

Coming into force of Acts

Gouvernement du Québec

O.C. 960-2002, 21 August 2002

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 the Act come into force on the date or dates 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 Order in Council 952-2000 dated 26 July 2000, 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 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, section 116 of that same Act, to the extent that it replaces section 282 of the Building Act (R.S.Q., c. B-1.1) with regard to the 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), 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), 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), 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), 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 Building Act (R.S.Q., c. B-1.1) 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 came into force on 7 November 2000;

WHEREAS sections 24 and 25, 29 to 31, 114 and 116 of the Building Act (R.S.Q., c. B-1.1) were amended by sections 16 and 17, 20 to 22, 50 and 51 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 16 and 17, 20 to 22, 50 and 51 of that Act come into force on the date or dates fixed by the Government;

WHEREAS it is expedient to fix 1 October 2002 as the date of coming into force of sections 16 and 17, 20 to 22, 50 and 51 of the Act to amend the Building Act and other legislation (1991, c. 74);

WHEREAS sections 19, 35 and 37 to 40 of the Building Act (R.S.Q., c. B-1.1) were replaced by sections 13, 23 and 24 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 13, 23 and 24 of that Act come into force on the date or dates fixed by the Government;

WHEREAS it is expedient to fix 1 October 2002 as the date of coming into force of section 23 of the Act to amend the Building Act and other legislation (1991, c. 74) and section 24 of that Act to the extent that it refers to sections 37 to 37.4, 38.1 and 39 of the Building Act (R.S.Q., c. B-1.1) and 1 January 2003 as the date of coming into force of section 13 of the Act to amend the Building Act and other legislation (1991, c. 74) with

regard to electrical installations to which Chapter V of the Construction Code approved by Order in Council 961-2002 dated 21 August 2002 applies;

WHEREAS section 35.1 of the Building Act (R.S.Q., c. B-1.1), enacted by section 23 of the Act to amend the Building Act and other legislation (1991, c. 74), was amended by section 457 of the Act to amend the Professional Code and other Acts respecting the professions (1994, c. 40);

WHEREAS, pursuant to section 471 of the Act to amend the Professional Code and other Acts respecting the professions (1994, c. 40), section 457 of that Act came into force on 15 October 1994 under Order in Council 1354-94 dated 7 September 1994;

WHEREAS paragraphs 2 of sections 230 and 245 of the Building Act (R.S.Q., c. B-1.1) were replaced by sections 29 and 30 of the Act to abolish certain bodies (1997, c. 83);

WHEREAS, under section 57 of the Act to abolish certain bodies (1997, c. 83), sections 29 and 30 come into force on the date or dates of the coming into force of the provisions amended by those sections;

WHEREAS sections 35, 37 and 37.1 of the Building Act (R.S.Q., c. B-1.1), enacted by sections 23 and 24 of the Act to amend the Building Act and other legislation (1991, c. 74), were amended by sections 8, 10 and 11 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 8, 10 and 11 of that Act come into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 1 October 2002 as the date of coming into force of sections 8, 10 and 11 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46);

WHEREAS section 37.4 of the Building Act (R.S.Q., c. B-1.1), enacted by section 24 of Chapter 74 of the Statutes of 1991, was replaced by section 13 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 13 comes into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 1 October 2002 as the date of coming into force of section 13 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46);

WHEREAS section 37.3 of the Building Act (R.S.Q., c. B-1.1), enacted by section 24 of the Act to amend the Building Act and other legislation (1991, c. 74), was repealed by section 12 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 12 comes into force on the date or dates to be fixed by the Government;

WHEREAS it is expedient to fix 1 October 2002 as the date of coming into force of section 12 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46);

WHEREAS it is expedient to fix 1 October 2002 as the date of coming into force of sections 6, 24 to 27, the heading of Division I preceding section 29, section 29 with regard to plumbing installations, electrical installations and installations intended to use, store or distribute gas, sections 30 to 35, the heading of Division III preceding section 37, sections 37, 39 and 40, 119, 128.3, section 128.4 with regard to the revocation of the recognition of a person referred to in section 35 of the Building Act (R.S.Q., c. B-1.1), section 214 concerning the Act respecting piping installations (R.S.Q., c. I-12.1) and the Act respecting electrical installations (R.S.Q., c. I-13.01), paragraphs 1 and 2 of section 230, section 239, paragraph 2 of section 245, sections 259 and 260, the first paragraph of section 291 in all respects other than the qualification of contractors and owner-builders and the second paragraph of section 291 of the Building Act (R.S.Q., c. B-1.1) and 1 January 2003 as the date of the coming into force of section 19 of the Building Act (R.S.Q., c. B-1.1) with regard to electrical installations to which Chapter V of the Construction Code approved by Order in Council 961-2002 dated 21 August 2002 applies;

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

THAT 1 October 2002 be fixed as the date of coming into force of the following provisions:

(1) sections 16 and 17, 20 to 23, 50 and 51 of the Act to amend the Building Act and other legislation (1991, c. 74) and section 24 of that Act to the extent that it refers to sections 37 to 37.4, 38.1 and 39 of the Building Act (R.S.Q., c. B-1.1);

(2) sections 29 and 30 of the Act to abolish certain bodies (1997, c. 83);

(3) sections 8 and 10 to 13 of the Act to amend various legislative provisions relating to building and the construction industry (1998, c. 46);

(4) sections 6, 24 to 27, the heading of Division I preceding section 29, sections 30 to 35, the heading of Division III preceding section 37, sections 37, 39 and 40, 119, 128.3, paragraphs 1 and 2 of section 230, section 239, paragraph 2 of section 245, sections 259 and 260 and the second paragraph of section 291 of the Building Act (R.S.Q., c. B-1.1), section 29 of that Act with regard to the plumbing installations, electrical installations and installations intended to use, store or distribute gas, section 128.4 of that Act with regard to the revocation of the recognition of a person referred to in section 35 of that Act, section 214 concerning the Act respecting piping installations (R.S.Q., c. I-12.1) and the Act respecting electrical installations (R.S.Q., c. I-13.01) and the first paragraph of section 291 of that Act in all respects other than the qualification of contractors and owner-builders;

THAT 1 January 2003 be fixed as the date of coming into force of section 19 of the Building Act (R.S.Q., c. B-1.1) and section 13 of the Act to amend the Building Act and other legislation (1991, c. 74) with regard to electrical installations to which Chapter V of the Construction Code approved by Order in Council 961-2002 dated 21 August 2002 applies.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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