

Gouvernement du Québec

**O.C. 499-2013, 15 May 2013**

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

**Health and safety in forest development work**

Regulation respecting health and safety in forest  
development work

WHEREAS, under subparagraphs 7, 8, 19 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter 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 section 223, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply;

WHEREAS, under the third paragraph of section 223, a regulation may refer to an approval, certification or homologation of the Bureau de normalisation du Québec or of another standardizing body;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 224 of the Act respecting occupational health and safety, a draft of the Regulation respecting health and safety in forest development work was published in Part 2 of the *Gazette officielle du Québec* of 1 February 2012 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulation with amendments at its sitting of 16 October 2012;

WHEREAS it is expedient for the Government to approve the Regulation;

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

THAT the Regulation respecting health and safety in forest development work, attached to this Order in Council, be approved.

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

**Regulation respecting health and safety  
in forest development work**

An Act respecting occupational health and safety  
(chapter S-2.1, s. 223, 1st par., subpars. 7, 8, 19 and 42,  
2nd par. and 3rd par.)

**DIVISION I  
DEFINITIONS**

**1.** In this Regulation,

“back cut (felling cut)” means a cut made with a saw on the backside of the tree, i.e. the opposite side from the direction in which the tree is to fall; (trait d’abattage)

“BNQ» means the Bureau de normalisation du Québec; (BNQ)

«brush cutting” means a silvicultural treatment consisting in the removal of undesirable herbaceous and woody vegetation by manual or mechanical means; (débroussaillage)

“CSA” means the Canadian Standards Association or the Association canadienne de normalisation; (CSA)

“EN” means a European standard issued by the European Committee for Standardization; (EN)

“felling area” means an area having a radius equal to at least the length of the tree to be felled, but not less than 22.5 metres; (zone d’abattage)

“forest development” means all activities related to timber felling and harvesting, the establishment, improvement, maintenance or closure of infrastructures, the carrying out of silvicultural treatments, including reforestation and the use of fire, the control of insect infestations, cryptogamic diseases and competing vegetation, and any other activity that affects the productivity of a forest site; (aménagement forestier)

“forest road” means any road used during forest development work; (chemin forestier)

“forestry machine” means any self-propelled vehicle used for forest development work, such as a feller, delimber, slasher, log loader or skidder; (machine forestière)

“hauling (skidding)” means the transporting of whole trees, roundwood or logs from the cutblock to a landing; (débardage)

“ISO” means the International Organization for Standardization; (ISO)

“log” means a piece of round wood resulting from the slashing of a roundwood; (bille)

“roundwood” means a trunk or section of trunk of a felled tree after limbing, with or without bark; (grume)

“skidder” means any forestry machine designed for hauling operations, such as a cable, grapple or tracked skidder, a forwarder or a loader-transporter; (débardeur)

“snag” means a standing dead tree; (chicot)

“undercut” means, in manual felling, a notch cut into the trunk of a tree to control the direction in which the tree is to fall; (entaille de direction)

“whole tree” means a felled tree separated from its stump. (arbre entier)

## DIVISION II SCOPE AND GENERAL

**2.** Scope: This Regulation applies to all forest development work.

**3.** Purpose: The purpose of this Regulation is to establish standards pertaining in particular to transportation, forest roads, equipment, forestry machines and the maintenance of such machines, felling, brush cutting, hauling and individual protective equipment to safeguard the health of workers and to ensure their safety and physical well-being.

**4.** Employer’s obligations: Employers must comply with the standards set out in this Regulation.

**5.** Worker’s obligations: Workers must wear or use, as the case may be, the individual or collective protective means and equipment provided for in this Regulation.

**6.** The presence of the employer or a person appointed by the employer for this purpose is required on work sites.

**7.** No worker may work alone unless a safe, effective means of supervision is assured. Supervision must involve either visual, electronic or hearing contact, for example the change of speed of a forestry machine engine, or verbal communication with the worker at least once every half working day.

**8.** First aid must be provided on work sites in accordance with the First-aid Minimum Standards Regulation (chapter A-3.001, r. 10). In addition:

(1) one rigid stretcher must be available and placed near work sites where workers are concentrated;

(2) one backboard with straps, one rigid cervical collar and one blanket must be available at one or more places determined by the health and safety committee or, in the absence of such a committee, by the employer, in order to respond to emergencies;

(3) backboards and rigid cervical collars must be used by a qualified person.

## DIVISION III FOREST ROAD

**9.** Every forest road must be

(1) built and maintained such that any road vehicle used for forest development work can circulate without danger;

(2) wide enough to allow safe usage;

(3) designed for passing areas if there is only one lane.

**10.** Every bridge on a forest road must be

(1) built, inspected and maintained so as to be safe;

(2) equipped on each side of the deck with a longitudinal piece at least 20 centimetres in height and firmly fixed to the deck;

(3) used according to its load-carrying capacity, which must be indicated by way of signs and, where applicable, signals installed near the road at a distance of 30 metres from each end of the bridge and that are visible day and night.

The signs and signals referred to in subparagraph 3 must comply with the standards set out in Chapter 2 of Volume V of the manual entitled Traffic Control Devices, as determined by the Minister of Transport pursuant to the second paragraph of section 289 of the Highway Safety Code (chapter C-24.2).

**11.** Bends, steep grades, railway crossings, narrow surfaces such as bridges, truck crossings, areas of reduced visibility and speed limits must be indicated by way of signs and, where applicable, signals placed near the forest road and that are visible day and night.

The signs and signals must comply, as the case may be, with the standards set out in Chapter 2 or 3 of Volume V of the manual entitled Traffic Control Devices, as determined by the Minister of Transport pursuant to the second paragraph of section 289 of the Highway Safety Code.

## DIVISION IV FOREST DEVELOPMENT EQUIPMENT

### §1. *General*

**12.** Equipment used for forest development purposes must be used, maintained and kept in good condition in accordance with the manufacturer's instructions or, failing such instructions, standards offering equivalent safety.

### §2. *Hand tools and portable power tools*

**13.** Spiked or sharp-edged hand tools, such as hooks, lifting tongs, axes or peaveys, must be inspected regularly and, if necessary, sharpened or, if broken, replaced.

**14.** An extinguisher or other device capable of controlling the beginning of a fire must be within reach of a worker using a chain saw or brush cutter.

**15.** Wire cutters or other suitable equipment must be used to cut steel wire.

**16.** Chain saws must comply with CSA standard CAN/CSA-Z62.1-03, Chain Saws, and be Type 1, Class 1A.

**17.** The chain of a chain saw must comply with CSA standard CSA Z62.3-04, Chain Saw Kickback.

**18.** A portable container must comply with CSA standard CSA B376-M1980, Portable Containers for Gasoline and Other Petroleum Fuels.

### §3. *Brush cutting*

**19.** A brush cutter, its parts and harness must not be modified.

**20.** A portable container referred to in section 18 must never be attached to a worker during brush cutting.

### §4. *Forestry machine*

**21.** A forestry machine must be

(1) equipped with a lighting system when used for night work;

(2) equipped with an extinguisher placed within the operator's reach;

(3) maintained and cleaned so as to prevent any risk of fire;

(4) equipped, in the case of a skidder, with a parking brake;

(5) equipped with a roof if there is a risk of falling objects;

(6) equipped with a cab with full doors and a protective screen if the operator risks being hit by an object;

(7) equipped with a rollover protective structure where there is a risk of rollover;

(8) equipped with a seat in good condition that is suitable for the work performed and the forestry machine, as well as with a safety belt.

The wearing of a safety belt is mandatory for forestry machine operators, except for the operator of a cable skidder when salvaging and piling timber.

One year from 13 June 2013, forestry machines acquired new must be equipped with an adjustable seat;

(9) equipped with grip handles, non-slip steps or ladders installed so as to enable safe access by the driver and facilitate maintenance;

(10) equipped, where it has catwalks or platforms, with a non-skid floor and guardrails.

**22.** An operator must not leave the controls of a forestry machine without first securing the blade or lifting arms on the ground so as to prevent inadvertent movement and without applying the parking brake if the machine is so equipped.

**23.** Traction chains mounted on forestry machines must be adjusted to fit the tires.

### §5. *Truck or trailer*

**24.** A truck or trailer must be

(1) used for loads that do not exceed its capacity;

(2) used according to conditions on the work site;

(3) equipped with a protective screen between the cab and the load, fastened so as to ensure the driver's safety in case the load shifts.

**25.** All loads must be secured in accordance with the Cargo Securement Standards Regulation (chapter C-24.2, r. 30).

Despite the first paragraph, in the case of roundwood loads, the top of the highest outside roundwood, on each side or at each end of the vehicle, must not exceed the top of the bunk units or posts.

Roundwood forming the top of the load must be arranged in an arch and not exceed the bunk units or posts by more than one height of roundwood in the centre of the load.

## **DIVISION V** **FOREST DEVELOPMENT WORK**

**26.** During forest development work, no person must be in the forestry machine's danger zone.

### *§1. Hand felling*

**27.** Every worker who fells a tree manually using a hand-held chain saw must

(1) have received and passed theoretical and hands-on occupational health and safety training according to the content of the course entitled *Santé et sécurité en abattage manuel* (234-361) of the Ministère de l'Éducation, du Loisir et du Sport; and

(2) hold a certificate issued by a body designated by the Commission de la santé et de la sécurité du travail attesting that the worker received such training and passed the required examination.

**28.** Employers must ensure that every worker demonstrates the competencies acquired during the training referred to in section 27 by means of the most recent version of the record entitled *Abattage manuel – Fiche de suivi* published by the Commission de la santé et de la sécurité du travail.

**29.** When a tree is being felled by hand, only the worker performing the task may be in the felling area. A minimum distance of 45 metres must be maintained between 2 fellers.

**30.** The following elements must be considered in manual tree felling:

(1) before felling:

(a) identify dangers in the felling area;

(b) make sure the worker referred to in section 29 is the only person in the felling area;

(c) remove snags 3 metres or more in height from the felling area, preferably mechanically, but otherwise manually. If a snag cannot be hand felled, hand felling of trees that include the snag in the felling area must be prohibited;

(d) choose a suitable felling technique;

(e) clear a safe-size working area around the base of the tree;

(f) trim the trunk of the tree to be felled;

(g) in the opposite direction of the fall, clear at least 1 skid trail at a 45-degree angle and at least 2 metres from the trunk of the tree;

(2) prohibit hand felling if there are more than 50 snags over 3 metres in height per hectare;

(3) a tree with the following characteristics may not be felled by hand:

(a) its trunk is broken and its crown is lodged;

(b) it supports a lodged tree, a snag or a tree that has fallen over;

(c) it is located on a site with no possible skid trail;

(4) in the following cases, the tree to be felled must not be hand felled unless a risk analysis has been carried out and determines a safe felling method that will have to be used in those cases:

(a) it is joined to another tree from which it separates at a height of over 1.3 metres;

(b) it has a split crotch at a height of over 1.3 metres.

### **31.** When felling

(1) a notch must be used to control the direction of fall of any tree with a diameter at stump height of 15 centimetres or more, in accordance with the following conditions:

(a) the notch, made with an undercut and a back cut, must be made to a depth of approximately 1/10 the diameter of the tree to be felled such that the fall can be guided and controlled;

(b) the undercut must be made at a minimum 45-degree angle, to a depth of approximately 1/3 the diameter of the tree to be felled;

(c) the back cut must be made at a point at least 2.5 centimetres higher than the tip of the undercut;

(2) a tree which has a back cut already started must never be left standing;

(3) a tree retained during its fall must never be left standing or slashed.

In the cases referred to in subparagraphs 2 and 3, the tree must, subject to the use of an appropriate hand technique taught during the training provided for in section 27, be freed by a skidder or other means of mechanical traction.

**32.** A suitable method must be used for limbing or slashing a whole tree with a chain saw so as to make the work easier and reduce the risk of accidents caused by kickback, jumps or jamming of the blade of the chain saw, or swivelling of the trunk.

In addition, it is prohibited to stand or walk on the trunk of a tree to be limbed or slashed.

### §2. *Hauling*

**33.** Hauling on an inclined plane must be done in the axis of the slope or in such a way as to prevent skidder tip-over.

**34.** If a hauling winch is used, the winch must be attached between 30 and 60 centimetres from the end of the roundwood or whole tree.

**35.** When the winch of a cable skidder is in use, the skidder must be kept aligned with the winch cable.

**36.** The winch cable of a cable skidder must remain wound on the drum when the skidder is moving without a load.

**37.** The cable must never be completely unwound from the drum of the winch of a cable skidder.

**38.** If hauling is done with horses, the following safety measures must be taken:

- (1) attach the load from the side;
- (2) walk behind moving loads.

**39.** Only loads suitable for the capacity of a forestry machine or the strength of the horses used, according to terrain conditions, must be hauled.

### §3. *Maintenance and repairs*

**40.** Forestry machines with a hydraulic operating system must be equipped with a device that locks clamps, blades or other equipment into a fixed position for maintenance, cleaning and repairs.

**41.** For the maintenance, cleaning or repair of the head of a mechanized feller,

- (1) a working procedure must be established;

(2) the worker performing the work must have received the proper training;

(3) the worker must lock off or control all sources of energy in order to avoid any motion of the forestry machine, the felling head or its parts.

The procedure for locking off or controlling sources of energy must be approved, in writing, by a qualified person. A “qualified person” is a person who understands how a complex system such as an electrical, pneumatic or hydraulic system works and, where applicable, is able to make recommendations or take action in complete safety.

**42.** When a forestry machine or its moveable parts are raised, the machine or parts must be blocked, using such means as a jack or braces, in either of the following situations:

- (1) before undertaking maintenance or repairs;
- (2) if no one is watching the machine.

**43.** Where mechanical maintenance and repairs are performed in a permanent forest camp, the employer must provide

- (1) a shop for servicing and repairing chain saws, brush cutters and other similar portable power tools;
- (2) a sheltered place if major maintenance and repairs are done on heavy equipment.

### DIVISION VI INDIVIDUAL PROTECTIVE EQUIPMENT AND TEMPORARY SHELTER

**44.** Subject to the second paragraph, the wearing of a safety hat in compliance with CSA standard CAN/CSA Z94.1-05, Industrial Protective Headwear - Performance, Selection, Care, and Use, is mandatory for every worker exposed to head injuries.

From 13 June 2013, new safety hats must comply with the most recent version of CSA standard CAN/CSA Z94.1, Industrial Protective Headwear - Performance, Selection, Care, and Use.

**45.** The wearing of eye protectors or a face protector in compliance with CSA standard CAN/CSA Z94.3-07, Eye and Face Protectors, is mandatory for every worker who is exposed to a danger that may cause injury to his or her eyes or face from

- (1) particles or objects;

- (2) dangerous substances or molten metals;
- (3) intense radiation.

However, when work is carried out using a chain saw or brush cutter, workers may wear a mesh visor.

**46.** The wearing of protective shoes with flexible, non-slip soles and complying with CSA standard CAN/CSA Z195-02, Protective Footwear, is mandatory for every worker exposed to foot injuries incurred in the following cases:

- (1) by perforation;
- (2) by the falling of heavy, burning or sharp objects;
- (3) by contact with molten metal or hot or corrosive liquids.

When a chain saw is being used, the wearing of protective footwear for chain saw operators complying with CAN/CSA Z195-02, Protective Footwear, or NF EN ISO 17249, Safety Footwear with Resistance to Chain Saw Cutting, is required.

**47.** The wearing of unaltered forest pants providing frontal protection from flying objects and obstacles and a protective surface meeting Class B standards of CAN/BNQ 1923-450-M91, Leg Protective Device for Chain Saw Users, is mandatory for every worker using a brush cutter.

**48.** The wearing of pants meeting Class A standards of CAN/BNQ 1923-450-M91, Leg Protective Device for Chain Saw Users, is mandatory for every worker using a chain saw.

**49.** The wearing of gloves or mitts ensuring a good grip on handles is mandatory for every worker using a chain saw or brush cutter.

**50.** The wearing of gloves or mitts that are resistant to barbs is mandatory for every worker handling steel wire.

**51.** Temporary shelter

Where warranted, employers must provide forestry workers with a temporary heated shelter.

The shelter must be of an appropriate size for the number of forestry workers and be equipped with tables. It must not be used as a dormitory.

## DIVISION VII FINAL

**52.** This Regulation replaces the Regulation respecting forestry operations (chapter S-2.1, r. 17).

**53.** Section 332 of the Regulation respecting occupational health and safety (chapter S-2.1, r. 13) is amended by replacing “Regulation respecting forestry operations (chapter S-2.1, r. 17)” by “Regulation respecting occupational health and safety in forest development work”.

**54.** Sections 5 and 9 of the Regulation respecting prevention programs (chapter S-2.1, r. 10) are amended by striking out subparagraph 1 of subparagraph 1 of the first paragraph.

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

**56.** The provisions of the Regulation respecting occupational health and safety apply to the extent that they are compatible with the provisions of this Regulation.

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## M.O., 2013-08

### Order number V-1.1-2013-08 of the Minister of Finance and the Economy dated 15 May 2013

Securities Act  
(chapter V-1.1)

CONCERNING Regulation to amend Regulation 41-101 respecting general prospectus requirements

WHEREAS subparagraphs 1, 3, 4.1, 6.1, 8, 9, 11, 14, 16, 19 and 34 of section 331.1 of the Securities Act (chapter V-1.1) stipulate that the *Autorité des marchés financiers* may make regulations concerning the matters referred to in those paragraphs;

WHEREAS the third and fourth paragraphs of section 331.2 of the said Act stipulate that a draft regulation shall be published in the Bulletin of the Authority, accompanied with the notice required under section 10 of the Regulations Act (chapter R-18.1) and may not be submitted for approval or be made before 30 days have elapsed since its publication;