

(b) the Controlled Drugs and Substances Act (Statutes of Canada, 1996, chapter 19);

(3.2) because he has, in the last 5 years, been convicted of an indictable offence or an offence punishable on summary conviction under the Criminal Code for which he has not received a pardon, of such a nature as to interfere with the integrity of State casino activities or undermine public trust in the integrity of such activities;”.

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

106664

Gouvernement du Québec

## O.C. 33-2024, 17 January 2024

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, 9, 19 and 42 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

—prescribing measures for the supervision of the quality of the work environment and standards applicable to every workplace so as to ensure the health, safety and physical and mental well-being of workers, particularly with regard to work organization, lighting, heating, sanitary installations, quality of food, noise, ventilation, variations in temperature, quality of air, access to the establishment, means of transportation used by workers, eating rooms and cleanliness of a workplace, and determining the hygienic and safety standards to be complied with by the employer where he makes premises available to workers for lodging, meal service or leisure activities;

—determining, by category of establishments or construction sites, the individual and common protective means and equipment that the employer must put at the disposal of the workers, free of charge;

—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;

—generally prescribing any other measure to facilitate the application of the Act;

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 and may also provide times within which they are to be applied and which may vary according to the object and scope of each regulation;

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 Regulation respecting occupational health and safety in mines was published in Part 2 of the *Gazette officielle du Québec* of 28 June 2023 with a notice that it could be adopted by the Commission and submitted to the Government for approval on the expiry of 45 days from that publication;

WHEREAS the Commission adopted the Regulation with amendments at its sitting of 16 November 2023;

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 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:

THAT the Regulation to amend the Regulation respecting occupational health and safety in mines, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

---

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

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

**1.** The Regulation respecting occupational health and safety in mines (chapter S-2.1, r. 14) is amended in section 1 by inserting the following definition after the definition of “safety factor”:

““seismic excavation” means an excavation in an underground mine where there is a risk of a projection or fall or rock caused by a seismic event;”.

**2.** Section 2 is amended by inserting “402, 402.1,” after “375 to 383,” in the second paragraph.

**3.** Section 6 is amended

(1) by replacing “CAN/CSA Standard Z259.11, Shock absorbers and lanyards” in subparagraph 1 by “CSA Standard Z259.11, Personal energy absorbers and lanyards”;

(2) by replacing “Dispositifs à cordon autorétractable, CAN/CSA Z259.2.2” in subparagraph 2 in the French text by “Dispositifs autorétractables, CSA Z259.2.2”;

(3) by replacing “antichutes” wherever it appears in subparagraphs 3 and 4 in the French text by “d’arrêt de chute”;

(4) by replacing “Accessoires de raccordement pour les systèmes personnels de protection contre les chutes, CAN/CSA-Z259.12” in subparagraph 5 in the French text by “Composants de raccordement pour les systèmes individuels d’arrêt de chute, CSA Z259.12”.

**4.** Section 26 is amended

(1) by adding at the end of paragraph 2:

“(d) to act as an assistant blaster;”;

(2) by replacing subparagraph *a* of subparagraph 3 by the following:

“(a) to act as a blaster;”.

**5.** The following is inserted after section 27.7:

“**27.8.** Blasters in a mine must receive the training on explosives safety offered by the employer or the person designated by the employer. The training, given by a person with competency in the field of explosives, must in particular cover the following elements:

(1) the regulations that apply;

(2) the explosives safety data sheets used in the mine;

(3) the manufacturers’ recommendations and best practices for the use of the explosives and equipment used;

(4) the procedures and directives drawn up by the employer;

(5) the firing devices;

(6) the inspection of explosives magazines, recesses, boxes and storage areas;

(7) the management of deteriorated or expired explosives.

Blasters must receive refresher training every 5 years.

This section does not apply to assistant blasters or to persons holding a shot-firer’s certificate issued by the Commission des normes, de l’équité, de la santé et de la sécurité du travail or by an agency recognized by the latter in accordance with section 292 of the Regulation respecting occupational health and safety (S-2.1, r. 13).”.

**6.** Section 28 is amended by adding the following paragraph at the end:

“Notwithstanding the first paragraph, when scaling is carried out using mechanized equipment, the roofs, walls and working faces of an underground excavation need not be drilled and scaled manually if the following conditions are met:

(1) the scaling is carried out in accordance with a procedure provided in writing by an engineer taking into account the ground control program and the mechanical properties of the rock; and

(2) surface support is installed on the roofs, walls and working faces.”.

**7.** Section 36 is amended by inserting “manually” after “scaling” in the first paragraph.

**8.** The following is inserted after section 41:

“**41.1.** The presence of a seismic excavation must be determined in writing by an engineer. The written document must be kept with the plans and specifications required pursuant to section 28.01.

The seismic excavation must be delimited and identified before the work begins and only authorized persons may be in the risk zone.

**41.2.** Scaling, drilling or support installation work in a seismic excavation must be carried out with mechanized equipment in accordance with a procedure established by an engineer.

The equipment must have an enclosed cab that complies with the plans and specifications of an engineer. The cab glass exposed to the risk of rock projection must be covered with metal mesh and of sufficient resistance to ensure worker safety or designed so as to provide safety equivalent to that combination.

Every person authorized to be in the seismic excavation must be in the enclosed cab for the duration of the work.”.

**9.** Section 200 is amended by replacing paragraph 1 by the following:

“(1) comply with section 179.1 and subparagraph 3 of the first paragraph of section 196;”.

**10.** Section 373 is amended by striking out “208 or” in paragraph 3.

**11.** Section 394 is amended by replacing “CAN/CSA Standard Z259.11, Energy absorbers and lanyards” in the first paragraph by “CSA Standard Z259.11, Personal energy absorbers and lanyards”.

**12.** Section 401.1 is amended in the second paragraph in the French text

(1) by replacing “Dispositifs à cordon autorétractable, CAN/CSA Z259.2.2” in subparagraph *b* of subparagraph 1 by “Dispositifs autorétractables, CSA Z259.2.2”;

(2) by replacing “antichutes” wherever it appears by “d’arrêt de chute”.

**13.** The following is inserted before section 403:

“**402.** The employer having authority over an establishment shall adopt an explosives management program adapted to the particularities of the mine site and ensure it is applied. The program shall, in particular, cover the following elements:

- (1) the storage of explosives;
- (2) the transportation of explosives;
- (3) the loading of explosives;
- (4) initiation systems;
- (5) the keeping of registers for the use of explosives;
- (6) the destruction of packaging from explosives;
- (7) the destruction of deteriorated or expired explosives;
- (8) purchases of explosives and equipment;
- (9) information on the equipment used for explosives;
- (10) relevant training on explosives.

The employer shall also ensure that every employer or self-employed worker storing, transporting, loading or firing explosives on the mine site complies with the explosives management program.

The explosives management program shall be updated every three years.

**402.1.** Blasting and any work requiring the use of explosives must be carried out by a blaster who has received the training referred to in section 27.8 or who holds a shot-firer’s certificate issued by the Commission des normes, de l’équité, de la santé et de la sécurité du travail or by an agency recognized by the Commission in accordance with section 292 of the Regulation respecting occupational health and safety (S-2.1, r. 13), or by an assistant under the supervision and coordination of such a blaster.

The blaster may not be assisted in such work by more than two assistants.”.

**14.** Section 434 is amended

(1) by replacing “transportation of explosives” in the second paragraph by “the motorized vehicle shall be designed or adapted for the transportation of explosives, and transportation”;

(2) by inserting “designed or adapted for the transportation of explosives and” after “be” in subparagraph *a* of subparagraph 4 of the second paragraph;

(3) by adding the following paragraph at the end:

“Paragraph 4 of section 429 does not apply when very insensitive substances with a mass explosion hazard, Class 1.5, referred to in paragraph *e* of section 2.10 of the Transportation of Dangerous Goods Regulations (SOR/2001-286), are transported underground. Such explosive substances shall, however, be secured to prevent their movement or spillage during transportation.”.

**15.** The following is inserted after section 437:

“**437.1.** Before drilling on a working face of an open-pit mine, it must be examined to detect misfires, cut-off holes and remnants of drill holes.

The first paragraph does not apply when the drilling is carried out using a remote control device, under supervision, and when the blasting area is evacuated.

**437.2.** Notwithstanding section 437.1, drilling in an open-pit mine may be carried out on broken rock without an examination to detect misfires if the drilling pattern is staggered to ensure a distance of 1.5 m between the holes for the previous blasting and the holes drilled.

Drilling under the first paragraph shall be carried out in accordance with a written procedure drawn up by an engineer.”.

**16.** Section 438 is amended

(1) by replacing “section 437” by “sections 437 and 437.1”;

(2) by inserting “, except those of a seismic excavation,” after “holes”;

(3) by adding the following at the end:

“(3) in any other way allowing the remnants of drill holes to be marked.

“However, ground support may be installed on the roofs and walls of an underground mine up to the working face before the remnants of drill holes are marked.”.

**17.** Section 443.1 is amended by replacing paragraph 1 by the following:

“(1) the drill used must have an enclosed cab that complies with the plans and specifications of an engineer and the cab glass exposed to the risk of rock projection must be covered with metal mesh and of sufficient resistance to ensure worker safety or designed so as to provide safety equivalent to that combination;”.

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

106665

Gouvernement du Québec

**O.C. 34-2024**, 17 January 2024

Act respecting collective agreement decrees (chapter D-2)

**Industrie des services automobiles – Québec**  
—Levy of the Comité paritaire  
—Amendment

Regulation to amend the Levy Regulation of the Comité paritaire de l’industrie des services automobiles de la région de Québec

WHEREAS, under subparagraph 3 of subparagraph *i* of the second paragraph of section 22 of the Act respecting collective agreement decrees (chapter D-2), from the mere fact of its formation, the parity committee may, as of right, by a regulation approved by the Government and published in the *Gazette officielle du Québec*, levy upon the professional employer alone or upon both the professional employer and the employee, or upon the employee alone, the sums required for the carrying out of the decree and such levying is to be subject to the following condition in particular:

—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 is to be collectable from such workman or artisan although demandable only from the professional employer;

WHEREAS the Comité paritaire de l’industrie des services automobiles de la région de Québec made the Regulation to amend the Levy Regulation of the Comité paritaire de l’industrie des services automobiles de la région de Québec at its sitting of 24 October 2022;

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’industrie des services automobiles de la région de Québec was published in Part 2 of the *Gazette officielle du Québec* of 4 October 2023 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;