and

- (4) indicate the amount claimed.

The period referred to in subparagraph 1 of the first paragraph may be extended by the committee if the claimant shows that, for a reason beyond the claimant's control, the claimant was unable to file the claim within that period.

- 8.** A request made to the Order with regard to facts likely to give rise to a claim is deemed to be a claim if the request is filed within the period referred to in subparagraph 1 of the first paragraph of section 7.

The claim becomes admissible where the conditions set out in subparagraphs 2 to 4 of the first paragraph of section 7 are met.

- 9.** The secretary of the Order sends every admissible claim to the committee and the dentist within 15 days following the date on which the claim becomes admissible.

- 10.** Within 15 days preceding the date of the meeting during which the claim will be examined, the secretary of the Order notifies a notice to the dentist and the claimant informing them of the date of the meeting and of their right to make representations.

**11.** Within 90 days from the date on which the claim was sent to the committee, the committee decides whether it is expedient to accept the claim, in whole or in part. Where applicable, the committee determines the amount of the compensation.

The committee's substantiated decision is final. It is notified to the claimant and the dentist without delay.

**12.** The maximum compensation payable from the fund that may be paid for the period covering the fiscal year of the Order is

- (1) \$10,000 for a claim concerning a dentist;
- (2) \$50,000 for all claims concerning a dentist; and
- (3) \$200,000 for all claims.

Where all the claims filed for the period covering the fiscal year of the Order exceeds \$200,000, the amount paid to each claimant is paid in proportion to the amount of each claim.

**13.** Where the board of directors believes that a number of claims may be filed in respect of a dentist and that the total of the claims may exceed \$50,000, the board of directors must suspend the payment of compensations until it has reviewed all claims in respect of the dentist.

If the circumstances allow it, the board of directors must draw an inventory of the sums received by the dentist and notify in writing the persons likely to file a claim of the possibility of doing so.

**14.** Where the claimant is in a vulnerable situation, in particular because of age, physical or psychological state or social condition, the committee may, exceptionally and after having obtained the approval of the board of directors, pay a compensation amount greater than those provided for in section 12.

## DIVISION V FINAL

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

106452

Gouvernement du Québec

## O.C. 1417-2023, 30 August 2023

Act respecting municipal taxation  
(chapter F-2.1)

### Municipal tax for 9-1-1 —Amendment

Regulation to amend the Regulation governing the municipal tax for 9-1-1

WHEREAS, under subparagraph 13 of the first paragraph of section 262 of the Act respecting municipal taxation (chapter F-2.1), the Government may notably by regulation, for the purposes of section 244.68 of the Act, determine, for each telephone service, the amount of the tax referred to in that section or the rules to establish the tax, and determine the date from which any amendment to the by-law is to take effect;

WHEREAS, under the third paragraph of section 262 of the Act, a regulation concerning a matter referred to in subparagraph 13 of the first paragraph may only be adopted by the Government after consultation by the Minister of Municipal Affairs with the Union des municipalités du Québec, the Fédération québécoise des municipalités locales et régionales (FQM), Ville de Montréal and various persons or bodies the Minister considers representative of telephone service providers and 9-1-1 emergency centre operators;

WHEREAS that consultation has taken place;

WHEREAS, under the first paragraph of section 244.70 of the Act, if the Government amends the regulation made under subparagraph 13 of the first paragraph of section 262 of the Act, the local municipality must pass a by-law to amend the by-law in force as required to bring it into conformity with the government regulation and send a copy of the amending by-law to the Minister before the expiry of the time limit determined by the Government;

WHEREAS it is expedient to determine 10 November 2023 as the time limit before which a local municipality must pass an amending by-law and send it to the Minister to bring its by-law into conformity with the government regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation governing the municipal tax for 9-1-1 was published in Part 2 of the *Gazette officielle du Québec* of 7 June 2023 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation governing the municipal tax for 9-1-1, attached to this Order in Council, be made;

THAT 10 November 2023 be determined as the time limit before which a local municipality must pass an amending by-law and send it to the Minister of Municipal Affairs to bring its by-law into conformity with the government regulation.

JOSÉE DE BELLEFEUILLE  
*Associate Secretary General and Assistant Clerk  
of the Secrétariat du Conseil exécutif*

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## Regulation to amend the Regulation governing the municipal tax for 9-1-1

Act respecting municipal taxation  
(chapter F-2.1, s. 262, 1st par., subpar. 13, and 3rd par.)

**1.** The Regulation governing the municipal tax for 9-1-1 (chapter F-2.1, r. 14) is amended in section 2 by replacing “\$0.46” by “\$0.52”.

**2.** The following is inserted after section 2:

“**2.1.** The amount of the tax is adjusted, on 1 January each year, by a rate corresponding to the annual change in the average all-items Consumer Price Index for Québec, excluding alcoholic beverages, tobacco products, smokers’ supplies and recreational cannabis for the 12-month period ending on 30 June of the year preceding the year for which the amount of the tax is to be adjusted.

The adjusted amount is rounded down to the nearest cent if it includes a fraction of a cent that is less than \$0.005; it is rounded up to the nearest cent if it includes a fraction of a cent that is equal to or greater than \$0.005.

Not later than 30 September of the year preceding the year for which the amount of the tax is to be adjusted, the Minister of Municipal Affairs, Regions and Land Occupancy informs the public of the result of the adjustment carried out under this section in Part 1 of the *Gazette officielle du Québec* and by any other means the Minister considers appropriate.”

**3.** The amount of the municipal tax for 9-1-1 is adjusted, pursuant to section 2.1 of the Regulation governing the municipal tax for 9-1-1, enacted by section 2 of this Regulation, as of 1 January 2025.

**4.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 1, which comes into force on 1 January 2024.

106461



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## Draft Regulations

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### Draft regulation

Building Act  
(chapter B-1.1)

#### Construction Code — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (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 amends Chapter I.1 of the Construction Code (chapter B-1.1, r. 2), Energy efficiency of buildings. It adds a requirement concerning the management of the peak electrical power demand, applicable only where the path selected to ensure the compliance of a building with the requirements of the Code is the energy performance path, provided for in the Code. The new requirement takes into account the maximum electrical power demand of the proposed building, for the period from 1 December to 31 March, and provides that the sum of that demand and of the annual energy consumption of the building must be equal to or lower than that calculated for the reference building provided for in the Construction Code.

The new measure is not likely to generate additional costs for the public or for enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Nathalie Lessard, architect, Régie du bâtiment du Québec, 255, boulevard Crémazie Est, 1<sup>er</sup> étage, Montréal (Québec) H2M 1L5; telephone: 514 873-5935; email: [nathalie.lessard@rbq.gouv.qc.ca](mailto:nathalie.lessard@rbq.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Caroline Hardy, Secretary General and Director of Institutional Affairs, Régie du bâtiment du Québec, 800, place D'Youville, 16<sup>e</sup> étage, Québec (Québec) G1R 5S3; email: [projet.reglement.commentaires@rbq.gouv.qc.ca](mailto:projet.reglement.commentaires@rbq.gouv.qc.ca).

JEAN BOULET  
*Minister of Labour*

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## Regulation to amend the Construction Code

### Building Act

(chapter B-1.1, s. 173, 1st par., 2nd par., 3rd par., subpars. 1 and 6, and 4th par., s. 176.1, s. 178, s. 185, pars. 0.4 and 38, and s. 192)

1. The Construction Code (chapter B-1.1, r. 2) is amended in section 1.1.6

(1) by inserting the following lines, in numerical order, in the section of the table amending Part 8 of Division B of the National Energy Code of Canada for Buildings 2015 and in the section of the table amending Part 2 of Division C of that Code:

Articles	Amendments
<b>Division B Part 8</b>	
<b>8.4.1.1</b>	Replace “annual energy consumption” in Sentence (2) by “annual energy needs”.
<b>8.4.1.2.</b>	<p>Replace Sentence (2) by the following:</p> <p>“(2) The annual energy needs of the proposed <i>building</i> must not be greater than those of the reference <i>building</i> and must assessed as follows:</p> $2200 D_{\text{Prop}} + \text{AEC} \leq 2200 D_{\text{Ref}} + \text{BET}$ <p>where</p> <p><math>D_{\text{Prop}}</math> = the maximum power demand of the electrical system determined during one year, from 1 December to 31 March inclusively, analyzed using time intervals no greater than 15 minutes unless the calculation engine only offers 60-minute intervals, for the proposed <i>building</i>, in kW;</p> <p>AEC = the <i>annual energy consumption</i> of the proposed <i>building</i>, corresponding to the sum of the annual electricity needs, in kW × h, and the annual fuel needs, in kW × h equivalents;</p> <p><math>D_{\text{Ref}}</math> = the maximum power demand of the electrical system determined during one year, from 1 December to 31 March inclusively, analyzed using time intervals no greater than 15 minutes unless the calculation engine only offers 60-minute intervals, for the reference <i>building</i>, in kW; and</p> <p>BET = the <i>building energy target</i> of the reference <i>building</i> corresponding to the sum of the annual electricity needs, in kW × h, and the annual fuel needs, in kW × h equivalents;”.</p>

Articles	Amendments
8.4.3.	<p>Replace the heading by the following:  <b>“8.4.3. Annual energy consumption and maximum power demand of the electrical system of the proposed building”.</b></p>
8.4.3.1.	<p>Replace Sentence (1) by the following:  <b>“(1) The <i>annual energy consumption</i> and the maximum power demand of the electrical system of the proposed <i>building</i> must be calculated in accordance with this Subsection.”.</b></p>
8.4.4.	<p>Replace the heading by the following:  <b>“8.4.4. Building energy target and maximum power demand of the electrical system of the reference building”.</b></p>
8.4.4.1.	<p>Replace Sentence (1) by the following:  <b>“(1) The <i>building energy target</i> and the maximum power demand of the electrical system of the reference <i>building</i> must be calculated based on the parameters described in this Subsection.”.</b></p>
Division C Part 2	
2.2.2.8.	<p>Replace Clauses (3)(f)(iv) and (3)(f)(v) by the following:</p> <ul style="list-style-type: none"> <li>“(iv) the <i>building energy target</i> of the reference <i>building</i> (sum of all energy sources), in MJ;</li> <li>(v) a breakdown of energy consumption, by energy source, for the following components and technical installations of the <i>building</i>: space-heating equipment, space-cooling equipment, <i>interior lighting</i>, <i>service water</i> heating devices, elevators and escalators, fans, pumps and other HVAC equipment, and various equipment, including receptacle equipment; and</li> <li>(vi) the maximum power demand of the electrical system determined during one year, from 1 December to 31 March inclusively, analyzed using time intervals no greater than 15 minutes unless the calculation engine only offers 60-minute intervals, for the proposed building and for the reference <i>building</i>, in kW.”;</li> </ul>

Articles	Amendments
	Replace Sentence (5) by the following: “(5) If the annual energy needs of the proposed <i>building</i> are not greater than the annual energy needs of the reference <i>building</i> , the report must specify that the proposed <i>building</i> meets the requirements of the annual energy needs, as described in Article 8.4.1.2. and in this Code.”.

(2) by replacing the amendment to replace Figure A-1.1.2.1., in the section of the table amending Schedule A of Part 1 of Division B of the National Energy Code of Canada for Buildings 2015, by the following:

“Replace Figure A-1.1.2.1. by the following:

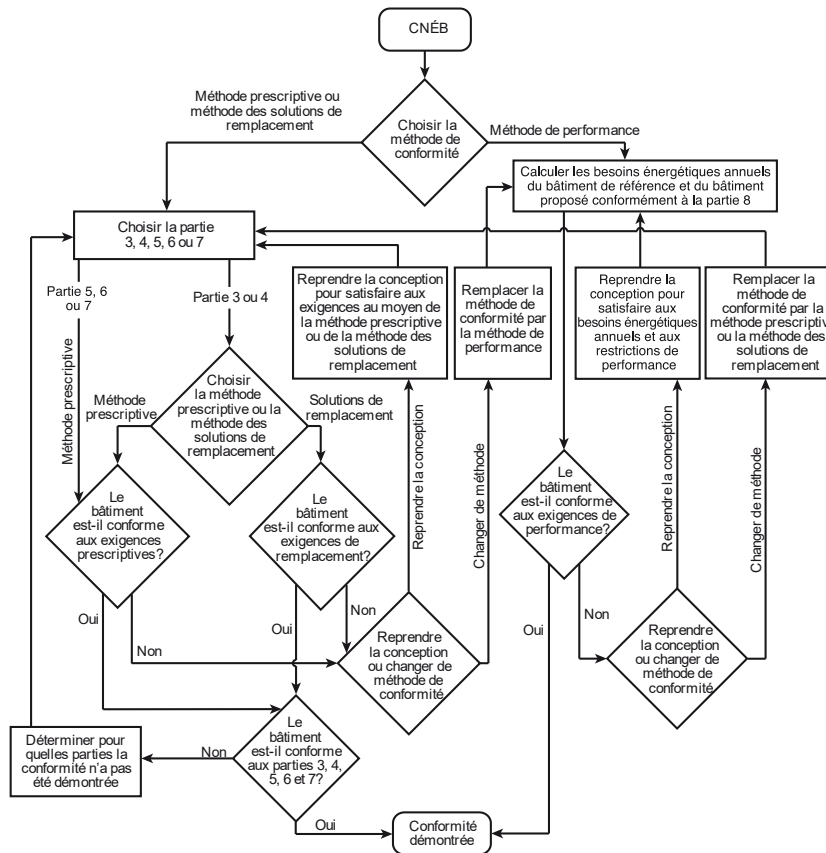


Figure A-1.1.2.1. Decision flow chart for Code compliance”.”.

(3) by replacing Sentence (2) of the amendment to replace Article 8.4.2.2., in the section of the table amending Part 8 of Division B of the National Energy Code of Canada for Buildings 2015, by the following:

“(2) The same program must be used to determine the maximum power demand of the electrical system and the *annual energy consumption* of the proposed *building*, as well as the maximum power demand of the electrical system and the *building energy target* of the reference *building*.”

(4) by replacing Note A-8.4.1. of the amendment to add Notes A-8.1.1.2., A-8.4.1 and A-8.4.1.2. (3) and (4), in the section of the table amending Schedule A of Part 8 of Division B of the National Energy Code of Canada for Buildings 2015, by the following:

“**A-8.4.1. Compliance.** The energy performance compliance path offers designers an alternative to the prescriptive requirements and trade-offs in Parts 3 to 7 of the Code. Those prescriptive requirements and trade-offs constitute compliance demonstration means that are relatively simple to apply, but offer less flexibility to designers who wish to design projects that meet the regulatory objectives without necessarily applying all the prescriptive requirements of the Code. For example, the energy performance compliance path allows the increase of the fenestration area of an immovable above the prescribed limit. In return, the designer may choose a heat-recovery unit with an efficiency greater than the minimum prescribed requirements that will make up for energy efficiency losses caused by the increase of the fenestration area. The objective is that the annual energy needs of the proposed building are lower than or equal to the annual energy needs of the reference building, determined according to the energy performance compliance path provided for in this Part.

Contrary to the prescriptive requirements and trade-offs, the energy performance compliance path allows accounting the cross effects and interdependence of solutions implemented in the proposed building. For example, the importance of thermal gains from indoor lighting systems will have an impact on the sizing of the HVAC systems and their subsequent energy consumption. Similarly, the efficiency of a heating system will influence the choice of a designer to further insulate the building envelope in order to achieve the annual energy needs of the reference building.”

(5) by replacing Note A-8.4.2. in the amendment to add Notes A-8.4.1.4. (3), A-8.4.2. and A-8.4.2.2. (1), in the section of the table amending Schedule A of Part 8 of Division B of the National Energy Code of Canada for Buildings 2015, by the following:

“**A-8.4.2. Compliance Calculation.** The maximum power demand of the electrical system and the annual energy consumption are evaluated by an energy modeling software, also called energy simulation software. The software includes at least one program, also called calculation engine. The software often includes graphic interfaces facilitating data entry and result analysis.”

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

106458

## Draft Regulation

Building Act  
(chapter B-1.1)

### Construction Code

#### Application of the 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 and the Regulation respecting the application of the Building Act, appearing below, may be approved by the Government, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation replaces Chapter IV, Elevators and other elevating devices, to include by reference the 2019 editions of ASME A17.1-2019/CSA B44:19, Safety Code for Elevators and Escalators, and CSA B355:19, Platform lifts and stair lifts for barrier-free access, published by CSA Group, to which amendments have been made to meet the specific needs of Québec.

The draft Regulation provides that before carrying out construction work on an elevator or other elevating device other than maintenance, repair or demolition work, plans and specifications must be prepared by a recognized person. The draft Regulation also provides that, following such work, a certificate of conformity with the Construction Code (chapter B-1.1, r. 2) must be produced by a recognized person and sent to the Régie du bâtiment du Québec.

The draft Regulation also designates, in the Construction Code (chapter B-1.1, r. 2), the elevators and other lifts that are facilities intended for use by the public and strikes out such designations in the Regulation respecting the application of the Building Act (chapter B-1.1, r. 1).

The measures proposed will result in additional construction costs estimated at \$38.9 million per year.

Further information on the draft Regulation may be obtained by contacting Amar Khif, engineer, Direction de la réglementation, Régie du bâtiment du Québec,

255, boulevard Crémazie Est, Bureau 100 Montréal (Québec) H2M 1L5; telephone: 514-864-8902; email: amar.khif@rbq.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Caroline Hardy, Secretary General and Director of Institutional Affairs, Régie du bâtiment du Québec, 800, place D'Youville, 16<sup>e</sup> étage, Québec (Québec) G1R 5S3; email: projet.reglement.commentaires@rbq.gouv.qc.ca.

JEAN BOULET  
*Minister of Labour*

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

### Building Act

(chapter B-1.1, s. 173, 1st, 2nd and 3rd pars., subpars. 1 to 3, 5, 7, and 8, ss. 176, 176.1, 178, 179, 185, pars. 0.1, 0.2, 1, 2.1.1, 7, 37 and 38, and s. 192)

1. The Construction Code (chapter B-1.1, r. 2) is amended by replacing Chapter IV by the following:

### **“CHAPTER IV**

#### **ELEVATORS AND OTHER ELEVATING DEVICES**

#### **DIVISION I**

#### **GENERAL**

**4.01.** This Chapter applies to all construction work on an elevator or lift in a building or constituting a facility intended for use by the public under section 4.05.

Despite the first paragraph, this Chapter does not apply to construction work on wind turbine tower elevators.

**4.02.** In this Chapter, unless the context indicates otherwise,

“code” means Code ASME A17.1-2019/CSA B44:19, Safety Code for Elevators and Escalators, published by CSA Group;

“standard” means Standard CSA B355:19, Platform lifts and stair lifts for barrier-free access, published by CSA Group;

“lift” means a lift referred to and defined in the standard.

In addition, elevator includes freight elevators, dumbwaiters, escalators, moving walks and material lifts referred to and defined in the Code, except wind turbine tower elevators.

**4.03.** The code and standard referred to in the first paragraph of section 4.02 are incorporated into this Chapter by reference, subject to the amendments specified in Division III.

**4.04.** Any amendment to the Code or the standard, published by CSA Group, applies to construction work as of the last day of the sixth month that follows the publication of the French version of the amendment.

Despite the first paragraph, errata take effect as soon as they are published by CSA Group.

**4.05.** The following facilities are intended for use by the public for the purposes of section 10 of the Building Act (chapter B-1.1):

- (1) elevators, dumbwaiters, escalators, moving walks and material lifts covered by the Code, other than those on wind turbine towers;
- (2) lifts covered by the standard.

**4.06.** Subject to the second paragraph, unless otherwise provided, a reference in this Chapter to a standard or a code is a reference to that standard or code as adopted by the chapter of the Construction Code or Safety Code (B-1.1, r. 3) that refers to it.

Despite paragraph 13 of section 5.05 of the Construction Code, section 38 of CSA C22.1, Canadian Electrical Code, Part I, applies for the purposes of this Chapter.

## **DIVISION II**

### **DESIGN, MANUFACTURING AND WORK CONFORMITY**

#### *§ 1. — Recognized persons and bodies*

**4.07.** For the purposes of this Chapter, every engineer who is a member of the Ordre des ingénieurs du Québec and every holder of a temporary permit issued under the Engineers Act (chapter I-9) whose professional activities are connected with the field of elevators and other elevating devices are recognized *ex officio*.

**4.08.** For the purposes of this Chapter and the requirements of the Code and the standard, and for the purposes of CSA Standard B44.1/ASME A17.5, Elevator and escalator electrical equipment, and ASME/CSA Standard B44.7, Performance-based safety code for elevators and escalators, a certification body is any conformity assessment body accredited by one of the following bodies:

- (1) the Standards Council of Canada;
- (2) a member of the International Accreditation Forum (IAF), signatory of multilateral recognition agreements for the certification of products;
- (3) a body designated in accordance with the Protocol on the mutual acceptance of the results of conformity assessment, integrated into the Comprehensive Economic and Trade Agreement between Canada and the European Union and its Member States.

#### *§ 2. — Design and manufacturing*

**4.09.** Elevators and other elevating devices shall comply with the design and manufacturing requirements of the Code or standard, as the case may be.

**4.10.** Where the Code or one of the standards referred to in section 4.08 requires that a material, accessory, device, component, system or subsystem be certified, it shall be certified by a certification body referred to in that section.



**4.11.** Before carrying out the construction work referred to in section 4.01, a contractor or an owner-builder shall obtain the plans and specifications prepared by a recognized person.

The first paragraph does not apply to maintenance, repair or demolition work on an elevator or other elevating device.

**4.12.** The plans shall include, depending on the type of elevator or elevating device, the information provided for in section 2.28 or 3.28 of the Code.

**4.13.** The plans shall be drawn to scale and shall, with the specifications, indicate the nature and scope of the work in such manner as to establish if the work carried out complies with this Chapter.

**4.14.** Before installing an elevating device, a prototype of the device shall be the subject of a certificate of conformity to the standard prepared by a recognized person. The certificate shall be sent to the Board and shall include

- (1) the type of device;
- (2) the trademark of the device;
- (3) the model number of the device;
- (4) the features of the device; and
- (5) the name of the manufacturer of the device.

The Board shall make public on its website the list of the approved prototypes of elevating devices.

### § 3. — *Work conformity*

**4.15.** Following the carrying out of the construction work referred to in section 4.01 other than maintenance, repair or demolition work, the contractor or owner-builder shall

- (1) submit the elevator or the elevating device to the tests and inspections referred to in section 8.10 of the Code or Annex A of the standard, as the case may be; and
- (2) send to the Board, not later than 20 days after the date of completion of the work or the re-use of the elevator or elevating device, a declaration of work including the following information:
  - (a) the components that were subject to the tests and inspections referred to in paragraph (1);
  - (b) the date on which the tests and inspections were conducted together with the name and title of the person by whom they were performed;
  - (c) the name, address, telephone number and email address of the owner;

- (d) the address of the work site and the nature of the work;
- (e) the type, trademark, model, technical features and the name of the manufacturer of the elevator or the elevating device.

### DIVISION III

#### AMENDMENTS TO THE CODE AND THE STANDARD

**4.16.** The amendments to the Code are as follows:

Provision	Amendments
	<p>Replace the terms “inspection”, “inspector” and “inspecté” wherever they appear in the French text by “vérification”, “vérifier” and “vérifié”, respectively;</p> <hr/> <p>Replace the terms “palier terminal” and “paliers terminaux” wherever they appear in the French text by “palier extrême” and “paliers extrêmes”, respectively.</p>
<b>1.1.2</b>	Add “, except dumbwaiters and material hoists” at the end of (w).
<b>1.2.1</b>	<p>Add the following at the end:</p> <p>“For the purposes of (b) and (c), the approval of the Régie du bâtiment du Québec is required, in accordance with section 127 of the Building Act (chapter B-1.1).”.</p>
<b>1.2.2</b>	Add “and provided that the Régie du bâtiment du Québec approves it in accordance with section 127 of the Building Act (chapter B-1.1)” at the end.
<b>1.2.2.1</b>	Strike out the section.
<b>1.2.2.2</b>	Strike out the section.
<b>1.2.2.3</b>	Strike out the section.
<b>1.3</b>	Add “The term also includes an elevator or a material lift.” at the end of the definition of “ <i>elevator, inclined</i> ”;

	<p>Replace respectively the definitions concerned by the following:</p> <p><b>“authority having jurisdiction</b> — Régie du bâtiment du Québec (see <b>regulatory authority</b>).”;</p> <p><b>“regulatory authority</b> — Régie du bâtiment du Québec (see <b>authority having jurisdiction</b>).”;</p> <p><b>“building code</b> — the National Building Code of Canada.”;</p>
	<p>Replace the term “ou monte-charge” wherever it appears in the French text of the definitions of <b>“Ascenseur ou monte-charge d’habitation privée”</b> and <b>“Dispositif de réarmement manuel d’ascenseur ou monte-charge d’habitation privée”</b> by “ou petit monte-charge”;</p>
	<p>Replace “des personnes autorisées, de leurs outils et de leur matériel” in the French text of the definition of <b>“Ascenseur ou monte-charge pour usage spécial”</b> by “du personnel autorisé, de ses outils et de son matériel”;</p>
	<p>Replace “aux personnes autorisées” in the French text of the definitions of <b>“Dispositif de réarmement manuel d’ascenseur ou monte-charge d’habitation privée”</b> and <b>“Dispositif de réarmement manuel d’escalier mécanique et de trottoir roulant”</b> by “au personnel autorisé”;</p>
	<p>Replace the definition of <b>“Élingue”</b> in the French text by the following:</p> <p><b>“Étrier — voir Étriers de cabine.”;</b></p>
	<p>Replace “des personnes autorisées” in the French text of the definition of <b>“Monte-matériaux”</b> by “du personnel autorisé”;</p>
	<p>Replace “des personnes autorisées” in the French text of the definition of <b>“Préposé désigné”</b> by “du personnel autorisé”;</p>
	<p>Replace the definition of “Personne autorisée” in the French text by the following:</p> <p><b>“Personnel autorisé</b> — personne qui a reçu la formation nécessaire lui permettant d’utiliser le matériel et qui a été désigné comme utilisateur de ce matériel par le propriétaire.”;</p>
	<p>Replace the definition of <b>“Phase I Rappel d’urgence”</b> in the French text by the following:</p>

Provision	Amendments
	<p>“<b>Phase I ou rappel de secours</b> — fonctionnement qui rappelle automatiquement ou manuellement un ascenseur ou un monte-charge au palier de rappel et qui retire l’appareil du service normal à la suite du déclenchement de mesures d’urgence contre les incendies.”;</p> <hr/> <p>Replace the definition of “<b>Dispositif de déplacement, escalier mécanique ou trottoir roulant</b>” in the French text by the following:  “<b>Relocalisation d’escalier mécanique ou trottoir roulant</b> — déplacement d’un escalier mécanique ou d’un trottoir roulant à partir d’une gaine ou cuvette vers une autre gaine ou cuvette, ou l’action de fixer l’escalier mécanique ou trottoir roulant à différentes plaques de soutien ou supports.”;</p> <hr/> <p>Replace the definition of “<b>Rétablissement de plongeur télescopique</b>” in the French text by the following:  “<b>Synchronisation de plongeur télescopique</b> — opération qui permet de rétablir la position verticale relative des plongeurs multiples d’un ensemble de plongeurs télescopiques.”;</p> <hr/> <p>Replace “des personnes autorisés” in the French text of the definition of “<b>Zone réservée</b>” by “du personnel autorisé”.</p>
2.2.2.6	<p>Replace the section by the following:  “2.2.2.6 Struck out.  2.2.2.7 Sump pumps, including their controls, may not be installed in pits.”.</p>
2.5.1.6	<p>Insert “, on each side of the hoistway,” after “Where the lowest landing sill”;</p> <hr/> <p>Insert “between the lower part of each car platform apron and the fascia of the corresponding hoistway” after “This clearance shall be maintained”.</p>
2.7.8	<p>Replace the heading in the French text by the following:  “2.7.8 <b>Locaux des machines, locaux des commandes et emplacement des commandes séparés</b>”.</p>

Provision	Amendments
2.7.8.4	<p>Replace the French text by the following:</p> <p><b>“2.7.8.4</b></p> <p>Il doit y avoir un moyen de communication permanent entre la cabine d'un ascenseur ou monte-charge et les locaux des machines ou des commandes séparés. Un moyen de communication permanent entre la cabine d'un ascenseur ou monte-charge et les emplacements des commandes séparés doit être installé lorsque ces emplacements séparés sont dotés de dispositifs pour les essais (voir l'article 2.7.6.4).”.</p>
2.13.3.4.10	<p>Replace “aux personnes autorisées” and “SEULES LES PERSONNES AUTORISÉES ONT” in the French text of b) by “au personnel autorisé” and “SEUL LE PERSONNEL AUTORISÉ A”, respectively.</p>
2.14.1.3	<p>Replace “<b>Enclosure Walls</b>” in the heading of the section by “<b>Car Enclosure</b>”.</p>
2.14.2.1.2	<p>Replace “et un indice de propagation des flammes maximal de 0 à 450” in the French text of b) by “et un indice de dégagement des fumées de 0 à 450”.</p>
2.15.9	<p>Insert “and non-retractable” after “smooth”.</p>
2.20.6	<p>Strike out “des ascenseurs ou” in the French text.</p>
2.20.8.1	<p>Replace “le découplément de l'alimentation électrique” in the French text of c) by “la coupure de l'alimentation électrique”.</p>
2.25.3.3.1	<p>Replace “des conducteurs intégrés au câble mobile” in the French text by “par des conducteurs intégrés au câble pendentif”.</p>
2.27.7.2	<p>Replace “rappel d'urgence” in the French text of the heading of Figure 2.27.7.2 by “rappel de secours”.</p>

Provision	Amendments
<b>2.27.11 to 2.27.11.6.10</b>	Replace 2.27.11.1 to 2.27.11.6.10 by the following: <b>“2.27.11 Occupant Evacuation Operation</b> Occupant evacuation using an elevator is prohibited.”.
<b>3.4.1.2</b>	Replace “tout appareillage sur la cabine” in the French text of a) by “tout matériel sur la cabine”.
<b>3.12</b>	Replace the heading in the French text by the following: <b>“3.12 Dispositifs de verrouillage et de détection de fermeture de porte ou barrière palière et interrupteurs d’accès à la gaine”.</b>
<b>3.19.2.2</b>	Replace “de série 40” in the French text by “de Schedule 40”.
<b>3.25.1.1</b>	Replace “le rétablissement (voir l’article 3.26.7)” in the French text by “la synchronisation (voir l’article 3.26.7)”.
<b>3.25.2.4.4</b>	Replace “Les dispositifs redondants utilisés pour satisfaire à l’alinéa i)” in the French text of a)2) by “Les dispositifs redondants utilisés pour satisfaire à l’alinéa 1)”.
<b>3.26.1</b>	Replace “Les exigences de l’article 2.26.10” in the French text of e) by “Les exigences de l’article 2.26.6”.
<b>3.26.11.1</b>	Replace “rétablissement” in the French text of h) by “synchronisation”.
<b>3.26.11.3</b>	Replace “ou de la batterie d’ascenseurs” in the French text of a) by “ou du groupe des ascenseurs”.
<b>3.26.3.1.5</b>	Replace “le rétablissement” in the French text of b) by “la synchronisation”.
<b>3.26.7</b>	Replace the terms “le rétablissement” and “de rétablissement” wherever they appear in the French text by “la synchronisation” and “de synchronisation”, respectively.

Provision	Amendments
3.26.11.1	Replace “(article 2.13)” in the French text of b) by “(article 3.13)”;
	Replace “rétablissement” in the French text of h) by “synchronisation”.
4.2.5.1	Replace “emplacement de la machinerie distinct” in the French text by “emplacement de machinerie séparé”.
4.2.5.3	Replace “emplacement de la machinerie distinct” in the French text by “emplacement de machinerie séparé”.
4.2.15.11	Replace “à une personne autorisée” in the French text by “au personnel autorisé”.
5	Replace “ascenseurs ou monte-charges à utilisation limitée ou à usage limité” in the French text of b) by “ascenseurs à utilisation limitée et à usage limité”.
5.1.7	Replace “Matériel” in the heading of the French text by “Appareillage”.
5.2	Replace the term “ascenseurs ou monte-charges à utilisation limitée/à usage limité” wherever it appears in the French text by “ascenseurs à utilisation limitée et à usage limité”;
	Replace “ascenseurs ou monte-charges à utilisation limitée ou à usage limité” in the French text of the Note by “ascenseurs à utilisation limitée et à usage limité”.
5.2.1	Strike out “ou monte-charges” in the French text.
5.2.1.1.1	Strike out “ou monte-charges” in the French text.
5.2.1.4.1	Strike out “ou monte-charges” in the French text.
5.2.1.16.2	Strike out “ou monte-charge” in the French text of a).

Provision	Amendments
5.2.1.16.3	Strike out “ou monte-charges” in the French text.
5.2.1.20.1	Strike out the term “ou monte-charges” wherever it appears in the French text.
5.2.1.24.1	Strike out “ou monte-charges” in the French text.
5.2.1.28	Strike out “ou monte-charges” in the French text.
5.2.2	Strike out “ou monte-charges” in the French text of the heading;  Replace “ascenseurs ou monte-charges à utilisation limitée/à usage limité” in the French text by “ascenseurs à utilisation limitée et à usage limité”.
5.2.2.5.1	Strike out “ou monte-charges” in the French text.
5.2.2.6	Replace the French text of the section by the following: <b>“5.2.2.6 Vérins hydrauliques et poulies</b> Les vérins hydrauliques et les poulies doivent être conformes à l'article 3.18. Toute référence à la section 2.20 dans l'article 3.18.1.2.1 doit être remplacée par une référence à l'article 5.2.1.20. Toute référence à l'article 2.24.2 dans l'article 3.18.1.2.3 doit être remplacée par des référence à l'articles 5.2.1.24.2 et 5.2.1.24.3.”.
5.3.1.7.3	Replace the heading by the following: <b>“5.3.1.7.3 Machine Rooms and Control Rooms and Separate Machinery Spaces”.</b>
5.3.2.4.6	Replace “l'article 7.2.5” in the French text of e) by “l'article 5.3.1.12.6”.
5.7	Replace “des personnes autorisées, de leurs outils et de leur matériel” in the French text by “du personnel autorisé, de ses outils et de son matériel”.



Provision	Amendments
5.7.18.9	Replace “aux personnes autorisées” in the French text by “au personnel autorisé”.
5.10.1.7.1	Replace “aux personnes autorisées” in the French text of b) by “au personnel autorisé”.
5.10.1.9.5	Replace “il doit aussi y avoir des serrures positives” in the French text by “il doit aussi y avoir des dispositifs à action positive”.
5.11	Strike out the section.
5.12 to 5.12.3	Replace sections 5.12 to 5.12.3 by the following: <b>“SECTION 5.12 OUTSIDE EMERGENCY ELEVATORS.</b> Outside emergency elevators are prohibited.”.
6.1.3.15	Replace the section by the following: <b>“6.1.3.15 Water Accumulation.</b> Permanent provisions shall prevent accumulation of groundwater in the pit.”.
6.1.6.1.1	Replace the section by the following: <b>“6.1.6.1.1 Automatic Operation.</b> Automatic starting is prohibited. Automatic stopping, except as required in 6.1.6, is prohibited.”.
	Add the following section: <b>“6.1.7.3.5</b> If machinery or the controller of an escalator is installed outside the trusses, the following requirements for machine rooms and control rooms shall apply, with the necessary modifications: 2.7.1, 2.7.2, 2.7.3.1.1, 2.7.3.1.3, 2.7.3.3, 2.7.3.4.1, 2.7.3.4.2, 2.7.3.5, 2.7.6.6, 2.7.9.2, 2.8.1, 2.8.2.1, 2.8.3, 2.8.4, 2.8.5, 6.1.7.1.1 and 8.1.3. Machine rooms and control rooms shall have clear headroom of not less than 2 130 mm (84 in.). Moving equipment (chain and belt of the driving machine, gearing, key, keyways, and screws in projecting shafts) shall be guarded to protect against accidental contact.”.

Provision	Amendments
<b>6.2.3.18</b>	Replace the section by the following: <b>“6.2.3.18 Water Accumulation.</b> Permanent provisions shall be made to prevent accumulation of water in the pit.”.
<b>6.2.6.1.2</b>	Replace the section by the following: <b>“6.2.6.1.2 Automatic Operation.</b> Automatic starting is prohibited. Automatic stopping, except as required in 6.2.6, is prohibited.”.
	Add the following section: <b>“6.2.7.3.5</b> If machinery or the controller of a moving walk is installed outside the trusses, the following requirements for machine rooms and control rooms shall apply, with the necessary modifications: 2.7.1, 2.7.2, 2.7.3.1.1, 2.7.3.1.3, 2.7.3.3, 2.7.3.4.1, 2.7.3.4.2, 2.7.3.5, 2.7.6.6, 2.7.9.2, 2.8.1, 2.8.2.1, 2.8.3, 2.8.4, 2.8.5, 6.1.7.1.1 and 8.1.3. Machine rooms and control rooms shall have clear headroom of not less than 2 130 mm (84 in.). Moving equipment (chain and belt of the driving machine, gearing, key, keyways, and screws in projecting shafts) shall be guarded to protect against accidental contact.”.
<b>7.1.7.1</b>	Replace “emplacement de la machinerie distinct” in the French text by “emplacement de machinerie séparé”.
<b>7.1.7.2</b>	Replace “emplacement de la machinerie distinct” in the French text by “emplacement de machinerie séparé”.
<b>7.2.12.36</b>	Replace “Les moteurs monophasés” in the French text by “Les moteurs simple phase C.A.”.
<b>7.4.1</b>	Replace “des personnes autorisées” in the French text by “du personnel autorisé”.
<b>7.4.2.2</b>	Replace “7.6 m (25 ft)” in (c) by “5 m (200 in.)”.
<b>7.4.10.3</b>	Strike out the section.

Provision	Amendments
7.4.14.2	Strike out the section.
7.4.14.3	Strike out the section.
7.5.12.2.18	Strike out the section.
7.5.12.2.24	Replace “Les moteurs monophasés” in the French text by “Les moteurs simple phase C.A.”.
8.1.3	Replace “personne autorisée” in the French text of the heading by “personnel autorisé”;
	Strike out “authorized and”.
8.1.4	Replace “aux personnes autorisées” in the French text by “au personnel autorisé”.
8.2.2.5.1	Replace the title of Figure 8.2.2.5.1 in the French text by the following: <b>“Figure 8.2.2.5.1  Moment tournant basé sur la catégorie de charge”.</b>
8.2.8.4	Replace “de série d’au moins 80 ou mieux” in the French text of the last paragraph by “de Schedule d’au moins 80”.
8.3.3.4.9	Replace the section by the following: <b>“8.3.3.4.9 Electrical Spacings.</b> The electrical spacings shall comply with CAN/CSA B44.1/ASME A17.5, Section 16.”.
8.4.8.2.2	Add the following after “Ratio $\frac{L}{\ell}$ ”: “L distance between the upper and lower counterweight position restraints, mm (in.) $\ell$ distance between the rail brackets, mm (in.)”

Provision	Amendments
	<p><math>W</math> actual weight of the counterweight, kg (lb)</p> <p><math>W_a</math> adjusted weight of the counterweight, kg (lb)</p> <p>For ratios of <math>L/l &lt; 0.65</math>, the adjusted weight of the counterweight <math>W_a = QW</math> shall be used to determine bracket spacing and the number of intermediate tie brackets necessary.</p> <p>Example (per 15 lb guide rail):</p> <p>(SI units)</p> <p>For a ratio <math>L/l = 0.15</math> and actual weight of counterweight 3 630 kg</p> <p style="padding-left: 40px;"><math>Q = 1.35</math></p> <p style="padding-left: 40px;"><math>W_a = 1.35 (3\ 630) = 4\ 900</math> kg</p> <p>From Figure 8.4.8.2-4 zone 3 or greater: Required bracket spacing =</p> <p style="padding-left: 40px;">3 200 mm (no tie bracket)</p> <p style="padding-left: 40px;">or = up to 4 215 mm (one tie bracket)</p> <p style="padding-left: 40px;">or = up to 4 675 mm (two tie brackets)</p> <p><i>(Imperial Units)</i></p> <p>For a ratio <math>L/l = 0.15</math> and actual weight of counterweight 8,000 lb</p> <p style="padding-left: 40px;"><math>Q = 1.35</math></p> <p style="padding-left: 40px;"><math>W_a = 1.35 (8,000) = 10,800</math> lb</p> <p>From Figure 8.4.8.2-4 zone 3 or greater: Required bracket spacing =</p> <p style="padding-left: 40px;">10 ft 6 in. (no tie bracket)</p> <p style="padding-left: 40px;">or = up to 13 ft 10 in. (one tie bracket)</p> <p style="padding-left: 40px;">or = up to 15 ft 4 in. (two tie brackets)".</p>
<b>8.4.11.13</b>	Replace the terms "du mazout" and "de mazout" wherever they appear in the French text by "de l'huile" and "d'huile", respectively.
<b>8.4.12.2.1</b>	Replace "Ascenseurs ou monte-charges à adhérence ou à câbles" in the French text of a) by "Ascenseurs ou monte-charges à adhérence ou hydrauliques à câbles".
<b>8.5.2.2</b>	Replace "1 0,25" and "1 0,50" in the French text of the second column of the table by "1 ± 0,25" and "1 ± 0,50", respectively.

Provision	Amendments
8.6.1.1.2	Replace the section by the following: “8.6.1.1.2 Maintenance, repairs, replacements, and tests shall conform to Section 8.6.”.
8.6.1.1.3	Replace “8.6.1.1.2” by “Chapter IV, Elevators and other lifts, of the Safety Code (chapter B-1.1, r. 3)”.
8.6.1.2.1	Replace “provided by the person(s) and/or firm maintaining the equipment” in (a) by “in place”;
	Add the following after (e)(7): “(8) CSA B44.2-10, <i>Maintenance requirements and intervals for elevators, dumbwaiters, escalators, and moving walks</i> , provides for the mandatory maintenance intervals where the condition, usage or inherent quality of the equipment is not known, or in the absence of the original manufacturer’s recommendations. The measure does not apply for equipment installed, altered or modernized according to ASME A17.1-2010/CSA B44-10 or subsequent edition.”.
8.6.1.2.2	Replace “authorized persons” in (d)(1) by “authorized personnel”;
	Replace “authorized persons” in (d)(2) by “authorized personnel”.
8.6.1.4	Strike out “, or as specified by the authority having jurisdiction”.
8.6.1.4.1	Replace “le cas échéant” in the French text of a)2) by “selon le cas”;
	Replace “conveyance” in (a)(3)(-c) by “device”;
	Replace “record” in (a)(3)(-d) by “recording”;
	Strike out “or as specified by the authority having jurisdiction,” in (b);
	Strike out “or as specified by the authority having jurisdiction” in (c).

Provision	Amendments
<b>8.6.1.7</b>	Replace the section by the following: <b>“8.6.1.7. Periodic Tests.</b> The frequency of periodic tests are as follows: (a) category 1 tests: each year; (b) category 3 tests: every 3 years; (c) category 5 tests: every 5 years.”.
<b>8.6.1.7.1</b>	Strike out the section.
<b>8.6.1.7.2</b>	Insert “or the record” after “the test tag”.
<b>8.6.1.7.5</b>	Replace “manufacturer’s or the altering company’s procedures” by “manufacturer or those of an engineer”.
<b>8.6.3.4.4</b>	Add “The date on which the pull-through test was performed shall be entered in the record.” at the end.
	Add the following section: <b>“8.6.4.7.5</b> Sumps installed in pits shall be covered. The cover shall be secured and level with the pit floor.”.
<b>8.6.4.19</b>	Strike out “NOTE:”; Replace “8.11.1.3” by “8.6.1.7”.
<b>8.6.4.20</b>	Strike out “NOTE:”; Replace “8.11.1.3” by “8.6.1.7”.
<b>8.6.4.20.4</b>	Replace “ASME A17.12000/CSA B4400” in the French text by “ASME A17.1-2000/CSA B44-00”.

Provision	Amendments
<b>8.6.5.13</b>	Replace the term “joint d’étanchéité” wherever it appears in the French text by “scellé”.
<b>8.6.5.14</b>	Strike out “NOTE:”; Replace “8.11.1.3” by “8.6.1.7”.
<b>8.6.5.15</b>	Strike out “NOTE:”; Replace “8.11.1.3” by “8.6.1.7”.
<b>8.6.5.16</b>	Strike out “NOTE:”; Replace “8.11.1.3” by “8.6.1.7”.
<b>8.6.5.16.1</b>	Strike out “at intervals specified by the authority having jurisdiction”.
<b>8.6.7.2</b>	Replace the term “ascenseurs ou monte-charges à utilisation limitée ou à usage limité” wherever it appears in the French text by “ascenseurs à utilisation limitée et à usage limité”.
<b>8.6.8.15</b>	Strike out “NOTE:”; Replace “8.11.1.3” by “8.6.1.7”.
<b>8.6.11.4.1</b>	Replace “à des personnes autorisées (voir l’article 1.3) et formées” in the French text by “au personnel autorisé (voir l’article 1.3) et formé”.
<b>8.6.11.4.5</b>	Replace “des personnes autorisées formées” in the French text by “du personnel autorisé formé”.
<b>8.6.11.5.4</b>	Replace “Toutes les personnes autorisées” in the French text by “Tout le personnel autorisé”.

Provision	Amendments
<b>8.6.11.5.6</b>	Replace “des personnes autorisées formées” in the French text by “du personnel autorisé formé”.
<b>8.6.11.6.1</b>	Replace a) in the French text by the following: “a) Seul le personnel autorisé (voir l’article 1.3) formé conformément aux articles 8.6.11.6.2 à 8.6.11.6.4 doit mettre en marche un escalier mécanique ou un trottoir roulant.”.
<b>8.6.11.6.3</b>	Replace “des personnes autorisées” in the French text by “du personnel autorisé”.
<b>8.6.11.6.4</b>	Replace “des personnes autorisées formées” in the French text by “du personnel autorisé formé”.
<b>8.6.11.13</b>	Replace “des personnes autorisées” in the French text by “du personnel autorisé”.
<b>8.7.2.16.1</b>	Replace “à presse de serrage à coin graduel et à clavettes” in the French text of e) by “à mâchoires à coin graduelles et à mâchoires-guides”.
<b>8.7.5.3</b>	Insert “petit” before the word “monte-charge” wherever it appears in the French text.
<b>8.7.5.4</b>	Insert “petit” before the word “monte-charge” wherever it appears in the French text.
<b>8.8.1</b>	Strike out the section.
<b>8.10.1.1.1</b>	Strike out “by an inspector employed by the authority having jurisdiction, or by a person authorized by the authority having jurisdiction”.
<b>8.10.1.1.2</b>	Strike out “in the presence of the inspector specified in 8.10.1.1.1”.
<b>8.10.1.1.3</b>	Strike out the section.



Provision	Amendments
<b>8.10.1.1.4</b>	Strike out “and of the inspector witnessing the test, including their inspector’s ID number and certifying organization,”.
<b>8.10.1.1.5</b>	Replace “, the name of the person or firm performing the test, the inspector’s name that witnessed the tests and their inspector’s ID number and certifying organization” by “and the name of the person or firm performing the test”.
<b>8.10.1.2</b>	Strike out the section.
<b>8.10.1.6</b>	Replace “Un document sur le matériel d’ascenseur ou monte-charge” in the French text by “Un document sur l’appareil”.
<b>8.10.5.2</b>	Insert “petits” before the word “monte-charges” wherever it appears in the French text;
	Insert “petit” before “monte-charge” in the French text.
<b>8.10.5.4</b>	Replace “seulement si des dispositifs de commande ou des parachutes de cabine sur le toit de la cabine et des parachutes de cabine sont installés” in the French text by “seulement si des dispositifs de commande de toit de cabine et des parachutes de cabine sont installés”.
<b>8.10.5.5</b>	Replace “seulement si des dispositifs de commande ou des parachutes de cabine sur le toit de la cabine et des parachutes de cabine sont installés” in the French text by “seulement si des dispositifs de commande de toit de cabine et des parachutes de cabine sont installés”.
<b>8.10.5.13</b>	Replace “ascenseurs ou monte-charges à utilisation limitée/à usage limité” in the French text of the heading by “ascenseurs à utilisation limitée et à usage limité”;
	Replace “ascenseurs ou monte-charges à utilisation limitée ou à usage limité” in the French text by “ascenseurs à utilisation limitée et à usage limité”.

Provision	Amendments
8.11	Strike out the section.
9	Replace “CSA W47.1-1992 (R1998)” by “CSA W47.1 (latest edition)”.
Appendix V	Strike out the Appendix.
Appendix X	Replace “Rétablissement” in the French text of line 18 of Table X-2 by “Synchronisation”.

4.17. The amendments to the standard are as follows:

Provision	Amendments
	Replace the terms “inspection”, “inspector” and “inspecté” wherever they appear in the French text by “vérification”, “vérifier” and “vérifié”, respectively.
1.6	Add “and the Régie du bâtiment du Québec has authorized it in accordance with section 127 of the Building Act (chapter B-1.1)” at the end of the first paragraph.
	<p>Insert the following clause:</p> <p><b>“4.1.6 Lifts exposed to the elements</b></p> <p><b>4.1.6.1</b></p> <p>Lifts exposed to the elements shall be designed and installed so that exposure to the elements does not hamper their operation.</p> <p><b>4.1.6.1.1</b></p> <p>Lift equipment and supports shall be protected against corrosion.</p> <p><b>4.1.6.1.2</b></p> <p>Electrical equipment and wiring shall afford a degree of protection suitable for outdoor installation, in accordance with the requirements of the <i>Canadian Electrical Code, Part I</i>.”.</p>

Provision	Amendments
4.2.1	<p>Replace “7000 mm” in Item b) by the following:            “i) 7000 mm in the case of a private residence; or            ii) 4250 mm in other cases.”.</p>
4.2.5	<p>Insert “or a stair platform lift” after “a stair lift”.</p>
4.4.1	<p>Insert the following after “sitting or standing” in Item b):            “provided that the requirements for use by a person sitting or standing specified in the following clauses are fulfilled:            i) 7.7.2;            ii) 7.7.3 by replacing “wheelchair-and-attendant platform” by “wheelchair platform”; and            iii) 7.7.5 by replacing “wheelchair-and-attendant platform” by “wheelchair platform”;”.</p>
4.4.2	<p>Insert the following after “one person sitting” in Item b):            “provided that the requirements for use by a person sitting or standing specified in the following clauses are fulfilled:            i) 7.7.2;            ii) 7.7.3 by replacing “wheelchair-and-attendant platform” by “wheelchair platform”; and            iii) 7.7.5 by replacing “wheelchair-and-attendant platform” by “wheelchair platform””.</p>
	<p>Add the following clause:  <b>“4.8.4</b>            An automatic lighting of the car shall be permitted on the following conditions:            a) the lighting may be cut only if the following three conditions exist for at least 5 minutes:            i) the car is stopped at a landing;            ii) the doors are closed; and            iii) no call is made from the car or the landings.</p>

Provision	Amendments
	<p>b) the momentary interruption of one of those conditions immediately activates the lighting;</p> <p>c) the operation of a switch or safety-related device must maintain or put into operation the lighting.”.</p>
<b>5.1.3.1</b>	Strike out Item c).
<b>5.1.3.2</b>	Replace “lb pi” in the French text of Items b)ii) and b)iii) by “lbf”.
	<p>Add the following clause:</p> <p><b>“5.2.2.3 Vertical clearance</b></p> <p>The vertical clearance between the bottom of the landing door or gate and the landing sill shall not exceed 10 mm (0.375 in.)”.</p>
	<p>Add the following clause:</p> <p><b>“5.2.3.6</b></p> <p>Interlocks certified in accordance with Clause 5.2.5.11 a) shall lock the door in the closed position with a minimum locking engagement of 7 mm (0.28 in.) of the locking elements before the interlock contacts associated with the closure of the doors or gates are closed.”.</p>
<b>5.2.5.11</b>	Strike out what follows Item a).
<b>5.4.2</b>	<p>Strike out “more than 300 mm” in the portion before Item a);</p> <hr/> <p>Replace Items f) and g) by the following:</p> <p>“f) Pits extending to the ground shall be designed to prevent entry of groundwater into the pit. A drain shall be provided to prevent accumulation of water in the pit.</p> <p>g) Drains shall comply with the applicable National Plumbing Code, and they shall be provided with a positive means to prevent water, gases, and odours from entering the runway.”.</p>
<b>5.6.2</b>	Replace “by operation of the safeties” by “application of the safeties”.

Provision	Amendments
<b>6.1</b>	Replace “prior to use or engagement of the hand-moving device” in Clause 6.1.4.7 by “while the hand-moving device is used or engaged”.
	<p>Add the following clause:</p> <p><b>“6.1.7 Suspension means passing through floors or stairs</b></p> <p>Ropes and chains passing through a floor or stairway outside the hoistway enclosure shall be enclosed with a solid or openwork enclosure. Any openwork enclosure shall reject a ball 13 mm (0.5 in.) in diameter. Means for inspection shall be provided. The floor openings shall not be larger than is necessary to clear the suspension means.”.</p>
<b>6.2.1.1</b>	<p>Replace Item b) by the following</p> <p>“b) aircraft cable rope of 7 x 19 construction may be used in those applications where the rope is not subjected to crushing pressures. The aircraft cable shall meet the requirements of NPFC MIL-DTL- 83420M Spec, subject to the following exceptions:</p> <p>i) nonjacketed carbon steel, tin- or zinc-coated (Type 1A) 7 × 19 construction are permitted (see Section 3.4.3.3 of NPFC MIL-DTL-83420M Spec); and</p> <p>ii) identifying colour tracer filaments are not required (see Section 3.6.2 of NPFC MIL-DTL- 83420M Spec).”.</p>
<b>6.2.5 to 6.2.5.2</b>	Strike out the clauses.
	<p>Add the following clause:</p> <p><b>“6.6.2.1.4</b></p> <p>The sizing of the relief valve and the bypass connection shall be sufficient to permit the maximum flow of the pump without the pressure rising above 50% of the working pressure. The use of more than one relief valve shall be permitted.”.</p>
<b>6.9 to 6.9.5.2</b>	Strike out the clauses.
<b>7.2.7 to 7.2.7.2</b>	Strike out the clauses.

Provision	Amendments
7.3.2	Replace “designed” in Item a) by “perforated and designed”.
7.6.4.1	Replace “1:10.1” in Item c) by “1:10”.
8.2.3.1	Replace “890 to 1370 mm” in Item d) by “400 to 1200 mm”.
8.3.3	Replace “the alarm on an enclosed vertical platform lift shall” by “the alarm and the emergency communication device on an enclosed vertical platform lift shall”.
8.3.5	<p>Replace the second paragraph by the following:</p> <p>“If the call is placed automatically and is not acknowledged by a live person, the call shall be automatically redirected within 45 seconds to a location monitored by personnel who may take the appropriate actions.</p> <p>The communications shall not be transmitted to an automated answering system.”.</p>
8.5.2.3	<p>Replace the clause by the following:</p> <p><b>“8.5.2.3 Pendant control and remote control</b></p> <p>Where a pendant control or remote control is used, an emergency stop device conforming to Clause 8.5.2.1 shall be incorporated in the pendant control and the remote control.”.</p>
Annex A	<p>Replace the portion before A.1 by the following:</p> <p>“Annex A (mandatory)”;</p> <hr/> <p>Insert “and 4.1.6” after “4.1.4” in A.2 a)i);</p>

Provision	Amendments
	<p data-bbox="438 306 904 333">Insert “and 6.1.7” after “6.1.6” in A.2 b)iv);</p> <hr data-bbox="387 369 1301 372"/> <p data-bbox="438 390 867 417">Insert “, 5.2.3.6,” after “5.2” in A.2 c)ii);</p> <hr data-bbox="387 453 1301 456"/> <p data-bbox="438 474 896 542">Insert the following after A.2 d)i): “i.1) automatic lighting of the car (4.8.4)”;</p> <hr data-bbox="387 578 1301 582"/> <p data-bbox="438 600 904 627">Insert “5.2.2.3,” before “7.5.4” in A.2 e)iii).</p>
<b>Annex B</b>	<p data-bbox="438 682 969 754">Replace the portion before B.1 by the following: “<i>Annex B (mandatory)</i>”.</p>

#### DIVISION IV

##### MORE STRINGENT PROVISIONS COVERING ATTACHMENTS USING CABLE CLAMPS

**4.18.** Where permitted by the Code or the standard, attachments using cable clamps as means of fastening a wire rope shall conform to this Division.

**4.19.** The minimum number of rope clips at each end of a rope is

- (1) two, for ropes not more than 10 mm in diameter;
- (2) three, for ropes greater than 10 mm and not more than 16 mm in diameter;
- (3) four, for ropes greater than 16 mm in diameter, but not more than 19 mm.

**4.20.** The spacing between the rope clips shall be not more that six times the rope diameter.

**4.21.** A rope clip shall be placed so that the groove of the U-bolt-type clip bears on the dead end, and the base of the clip bears on the live end of the rope.

**4.22.** A rope end shall be bent over a lug whose groove has a radius equal to that of the rope.

**4.23.** A clip nut shall be tightened with a tightening torque in conformity with the specifications of the rope clip manufacturer.

**DIVISION V****OFFENCE**

**4.24.** Any contravention to a provision of this Chapter constitutes an offence.”.

**2.** The Regulation respecting the application of the Building Act (chapter B-1.1, r. 1) is amended by striking out paragraphs 4 to 6 of section 3.4.

**3.** Chapter IV of the Construction Code, as it read on (*insert the date that is the date preceding the date of coming into force of this Regulation*), may be applied to construction work on an elevator or lift other than maintenance, repair or demolition work, provided the work began before (*insert the date that is 1 year after the date of coming into force of this Regulation*).

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

106460

**Draft Regulation**

Act respecting the Société des loteries du Québec (chapter S-13.1)

**Forecast contests and numbers games  
—Amendment**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation to amend the Regulation respecting forecast contests and numbers games, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The purpose of this draft regulation is to allow Loto-Québec to offer at its retailers sports betting games with return rates greater than 75 %, in order to harmonize these with the return rates offered online.

Up until now, the study of the draft regulation does not reveal any impact on businesses and, in particular, on small and medium sized businesses.

Further information on the draft Regulation may be obtained by contacting Marie-Christine Tremblay, Corporate Secretary and Vice President of Legal Affairs of the Société des loteries du Québec, by telephone: 514 499-5191 or by email: marie-christine.tremblay@loto-quebec.com.

Any person wishing to comment on the draft Regulation is requested to submit written comments, within the 45-day period mentioned above, to Marie-Christine Tremblay, Corporate Secretary and Vice President of Legal Affairs, Société des loteries du Québec, 500, rue Sherbrooke Ouest, 23<sup>e</sup> étage, Montreal (Québec) H3A 3G6.

ERIC GIRARD  
*Minister of Finance,*

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**Regulation to amend Regulation  
respecting forecast contests  
and numbers games**

Act respecting the Société des loteries du Québec (chapter S-13.1, s. 13)

**1.** Section 10 of the Regulation respecting forecast contests and numbers games (chapter S-13.1, r. 2) is amended by striking out “or more than 75%”.

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

106456



## Draft Regulation

Act respecting the Régie de l'énergie  
(chapter R-6.01)

### Maximum production capacity of a wind farm for the purposes of a program to purchase electric power from a wind source

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the maximum production capacity of a wind farm for the purposes of a program to purchase electric power from a wind source, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the maximum eligible production capacity, that is, 215 MW, of certain existing wind farms for the purposes of a Hydro-Québec program to purchase electric power from a wind source, the terms of which will have been approved by the Régie de l'énergie, to allow Hydro-Québec to continue to purchase electric power from a wind energy producer operating such a farm.

The draft Regulation will have the following impacts on the public and on enterprises:

— optimization of the entire production value of existing wind farms;

— maintenance of the benefits for the communities in which the facilities are found, in particular with respect to jobs;

— reduction of the electric power purchase price for Québec clients;

— increase of producer earnings on the investments made estimated at \$105.1 million per year.

In accordance with the Politique gouvernementale sur l'allègement réglementaire et administratif – Pour une réglementation intelligente, the draft Regulation was the subject of a regulatory impact analysis relating to the above impacts concerning enterprises. The analysis may be consulted on the website of the Ministère.

Further information on the draft Regulation may be obtained by contacting Julie Poulin, Director, Direction du développement de l'électricité renouvelable, Ministère de l'Économie, de l'Innovation et de l'Énergie, 5700, 4<sup>e</sup> Avenue Ouest, bureau A-404, Québec (Québec) G1H 6R1; telephone: 418 561-9384; email: julie.poulin@mern.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Étienne Chabot, Director General, Direction générale de l'électricité, Ministère de l'Économie, de l'Innovation et de l'Énergie, 5700, 4<sup>e</sup> Avenue Ouest, bureau A-402, Québec (Québec) G1H 6R1.

PIERRE FITZGIBBON

*Minister of Economy, Innovation and Energy*

### Regulation respecting the maximum production capacity of a wind farm for the purposes of a program to purchase electric power from a wind source

Act respecting the Régie de l'énergie  
(chapter R-6.01, s. 74.3, 2nd par.,  
and s. 112, 1st par., subpar. 2.3)

**1.** This Regulation applies to a wind farm for which an electric power supply contract with the following conditions was entered into:

(1) it was entered into by a producer and the electric power distributor following a tender solicitation issued by the distributor under section 74.1 of the Act respecting the Régie de l'énergie (chapter R-6.01) to meet the need for a block of wind energy;

(2) it provides for the beginning of deliveries on a date between 22 November 2006 and 12 December 2012;

(3) it provides for an expiry date not later than 12 December 2032.

**2.** The maximum eligible production capacity of a wind farm of a producer participating in a program to purchase electric power from a wind source of the electric power distributor is not more than 215 MW.

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

106453

## 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 aim of the draft Regulation is to amend Chapter IV, Elevators and other lifts, in particular to specify the regulatory requirements applicable to such equipment based on the year of their construction or alteration, and to make a maintenance control program mandatory.

The proposed measures will result in additional costs for owners of buildings equipped with elevators or other lifts. These costs are estimated at \$18 million per year.

Further information on the draft Regulation may be obtained by contacting Amar Khif, engineer, Direction de la réglementation, Régie du bâtiment du Québec, 255, boulevard Crémazie Est, Bureau 100 Montréal (Québec) H2M 1L5; telephone: 514-864-8902; email: amar.khif@rbq.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Caroline Hardy, Acting Secretary General and Director of Institutional Affairs, Régie du bâtiment du Québec, 800, place D'Youville, 16<sup>e</sup> étage, Québec (Québec) G1R 5S3; email: projet.reglement.commentaires@rbq.gouv.qc.ca.

JEAN BOULET  
*Minister of Labour*

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## Regulation to amend the Safety Code

### Building Act

(chapter B-1.1, s. 175, 1st par., 2nd par., subpars. 1 to 6, ss. 176, 176.1, 178, 179, 185, pars. 0.1, 2.1.1, 20, 37 and 38, and s. 192)

1. The Safety Code (chapter B-1.1, r. 3) is amended by replacing Chapter IV by the following:

### **“CHAPTER IV ELEVATORS AND OTHER LIFTS**

#### **DIVISION I GENERAL**

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

“Code” means ASME A17.1-2019/CSA B44:19, Safety Code for Elevators and Escalators, as adopted by Chapter IV of the Construction Code (chapter B-1.1, r. 2), amended by section 1 of the Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act published as a draft in Part 2 of the *Gazette officielle du Québec* of 13 September 2023;

“standard” means CSA B355:19, Platform lifts and stair lifts for barrier-free access, as adopted by Chapter IV of the Construction Code, amended by section 1 of the Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act published as a draft in Part 2 of the *Gazette officielle du Québec* of 13 September 2023;

“lift” means a lift referred to and defined in the standard.

In addition, in this Chapter,

(1) a freight elevator, a dumbwaiter, an escalator, a moving walk and a material lift referred to and defined in the Code, except a wind turbine tower elevator, is deemed to be an elevator;

(2) the term “alteration” has the meaning given in the Code or standard, as the case may be;

(3) the term “private residence” has the meaning given in the Code or standard, as the case may be.

90.1. This Chapter applies to every elevator or other lift in a building or constituting a facility intended for use by the public under section 4.05 of the Construction Code (chapter B-1.1, r. 2) made by section 1 of the Regulation to amend the

Construction Code and the Regulation respecting the application of the Building Act published as a draft in Part 2 of the *Gazette officielle du Québec* of 13 September 2023.

Despite the first paragraph, this Chapter does not apply to a wind turbine tower elevator.

**90.2.** A reference in this Chapter to a standard, including a code, is a reference to the standard as adopted by a chapter of the Construction Code (chapter B-1.1, r. 2), the Safety Code or another regulation made under the Building Act (chapter B-1.1) that refers to it.

Despite paragraph 13 of section 5.05 of the Construction Code, Section 38 of the Canadian Electrical Code, Part I, CSA C22.1, published by CSA Group, applies for the purposes of this Chapter.

**90.3.** For the provision of a certificate of safety referred to in sections 33 and 34 of the Building Act (chapter B-1.1), every engineer who is a member of the Ordre des ingénieurs du Québec and every holder of a temporary permit issued under the Engineers Act (chapter I-9) whose professional activities are connected with the field of elevators and other lifts are recognized *ex officio*.

## **DIVISION II**

### **REQUIREMENTS APPLICABLE BY YEAR OF CONSTRUCTION OR ALTERATION**

**91.** Every elevator shall be maintained in a safe and proper working condition in accordance with the regulatory requirements applicable at the time of its construction. If subsequently altered, it must meet the regulatory requirements applicable at the time of its alteration. In addition, it shall be maintained in accordance with section 8.6 of the Code.

Based on the date of construction or alteration, the regulatory requirements applicable to an elevator are deemed to be those indicated in the table below.

<b>Date of construction or alteration</b>	<b>Regulatory requirements applicable</b>
Work completed not later than 2 August 1990 or, with regard to moving walks, not later than 4 August 1988:	Part II of the Regulation respecting elevators, escalators, dumbwaiters, moving walks, freight platform lifts and elevating devices for disabled persons (chapter S-3, r. 1.1) (O.C. 1009-88, 1988-06-22; O.C. 1836-88, 1988-12-07; O.C. 927-90, 1990-06-27; O.C. 1331-92, 1992-09-09), except sections 13, 16 and 17, the second and third paragraphs of section 19, sections 19.1 to 21 and 43.
Work performed between 3 August 1990 and 27 August 1997:	CSA Standard CAN3-B44-M85, Safety Code for Elevators, dated March 1986, including Supplement No.1-1987 and Appendix A, Private Residence Elevators and Inclined Lifts (O.C. 1009-88, 1988-06-22).
Work performed between 28 August 1997 and 20 October 2004:	CSA Standard CAN/CSA-B44-94, Safety Code for Elevators, published in October 1994 and its Appendix A, Private Residence Elevators (O.C. 111-97, 1997-01-29).
Work performed between 21 October 2004 and 31 May 2006:	CAN/CSA B44-00, Safety Code for Elevators, including the updates of June, November and December 2003 (O.C. 895-2004, 2004-09-22).
Work performed between 1 June 2006 and 31 January 2007:	CSA B44-04, Safety Code for Elevators and Escalators (O.C. 895-2004, 2004-09-22).
Work performed between 1 February 2007 and 28 February 2007:	CSA B44-04, Safety Code for Elevators and Escalators and Supplement No.1 – 2006, B44S1-06 (O.C. 895-2004, 2004-09-22; O.C. 635-2012, 2012-06-13).

Date of construction or alteration	Regulatory requirements applicable
Work performed between 1 March 2007 and 30 August 2008:	CSA B44-04, Safety Code for Elevators and Escalators, Supplement No. 1 – 2006, B44S1-06, and update No. 1-B44-04 - May 2006 (O.C. 895-2004, 2004-09-22; O.C. 635-2012, 2012-06-13).
Work performed between 31 August 2008 and <i>(indicate the date preceding the date of coming into force of the Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act published as a draft in Part 2 of the Gazette officielle du Québec of 13 September 2023:</i>	ASME A17.1-2007/CSA B44-07, Safety Code for Elevators and Escalators (O.C. 895-2004, 2004-09-22; O.C. 635-2012, 2012-06-13).
Work performed after <i>(indicate the date of coming into force of the Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act published as a draft in Part 2 of the Gazette officielle du Québec of 13 September 2023:</i>	ASME A17.1-2019/CSA B44:19, Safety Code for Elevators and Escalators, <i>(indicate the number of the Order in Council concerning the Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act published as a draft in Part 2 of the Gazette officielle du Québec of 13 September 2023).</i>

The regulatory requirements apply taking into account the fact that

- (1) an earlier regulatory requirement may be applied for a period of 6 months following the date of coming into force of a new requirement;
- (2) a regulatory requirement in force at the time of construction or alteration of an elevator may be subject to an equivalency measure or different measures as provided for in sections 127 and 128 of the Building Act (chapter B-1.1);
- (3) an elevator installed before 27 August 1997 and last altered before that date, if applicable, and that is still compliant with CAN/CSA-B44-M90, Safety Code for Elevators: Escalators, Dumbwaiters, Moving Walks, and Freight Platform Lifts, and its Supplement No. 1 – 1992, with the exception of section 12, is deemed to comply with the regulatory requirements applicable at the time of its construction; and

(4) an elevator in a private residence installed or altered before 2 August 1990 and that is still compliant with Appendix A of a code earlier than CAN3-B44-M85, Safety Code for Elevators, is deemed to be compliant with the regulatory requirements applicable at the time of its construction.

**91.1.** Every lift shall be maintained in a safe and proper working condition in accordance with the regulatory requirements applicable at the time of its construction. If subsequently altered, it must meet the regulatory requirements applicable at the time of its alteration. In addition, it shall be maintained in accordance with Appendix B of the standard.

Based on the date of construction or alteration, the regulatory requirements applicable to a lift are deemed to be those indicated in the table below.

<b>Date of construction or alteration</b>	<b>Regulatory requirements applicable</b>
Work completed not later than 27 August 1997:	Sections 7 to 12 and 15 of the Regulation respecting elevators, escalators, dumbwaiters, moving walks, freight platform lifts and elevating devices for disabled persons (CQLR, c. S-3, r. 1.1) (O.C. 1009-88, 1988-06-22; O.C. 1836-88, 1988-12-07; O.C. 927-90, 1990-06-27; O.C. 1331-92, 1992-09-09).
Work performed between 28 August 1997 and 20 October 2004:	CAN/CSA-B355-94, Lifts for Persons with Physical Disabilities (O.C. 111-97, 1997-01-29).
Work performed between 21 October 2004 and 29 April 2010:	CAN/CSA B355-00, Lifts for Persons with Physical Disabilities, including Supplement No. 1 B355S1-02 and the updates of March 2002 and October 2003 (O.C. 895-2004, 2004-09-22)

Date of construction or alteration	Regulatory requirements applicable
Work performed between 30 April 2010 and ( <i>indicate the date preceding the date of coming into force of the Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act published as a draft in Part 2 of the Gazette officielle du Québec of 13 September 2023</i> ):	CSA B355-09, Lifts for Persons with Physical Disabilities (O.C. 895-2004, 2004-09-22; O.C. 635-2012, 2012-06-13)
Work performed after ( <i>indicate the date of coming into force of the Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act published as a draft in Part 2 of the Gazette officielle du Québec of 13 September 2023</i> ):	CSA B355:19, Platform lifts and stair lifts for barrier-free access, and the erratum published in July 2020 ( <i>indicate the number of the Order in Council concerning the Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act published as a draft in Part 2 of the Gazette officielle du Québec of 13 September 2023</i> ).

The requirements apply taking into account the fact that

- (1) an earlier regulatory requirement may be applied for a period of 6 months following the date of coming into force of a new requirement;
- (2) a regulatory requirement in force at the time of construction or alteration of an elevator may be subject to an equivalency measure or different measures as provided for in sections 127 and 128 of the Building Act (chapter B-1.1);
- (3) a private residence lift installed or altered before 21 October 2004 is deemed to be compliant with the regulatory requirements applicable at the time of its construction if it remains compliant
  - (a) with CAN/CSA-B613-M87, Elevating Devices for the Handicapped in Private Residences;
  - (b) CAN/CSA B613-00, Private Residence Lifts for Persons with Physical Disabilities; or
  - (c) the guide Appareils élévateurs d'habitation pour personnes handicapées selon la norme CSA B613-00 issued on 3 February 2003 by the Comité inter-organismes gouvernementaux pour l'application de la norme CSA B613; and
- (4) a private residence lift installed or altered before (*indicate the date of coming into force of the Regulation to amend the Construction Code and the Regulation respecting the application of the Building Act published as a draft in Part 2 of the*



*Gazette officielle du Québec* of 13 September 2023) is deemed to be compliant with the regulatory requirements applicable at the time of its construction if it remains compliant with CAN/CSA B613-00, Private Residence Lifts for Persons with Physical Disabilities, including the update of January 2002.

### **DIVISION III**

#### **PUTTING INTO SERVICE, USE AND MAINTENANCE**

**92.** The owner of an elevator shall, as soon as it is put into service, establish a maintenance control program in accordance with section 8.6 of the Code and carry out

- (1) category 1 periodic tests each year;
- (2) category 3 periodic tests every three years; and
- (3) category 5 periodic tests every 5 years.

In addition, the owner of a hydraulic elevator must ensure that it meets the requirements of section 8.6.5.8 of the Code.

**92.1.** An elevator or other lift shall be used for the purposes for which it was designed.

**93.** Any required rectification shall be made to an elevator or other lift when hazardous operating conditions have developed due to, in particular, intensive use, wear and tear, obsolescence or modifications.

**94.** The owner of an elevator shall keep the documents referred to in section 8.6.1.2.2 of the Code on the premises for consultation by the Board.

The owner of a lift shall keep a register of information on the maintenance provided for in Appendix B of the standard, along with updated cable layouts.

Maintenance or repair work may not be recorded in those documents until the work has been completed and the rectifications made.

### **DIVISION IV**

#### **LEVIES AND FEES**

**95.** A levy of \$94.42 per elevator or other lift shall be paid annually to the Board by the owner of an elevator or other lift. However, for the year during which an elevator or other lift is put into service, the levy shall be \$187.43.

**96.** The following fees shall be paid to the Board by the owner for the inspection of an elevator or other lift not later than 30 days after the invoice date:

- (1) in the case of an elevator or other lift other than an inclined elevator:
  - (a) \$157.84 where the elevator or other lift serves ten landings or fewer; and
  - (b) \$157.84 plus \$14.09 per landing in excess of the tenth landing, where the elevator serves more than 10 landings;

(2) in the case of an inclined elevator, \$157.84 per hour or fraction of an hour.

**97.** Every owner shall pay to the Board inspection fees of \$157.84 per hour or fraction of an hour for the inspection of an elevator or other lift carried out following the issue of a remedial notice provided for in section 122 of the Building Act (chapter B-1.1).

**98.** The owner shall allow the Board to affix an identification plate to an elevator or other lift.

## **DIVISION V**

### **OFFENCES**

**99.** Any contravention of any of the provisions of this Chapter, except sections 95 to 97, constitutes an offence.”.

**2.** Despite section 92 of the Safety Code (chapter B-1.1, r. 3), made by section 0 of this Regulation, the owner of an elevator put into service before (*indicate the date of coming into force of this Regulation*) must put a maintenance control program in place not later than (*indicate the date occurring 3 years after the date of coming into force of this Regulation*).

In the case of a hydraulic elevator put into service before the coming into force of this Regulation, the verification of compliance provided for in the second paragraph of section 92 of the Safety Code, made by section 0 of this Regulation, must be carried out not later than (*indicate the date occurring 6 months after the date of coming into force of this Regulation*).

This section does not apply in cases where the putting in place of a quality control program is provided for in an equivalent or different measure, approved or authorized pursuant to section 127 or 128 of the Building Act (chapter B-1.1).

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

106459

## **Draft Regulation**

Education Act  
(chapter I-13.3)

### **Student transportation — 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 student transportation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides for the application until 30 June 2025 of subparagraph 3.1 of the first paragraph of section 31 of the Regulation respecting student transportation (chapter I-13.3, r. 12), which authorizes, under certain conditions, the use of buses or minibuses 14 years old. It also amends section 33 of the Regulation respecting student transportation to strike out the method for computing the adjustment provided for therein.

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

Further information on the draft Regulation may be obtained by contacting David Côté, Director General, Ministère de l'Éducation, Direction générale des politiques budgétaires et du financement des réseaux, 1035, rue De La Chevrotière, 14<sup>e</sup> étage, Québec (Québec) G1R 5A5; email: david.cote@education.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Nancy-Sonia Trudelle, Secretary General, Ministère de l'Éducation, 1035, rue De La Chevrotière, 15<sup>e</sup> étage, Québec (Québec) G1R 5A5; email: secretariat-MEQ@education.gouv.qc.ca.

BERNARD DRAINVILLE  
*Minister of Education*

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## Regulation to amend the Regulation respecting student transportation

Education Act  
(chapter I-13.3, s. 453, 1st par., subpar. 4)

**1.** The Regulation respecting student transportation (chapter I-13.3, r. 12) is amended in section 31 by inserting the following after subparagraph 3 of the first paragraph:

“(3.1) is authorized, notwithstanding subparagraphs 2 and 3, to use, up to the end of the current school year, buses or minibuses 14 years old where

(a) the carrier provides the service centre or the educational institution with the certificate provided for in subparagraph 3;

(b) the carrier shows to the service centre or the educational institution that he bought, in order to replace each of those buses or minibuses, a fully electric bus or minibus to be delivered before the next school year or that the delivery of the bus or minibus purchased as replacement depends on the seller receiving a fully electric bus or minibus to be delivered before the next school year;”.

**2.** Section 33 is amended by striking out “on the basis of the average change in the monthly Consumer Price Indexes between 1 January and 31 December of the preceding school year in Canada, as indicated in the publication by Statistics Canada, “Consumer prices and price indexes”, catalog No. 62-001” in the first paragraph.

**3.** Subparagraph 3.1 of the first paragraph of section 31 of the Regulation, as inserted by section 1 of this Regulation, ceases to have effect on 30 June 2025.

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

106455

## Draft Regulation

Act respecting the Barreau du Québec  
(chapter B-1)

### Training, skill and knowledge evaluation, accreditation and discipline of stenographers — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation to amend the Regulation respecting the training, skill and knowledge evaluation, accreditation and discipline of stenographers, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The draft Regulation mainly amends the rules relating to the holding of stenography examination.

Further information on the draft Regulation may be obtained by contacting Hakima Ait Amer Meziane, Direction du soutien juridique aux services de justice, Ministère de la Justice, 1, rue Notre-Dame Est, 7<sup>e</sup> étage, Montréal (Québec) H2Y 1B6; fax: 514 864-9410; email: hakima-ait.amer-meziane@justice.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1.

SONIA LEBEL  
*Minister Responsible for Government  
Administration and Chair of the Conseil du trésor*

SIMON JOLIN-BARRETTE  
*Minister of Justice*

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## Regulation to amend the Regulation respecting the training, skill and knowledge evaluation, accreditation and discipline of stenographers

Act respecting the Barreau du Québec  
(chapter B-1, s. 140.4, 1st par., subpars. 1)

**1.** The Regulation respecting the training, skill and knowledge evaluation, accreditation and discipline of stenographers (chapter B-1, r. 13) is amended in section 5

(1) by replacing the first paragraph by the following:

“The stenography examination is held at least once a year, in Montréal or any other region determined by the committee. The committee also sets the date and time for each examination.”;

(2) by striking out the second paragraph;

(3) by replacing “in the Journal du Barreau and on the premises of the École de sténographie judiciaire du Québec” in the third paragraph by “on the Barreau du Québec website”.

**2.** Section 10 is amended by replacing “at any of the subsequent examination sessions” by “at a subsequent session”.

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

106457

## Draft Regulation

Act respecting the Société des alcools du Québec  
(chapter S-13)

### Wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit

#### — 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 wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit, appearing below, may be made by the Government on the expiry of 45 days following this publication.

Section 12 of Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit (chapter S-13, r. 7) authorizes holders of a wine maker’s permit to indicate the production method on the containers of the effervescent wine they make or bottle. There are two possible methods: the “bulk process”, where the last stage of fermentation takes place in closed vats and the “Champagne process”, where the last stage of fermentation takes place in the bottle. The expression “Champagne process” is protected by the geographical indication “Champagne”. The purpose of the draft Regulation is therefore to replace the expression “Champagne process” in section 12 by an equivalent expression, “traditional process”.

Further information on the draft Regulation may be obtained by contacting Maxence Messier, commercial policy advisor, Ministère de l’Économie et de l’Innovation, 710 place D’Youville, bureau 4.02, Québec (Québec) G1R 4Y4; telephone: 418-691-5698, extension 4211; email: Maxence.Messier@economie.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Pierre Fitzgibbon, Minister, Ministère de l’Économie, de l’Innovation et de l’Énergie, 710, place D’Youville, 6<sup>e</sup> étage, Québec (Québec) G1R 4Y4; email: ministre@economie.gouv.qc.ca.

PIERRE FITZGIBBON

*Minister of Economy, Innovation and Energy*

FRANÇOIS BONNARDEL

*Minister of Public Security*

## Regulation to amend the Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit

Act respecting the Société des alcools du Québec  
(chapter S-13, s. 37, 1st par., subpar. 1)

**1.** The Regulation respecting wine and other alcoholic beverages made or bottled by holders of a wine maker’s permit (chapter S-13, r. 7) is amended in section 12 by replacing “Champagne” in subparagraph 2 of the second paragraph by “traditional”.

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

106454