

immovables of which a foreign government, only for the residence of the head of its permanent representation established at the International Civil Aviation Organization, a government of a Canadian province, a political division of a foreign State or a non-governmental international organization is the owner, lessee or occupant.

Further information may be obtained by contacting André G. Bernier, 10, rue Pierre-Olivier-Chauveau, 5^e étage, La Tour, Québec (Québec), G1R 4J3; telephone: 418 691-2035; fax: 418 643-4749; email: andre.bernier@mamrot.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to André G. Bernier at the above-mentioned address.

PIERRE MOREAU,
*Minister of Municipal Affairs
and Land Occupancy*

Regulation to amend the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies

An Act respecting municipal taxation
(chapter F-2.1, s. 210)

1. The Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies (chapter F-2.1, r. 12) is amended in section 6 by replacing the first paragraph by the following:

“**6.** For every recognized immovable under section 5 of which a foreign government, only for the residence of the head of its permanent representation established at the International Civil Aviation Organization, a government of a Canadian province, a political division of a foreign State or a non-governmental international organization is the owner, lessee or occupant, the Government pays to any local municipality or school board a sum equal to the amount of any tax or compensation of which it is deprived by reason of an exemption covered by Division I.”

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

102032

Draft Regulation

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

Safety Code for the construction industry — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation to amend the Safety Code for the construction industry, appearing below, may be made by the Commission de la santé et de la sécurité du travail and submitted to the Government for approval, in accordance with section 224 of the Act respecting occupational health and safety (chapter S-2.1), on the expiry of 45 days following this publication.

The draft Regulation ensures the health, safety and physical well-being of workers by introducing specific provisions relating to lockout and other energy control methods on construction sites.

To date, study of the matter has shown no impact on enterprises, including small and medium-sized businesses, since enterprises in the construction sector must already apply lockout procedures in work areas where workers are exposed to an inadvertent release of energy. The draft Regulation clarifies the responsibilities of the various stakeholders on construction sites without imposing new obligations on them.

Further information may be obtained by contacting Pierre Bouchard, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, bureau 250, Québec (Québec) G1K 7E2; telephone: 418 266-4699, extension 2014; pierre.bouchard@csst.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Claude Sicard, Vice-President for Partnership and Expert Counselling, Commission de la santé et de la sécurité du travail, 524, rue Bourdages, local 220, Québec (Québec) G1K 7E2.

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

Regulation to amend the Safety Code for the construction industry

An Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 7 and 42)

1. The Safety Code for the construction industry (chapter S-2.1, r. 4) is amended by inserting the following subdivision after section 2.19.3:

“§2.20. *Lockout and other energy control methods*

2.20.1. In this subdivision,

“**danger zone**” means any zone situated inside or around a machine and which poses a risk for the health, safety or physical well-being of workers; (*zone dangereuse*)

“**energy control method**” means a method designed to maintain a machine out of working order in such a way that the working order cannot be altered without the voluntary action of every person having access to the danger zone; (*méthode de contrôle des énergies*)

“**individually keyed**” means a special layout of the components of a cylinder barrel lock making it possible to open a lock with a single key; (*cléage unique*)

“**lockout**” means an energy control method designed to install an individually keyed lock on an energy isolating device or on any other device allowing for the control of energy such as a lockout box. (*cadenassage*)

2.20.2. Before undertaking any work in the danger zone of a machine, such as erecting, installing, adjusting, inspecting, unjamming, setting up, decommissioning, maintaining, dismantling, servicing, refurbishing, repairing, altering or unlocking, lockout, or, failing that, any other method that ensures equivalent safety must be applied in accordance with this subdivision.

This subdivision does not apply

(1) where work is carried out in the danger zone of a machine that has a specific control mode as defined in section 2.20.13;

(2) where a machine is unplugged within the reach and under the exclusive control of the person who uses it, where the machine has a single energy source and where there remains no residual energy after the machine is unplugged.

2.20.3. Lockout must be carried out by every person having access to the danger zone of a machine.

2.20.4. Where the principal contractor intends to apply an energy control method other than lockout, the principal contractor must first ensure the equivalent safety of that method by analyzing the following:

(1) the machine features;

(2) identification of the health and safety risks when using the machine;

(3) the estimate of the frequency and seriousness of the potential employment injuries for each risk identified;

(4) the description of prevention measures that apply for each risk identified, the estimate of the level of risk reduction thus obtained and the assessment of residual risks.

The results of the analysis must be recorded in a written document.

The method referred to in the first paragraph must be developed from the elements mentioned in subparagraphs 1 to 4 of the first paragraph.

2.20.5. The principal contractor must, for every machine situated on the construction site, ensure that one or more procedures describing the energy control method are developed and applied.

The procedures must be easily accessible on the sites where work is carried out in written form intelligible to every person having access to the danger zone of a machine.

Where the duration of a construction site lasts more than 1 year, the procedures must be reviewed periodically so as to ensure that the energy control method remains efficient and safe.

2.20.6. A procedure describing the energy control method must include the following:

(1) identification of the machine;

(2) identification of the person responsible for the energy control method;

(3) identification and location of every control device and of every energy source of the machine;

(4) identification and location of every cutoff point of every energy source of the machine;

(5) the type and quantity of material required for applying the method;

(6) the steps required to control the energy;

(7) where applicable, the measures designed to ensure the continuity of application of the energy control method during a staff rotation, namely the transfer of required material;

(8) where applicable, the applicable characteristics, such as the release of residual or stored energy, the required personal protective equipment or any other complementary protection measure.

2.20.7. Where lockout is the method applied, the steps required to control energy for the purposes of paragraph 5 of section 2.20.6 must include

- (1) deactivation and complete shutdown of the machine;
- (2) elimination of any residual or stored energy source;
- (3) lockout of the machine's energy source cutoff points;
- (4) verification of lockout by using one or more techniques making it possible to reach the highest level of efficiency;
- (5) safely unlocking and re-operating the machine.

2.20.8. Before applying an energy control method, the principal contractor must ensure that the persons having access to the danger zone of the machine are trained and informed on the health and safety risks related to work carried out on the machine and on the prevention measures specific to the energy control method applied.

2.20.9. An employer or a self-employed worker must obtain written authorization from the principal contractor before undertaking work in the danger zone of a machine. The principal contractor must provide the employer or self-employed worker with the energy control method to be applied.

2.20.10. Where one or more employers or self-employed workers carry out work in the danger zone of a machine, it is the principal contractor's responsibility to coordinate the measures to be taken to ensure the application of the energy control method, in particular by determining their respective roles and their means of communication.

2.20.11. The principal contractor must provide lockout material including individually keyed locks, except if an employer or self-employed worker is responsible therefor pursuant to section 2.20.10.

The name of the person who installs an individually keyed lock must be clearly indicated on the individually keyed lock. Despite the foregoing, the principal contractor may provide persons having access to the danger zone of a machine with individually keyed locks with no name indication, if the principal contractor keeps a record thereof.

The record contains at least the following information:

- (1) identification of each individually keyed lock;
- (2) the name and telephone number of each person to whom a lock is given;
- (3) where applicable, the name and telephone number of the employer of each worker to whom a lock is given;
- (4) the date and time at which the lock is given;
- (5) the date and time at which the lock is returned.

2.20.12. Where a lock is forgotten or a key is lost, the principal contractor may, with the agreement of the person who carried out lockout, authorize the lock to be cut after ensuring that it does not involve any danger for the health, safety and physical well-being of that person.

Where the agreement of the person who carried out lockout is not obtained, the principal contractor must, before authorizing the lock to be cut, inspect the danger zone of the machine accompanied by a representative of the certified association of which the person is a member, if he or she is available on the work site or, failing that, by a worker present on the work site designated by the principal contractor.

Every instance of a lock being cut must be entered in a written document kept by the employer for at least one year following the day on which the applicable energy control method is altered.

2.20.13. Where a person does setup work, apprenticeship work, a search for defects or cleaning work requiring that a protector be moved or removed or that a protection device be neutralized in the danger zone of a machine that must remain, in whole or in part, in operation, the machine must be equipped with a specific control mode whose engagement must cause all other controls of the machine to become inoperative and allow

- (1) the dangerous parts of the machine to be operated only by using a control device requiring continuous action or a two-hand control device, or by continuous action of a validation device;

(2) the machine to be operated only in conditions where the moving parts do not involve any danger for the health, safety and physical well-being of persons having access to the danger zone, for instance, at reduced speed, under reduced tension, step-by-step or by means of a separate step control device.

2.20.14. This subdivision applies, with the necessary modifications, to any work on an electrical installation.”.

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

102035

Draft Regulation

Professional Code
(chapter C-26)

Nurses

— Diplomas giving access to permits and specialist’s certificates

— Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends section 1.17 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders to determine the university level diplomas giving access to permits and specialist’s certificates of the Ordre des infirmières et infirmiers du Québec.

The Ordre des infirmières et infirmiers du Québec requests the addition, to the list of diplomas giving access to permits of the Order, of the Baccalauréat ès sciences (B.Sc.) awarded upon completion of the baccalauréat en sciences infirmières program from the Université de Sherbrooke.

The Order also requests the replacement, in the list of diplomas giving access to the specialist’s certificate of nurse practitioner specializing in primary care, of the Maîtrise en sciences cliniques (sciences infirmières)

(M.Sc.) awarded by the Université de Sherbrooke by the Maîtrise en sciences infirmières (M.Sc.), cheminement menant aux études spécialisées en soins de première ligne.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

The draft Regulation will be submitted to the Office des professions du Québec and the Ordre des infirmières et infirmiers du Québec for their opinion. The Office will seek the opinion of the Order and forward it with its own opinion to the Minister of Justice after consultation with the educational institutions and other bodies concerned.

Further information may be obtained by contacting Louise Laurendeau, Direction des services juridiques, Ordre des infirmières et infirmiers du Québec, 4200, rue Molson, Montréal (Québec) H1Y 4V4; telephone: 514 935-2501 or 1 800 363-6048; fax: 514 935-3147.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Jean Paul Dutrisac, Chair of the Office des professions du Québec, 800, place D’Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order concerned and to interested persons, departments and bodies.

STÉPHANIE VALLÉE,
Minister of Justice

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders

Professional Code
(chapter C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders (chapter C-26, r. 2) is amended in section 1.17

(1) by adding the following at the end of the first paragraph:

“(h) Baccalauréat ès sciences (B.Sc.) awarded upon completion of the baccalauréat en sciences infirmières program from the Université de Sherbrooke.”;