

Regulations and other Acts

Gouvernement du Québec

O.C. 1260-2012, 19 December 2012

Building Act
(chapter B-1.1)

Safety Code —Amendment

Regulation to amend the Safety Code

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 safety standards for buildings, facilities intended for use by the public, installations independent of a building and petroleum equipment installations and their vicinity, and standards for their maintenance, use, state of repair, operation and hygiene;

WHEREAS the Board adopted the Regulation to amend the Safety Code on 7 December 2011;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 189 of the Building Act, a draft of the Regulation to amend the Safety Code was published in Part 2 of the *Gazette Officielle du Québec* of 11 April 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;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Safety Code, attached hereto, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Safety Code

Building Act
(chapter B-1.1, ss. 175, 176.1, 185, 1st par., subpars. 5, 5.01, 5.1, 20 and 38, and s. 192)

1. The Safety Code (chapter B-1.1, r. 3) is amended by inserting the following after section 119:

“**119.1.** The owner of a petroleum equipment installation who implements a quality control program for high-risk petroleum equipment, approved by the Board, is exempted from providing, for that equipment, the certificate of conformity provided for in section 115.

119.2. The Board approves a quality control program where the following conditions are met:

(1) the program consists of a process for the verification of the conformity of high-risk petroleum equipment that provides quality and safety at least equivalent to that sought by paragraph 2 of section 117 and, according to the type of equipment, by paragraph 3, 4 or 5 of that section;

(2) the owner undertakes to implement the program as soon as it is approved, and to send to the Board each year a management report and a register of the inspections carried out to ensure that implementation;

(3) the person in charge of the program and the verification of the conformity of high-risk petroleum equipment

(a) carries on professional activities related to the inspection, monitoring or design of petroleum equipment installations;

(b) is an engineer who is a member of the Ordre des ingénieurs du Québec or a professional technologist who holds a licence issued by the Ordre des technologues professionnels du Québec;

(c) has sufficient independence to determine the problems related to quality control, and apply the required solutions;

(4) the owner holds a permit for the use of high-risk petroleum equipment covered by the program, issued by the Board;

(5) the owner pays to the Board the fee payable under section 130.1.

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