

(2) in the definition of “certified organization”,

(a) “soudure” in the French text by “soudage”;

(b) “CSA Standard W178-1973, Qualification Code for Welding Inspection Organization” by “CSA Standard W178.1, Certification of Welding Inspection Organizations”.

6. Section 57 is amended by striking out the words “which has certified inspectors in its service”.

7. Section 64 is amended by replacing

(1) the first occurrence of “soudure” in the French text by “soudage”;

(2) “certificate issued by the Canadian Welding Bureau in accordance with the specifications of CSA Standard W47.1-1983: Certification of Companies for Fusion Welding of Steel Structures” by “valid certificate issued by the Canadian Welding Bureau in accordance with CSA Standard W47.1, Certification of companies for fusion welding of steel”.

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

3391

Gouvernement du Québec

O.C. 606-2014, 18 June 2014

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

Safety Code for the construction industry — Amendment

Regulation to amend the Safety Code for the construction industry

WHEREAS, under subparagraphs 7, 14, 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), a draft of the Regulation to amend the Safety Code for the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 3 July 2013 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 27 March 2014;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act is submitted to the Government for approval;

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 Safety Code for the construction industry, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Safety Code for the construction industry

An Act respecting occupational health and safety (chapter S-2.1, ss. 63, 223, 1st par., subpars. 7, 14, 19 and 42, 2nd and 3rd pars.)

1. The Safety Code for the construction industry (chapter S-2.1, r. 4) is amended in section 1.1

(1) by inserting the following after paragraph 7:

“(7.0) “CAN/CSA” means the Canadian Standards Association;”;

(2) by replacing paragraph 7.1 by the following:

“(7.1) “life line” means a synthetic fibre rope, a steel wire rope or a strap attached to an anchorage system and used to guide a rope grab;”;

(3) by replacing paragraph 12.0 by the following:

“(12.0) “lanyard” means a rope or strap fastened at one end to a safety harness and at the other end to an anchorage system or other component of a fall arrest connecting device;”;

(4) by inserting the following after paragraph 23:

“(23.0) “free fall distance” means the vertical distance measured from the beginning of a fall, from the harness D-ring to which the fall arrest connecting device is attached, to the point where the fall arrest system begins to apply force to stop the fall;”;

(5) by inserting the following after paragraph 24:

“(24.0) “fall arrest connecting device”: all equipment, such as a lanyard, energy absorber, snap hook, connector, life line or rope grab, used to secure a safety harness to an anchorage system;”.

2. Section 2.5.4 is amended in paragraph *c* of subsection 2

(1) by striking out “after 1 May 1976;”;

(2) by replacing “the Ministère du Travail” by “the Commission”.

3. Section 2.9.1 is amended by replacing subparagraph 4 of the second paragraph by the following:

“(4) ensure that workers wear safety harnesses secured to an anchorage system by a fall arrest connecting device, the whole in accordance with sections 2.10.12 and 2.10.15 when they are working. When workers cannot position themselves without the help of their fall arrest connecting device, ensure that they also use a means of positioning, such as a plank on brackets, a positioning tether or strap, a suspension cable or a platform;”.

4. Section 2.9.2 is amended

(1) by replacing “water” in paragraph 1 of the first paragraph by “a dangerous liquid or substance”;

(2) by striking out “5 m from the periphery of roofs and” in paragraph 3 of the first paragraph;

(3) by replacing the second paragraph with the following:

“Despite the foregoing, such a guard-rail may be removed during work if it is a nuisance. In such a case, workers must wear a safety harness secured to an

anchorage system by a fall arrest connecting device, the whole in accordance with sections 2.10.12 and 2.10.15. The work area must then be delimited in particular by a continuous barrier or trestles of a minimum height of 0.7 m, located at a distance varying between 0.9 m and 1.2 m from the place where workers are at risk of falling, or by a warning line complying with the requirements of section 2.9.4.1, so as to prevent access thereto by persons not working therein.”.

5. The following is inserted after section 2.9.4:

“**2.9.4.0.** Despite section 2.9.2, a warning line may be installed, during bridging or roofing work, on surfaces with a slope equal to or less than 15° (3/12), in order to replace the use of a guard-rail and delimit a work area.

In such a case, another recognized means of protection against falls, such as a safety harness secured to an anchorage system by a fall arrest connecting device, the whole in accordance with sections 2.10.12 and 2.10.15, must be used outside the area delimited by the warning line.

2.9.4.1. Warning line: A warning line must be

(1) continuous and installed on all sides of the work area that it delimits;

(2) placed at a distance of 2 m or more from any place where a worker may fall from a height;

(3) made of a rigid strip, a cable or a chain able to withstand a tractive force of at least 2.22 kN;

(4) equipped with flags made of high-visibility materials and placed at intervals of not more than 2 m;

(5) capable of withstanding a load of 100 N applied horizontally at the line’s highest point or vertically at its midpoint between 2 stanchions;

(6) completed at each access point, storage area or hoisting area by a path formed by 2 parallel lines. However, when the path to a point of access to a work area is located at a distance of more than 5 m from it, the warning line does not have to be continued beyond that distance. In places where the access path starts at a roof edge, a guard-rail must be installed on the side of the roof, in compliance with section 2.9.2, so as to cover the first 3 metres on either side of the access path’s starting point; and

(7) installed so that the line is

(a) located between 0.7 m above the work surface at the line's lowest point and 1.2 m above that surface at its highest point; and

(b) supported by stanchions placed at intervals of not more than 2.5 m;

(c) attached to each stanchion so that pushing on the line between 2 stanchions does not reduce the height of the line between adjacent stanchions by an equivalent amount.”

6. Section 2.10.12 is replaced by the following:

“2.10.12. Safety harness:

(1) A safety harness must comply with CAN/CSA Standard Z259.10 Full Body Harnesses and be secured to an anchorage system, in compliance with section 2.10.15, by a fall arrest connecting device that limits the maximum fall arrest force to 6 kN or the free fall distance to 1.8 m.

This fall arrest connecting device must consist of one or more of the following pieces of equipment, including as a minimum the equipment in subparagraph *a* or *b*:

(a) an energy absorber and a lanyard in compliance with CAN/CSA Standard Z259.11 Energy Absorbers and Lanyards. The lanyard, including the energy absorber, must measure not more than 2 m in length;

(b) a self retracting lanyard in compliance with CAN/CSA Standard Z259.2.2 Self-Retracting Devices for Personal Fall-Arrest Systems;

(c) a rope grab in compliance with CSA Standard Z259.2.5 Fall Arresters and Vertical Lifelines or CSA Standard Z259.2.4 Fall Arresters and Vertical Rigid Rails;

(d) a vertical life line in compliance with CSA Standard Z259.2.5 Fall Arresters and Vertical Lifelines or CSA Standard Z259.2.4 Fall Arresters and Vertical Rigid Rails.

A vertical life line must

- i. be used by only 1 person;
- ii. be shorter than 90 m; and
- iii. never be brought into direct contact with a sharp edge.

(e) a connecting component, such as a spring hook, D-ring or snap hook in compliance with CAN/CSA Standard Z259.12 Connecting Components for Personal Fall Arrest Systems.

(2) A self-locking safety catch is not compulsory on a duckbilled snap hook located at the end of a rope used as a means of positioning by a worker assigned to the assembly of the latticework of reinforcing rods supporting a wall or pillar. In such a case, the rope must be less than 0.4 m long, be made of metal rings and be secured at the other end to the safety harness worn by the worker.

In addition to this means of positioning used by the worker, the employer must take at least one of the measures provided for in subparagraphs 3 and 4 of the second paragraph of section 2.9.1 to ensure the worker's protection.

(3) Where a worker assigned to the erection or checking of power line towers wears a safety harness, the harness must be equipped with one of the following systems:

(a) an energy absorber to which are fastened 2 lanyards, including 1 that must be attached at all times;

(b) an energy absorber to which is fastened 1 lanyard attached by a rope grab to a vertical life line;

(c) a self retracting lanyard equipped with an energy absorber or fastened thereto.

Where the worker moves a life line or the sling of a self retracting lanyard by means of a pole anchor hook, the worker must be attached to the tower only by means of his or her work positioning strap or tether that the worker must fasten to a structural member above him or her.”

7. Section 2.10.14 is amended by replacing the second paragraph by the following:

“Such a belt must comply with CAN/CSA Standard Z259.1 Body Belts and Saddles for Work Positioning and Travel Restraint.”

8. The following is inserted after section 2.10.14:

“2.10.15. Anchorage system:

The fall arrest connecting device of a safety harness must be secured to

(1) a single point of anchorage with one of the following characteristics:

(a) a breaking strength of at least 18 kN; or

(b) designed and installed in accordance with an engineer's plan in compliance with CSA Standard Z259.16 Design of Active Fall-Protection Systems, and having one of the following characteristics:

i. a strength equal to twice the maximum fall arrest force as certified by an engineer; or

ii. certified in accordance with EN 795 Personal Protective Equipment against Falls – Anchor devices – published by the European Committee for Standardization or with CAN/CSA Standard Z259.15 Anchorage Connectors;

(2) a flexible continuous anchorage system (horizontal life line) with one of the following characteristics:

(a) in compliance with the following minimum standards:

i. a steel cable of a minimum diameter of 12 mm slackened to a minimum angle of 1 vertical to 12 horizontal, or 5° from horizontal;

ii. a maximum distance of 12 m between the end anchors;

iii. end anchors with a breaking strength of at least 90 kN;

iv. not to be used by more than 2 workers at a time;

(b) designed and installed in accordance with an engineer's plan in compliance with CSA Standard Z259.13 Flexible Horizontal Lifeline Systems and CSA Standard Z259.16 Design of Active Fall-Protection Systems;

(3) a rigid continuous anchorage system designed and installed in accordance with an engineer's plan in compliance with CSA Standard Z259.16 Design of Active Fall-Protection Systems.

An anchorage system:

(1) must be designed so that the D-ring of the suspension point of a worker's safety harness cannot be moved horizontally by more than 3 m or an angle of 22°;

(2) cannot be used by more than 1 person at a time, except in the case of a continuous anchorage system, such as a horizontal life line, or a rigid anchorage system, such as a rail; and

(3) must be designed so that properly attached personal protective equipment cannot be detached involuntarily.

The structure on which the anchorage system is installed must be able to withstand the effort exerted by the anchorage system in addition to the other efforts that it must ordinarily withstand.

An anchorage system with the characteristics described in subparagraph *b* of subparagraph 1 or 2 of the first paragraph, or in subparagraph 3 of that paragraph, must, before it is first brought into service, be inspected and tested by an engineer or a qualified person acting under the supervision of an engineer, to ensure that the system is in compliance with the design and installation plans.”.

9. Section 3.2.4 is amended by replacing paragraph *i* by the following:

“(i) have no opening at floor or roof level, unless the opening is surrounded by guard-rails or closed by a load resistant cover for any loads to which it may be subjected, but not less than 2.4 kN/m². If the cover or guard-rails interfere with the carrying out of the work, the cover or the guard-rails may be removed and replaced, for the duration of the work, by installing a continuous barrier or trestles of a minimum height of 0.7 m, at a distance varying between 0.9 m and 1.2 m from the opening, or a warning line complying with the requirements in section 2.9.4.1.”.

10. Section 3.5.4 is amended

(1) by replacing “9” in paragraph *a* of subsection 1 by “4.8”;

(2) by replacing “300” in paragraph *b* of subsection 1 by “400”;

(3) by adding “, unless the site where the ladder is used precludes this. In such a case, the width of the ladder may be reduced accordingly” at the end of paragraph *b* of subsection 1;

(4) by replacing “rungs” in paragraph *c* of subsection 1 by “cleats”;

(5) by replacing subsection 2 by the following:

“(2) Any wooden ladder must have:

(a) 2 side rails of at least:

i. 38 mm by 89 mm for single ladders; or

ii. 38 mm by 140 mm or 89 mm by 89 mm for double-width ladders;

(b) cleats:

i. of not less than 38 mm by 89 mm; and

ii. resting on filler blocks of not less than 38 mm by 38 mm.”;

(6) by adding “and not more than 2 m in width” after “1.5 m in width” in paragraph *b* of subsection 3;

(7) by striking out “or rungs” in paragraph *c* of subsection 3;

(8) by replacing “appropriate to the weight applied;” in paragraph *d* of subsection 3 by “corresponding to those listed in subsections 1 and 2;”;

(9) by adding the following subsection:

“(5) Where it is foreseen that a site-fabricated ladder will exceed the permitted maximum length of 4.8 m, the ladder must be designed by an engineer, as attested to by a plan or certificate signed and sealed by the engineer.”

11. Section 3.7.1 is amended by replacing “or a certificate from the Ministère du Travail” in paragraph *g* by “or a Class A or B qualification certificate in pressure vessel welding issued by Emploi-Québec”.

12. Section 3.9.16 is amended by inserting the following after paragraph *c*:

“(d) be used with a safety harness secured by a fall arrest connecting device to an anchorage system, the whole in accordance with sections 2.10.12 and 2.10.15. However, when the suspended scaffolding is hung from 4 hoisting cables, the anchorage system may be installed on the platform. Where a rope grab fastened to a vertical life line is used, it must be a Class ADP rope grab.”

13. Section 3.9.17 is amended by replacing subsection 4 by the following:

“(4) A worker in a boatswain’s chair must wear a safety harness secured by a fall arrest connecting device to an anchorage system, the whole in accordance with sections 2.10.12 and 2.10.15. Where a rope grab fastened to a vertical life line is used, it must be a Class ADP rope grab.”

14. The following is inserted after section 3.9.25:

“3.9.26. Bracket scaffolding: Every bracket scaffolding must:

(1) be designed in conformity with plans signed and sealed by an engineer; a copy of the plans must be available on request; and

(2) undergo every 5 years a non-destructive examination, other than a visual examination, of its welds by an organization certified by the Canadian Welding

Bureau in compliance with the requirements of CSA Standard W178.1 Certification of Welding Inspection Organizations.”

15. Section 3.10.3 is amended by inserting “, with the exception of rollers,” after “subsection 1” in subsection 2.

16. Section 3.10.7 is amended

(1) by replacing paragraph *c* of subsection 2 by the following:

“(c) every worker wears a safety harness secured by a fall arrest connecting device to an anchorage system, the whole in accordance with sections 2.10.12 and 2.10.15;”

(2) by replacing “or a certificate from the Ministère du Travail” in paragraph *g* of subsection 3 by “or a Class A or B qualification certificate in pressure vessel welding issued by Emploi-Québec”.

17. Section 3.10.8 is amended by replacing subsection 3 by the following:

“(3) A worker in an aerial device must wear a safety harness secured by a fall arrest connecting device to an anchorage system provided by the device’s manufacturer or, failing that, to an anchorage system complying with section 2.10.15. The harness and fall arrest connecting device must comply with section 2.10.12.”

18. Section 3.11.8 is replaced by the following:

“3.11.8. The installation of solid fuel heating equipment, including the mounting, clearances and air supply of such equipment, must comply with CAN/CSA Standard B365 Installation Code for Solid-Fuel-Burning Appliances and Equipment.”

19. Section 3.15.5 is amended

(1) by replacing “**and barricades**” in the heading by “**barricades or warning line**”;

(2) by replacing “Barriers or barricades at least 900 mm high must be set up around the edge of any excavation or trench:” in subsection 1 by “Continuous barriers or barricades of a minimum height of 0.7 m or a warning line as provided for in section 2.9.4.1, must be set up on the edge of any escarpment or digging:”.

20. Section 3.16.9 is amended by striking out “The structural element shall conform to the requirements of Part IV of the Building Code (R.R.Q., 1981, c. S-3, r. 2)” in subsection 1.

21. Section 8.3.7 of the Code is amended by replacing paragraph *b* by the following:

“(b) be equipped with emission control devices, in accordance with the standards prescribed in the Motor Vehicle Safety Regulations (C.R.C., chapter 1038) under the Motor Vehicle Safety Act (Statutes of Canada, 1993, chapter 16), with the same efficiency of performance as initially; and”.

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

3393

M.O., 2014

Order number 2014-06 of the Minister of Transport dated 18 June 2014

An Act respecting off-highway vehicles (chapter V-1.2)

Regulation to authorize the operation of off-highway vehicles over a portion of chemin Poisson-Blanc under the management of the Minister of Transport

THE MINISTER OF TRANSPORT,

CONSIDERING section 47 of the Act respecting off-highway vehicles (chapter V-1.2), which provides that the Minister of Transport may, by regulation, allow certain types of off-highway vehicles to be operated on all or part of a public highway maintained by the Minister, on the conditions and for the period of time the Minister determines;

CONSIDERING that, in accordance with sections 10, 12 and 13 of the Regulations Act (chapter R-18.1), the Regulation to authorize the operation of off-highway vehicles over a portion of chemin Poisson-Blanc under the management of the Minister of Transport was published in Part 2 of the *Gazette officielle du Québec* of 11 June 2014 with a notice that the draft Regulation could be made by the Minister of Transport on the expiry of 20 days following that publication;

CONSIDERING that it is expedient to make the Regulation without amendment;

ORDERS AS FOLLOWS:

The Regulation to authorize the operation of off-highway vehicles over a portion of chemin Poisson-Blanc under the management of the Minister of Transport, attached to this Order, is hereby made.

ROBERT POËTI,
Minister of Transport

Regulation to authorize the operation of off-highway vehicles over a portion of chemin Poisson-Blanc under the management of the Minister of Transport

An Act respecting off-highway vehicles (chapter V-1.2, s. 11, 2nd par., subpar. 6, and s. 47)

1. The operation of off-highway vehicles, referred to in subparagraph 2 of the first paragraph of section 1 of the Act respecting off-highway vehicles (chapter V-1.2) and in the Ministerial Order concerning the Pilot project concerning side-by-side vehicles (chapter V-1.2, r. 4), is authorized from 6:00 a.m. to 10:00 p.m. over a portion of chemin Poisson-Blanc (27501-01), located in the territory of Municipalité de Notre-Dame-du-Laus (79005) and over a distance of 5.9 km, namely, from chaining 3 + 745 to chaining 9 + 760.

2. This Regulation comes into force on 23 July 2014 and ceases to have effect on 1 August 2019.

3399

Notice

Superior Court
— **Civil Matters**
— **Family Matters**
— **Amendment**

Notice is hereby given, for publication in the *Gazette officielle du Québec*, that the judges of the Superior Court have adopted pursuant to article 47 of the Code of Civil Procedure (chapter C-25), by way of a consultation by electronic mail held between September 30, 2013 and October 15, 2013, a regulation to amend the Rules of Practice of the Superior Court of Québec in Civil