

Draft Regulations

Draft Regulation

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

Regulation — 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 application of the Building Act, the text of which appears below, may be made by the Government, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to determine, in relation to the draft Regulation to amend the Construction Code that introduces Chapter IV Elevators and Other Elevating Devices and Chapter VII Passenger Ropeways, and the draft Regulation to amend the Safety Code that introduces Chapter IV Elevators and Other Lifts and Chapter V Passenger Ropeways, which elevators, other lifts and elevating devices and passenger ropeways come under the Building Act (R.S.Q., c. B-1.1).

The draft Regulation proposes to subject the elevators, other lifts and elevating devices in a building or in facilities intended for use by the public as well as passenger ropeways that belong to the Government, its departments and bodies that are mandataries of the Government to Chapters II and III of the Building Act and to the regulations respecting the application of those Chapters, in particular Chapters IV and VII of the Construction Code and Chapters IV and V of the Safety Code. The construction of the government machinery as well as its maintenance will be governed by the same standards as those that apply to private sector machinery.

Further information may be obtained by contacting Stéphane Mercier, Engineer, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 7^e étage, Montréal (Québec) H2M 2V2, telephone: (514) 864-7249; fax: (514) 873-9936.

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 and Executive Director, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

MICHEL DESPRÉS,
Minister of Labour

Regulation to amend the Regulation respecting the application of the Building Act*

Building Act
(R.S.Q., c. B-1.1, s. 182, 1st par., subpars. 1, 3 and 4)

1. Section 3.4 of the Regulation respecting the application of the Building Act is amended by adding the following after paragraph 3:

“(4) elevators, freight elevators, dumbwaiters, escalators, moving walks and material lifts referred to in Code CAN/CSA B44-00, incorporated by section 4.02 of Chapter IV of the Construction Code, introduced by section 1 of the Regulation to amend the Construction Code approved by Order in Council (*insert the number and date of the Order in Council approving the Regulation*) and defined in that Code;

(5) lifts referred to in CSA Standard CAN/CSA B355-00, incorporated by section 4.02 of Chapter IV of the Construction Code and defined in that standard;

(6) elevating devices referred to in CSA Standard CAN/CSA B613-00, incorporated by section 4.02 of Chapter IV of the Construction Code and defined in that standard; and

(7) passenger ropeways referred to in CSA Standard CAN/CSA Z98-01, referred to in section 7.01 of Chapter VII of the Construction Code, introduced by section 1 of the Regulation to amend the Construction Code approved by Order in Council (*insert the number and date of the Order in Council approving the Regulation*).”.

2. Division V is replaced by the following:

* The Regulation respecting the application of the Building Act, made by Order in Council 375-95 dated 22 March 1995 (1995, G.O. 2, 1100) was last amended by the regulations made by Orders in Council 1477-2002 dated 11 December 2002 (2002, G.O. 2, 6489) and 876-2003 dated 20 August 2003 (2003, G.O. 2, 2738). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

**“DIVISION V
APPLICATION OF CHAPTER III OF THE
BUILDING ACT TO CERTAIN INSTALLATIONS
OF THE STATE**

3.6. The Government, its departments and bodies that are mandataries of the State are bound, with respect to their plumbing systems in a building or in facilities intended for use by the public and to their elevators, freight elevators, dumbwaiters, escalators, moving walks, material lifts and other elevating devices or lifts in a building, by Chapter III of the Act and by the regulations under that Chapter. The same applies to their facilities intended for use by the public, their electrical installations and their installations intended to use, store or distribute gas.”

3. This Regulation comes into force on (*insert the date that corresponds to the forty-fifth day following the date of its publication in the Gazette officielle du Québec*) except in respect of the provisions respecting the safety requirements provided for in Chapters IV and V of the Regulation to amend the Safety Code approved by Order in Council (*insert the number and date of the Order in Council*), which come into force on the respective date of coming into force of those Chapters.

6138

Draft Regulation

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

Construction Code — 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 Construction Code, the text of which appears below, may be approved by the Government, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to establish minimum standards applicable throughout Québec to construction work on elevators and other elevating devices and on passenger ropeways in order to ensure the quality of the work and the safety of the installations. The standards were adopted by the Régie du bâtiment du Québec under the Building Act (R.S.Q., c. B-1.1).

The standards constitute Chapters IV and VII of the Construction Code, which is made up essentially of CSA Standard CAN/CSA B44-00: Safety Code for Elevators, CSA Standard CAN/CSA B355-00: Lifts for

Persons with Physical Disabilities including the amendments of B355S1-02 Supplement No. 1 to CAN/CSA-B355-00, Lifts for Persons with Physical Disabilities, CSA Standard CAN/CSA B613-00: Private Residence Lifts for Persons with Physical Disabilities and CSA Standard CAN/CSA Z98-01: Passenger Ropeways including the amendments in Z98S1-02 Supplement No. 1 to CAN/CSA-Z98-01 Passenger Ropeways, published by the Canadian Standards Association to which amendments were made to facilitate the application of the standards and to adapt them to the specific needs of Québec, in compliance with the provisions of the Building Act.

The main measures concern

— automatic updating of the referenced standards to reflect technological change;

— a requirement for the contractor or owner builder:

– to not begin construction work, except certain work, unless plans and specifications have been prepared for the work;

– to declare to the Board certain construction work on an elevator or other elevating device;

– to not install a lift for persons with physical disabilities unless the prototype has been approved by a professional and the approval has been sent to the Board; and

– to provide the Board with a certificate of conformity with the requirements of Chapter VII of the Construction Code produced and signed by an engineer after construction work, except certain work, on a passenger ropeway.

The draft Regulation has no impact on the public and businesses, including small and medium-sized businesses.

Further information may be obtained by contacting Stéphane Mercier, Engineer, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 7^e étage, Montréal (Québec) H2M 2V2, telephone: (514) 864-7249; fax: (514) 873-9936.

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