

24. Electrical equipment shall comply with Chapter V of the Construction Code, if it is in the presence of flammable gases or vapours or airborne combustible dusts or fibres in sufficient quantity to constitute a fire or explosion hazard.

25. Any contravention to a provision of this Chapter constitutes an offence.

26. This Code comes into force on 1 October 2002, except section 7 which will come into force on 1 April 2003.

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Gouvernement du Québec

O.C. 965-2002, 21 August 2002

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

**Building contractors and owner-builders
— Professional qualification**

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

WHEREAS, under paragraphs 8, 9, 12, 13, 17, 18 and 38 of section 185 and section 192 of the Building Act (R.S.Q., c. B-1.1), the Régie du bâtiment du Québec may make regulations on the matters set forth therein and the contents of the regulations may vary according to the classes of persons, contractors or owner-builders to which they apply;

WHEREAS the Board made the Regulation to amend the Regulation respecting the professional qualification of building contractors and owner-builders;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting the professional qualification of building contractors and owner-builders was published in Part 2 of the *Gazette officielle du Québec* of 24 October 2001, with a notice that it could be approved by the Government with or without amendment upon the expiry of a 90-day period following that publication;

WHEREAS the comments received were studied;

WHEREAS, under section 189 of the Building Act, every regulation of the Board is subject to approval by the Government which may approve it with or without amendment;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the professional qualification of building contractors and owner-builders, attached hereto, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

**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, pars. 8, 9, 12, 13, 17, 18 and 38 and s. 192)

1. Section 1 of the Regulation respecting the professional qualification of building contractors and owner-builders is amended by adding “and for construction work on an electrical installation by an owner-builder, the term “officer” also comprises journeymen electricians who plied the trade of electrician for at least two years, are full-time employees of the owner-builder and are in charge of such work on behalf of the owner-builder” at the end of the definition of “officer”.

2. Section 7 is amended

(1) by striking out “social insurance number,” in paragraph 1; and

(2) by striking out “social insurance number” in paragraph 2.

3. Section 15 is amended by adding “with the exception of subparagraph 2 of the first paragraph of that section as regards the condition provided for in subparagraph 8.1 of the first paragraph of section 58 or in subparagraph 6.2 of the first paragraph of section 60,

* The Regulation respecting the professional qualification of building contractors and owner-builders, approved by Order in Council 876-92 dated 10 June 1992 (1992, *G.O.* 2, 2926), was last amended by the Regulation approved by Order in Council 921-2001 dated 31 July 2001 (2001, *G.O.* 2, 4783). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

subparagraphs 7 to 10 of the first paragraph of section 70 and section 297.2 of the Act” at the end of subparagraph *c* of paragraph 2.

4. Section 19 is amended by adding “with the exception of subparagraph 2 of the first paragraph of that section as regards the condition provided for in subparagraph 8.1 of the first paragraph of section 58 or in subparagraph 6.2 of the first paragraph of section 60, subparagraphs 7 to 10 of the first paragraph of section 70 and section 297.2 of the Act” at the end of subparagraph *c* of paragraph 2.

5. Section 23 is amended by adding “with the exception of subparagraph 2 of the first paragraph of that section as regards the condition provided for in subparagraph 8.1 of the first paragraph of section 58 or in subparagraph 6.2 of the first paragraph of section 60, subparagraphs 7 to 10 of the first paragraph of section 70 and section 297.2 of the Act” at the end of subparagraph *c* of paragraph 2.

6. Section 32 is amended

(1) by striking out “social insurance number,” and by substituting “and, where applicable, the number of the declaration of registration deposited in the register of sole proprietorships, partnerships and legal persons” for “, his passport size photograph taken during the last six months and, as the case may be, copy of the registration of the corporate name declaration” in paragraph 1;

(2) by substituting “its name, the address of its head office and, where applicable, the number” for “the corporate name, the address of the main place of business and, as the case may be, a copy of the registration of the corporate name declaration or a copy” in paragraph 2;

(3) by substituting “and a statement to the truthfulness of the information he supplies” for “, a statement to the truthfulness of the information he supplies and his passport size photograph taken during the last six months” in paragraph 3;

(4) by substituting “establishment” for “business place” in paragraph 4; and

(5) by inserting the following after paragraph 7:

“(7.1) the address of the work site or sites of which the journeyman electrician is in charge on behalf of the owner-builder;”.

7. Section 34 is amended by inserting “and, where applicable, of each work site of which the journeyman electrician is in charge on behalf of the owner-builder” after “site” in the second paragraph.

8. Section 39 is amended

(1) by substituting “, 11 and 12” for “and 7 to 12” in subparagraph *c* of paragraph 2; and

(2) by substituting “, 11 and 12” for “and 7 to 12” in subparagraph *b* of paragraph 3.

9. Section 42 is amended by adding the following paragraph at the end:

“The exigible fees shall be established in proportion to the number of valid months of the licence where the licence is issued for a term of less than one year. A portion of month shall count for one full month.”.

10. Section 44 is revoked.

11. The following sections are inserted after section 51.3:

“**51.4** The holder of a licence issued under section 20 of the Act respecting electrical installations (R.S.Q., c. I-13.01) who is, on 30 September 2002, the guarantor as officer of a partnership or legal person that holds a contractor’s or an owner-builder’s licence may continue, for the same licence subcategories, to act as a guarantor for such partnership or legal person until 30 September 2004.

51.5 A journeyman electrician who applies for a licence as officer for construction work on an electrical installation of which he is in charge for an owner-builder and meets one of the conditions for exemption provided for in paragraph 3 of section 9 of the Regulation respecting electrical installations (R.R.Q., 1981, c. I-13.01, r.3) is exempted from the examination provided for in section 36 until 30 September 2004.”.

12. Schedule B is amended

(1) by striking out subcategories “4230.3 Air ducts maintenance contractor”, “4512 Construction scaffolding contractor” and “4519 Construction site cleaning up contractor”;

(2) by substituting “electrical contractors” for “master electricians” in subcategories “4250.1 Intercommunication systems contractor”, “4250.2 Telephone systems contractor”, “4250.3 Monitoring systems contractor”, “4250.4 Instrumentation and control systems contractor”, “4252.1 Anti-theft alarm systems contractor”, “4252.2 Fire alarm systems contractor”, “4270 Transportation systems contractor”, “4503 Lightning protection contractor”, “4513 Solid fuel secondary heating appliances installation contractor” and “4517 Underground water pumping systems contractor”;

(3) by substituting the following for subcategory “4284 Electrical contractor”:

“4284 Electrical contractor:

This subcategory includes the construction work on an electrical installation to which Chapter V of the Construction Code introduced by the Regulation to amend the Construction Code approved by Order in Council 961-2002 dated 21 August 2002 applies, with the exception of demolition work. It is work of the exclusive jurisdiction of the electrical constructor.

It also includes construction work on appliances permanently connected to the electrical installation if they are governed by Chapter V of the Construction Code and if they are not part of another specific subcategory, as well as construction work included in subcategories 4250.1, 4250.2, 4250.3, 4250.4, 4252.1 and 4252.2. It also includes related construction work.”; and

(4) by adding “It also includes related construction work.” at the end of subcategories “4285.10 Warm air heating systems contractor”, “4285.11 Natural gas burner systems contractor”, “4285.12 Oil burner systems contractor”, “4285.13 Hot water and steam heating systems contractor” and “4285.14 Plumbing contractor”.

13. This Regulation comes into force on 1 October 2002.

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Gouvernement du Québec

O.C. 966-2002, 21 August 2002

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

Ministère de la Santé et des Services sociaux — Implementation of the agreement on any program

Regulation respecting the implementation of the agreement on any program of the Ministère de la Santé et des Services sociaux

WHEREAS, under section 16 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), a person doing work under a project of any government, whether or not the person is a worker within the meaning of that Act, may be considered to be a worker employed by that government, by an agency or by a legal person, on the conditions and to the extent provided by an agreement between the Commission de

la santé et de la sécurité du travail and the government, agency or legal person concerned;

WHEREAS the Commission and the Ministère de la Santé et des Services sociaux have entered into such an agreement to consider the persons admitted to any program of the Ministère de la Santé et des Services sociaux to be workers;

WHEREAS, under section 170 and subparagraph 39 of the first paragraph of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission may make regulations taking the necessary measures for the implementation of such an agreement;

WHEREAS, in accordance with section 224 of that Act and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 17 January 2001, with a notice that it could be made by the Commission with or without amendments and submitted to the Government for approval, upon the expiry of 60 days following that notice;

WHEREAS at its sitting of 21 March 2002, the Commission adopted the Regulation respecting the implementation of the agreement on any program of the Ministère de la Santé et des Services sociaux, with amendments;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation respecting the implementation of the agreement on any program of the Ministère de la Santé et des Services sociaux, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the implementation of the agreement on any program of the Ministère de la Santé et des Services sociaux

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 223, 1st par., subpar. 39)

1. The Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001) applies to persons who participate in any program of the Ministère de la