

Regulations and other acts

Gouvernement du Québec

O.C. 384-2007, 30 May 2007

Environment Quality Act
(R.S.Q., c. Q-2)

Halocarbons — Amendment

Regulation to amend the Regulation respecting halocarbons

WHEREAS, under subparagraph 17 of the first paragraph of section 70.19 and the second paragraph of that section of the Environment Quality Act (R.S.Q., c. Q-2), the Government may, by regulation, determine the qualities required of natural persons who carry on an activity involving a hazardous material;

WHEREAS the Regulation respecting halocarbons, made by Order in Council 1091-2004 dated 23 November 2004, prescribes in Chapter III the rules respecting the environmental qualification of the labour force which, under section 74 of the Regulation, are to come into force on 1 June 2007;

WHEREAS it is expedient to amend the Regulation to postpone the coming into force of the provisions of Chapter III to 1 June 2008;

WHEREAS, under the first paragraph of section 124 of the Environment Quality Act, any draft regulation prepared under the Act shall be published in the *Gazette officielle du Québec* with a notice stating that it may be adopted by the Government, with or without amendment, at the expiry of 60 days following the publication;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act where the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force of the Regulation attached to this Order in Council:

— the provisions of Chapter III of the Regulation respecting halocarbons, the coming into force of which is set for 1 June 2007, render mandatory the environmental qualification of persons in the labour force who install, service, repair, modify, dismantle or recondition a refrigeration unit, an air conditioning unit or fire extinguishing equipment designed or converted to operate with a halocarbon or who purchase or otherwise obtain a halocarbon;

— according to the classes of units, the persons who have successfully completed by that date the programs of studies and the training required under the provisions of Chapter III of the Regulation will be qualified, including, for persons already on the labour market, the persons who have taken and successfully completed an awareness training course on the environmental impact of the installation, servicing, repair, modification or dismantling of those units, given under the authority of the Minister of Employment and Social Solidarity or the Commission de la construction du Québec;

— the number of persons in the labour force plying trades involving the use of halocarbons who are required to have the environmental qualification to ply those trades is evaluated at some 25,000 persons;

— the limited number of personnel qualified to give the awareness training does not allow all the persons in Québec currently plying the trades involving the use of halocarbons to receive the training before 1 June 2007; on that date, it is estimated that only 20% of all the workers subject to the requirement to have an environmental qualification attestation will have been trained;

— in order not to penalize the workers who cannot take the training course before 1 June 2007, it is urgent to postpone to 1 June 2008 the coming into force of the provisions of Chapter III of the Regulation respecting halocarbons;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Regulation to amend the Regulation respecting halocarbons, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting halocarbons *

Environment Quality Act
(R.S.Q., c. Q-2, s. 70.19, 1st par., subpar.17 and 2nd par.)

- 1.** The Regulation respecting halocarbons is amended by replacing “1 June 2007” in paragraph 3 of section 74 by “1 June 2008”.
- 2.** This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

8139

* The Regulation respecting halocarbons, made by Order in Council 1091-2004 dated 23 November 2004 (2004, *G.O.* 2, 3275), has not been amended since it was made.