

Regulations and other Acts

Gouvernement du Québec

O.C. 945-2020, 9 September 2020

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

Occupational health and safety in mines —Amendment

Regulation to amend the Regulation respecting occupational health and safety in mines

WHEREAS, under subparagraphs 7, 14 and 19 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations, in particular,

—prescribing standards applicable to every establishment in view of ensuring the health, safety and physical well-being of workers;

—indicating the cases or circumstances in which new construction or alterations to existing installations must not be undertaken without prior transmission to the Commission of the architect's or engineer's plans and specifications, and indicating the time, terms and conditions of their transmission; prescribing standards of construction, development, maintenance and demolition;

—prescribing standards respecting the safety of such products, processes, equipment, materials, contaminants or dangerous substances as it specifies, indicating the directions for their use, maintenance and repair, and prohibiting or restricting their use;

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 Regulation to amend the Regulation respecting occupational health and safety in mines was published in Part 2 of the *Gazette officielle du Québec* of 8 January 2020 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 to amend the Regulation respecting occupational health and safety in mines with amendment at its sitting of 18 June 2020;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 must be 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 Regulation respecting occupational health and safety in mines, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting occupational health and safety in mines

An Act respecting occupational health and safety
(chapter S-2.1, s. 223, 1st par., subpars. 7, 14, 19,
and 3rd par.)

1. The Regulation respecting occupational health and safety in mines (chapter S-2.1, r. 14) is amended in section 2 by striking out “481” in the second paragraph.

2. Section 17 is amended by striking out “pressurized” in paragraph 1.

3. Section 28.01 is replaced by the following:

“**28.01.** In order to ensure stability, no excavation work shall be undertaken in an underground mine or an open-pit mine without obtaining the plans and specifications of an engineer.

In an underground mine, the plans and specifications shall be updated by an engineer as the work progresses and be available at all times on the site of the mine.

In an open-pit mine, the plans and specifications shall be updated by an engineer according to the frequency the engineer determines and be available at all times on the site of the mine when work is being undertaken.

This section does not apply to a sand pit or to gravel operations.”.

4. Section 439 is amended by replacing subparagraph 1 of the first paragraph by the following:

“(1) 150 mm (5.9 in) from the bottoms of drill holes that have been loaded and blasted;”.

5. Section 476 is amended by replacing “as well as with CAN3-M421-M85 Use of Electricity in Mines” at the end by “as well as with CSA Standard M421-11, Use of electricity in mines, as published in November 2011, with the exception of the definition of mine and of what is provided for in the following provisions:

— in open-pit mines and quarries:

(1) 5.4.7.2 related to the emergency stop for mobile electrical equipment.

— in underground mines:

(1) 6.2.1.6 (a) related to the protection of insulated phase conductors in mineshaft cables;

(2) 6.9.3.6 related to the activation of the protective circuit in a hoist drum;

(3) 6.9.12 (b) related to the emergency stop for a conveyance hoisting system.”.

6. Subdivision 2 of Division XI, comprising sections 481 to 484, is revoked.

7. This Regulation comes into force on 8 October 2020, except section 3, which comes into force on 8 April 2021.