

Draft Regulations

Draft Regulation

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01)

Activities in the conservation plans for the proposed biodiversity and aquatic reserves — 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 Amendments to the conservation plans for the proposed biodiversity and aquatic reserves, the text of which appears below, may be made by the Minister of Sustainable Development, Environment and Parks, with the approval of the Government, on the expiry of 45 days following this publication.

The amendments concern the conservation plans for the various protected areas that have been assigned status as a biodiversity reserve under section 90 of the Natural Heritage Conservation Act as well as the biodiversity and aquatic reserves that have been created since the coming into force of that Act. All future proposed biodiversity and aquatic reserves will similarly be established with reference to this new framework.

Sections 34 and 36 of the Act provide the framework for the activities that may or may not be allowed in protected areas and in particular prohibit various activities having a greater likelihood of disturbing the natural environment. Those sections allow for the conservation plans for the proposed biodiversity and aquatic reserves to add other prohibited activities to that list, and provide that the plans may also create a special framework or determine conditions under which certain activities or interventions may take place, such as the requirement to obtain prior authorization from the Minister.

The proposed amendments to the conservation plans clarify the extent of the permitted or prohibited activities within the proposed reserves and remedy certain problems that have arisen since the creation of the reserves. The two-year period that has elapsed since the enactment of the Natural Heritage Conservation Act and the assigning of the first proposed biodiversity reserve protection status has enabled a more comprehensive perspective to emerge not only in terms of the concerns and needs of the persons who may occupy or use the areas (vacation resort users, holders of permits for the harvest

of firewood for domestic purposes, public service or utilities providers, environmental and recreation and tourist associations), but also as regards the measures necessary to better protect the biodiversity and ecosystems within the reserves.

The new measures proposed are grouped into four divisions.

The first division dealing with “Protection of resources and the natural environment” contains a set of rules intended to prevent disturbances to the natural environment. Among other things, the rules prohibit introducing new non-native species of flora or fauna, restrict intervention in the aquatic environment and govern the disposal of waste, snow and other types of residual materials.

The second division on “Rules of conduct for users” provides for various measures to ensure that users while staying and moving about the reserves behave in a manner that is safe for and respectful of the surrounding nature and the other users.

Two other divisions, one on “Activities requiring an authorization” and the other on “Authorization exemptions”, complete the preceding measures by determining the other activities which require an authorization before they may be carried on in the proposed reserves, such as the right to stay in a reserve for more than three months, carrying on forest management activities to meet domestic needs or maintain biodiversity, carrying on development work (including creating trails), building new structures or works, using pesticides and engaging in various activities likely to degrade the soil or seriously damage or disturb the natural environment when, for example, conducting research work. The proposed measures also allow certain practices or rights to be continued by exempting persons already occupying the territory or holding vacation resort leases from the requirement to obtain an authorization.

A certain number of provisions specify the conditions on which Hydro-Québec is exempted from the authorization requirements to avoid unnecessary duplication when authorizations have already been issued by the Government and the Minister of Sustainable Development, Environment and Parks under the Environment Quality Act or are to be issued under that Act, in particular after completion of the impact assessment and examination procedures required by the Act.

The amendments are proposed to address the specific situations of persons already permitted to use the land within the reserves and it is not anticipated they will have an unfavourable economic impact on enterprises. In particular, the proposed amendments will not affect the possibility of carrying on various mining exploration activities within the Upper Harricana aquatic reserve because the amendments specifically extend the relevant provisions already contained in the existing conservation plan. Lastly, the authorizations and other measures provided for in the Environment Quality Act (R.S.Q., c. Q-2) governing the operations of Hydro-Québec have been taken into account in the proposed amendments to prevent overlapping requirements.

For information concerning the text of the Amendments to the conservation plans for the biodiversity and aquatic reserves, contact Léopold Gaudreau, Director, Direction du développement durable, du patrimoine écologique et des parcs, Ministère du Développement durable, de l'Environnement et des Parcs, 675, boulevard René-Lévesque Est, 4^e étage, boîte 21, Québec (Québec) G1R 5V7; telephone (418) 521-3907, extension 4783; fax (418) 646-6169; or e-mail at leopold.gaudreau@mddep.gouv.qc.ca

THOMAS J. MULCAIR,
*Minister of Sustainable Development,
Environment and Parks*

Amendments to the conservation plans for the proposed biodiversity and aquatic reserves

Natural Heritage Conservation Act
(R.S.Q., c. C-61.01, ss. 31, 33, 34 and 36)

1. Section 3 of the conservation plans for the proposed biodiversity and aquatic reserves listed in the Schedule¹ is replaced by the following:

“3. Activities within the reserve

§1. Introduction

The activities carried on within the proposed reserve are governed for the most part by the provisions of the Natural Heritage Conservation Act.

This Division prohibits activities in addition to those prohibited under the Act and provides a framework for the carrying on of certain permitted activities so as to better ensure the protection of the natural environment. Accordingly, certain activities require the prior authorization of the Minister and compliance with the conditions determined by the Minister.

As provided in the Natural Heritage Conservation Act, the main activities prohibited in an area to which status as a proposed biodiversity or aquatic reserve has been assigned are

¹ The conservation plans for the proposed biodiversity reserves listed in paragraphs 1 to 10 of the Schedule, approved by Order in Council 1269-2003 dated 3 December 2003, were published with the Order in Council on 17 December 2003 (2003, *G.O.* 2, 3495) and have not been amended since.

— The conservation plans for the proposed biodiversity and aquatic reserves listed in paragraphs 11 to 20 of the Schedule, approved by Orders in Council 109-2003 and 110-2003 dated 6 February 2003 (2003, *G.O.* 2, 951 and 1049), were published on 7 May 2003 with the notice of the establishment of the reserves (2003, *G.O.* 2, 1553) and they have not been amended since, except the plans in paragraphs 14, 17 and 18, the text of which was revised to reflect modifications to the boundaries of the proposed reserves (2005, *G.O.* 2, XXXX).

— The conservation plans for the proposed biodiversity and aquatic reserves listed in paragraphs 21 to 28 of the Schedule, approved by Order in Council 484-2004 dated 19 May 2004 (2004, *G.O.* 2, 1745), were published on 4 August 2004 with the notice of the establishment of the reserves (erratum) (2004, *G.O.* 2, 2417) and they have not been amended since, except the plans in paragraphs 24 and 25, the text of which was revised to reflect modifications to the boundaries of the proposed reserves (2004, *G.O.* 2, 3257 and 2005, *G.O.* 2, XXXX respectively).

— mining, and gas or petroleum development;

— forest management within the meaning of section 3 of the Forest Act (R.S.Q., c. F-4.1);

— the development of hydraulic resources and any production of energy on a commercial or industrial basis.

§2. Prohibitions, prior authorizations and conditions on which certain activities may be carried on in the proposed reserve

§2.1. Protection of resources and the natural environment

3.1. No person may introduce non-native species of flora or fauna into the proposed reserve.

3.2. No person may stock a watercourse or body of water

(1) for aquaculture, sports or commercial fishing or any other commercial purpose;

(2) for any other purpose, if the fish stocked are not from a genetic strain originating from the proposed reserve.

3.3. No person may bury, abandon or dispose of waste, snow or other residual materials other than in waste disposal containers, facilities or sites determined by the Minister or elsewhere, with the authorization of the Minister and in compliance with the conditions the Minister determines.

Despite the first paragraph, no authorization need be obtained by an outfitting operation to use a disposal facility or site in compliance with the Environment Quality Act and its regulations if the outfitting operation was already using the facility or site on the date on which the protection status as a proposed reserve takes effect.

3.4. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry on any activity likely to severely degrade the banks or shores or to otherwise seriously affect the integrity of a watercourse, body of water or other wetland area, in particular by discharging or dumping waste or other pollutant into the watercourse, body of water or wetland area; or

(2) dig, fill, obstruct or divert a watercourse or body of water.

§2.2. Rules of conduct for users

3.5. Every person staying, carrying on an activity or travelling about within the proposed reserve is required to maintain the premises in a satisfactory state and before leaving, return the premises to their natural state to the extent possible.

3.6. Every person who makes a campfire must

(1) clear an area around the fire site sufficient to prevent the fire from spreading by removing all branches, scrub, dry leaves and other combustible materials;

(2) see that there is always a person on the premises to attend the fire; and

(3) ensure that the fire is completely extinguished before leaving the premises.

3.7. In the proposed reserve, no person may

(1) cause any excessive noise; or

(2) behave in a manner that unduly disturbs other persons in the reserve or interferes with their enjoyment of the reserve.

3.8. No person may destroy, remove, move or damage any poster, sign, notice or other type of signage posted by the Minister within the proposed reserve.

3.9. No person may enter, carry on an activity in or operate a vehicle in a given sector of the proposed reserve unless the person has been authorized by the Minister and complies with the conditions determined, if the signage erected by the Minister restricts access, traffic or certain activities in order to protect the public from a danger or to avoid placing the fauna, flora or other components of the natural environment at risk.

§2.3. Activities requiring an authorization

3.10. No person may, unless the person has been authorized by the Minister and complies with the conditions the Minister determines, stay or reside on or otherwise occupy the same site within the proposed reserve for a period of more than three months in the same year. No authorization need be obtained by a person who,

(1) on the date on which the protection status as a proposed reserve takes effect, was a party to a lease or had already obtained another form of permit or authorization allowing the person to occupy the land under the Act respecting the lands in the domain of the State

(R.S.Q., c. T-8.1) or, if applicable, the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), and whose right to occupy the land is renewed or extended;

(2) in accordance with the applicable provisions of law, has entitlement under a sublease, an assignment of a lease or a transfer of an authorization, as referred to in paragraph 1, and whose right to occupy the land is renewed or extended;

(3) avails himself or herself of the possibility of acquiring the land the person legally occupies on the date on which the protection status as a proposed reserve takes effect, pursuant to the Act respecting the lands in the domain of the State.

3.11. (1) No person may carry on forest management activities to meet domestic needs or for the purpose of maintaining biodiversity, unless the person has been authorized by the Minister and carries on the activities in compliance with the conditions the Minister determines.

The conditions of that authorization may pertain, among other things, to species of trees or shrubs, the size of the stems that may be cut, the quantities authorized and the places where the activities may be carried on.

(2) Despite subsection 1, the authorization of the Minister under this plan need not be obtained by a person staying or residing in the proposed reserve who collects wood to make a campfire.

No such authorization need be obtained by a person to collect wood to meet domestic needs

(a) if the wood is collected within a sector reserved by the Minister of Natural Resources and Wildlife as a sector for which a permit for the harvest of firewood for domestic purposes under the Forest Act (R.S.Q., c. F-4.1) may be issued and which has already been reserved as such by the Minister on the date on which the protection status as a proposed reserve takes effect;

(b) if the wood is collected by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a permit for the harvest of firewood for domestic purposes allowing the person to harvest firewood within the proposed reserve; or

(c) if the wood is collected by a person in accordance with the conditions set out in the permit for the harvest of firewood for domestic purposes issued by the Minister of Natural Resources and Wildlife under the Forest Act.

(3) Despite subsection 1, no authorization need be obtained by a person authorized by lease to occupy land within the proposed reserve, pursuant to this plan, to carry on a forest management activity for the purpose of

(a) clearing permitted harvested areas, maintaining them or creating visual openings, and any other similar removal purposes permitted under the regulation that applies to the sale, lease and granting of immovable rights made under the Act respecting the lands in the domain of the State;

(b) creating and maintaining access roads, stairways or other trails permitted under that regulation; or

(c) clearing the necessary area for the installation, connection, maintenance and repair of power, water, sewer or telecommunication lines, facilities and mains.

When the work referred to in subparagraph *c* of subsection 3 is carried out for or under the responsibility of an enterprise providing any of those services, the work requires the prior authorization of the Minister, other than in the case of the exemptions provided for in sections 3.13 and 3.14.

(4) Despite subsection 1, no authorization need be obtained by a person to carry on a forest management activity to maintain a sugar bush and harvest maple products for domestic purposes

(a) if the activity is carried on by a person who, on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years, held a sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act allowing the person to carry on the activities of a sugar bush operator within the proposed reserve;

(b) if the activity is carried on within a zone for which the permit obtained allowed the carrying on of sugar bush operations on the date on which the protection status as a proposed reserve takes effect or in any of the three preceding years; or

(c) if the activity is carried on by a person in compliance with the conditions set out in the sugar bush management permit issued by the Minister of Natural Resources and Wildlife under the Forest Act.

3.12. No person may, unless the person has been authorized by the Minister and carries on the activity in compliance with the conditions the Minister determines,

(1) carry out soil development work, including any fill, burial, earthwork, removal or displacement of surface materials or vegetation cover, for any purpose including recreational and tourism purposes such as the development of trails;

(2) install or construct a new structure, infrastructure or works;

(3) reconstruct or demolish an existing structure, infrastructure or works;

(4) use a pesticide, although no authorization is required for the use of insect repellent for personal purposes;

(5) carry on an activity that is likely to severely degrade the soil or a geological formation or damage the vegetation cover, such as stripping, the digging of trenches or excavation work; or

(6) carry on educational or research-related activities if the activities are likely to significantly damage or disturb the natural environment, in particular by the extent of the moving or removal of natural resources or by the use of explosives.

The conditions of the Minister's authorization for the work may pertain to the location of the authorized activity, the methods used, the areas that may be cleared or deforested, the types of material that may be used including the material taken from the site, and the presence of ancillary works or facilities. The conditions may also include a requirement to ensure periodic follow-up or to report to the Minister, in particular as regards the results obtained from the research to which subparagraph 6 of the first paragraph refers.

Subject to the conditions determined in the authorization, work to repair or maintain trails authorized by the Minister or trails existing on the date on which the protection status as a proposed reserve takes effect may be carried on without an authorization under subparagraph 1 of the first paragraph.

Work to repair or maintain forest roads or roads authorized under the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) carried on in accordance with the Forest Act and its regulations that concern standards of forest management may be carried on without an authorization under subparagraph 1 of the first paragraph.

§2.4. Authorization exemptions

3.13. Despite the preceding provisions, no authorization need be obtained by a person to carry on an activity or for any other form of intervention within the proposed reserve if urgent action is required to prevent harm to the health or safety of persons, or to repair or prevent damage caused by a real or apprehended catastrophe. The person concerned must, however, immediately inform the Minister of the activity or intervention that has taken place.

3.14. Despite the preceding provisions, the following activities and interventions involving the production, transmission and distribution of electricity carried out by Hydro-Québec (Société) or by any other person for Hydro-Québec do not require the prior authorization of the Minister under this plan:

(1) any activity or intervention required within the proposed reserve to complete a project which was previously expressly authorized by the Government and the Minister, or only by the latter, in accordance with the requirements of the Environment Quality Act (R.S.Q., c. Q-2), if the activity or intervention is carried out in compliance with the authorizations issued;

(2) any activity or intervention necessary for the preparation and presentation of a pre-project report for a project requiring an authorization under the Environment Quality Act;

(3) any activity or intervention relating to a project requiring the prior authorization of the Minister under the Environment Quality Act, if the activity or intervention is in response to a request for a clarification or for additional information made by the Minister to the Société and it is carried out in accordance with the request;

(4) any activity or intervention by the Société, if the conditions for the carrying out of the activity or intervention have been determined in an agreement between the Minister and the Société and the activity or intervention is carried out in compliance with those conditions.

For the purposes of this section, the activities and interventions of the Société include pre-project studies, analysis work or field research, work required to study and monitor the impact of power transmission and distribution line corridors and rights-of-way, geological or geophysical surveys and survey lines, and the opening and maintenance of roads required for the purpose of access, construction or equipment movement necessary for the carrying on of such work.

§2.5. *General provisions*

3.15. Every person who applies to the Minister for an individual authorization or for an authorization for a group or for a number of persons must provide any information or document requested by the Minister for the examination of the application.

3.16. The Minister's authorization, which is general and can be used by more than one person, may be communicated to the persons concerned by any appropriate means including by a posted notice or appropriate signage at the reception centre or any other location within the proposed reserve that is readily accessible to the public. The Minister is to provide a copy to any person requesting a copy.

§3. *Activities governed by other statutes*

Certain activities likely to be carried on within the proposed reserve are also governed by other applicable legislative and regulatory provisions, including those that require the issue of a permit or authorization or the payment of fees. The carrying on of certain activities may also be prohibited or limited by other Acts or regulations applicable within the boundaries of the proposed reserve.

A special legal framework may govern permitted and prohibited activities within the proposed reserve in connection with the following matters:

— Environmental protection: measures set out in particular in the Environment Quality Act (R.S.Q., c. Q-2);

— Archaeological research: measures set out in particular in the Cultural Property Act (R.S.Q., c. B-4);

— Development of wildlife resources: measures set out in particular in the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), including the provisions pertaining to outfitting operations and beaver reserves and the measures contained in applicable federal legislation, including the fishery regulations;

— Removal of species of fauna or flora that are threatened or vulnerable or are likely to be designated as such: measures prohibiting the removal of the species under the Act respecting threatened or vulnerable species (R.S.Q., c. E-12.01);

— Access and land rights: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1);

— Operation of vehicles: measures set out in particular in the Act respecting the lands in the domain of the State (R.S.Q., c. T-8.1) and in the regulation on motor vehicle traffic in certain fragile environments made under the Environment Quality Act (R.S.Q., c. Q-2)."

2. The conservation plan for the proposed Upper Harricana aquatic reserve, amended pursuant to section 1, is also amended by inserting the following after section 3.12:

"3.12.1. Mining exploration, including prospecting, digging and boring, if those activities necessitate stripping, the digging of trenches, excavation or deforestation, is permitted within the proposed reserve on land reserved to the State under section 304 of the Mining Act (R.S.Q., c. M-13.1), provided that all the following conditions are met:

(1) the activities are not carried on in the Harricana river, on the islands in the river, or on a 50-metre wide strip on either bank of the river. The width of the strip of land is calculated horizontally from the shoreline appearing on the maps in Québec's Topographic Database (BDTQ, scale 1:20,000);

(2) the activities are carried on in the zone between 50 and 200 metres from either bank of the Harricana river; the activities are also permitted in the bedrock provided the overlying layer of rock is at least 50 metres thick;

(3) the activities are carried on by or on behalf of a person who is authorized to carry on mining exploration, prospecting, digging or boring within the proposed reserve in accordance with the measures set out in the Mining Act;

(4) the activities, when they necessitate deforestation, are carried on by or on behalf of a person who is authorized to carry on such activities as provided in sections 20 and 21 of the Forest Act;

(5) the activities are carried on in conformity with the applicable legislative and regulatory standards and in compliance with the following requirements:

(a) the person authorized to carry on the exploration work must

i. recover all drilling muds,

ii. ensure that no petroleum products are spilled into the environment,

iii. install a lining to protect against the spill of toxic materials into the environment,

iv. ensure that residual materials other than sediments, sludge and cuttings from the work are stored, processed or disposed of outside the proposed reserve;

(b) the person authorized to carry on the activities may draw water from the Harricana river to meet pumping requirements if the distance between the drilling site and the water intake is greater than 200 metres, on the following conditions:

i. the person must have written authorization from the Minister of Sustainable Development, Environment and Parks,

ii. the person must install a protective lining under the pump to protect against spills of petroleum products into the environment, and

(c) the person must comply with any conditions of authorization determined by the Minister of Sustainable Development, Environment and Parks with a view to minimizing impacts on the environment.”.

3. These amendments come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

SCHEDULE

(s. 1)

LIST OF PROPOSED BIODIVERSITY AND AQUATIC RESERVES

(1) Proposed René-Levasseur island biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(2) Proposed Monts Groulx biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(3) Proposed Gensart lake biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(4) Proposed Bright Sand lake biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(5) Proposed Belmont and Magpie lakes massif biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(6) Proposed Lac aux Sauterelles knolls biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(7) Proposed Natashquan river valley biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(8) Proposed Harrington Harbour shore biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(9) Proposed Guernesé lake foothills biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(10) Proposed Brador hills biodiversity reserve (s. 90, Natural Heritage Conservation Act);

(11) Proposed Ashuapmushuan river aquatic reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(12) Proposed Moisie river aquatic reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(13) Proposed North Harricana river aquatic reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(14) Proposed Pasteur lake biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(15) Proposed Boatswain bay biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(16) Proposed Ministikawatin peninsula biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(17) Proposed Missisicabi plain biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(18) Proposed Muskuuchii hills biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(19) Proposed Vaudray and Joannès lakes biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(20) Proposed Sabourin lake biodiversity reserve (M.O. dated 18 March 2003, 2003, *G.O.* 2, 1404);

(21) Proposed Upper Harricana aquatic reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(22) Proposed Taibi lake biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(23) Proposed Decelles reservoir biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(24) Proposed Parent lake marshlands biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(25) Proposed Waskaganish biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(26) Proposed Piché-Lemoine forest biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(27) Proposed Opasatica lake biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301);

(28) Proposed Des Quinze lake biodiversity reserve (M.O. dated 17 June 2004, 2004, *G.O.* 2, 2301).

6945

Draft Regulation

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

Safety Code for the construction industry Occupational health and safety — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 224 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), that the draft Regulation to amend the Safety Code for the construction industry and the Regulation respecting occupational health and safety, appearing below, may be made by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to ensure the health and safety of construction workers by amending the Safety Code for the construction industry to introduce new standards on scaffoldings.

It also amends the Regulation respecting occupational health and safety to protect construction workers exposed to carcinogenic and isocyanate substances and ionizing radiations.

To date, study of the matter shows few impacts on enterprises, in particular on small and medium-sized businesses.

Further information may be obtained by contacting Pierre Bouchard, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, Québec (Québec) G1K 7E2; telephone: (418) 266-4699; fax: (418) 266-4698.

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 Alain Albert, Vice-chair, Relations avec les partenaires et expertise-conseil, Commission de la santé et de la sécurité du travail, 1199, rue De Bleury, 14^e étage, Montréal (Québec) H3B 3J1.

GÉRARD BIBEAU,
*Chair of the Board and
Chief Executive Officer
Commission de la santé et de la
sécurité du travail*

Regulation to amend the Safety Code for the construction industry* and the Regulation respecting occupational health and safety

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 233, 1st par., subpars. 1, 7, 14, 19, 42, 2nd and 3rd pars.)

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

(1) by inserting the following after paragraph 14:

“(14.1) “pump jack scaffold”: a mast-climbing work platform that moves between two masts with the help of jacks;

(14.2) “mast-climbing work platform”: scaffolding constituted of a work platform that moves up and down between two or several masts with the help of a hoisting system and equipped with an anchoring system;

(14.3) “winch scaffolding”: a mast-climbing work platform whose masts are linked by braces or counter braces supporting a work platform that moves with the help of a hoisting device constituted of winches, pulleys and cables;”;

(2) by inserting the following after paragraph 15:

“(15.01) “motorized scaffolding”: a mast-climbing work platform constituted of a hoisting system made up of an electric, pneumatic or hydraulic motor or a natural gas or gasoline engine.”.

* 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 873-2003 dated 20 August 2003 (2003, *G.O.* 2, 2729). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 March 2005.