

**119.3.** The approval by the Board of a quality control program is valid for a period of 5 years.

**119.4.** The owner applying for the approval of a quality control program or the renewal of such approval must provide the Board with the following information and documents:

- (1) a copy of the program, signed by the owner;
- (2) a description of the high-risk petroleum equipment covered by the program, and a list of permits for its use issued for such equipment;
- (3) the name of the person in charge of the program and of the person in charge of the verification of the conformity of petroleum equipment, the professional order membership number and the number of years of experience they acquired in activities related to the inspection, monitoring or design of petroleum equipment installations;
- (4) the determination of financial resources allocated to the program;
- (5) an undertaking to implement the program as soon as it is approved and to send to the Board each year the management report and the register of the inspections provided for in paragraph 2 of section 119.2.

Every application must include the fee payable under section 130.1 and an attestation that the information provided under the first paragraph of this section is true, and be signed by the owner.

Required information and documents previously provided to the Board need not be re-filed if the owner attests to their accuracy and completeness.

**119.5.** The owner whose quality control program was approved must notify the Board immediately of any change in the information or documents provided under section 119.4.

**119.6.** The owner who ceases to implement an approved quality control program must so notify the Board immediately.

**119.7.** The Board withdraws its approval of a quality control program

- (1) where the owner ceases to implement it;
- (2) where one of the conditions for the approval of the program provided for in section 119.2 is no longer met;

(3) where the owner does not fulfill his or her commitment to send to the Board each year the management report and the register of the inspections provided for in paragraph 2 of section 119.2;

(4) where the owner made false or misleading statements concerning the program or its implementation.

**119.8.** The exemption provided for in section 119.1 ends as soon as the high-risk petroleum equipment to which it applies ceases to be covered by a quality control program approved by the Board.

The owner must then provide the Board with a certificate of conformity of that equipment at the periods of verification of 2 years, 4 years or 6 years according to the type of equipment, provided for in the first paragraph of section 115, the periods starting on the date of expiry of the permit for the use of the equipment.

Where the exemption ends and at least 6 months remain before the date of expiry of the permit, the owner must also provide the Board with a certificate of conformity before that date.”.

**2.** The title of subdivision 4 is amended in the French text of the Code by adding “et frais” before section 130.

**3.** The following is inserted after section 130:

“**130.1.** The fee payable for the application for approval of a quality control program or renewal of such approval is \$2,000.”.

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

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Gouvernement du Québec

**O.C. 1261-2012, 19 December 2012**

An Act respecting occupational health and safety  
(chapter S-2.1)

**Office Québec-Monde pour la jeunesse  
— Implementation of the Agreement regarding  
the programs**

Regulation respecting the implementation of the Agreement regarding the programs of the Office Québec-Monde pour la jeunesse

WHEREAS, under section 16 of the Act respecting industrial accidents and occupational diseases (chapter 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 the 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 on september 13th 2012 the Commission de la santé et de la sécurité du travail and the Office Québec-Monde pour la jeunesse have entered into an agreement so that the persons admitted to programs established and administered by the Office be considered as workers;

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

WHEREAS, under section 224 of that Act, every draft regulation made by the Commission under section 223 must be submitted to the Government for approval;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft regulation was published in part 2 of the *Gazette officielle du Québec* of August 1st 2012 with a notice that it could be adopted by the Commission de la santé et de la sécurité du travail and be submitted to the Government for approval, upon expiry of 45 days following the publication of that notice.

WHEREAS the Commission de la santé et de la sécurité du travail made the Regulation respecting the implementation of the Agreement regarding the programs of the Office Québec-Monde pour la jeunesse with amendments, at its sitting of 20 September 2012;

WHEREAS it is expedient to approve that regulation with amendments;

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

THAT the Regulation respecting the implementation of the Agreement regarding the programs of the Office Québec-Monde pour la jeunesse, attached to this Order in Council, be approved.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

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## **Regulation respecting the implementation of the Agreement regarding the programs of the Office Québec-Monde pour la jeunesse**

An Act respecting occupational health and safety (chapter S-2.1, ss. 170 and 223, 1st par., subpar. 39)

**1.** The Act respecting industrial accidents and occupational diseases (chapter A-3.001) applies to persons who take part in the programs of the Office Québec-Monde pour la jeunesse to the extent and subject to the conditions set in the Agreement entered into between the Office and the Commission de la santé et de la sécurité du travail appearing in Schedule I.

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

**SCHEDULE I****AGREEMENT****BETWEEN**

The Office Québec-Monde pour la jeunesse,  
having its head office at 265, rue de la Couronne, bureau 200  
Québec (Québec) G1K 6E1,

represented by Alfred Pilon,  
President and Chief Executive Officer, duly authorized,

hereinafter called "the Office"

**AND**

The Commission de la santé et de la sécurité du travail,  
having its head office at 524, rue Bourdages, Québec,  
represented by Michel Després,  
Chair of the Board of Directors and  
Chief Executive Officer, duly authorized,

hereinafter called "the Commission"

**UNDER SECTION 16 OF THE ACT RESPECTING INDUSTRIAL  
ACCIDENTS AND OCCUPATIONAL DISEASES**

WHEREAS the Office Québec-Monde pour la jeunesse was established on 26 May 2009 by the Act to establish the Office Québec-Monde pour la jeunesse (R.S.Q., c. O-5.2);

WHEREAS section 2 of the Act to establish the Office Québec-Monde pour la jeunesse (R.S.Q., c. O-5.2) provides that the Office is a legal person and a mandatary of the State and that its property forms part of the domain of the State, but the execution of the obligations of the Office may be levied against its property;

WHEREAS the Commission de la santé et de la sécurité du travail, established under section 137 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), is a legal person under section 138 of that Act;

WHEREAS, under section 170 of that Act, the Commission may make agreements with a Government department or agency, another government or a department or agency of such a government for the application of the Acts and regulations administered by it, according to law;

WHEREAS the Office's mission is, to the extent and subject to the conditions determined by the Minister of International Relations, to develop relations between the young people of Québec and those of the jurisdictions and countries identified by the Minister that are not under the purview of the Office franco-québécois pour la jeunesse, the Office Québec/Wallonie-Bruxelles pour la jeunesse or the Office Québec-Amériques pour la jeunesse. The goal of developing such relations between young people is to promote understanding of their respective cultures, increase exchanges between individuals and groups and encourage the development of cooperation networks;

WHEREAS the Office is to establish contacts with public or private organizations in those jurisdictions and countries for the purpose of developing, in partnership with those organizations, exchange and cooperation programs that include financial assistance measures making them accessible to young people from all backgrounds;

WHEREAS the exchange and cooperation programs include activities that are conducive to personal, academic or professional development, such as seminars, internships and cultural productions, and the Office may provide funding or technical support for the development and implementation of cooperation projects that originate in the communities;

WHEREAS the Office has requested that the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001) apply to trainees covered by this Agreement and the Office intends to assume the obligations prescribed for employers;

WHEREAS section 16 of that Act provides that 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 and the government, agency or legal person concerned;

WHEREAS that section 16 also provides that the second paragraph of section 170 of the Act respecting occupational health and safety applies to such an agreement, which means that the Commission must make a regulation to give effect to an agreement that extends the benefits of the laws and regulations administered by it;

THEREFORE, THE PARTIES AGREE AS FOLLOWS:

CHAPTER 1. ENABLING PROVISION

*Enabling*

*provision* 1.1 This Agreement is entered into under section 16 of the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), hereinafter called "the Act".

## CHAPTER 2. PURPOSES

- Purposes* 2.1 The purposes of this Agreement are to provide for the application of the Act to the Office's trainees covered by this Agreement and to determine the respective obligations of the Office Québec-Monde pour la jeunesse and the Commission de la santé et de la sécurité du travail on the conditions and to the extent set forth herein.

## CHAPTER 3. DEFINITIONS

For the purposes of this Agreement,

- "Commission"* (a) Commission: the Commission de la santé et de la sécurité du travail;
- "employment"* (b) employment: as the case may be, the remunerated employment the trainee has at the time the employment injury appears or for which the trainee is registered with the Commission. If the trainee has no remunerated employment or is not registered with the Commission at the time the injury appears, his or her usual employment or, if the trainee does not carry on such employment, the employment that could have been the trainee's usual employment, considering the trainee's training, work experience and physical and intellectual capacity before the employment injury appeared;
- "employment injury"* (c) employment injury: an injury or a disease arising out of or in the course of an industrial accident, or an occupational disease, including a recurrence, relapse or aggravation;

<i>"Office"</i>	(d) Office: the Office Québec-Monde pour la jeunesse;
<i>"trainee"</i>	(e) trainee: a person doing work under programs administered by the Office, in particular the programs listed in the Schedule, except a person referred to in section 10 or paragraph 4 of section 11 of the Act.
CHAPTER	4. OBLIGATIONS OF THE OFFICE
<i>Employer</i>	4.1 The Office is deemed to be the employer of any trainee covered by this Agreement.
<i>Restrictions</i>	Despite the foregoing, the employer-employee relationship is recognized as such only for the purposes of indemnification, assessment and imputation of the cost of benefits payable under the Act and must not be considered as an admission of a factual situation lending itself to interpretation in other fields of activity.
<i>General</i>	
<i>obligations</i>	4.2 As the employer, the Office is bound by all the obligations imposed by the Act, with the necessary modifications, including the obligation to keep a register of industrial accidents occurring in the establishments within the meaning of the Act respecting occupational health and safety where the trainees work and the obligation to inform the Commission, on the form prescribed by it, when a trainee is unable to pursue the program by reason of an employment injury.
<i>Register of</i>	
<i>accidents</i>	Despite the foregoing, the Office is required to put the register at the disposal of the Commission only.



*Information* Upon request by the Commission, the Office sends a description of the program and tasks or activities carried out by the trainee at the time the employment injury appeared.

*Exceptions* 4.3 Despite section 4.2, section 32 of the Act concerning the dismissal, suspension or transfer of a worker, discriminatory measures or reprisals, sections 179 and 180 concerning temporary assignment, as well as Chapter VII of the Act concerning the right to return to work, are not applicable to the Office.

*First aid* The Office must see that first aid is given to a trainee suffering from an employment injury, in accordance with sections 190 and 191 of the Act, and pay the related costs.

*Payment of*

*assessment* 4.4 The Office agrees to pay the assessment calculated by the Commission in accordance with the Act and the regulations made thereunder and the fixed administrative costs associated with each financial record.

For the purposes of this Agreement, the Office is also required to make periodic payments, in accordance with section 315.1 of the Act.

*Assessment* 4.5 For assessment purposes, the Office is deemed to pay a salary that corresponds, as the case may be, to the annual gross employment income of each trainee at the time the trainees is registered in a program listed in the Schedule, to the employment insurance benefits received by the trainee or to the minimum wage, if the trainee has no other employment income.

<i>Minimum</i>		The assessment is based on the wages that the Office is deemed to pay and on the length of the training period. However, the wages that the Office is deemed to pay may not in any case be less than \$2,000 per trainee.
<i>Annual statement</i>	4. 6	The Office sends to the Commission, before 15 March of each year, a statement setting out, in particular, the amount of gross employment income paid to the trainees during the preceding calendar year, calculated in relation to the duration of the training period.
<i>Register</i>	4. 7	The Office keeps a detailed register of the names and addresses of the trainees and, if trainees are employed during their training, of the names and addresses of their respective employers.
<i>Availability</i>		The Office makes such register available to the Commission if the latter so requires.
<i>Description of programs</i>	4. 8	The Office sends the Commission, upon the coming into force of this Agreement, a description of the programs listed in the Schedule.
<i>New program or amendment</i>		Any new program or any subsequent amendment to a program listed in the Schedule is also to be sent so as to determine whether it should come or remain under this Agreement.

## CHAPTER 5. COMMISSION'S OBLIGATIONS

*Worker*

*status* 5.1 The Commission considers a trainee covered by this Agreement as a worker within the meaning of the Act, except in respect of travel between Québec and the country where the training period will be undertaken.

*Indemnity* 5.2 A trainee suffering from an employment injury is entitled to an income replacement indemnity as of the first day following the beginning of the trainee's inability to carry on his or her employment by reason of the injury.

*Payment* Despite section 60 of the Act, the Commission pays to that trainee the income replacement indemnity to which he or she is entitled.

*Calculation of*

*indemnity* 5.3 For the purposes of calculating the income replacement indemnity, the trainee's gross annual employment income is, as the case may be, that which the trainee derives from the remunerated employment the trainee has at the time the employment injury appears, that which corresponds to the employment insurance benefits received, that for which the trainee is registered with the Commission or, if the trainee is unemployed or a self-employed worker not registered with the Commission, that determined on the basis of the minimum wage provided for in section 3 of the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r. 3) and the regular work week referred to in section 52 of the Act respecting labour standards (R.S.Q., c. N-1.1), as they read on the date on which they are to be applied when the injury appears.

*Recurrence, relapse**or aggravation*

In the event of a recurrence, a relapse or an aggravation, where the trainee holds remunerated employment, the gross annual income is, for the purposes of calculating the income replacement indemnity, established in accordance with section 70 of the Act. However, if unemployed at the time of the recurrence, relapse or aggravation, the gross annual employment income is that which the trainee derived from the employment out of or in the course of which the trainee suffered the employment injury; that gross income is revalorized on 1 January of each year from the date on which the trainee ceased to hold the employment.

*Financial**records*

5. 4 At the request of the Office, the Commission opens a special financial record for each program listed in the Schedule.

*Unit of activity*

Such record must be classified in the unit corresponding to the activities described in the "Programme d'aide à la création d'emploi" unit or, should amendments be made after this Agreement is signed, in a unit corresponding to those activities.

## CHAPTER

## 6. MISCELLANEOUS

*Follow-up*

6. 1 Both the Commission and the Office designate, within 15 days of the coming into force of this Agreement, a person responsible for the follow-up of this Agreement.

*Addresses**for notices*

6. 2 Any notice required by this Agreement is to be sent to the Commission and Office at the following addresses:

- 4E1;
- (a) Le secrétaire général de la Commission  
Commission de la santé et de la sécurité du travail  
1199, rue de Bleury, 14<sup>e</sup> étage, Montréal (Qc) H3C
- (b) Le président-directeur général de l'Office  
Office Québec-Monde pour la jeunesse  
265, rue de la Couronne, bureau 200, Québec (Qc)
- G1K 6E1

## CHAPTER 7. COMING INTO FORCE, TERM AND CANCELLATION

*Effective date* 7.1 This Agreement takes effect on the date of coming into force of the Regulation made for that purpose by the Commission under sections 170 and 223 of the Act respecting occupational health and safety.

*Term* The Agreement remains in force until  
31 December 2013.

### *Tacit*

*renewal* 7.2 It is subsequently renewed tacitly from one calendar year to the next, unless one of the parties sends to the other party, by registered or certified mail, at least 90 days before the term expires, a notice in writing to the effect that it intends to terminate the Agreement or make amendments thereto.

*Amendments* 7.3 In the latter case, the notice must contain the amendments which the party wishes to make.

<i>Renewal</i>		The sending of such notice does not preclude the tacit renewal of this Agreement for a period of 1 year. If the parties do not agree on the amendments to be made to this Agreement, the Agreement must be terminated, without further notice, at the expiry of that period.
<i>Mutual</i>		
<i>amendments</i>	7.4	The parties may, by mutual agreement, amend this Agreement at any time.
<i>Default</i>	7.5	If the Office fails to respect any of its obligations, the Commission may ask the Office to rectify the default within the time set by the Commission. If the situation is not rectified within the prescribed time, the Commission may cancel this Agreement unilaterally, upon written notice.
<i>Date</i>	7.6	The Agreement is then cancelled on the date on which the written notice is sent.
<i>Mutual</i>		
<i>cancellation</i>	7.7	The parties may, by mutual agreement, cancel this Agreement at any time.
<i>Financial</i>		
<i>adjustments</i>	7.8	In the event of cancellation, the Commission makes financial adjustments taking into account the amounts payable under this Agreement.
<i>Amount due</i>		Any amount due after such financial adjustments have been made is payable on the due date appearing on the notice of assessment.

*Damages*        7.9    In the event of cancellation, neither party may be required to pay damages, interest or any other form of indemnity or charges to the other party.

IN WITNESS WHEREOF, the parties have signed

Québec, 5 September 2012

ALFRED PILON,  
*President and Chief Executive Officer*  
*Office Québec-Monde*  
*pour la jeunesse*

Québec, 13 September 2012

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

## SCHEDULE

## List of programs

- Training programs in the workplace outside Québec:
  - Employment, social and professional insertion;
  - Entrepreneurship;
  - Professional development;
  - Citizen engagement.

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Gouvernement du Québec

**O.C. 1263-2012, 19 December 2012**Building Act  
(chapter B-1.1)**Improve building safety**

Regulation to improve building safety

WHEREAS, under section 175 of the Building Act (chapter B-1.1), the Régie du bâtiment du Québec adopts by regulation a safety code containing in particular safety standards concerning buildings, facilities intended for use by the public, installations independent of a building and their vicinity, and standards for their maintenance, use, state of repair, operation and hygiene;

WHEREAS, under section 176 of the Act, the code may require manufacturers to provide instructions regarding the assembly, erection, maintenance and inspection of materials, facilities and installations;

WHEREAS, under section 178 of the Act, the code may require observance of a technical standard drawn up by another government or by an agency empowered to draw up such standards and provide that any reference they make to other standards include subsequent amendments;

WHEREAS, under paragraph 0.1 of section 185 of the Act, the Board may, by regulation, exempt from the application of the Act or certain of its provisions categories of persons, contractors, owner-builders, manufacturers of pressure installations, or owners of buildings, facilities intended for use by the public, installations independent of a building or petroleum equipment installations, and categories of buildings, pressure installations, facilities, installations or construction work;

WHEREAS, under paragraph 0.2 of section 185 of the Act, the Board may, by regulation, for the purposes of section 10, designate any facility as a facility intended for use by the public and establish criteria for determining whether or not a facility is intended for use by the public;

WHEREAS, under section 192 of the Act, the contents of the Safety Code may vary according to the classes of persons, contractors, owner-builders, owners of buildings, facilities intended for use by the public or installations independent of a building and classes of buildings, pressure installations, facilities or installations to which the code applies;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to improve building safety was published in Part 2 of the *Gazette officielle du Québec* of 20 June 2012 with a notice that it could be approved by the Government, with or without amendment, on the expiry of 45 days following that publication;