

## Coming into force of Acts

Gouvernement du Québec

### O.C. 952-2000, 26 July 2000

#### Building Act (1985, c. 34)

##### — Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Building Act

WHEREAS the Building Act (1985, c. 34) was assented to on 20 June 1985;

WHEREAS section 301 of the Act, replaced by section 132 of the Act to amend the Building Act and other legislation (1991, c. 74), states that the provisions of that Act come into force on the date or dates to be fixed by the Government except the provisions of sections 1, 4, 7 to 9, 11, 28, 41 to 86, 117 and 118, 129, 131, 150, 152, 155, paragraph 2 of section 160, sections 161 to 164, paragraph 2 of section 165, sections 166 to 193, paragraphs 1 and 5 of section 194, sections 195 to 197, 200 to 209, 211 to 213, 216, paragraph 4 of section 230, sections 231 and 232, 234 and 235, 238, 240, 242 and 243, paragraph 4 of section 245, sections 247, 249, 252 to 254, paragraph 2 of section 255, sections 257 and 258, 262, 268, 280 and 281, 285 to 290, 292 to 297, sections 2, 112, 115, 151, 153 and paragraphs 2, 4 and 7 of section 194 with regard to the qualification of contractors and owner-builders, section 214 concerning the Act respecting building contractors vocational qualifications (R.S.Q., c. Q-1), section 215 concerning the provisions of regulations adopted under the Act respecting building contractors vocational qualifications, section 241 to the extent that it enacts sections 20.1 to 20.7 and 21.1, section 261 to the extent that it enacts the heading preceding section 19.1 and sections 19.1 to 19.7 and 20.1, and the first paragraph of section 291 concerning a licence issued under the Act respecting building contractors vocational qualifications, which come into force on 1 February 1992;

WHEREAS section 301 of the Building Act, replaced by section 132 of the Act to amend the Building Act and other legislation, also states that sections 87 to 111, 130, 140 to 149, 154, 156 to 159, 217, 220, 222 and 223, the part of section 225 that enacts Division III.2 and sections 9.14 to 9.34 of the Real Estate Brokerage Act (R.S.Q., c. C-73), paragraph 1 of section 228, paragraph 2 of section 229, sections 233, 236, 237, the part

of section 241 that enacts sections 20.8 to 21 and 21.2 to 23 of the Master Electricians Act (R.S.Q., c. M-3), sections 244, 246, 248, 250, 251, paragraph 1 of section 255, section 256, the part of section 261 that enacts sections 19.8 to 20 and 20.2 to 21.2 of the Master Pipe-Mechanics Act (R.S.Q., c. M-4) and sections 298 and 300 have been in force since 31 October 1985, and whereas sections 226, 227 and paragraphs 2 and 3 of section 228 have been in force since 1 November 1986, section 224 has been in force since 1 January 1987, sections 269 to 273 have been in force since 15 June 1988 and section 221, the part of section 225 that enacts section 9.35 of the Real Estate Brokerage Act (R.S.Q., c. C-73) and paragraph 1 of section 229 have been in force since 1 February 1989;

WHEREAS, under Order in Council 940-95 dated 5 July 1995, paragraph 6 of section 151 and section 153 of the Building Act (1985, c. 34), as well as paragraph 5 of section 68 and paragraph 2 of section 70 of the Act to amend the Building Act and other legislation (1991, c. 74), came into force on 1 September 1995 in all respects other than the qualification of contractors and owner-builders;

WHEREAS, under Order in Council 3-97 dated 7 January 1997, paragraph 1 of sections 160 and 165 of the Building Act (R.S.Q., c. B-1.1), paragraph 2 of sections 72 and 73 of the Act to amend the Building Act and other legislation (1991, c. 74) and sections 7 and 8 of the Act to amend various legislative provisions relating to the construction industry (1996, c. 74) came into force on 15 January 1997;

WHEREAS, under section 171 of the Act to amend the Building Act and other legislation (1991, c. 74), section 9 of that Act, to the extent that it enacts section 11.1 of the Building Act (R.S.Q., c. B-1.1) in all respects other than the qualification of contractors and owner-builders, comes into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 7 November 2000 as the date of coming into force of section 9 of the Act to amend the Building Act and other legislation (1991, c. 74) to the extent that it enacts section 11.1 of the Building Act (R.S.Q., c. B-1.1) in all respects other than the qualification of contractors and owner-builders;

WHEREAS sections 3, 5, 7, 12, 20, 113, 114, 116, 123 to 128, 132 to 135, 139, paragraph 3 of section 194, and sections 198 and 199 of the Building Act (R.S.Q., c. B-1.1) were amended by sections 3, 5, paragraph 2 of section 6, sections 10, 14, 53 to 55, 60 and 61, paragraph 1 of section 93 and sections 97, 98 and 169 of the Act to amend the Building Act and other legislation (1991, c. 74);

WHEREAS, under section 171 of the Act to amend the Building Act and other legislation (1991, c. 74), sections 3, 5, paragraph 2 of section 6, sections 10, 14, 53 to 55, 60 and 61, paragraph 1 of section 93, sections 97 and 98 of that Act, and section 169 of that same Act to the extent that it refers to sections 20, 26, 27, 33, 34, 113, 114, 116, 119, 123 to 128, 132 to 134 and 139 of the Building Act (R.S.Q., c. B-1.1), come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 7 November 2000 as the date of coming into force of sections 3, 5, paragraph 2 of section 6, sections 10, 14, 53 to 55, 60 and 61, paragraph 1 of section 93, and sections 97 and 98 of the Act to amend the Building Act and other legislation (1991, c. 74) and section 169 of that Act to the extent that it refers to sections 20, 26, 27, 33, 34, 113, 114, 116, 119, 123 to 128, 132 to 134 and 139 of the Building Act (R.S.Q., c. B-1.1);

WHEREAS sections 10, 13, 16, 17, 21 to 23, 122, 282 and 283 of the Building Act (R.S.Q., c. B-1.1) were replaced by sections 8, 11, 12, 15, 52 and 116 of the Act to amend the Building Act and other legislation (1991, c. 74);

WHEREAS, under section 171 of the Act to amend the Building Act and other legislation (1991, c. 74), sections 8, 11, 12, 15, 52 and 116 of that Act come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 7 November 2000 as the date of coming into force of sections 8, 11, 12, 15 and 52 of the Act to amend the Building Act and other legislation (1991, c. 74) and section 116 of that Act to the extent that it replaces section 282 of the Building Act (R.S.Q., c. B-1.1) with regard to buildings and facilities intended for public use to which Chapter I of the Building Code approved by Order in Council 953-2000 dated 26 July 2000 applies and to the extent that it replaces, in all respects, section 283 of the Building Act (R.S.Q., c. B-1.1);

WHEREAS sections 18, 21, 36, 128.4 and 132 of the Building Act (R.S.Q., c. B-1.1) were amended by sections 5, 7, 9, 31 and 37 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46);

WHEREAS, under section 138 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46), sections 5, 7, 9, 31 and 37 of that Act come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 7 November 2000 as the date of coming into force of sections 5, 7, 9, 31 and 37 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46);

WHEREAS sections 16 to 17.3 of the Building Act (R.S.Q., c. B-1.1) were replaced by section 4 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46);

WHEREAS, under section 138 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46), section 4 comes into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 7 November 2000 as the date of coming into force of section 4 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46);

WHEREAS sections 20, 128.1 and 128.6 of the Building Act (R.S.Q., c. B-1.1) were repealed by sections 6, 30 and 32 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46);

WHEREAS, under section 138 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46), sections 6, 30 and 32 come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 7 November 2000 as the date of coming into force of sections 6, 30 and 32 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46);

WHEREAS section 137 of the Building Act (R.S.Q., c. B-1.1) was amended by section 17 of the Act to amend the Act respecting the implementation of the reform of the Civil Code and other legislative provisions as regards security and the publication of rights (1995, c. 33);

WHEREAS, under section 36 of the Act to amend the Act respecting the implementation of the reform of the Civil Code and other legislative provisions as regards security and the publication of rights (1995, c. 33),

section 17 of that Act comes into force on the date of coming into force of section 137 of the Building Act (R.S.Q., c. B-1.1);

WHEREAS it is expedient to fix 7 November 2000 as the date of coming into force of section 2 in all respects other than the qualification of contractors and owner-builders, sections 3 and 5, section 7 with regard to the definition of "pressure vessel", section 10, section 11.1 in all respects other than the qualification of contractors and owner-builders, sections 12 to 18, 20 to 23 and 36, sections 112 and 115 in all respects other than the qualification of contractors and owner-builders, sections 113, 114, 116, 122 to 128.1, section 128.4 with regard to the revocation of the recognition of a person referred to in section 16 of the Act, sections 128.5 and 128.6, and 132 to 139, paragraphs 1 to 5 of section 151, the first paragraph of section 153 and paragraphs 2, 4 and 7 of section 194 in all respects other than the qualification of contractors and owner-builders, paragraphs 3, 6, 6.1 and 6.2 of section 194, and sections 198 and 199, section 201.1 in all respects other than the qualification of contractors and owner-builders, section 210, section 282 with regard to buildings and facilities intended for public use to which Chapter I of the Building Code approved by Order in Council 953-2000 dated 26 July 2000 applies, and section 283 of the Building Act (R.S.Q., c. B-1.1);

WHEREAS sections 5, 10 and 126, the second paragraph of section 133 and section 210 of the Building Act (R.S.Q., c. B-1.1) were amended by paragraphs 1, 3, 14, 17 and 20 respectively of section 37 of the Act to harmonize public statutes with the Civil Code (1999, c. 40);

WHEREAS, under section 356 of the Act to harmonize public statutes with the Civil Code (1999, c. 40), those paragraphs of section 37 of the Act came into force on 22 October 1999;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Labour and Employment and Minister of Labour:

THAT 7 November 2000 be fixed as the date of coming into force of the following provisions:

(1) sections 3 and 5, paragraph 2 of section 6, sections 8, 10 to 12, 14 and 15, 52 to 55, 60 and 61, paragraph 1 of section 93, and sections 97 and 98 of the Act to amend the Building Act and other legislation (1991, c. 74), section 9 of the same Act to the extent that it enacts section 11.1 of the Building Act (R.S.Q., c. B-1.1) in all respects other than the qualification of contractors and owner-builders, section 116 of the same Act to the extent that it replaces section 282 of the Building Act (R.S.Q., c. B-1.1) with regard to buildings and facilities

intended for public use to which Chapter I of the Building Code approved by Order in Council 953-2000 dated 26 July 2000 applies and to the extent that it replaces, in all respects, section 283 of the Building Act (R.S.Q., c. B-1.1), and section 169 of the same Act to the extent that it refers to sections 20, 26, 27, 33, 34, 113, 114, 116, 119, 123 to 128, 132 to 134 and 139 of the Building Act (R.S.Q., c. B-1.1);

(2) section 17 of the Act to amend the Act respecting the implementation of the reform of the Civil Code and other legislative provisions as regards security and the publication of rights (1995, c. 33);

(3) sections 4 to 7, 9, 30 to 32 and 37 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46);

(4) sections 3 and 5, 10, 12 to 18, 20 to 23, 36, 113, 114, 116, 122 to 128.1, 128.5, 128.6, 132 to 139, paragraphs 3, 6, 6.1 and 6.2 of section 194, sections 198, 199, 210 and 283 of the Building Act (R.S.Q., c. B-1.1), sections 2, 11.1, 112 and 115, paragraphs 1 to 5 of section 151, the first paragraph of section 153, paragraphs 2, 4 and 7 of section 194 and section 201.1 of that Act in all respects other than the qualification of contractors and owner-builders, section 7 of that Act with regard to the definition of "pressure vessel", section 128.4 of that Act with regard to the revocation of the recognition of a person referred to in section 16 of the Act and section 282 of that Act with regard to buildings and facilities intended for public use to which Chapter I of the Building Code approved by Order in Council 953-2000 dated 26 July 2000 applies.

MICHEL NOËL DE TILLY,  
*Clerk of the Conseil exécutif*

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