

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister for Administration and the Public Service, Chairman of the Conseil du trésor, 875, Grande Allée Est, Québec (Québec), G1R 5R8.

JACQUES LÉONARD,
Minister for Administration and the Public
Service, Chairman of the Conseil du trésor

Regulation to amend the Regulation respecting construction contracts of government departments and public bodies

Financial Administration Act
(R.S.Q., c. A-6, s. 49)

1. The Regulation respecting construction contracts of government departments and public bodies, made by Order in Council 1168-93 dated 18 August 1993 and amended by the Regulations made by Orders in Council 181-94 dated 2 February 1994 and 1106-94 dated 20 July 1994, is further amended, in section 10,

(1) by substituting the following for paragraph 7:

“(7) a statement that the only tenders that will be considered will be those submitted by contractors who

(a) have a place of business in Québec or, where an intergovernmental agreement is applicable, a place of business in Québec or in a province or territory covered by that agreement;

(b) hold the licence required under the Building Act (R.S.Q., c. B-1.1); and

(c) if they intend to act as an employer, are registered with the Commission de la construction du Québec in accordance with the Regulation respecting the keeping of a register and the sending of a monthly report, approved by Order in Council 875-93 dated 16 June 1993;”;

(2) by inserting the following after paragraph 7:

“**7.01** a statement that the only tenders that will be considered will be those accompanied by an affidavit certifying that the contractor meets the conditions set out in section 7.4 of the General Regulation respecting the conditions of contracts of government departments and public bodies.”.

2. The following is inserted after section 41:

“**41.1** Any sum held back on the price of the contract may not be remitted to the contractor where the Commission de la construction du Québec has sent that contractor and the department or body concerned a notice to the effect that the Commission has noticed a failure, on the part of the contractor or any of his subcontractors, to fulfil the obligations giving rise to a recourse based on subparagraph a, c or c.1 of the first paragraph of section 81 of the Act respecting labour relations, vocational training and manpower management in the construction industry or of subparagraph c.2 of the first paragraph of that section, enacted by section 38 of Chapter 8 of the Statutes of 1995, in relation to the work provided for in the contract, unless the contractor provides sufficient security to guarantee the fulfilment of his obligations and those of his subcontractors, where applicable.”.

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

9578

Draft Regulation

Public Buildings Safety Act
(R.S.Q., c. S-3)

Elevators and lifts for persons with physical disabilities — Safety Code

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the application of a safety code for elevators and a standard for lifts for persons with physical disabilities, the text of which appears below, may be made by the Government at the expiry of 45 days following this publication.

The purpose of the draft regulation is to

- update the requirements for this type of apparatus in order to take into account technological changes and to introduce safety measures for users;
- introduce more appropriate rules to govern the installation of new apparatuses and certain alterations to elevators, dumbwaiters and escalators;
- repair an omission with respect to the regulation of elevators and related apparatuses, stemming from the fact that neither the 1990 edition of the Safety Code for Elevators nor its 1992 Supplement (No. 1) was adopted and integrated into the existing regulations;

- take into account the objective of the Régie du bâtiment du Québec (the Board) to adopt Canadian standards and codes with as few amendments as possible;
- address the persistent requests submitted by people working in these sectors and allow them to better adapt to the market;
- promote fair interprovincial competition amongst manufacturers and installers;
- adopt the same standards as the other Canadian provinces; and
- rationalize the Board's interventions with respect to these apparatuses.

The solution proposed is in keeping with global objectives for public safety. While means to attain those objectives are specified in the Regulation, the owners of public buildings will nonetheless have a fair amount of leeway, which, in some cases, will enable them to obtain, from a person appointed by the Minister, authorization to use compensatory measures.

Further information may be obtained by contacting Mr. Pierre Sauvé, Régie du bâtiment du Québec, 800, place d'Youville, 14^e étage, Québec (Québec), G1R 5S3; tel. (418) 646-4292, fax (418) 646-9280.

Any interested person having comments to make on this matter is asked to send them in writing, before the expiry of the 45-day period, to Mr. Jean-Claude Riendeau, Chairman, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 6^e étage, Montréal (Québec), H2M 2V2.

LOUISE HAREL,
Minister of Employment

Regulation respecting the application of a safety code for elevators and a standard for lifts for persons with physical disabilities

Public Buildings Safety Act
(R.S.Q., c. S-3, s. 10, pars. 3 and 8, and s. 39)

DIVISION I SCOPE

1. This Regulation applies to elevators, dumbwaiters, escalators, moving walks, freight platform lifts and lifts for persons with physical disabilities, installed in a public building within the meaning of the Public Buildings

Safety Act (R.S.Q., c. S-3) or, where public safety must be ensured, in an establishment within the meaning of the Act respecting occupational health and safety (R.S.Q., c. S-2.1).

DIVISION II INSPECTOR'S POWERS

2. An inspector may prohibit the operation of an elevator, escalator, dumbwaiter, moving walk, freight platform lift or lift for persons with physical disabilities, and may affix a seal thereto, if he finds that an offence against this Regulation is of a nature to directly endanger a person's life or health.

3. An inspector may require that the owner of an apparatus covered by section 1 provide him with an attestation by a person specialized in the matter, such as an engineer, the manufacturer or the installer, certifying that

(1) the apparatus is sound;

(2) the apparatus operates properly; and

(3) a material, device, piece of equipment or method of design, construction or installation complies with the requirements of this Regulation.

The attestation shall include the data on which it is based and shall confirm that the apparatus may safely be used by the public.

4. Where an apparatus covered by section 1 is put into service for the first time or where such apparatus is put back into service following an alteration, the owner of the apparatus shall so notify the inspector in writing within 30 days.

The notice shall contain the following information:

(1) the name and address of the owner, the manufacturer and the installer of the apparatus;

(2) the address of the building in which the apparatus is installed; and

(3) the type, make and model of apparatus, and its technical features.

DIVISION III NEW INSTALLATIONS

§1. Definitions

5. In this Division, unless otherwise indicated by the context,

“Code” means the Safety Code for Elevators: Escalators, Dumbwaiters, Moving Walks, and Freight Platform Lifts, Public Safety, A National Standard of Canada CAN/CSA-B44-94, published in September 1994 by the Canadian Standards Association, as amended by this Regulation; and

“Standard” means Standard B355-94, Lifts for Persons with Physical Disabilities, Public Safety, published in January 1994 by the Canadian Standards Association, as amended by this Regulation.

§2. Amendments to the Code

6. In the Code, a reference to

(1) Standard CSA C22.1 is a reference to the electrical code that serves as a basis in applying the Act respecting electrical installations (R.S.Q., c. I-13.01), as prescribed and amended by the Bureau des examinateurs électriciens du Québec under section 29 of that Act in force at the time of installation of an apparatus or of an alteration thereto; and

(2) the National Building Code of Canada or the Building Code is a reference to the National Building Code of Canada adopted under the Public Buildings Safety Act (R.S.Q., c. S-3), as amended, in force at the time of installation of an apparatus or of an alteration thereto.

7. The Code is amended

(1) by deleting the notes, wherever they occur;

(2) in the French text, by substituting *mutatis mutandis* the words “vérification”, “vérifier” and “vérifié” for the words “inspection”, “inspector” and “inspecté”, wherever they occur;

(3) by substituting the words “devices approved by a person appointed by the Minister,” for the words “approved devices” in section 7.3.8.5, the words “type approved by a person appointed by the Minister,” for the words “approved type” in paragraph *b* of section 3.7.5, and the words “means approved by a person appointed by the Minister” for the words “approved means” in paragraph *h* of section 3.14.9.3.3;

(4) by substituting *mutatis mutandis* the words “inspector responsible for the application of the Public Buildings Safety Act” for the words “regulatory authority” in sections 2.3.5.3, 2.7.1.4, 2.7.4, 2.9.6 and 3.6.2.2 and in paragraph *b* of section 3.12.15.5;

(5) by substituting *mutatis mutandis* the words “person appointed by the Minister” for the words “regulatory authority” or “regulatory authorities” in sections 1.2.1, 1.2.2, 3.2.7.2, 3.6.5.1, 3.14.5.1, 7.2.4.1, 8.3.11.1, 8.3.11.2, 8.4, 10.4.1, 14.2.3.2 and 14.2.8.2, subparagraphs *i* and *ii* of paragraph *c* of section 3.5.7 and paragraph *c* of sections 3.14.9.3.3 and 8.3.3.7.1, respectively;

(6) in section 1.3,

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

“This Standard refers to the following publications:”; and

(2) by deleting the following publications:

“C22.1-94
Canadian Electrical Code, Part I;” and
“National Building Code of Canada—1990;”;

(7) by deleting the following definitions in section 1.4:

“Accessible”;
“Weatherproof”;
“Approved”;
“Private residence elevator”;
“Existing installation”;
“New installation”;
“Private residence”; and
“Shall”;

(8) by deleting the word “directly” in paragraph *a* of section 2.7.1.5;

(9) by deleting subparagraph *d* of the second paragraph of section 3.6.2.5;

(10) by revoking section 9.1.2;

(11) by revoking section 12;

(12) by revoking section 13.2;

(13) by revoking section 14.6;

(14) by revoking section 14.9.1.2;

(15) by revoking section 14.9.2.2; and

(16) by deleting the second sentence in section 15.3.1.

§3. Amendments to the Standard

8. Any reference in the Standard

(1) to Standard CAN/CSA-B44 is a reference to the Code; and

(2) to Standard CSA C22.1 is a reference to the electrical code that serves as a basis in applying the Act respecting electrical installations (R.S.Q., c. I-13.01), as prescribed and amended by the Bureau des examinateurs électriciens du Québec under section 29 of that Act in force at the time of installation of an apparatus or of an alteration thereto.

9. The Standard is amended

(1) by deleting the notes, wherever they occur;

(2) in the French text, by substituting *mutatis mutandis* the words “vérification”, “vérifier” and “vérifié” for the words “inspection”, “inspecter” and “inspecté”, wherever they occur;

(3) by deleting the second sentence in section 1.4;

(4) by adding the following after section 1.4:

“1.5 Any person wishing to use a material, device, piece of equipment, construction method or installation method that is not specifically covered in this Standard shall so inform the inspector. Such use shall be approved by a person appointed by the Minister where it is demonstrated that the level of safety procured is at least equivalent to that required under this Standard.

1.6 Where it would be difficult to apply any of the provisions of this Standard because of the impact thereof, the owner may propose compensatory measures to the inspector, which may be accepted by a person appointed by the Minister where it is demonstrated to that person that the measures render the apparatus safe.”;

(5) in section 2,

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

“This Standard refers to the following publications:”;
and

(2) by deleting the following publications:

“CAN/CSA-B44-M90
Safety Code for Elevators;” and
“C22.1-1994
Canadian Electrical Code, Part I;”;

(6) by deleting the word “directly” in subparagraph *i* of paragraph *g* of section 5.4.2; and

(7) by deleting section 6.1.1.2.

§4. General

10. An elevator, dumbwaiter, escalator, moving walk or freight platform lift that is not covered by Division IV shall comply with the Code.

11. A lift for persons with physical disabilities that is not covered by Division IV shall comply with the Standard.

DIVISION IV EXISTING INSTALLATIONS

12. An elevator, dumbwaiter, escalator, moving walk or freight platform lift whose installation is completed by (*enter the date corresponding to 6 months after the coming into force of this Regulation*) shall comply with the Regulation respecting elevators, escalators, dumbwaiters, moving walks, freight platform lifts and elevating devices for disabled persons, made by Order in Council 1009-88 dated 22 June 1988 and amended by the Regulations made by Orders in Council 1836-88 dated 7 December 1988, 927-90 dated 27 June 1990 and 1331-92 dated 9 September 1992.

Notwithstanding the foregoing, an apparatus that, at the time of installation or alteration, complies with the Safety Code for Elevators: Escalators, Dumbwaiters, Moving Walks, and Freight Platform Lifts, Public Safety, A National Standard of Canada CAN/CSA-B44-94, published in May 1990 by the Canadian Standards Association, as amended, with the exception of section 12, is deemed to comply with the requirements of this section.

13. A lift for persons with physical disabilities whose installation is completed by (*enter the date corresponding to 6 months after the coming into force of this Regulation*) shall comply with the Regulation respecting elevators, escalators, dumbwaiters, moving walks, freight platform lifts and elevating devices for disabled persons, made by Order in Council 1009-88 dated 22 June 1988 and amended by the Regulations made by Orders in Council 1836-88 dated 7 December 1988, 927-90 dated 27 June 1990 and 1331-92 dated 9 September 1992.

14. Any alteration to an existing elevator, dumbwaiter or escalator shall comply with section 10 of the Code referred to in section 5.

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

9579

Draft Regulation

An Act respecting family assistance allowances
(R.S.Q., c. A-17)

Family assistance allowances — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting family assistance allowances, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The Regulation replaces the provisions that provide for the payment of family allowances and allowances for young children by quarterly cheques with provisions that provide for payment once every six months.

The proposed provisions provide that family allowances and allowances for young children will from now on be paid in the month of May, for the allowances payable for the months of November, December, January, February, March and April, and in the month of November, for the allowances payable for the months of May, June, July, August, September and October. The Regulation will have the effect of reducing the costs related to the payment of allowances, in particular, those related to payments by cheque.

Additional information can be obtained by contacting Mr. Jean-Luc Boisjoli, notary, at the Régie des rentes du Québec, place de la Cité, 2600, boulevard Laurier, Sainte-Foy (Québec), G1V 4T3 (telephone (418) 643-7890, fax (418) 643-9590).

Any person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to Mr. Claude Legault, President and General Manager of the Régie des rentes du Québec, place de la Cité, 2600, boulevard Laurier, 5^e étage, Sainte-Foy (Québec), G1V 4T3. Comments will be forwarded by the Board to the Minister of Income Security, who is responsible for the administration of the provisions of the Act respecting family assistance allowances, under which this Regulation may be made.

JEANNE L. BLACKBURN,
Minister of Income Security

Regulation to amend the Regulation respecting family assistance allowances

An Act respecting family assistance allowances
(R.S.Q., c. A-17, s. 25, 1st par., subpar. 7)

1. The Regulation respecting family assistance allowances, made by Order in Council 1498-89 dated 13 September 1989 and amended by the Regulations made by Orders in Council 1916-89 dated 13 December 1989, 1732-90, dated 12 December 1990, 819-91 dated 12 June 1991, 1720-91 dated 11 December 1991, 1070-92 dated 15 July 1992 and 1797-92 dated 9 December 1992 and 212-95 dated 15 February 1995, is further amended, in section 8.1 by substituting the following for subparagraphs 1 to 4 of the first paragraph:

“(1) May, for the allowances payable for the months of November, December, January, February, March and April and

(2) November, for the allowances payables for the months of May, June, July, August, September and October.”

2. The allowances which, in application of section 8.1 of the Regulation respecting family assistance allowances, as it read prior to the date on which this Regulation comes into force, were to be paid in a month other than those provided for in section 1, shall be paid in the first month of the six-month payment period that follows, as set out in that section.

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

9583

Draft Regulation

Supplemental Pension Plans Act
(R.S.Q., c. R-15.1; 1994, c. 24)

Limits to the expenses for a transfer of benefits between spouses

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the regulation entitled “Limits to the expenses for a transfer of benefits between spouses”, the text of which appears below, may be made by Minister’s Order upon the expiry of 45 days following this publication.

In accordance with section 110.1 of the Supplemental Pension Plans Act (R.S.Q., c. R-15.1; 1994, c. 24), the