

2. Section B-1.05 of Schedule B is amended

(1) by inserting the word “, intramuscular” after the word “intradermic”; and

(2) by striking out the words “in view of tests or analyses in the field of medical biology prescribed by the physician”.

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

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Gouvernement du Québec

O.C. 566-98, 22 April 1998

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001)

**Commission des lésions professionnelles
— Recruitment and selection of persons declared to be qualified for appointment as commissioners and renewal of their term of officiel**

Regulation respecting the procedure for the recruiting and selection of persons declared to be qualified for appointment as commissioners to the Commission des lésions professionnelles and for the renewal of their term of office

WHEREAS under sections 388 and 395 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), as replaced by section 24 of the Act to establish the Commission des lésions professionnelles and amending various legislative provisions (1997, c. 27), the Government may establish by regulation a recruiting and selection procedure for persons declared to be qualified for appointment as commissioners to the Commission des lésions professionnelles and a procedure for the renewal of their term of office;

WHEREAS under section 390 of the Act respecting industrial accidents and occupational diseases, as replaced by section 24 of the Act to establish the Commission des lésions professionnelles and amending various legislative provisions, the Government may determine by regulation the period of validity of a declaration of aptitude;

WHEREAS under sections 391 and 396 of the Act respecting industrial accidents and occupational diseases, as replaced by section 24 of the Act to establish the Commission des lésions professionnelles and amending various legislative provisions, the Government may determine by regulation the cases, conditions and extent under which the members of a selection committee or of an examination committee are entitled to remuneration or reimbursement of expenses incurred in the performance of their duties;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation respecting the procedure for the recruitment and selection of persons for appointment as commissioners to the Commission des lésions professionnelles and for the renewal of their term of office was published in the *Gazette officielle du Québec* of 28 January 1998;

WHEREAS under Order in Council 334-98 dated 18 March 1998, the provisions of the Act to establish the Commission des lésions professionnelles and amending various legislative provisions, other than those already in force under Order in Council 1416-97 dated 29 October 1997, came into force on 1 April 1998;

WHEREAS it is expedient to make the Regulation respecting the procedure for the recruiting and selection of persons declared to be qualified for appointment as commissioners to the Commission des lésions professionnelles and for the renewal of their term of office, attached to this Order in Council;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour:

THAT the Regulation respecting the procedure for the recruiting and selection of persons declared to be qualified for appointment as commissioners to the Commission des lésions professionnelles and for the renewal of their term of office, attached to this Order in Council, be made.

LIETTE HARVEY,
Deputy Clerk of the Conseil exécutif

Regulation respecting the procedure for the recruiting and selection of persons declared to be qualified for appointment as commissioners to the Commission des lésions professionnelles and for the renewal of their term of office

An Act respecting industrial accidents and occupational diseases
(R.S.Q., c. A-3.001, ss. 388, 390, 391, 395 and 396;
1997, c. 27, s. 24)

DIVISION I
NOTICE OF VACANT POSITIONS

1. When it is expedient to make up a list of persons declared to be qualified for appointment as commissioners to the Commission des lésions professionnelles, the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif shall publicly announce the vacant positions by a notice in a publication circulating throughout Québec, and shall invite interested persons to submit their candidacies for the position of commissioner of the board.

2. The notice shall give

(1) a brief description of the duties of a commissioner;

(2) the main place of work of the commissioner;

(3) in substance, the selection conditions and criteria prescribed by the Act and this Regulation and, where applicable, the qualifications, training and professional experience required for the board;

(4) in substance, the system of confidentiality applicable to the selection procedure and an indication that the selection committee may hold consultations about the candidacies; and

(5) the deadline and address for submitting a candidacy.

3. A copy of the notice shall be sent to the Minister of Labour and to the president of the board.

DIVISION II
CANDIDACIES

4. A person who wishes to submit his candidacy shall forward his résumé and the following information:

(1) his name, address, home telephone number and, if applicable, office telephone number;

(2) his date of birth;

(3) the nature of the activities that he has carried out and through which he has acquired the relevant experience;

(4) where applicable, proof that he has the qualifications mentioned in the notice of vacant positions, when they were acquired and for how many years they were required;

(5) any condemnation for an indictable offence or an offence punishable on summary conviction or any disciplinary decision, as well as the nature of the offence or fault in question and the imposed sentence or disciplinary penalty;

(6) any condemnation for a penal offence, the nature of the offence in question and the sentence imposed and whether one can reasonably believe that such offence is likely to question the integrity or impartiality of the board or of the candidate, to interfere with his ability to perform his duties or to ruin the trust of the public in the office holder;

(7) where applicable, the names of his employers or partners over the past 10 years;

(8) where applicable, whether he has filed his candidacy for a position of commissioner of the board in the past 3 years;

(9) a summary of the reasons for his interest in performing the duties of commissioner of the board.

The person shall also provide a written statement in which he agrees to a verification with a disciplinary body, any professional order of which he is or was a member, his employers in the last 10 years, police authorities and, where applicable, in which he agrees that the persons, partnerships, organizations mentioned in section 14 may be consulted.

DIVISION III
FORMATION OF A SELECTION COMMITTEE

5. Following publication of the notice of vacant positions, the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif shall form a selection committee, designate a chairman and appoint to it

(1) the chairman of the board or, after consulting him, another commissioner of the board;

(2) a member of the staff of the Ministère du Conseil exécutif or the Ministère du Travail; and

(3) a representative of the groups concerned who is neither an advocate nor a notary and a representative of the legal community or one of them.

6. Where his impartiality could be questioned, a member of the committee shall withdraw in regard to a candidate, particularly in the following situations:

(1) the member is or was the candidate's spouse;

(2) the member is related to the applicant by birth or marriage, to the degree of first cousin inclusively;

(3) the member is or was a partner, employer, employee of the candidate in the last 10 years; notwithstanding the foregoing, a member who is in the public service must withdraw in regard to a candidate only if he is or was the employee or immediate superior of the candidate.

Where a member of the committee has withdrawn, is absent or unable to act, the decision shall be made by the other members.

7. Before taking office, the members of the committee shall take oath by solemnly affirming the following: "I, (full name), swear that I will neither reveal nor make known, without due authorization to do so, anything whatsoever of which I may gain knowledge in the exercise of my office.

The oath shall be taken before a member of the staff of the Ministère du Conseil exécutif or the Ministère du Travail empowered to administer oaths.

The writing evidencing the oath shall be sent to the Associate Secretary General."

8. A person may be appointed to more than one committee at the same time.

9. Travel and accommodation expenses of the committee members shall be reimbursed in accordance with Décret 2500-83 dated 30 November 1983 concernant les règles sur les frais de déplacement des présidents, vice-présidents et membres d'organismes gouvernementaux, as amended.

In addition to the reimbursement of their expenses, the committee members who are neither commissioners of the board nor employees of a government department or agency are entitled to fees of \$100 per half-day of sitting which they attend.

DIVISION IV OPERATION OF THE SELECTION COMMITTEE

10. The list of candidates and their records shall be sent to the chairman of the selection committee.

11. The committee shall analyze the candidates' records and shall retain those who, in its opinion, meet the eligibility requirements and any additional evaluative measures applied in consideration of the positions to be filled or the large number of candidates.

12. The chairman of the committee shall inform the short-listed candidates of the date and place of their meeting with the committee and shall inform the other candidates that they were turned down and, as a result, will not be called to a meeting.

13. The committee's report shall list the candidates that were turned down, giving the reasons therefor.

DIVISION V CONSULTATIONS AND SELECTION CRITERIA

14. The committee may, on any matter in a candidate's record or any aspect of a candidacy or of the candidacies as a whole, consult with

(1) any person who has been, in the last 10 years, an employer, partner, immediate superior or first-line supervisor of the candidate;

(2) any legal person, partnership or professional association of which the candidate is or was a member.

15. The selection criteria that the committee shall take into account in determining a candidate's aptitude are

(1) the candidate's personal and intellectual qualities;

(2) the candidate's experience and the relevancy of that experience in relation to the duties of the Board;

(3) the extent of the candidate's knowledge or skills in view of the required qualifications, training or professional experience stated in the notice of vacant positions;

(4) the candidate's ability to carry out adjudicative functions;

(5) the applicant's judgment, open-mindedness, perceptiveness, level-headedness, decision-making and expressive abilities;

(6) the candidate's conception of the duties of a commissioner of the Board.

DIVISION VI REPORT OF THE SELECTION COMMITTEE

16. Committee decisions shall be made by a majority of its members. In the case of a tie-vote, the chairman of the committee has a casting vote.

17. Not later than 30 days after an application therefor by the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif, the committee shall promptly submit a report including

(1) the names of the candidates with whom the committee met and whom it declared qualified to be appointed as commissioners to the board, their profession and the particulars concerning their work place;

(2) any comments that the committee considers expedient, especially with respect to the particular characteristics or qualifications of the candidates considered qualified.

That report shall be submitted to the Associate Secretary General and to the Minister of Labour.

18. Wherever possible, the committee shall declare qualified a number of candidates normally corresponding to at least twice the number of vacant positions.

19. A member may register his dissent with respect to all or part of the report.

DIVISION VII REGISTER OF DECLARATIONS OF APTITUDE

20. The Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif shall write to the candidates to inform them that they have been declared qualified or not to be appointed as commissioners to the board.

21. The Associate Secretary General shall keep the register of declarations of aptitude up-to-date and shall enter therein the list of the persons declared qualified to be appointed as commissioners to the board.

The declaration of aptitude shall be valid for a period of three years from the date it is entered in the register.

He shall strike out an entry upon the expiry of the validity period of the declaration of aptitude, or where the person is appointed as commissioner to the board, dies or asks to be withdrawn from the register.

DIVISION VIII RECOMMENDATION

22. As soon as he is notified of a vacant position, the Associate Secretary General for Senior Positions of the Ministère du Conseil exécutif shall forward a copy of the updated list of persons declared qualified to the Minister of Labour.

23. If the Minister of Labour is of the opinion that he cannot, considering the list of persons qualified to be appointed as commissioners and in the interests of, and to best carry out the duties of the board, recommend an appointment, he shall then ask the Associate Secretary General to have a notice of vacant positions published, in accordance with Division I.

The committee in charge of evaluating the qualification of the candidates who submitted their candidacy after the publication of another notice and of reporting to the Minister may be composed of persons previously designated to sit on a preceding committee.

24. The Minister of Labour shall recommend to the Government the name of a person who has been declared qualified to be appointed as commissioner to the board, after consulting with the Conseil consultatif du travail et de la main-d'oeuvre.

Where the vacant position is that of president or a position of vice-president of the board, the Minister of Labour shall recommend to the Government the name of a commissioner of the board or the name of a person declared qualified to be appointed as a commissioner to the Commission, after consulting with the Conseil consultatif du travail et de la main-d'oeuvre.

DIVISION IX RENEWAL OF TERMS OF OFFICE

25. In the 12 months before the expiry of a commissioner's term of office, the Secretary General for Senior Positions of the Ministère du Conseil exécutif shall ask that commissioner to provide him with the information mentioned in subparagraphs 5 and 6 of section 4 and with a written statement in which he agrees to a verification with, *inter alia*, a disciplinary body, any professional order of which he is or was a member and police authorities and, where applicable, in which he agrees that the persons or organizations mentioned in section 14 be consulted.

26. The Associate Secretary General shall form a committee to examine the renewal of the commissioner's term of office and shall designate the chairman thereof.

The committee shall be composed of the president of the board or another commissioner of the board designated by the president, a member of the staff of the Ministère du Conseil exécutif or Ministère of Labour and a representative of the legal community. Notwithstanding the foregoing, the president of the board may not be represented by the person who has been, during the last year of the term of office of the commissioner whose renewal is examined, has been his line superior.

In the case of a commissioner who performs administrative duties within the board, the committee in charge of examining the renewal of his term of office shall be composed of a member of the staff of the Ministère of the Conseil exécutif, a member of the staff of the Ministère du Travail and a representative of the legal community.

Sections 6 to 9 then apply.

27. The committee shall determine whether the commissioner still fulfils the criteria set out in section 15, taking into account the needs of the board and may hold the consultations provided for in section 14 on any matter in the record.

28. Committee decisions shall be made by a majority vote of its members. In the case of a tie-vote, the chairman of the committee shall have a casting vote. A member may register his dissent.

The committee shall forward its recommendation to the Associate Secretary General and to the Minister of Labour.

29. The Associate Secretary General shall be the agent empowered to notify a commissioner of the non-renewal of his term of office.

DIVISION X CONFIDENTIALITY

30. The names of candidates, the reports of selection or renewal committees, the register, the list of candidates declared qualified to be appointed as commissioners to the board, as well as any information or document related to a consultation or decision by a committee, are confidential.

Notwithstanding the foregoing, a commissioner whose term of office is not renewed may consult the recommendation of the renewal committee concerning him.

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

Gouvernement du Québec

O.C. 567-98, 22 April 1998

An Act respecting piping installations
(R.S.Q., c. I-12.1)

Plumbing Code

Plumbing Code

WHEREAS under paragraphs *a, b, c, d, e, f* and *i* of section 24 of the Act respecting piping installations (R.S.Q., c. I-12.1) amended by section 11 of Chapter 83 of the Statutes of 1997, the Government may make regulations relating to a piping system on the matters mentioned therein;

WHEREAS the Plumbing Code (R.R.Q., 1981, c. I-12.1, r.1) was made by the Government;

WHEREAS it is expedient to make the 1995 edition, in French and in English, of the National Plumbing Code of Canada with certain amendments the new Plumbing Code, so as to:

— bring up-to-date the requirements respecting piping installations and take into account the technological developments;

— give installers a revised work tool that is better adapted to their needs;

— lessen the effects that slow down the development of the industry and restrict the means that may be used by designers, manufacturers and installers;

— promote competition and adaptation of all the partners to the market;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Plumbing Code was published in Part 2 of the *Gazette officielle du Québec* of 26 November 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS the comments received have been examined;

WHEREAS it is expedient to make the Regulation with amendments:

IT IS ORDERED, therefore, upon the recommendation of the Minister of Labour: