

Gouvernement du Québec

**O.C. 35-2001, 17 January 2001**

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

**Construction industry**

— **Safety Code**

— **Amendments**

Regulation to amend the Safety Code for the construction industry

WHEREAS, under subparagraphs 7, 9, 19 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission de la santé et de la sécurité du travail may make regulations on the matters set forth therein;

WHEREAS, under the second paragraph of section 223 of the Act, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply and the regulations may also provide times within which they are to be applied, and these times may vary according to the object and scope of each regulation;

WHEREAS, under the third paragraph of section 223 of the Act, a regulation may refer to an approval, certification or homologation of the Bureau de normalisation du Québec or of another standardizing body;

WHEREAS, in accordance with section 224 of the Act and with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 5 April 2000 with a notice that it would be adopted by the Commission with or without amendment and submitted to the Government for approval upon the expiry of 60 days following the publication of that notice;

WHEREAS the Commission adopted, with amendments, the Regulation to amend the Safety Code for the construction industry at its sitting of 21 September 2000;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Safety Code for the construction industry, attached to this Order in Council, be approved.

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

**Regulation to amend the Safety Code for the construction industry\***

An Act respecting occupational health and safety  
(R.S.Q., c. S-2.1, s. 223, 1st par., subpars. 7, 9, 19, 42, 2nd and 3rd pars.)

1. The Safety Code for the construction industry is amended in section 1.1

(1) by substituting the word “rope grab” for the words “fall arresting device or a personnel lowering device” in paragraph 7.1;

(2) by inserting the following after paragraph 12:

“(12.0) “lanyard”: independent length of rope or strap fastened at one end to the safety harness and at the other end to a point of anchorage, a rope grab or a horizontal life line;”;

(3) by deleting paragraph 24.1;

(4) by substituting the words “a partition” for the words “an unbroken partition” in paragraph 25.1.

2. Section 2.7.1 is amended

(1) by substituting the following for the part preceding paragraph *a*:

“**2.7.1. Protective measure:** A construction site shall be separated from any place to which the public has access by”;

(2) by substituting the figure “2” for the figure “2,1” in paragraph *a*;

(3) by substituting the figure “2” for the figure “2,1” in paragraph *b*.

\* The Safety Code for the construction industry (R.R.Q., 1981, c. S-2.1, r. 6) was last amended by the Regulation approved by Order in Council 459-99 dated 21 April 1999 (1999, *G.O.* 2, 1115). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

3. Section 2.7.2 is amended by substituting the number “1 070” for the number “1 100” in paragraph *f*.

4. Section 2.7.3 is revoked.

5. The following is added after section 2.8.1:

**“2.9. Fall protection**

**2.9.1. Safety measures:** Workers shall be protected against falls in the following cases:

(1) if they are at risk of falling more than 3 metres from the place where he is working;

(2) if they are at risk of falling:

(a) into a dangerous liquid or substance;

(b) on a moving component;

(c) on equipment or material that constitute a danger;

(d) from a height of 1.2 metres or more where they use a wheelbarrow or a vehicle.

In such cases and subject to section 2.9.2, one or several of the following measures shall be taken by the employer to ensure the safety of workers:

(1) change the work position of workers so that they can work on the ground or on another surface from which they are not at risk of falling;

(2) install guard-rails or a system which, by limiting the movements of workers, prevent them from being at risk of falling;

(3) use common protective devices and equipment, such as safety nets;

(4) ensure that workers wear safety harnesses complying with section 2.10.12 when they are working;

(5) use another means that ensures equivalent safety for workers.

**2.9.2. Installation of guard-rails:** Guard-rails must be placed on open sides of a floor, roof, platform, ramp, or scaffoldings or stairs around an excavation or any area from which workers may fall:

(1) into water;

(2) a vertical distance of 1.2 metres or more where he uses a wheelbarrow or another vehicle; or

(3) a height greater than 5 metres from the periphery of roofs and 3 metres in other cases.

Notwithstanding the foregoing, such a guard-rail may be removed during works if it is a nuisance. In such a case, workers must wear a safety harness complying with section 2.10.12 and the work area must be delimited in particular by means of a continuous barricade or trestle of a minimum height of 0.7 metre, so as to prevent access thereto by persons not working therein.

**2.9.3. Safety net:** Where a safety net is installed, it must

(1) be installed so as to allow a free fall of no more than 6 metres;

(2) have a sufficiently large area to intercept a person who has fallen;

(3) be capable of supporting a mass of 115 kilograms falling from a maximum height of 6 metres and with a safety factor of 3;

(4) be sufficiently flexible to form a pocket and retain any person who has fallen;

(5) be weather resistant;

(6) be free of all foreign matter;

(7) have openings of about 150 millimetres X 150 millimetres;

(8) be installed in such a way that, when used, the person who falls therein will not hit an obstacle under or above the net or be hit by an object.”.

6. The following is substituted for section 2.10.12:

**“2.10.12. Safety harness:**

(1) A safety harness must comply with CAN/CSA Standard Z259.10-M90 “Full Body Harnesses” and be used with one of the following systems:

(a) an energy absorber to which a lanyard not allowing a free fall of more than 1.2 metres is fastened;

(b) a self retracting lanyard that includes an energy absorber or that is fastened thereto.

Energy absorbers must comply with CAN/CSA Standard Z259.11-M92 “Shock Absorbers for Personal Fall Arrest Systems”.

Lanyards must comply with CAN/CSA Standard Z259.1-95 "Safety Belts and Lanyards".

Self retracting lanyards must comply with CSA Standard Z259.2-M1979 "Fall-Arresting Devices, Personnel Lowering Devices, and Life Lines".

(2) The fastening point of a self retracting lanyard must be anchored to an element having a breaking strength of at least 18 kilonewtons.

(3) The fastening point of the lanyard must be fastened in one of the following manners:

(a) anchored to an element having a breaking strength of at least 18 kilonewtons;

(b) attached to a rope grab in compliance with CSA Standard Z259.2-M1979 "Fall-Arresting Devices, Personnel Lowering Devices, and Life Lines", fastened to a vertical life line or anchored to an element having a breaking strength of at least 18 kilonewtons;

(c) attached to a horizontal life line and anchorage system designed by a professional engineer as attested to by a plan or certificate available on the construction site;

(d) attached to a horizontal life line in compliance with the following minimum standards:

i. the life line shall be a steel cable of a minimum diameter of 12 millimetres slackened to a minimum angle of 1 vertical to 12 horizontal, or 5° from horizontal;

ii. the span of the life line between the anchors shall not exceed 12 metres;

iii. the life line shall be fastened to anchors having a breaking strength of at least 90 kilonewtons;

iv. the life line shall not be used by more than two workers at a time.

Notwithstanding the foregoing, for a worker using a flying scaffold held by 4 hoisting cables, the fastening point of the lanyard must be

(a) anchored to an element of the platform with a breaking strength of at least 18 kilonewtons; or

(b) secured to a metallic cable at least 8 millimetres in diameter, fastened at each end and in the centre of the platform.

(4) Where there is a duckbilled snap hook on the end of the lanyard, that hook shall be fitted with a self-locking safety catch. Such safety catch is not compulsory in the case of workers assigned to the assembly of the latticework of reinforcing rods supporting a wall or pillar, if those workers use positioning equipment. In such a case, at least one of the measures provided for in subparagraphs 3 and 4 of the second paragraph of section 2.9.1 must be taken.

In this section, "positioning equipment" means a lanyard consisting of metal rings that is less than 400 millimetres long and equipped at one end with a duckbilled snap hook and fastened, at the other end, to a safety belt or to the safety harness worn by a worker.

(5) A vertical life line must comply with CSA Standard Z259.2-M1979 "Fall-Arresting Devices, Personnel Lowering Devices, and Life Lines" and must

(a) be used by only one person;

(b) be shorter than 90 metres;

(c) be fastened to an individual anchor having a breaking strength of at least 18 kilonewtons or attached to a horizontal life line in accordance with subparagraph *c* or *d* of paragraph 3;

(d) never be brought into contact with a sharp edge.

(6) Where a worker assigned to the erection or checking of power line towers wears a safety harness, that harness must comply with CAN/CSA Standard Z259.10-M90 "Full Body Harnesses" and be used with one of the following systems:

(a) an energy absorber to which are fastened two lanyards including one that must be attached at all times;

(b) an energy absorber to which is fastened one lanyard attached by a rope grab to a vertical life line;

(c) a self retracting lanyard equipped with an energy absorber or fastened thereto.

Energy absorbers, lanyards and self retracting lanyards must comply with the standard provided for in paragraph 1 that applies thereto.

Where he moves a life line or the sling of a self retracting lanyard by means of a pole anchor hook, a worker shall be attached to the tower only by means of his work positioning strap that he shall fasten to a structural member above him."

7. The following is substituted for section 2.10.14:

**“2.10.14. Safety belt:** Where a worker is equipped with a safety belt, it can be used only to limit the movements of a worker or to keep him in his work position.

Such a belt must comply with CAN/CSA Standard Z259.1-95 “Safety Belts and Lanyards”.

A safety belt shall not be used as individual protective equipment to stop the fall of a worker.”.

8. Section 2.15.6 is amended by deleting paragraph 5.

9. Section 2.15.7.2 is amended by adding “, with the exception of section 4.3.2.5.” at the end of the first paragraph.

10. The following is substituted for section 2.15.7.2.1:

**“2.15.7.2.1. Two-blocking situation protection device:**

(1) Any mobile crane with a telescopic boom shall be equipped with a device designed to warn the operator that a two-blocking situation is about to occur, by means of warning lights and buzzer or an apparatus that stops the equipment. The protection device must be of the fail-safe design.

(2) A cable mobile crane must be equipped with a protective device complying with the device described in paragraph 1. Depending on the date on which the crane was manufactured, the device must be installed no later than:

<b>Date on which the crane was manufactured</b>	<b>Final date on which the protection device must be installed</b>
As of the date of coming into force of this Regulation	At the time it was manufactured
From 1 January 1995 to the day preceding the date of coming into force of this Regulation	On the date of coming into force of this Regulation
From 1 January 1990 to 31 December 1994	31 December 2001
From 1 January 1985 to 31 December 1989	31 December 2002
From 1 January 1980 to 31 December 1984	31 December 2003
From 1 January 1975 to 31 December 1979	31 December 2004
From 1 January 1970 to 31 December 1974	31 December 2005
Before 1 January 1970	31 December 2006.

(3) This section does not apply to a cable mobile crane equipped with a shovel, a dragging bucket, a clamshell bucket or a pile hammer and that is used for purposes other than the hoisting of loads and to a cable mobile crane that is used to carry out the following foundation work, including all handling work required to that end: pile driving, installation of drilled or excavated caissons, installation of sheet-piling, setting up of shoring devices, below-grade work, drilling of tie rods or anchors and ground improvement techniques such as dynamic compacting and vibroflotation.

**2.15.7.2.2. Overload protection device:**

(1) Any mobile crane used for hoisting loads must be equipped with one of the following overload protection devices: a rated capacity limiter, a load moment system or a load indicating device. Depending on the date on which the crane was manufactured, the load indicating device must be installed no later than:

<b>Date on which the crane was manufactured</b>	<b>Final date on which the load indicating device must be installed</b>
From 1 January 1980 to 31 December 2004	31 December 2005
From 1 January 1975 to 31 December 1979	31 December 2010.

(2) Any mobile crane manufactured as of 1 January 2005 must be equipped with a load indicating device or a load moment system. The devices must be of the fail-safe design.

(3) Load indicating devices and load moment systems may be equipped with a function allowing them to be bypassed.

(4) Load indicating devices must comply with Standard SAEJ376 APR85 “Load Indicating Devices on Lifting Crane Service”.

(5) Rated capacity limiters and load moment systems must comply with Standard SAEJ159 APR94 “Load Moment System”.

(6) This section does not apply to a cable mobile crane equipped with a shovel, a dragging bucket, a clamshell bucket or a pile hammer and that is used for purposes other than the hoisting of loads and to a cable mobile crane that is used to carry out the following foundation work, including all handling work required to that end: pile driving, installation of drilled or excavated caissons, installation of sheet-piling, setting up of shoring devices, below-grade work, drilling of tie rods or anchors and ground improvement techniques such as dynamic compacting and vibroflotation.

(7) In this section,

“load indicating device” means a device that measures and displays to the crane operator’s sight the weight of the load hoisted by the crane; (*dispositif indicateur de charge*)

“load moment system” means a device that gathers information relating to the load hoisted by the crane and that transmits signals warning the operator that the crane is nearing its limiting conditions; (*contrôleur d’état de charge*)

“rated capacity limiter” means a system that prevents a crane from hoisting and moving a load higher than its limiting conditions and that consists of a load moment system and a device acting on the movements of the crane so that they do not exceed the load rating chart of the crane. (*dispositif limitateur de charge*)”.

11. Section 3.2.4 is amended by deleting paragraph *h*.

12. Section 3.7.1 is amended by adding the following after paragraph *h*:

“(i) have guard-rails complying with Subdivision 3.8.”.

13. Section 3.8.1 is revoked.

14. Section 3.9.4 is amended

(1) by striking out the words “persons or” in paragraph 3;

(2) by substituting the following for paragraph 5:

“(5) In order to protect workers against falls when they erect or dismantle scaffolding, one or several measures provided for in subparagraphs 1 to 4 of the second paragraph of section 2.9.1 shall be taken.”.

15. The following is substituted for section 3.9.8:

“**3.9.8. Platforms:** The components of the platforms shall be laid in such a way as to prevent any toppling or sliding. In addition, scaffolding platforms shall:

(1) have a uniform surface between two fulcrum points;

(2) have a minimum free width of 470 millimetres;

(3) if made of lumber, be constructed of planking:

(a) stamped by a body certified by the Canadian Lumber Standards Association as being of quality equivalent to No. 1 spruce;

(b) measuring at least 38 millimetres by 235 millimetres;

(c) long enough to extend at least 150 millimetres but no more than 300 millimetres beyond the end supports; if they are fixed end to end, their extremities shall rest on individual fulcrum points;

(d) laid in such a way as the span between two fulcrum points does not exceed:

i. 3.0 metres if they are tested and stamped in accordance with Division 11 of the CAN/CSA Standard S269.2-M87 “Access Scaffolding for Construction Purposes”;

ii. 2.1 metres in any other case;

(e) whose deflection in the middle of the span does not exceed L/80 where L is the distance between two fulcrum points;

(4) if made of manufactured products, be:

(a) built in accordance with the CAN/CSA Standard S269.2-M87 “Access Scaffolding for Construction Purposes”;

(b) worked so as to avoid slipping;

(c) maintained to avoid corrosion and deterioration;

(5) before each use, be visually inspected in order to detect any alteration that may affect its solidity.”.

16. Section 3.9.17 is amended

(1) by striking out clause *iii* in subparagraph *e* of paragraph 1;

(2) by adding the following at the end:

“(4) A worker in a boatswain’s chair must wear a safety harness complying with section 2.10.12.”.

17. Section 3.10.4 is amended by adding the words “and no worker shall stand under a load or under a part of a hoisting apparatus that could fall on him” at the end of paragraph 4.

18. Section 3.10.7 is amended by substituting the word “harness” for the word “belt” in subparagraph *c* of paragraph 2.

19. Section 3.10.8 is amended by substituting the following for paragraph 3:

“(3) A worker in an aerial device must wear a safety harness complying with CAN/CSA Standard Z259.10-M90 “Full Body Harnesses” and be equipped with a lanyard attached to a point of anchorage independent of the aerial device.”.

20. Section 3.10.9 is amended by substituting the following for paragraph 3:

“(3) In order to protect workers from falling when they work to pull loads onto a floor at platform level, one or several measures provided for in subparagraphs 1 to 4 of the second paragraph of section 2.9.1 must be taken.”.

21. Section 3.15.7 is amended by striking out subparagraph *c* of paragraph 1.

22. Section 5.2.1 is amended by inserting the word “, scaffolding” after the word “load”.

23. Section 5.2.2 is amended by inserting the word “, scaffolding” after the word “load” in the part preceding subparagraph *a* of the first paragraph.

24. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, with the exception of section 15 which comes into force on 1 January 2002.

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## M.O. 2001-002

### Minister’s order making the Regulation to amend the Regulation respecting the List of medications covered by the basic prescription drug insurance plan

An Act respecting prescription drug insurance (R.S.Q., c. A-29.01; 1999, c. 37)

THE MINISTER OF STATE FOR HEALTH AND SOCIAL SERVICES AND MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING section 60 of the Act respecting prescription drug insurance (R.S.Q., c. A-29.01; 1999, c. 37);

CONSIDERING Minister’s Order 1999-014 dated 15 September 1999 of the Minister of State for Health and Social Services and Minister of Health and Social Services making the Regulation respecting the List of medications covered by the basic prescription drug insurance plan;

CONSIDERING that it is necessary to amend the List of medications attached to that regulation;

CONSIDERING that the Conseil consultatif de pharmacologie has been consulted on the draft regulation;

MAKES the Regulation to amend the Regulation respecting the List of medications covered by the basic prescription drug insurance plan, the text of which is attached hereto.

Québec, 23 January 2001

PAULINE MAROIS,  
*Minister of State for Health and Social Services and Minister of Health and Social Services*

### Regulation to amend the Regulation respecting the List of medications covered by the basic prescription drug insurance plan\*

An Act respecting prescription drug insurance (R.S.Q., c. A-29.01, s. 60; 1999, c. 37, s. 4)

1. The Regulation respecting the List of medications covered by the basic prescription drug insurance plan is amended, in the List of medications attached to that Regulation, in Appendix I entitled “Manufacturers that have submitted different guaranteed selling prices for wholesalers and pharmacists”, by adding an asterisk (\*) before the name of the manufacturer “Vita” in the following line:

“Vita Vita Health Products Inc. 5%”.

2. The List of medications, attached to that Regulation, is amended by substituting the package size costs and unit prices indicated hereinafter for the package size costs and unit prices of the following medications:

\* The Regulation respecting the List of medications covered by the basic prescription drug insurance plan, made by Minister’s Order 1999-014 dated 15 September 1999 (1999, *G.O.* 2, 3197) of the Minister of State for Health and Social Services and Minister of Health and Social Services, was last amended by Minister’s Orders 2000-016 dated 15 September 2000 (2000, *G.O.* 2, 4637), 2000-019 dated 25 October 2000 (2000, *G.O.* 2, 5269) and 2000-020 dated 8 December 2000 (2000, *G.O.* 2, 5933) of that Minister. For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.