

— the regulation may determine the basis for the calculation of the levy in the case of a workman or artisan who is not serving a professional employer, and determine that the levy must be collectable from such workman or artisan although demandable only from the professional employer;

— the professional employer may be required to collect the levy imposed upon the employee by retaining same out of the wages of the latter;

— the Government may, at any time, by an order published in the *Gazette officielle du Québec*, terminate or suspend the levy or reduce or increase the rate thereof;

WHEREAS the Comité paritaire de l'entretien d'édifices publics, région de Montréal adopted the Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal, which was approved by Order in Council 2626-85 dated 11 December 1985 and amended by Orders in Council 673-2001 dated 30 May 2001 and 1025-2011 dated 28 September 2011;

WHEREAS the committee adopted the Regulation to amend the Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal at its sitting of 29 September 2021;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal was published in Part 2 of the *Gazette officielle du Québec* of 22 June 2022 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal, attached to this Order in Council, be approved.

YVES OUELLET

*Clerk of the Conseil exécutif*

## Regulation to amend the Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal

Act respecting collective agreement decrees  
(chapter D-2, s. 22, 2nd par., subpar. i)

**1.** The Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal<sup>1</sup> is amended in section 5 by adding the following paragraph at the end:

“The levy and the contributions to the group registered retirement savings plan must be sent separately.”.

**2.** This Regulation comes into force on 8 August 2023.  
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Gouvernement du Québec

## O.C. 102-2023, 25 January 2023

Act respecting industrial accidents  
and occupational diseases  
(chapter A-3.001)

### Suppliers

#### Medical aid

##### — Amendment

Regulation respecting suppliers and Regulation to amend the Regulation respecting medical aid

WHEREAS, under subparagraph 3.1 of the first paragraph of section 454 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Commission des normes, de l'équité, de la santé et de la sécurité du travail may make regulations

— determining the care, treatment, technical aid and costs forming part of the medical aid referred to in paragraph 5 of section 189 of the Act and specifying the cases in which, the conditions on which and up to what amount payments may be made as well as the prior authorizations to which such payments may be subject;

<sup>1</sup> The Levy Regulation of the Comité paritaire de l'entretien d'édifices publics, région de Montréal was approved by Order in Council 2626-85 dated 11 December 1985 (1985, G.O. 2, 4379) and was amended by Orders in Council 673-2001 dated 30 May 2001 (2001, G.O. 2, 2653) and 1025-2011 dated 28 September 2011 (2011, G.O. 2, 2955).

WHEREAS, under paragraphs 2 and 3 of section 454.1 of the Act, the Commission must, by regulation,

—prescribe, for the purposes of section 280.2 of the Act, the information and documents that must be provided together with an authorization application; such information and documents may differ according to the type of goods or services or the type of person or enterprise making the application;

—prescribe, for the purposes of sections 280.3 and 280.6 of the Act, the conditions that must be met to obtain or maintain an authorization;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting suppliers and a draft Regulation to amend the Regulation respecting medical aid were published in Part 2 of the *Gazette officielle du Québec* of 15 June 2022 with a notice that they 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 Regulations with amendments at its sitting of 20 October 2022;

WHEREAS, under the first paragraph of section 455 of the Act respecting industrial accidents and occupational diseases, every draft regulation made by the Commission under subparagraphs 1, 2, 3 to 4.1, 14 and 17 of the first paragraph of section 454 or under section 454.1 of the Act is to be submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulations;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Regulation respecting suppliers and the Regulation to amend the Regulation respecting medical aid, attached to this Order in Council, be approved.

YVES OUELLET  
*Clerk of the Conseil exécutif*

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## Regulation respecting suppliers

Act respecting industrial accidents  
and occupational diseases  
(chapter A-3.001, s. 454.1, pars. 2 and 3)

### DIVISION I SCOPE

**1.** This Regulation applies to suppliers referred to in Division I of Chapter VIII.1 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001).

### DIVISION II AUTHORIZATION

#### §1. *Authorization application*

**2.** The Commission des normes, de l'équité, de la santé et de la sécurité du travail authorizes a person or enterprise that sends to the Commission an authorization application using the form available on the Commission's website and that meets the following conditions to be a supplier:

(1) be a member of a professional order without restriction of the right to engage in professional activities respecting the goods or services provided to the beneficiaries, where applicable on the basis of the goods or services;

(2) meet the special conditions set out in Schedule I that are associated with the goods or services provided, where applicable on the basis of the goods or services;

(3) not be registered in the register of enterprises ineligible for public contracts established under the Act respecting contracting by public bodies (chapter C-65.1);

(4) where the person or enterprise is an employer, not have failed to comply with the requirements set out in Chapters IX and X of the Act;

(5) not have failed to pay a sum payable under the Act;

(6) except in the case of a member of a professional order or an enterprise established by such members, hold liability insurance of at least \$2,000,000 per claim establishing a guarantee against the financial consequences of the liability incurred as a result of errors or negligence in the provision of goods or services to the beneficiaries;

(7) not have been found guilty, in the 5 years preceding the authorization application, of an offence under the Act related to the required abilities and the appropriate behaviour of a supplier of goods or services, unless a pardon was obtained;

(8) not have a judicial record related to the required abilities and the appropriate behaviour of a supplier of goods or services, unless a pardon was obtained.

All the members of a professional order, in the case of subparagraph 1 of the first paragraph, or all persons, in the case of subparagraphs 2, 6, 7 and 8 of the first paragraph, who work with beneficiaries in an enterprise must meet the conditions set out in those subparagraphs.

**3.** The authorization application must be completed by a director or an officer, in the case of a legal person, and by a partner, in the case of a partnership. The person filing the application acts as respondent for the purposes of this Regulation.

## *§2. Information and documents to be provided*

**4.** The applicant must provide the following information in the authorization application:

(1) any restriction to the right to engage in professional activities;

(2) name and contact information or, in the case of an enterprise, its name and the address of its principal establishment in Québec and, if it is registered, its Québec business number;

(3) the address of the establishments where the goods or services will be provided to the beneficiaries;

(4) a description of the goods or services that will be provided to the beneficiaries.

**5.** The applicant must attach to the authorization application,

(1) a document certifying the applicant's capacity as a member of a professional order or, in the case of an enterprise, the document for each member working with the beneficiaries, where applicable;

(2) a document certifying that the applicant meets the special conditions set out in Schedule I or, in the case of an enterprise, the document for each person working with the beneficiaries, where applicable;

(3) where the applicant is an employer, an attestation issued by the Commission within 30 days before the application confirming that the applicant has not failed to comply with the requirements set out in Chapters IX and X of the Act;

(4) an attestation of insurance compliant with subparagraph 6 of the first paragraph of section 2, where applicable;

(5) an official document from the enterprise confirming the appointment of the respondent acting in such capacity, where applicable; and

(6) the applicant's list of judicial records for which no pardon was obtained or, in the case of an enterprise, the list of judicial records of the members of a professional order or persons working with the beneficiaries, where applicable.

## *§3. Maintaining authorization*

**6.** To maintain the authorization, the supplier must

(1) comply, at all times, with the requirements provided for in section 2;

(2) comply with any requirement incumbent on the supplier under the Act;

(3) notify immediately the Commission, using the prescribed form, of any amendment to the information and documents the supplier sent to the Commission, and provide the amended documents;

(4) establish a record in the name of the beneficiary and keep it for a minimum period of 5 years as of the date on which it is closed; and

(5) ensure that the professional activities reserved to the members of a professional order are engaged in only by such a member or, where applicable, by a person or category of persons authorized to engage in such activities in accordance with a regulation under subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26).

The record referred to in subparagraph 4 of the first paragraph must contain at least the following information and documents:

(1) the date on which it is opened;

(2) the beneficiary's name, date of birth, contact information and record number of the Commission;

(3) a description of the grounds for consultation;

(4) a description of the good or service provided, the date on which it was provided and the name of the supplier and, in the case of an enterprise, the name of the person who provided the good or service;

(5) a document containing the signature of the beneficiary confirming that the good or service has been received;

(6) all supporting documents allowing the Commission to verify whether the supplier meets the requirements of the Act.

### **DIVISION III**

#### **TRANSITIONAL AND FINAL**

**7.** A person or enterprise that is deemed to be a supplier authorized under section 280 of the Act to modernize the occupational health and safety regime (2021, chapter 27) is not required to send an authorization application in accordance with Division II of this Regulation.

The person or enterprise must however immediately notify the Commission of any situation preventing the person or enterprise from complying with any of the conditions set out in section 6.

**8.** A person or enterprise that is deemed to be a supplier authorized under section 280 of the Act to modernize the occupational health and safety regime has 1 year as of (*insert the date of coming into force of this Regulation*) to comply with the requirement set out in subparagraph 2 of the first paragraph of section 2 and, for that purpose, the person or enterprise sends to the Commission all the documents certifying that the person or enterprises meets the special conditions set out in Schedule I.

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

**SCHEDULE I**

<b>Goods or services provided</b>	<b>Special conditions</b>
Job search assistance services	<ul style="list-style-type: none"> <li>• Hold one of the following bachelor's degrees: Vocational and educational guidance Guidance Career development Social work Psychology</li> <li>or</li> <li>• Where the supplier holds a diploma other than those listed, a minimum experience of 1 year in employability is required</li> <li>or</li> <li>• Be registered in the répertoire des organismes spécialisés en employabilité recognized by Emploi Québec</li> <li>or</li> <li>• Be a certified or corporate member of the Association québécoise d'information scolaire et professionnelle</li> <li>• Be a professional member of the Association québécoise des professionnels du développement de carrière</li> </ul>
Intervention with a worker with adjustment or social reintegration problems	<ul style="list-style-type: none"> <li>• Hold a diploma in specialized education techniques or a bachelor's degree in psychoeducation</li> <li>or</li> <li>• Be a member of the Association des Éducatrices et Éducateurs Spécialisés du Québec</li> </ul>
Adaptation of the work station	<ul style="list-style-type: none"> <li>• Hold a master's degree in ergonomics</li> <li>or</li> <li>• Be a regular member of the Association professionnelle des ergonomes du Québec</li> <li>• • Be a regular member of the Association of Canadian Ergonomists</li> </ul>

Goods or services provided	Special conditions
Provide training services	<ul style="list-style-type: none"> <li>• Have successfully completed training provided by a training centre recognized by the Ministère de l'Éducation du Québec or the Ministère de l'Enseignement supérieur</li> <li>or</li> <li>• Be a trainer accredited by the Commission des partenaires du marché du travail</li> <li>or</li> <li>• Be recognized as a trainer accredited by the Société de l'assurance automobile du Québec or the Association québécoise des transports</li> </ul>
Design, fabricate and fit ocular prostheses	<ul style="list-style-type: none"> <li>• Hold a certificate from the National Examining Board of Ocularists</li> </ul>
Assess and intervene with a worker who is likely to have or has learning difficulties or disabilities	<ul style="list-style-type: none"> <li>• Hold a bachelor's degree in teaching school adjustment</li> <li>or</li> <li>• Be a qualified professional member of the Association des Orthopédagogues du Québec</li> </ul>
Cannabis products for medical purposes	<ul style="list-style-type: none"> <li>• Health Canada licence - Licence for the sale of medical cannabis <ul style="list-style-type: none"> <li>○ Licence for the sale for medical purposes with possession</li> <li>○ Licence for the sale for medical purposes without possession</li> </ul> </li> </ul>
Psychotherapy services	<ul style="list-style-type: none"> <li>• Psychotherapist's permit issued by the Ordre des psychologues du Québec</li> </ul>

## Regulation to amend the Regulation respecting medical aid

Act respecting industrial accidents and occupational diseases  
(chapter A-3.001, s. 454, 1st par., subpar. 3.1)

**1.** The Regulation respecting medical aid (chapter A-3.001, r. 1) is amended in section 3

(1) by replacing “assumes” in the first paragraph by “pays to the health worker having provided the good or service or the enterprise within which the health worker works”;

(2) by inserting “sent by the health worker having provided the good or service or the enterprise within which the health worker works and be” after “be” in the second paragraph.

**2.** Section 3.1 is amended by inserting “by the health worker having provided the good or service or the enterprise within which the health worker works” after “sent”.

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

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