

Regulations and other Acts

Gouvernement du Québec

O.C. 1192-2023, 19 July 2023

Application of the definition of employee provided for in the Labour Code to certain public servants of the Conseil du trésor

WHEREAS, under subparagraph 3.2 of paragraph 1 of section 1 of the Labour Code (chapter C-27), in that Code, unless the context requires otherwise, the expression employee means a person who works for an employer and for remuneration, but does not include a public servant of the Conseil du trésor, except in the cases that the Government may determine by order;

WHEREAS it is expedient that the public servants of the Conseil du trésor who report to the Secrétariat à la Capitale-Nationale be included in the definition of employee provided for in paragraph 1 of section 1 of the Labour Code;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, the Minister Responsible for the Capitale-Nationale Region and the Minister Responsible for Government Administration and Chair of the Conseil du trésor:

THAT the public servants of the Conseil du trésor who report to the Secrétariat à la Capitale-Nationale be included in the definition of employee provided for in paragraph 1 of section 1 of the Labour Code (chapter C-27).

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1251-2023, 19 July 2023

Tobacco Control Act
(chapter L-6.2)

Regulation

Regulation to amend the Regulation under the Tobacco Control Act

WHEREAS, under the first paragraph of section 1 of the Tobacco Control Act (chapter L-6.2), the term “tobacco” includes in particular electronic cigarettes and any other devices of that nature that are put to one’s mouth to inhale any substance that may or may not contain nicotine, including their components and accessories;

WHEREAS, under the first and second paragraphs of section 28 of the Act, the Government may make regulations determining standards relating to tobacco containers, packaging and display and prohibiting certain standards, and requiring a tobacco product manufacturer to print on packaging in particular the information determined by the Government;

WHEREAS, under the first paragraph of section 29 of the Act, the Government may make regulations determining standards relating to the composition and characteristics of tobacco products manufactured in Québec for sale in Québec;

WHEREAS, under the first paragraph of section 29.3 of the Act, the Government may, to the extent provided by regulation, render the provisions of section 29.2 of the Act applicable to electronic cigarettes or such devices, including their components and accessories, which provide that it is prohibited to sell, offer for sale or distribute a tobacco product that has a flavour or aroma other than that of tobacco, including a menthol, fruit, chocolate, vanilla, honey, candy or cocoa flavour or aroma, or whose packaging suggests it is such a product;

WHEREAS, under section 41 of the Act, the Government or the Minister, as the case may be, is to determine the provisions of a regulation made under the Act the violation of which constitutes an offence;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation under the Tobacco Control Act was published in Part 2 of the *Gazette officielle du Québec* of 19 April 2023 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation under the Tobacco Control Act, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation under the Tobacco Control Act

Tobacco Control Act
(chapter L-6.2, s. 28, 1st and 2nd pars., s. 29, 1st par., s. 29.3, 1st par. and s. 41)

1. The Regulation under the Tobacco Control Act (chapter L-6.2, r. 1) is amended by inserting the following after section 6.4:

“**6.5.** It is prohibited to sell electronic cigarettes or any other devices of that nature, including their components and accessories, that contain a liquid if they do not display the following information on the product and packaging:

(1) the nicotine concentration, in milligrams per millilitre;

(2) the volume of the liquid, in millilitres, including in the case of liquid refill containers;

(3) an indication that the liquid has a tobacco flavour or aroma or that it has no flavour or aroma.

6.6. A manufacturer or a distributor may not sell electronic cigarettes or any other devices of that nature, including their components and accessories, that are not consistent with the following standards:

(1) have a nicotine concentration of 20 milligrams per millilitre or less;

(2) have a volume of liquid of 2 millilitres or less or, in the case of liquid refill containers, 30 millilitres or less;

(3) not have the form of a toy, jewellery, food, animal or real or fictional character, or any other form, appearance or function that may be attractive to minors.

For the purposes of subparagraph 3 of the first paragraph, a form or appearance that conceals the intended use may be considered to be attractive to minors.

6.7. Despite section 29.3 of the Act, section 29.2 applies to electronic cigarettes or any other devices of that nature, including their components and accessories.”

2. Section 7 is amended by inserting “or sections 6.5 and 6.7” after “sections 2 to 6.3”.

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

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Gouvernement du Québec

O.C. 1272-2023, 19 July 2023

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

Workers' Compensation Act
(chapter A-3)

Regulation to designate a specialized nurse practitioner as a health professional for the purposes of the Act respecting industrial accidents and occupational diseases and the Workers' Compensation Act

Regulation to designate a specialized nurse practitioner as a health professional for the purposes of the Act respecting industrial accidents and occupational diseases and the Workers' Compensation Act

WHEREAS, under subparagraph 17 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 any professional within the meaning of the Professional Code (chapter C-26) who may act as a health professional for the purposes of the Act respecting industrial accidents and occupational diseases;