

Gouvernement du Québec

O.C. 1190-2010, 15 December 2010

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

**Occupational health and safety in mines
— Amendment**

Regulation to amend the Regulation respecting occupational health and safety in mines

WHEREAS, under subparagraphs 7 to 10, 19 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission de la santé et de la sécurité du travail may make regulations on the matters set forth therein;

WHEREAS, under the second paragraph of that section, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply and the regulations may provide times within which they are to be applied, and these times may vary according to the object and scope of each regulation;

WHEREAS the Commission made the Regulation respecting occupational health and safety in mines and the Government approved the Regulation by Order in Council 213-93 dated 17 February 1993;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting occupational health and safety in mines was published in Part 2 of the *Gazette officielle du Québec* of 30 September 2009 with a notice that it could be made by the Commission and submitted to the Government for approval, in accordance with section 224 of the Act respecting occupational health and safety, on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS the Commission made the Regulation to amend the Regulation respecting occupational health and safety in mines without amendments at its sitting of 18 February 2010;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Regulation respecting occupational health and safety in mines, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting occupational health
and safety in mines***

An Act respecting occupational health and safety
(R.S.Q., c. S-2.1, s. 223, 1st par., subpars. 7, 8, 9, 10, 19, 42 and 2nd par.)

1. The Regulation respecting occupational health and safety in mines is amended in section 1 by inserting the following after the second paragraph in the definition of “mine”:

“Plants, treatment plants, pellet plants and land structures, such as conveyors, pipelines, roads, railway lines belonging to a mining enterprise and used for its operation, that are situated outside the exploration or extraction site, are also part of a mine.”.

2. Section 13 is amended by replacing “and recharge hose” in subparagraph 2 of the first paragraph by “hose with a regulator and a recharge hose”.

3. Section 17 is amended

(1) by replacing “self-contained breathing apparatus with full face pieces” in paragraph 1 by “self-contained pressurized oxygen breathing apparatus” and “90” by 60”;

(2) by replacing paragraph 2 by the following:

“(2) a direct reading apparatus for evaluation of gases including at least carbon monoxide, nitrogen dioxide, oxygen and combustible gas sensors; in addition, that apparatus or another apparatus must be equipped with sensors of other gases according to the risks inherent in the underground mine;”;

(3) by replacing “6 litres (0.2 cu. ft.)” in paragraph 3 by “10 litres (0.35 cu. ft.)”;

* The Regulation respecting occupational health and safety in mines, approved by Order in Council 213-93 dated 17 February 1993 (1993, *G.O.* 2, 1757), was last amended by the regulation approved by Order in Council 221-2009 dated 12 March 2009 (2009, *G.O.* 2, 572). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

(4) by striking out paragraph 4;

(5) by replacing paragraph 5 by the following:

“(5) a basket-shaped stretcher whose content complies with the latest edition of the *Manuel de formation en sauvetage minier* of the Commission de la santé et de la sécurité du travail;”;

(6) by replacing paragraph 6 by the following:

“(6) an appropriate rope system allowing a victim to be evacuated from an excavation opening at an angle exceeding 45 degrees from the horizontal.”.

4. Section 20 is amended

(1) by replacing subparagraph 1 of the first paragraph by the following:

“(1) self-contained breathing apparatus having a minimum utilization time of 60 minutes;”;

(2) by striking out subparagraph 2 of the first paragraph.

5. Section 27 is amended by inserting “127,” after “108.2,”.

6. Section 71 is amended by replacing “90” in subparagraph 4 of the third paragraph by “60”.

7. Section 126 is replaced by the following:

“**126.** A refuge station must be installed on any working underground level from which it is not possible, after the alarm system has been activated, to reach another refuge station or the surface within 30 minutes for a mine whose operation began before 1 April 1993, or 20 minutes for a mine whose operation began as of that date.

For any new development or for any underground mine whose operation begins as of 20 January 2011, a refuge station must be installed at the shortest distance from a work station, between 1,000 metres (3,280 feet) and a 15-minute walk.”.

8. Section 127 is amended

(1) by inserting the following after paragraph 6:

“(6.1) have at least 1 portable toilet;”;

(2) by replacing paragraph 7 by the following:

“(7) have a compressed air line complying with division 8 of the latest edition of the *Manuel de formation en sauvetage minier* of the Commission de la santé et de la sécurité du travail or, if it is impossible because of permafrost conditions, have an oxygen supply system with regulated flow able to remove carbon dioxide from the ambient air according to the number of workers that the station can contain;”;

(3) by inserting “fire retardant” in paragraph 8 before “sealant”;

(4) by adding the following after paragraph 9:

“(10) be equipped with an airlock in compliance with division 8 of the latest edition of the *Manuel de formation en sauvetage minier* of the Commission de la santé et de la sécurité du travail, as of 20 January 2011.

The system referred to in subparagraph 7 of the first paragraph shall

(1) have a minimum range of 70 hours for the number of workers who may be present in the station;

(2) be the subject of a monthly preventive maintenance program whose results are entered in a register.

In addition, underground workers must receive training on the use of that system.”.

9. Section 269 is amended by adding “, except when the movement of the conveyance is controlled in automatic or semi-automatic mode” at the end.

10. The following is inserted after section 283:

“**283.1.** A telephone connecting the surface, equipped with a telephone connection jack for mine rescue, must be installed on the outside wall of the airlock of every refuge station built as of 20 January 2011.”.

11. Section 288.1 is amended

(1) by replacing the part preceding subparagraph 1 of the second paragraph by the following:

“In such a case, the following standards and conditions must be met:”;

(2) by adding the following after subparagraph 2 of the second paragraph:

“(3) the drum hoist must be equipped with a device continuously monitoring the condition of the rope, which must be able to detect a sudden loss of the rope section and stop the drum hoist if the loss exceeds 10%.”;

(3) by striking out the third paragraph.

12. Section 305 is amended by adding the following at the end:

“Despite the foregoing, an electromagnetic monitoring system of the rope may replace the examination referred to in subparagraph 1 of the first paragraph and an electromagnetic examination may replace the examination referred to in subparagraph 3 of the first paragraph.”.

13. Section 358 is amended by replacing “or X-ray examination” by “examination and fluorescent magnetic particle testing”.

14. Section 415.1 is amended by striking out “, unless the site has an automatic fire extinguishing system” in the second paragraph.

15. Section 423 is amended by replacing “loading area” in paragraphs 4 and 5 by “place of loading”.

16. Section 433 is amended by adding the following at the end:

“The conveyance itself is considered to be a container for the purpose of transporting explosives if the inside surfaces are made of non-sparking material.”.

17. Section 460 is amended by adding the following after paragraph 5:

“(6) be checked to ensure its conductivity and for that purpose, the use of an electric detonator is prohibited.”.

18. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

1246

Notice

Automobile Insurance Act
(R.S.Q., c. A-25)

Insurance contributions — Amendment

WHEREAS the Société de l'assurance automobile du Québec has the power, under the first paragraph of section 151.1 of the Automobile Insurance Act (R.S.Q., c. A-25), to update by regulation the list of makes and models of motorcycles appended to the Regulation respecting insurance contributions, made by resolution number AR-2380 of 1 November 2006;

WHEREAS, under the second paragraph of 151.1 of that Act, the Société is exempt from the requirement to publish a draft of the regulation in the *Gazette officielle du Québec* and the date of coming into force set out in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS, by resolution number AR-2657 of 16 December 2010, the Société made the Regulation to amend the Regulation respecting insurance contributions, which updates the list of makes and models of motorcycles appended to the Regulation respecting insurance contributions;

ACCORDINGLY, as provided for in section 15 of the Regulations Act, the Société hereby publishes the Regulation to amend the Regulation respecting insurance contributions.

MARIE-ANNE TAWIL,
*Chair of the Board
of the Société de l'assurance
automobile du Québec*

Regulation to amend the Regulation respecting insurance contributions*

Automobile Insurance Act
(R.S.Q., c. A-25, s. 151.1)

1. The Regulation respecting insurance contributions is amended by the replacement of Schedule I by the following:

* The most recent amendments to the Regulation respecting insurance contributions, made by resolution AR-2380 of the Société de l'assurance automobile du Québec dated 1 November 2006 (2007, G.O. 2, 1477A), were made by the Regulation made by resolution AR-2603 dated 16 December 2009 (2010, G.O. 2, 23). For earlier amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2010, updated to 1^{er} October 2010.