

Gouvernement du Québec

O.C. 445-2016, 25 May 2016

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 to 9 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 on the matters set forth therein;

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 28 October 2015, 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, at its sitting of 18 February 2016, the Commission made the Regulation to amend the Regulation respecting occupational health and safety in mines, without amendment;

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 responsible for Labour:

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

JUAN ROBERTO IGLESIAS,
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, 8 and 19, and
3rd par.)

1. The Regulation respecting occupational health and safety in mines (chapter S-2.1, r. 14) is amended

(1) by replacing ““CSA” means the Canadian Standards Association; (*ACNOR*)” by ““CSA or ACNOR” means the Canadian Standards Association; (*ACNOR ou CSA*)”;

(2) by inserting the following after the definition of “hoisting apparatus”:

““IEC” means the International Electrotechnical Commission; (*CEI*)”;

(3) by inserting the following after the definition of “insulated”:

““ISO” means the International Organization for Standardization; (*ISO*)”.

2. The following is inserted after section 11:

“**11.1.** As of 23 December 2016, a person who is in an open-pit mine must wear apparel complying with the Guideline on Selection, Use, and Care of High-Visibility Safety Apparel, CSA Z96.1-08, and with the High-Visibility Safety Apparel standard, CSA Z96-09. Class 2 high-visibility safety apparel is required as a minimum.

Despite the foregoing, wearing high-visibility safety apparel is not required in a lunchroom, a cab or an office, or to get from the parking lot of the site entrance to a building.”

3. Section 102 is amended

(1) by inserting “weighted average” in subparagraph 1 of the first paragraph after “gases to”;

(2) by replacing “0.6 mg of respirable combustible dust” in subparagraph *a* of subparagraph 1 of the first paragraph by “0.4 mg of total carbon”;

(3) by replacing subparagraph 1.1 of the first paragraph by the following:

“(1.1) the sampling and analysis method for diesel particulate matter in terms of total carbon is the method NIOSH 5040: DIESEL PARTICULATE MATTER as it reads in version 3 dated 15 March 2003 published by the National Institute for Occupational Safety and Health (NIOSH), in NIOSH Manual of Analytical Methods (NMAM), Fourth Edition.

The laboratory analysing the total carbon must be certified under a recognized standard such as the international standard ISO/CEI 17025:2005 – General requirements for the competence of testing and calibration laboratories published by ISO. It must be certified by a recognized certifying body, such as the Standards Council of Canada.”

4. Section 103.1 is amended by replacing “respirable combustible dust” in the introductory paragraph by “total carbon”.

5. Section 138 is amended by replacing subparagraph 1 of the second paragraph by the following:

“(1) be built of fireproof materials and be fire resistant for at least 1 hour;”

6. Schedule VI is struck out.

7. This Regulation comes into force on 23 June 2016.

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Notice

An Act respecting the preservation of agricultural land and agricultural activities
(chapter P-41.1)

Regulation — Amendment

Notice is hereby given that the Commission de protection du territoire agricole du Québec adopted, at its sitting of 5 May 2016, the Regulation to amend the Preservation of Agricultural Land and Agricultural Activities Regulation appearing below.

The Regulation determines the new information and documents that must be provided so that an application for authorization under section 58 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) and the declarations under sections 32 and 32.1 of that Act are validly filed with the commission. It also adds a new application for the verification of real and personal rights affecting property, by prescribing the information and documents that will have to be provided for

such an application to be validly filed with the commission. Lastly, it revokes the sections respecting the declaration required for the purposes of section 41 of the Act.

In accordance with sections 10 and 11 of the Regulations Act (CQLR, chapter R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 17 February 2016 with a notice that it could be adopted by the commission on the expiry of 45 days following that publication.

MARIE-JOSÉE GOUIN,
*President of the Commission de protection
du territoire agricole du Québec*

Regulation to amend the Preservation of Agricultural Land and Agricultural Activities Regulation

An Act respecting the preservation of agricultural land and agricultural activities
(chapter P-41.1, s. 19.1, pars. 2 and 3)

1. The Preservation of Agricultural Land and Agricultural Activities Regulation (chapter P-41.1, r. 1) is amended by replacing sections 1 and 2 by the following:

“**1.** For the purposes of section 58 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1), an application for authorization is filed on the form provided by the Commission de protection du territoire agricole du Québec containing the following information:

A) INFORMATION PROVIDED BY THE APPLICANT

(1) the applicant’s name, address, telephone and fax numbers and email address and, if applicable, the mandatary’s name, address, telephone and fax numbers and email address;

(2) the name, address, telephone and fax numbers and email address of the owner of the lots covered by the application, where the applicant is not the owner, and, if applicable, the acquirer’s name and address;

(3) a description of the project covered by the application and the nature of the authorization required to implement the project;

(4) the designation of each of the lots covered by the application, the range, the cadastre, the municipality in which each of the lots is located, the area covered by the application and the total area of the property;