

Draft Regulations

Draft Regulation

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20; 1995, c. 8)

Complementary social benefit plans in the construction industry

Notice is hereby given, in accordance with sections 10 to 13 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry”, the text of which appears below, may be made by the Commission de la construction du Québec upon the expiry of 30 days following this publication.

This Draft Regulation brings some changes to the insurance and pension benefits of the employees of the construction industry.

The Commission de la construction du Québec is of the opinion that the urgency of the situation requires that the publication period should be reduced to 30 days, particularly for the following reasons: the amendments to the insurance plans have to come into force as of 1 January 1997, which corresponds to the beginning of the next insurance period, and to the coming into force of the relevant provisions of “An Act respecting prescription drug insurance and amending various legislative provisions” (1996, c. 32).

Further information may be obtained from Mr. Jean Ménard, Director, Direction des services juridiques, Commission de la construction du Québec, 3530, rue Jean-Talon Ouest, Montréal (Québec), H3R 2G3; tel: (514) 341-3124, ext. 6425; fax: (514) 341-4287.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 30-day period, to Mr. André Ménard, Chairman of the Commission de la construction du Québec, 3530, rue Jean-Talon Ouest, Montréal (Québec), H3R 2G3.

HUGUES FERRON,
*Secretary of the Commission
de la construction du Québec*

Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 92; 1995, c. 8, s. 42)

1. The Regulation on complementary social benefits in the construction industry enacted by decision CCQ-951991 of 25 October 1995 and amended by regulations enacted by decisions CCQ-962072 of 24 April 1996 and CCQ-962086 of 29 May 1996, is further amended in section 1:

(1) by substituting the following for subsection 2 of the first paragraph:

“(2) is not married and is cohabiting with an unmarried subscriber for at least 1 year;

(3) is not married and is cohabiting with an unmarried subscriber in one of the following cases:

a) at least one child is born or is conceived from this union;

b) they have jointly adopted at least one child during their cohabitation;

c) either one of them has adopted at least one of the other spouse’s children during that period of time.”;

(2) by substituting in subsection 2 of the third paragraph the words “25 years of age or less” for the words “less than 25 years of age”;

(3) by substituting in subsection 3 of the third paragraph the word “subsection” for the word “subparagraph”.

2. This regulation is amended by inserting the following after section 4:

“**4.1** A person affected by subsection 1 of the first paragraph of section 3 may elect to contribute solely to insurance plans, under the following conditions:

(1) his contribution is limited to 1400 hours of work per year;

(2) his employer shall issue to the Commission, with his monthly report, the portion of the dues allocated under Schedule I to the collective reserve fund, for each one of the hours worked, on top of the fees provided for in section 126.0.1 of the act;

(3) this person shall submit to the Commission a document stating that he and his employer agree to conform to the obligations provided for in this section.”.

3. Section 5 of this regulation is amended:

(1) by substituting, in the first paragraph, the words “Regulation on the register, monthly report and notices from employers, and on the designation of a representative enacted by decision (*indicate here the reference to this regulation*)” for the words “Regulation respecting the record-keeping and the transmission of a monthly report enacted by decision 875-93 of 16 June 1993”;

(2) by deleting the words “and contributions” in the last sentence of the first paragraph.

4. Section 6 of this regulation is amended by substituting, in the second paragraph, the words “Regulation on the register, monthly report and notices from employers, and on the designation of a representative” for the words “Regulation respecting the record-keeping and the transmission of a monthly report”.

5. Section 14 of this regulation is amended by inserting, after the word “affected” in the third paragraph, the words “by section 4.1 or”.

6. Section 15 of this regulation is affected by adding the following after the second paragraph:

“The Commission shall not accept contributions from a person affected by section 3 with regard to a period earlier than 6 months.”

7. Section 19 of this regulation is amended by substituting, in the second paragraph, “12 of the Regulation on the register, monthly report and notices from employers, and on the designation of a representative” for everything that follows the word “section”.

8. Section 29 of this regulation is amended by substituting, in the first paragraph, the word “fourth” for the word “third”.

9. Section 32 of this regulation is amended by adding the following at the end:

“A correction decreasing the number of hours worked by an employee affected by the first paragraph, made

after the date of his retirement, shall not affect his right to be insured under this section.”.

10. Section 33 of this regulation is amended:

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

“**33.** Retired employees shall be covered by their insurance plan by paying the premium provided for in schedule IV, or part of that premium considering the provisions in the second paragraph. A retired employee shall be covered from the date of the insurance period that corresponds to the qualifying period during which he retired.”;

(2) by inserting in the second paragraph, after the words “The hours accumulated” the words “, the hours credited and the hours worked during the qualifying period”;

(3) by adding the following after the second paragraph:

“The retired employee aged 65 and over shall obtain full coverage from the plan; he shall elect to choose a coverage that does not include prescription drug insurance. The retired employee aged 80 and over shall only obtain coverage for prescription drug insurance.”.

11. Section 34 of this regulation is replaced by the following:

“**34. Plan selection.** The retired employee whose hours accumulated and hours worked during the qualifying period allow him to obtain coverage under plans B, C or D shall elect to choose either this coverage or the one from the insurance plan for retired employees. The retired employee eligible for coverage under plan A shall not select the one from the insurance plan for retired employees.

Deemed selection. The person who had the choice between the insurance plan for retired employees and one of the basic plans is deemed to have selected coverage under the insurance plan for retired employees, if he had this coverage during the preceding period and if he has accumulated a sufficient number of hours to pay the premium required according to the second paragraph of section 33 or, failing that, under the most beneficial basic plan for which he is eligible, unless he has notified the Commission of his selection, no later than the first Monday of the month preceding the insurance period affected by his decision.

Loss of eligibility. The retired employee who is not insured under plan A or plan B, who does not select coverage under the insurance plan for retired employees, as well as the retired employee who fails to pay the required premium, shall not obtain coverage under the insurance plan for retired employees.

Notwithstanding the second paragraph of section 21, all hours worked by an insured employee affected by section 32 are cumulative; section 23 does not apply to this insured employee.”.

12. Section 37 of this regulation is amended :

(1) by substituting, in the second paragraph, the words “52 weeks” for the words “12 months”;

(2) by deleting the third paragraph.

13. Section 38 of this regulation is replaced by the following :

“**38. Disability period.** For the purposes of this chapter, a disability period begins with a total disability, and continues:

(1) as long as the person affected remains totally disabled, even when a new cause of incapacity occurs;

(2) as long as the person affected has not been able to resume full-time work, performing the usual tasks pertaining to his function;

(3) even in the case whereby the interruption is less than 21 days during the first 52 weeks of the disability period, and even in the case of an interruption of less than 3 months afterwards, unless the new incapacity is caused by an illness or an accident that is totally unrelated to the cause of the first incapacity.

For the purposes of section 3 of the first paragraph, an interruption means a period of time during which the person affected is working full-time, or during which the person becomes able to perform full-time work, or during which the person is performing a lucrative occupation.”.

14. Section 39 of this regulation is amended by adding, at the end of section 4, the words “, and if it has been certified by a physician”.

15. This regulation is amended by inserting the following after section 39:

“**39.1** The insured employee must pass a physical examination when the Commission has the right to ask

for one because of the nature of the disability; he must also submit evidence and medical reports of the disability.”.

16. Section 40 of this regulation is amended:

(1) by substituting the following for the first two paragraphs:

“**Hours credited for disability.** The insured employee is credited the number of hours provided for in section 41 for each week or part of the week during which he is totally disabled. The right to those credits remains even if the insurance coverage has expired.

The same credits are granted:

(1) to the insured employee who is in a situation of preventive deprivation;

(2) to the insured employee who is on maternity leave paid by the CSST;

(3) to the insured employee who receives benefits from Human Resources Development Canada during her maternity leave”;

(2) by adding the following subsections after subsection 3 of the third paragraph:

“(4) for a week prior to the beginning of insurance coverage;

(5) beyond the 52nd week, in the case of a person who is being treated on a daily basis in a specialized clinic for alcoholism and other substance abuse;

(6) to a person who is being treated for alcoholism or another substance abuse, when this treatment has been ordered by a court of common law;

(7) to a person who is not entitled to salary insurance benefits following the application of the provisions from one or the other exclusion provided for in subsections 1, 2, 3, 7, 8 or 9 of section 73.”;

(3) by adding the following after the fourth paragraph:

“The person who is entitled to hours credited in accordance with this section retains coverage under the life insurance plan and the health insurance plan he adheres to when total disability occurs or superior coverage he subsequently obtains. Maintenance of this coverage ceases on the first of the following dates: the first day of the insurance period which corresponds to the

period of reference during which the insured employee has retired, or when the insured employee dies. An amendment to coverage offered through the plans, to deductibles or to any other provision from these plans applies as soon as it comes into effect to the insured employee whose coverage is still valid.”.

17. Section 42 of this regulation is replaced by the following:

“**42.** The insured employee affected by the first paragraph of section 40 is entitled to hours credited only if he furnishes proof of his disability to the Commission, and periodically, proof of the persistence of the disability.”.

18. Section 43 of this regulation is amended by substituting, in the first paragraph, the words “if it is positive” for the words “as the case may be”.

19. Section 56 of this regulation is amended by substituting, in the first paragraph, the words “52nd week of the disability period” for the words “qualifying period”.

20. Section 57 of this regulation is amended:

(1) by substituting, in the first paragraph, the words “as long as he remains totally disabled and up to 52 weeks after the beginning of the disability period” for the words “during the disability period and up to 52 weeks after it has begun”;

(2) by replacing the second paragraph with the following:

“The long-term salary insurance entitles the insured employee affected with total disability to receive, after the 52nd week of the disability period, as long as he remains totally disabled, the monthly indemnity provided for in this section.”.

21. Section 59 of this regulation is amended by adding the following after the third paragraph:

“The person affected by the first paragraph is deemed to be totally disabled while he undergoes treatment.”.

22. Section 60 of this regulation is replaced with the following:

“**60.** The weekly indemnity ceases with the payment of the indemnity relative to the last full week during which the insured employee reaches the age of 65.”.

23. Section 61 of this regulation is amended:

(1) by substituting the word “indemnity” for the word “disability”;

(2) by deleting, in the third paragraph, the words “or 69”.

24. Section 66 of this regulation is amended by deleting subsection 3.

25. Sections 68 and 69 of this regulation are replaced by the following:

“**68. Advances on indemnities.** The insured employee who contests the refusal from the CSST, the SAAQ or the organization having jurisdiction to indemnify him following an industrial accident, an occupational disease or a car accident, is entitled to the benefits under this section until the dispute is resolved, for the period during which he would have been eligible to receive benefits under this section, had his disability not been affected by subsections 4 and 5 of section 73.

The same applies to the insured employee covered by a short term insurance plan, who is totally disabled according to the definition in the first paragraph of section 37, but who cannot receive benefits under this section for a reason other than an exclusion in accordance with subsections 1 to 3 or 7 to 13 of section 73, or who ceases to receive his benefits because his disability prevents him from performing a lucrative occupation which is reasonably suitable for his education, training or experience.

In the cases affected by the second paragraph, the advances payable are \$1 000 per month or, if the insured employee is covered by the supplemental plan for electricians, \$1 300 per month, up to a maximum of 12 months including the months during which the insured employee has received advances on indemnities under the first paragraph. If the indemnity is applied to a period of less than a month, it is equal to 3/65 of these amounts for each day of disability. The provisions of sections 65 to 67 and 72 apply to these advances, in view of the necessary adjustments. The payment of these advances does not entitle the insured employee to be credited with hours under section 41. No advance shall be paid under the second paragraph following the payment of the advance for the month during which the insured employee has reached the age of 65.

The insured employee is entitled to advances on indemnities if he furnishes proof that the refusal from the organization and his contestation are related to whether he is disabled, and as long as he is covered under a salary insurance plan:

(1) when the accident occurs or at the beginning of the disease, in the case whereby the organization has refused to indemnify the insured employee;

(2) when the organization has decided to cease payment of indemnity;

(3) when he is totally disabled and the Commission notices that the organization's decision is a long time coming.

The person who becomes covered under the salary insurance plan after an event entitling to advances on indemnities provided for in this section shall receive these advances as soon as the insurance coverage comes into effect, as long as he is totally disabled between the moment the event occurs and the moment coverage comes into effect.

69. The insured employee who receives advances on indemnities under section 68 shall surrogate the Commission in his rights against the organization mentioned. However, he does not have to reimburse the benefits received from the Commission if he does not win the case, in part or in all, to these organizations or in case of an appeal or a revision. Also, he shall neither reimburse the sum of the benefits exceeding the sum of the indemnities awarded by the organization, nor the benefits received for a period during which he was not entitled to.

In order to receive the advances, the insured employee shall furnish proof of his total disability.”.

26. Section 71 of this regulation is deleted.

27. Section 73 of this regulation is amended:

(1) by substituting, in subsections 4, 5 and 13 of the first paragraph, the words “benefits related to the disability” for the words “periodic disability benefits”;

(2) by adding, at the end of subsection 6 of the first paragraph, the words “when the accident occurs or at the beginning of the disease”;

(3) by inserting, in subsection 10 of the first paragraph, and after the word “salary”, the words “or performs a lucrative activity”.

28. Section 81 of this regulation is amended:

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

“**81. Medication.** Expenses related to medication which may only be obtained upon written prescription

from a doctor, a dentist or a podiatrist are reimbursable in the proportion of 75 %, as well as expenses related to pharmaceutical services and medication affected by section 8 of the Act respecting prescription drug insurance and amending various legal provisions (1996, c. 32).”;

(2) by substituting, in the second paragraph, “of 75 %” for “mention in section 82”.

29. Section 82 of this regulation is replaced by the following:

“**82.** Expenses reimbursable under section 81 are those exceeding a deductible of \$15 per family and per insurance period for the insured employee who is covered under plan A, \$30 for the insured employee covered under plan B, \$45 for the insured employee covered under plan C, and \$60 for the insured employee covered under plan D.

However, the annual total contribution of the insured employee, whether as a deductible or as mutual insurance, is limited to \$750 per family.

In the case of an insured employee covered by the insurance plan for retired employees, expenses reimbursable under section 81 are those exceeding a deductible of \$3 per medication every time a prescription is being given or renewed; the annual total contribution of the insured employee, whether as a deductible or as mutual insurance, is limited to \$750 for himself and his dependents excluding his spouse, and \$750 per year for his spouse.”.

30. Section 84 of this regulation is amended by substituting, in subparagraph *h* of subsection 4, the words “hospital-type” for the word “orthopedic”.

31. Section 85 of this regulation is amended by inserting, in the second paragraph and after the word “plan”, the words “A and who is covered under the plan”.

32. Section 87 of this regulation is amended:

(1) by inserting, in the second paragraph and after “Québec”, the words “if this person is insured under the Canadian Act on health (R.S.C., 1985, c. C-6), and”

(2) by replacing the fifth paragraph by the following:

“Medical expenses incurred without emergency are reimbursed, as the case may be, in accordance with other relevant provisions of this section, subject to the limit provided for in section 97.”.

33. Section 88 of this regulation is amended:

(1) by substituting the following for subparagraph *a* of subsection 1:

“*a*) complete oral examinations, subject to a maximum of once every 36 months;

a.1) preventive oral examinations, including polishing of teeth, subject to a maximum of once every 6 months;”;

(2) by substituting, in subparagraph *d* of section 1, number “36” for number “6”;

(3) by substituting, in subparagraph *e* of section 1, the words “prematured loss of first teeth and installation of devices designed to control oral habits” for everything following the word “the”;;

(4) by substituting the following for subparagraph *f* of section 1:

“*f*) diagnostic X-rays and laboratory tests and examinations;”;

(5) by substituting the following for subparagraph *h* of section 1:

“*h*) simple extractions of teeth;”;

(6) by deleting the word “impacted” in subparagraph *i* of section 1;

(7) by substituting, in subparagraph *k* of section 1, the words “purposes, up to a maximum of \$300 per visit” for the words “surgery, up to a maximum of \$56 per treatment”;

(8) by substituting the following for section 2:

“(2) in a proportion of 80 %, endodontic treatments;

(3) in a proportion of 80 %, periodontic treatments, subject to:

a) a maximum of 4 units of time per 4 months for scaling;

b) a maximum of one treatment per tooth for a period of 24 months for gingival curetting and radicular surfacing.”.

34. Section 89 of this regulation is amended by substituting the following for subparagraphs *a* to *d* of subsection 1:

“*a*) fillings with gold, compounds and inlays, if such restorations cannot be done with another substance; the replacement of these elements only if they have been in place for at least 5 years and have become unusable.

b) the initial installation of a complete or partial removable prosthesis;

c) the initial installation a fixed prosthesis supported by natural teeth (conventional bridge, butterfly bridge, casting, crown), as long as the prosthesis is permanent and such installation is part of a process of extraction and replacement, within a reasonable delay following the extraction;

d) the replacement of a permanent prosthesis, fixed or removable, if this prosthesis has been in place for at least five (5) years and has become unusable;

e) the rebase or the repair of a fixed or removable prosthesis, as well as the addition of teeth or of a structure to a prosthesis.”.

35. Section 94 of this regulation is amended:

(1) by deleting, in subsection 3, the words “for ear examination or”;

(2) by substituting, in subsection 7, “1 September 1996” for “31 December 1995”;

(3) by adding, in subsection 12, after the word “prosthesis”, the words “and orthodontic or periodontic devices”;

(4) by substituting the following for subsection 15:

“(15) for which the insured person is entitled to an indemnity pursuant to the Act respecting industrial accidents and occupational diseases, the Act respecting the indemnisation of crime victims, the Act respecting automobile insurance, or any other provincial, federal or foreign law to the same effect;”;

(5) by inserting, in subsection 18 and the word “fertility”, the words “or impotence”;

(6) by adding the following after subsection 19:

“(20) for medication obtained for a person affected by section 15 of the Act respecting prescription drug insurance and amending various legal provisions.”.

36. Section 97 of this regulation is replaced by the following:

“97. Medical expenses reimbursable under this section, with the exception of those reimbursable following a medical emergency under section 87, are limited to the sum payable for expenses incurred in Québec for a beneficiary under the Health Insurance Act (R.S.Q., c. A-29).”.

37. Section 115 of this regulation is amended by substituting, in subsection 2, the number “111” for the number “112”.

38. Section 118 of this regulation is amended by deleting, in subsection 2 of the second paragraph, the words “in accordance with Division III”.

39. Section 119 of this regulation is amended by substituting, in the first sentence, the words “The actuary provides the Commission with hypotheses leading to the calculation of” for everything that precedes the word “factors”.

40. Section 120 of this regulation is amended by substituting the following for subsection 5 of the first paragraph:

“(5) a reserve for unfavourable differences is included for the benefit of the pensioners account as follows :

(a) when the value of the assets of the pensioners account is superior to the value of the liabilities of the same account, the reserve is equal to a percentage, which cannot be superior to 7 %, of the value of the liabilities, calculated as follows:

$$A + E \times \frac{(B - C)}{D}$$

where A represents the highest percentage for unfavourable differences in prior years;

B represents the value of the assets of the pensioners account;

C represents the value of the liabilities of this account, multiplied by (1 + A);

D represents the value of the liabilities of this account;

E represents a percentage of at least 50 % as determined by the actuary;

(b) when the value of the liabilities of the pensioners account, increased by the highest percentage calculated for prior years, is superior to the value of the assets of

this account, the reserve is equal to a percentage, which cannot be negative, calculated as follows:

$$\frac{(B - D)}{D}$$

where B and D represent the same values as in subparagraph a;”.

41. Section 121 of this regulation is amended by inserting the following after the first paragraph:

“However, the residual difference of the general account cannot be inferior to the least of the following amounts:

(1) the provisional difference of this account at the effective date of the evaluation;

(2) a amount calculated as follows:

$$(7 \% - A) \times B$$

where A represents the percentage of the reserve for unfavourable differences at the effective date of evaluation, as determined in accordance with the provisions of subsection 5 of the first paragraph of section 120;

B represents the value of the liabilities of the pensioners account at the effective date of evaluation.”.

42. Section 128 of this regulation is amended:

(1) by substituting, in the first paragraph, the words “declares in writing that he has ceased to perform work subject to the Act” for the words “ceases to be a salaried employee under this regulation”;

(2) by substituting the following for the second paragraph:

“For the purposes of this section, the number of years worked entitling to the early pension without reduction corresponds to the total number of years during which the employee has contributed to the pension plan, excluding the years during which he has received a separation benefit under section 139.”.

43. Section 129 is amended:

(1) by substituting the words “declares in writing that he has ceased to perform work subject to the Act” for the words “ceases to be a salaried employee”;

(2) by adding, at the end of subsection 2, the words “and he has accumulated at least 2 800 hours worked”.

44. Section 130 of this regulation is amended by deleting, in the second paragraph, the words “the first paragraph of”.

45. Section 132 of this regulation is amended by substituting the following for the second paragraph:

“The pension of the subscriber who continues to perform work subject to the Act after having reached the age of retirement is delayed until the day he submits a request to the Commission under section 158.”

46. Section 134 of this regulation is amended:

(1) by substituting, in subsection 1 of the first paragraph, the words “of retirement” for the words “on which the pension is due to commence”;

(2) by substituting the following for subparagraph a of subsection 1 of the first paragraph:

“a) the first day of the month during which the subscriber reaches the age of 60;”

47. Section 135 of this regulation is amended by substituting, in the second paragraph, the words “determined by means of the factors calculated from the hypotheses transmitted” for the words “calculated according to the factors transmitted”.

48. Section 139 of this regulation is amended by inserting the word “salary” before the word “contributions”.

49. Section 144 of this regulation is amended by substituting, in the second paragraph, the words “of the rights accumulated by the subscriber to the plan following the dissolution, separation or cessation of cohabitation” for the words “or disposing of the rights in accordance with Division VII.”

50. Section 148 of this regulation is amended by inserting the word “unmarried” before the word “spouse”.

51. Section 150 of this regulation is amended:

(1) by inserting, in the first paragraph and after the word “request”, the words “by means of the form issued by the Commission”;

(2) by substituting, in the second paragraph, the word “unmarried” for the words “common law”.

52. Section 153 of this regulation is amended by substituting the following for everything that precedes subsection 1 of the first paragraph:

“**153.** A request for sharing out or transfer of the rights sent to the Commission by the means of the form issued by the Commission, accompanied with a copy of the following documents:”

53. Section 154 of this regulation is amended:

(1) by inserting the words “by means of the form issued by the Commission” after the word “Commission”;

(2) by deleting the words “without reduction”.

54. Section 156 of this regulation is replaced by the following:

“**156.** The Commission transfers the sum reimbursable or the actuarial value of the benefit to which the spouse affected by section 147 or 148 is entitled to, in a pension plan affected by the third paragraph of section 98 of the Act respecting complementary pension plans which was selected by his spouse or by him.”

55. Section 160 of this regulation is amended by adding the following paragraph:

“The substitution performed in accordance with the provisions of the first paragraph is not debated when the hours worked are subsequently reported by the subscriber in question, or when a correction is made to his file.”

56. Section 162 of this regulation is amended by adding the following of the second paragraph:

“A subsequent correction to the increase has no effect on the amount of the benefit, up to the decrease which would have been applied without the application of the first paragraph.”

57. Section 163 of this regulation is amended by deleting, in what precedes subsection 1, the words “, for whom hours worked have been compiled over the past 3 years,”.

58. Section 164 of this regulation is amended by substituting the following for what precedes subsection 1:

“**164.** The statement provided for in section 163 also contains the following information with regard to the complementary account of the subscriber:”

59. Section 165 of this regulation is amended by substituting the following for the first paragraph and everything preceding subsection 1 of the second paragraph:

“165. The Commission issues to every subscriber affected by section 139 or 140 and who formulates the request, a statement providing the following information, besides the one provided for in sections 163 and 164:”.

60. Section 169 of this regulation is amended by adding the following after the second paragraph:

“Coverage under the prescription drug insurance which the insured employee affected by the first paragraph is entitled to, is amended as of 1 January 1997, in such a way that the cost of medication which can only be obtained through a prescription from a physician, a dentist or a podiatrist, as well as the cost of pharmaceutical services and medication affected by section 8 of the Act respecting prescription drug insurance and amending various legal provisions, which exceed a deductible of \$30 per family and per insurance period, be reimbursable in a proportion of 75 %, subject to an annual maximum contribution of \$750 per family.”.

61. This regulation is amended by substituting, in section 170 and in the second and third paragraphs of section 171, the number “30” for the number “24”.

62. This regulation is amended by substituting the words “whose maintenance of coverage because of a disability has begun” for the words “whose coverage is maintained because of a disability that happened” throughout sections 176, 177 and 178.

63. This regulation is amended by inserting the following after section 178:

“178.1 For the purposes of sections 25 and 33, the share of the contributions paid to the collective reserve fund with regard to the hours worked between 1 January 1994, and 31 December 1996, is \$0,20 less than the one in Schedule I.”.

64. Section 181 of this regulation is replaced by the following:

“181. The subscriber who, on the day preceding the application of section 140, has accumulated less than 7 000 hours worked and is entitled to receive a separation benefit under Division VI of the replaced regulation, retains this privilege as long as he files a request with the Commission no later than 12 months after the Commission has issued a notice informing him of his rights with regard to the separation benefit.

181.1 The fact that the provisions of section 180 come into force has no effect with regard to the rights of a subscriber and his spouse, when a request for sharing

or disposing under Division VII of Chapter III has been submitted to the Commission before 1 January 1997, or when the agreement or the judgement relative to this request has intervened after the Commission has issued, before 1 January 1997, of the statement affected by section 150.”.

The French version of the Schedule I of this regulation is amended:

(1) by deleting, in subparagraph b of subsection 2 of section 5, the word “des”;

(2) by substituting, in section 12, the word “au” for the word “du”.

66. This regulation is amended by adding the following after Schedule III:

“**SCHEDULE IV**
(s. 33)

PLAN FOR PENSIONERS PREMIUMS FOR THE INSURANCE

The premiums payable to obtain coverage from the insurance plan for pensioners are as follows:

For the pensioner aged under 65: \$380.73 for 1997 and \$412.84 for 1998.

For the pensioner aged 65 and over, but under 70, for the insurance period beginning 1 January 1997:

for complete coverage under the plan: \$839.45 or \$876.15 in the case of a pensioner covered under the supplemental plan for electricians;

for coverage without prescription drug: \$316.51 or \$353.21 in the case of a pensioner covered under the supplemental plan for electricians;

For the pensioner aged 70 and over, but under 80, for the insurance period beginning 1 January 1997:

for complete coverage under the plan: \$912.84

for coverage without prescription drug: \$389.91.

For the pensioner aged 80 and over, for coverage for prescription drug only, for the insurance period beginning 1 January 1997: \$522.94.”.

67. Subsection 3 of section 16 is in effect since 1 January 1996.

68. Subsection 2 of section 35 is in effect since 1 September 1996.

69. This regulation comes into effect on 1 January 1997.

1017

Draft Regulation

An Act respecting occupational health and safety (R.S.Q., c. S-2.1)

Occupational health and safety in mines — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 224 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), that the Regulation to amend the Regulation respecting occupational health and safety in mines and amending various regulatory provisions, the text of which appears below, may be adopted by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval upon the expiry of 60 days following this publication.

The purpose of the draft regulation is to ensure the health and safety of workers in the mining sector and to prescribe standards that are more appropriate to that sector.

To that end, it proposes to introduce certain safety devices or safety measures to be used when operating certain pieces of equipment, such as scaling bars, miners' lamps and non-railbound motorized vehicles, and to amend certain provisions respecting the quality of breathable air when equipment operating with a diesel engine is used, so as to bring them into compliance with certain standards.

It also provides further details respecting the measures to be taken during boring work, the ventilation of a raise and the access routes to a stope.

To date, study of the matter has revealed little impact on small and medium-sized businesses, since the standards provided for in the Regulation reflect for the most part the practice already established in the mining sector, in addition to improving the safety of workers.

Further information may be obtained by contacting Mr. Ghislain Fortin, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, Québec (Québec), G1K 7E2, tel.: (418) 646-3908, fax: (418) 528-2376.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 60-day period, to Mr. Alain Albert, Vice-Chairman for Programming and Consulting, Commission de la santé et de la sécurité du travail, 1199, rue de Bleury, 14^e étage, Montréal (Québec), H3B 3J1.

PIERRE SHEDLEUR,
*Chairman of the Board of Directors and
Chief Executive Officer of the Commission
de la santé et de la sécurité du travail*

Regulation to amend the Regulation respecting occupational health and safety in mines and amending various regulatory provisions

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 223, 1st par., subpars. 1, 7, 10, 17, 19, 41, 42, and 2nd and 3rd pars.)

1. The Regulation respecting occupational health and safety in mines and amending various regulatory provisions, approved by Order in Council 213-93 dated 17 February 1993 and amended by the Regulation approved by Order in Council 1326-95 dated 4 October 1995, is further amended in section 1

(1) by inserting the following before the definition of "armoured cable":

““ANSI”: the American National Standards Institute; (ANSI)”; and

(2) by inserting the following after the definition of "new development":

““NIST”: the National Institute for Standards and Technology; (NIST)”.

2. The figures “103.1, 108.2,” are inserted after the figure “103,” in section 27.

3. The following paragraph is added at the end of section 36:

“While drilling work is being carried out, no person may use, near the drilling zone, any noisy machine or tool such as internal combustion or pneumatic equipment, drills, impact hammers, or carry out noisy work such as bolting by means of pneumatic tools.”.

4. The words and figures “not exceeding 3.6 metres (12 ft.)” are inserted in the first sentence of section 37, after the words “Scaling bars”.