

- (1) the hunter's name, address and telephone number;
- (2) the species, sex and age category of the animal killed;
- (3) the date and time of the kill and the place, with enough details to allow localization;
- (4) the type of hunting implement and, where applicable, the calibre of the firearm used to kill the animal;
- (5) the licence plate number of the vehicle used to transport the animal;
- (6) the number of the hunter's certificate;
- (7) the number of the hunter's hunting licence and the numbers of all the hunting licences whose coupons were attached to the animal, where applicable.

Despite the first paragraph, a hunter who has killed a white-tailed deer in a hunting zone or subzone referred to in section 3.2 of the Regulation respecting the possession and sale of an animal (chapter C-61.1, r. 23), or the holder of a hunting licence referred to in the second paragraph of section 19.1, whose transportation coupon has been attached to a white-tailed deer killed in such a zone or subzone, must have the animal registered by a person, a partnership or an association authorized by the Minister under section 56.1 of the Act respecting the conservation and development of wildlife, in the zone or subzone.

Despite any provision to the contrary, a hunter who has killed one of the animals referred to in the first paragraph, or the holder of a hunting licence referred to in the second paragraph of section 19.1 must, upon request of a conservation officer, have the officer register it immediately; a non-resident hunter who has killed one of those animals must have it registered before leaving Québec.

A hunter who has killed a moose must keep the animal whole or in quarters until it is registered; in the case of a moose kept in quarters, the hunter must also keep the full head, failing which, the hunter must keep the full lower jaw and, in the case of a male, the antlers attached to the calvarium or to a part thereof; in the case of a white-tailed deer, a hunter or the holder of a hunting licence referred to in the second paragraph of section 19.1 must keep it whole or in 2 approximately equal parts obtained by severing the animal in the middle without removing the head and external genitals.

A hunter who has killed a wild turkey must keep the entire animal, whether eviscerated or not, until it is registered, and a hunter who has killed a black bear must keep the animal's carcass or pelt.”

**5.** Section 21.1 is revoked.

**6.** Section 22 is amended

(1) by replacing “Upon” and “where the person registering those animals so request in order to take a” by “Where requested for” and “in order to take a” respectively;

(2) by adding “soit fait” at the end in the French text.

**7.** Section 23 is amended by replacing “the punched transportation coupon or coupons” by “the transportation coupon or coupons and the proof of registration”.

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

105564

## Draft Regulation

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

### Occupational health and safety — 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 occupational health and safety, appearing below, may be made by the Commission des normes, de l'équité, 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 protects the health and ensures the safety and physical and mental well-being of workers by introducing specific provisions on arboriculture work.

Study of the draft Regulation has shown an economic impact on all enterprises in the activity sector concerned of \$1.842M for the implementation of the new measures the first year and recurrent costs of \$1.342M for the following years. The costs related to the draft Regulation are proportional to the size of the enterprise.

Further information may be obtained by contacting Christian Fortin, expert advisor in prevention-inspection, Direction générale de la gouvernance et du conseil stratégique en prévention, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 1600, avenue

D'Estimauville, 6<sup>e</sup> étage secteur 6, Québec (Québec) G1J 0H7; telephone: 418 266-4699, extension 2015; email: christian.fortin@cnestst.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Luc Castonguay, Vice-President for Prevention, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 1600, avenue D'Estimauville, 7<sup>e</sup> étage secteur 3, Québec (Québec) G1J 0H7.

MANUELLE OUDAR

*Chief Executive Officer and Chair of the board of directors of the Commission des normes, de l'équité, de la santé et de la sécurité du travail*

## Regulation to amend the Regulation respecting occupational health and safety

Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 7, 9, 19 and 42, and 2nd and 3rd pars.)

**1.** The Regulation respecting occupational health and safety (chapter S-2.1, r. 13) is amended in section 1 by inserting the following definitions in alphabetical order:

““ASTM” means the American Society for Testing and Materials;

“ISO” means the International Organization for Standardization;”.

**2.** The following is inserted after section 312.91:

### “DIVISION XXVI.II ARBORICULTURE WORK

#### §1. Definitions

**312.92.** For the purposes of this Division,

“arboriculture work” means the vegetation management of the rights of way of power distribution systems or telecommunications networks, pruning, pollarding or trimming of trees, non-forest felling of predetermined trees, grubbing, non-forest chipping, tree and shrub surgery, and guying; (*travaux d'arboriculture*)

“electrical power company” means a person, firm, company, cooperative society or municipality operating an electric energy transportation or distribution network; (*entreprise d'exploitation d'énergie électrique*)

“work area” means the area within which arboriculture work is performed and where the workers who perform that work circulate; (*aire de travail*)

“work near a power line” means work during which a branch, log, machine or person might be less than 3 metres from a power line. (*travaux à proximité d'une ligne électrique*)

#### §2. Scope and general provisions

**312.93. Scope:** This Division applies to all arboriculture work, except work carried out in a nursery and horticulture work.

**312.94. Certificate of qualification:** An employer may not have a worker perform arboriculture work unless the worker holds a certificate of qualification in arboriculture of the appropriate class or a valid qualification as an apprentice issued under a training program established by the Minister of Employment and Social Solidarity under section 29.1 of the Act respecting workforce vocational training and qualification (chapter F-5).

Workers who carry out arboriculture work shall be able to show that they hold such a certificate or qualification.

**312.95. Organization of the work:** Before undertaking work, the employer shall ensure that the employer's representative or, failing that, the person in charge of the team, holds a meeting on the work site to be attended by all team members and during which the employer's representative or person in charge of the team shall provide instructions on the duties to be performed and the safety precautions to be taken with regard to

- (1) the delimitation of the work area and danger zones;
- (2) the presence of potential risks such as
  - (a) the electric network;
  - (b) work at a height;
  - (c) sharp objects;
  - (d) tools, equipment and machinery requiring particular attention; and
  - (e) poor weather;
- (3) the special characteristics of the place where the work is to be carried out, such as material property, steep grades or dead trees;

(4) the working methods to adopt in order to eliminate the identified risks;

(5) the use of personal protective equipment;

(6) the sharing of responsibilities among the team members; and

(7) the establishment of the emergency measures and procedures.

The person in charge of holding the meeting referred to in the first paragraph shall hold a valid certificate of qualification in arboriculture. That person shall remain on the work site at all times while the work is being carried out.

**312.96. Work area:** Before any work is undertaken, the work area shall be delimited by means of cones, tape or other means that prevent the public from accessing it.

**312.97. Rescue procedure:** A tested rescue procedure making it possible to rapidly assist any worker performing work at a height shall be established by a person with the required knowledge, training or experience.

The procedure shall be implemented as soon as any situation so requires.

### §3. Personal protective equipment

**312.98. Applicable standards:** For the purposes of this subdivision, the compliance of personal protective equipment with a standard is determined using the most recent version of that standard or the previous version if the equipment has not reached its expiry date.

**312.99. Compulsory personal protective equipment in the work area:** Every worker in the work area shall wear the following personal protective equipment:

(1) a safety hat that is equipped with a permanent chin strap and complies with CSA Standard Z94.1, Industrial Protective Headwear – Performance, Selection, Care and Use, ANSI/ISEA Standard Z89.1, American National Standard for Industrial Head Protection, or EN Standard 397, Industrial safety helmets;

(2) eye protective equipment that complies with CSA Standard Z94.3, Eye and face protectors, ANSI/ISEA Standard Z87.1, American National Standard for Occupational and Educational Personal Eye and Face Protection Devices, or EN Standard 166, Personal eye protection – Specifications;

(3) protective footwear that complies with CSA Standard Z195, Protective footwear, or EN ISO Standard 20345, Personal protective equipment: Safety footwear;

(4) a class 1 high-visibility safety garment that complies with CSA Standard Z96, High-visibility safety apparel, and does not have suspenders;

(5) gloves adapted to the work to be carried out.

**312.100. Additional requirements when using a chain saw:** When a worker uses a chain saw, the worker shall wear footwear for chain saw users that complies with CSA Standard Z195, Protective footwear, or ISO Standard 17249, Safety footwear with resistance to chain saw cutting, and pants for chain saw users that comply with ISO Standard 11393-2, Protective clothing for users of hand-held chainsaws — Part 2: Performance requirements and test methods for leg protectors, or category A, C or D of ASTM Standard F3325, Standard Specification for Leg-Protective Devices for Chainsaw Users.

**312.101. Additional requirements when performing work near a power line:** Every worker who performs work near a power line shall wear the following personal protective equipment:

(1) electric-shock resistant footwear that complies with CSA Standard Z195, Protective footwear;

(2) a safety hat that complies with class E of ANSI/ISEA Standard Z89.1, American National Standard for Industrial Head Protection, or CSA Standard Z94.1, Industrial Protective Headwear – Performance, Selection, Care and Use;

(3) fireproof apparel that complies with CAN/ULC Standard S801, Standard on Electric Utility Workplace Electrical Safety for Generation, Transmission and Distribution;

(4) a class 2 high-visibility safety garment that complies with CSA Standard Z96, High-visibility safety apparel, and does not have suspenders;

(5) eye protective equipment that is made from non-conducting materials and complies with CSA Standard Z94.3, Eye and face protectors.

**312.102. Additional requirements when using a stump grinder:** Every worker who uses a stump grinder shall wear a polycarbonate face shield that complies with CSA Standard Z94.3, Eye and face protectors.

**312.103. Full body harness:** The use of a full body harness is required when the work is carried out in a tree or from a basket.

The full body harness shall comply with CSA Standard Z259.10, Full Body Harnesses, ANSI/ASSP Standard Z359.11, Safety Requirements for Full Body Harnesses, or NF EN Standard 361, Personal protective equipment against falls from a height - Full body harnesses.

When work is carried out in a tree, the full body harness is also compliant if it meets NF EN Standard 813, Personal fall protection equipment - Sit harnesses.

**312.104. Anchorage of a harness on a basket:** When work is carried out from a basket, the full body harness shall be 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 349. The fall arrest connecting device shall comply with section 348.

**312.105. Anchorage of a harness on a tree:** When work is carried out in a tree, the anchorage point of the full body harness shall be installed on the axil of a healthy division formed by the trunk and a branch. The fork of the division shall be "V"-shaped and shall not have included bark. At the anchorage point, the trunk shall be approaching vertical and at least 10 cm in diameter. The branch shall form an angle of 30 to 85 degrees with the trunk.

When the anchorage system is installed around the trunk, the branch forming the division shall be at least 5 cm in diameter. When the anchorage system is installed around a branch, the branch shall be at least 10 cm in diameter.

The anchorage system shall be installed in such a way as to limit pendular movements, be at a height that enables the characteristics listed in the first and second paragraphs to be checked from the ground, and be tested mechanically when installed from the ground.

#### §4. *Work near a power line*

**312.106. Prior authorization:** No person may undertake work near a power line without first obtaining written authorization from the electrical power company that operates the line.

**312.107. Training:** Only persons who have received the training required by the electrical power company may perform work near a power line operated by the electrical power company. The training shall at least pertain to

(1) the description of the situations requiring the power line to be turned off or the reactivation device to be switched off-circuit from the circuit breaker device that powers it;

(2) the list of components of the power line that have an anomaly in order to detect any situation likely to compromise the worker's safety;

(3) the safety precautions required to ensure that the worker is isolated from the power line being cleared;

(4) the necessity, on the basis of the work to be carried out, to have a worker on the ground supervise the worker who is clearing the power line; and

(5) the approach distances applied by the electrical power company and the additional safety precautions to be taken if the worker cannot clear the power line while respecting the applicable approach distance.

The term "approach distance" means the distance that shall be kept at all times between a live element and the worker or the conducting or non-conducting part of an element used or carried by the worker.

**312.108. Equipment and tools:** Any equipment or tool likely to be used 600 mm or less from a power line shall be designed, tested and maintained in accordance with ASTM Standard F711, Standard Specification for Fiberglass-Reinforced Plastic (FRP) Rod and Tube Used in Live Line Tools.

The insulated arms of the aerial basket lifting devices used near a power line shall comply with CSA Standard C225, Vehicle-mounted aerial devices.

#### §5. *Aerial basket lifting device*

**312.109. Aerial basket lifting device:** An aerial basket lifting device used to carry out the work referred to in this Division shall be inspected and maintained in accordance with the manufacturer's instructions and at the frequency set out in those instructions. Despite the foregoing, an inspection shall be carried out at least once a year.

A label indicating the date of the last inspection shall be affixed to the aerial basket lifting device at an easily visible place on the equipment.

Maintenance shall be performed by the manufacturer, a person authorized by the manufacturer or a person who has shown the knowledge and skills required to solve problems related to the equipment."

**3.** The requirement to hold the certificate of qualification or qualification as an apprentice referred to in section 312.94, introduced by section 2 of this Regulation, takes effect from (*insert the date that occurs one year after the coming into force of this Regulation*).

**4.** Pants for chain saw users meet the requirements of section 312.100, introduced by section 2 of this Regulation, if the pants comply with Category A of CAN/BNQ Standard 1923-450-M91, Leg Protective Device for Chain Saw Users, provided that the pants were purchased before (*insert the date of coming into force of this Regulation*).

This section ceases to have effect on (*insert the date that occurs two years after the coming into force of this Regulation*).

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

105566

## Draft Regulation

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

### Occupational health and safety — 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 occupational health and safety, appearing below, may be made by the Commission des normes, de l'équité, 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 main purpose of the draft Regulation is to replace Division XXI of the Regulation respecting occupational health and safety to harmonize its safety requirements with the updated requirements of Canadian and international standards in the field, in order to guide workplaces more effectively in the assessment and establishment of the necessary protective methods and ensure optimal protection for workers whose jobs involve the use of various machines.

Study of the regulatory impact shows no negative impact on Québec enterprises. The proposed rules and amendments do not add any administrative formalities.

Further information on the draft Regulation may be obtained by contacting Ramdane Djedid, expert advisor for prevention and inspection, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 1199, rue De Bleury, Montréal (Québec) H3B 3J1; telephone: 514 906-3010, extension 2024; fax: 514 906-3012.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Luc Castonguay, Vice-President for Prevention, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 1600, av. D'Estimauville, 7<sup>e</sup> étage secteur 3, Québec (Québec) G1J 0H7.

MANUELLE OUDAR

*Chief Executive Officer and Chair of the board  
of directors of the Commission des normes, de l'équité,  
de la santé et de la sécurité du travail*

## Regulation to amend the Regulation respecting occupational health and safety

Act respecting occupational health and safety  
(chapter S-2.1, s. 223, 1st par., subpars. 7, 19 and 42)

**1.** The Regulation respecting occupational health and safety (chapter S-2.1, r. 13) is amended, in section 1,

(1) by striking out the definition of “protective device”;

(2) by inserting the following definition in alphabetical order:

““machine” means an assembly, fitted with or intended to be fitted with a drive system other than directly applied human or animal effort, consisting of linked parts or components, at least one of which moves, and which are joined together for a specific application;”.

**2.** Section 142 is replaced by the following:

“**142. Infra-red radiation:** All intense infra-red radiation sources shall be shielded by a means to protect workers, such as a heat absorbent screen or a water screen.”.

**3.** Division XXI, comprising sections 172 to 226, is replaced by the following: