

## Draft Regulations

### Draft Regulation

Building Act  
(R.S.Q., c. B-1.1)

#### New residential buildings — Guarantee plan — 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 the guarantee plan for new residential buildings, the text of which appears below, may be approved by the Government, with or without amendment, upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to make the guarantee for new residential buildings applicable to multifamily buildings held in divided co-ownership according to their type of construction instead of their building height as is the case under the current Regulation.

Thus, any multifamily building of combustible construction will benefit from the guarantee, as well as any multifamily building of noncombustible construction comprising no more than four private portions stacked one above the other.

Since the guarantee will apply, under the Regulation, to the type of construction of buildings, it will make it possible for a greater number of buildings to benefit from the guarantee for new residential buildings and it will eliminate any inaccuracy in the current scope with respect to buildings held in divided co-ownership covered by the guarantee.

Further information may be obtained by contacting Mr. Guy Pelletier, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 7<sup>e</sup> étage, Montréal (Québec) H2M 2V2, telephone: (514) 864-2491 or fax: (514) 873-1939.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Alcide Fournier, Chairman and executive director, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3<sup>e</sup> étage, Montréal (Québec) H2M 2V2.

ALCIDE FOURNIER,  
*Chairman and executive director,  
Régie du bâtiment du Québec*

### Regulation to amend the Regulation respecting the guarantee plan for new residential buildings\*

Building Act  
(R.S.Q., c. B-1.1, s. 185, 1st par., subpar. 19.3 and s. 192)

1. Section 2 of the Regulation respecting the guarantee plan for new residential buildings is amended

(1) by substituting the following for clause *b* of subparagraph 2 of the first paragraph:

“(b) a multifamily building of combustible construction;

(c) a multifamily building of noncombustible construction comprising no more than four private portions stacked one above the other;”;

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

“For the purposes of this Regulation, the terms “combustible construction” and “noncombustible construction” have the meaning given to them in the National Building Code—Canada 1995 (NRCC 38726E) including the revisions of July 1998 and November 1999 issued by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada.”.

2. The heading of Subdivision 3 of Division I of Chapter IV is amended by substituting “of More than Five Private Portions” for “of a Building Height of Less than 4 Stories and Comprising More than 5 Private Units”.

3. Section 87 is amended by substituting “of more than five private portions” for “of a building height of less than 4 stories and comprising more than 5 private units” in the part preceding paragraph 1.

\* The Regulation respecting the guarantee plan for new residential buildings was approved by Order in Council 841-98 dated 17 June 1998 (1998, *G.O.* 2, 2510) and has not been amended since.

4. Schedule I is amended by substituting “of combustible construction and multifamily building of noncombustible construction comprising no more than four private portions stacked one above the other” for “of a building height of less than 4 stories” at the end of the table.

5. This Regulation comes into force on (*enter the date corresponding to the fifteenth day following the date of its publication in the Gazette officielle du Québec*).

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## Draft Regulation

Building Act  
(R.S.Q., c. B-1.1)

### Building contractors and owner-builders — Professional qualifications — 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 the professional qualification of building contractors and owner-builders, the text of which appears below, may be approved by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to ensure consistency with the Regulation to amend the Regulation respecting the guarantee plan for new residential buildings.

The draft Regulation specifies, in particular, one of the two subcategories of general contractors covered by regulatory instruments respecting the guarantee for new residential buildings.

The draft Regulation also includes a transitional provision to ensure the carrying out of construction work already begun or for which contracts were signed before the coming into force of the Regulation to amend the Regulation respecting the guarantee plan for new residential buildings.

Further information may be obtained by contacting Guy Pelletier, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 7<sup>e</sup> étage, Montréal (Québec) H2M 2V2; telephone (514) 864-2491; fax (514) 873-1939.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to Alcide Fournier, Chair-

man and Executive Director, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3<sup>e</sup> étage, Montréal (Québec) H2M 2V2.

ALCIDE FOURNIER,  
*Chairman and Executive Director of the  
Régie du bâtiment du Québec*

## Regulation to amend the Regulation respecting the professional qualification of building contractors and owner-builders\*

Building Act  
(R.S.Q., c. B-1.1, s. 185, 1st par., subpar. 17 and s. 192)

1. The following section is added after section 51.2 of the Regulation respecting the professional qualification of building contractors and owner-builders:

“**51.3.** Any general contractor who, on (*enter the date of coming into force of this Regulation*), holds a licence on which is indicated subcategory 4041 or 4042 is authorized to carry out or cause to be carried out construction work in respect of residential buildings included in subcategory 3032 and for which the preliminary contract or the contract of enterprise was signed before (*enter the date of coming into force of this Regulation*) or which began before that date.”

2. Schedule A to the Regulation is amended

(1) by inserting the following definitions:

““combustible construction”: a combustible construction within the meaning of the National Building Code — Canada 1995 (NRCC 38726E) including the revisions of July 1998 and of November 1999 issued by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada;

“noncombustible construction”: a noncombustible construction within the meaning of the National Building Code — Canada 1995 (NRCC 38726E) including

\* The Regulation to amend the Regulation respecting the professional qualification of building contractors and owner-builders, approved by Order in Council 876-982 dated 10 June 1992 (1992, G.O. 2, 2926), was last amended by the Regulation approved by Order in Council 1017-99 dated 1 September 1999 (1999, G.O. 2, 2914). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.