

Gouvernement du Québec

O.C. 1073-2015, 2 December 2015

Pharmacy Act
(chapter P-10)

Sale of medications
— **Terms and conditions**
— **Amendment**

Regulation to amend the Regulation respecting the terms and conditions for the sale of medications

WHEREAS, under section 37.1 of the Pharmacy Act (chapter P-10), the Office des professions du Québec, after consultation with the Institut national d'excellence en santé et en services sociaux, the Ordre professionnel des médecins du Québec, the Ordre professionnel des médecins vétérinaires du Québec and the Ordre des pharmaciens du Québec, may, by regulation, establish categories of medications and determine, for each category, if need be, by whom and subject to what terms and conditions the medications may be sold;

WHEREAS the Office, having held the required consultations, adopted the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications at its meeting of 29 May 2015;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications was published in Part 2 of the *Gazette officielle du Québec* of 17 June 2015 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, under section 13 of the Professional Code (chapter C-26), every regulation adopted by the Office under the Code or an Act constituting a professional order must be submitted to the Government, which may approve it with or without amendment;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the terms and conditions for the sale of medications

Pharmacy Act
(chapter P-10, s. 37.1)

1. The Regulation respecting the terms and conditions for the sale of medications (chapter P-10, r. 12) is amended in section 8 by adding the following paragraph at the end:

“(4) a nurse, where the medication is prescribed in accordance with the Regulation respecting certain professional activities that may be engaged in by a nurse approved by Order in Council 839-2015 dated 23 September 2015.”

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

102400

Gouvernement du Québec

O.C. 1078-2015, 2 December 2015

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, 9 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 of the Act, 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 of the Act, 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 22 April 2015 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 17 September 2015;

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, Employment and Social Solidarity:

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, s. 223, 1st par., subpars. 7, 9 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 1.2:

“(1.3) “backup area” means a marked out space reserved for backup maneuvers of self-propelled vehicles;”;

(2) by inserting the following after paragraph 23.0:

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

2. Section 2.8.1 is replaced by the following:

“**2.8.1. General responsibilities of the principal contractor:** Traffic of self-propelled vehicles must be controlled in order to protect any person on a site. To that

end, the principal contractor must plan the traffic of those vehicles so as to restrict backup maneuvers and set up new safety measures to protect any person circulating on the site. The principal contractor must also give prior information of the safety measures prescribed to any person who must circulate on the site.

The principal contractor is responsible for ensuring that signs, including maximum speed indicators, are set up. The principal contractor must mark off traffic lanes, backup areas and work areas, as the case may be. The principal contractor is also responsible for ensuring that dust is kept down on all roads.

Where it is foreseen that activities on the construction site will occupy at least 10 construction workers simultaneously at a particular stage of the work, the principal contractor must, before work begins, develop a traffic plan that complies with the requirements of section 2.8.2.”.

3. The following sections are added after section 2.8.1:

“**2.8.2. Traffic plan:** A traffic plan must indicate the safety measures taken to restrict backup maneuvers and those set up to protect persons circulating on a site. It must also determine the bidirectional telecommunications procedures or the code of hand signals related to backup maneuvers.

It must also contain a diagram indicating

- (1) the location and size of all traffic lanes;
- (2) the location of backup areas, if any;
- (3) traffic signs;
- (4) allowed maximum speeds;
- (5) the positioning of a site signal person or flag person for road users.

The plan must be available at all times on the work site. The information it contains must be updated in the event of any change, in particular as regards the location of the backup areas.

2.8.3. Training of site signal persons: Site signal persons direct operators of self-propelled vehicles, namely during backup maneuvers. Site signal persons must undergo training, given by an instructor, that deals with the following elements:

- (1) the risks associated with the circulation of persons and self-propelled vehicles on a site;

(2) the traffic rules and safety instructions on a site, including those provided for in the traffic plan, the marking of traffic zones and the instructions necessary to perform their task;

(3) work equipment appropriate for the signal person's duties such as high-visibility safety apparel and bidirectional means of telecommunications;

(4) the signal person's role and responsibilities;

(5) the positioning of site signal persons and the blind spots of self-propelled vehicles;

(6) the means of communication and the code of hand signals related to backup maneuvers.

2.8.4. Site signal persons: Where site signal persons perform their duties, they must meet the following conditions:

(1) wear fluorescent yellow-green high-visibility safety apparel of Class 2 or 3 and of Level 2 that complies with CSA Standard Z96, High-Visibility Safety Apparel;

(2) use one of the means of communication provided for in the traffic plan and that was taught to them during training;

(3) remain visible to operators of self-propelled vehicles directed by them and stay clear of the trajectory of those vehicles.

2.8.5. Backup maneuver: Where it is necessary for a self-propelled vehicle referred to in subsection 2 of section 3.10.12 to perform a backup maneuver in a zone where persons are present or circulating and where that backup maneuver may endanger their safety, the maneuver must be performed in a backup area where no person may walk or with a site signal person who must direct the operator throughout the maneuver.

Where a backup maneuver is directed by a signal person, the signal person must use a bidirectional means of telecommunications to guide the operator. Despite the foregoing, where the vehicle backs up over a distance of less than 10 metres, the signal person may use the code of hand signals indicated in the traffic plan, as the case may be."

4. Section 3.10.5 is amended

(1) by replacing the title of the section by "Workers acting as signal persons";

(2) by striking out subsection 1;

(3) by replacing "signalmen" in subsection 2 by "workers" and by replacing "signalman" in subsections 3 and 5 by "worker";

(4) in subsection 2

(a) by inserting "except a backup maneuver," after "any maneuver,";

(b) by adding "subject to section 3.24.2," before "by communicating" in paragraph b;

(c) by replacing "standardized signal code" by "code of hand signals" in paragraph b;

(5) by replacing "in subsections 1 and 2" in subsection 3 by "in subsection 2".

5. Section 3.10.12 is amended

(1) by replacing subsection 2 by the following:

"(2) The following must be equipped with an automatic reset backup alarm for the reverse gear:

(a) any self-propelled vehicle used mainly on a site where the operator's view, through the rear window, is obstructed;

(b) any earth-moving machinery as defined in ISO Standard 6165:2012, Earth-moving machinery — Basic types — Identification and terms and definitions;

(c) any truck having a nominal capacity of 2,250 kg or more, as defined in subsection 5 of this section.";

(2) by adding the following subsections:

"(3) The automatic reset backup alarm device referred to in subsection 2 must have the following features:

(a) have a distinct sound and a noise intensity that is superior to the surrounding noise and to the noise of the equipment on which it is installed;

(b) be visible from the rear of the vehicle and face backward;

(c) if the device is electric, it must comply with SAE Standard J994, Alarm – Backup – Electric Laboratory Performance Testing.

(4) In addition to the requirements provided for in subsection 3, the backup alarm device installed on earth-moving machinery must comply with ISO Standard 9533:2010, Earth-moving machinery — Machine-mounted audible travel alarms and forward horns — Test methods and performance criteria.

(5) For the purposes of this section, “nominal capacity” means the gross vehicle weight rating certified by a motor vehicle manufacturer less the net mass of the vehicle.”

6. Section 3.24.2 is amended

- (1) by striking out “**Signalmen and**” in the title;
- (2) by replacing “signalman” in the first paragraph by “worker”.

7. Section 10.3.2 is replaced by the following:

“**10.3.2.** Where traffic must be directed by a flag person for road users, the employer must ensure that the flag person

(1) is aware of all the responsibilities inherent in his or her work;

(2) has undergone training relating to his or her responsibilities recognized by the Joint Sector-Based Construction Association on Occupational Health and Safety;

(3) wears high-visibility safety apparel and is equipped with other accessories in compliance with the standards determined by the Minister of Transport and recorded in Volume V of the manual entitled “Traffic Control Devices”, determined and set out by the Minister of Transport under the second paragraph of section 289 of the Highway Safety Code (chapter C-24.2).”

8. Section 10.4.1 is replaced by the following:

“**10.4.1. High-visibility safety apparel:** Subject to paragraph 1 of section 2.8.4 and to paragraph 3 of section 10.3.2, the wearing of fluorescent orange high-visibility safety apparel of Class 2 or 3 and of Level 2 that complies with CSA Standard Z96, High-Visibility Safety Apparel, is mandatory for every worker who performs tasks on or near a road where self-propelled vehicles are likely to hit a worker.”

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

102401

Gouvernement du Québec

O.C. 1089-2015, 9 December 2015

Environment Quality Act
(chapter Q-2)

Cap-and-trade system for greenhouse gas emission allowance
—Amendment

Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances

WHEREAS, under subparagraphs *b, c, d, e.1, h* and *h.1* of the first paragraph of section 31 and sections 46.1, 46.5, 46.6, 46.8 to 46.16, 115.27 and 115.34 of the Environment Quality Act (chapter Q-2), the Government may make regulations on the matters set forth therein;

WHEREAS the Government made the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances (chapter Q-2, r. 46.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and section 124 of the Environment Quality Act, a draft Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances was published in Part 2 of the *Gazette officielle du Québec* of 23 June 2015 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, the Environment and the Fight Against Climate Change:

THAT the Regulation to amend the Regulation respecting a cap-and-trade system for greenhouse gas emission allowances, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif