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## Part 2

# LAWS AND REGULATIONS

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20 November 2024 / Volume 156

### **Summary**

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Regulations and other Acts  
Draft Regulations

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## Part 2 – LAWS AND REGULATIONS

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Regulation respecting the *Gazette officielle du Québec*, section 4

Part 2 shall contain:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
- (4) regulations made by courts of justice and quasi-judicial tribunals;
- (5) drafts of the texts referred to in paragraphs (3) and (4) whose publication in the *Gazette officielle du Québec* is required by law before they are made, adopted or issued by the competent authority or before they are approved by the Government, a minister, a group of ministers or a government body; and
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Gouvernement du Québec

**O.C. 1602-2024, 6 November 2024**

CONCERNING part of the autoroute numbered 20, also designated as Autoroute Jean-Lesage, located in the territory of Municipalité de Saint-Mathieu-de-Belœil, declared to be the property of Municipalité de Saint-Mathieu-de-Belœil

WHEREAS the autoroute numbered 20, also designated as Autoroute Jean-Lesage, including Chemin de l'Industrie, Chemin du Crépuscule and Chemin Nobel, situated in the territory of Municipalité de Saint-Mathieu-de-Belœil, is State property under paragraph 1 of section 7 of the Act respecting roads (chapter V-9), having been constructed under the Trans-Canada Highway Act (14 George VI, 1950, c. 44, amended by 9-10 Elizabeth II, 1960-61, c. 8);

WHEREAS, under section 46 of the Act respecting roads, the Government may, by order, declare that a part of an autoroute which is the property of the State is to become, without indemnity, the property of the local municipality in whose territory it is situated, from the publication of the order in the *Gazette officielle du Québec*;

WHEREAS, under the second paragraph of section 2 of the Act respecting roads, Chemin de l'Industrie, Chemin du Crépuscule and Chemin Nobel, located in the territory of Municipalité de Saint-Mathieu-de-Belœil, known as lots 6 565 254, 6 565 256, 6 565 258 and 6 565 384 of the Québec cadastre, registration division of Verchères, are under the management of Municipalité de Saint-Mathieu-de-Belœil;

WHEREAS it is expedient that Municipalité de Saint-Mathieu-de-Belœil, in addition to managing Chemin de l'Industrie, Chemin du Crépuscule and Chemin Nobel, be declared the owner of that part of the autoroute numbered 20, also designated as Autoroute Jean-Lesage, without indemnity, so that it may perform all the acts and exercise all the rights of an owner in respect of those roads;

IT IS ORDERED, therefore, on the recommendation of the Minister of Transport and Sustainable Mobility:

THAT a part of the autoroute numbered 20, also designated as Autoroute Jean-Lesage, be declared the property of Municipalité de Saint-Mathieu-de-Belœil, without indemnity, that part being Chemin de l'Industrie,

Chemin du Crépuscule and Chemin Nobel, located in the territory of Municipalité de Saint-Mathieu-de-Belœil, known as lots 6 565 254, 6 565 256, 6 565 258 and 6 565 384 of the Québec cadastre, registration division of Verchères.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

107114



Gouvernement du Québec

**O.C. 1604-2024, 6 November 2024**

Act respecting collective agreement decrees  
(chapter D-2)

**Comité paritaire de l'industrie des services  
automobiles de la région de Québec**  
— Keeping of a register, monthly report and levy

Regulation of the Comité paritaire de l'industrie des services automobiles de la région de Québec respecting the keeping of a register, the monthly report and the levy

WHEREAS, under subparagraph *g* 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 Comité paritaire de l'industrie des services automobiles de la région de Québec may, as of right, by regulation, approved by the Government and published in the *Gazette officielle du Québec*, render obligatory for any professional employer a system of registration for any work which he controls or the keeping of a register in which are shown the name, address and social insurance number of each employee in his employ, his competency, the exact hour at which the work was begun, interrupted, resumed and ceased each day, the nature of the work and wage paid, with mention of the method and time of payment, and all other information deemed useful in the application of the decree;

WHEREAS, under subparagraph *h* of the second paragraph of section 22 of the Act, from the mere fact of its formation, the committee may, as of right, by a regulation approved by the Government and published in the *Gazette officielle du Québec*, oblige any professional employer to transmit to it a monthly report giving:

— the name, address and social insurance number of each employee in his employ, his competency, the nature of his work, the regular and extra hours of labour done each week by the employee, the total number of such hours, his hourly wage rate and his total earnings;

— the allowances paid to each employee for annual vacations with pay and paid holidays and any other allowance or benefit of a monetary value;

WHEREAS, under subparagraphs 2 to 4 of subparagraph *i* of the second paragraph of section 22 of the Act, from the mere fact of its formation, the 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; such levying to be subject to the following conditions:

— such levy must not exceed the 1/2% of the employee's remuneration, and the 1/2% of the professional employer's pay-list;

— 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;

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

WHEREAS the board of directors of the committee adopted the Regulation of the Comité paritaire de l'industrie des services automobiles de la région de Québec respecting the keeping of a register, the monthly report and the levy at its sitting of 27 May 2024;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation of the Comité paritaire de l'industrie des services automobiles de la région de Québec respecting the keeping of a register, the monthly report and the levy was published in Part 2 of the *Gazette officielle du Québec* of 24 July 2024 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 without amendment;

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

THAT the Regulation of the Comité paritaire de l'industrie des services automobiles de la région de Québec respecting the keeping of a register, the monthly report and the levy, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

## Regulation of the Comité paritaire de l'industrie des services automobiles de la région de Québec respecting the keeping of a register, the monthly report and the levy

Act respecting collective agreement decrees  
(chapter D-2, s. 22, 2nd par., subpars. *g*, *h* and *i*).

### DIVISION I GENERAL

**1.** This Regulation applies to professional employers and employees subject to the Decree respecting the automotive services industry in the Québec region (chapter D-2, r. 11).

**2.** This Regulation supplements the General Regulation to govern the regulations of a parity committee (chapter D-2, r. 17). Where this Regulation is in conflict with or its meaning is unclear in relation to the provisions of the General Regulation, the General Regulation takes precedence.

**3.** In this Regulation, “parity committee” means the Comité paritaire de l'industrie des services automobiles de la région de Québec.

### DIVISION II KEEPING OF A REGISTER

**4.** The professional employer must keep a register in which are shown, for each employee, the name and given name, address, social insurance number, competency, the date of the first day worked as well as the following information for each pay period:

- (1) the number of hours of work per day, including the exact hour at which the work was begun, interrupted, resumed and ceased each day, as well as the nature of the work;
- (2) the total number of hours of work per week;
- (3) the number of overtime hours paid or replaced by a leave with the applicable premium and, in the case of a leave, accounted for in a time bank;
- (4) the number of days of work per week;
- (5) the wage rate;
- (6) the nature and amount of premiums, indemnities, allowances or commissions paid;

- (7) the amount of gross wages;
- (8) the nature and amount of deductions made;
- (9) the amount of net wages paid to the employee;
- (10) the work period corresponding to the payment;
- (11) the date and method of payment of wages;
- (12) the reference year;
- (13) the start date of the employee's annual leave with pay and the duration of the leave;
- (14) the date on which the employee was entitled to a statutory general holiday with pay or to another day of holiday, including the compensatory holidays for statutory general holidays with pay;
- (15) the places, if applicable, where the employee carries out the work covered by the decree.

**5.** Fixed-rate work must be indicated separately and the hours worked must be accounted for to allow for verification.

**6.** The register must be accessible at the employer's establishment.

**7.** The information contained in the register for a particular year must be kept for a period of 3 years following that year.

### DIVISION III MONTHLY REPORT

**8.** The professional employer must send the parity committee a written monthly report indicating the following information:

- (1) the name and given name, address and social insurance number of each employee in the employer's employ, the employee's competency, the nature of the employee's work, the number of regular and overtime hours worked each week by the employee, the total number of such hours, the employee's hourly wage rate and total earnings;
- (2) the allowances paid to each employee for annual vacations with pay and paid holidays and any other allowance or benefit of a monetary value.

**9.** The monthly report must be signed by the professional employer or the employer's authorized representative. The report must be sent to the head office of the parity committee not later than the 15th day of each month and it covers the preceding monthly work period.

The professional employer must send a report for every monthly work period even if no work was carried out by the employer or the employer's employees.

**10.** The monthly report may be sent by mail or by any means based on information technology.

The means based on information technology used by the professional employer must first be authorized by the parity committee to ensure that the method is compatible with the technological equipment owned by the committee.

#### **DIVISION IV** LEVY

**11.** The rate of levy fixed by the parity committee is

(1) for professional employers, 0.35% of the gross wages the employer pays to employees subject to the Decree; and

(2) for employees, 0.35% of the employee's gross wages.

**12.** Despite paragraph 2 of section 11, the amount of the levy payable by an artisan or workman is calculated weekly in the following manner: 0.35% of the wage rate in force for a class C journeyman, multiplied by the duration of the standard workweek provided for in section 3.01 of the Decree respecting the automotive services industry in the Québec region (chapter D-2, r. 11).

**13.** The professional employer must collect, for each pay period, the levy imposed pursuant to paragraph 2 of section 11, by deducting it from the employees' wages.

**14.** The professional employer must remit to the parity committee the levy payable by the employer and by the employees for a monthly period not later than the 15th day of the following month.

**15.** An artisan or workman who is not serving a professional employer must, not later than 31 March, 30 June, 30 September and 31 December, remit to the parity committee the levy payable by the artisan or workman for the 90-day period preceding each of those dates.

#### **DIVISION V** FINAL

**16.** This Regulation replaces Regulation No. 2 Respecting the Keeping of the Register and the Monthly Report of the Automobile Parity Committee, Québec Region, approved by Order in Council 1554-77 dated 11 May 1977, the Levy Regulation of the Joint Committee on automotive services of the Québec region, approved by Order in Council 51-96 dated 16 January 1996, and the Regulation respecting the monthly report of the Comité paritaire de l'industrie des services automobiles de la région de Québec, approved by Order in Council 157-2020 dated 26 February 2020, and their subsequent amendments.

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

107116





Gouvernement du Québec

## O.C. 1628-2024, 13 November 2024

Act respecting the governance of the health and social services system  
(chapter G-1.021)

### **Certain measures necessary or useful for carrying out the Act respecting the governance of the health and social services system or effectively achieving its purpose**

Regulation respecting certain measures necessary or useful for carrying out the Act respecting the governance of the health and social services system or effectively achieving its purpose

WHEREAS, under the first paragraph of section 1632 of the Act respecting the governance of the health and social services system (chapter G-1.021), the Government may in particular, by regulation, take any measure necessary or useful for carrying out this Act or effectively achieving its purpose;

WHEREAS, under the second paragraph of section 1632 of the Act, despite sections 11 and 17 of the Regulations Act (chapter R-18.1), a regulation under the first paragraph of that section may be made at the expiry of 15 days from the publication of the draft regulation in the *Gazette officielle du Québec* and comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation;

WHEREAS, in accordance with section 10 of the Regulations Act and the second paragraph of section 1632 of the Act respecting the governance of the health and social services system, a draft Regulation respecting certain measures necessary or useful for carrying out the Act respecting the governance of the health and social services system or effectively achieving its purpose was published in Part 2 of the *Gazette officielle du Québec* of 9 October 2024 with a notice that it could be made by the Government at the expiry of 15 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 respecting certain measures necessary or useful for carrying out the Act respecting the governance of the health and social services system or effectively achieving its purpose, attached to this Order in Council, be made.

DOMINIQUE SAVOIE  
*Clerk of the Conseil exécutif*

### **Regulation respecting certain measures necessary or useful for carrying out the Act respecting the governance of the health and social services system or effectively achieving its purpose**

Act respecting the governance of the health and social services system  
(chapter G-1.021, s. 1632, 1st par.).

#### **DIVISION I NATIONAL SERVICE QUALITY AND COMPLAINTS COMMISSIONER**

**1.** The Government determines the term of office of the national service quality and complaints commissioner appointed under the first paragraph of section 702 of the Act respecting the governance of the health and social services system (chapter G-1.021). The term of office may not exceed five years.

The Government determines the remuneration, employee benefits and other conditions of employment of the commissioner.

**2.** If, pursuant to the third paragraph of section 55 of the Interpretation Act (chapter I-16), the Government appoints a national service quality and complaints commissioner before the coming into force of section 702 of the Act respecting the governance of the health and social services system (chapter G-1.021), the Government may also provide that the commissioner is to take office before the coming into force of that section.

#### **DIVISION II TERM OF OFFICE OF THE PRESIDENT AND EXECUTIVE DIRECTOR OF THE CENTRE RÉGIONAL DE SANTÉ ET DE SERVICES SOCIAUX DE LA BAIE-JAMES**

**3.** A president and executive director appointed under section 530.62 of the Act respecting health services and social services and who is in office on the day before the day of amalgamation continues in office as of the day



of amalgamation until they are replaced or reappointed under section 164 or section 1504 of the Act respecting the governance of the health and social services system (chapter G-1.021).

Subject to the second paragraph of section 1505 of the Act respecting the governance of the health and social services system, the president and executive director preserves their remuneration, employee benefits and other conditions of employment set by a government order made under the second paragraph of section 400 of the Act respecting health services and social services, as it read on the day before the day of amalgamation, until they are replaced or reappointed under the Act respecting the governance of the health and social services system.

For the purposes of this section, the expression “day of amalgamation” has the meaning assigned by the second paragraph of section 1492 of the Act respecting the governance of the health and social services system.

**4.** For the purposes of the second paragraph of section 1505 of the Act respecting the governance of the health and social services system (chapter G-1.021) in respect of the president and executive director appointed under section 530.62 of the Act respecting health services and social services (chapter S-4.2), the reference to the second paragraph of section 1503 of the Act is replaced by a reference to the second paragraph of section 3 of this Regulation.

### **DIVISION III**

#### **FINAL**

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

107119



## Draft Regulation

Building Act  
(chapter B-1.1)

### Construction Code — 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 Construction Code, appearing below, may be made by the Government, with or without amendment, on the expiry of 45 days following this publication.

The object of the draft Regulation is to replace Chapter X, Bathing Places, in the Construction Code (chapter B-1.1, r. 2) to update the requirements and standards that apply to construction work in the bathing places to which the Code applies. The draft Regulation includes, in particular, provisions to improve access to indoor pools for persons with physical disabilities. It also introduces construction requirements for wave pools.

The proposed measures could generate construction costs for enterprises estimated at \$30,600,000 for the period from 2025 to 2029.

Further information on the draft Regulation may be obtained by contacting Sophie Bédard, Engineer, Régie du bâtiment du Québec, 800, place d'Youville, 15<sup>e</sup> étage, Québec (Québec) G1R 5S3; email: projet.reglement@rbq.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Caroline Hardy, Secretary General and Director of Institutional Affairs, Régie du bâtiment du Québec, 800, place D'Youville, 16<sup>e</sup> étage, Québec (Québec) G1R 5S3; email: projet.reglement.commentaires@rbq.gouv.qc.ca.

JEAN BOULET  
*Minister of Labour*

## Regulation to amend the Construction Code

Building Act  
(chapter B-1.1, s. 173, 1st par., 2nd par. and 3rd par., subpars. 1 to 5, 7 and 8, ss. 176, 176.1, 178 and 179, s. 185, pars. 0.1, 0.2, 37 and 38, and s. 192).

**1.** The Construction Code (chapter B-1.1, r. 2) is amended by replacing Chapter X by the following:

## “CHAPTER X BATHING PLACES

### DIVISION I PRELIMINARY

**10.01.** In this Chapter, unless the context indicates otherwise,

“accessory” means any structure in or projecting into a bathing place, such as a water slide or dry slide; (*accessoire*)

“deck” means the surface immediately surrounding a swimming pool, to which bathers have direct access when leaving the water; (*promenade*)

“diving platform” means a horizontal, rigid and non-flexible stationary diving structure; (*plate-forme*)

“pool lift” means a device giving a person with physical disabilities access to the basin of a swimming pool from the deck; (*appareil élévateur pour piscine*)

“swimming pool” means an indoor or outdoor artificial pool having a water depth of more than 600 mm; (*piscine*)

“wading pool” means an indoor or outdoor artificial pool with a water depth of more than 50 mm but less than 600 mm; (*pataugeoire*)

“water safety supervisor” means a lifeguard or assistant lifeguard; (*préposé à la surveillance*)

“wave pool” means a swimming pool equipped with a device that produces waves in the water. (*piscine à vagues*)

For the purposes of this Chapter, the definitions of the terms “dwelling unit” and “private seniors’ residence” are those provided for in the National Building Code of Canada, as adopted by Chapter I of this Code.

**10.02.** The provisions of this Chapter apply to construction work in the following bathing places:

(1) a swimming pool or wading pool in a building to which Chapter I of this Code applies;

(2) the following facilities, which are designated as facilities intended for use by the public in accordance with section 10 of the Building Act (chapter B-1.1):

(a) an outdoor swimming pool or wading pool operated as a bathing place for the general public or for a defined public group;

(b) an outdoor swimming pool or wading pool at a building used for dwelling purposes that has more than 8 dwelling units, a rooming house with more than 9 rooms or a private seniors' residence, where one of the following criteria is met:

- i. the water surface area of the pool exceeds 100 m<sup>2</sup>;
- ii. the pool is equipped with a springboard or diving platform.

The provisions also apply to construction work for a pool lift for a swimming pool, which is also designated as a facility intended for use by the public.

**10.03.** Despite section 10.02, the provisions of this Chapter do not apply to a whirlpool bath, a therapeutic bath, or a receptacle basin not more than 600 mm in depth used solely for a water slide.

## DIVISION II STANDARDS INCORPORATED BY REFERENCE

**10.04.** A reference to a standard in this Chapter is a reference to its most recent edition and includes any later amendments made to that edition.

However, amendments and editions published after (*insert the date of coming into force of this Regulation*) apply to a bathing place only from the last day of the sixth month following the date of publication of the French and English versions of such texts. When the two versions are not published at the same time, the date that applies is the date of publication of the second version.

## DIVISION III REFERENCES

**10.05.** A reference in this Chapter to a standard or code is a reference to that standard or code as adopted by a chapter of the Construction Code, the Safety Code (chapter B-1.1, r. 3) or another regulation adopted under the Building Act (chapter B-1.1) that refers to it.

## DIVISION IV SWIMMING POOLS

### §1. Construction

**10.06.** The basin, deck, pipe-work and accessories of a swimming pool must be constructed with materials that are inert, non-toxic for humans, impermeable, durable and non-corrosive, with smooth surfaces that may easily be cleaned, unless otherwise indicated in this Chapter.

**10.07.** The basin of a swimming pool must

- (1) be constructed in such a way as to have the structural resistance and integrity needed to safely withstand all loads, effects and other forces that may be reasonably expected;
- (2) be designed to avoid resonance; and
- (3) be waterproof, durable and smooth, without cracks or sharp corners or edges.

The edges of the low walls, buttresses, pillars of the safety ledge referred to in section 10.10 and the edges of any similar element must be rounded.

**10.08.** Unless the swimming pool has a beach entry ramp referred to in section 10.11, the walls of a pool must be vertical down to

- (1) at least 150 mm from the bottom for the section of the pool that is from 750 mm to 1400 mm deep;
- (2) at least 75 mm from the bottom for the section of the pool that is less than 750 mm deep, except for the section occupied by stairs or a ladder.

**10.09.** Despite section 10.08, a seat may be built into the swimming pool wall on the following conditions:

- (1) the seat must have a non-slip surface;
- (2) the seat must be installed in a part of the pool where the depth is 1400 mm or less below the static water level;
- (3) the horizontal and vertical edges of the seat must be marked with a stripe of a contrasting colour from 20 mm to 50 mm wide;
- (4) the seat must be no more than 500 mm below the static water level.

**10.10.** When there is a safety ledge, it must

- (1) be in a section of the swimming pool where the water depth is more than 1 400 mm;
- (2) be no more than 200 mm wide;
- (3) have a stripe of a contrasting colour along its entire upper edge.

**10.11.** When a swimming pool has a beach entry ramp, it must

- (1) have a maximum slope of 1 in 12;

(2) have a non-slip finish; and

(3) be equipped with a drainage channel in a contrasting colour covered by a drain cover.

The requirement of subparagraph 3 of the first paragraph does not apply to a swimming pool that is circular in shape and slopes towards the centre from all points.

**10.12.** When a handrail is installed along the beach entry ramp of a swimming pool, it must

(1) be adjacent to the vertical wall of the basin;

(2) be from 865 mm to 965 mm high.

**10.13.** Except for wave pools, the walls of a swimming pool must be equipped with recessed fixtures in the shallow area, at a minimum distance of 300 mm before the change in slope of the pool bottom from gentle to steep, to which a safety cable held up by floats can be attached to warn bathers of the change in slope.

In addition, a stripe in a contrasting colour from 150 mm to 250 mm wide must be drawn across the bottom and walls of the swimming pool at the point of change from the gentle to the steep bottom slope.

**10.14.** Except for wave pools, the maximum slope of the bottom of the swimming pool is

(1) 1 in 12 for a water depth less than 1400 mm; and

(2) 1 in 3 for a water depth from 1400 mm to 2000 mm.

**10.15.** Except for wave pools, a ladder or stairs must be installed

(1) in the shallow area of the pool if the difference in elevation between the bottom of the pool and the deck is greater than 600 mm; and

(2) in the deep area, on each side of the pool.

**10.16.** Swimming pool stairs must not project into the pool and must have

(1) steps

(a) with a uniform rise between 125 mm and 150 mm;

(b) with a uniform tread depth between 320 mm and 450 mm;

(c) with rounded, non-slip nosing in a contrasting colour; and

(d) with a non-slip surface.

(2) a handrail on at least one side and, if the stairs are 1100 mm wide or more, a handrail on each side. The handrails must be 865 mm to 965 mm high;

(3) a sign prohibiting entry to the swimming pool using the sides of the stairs, installed on the deck. Any characters used must be in a contrasting colour and at least 25 mm high.

However, stairs may project into the swimming pool if, in addition to the condition of the first paragraph,

(1) they are installed in a section where the water is 750 mm or less;

(2) they are equipped on each side with a guardrail at least 1070 mm high to prevent bathers from jumping onto the stairs;

(3) they are equipped with steps in a contrasting colour that is visible at all times from the edge of the deck; and

(4) they are separated from the main axis of the basin to ensure that a bather cannot hit them while swimming.

**10.17.** A swimming pool ladder must have

(1) rungs with a non-slip surface in a contrasting colour with a minimum width of 300 mm between the rails; and

(2) handrails in a contrasting colour on each side that end out of the water.

**10.18.** Except for wave pools, a swimming pool must

(1) be surrounded by a deck adjacent to the top of its wall, and the deck must

(a) have a non-slip surface;

(b) have a minimum clear width of 1500 mm;

(c) provide a clear passage of at least 900 mm behind a springboard, a diving platform or accessory and its supporting structure, and a control station;

(d) provide a clear passage of at least 900 mm in front of or behind a structural column;

(e) be equipped with a guardrail 1070 mm high if there is a drop greater than 600 mm between the level of the deck and the level of the adjacent surface; and

- (f) have a slope towards the waste drain of
- i. from 1 in 50 to 1 in 25 for an outdoor swimming pool;
  - ii. from 1 in 100 to 1 in 25 for an indoor swimming pool.
- (2) access to the deck through the changing rooms must be via the shallow area of the swimming pool; and

(3) starting blocks and low walls being used as a base may be installed when the basin depth is at least 2000 mm; however, if the swimming pool is intended to be used for competitions, the starting blocks may be installed in a section where the depth is less than 2000 mm, provided that the swimming pool is designed and laid out in accordance with the rules on swimming facilities and equipment in the “Competition Regulations” approved by World Aquatics.

Despite subparagraph 1 of the first paragraph, in the section of the pool where the water is no more than 1400 mm deep, a deck is not required on a part limited to one side of the basin only, provided that no point in the pool is further than 3600 mm from the edge of the deck.

The requirements of this section do not apply to the entrance to an access ramp laid out in accordance with section 10.21, and to the side of the swimming pool adjacent to that ramp.

Similarly, only subparagraph 2 of the first paragraph applies to the part of the swimming pool where a beach entry ramp is laid out in accordance with section 10.11.

**10.19.** Except for wave pools and swimming pools with a beach entry ramp, a swimming pool must have coping around the top of its walls, including around access ramps and stairs. The coping must

- (1) be at the same level as the deck, unless the swimming pool has starting blocks and low walls as provided for in subparagraph 3 of the first paragraph of section 10.18;
- (2) be rounded and designed in such a way that a bather may catch hold of it;
- (3) include a drain cover if equipped with gutters or skimmers;
- (4) be indicated using a non-slip finish in a contrasting colour; and
- (5) be at least
  - (a) 300 mm wide around the entire rim of the pool; and

(b) 600 mm side opposite each entry point to the water, such as a ladder, stairs or ramp.

**10.20.** When a swimming pool can be reached by a barrier-free path of travel, as defined in Section 3.8 of the National Building Code, adopted by Chapter I of this Code, the swimming pool must be accessible by at least 2 of the following:

- (1) stairs that comply with section 10.16;
- (2) an access ramp that complies with section 10.21;
- (3) a pool lift that complies with section 10.22.

**10.21.** An access ramp must

- (1) be adjacent to one of the walls of the swimming pool;
- (2) have a maximum slope of 1 in 12;
- (3) have a handrail on each side from 865 mm to 965 mm high;
- (4) have a clear width between the two handrails of from 870 mm to 920 mm;
- (5) have an upper and lower landing of at least 1500 mm and at least the same width as the ramp;
- (6) have a non-slip finish;
- (7) have a line in a contrasting colour at each change in slope;
- (8) be separated from the basin by a low wall that extends out of the water and
  - (a) be at least 500 mm wide;
  - (b) have a non-slip finish;
  - (c) have the part that is out of the water in a contrasting colour;
  - (d) have a “staff only” notice at its access points; and
  - (e) have edges in a contrasting colour; and
- (9) be equipped with a guardrail on the deck at least 1070 mm high, along the entire length of the ramp, up to a minimum water depth of 600 mm.

The depth of the swimming pool must not be more than 900 mm at the shallowest part accessed by the ramp.

In addition to the requirements provided for in this section, when a pool has swimming lanes, a distance marked by a cable must be kept between the access point to the swimming pool by the ramp and the swimming lanes.

**10.22.** A pool lift must be installed according to the manufacturer's instructions and meet the following requirements:

(1) it must be installed at a point in the basin where the water depth does not exceed 1200 mm;

(2) the axis of the seat must be situated on the deck at least 400 mm from the edge of the swimming pool;

(3) the clearance parallel to the seat and on the side opposite the water must

(a) be at least 915 mm wide; and

(b) be at least 1220 mm long, measured from a line situated 305 mm from the very back of the seat to the front of the seat;

(4) its design must ensure that

(a) its controls and operating mechanisms are not obstructed when the device is in use; and

(b) it can be operated unassisted from the deck and from the swimming pool;

(5) its load capacity must be at least 136 kg and it must be able to withstand a load at least 1.5 times the rated load.

**10.23.** The submerged surfaces of the swimming pool must be white or a pastel colour, except for the markings indicating swimming lanes.

However, pools used exclusively for underwater diving may be another colour.

**10.24.** The markings for swimming lanes must

(1) be in a contrasting colour;

(2) be no more than 250 mm wide; and

(3) be placed in a single direction.

**10.25.** The water depth must be marked in metres in characters at least 100 mm high, in a contrasting colour,

(1) on the vertical wall of the swimming pool in such a way that the water depth may be read from inside the basin;

(2) on the deck, less than 500 mm from the edge;

(3) at each interval of 300 mm and with a maximum distance of 7 m between the markings; and

(4) on each side of the basin and opposite

(a) the deepest point of the swimming pool;

(b) the change between the shallow area and the deep area of the swimming pool; and

(c) the shallow area.

A clearly visible sign in a contrasting colour must be installed to indicate the deep area of the swimming pool.

**10.26.** A black disc 150 mm in diameter must be placed at the deepest point of the swimming pool.

**10.27.** Except for wave pools, a “no diving” sign must be placed on the deck, using a pictogram that complies with Schedule III or characters at least 100 mm high, in the section where the water depth is 1800 mm or less.

**10.28.** Except for wave pools, when a swimming pool is equipped with control stations, those stations must comply with section 428 of the Safety Code (chapter B-1.1, r. 3), as made by section 1 of the Regulation to amend the Safety Code, published as a draft in Part 2 of the *Gazette officielle du Québec* of 20 November 2024.

**10.29.** In addition to the requirements of this Chapter for swimming pools that apply, a wave pool must meet the following requirements:

(1) the slope of the bottom of the pool must not exceed

(a) 1 in 12 for a water depth of 1000 mm or less;

(b) 1 in 9 for a water depth of more than 1000 mm;

(2) the walls of the swimming pool must be vertical down to at least 150 mm from the bottom;

(3) despite paragraph 2, built-in fingerholds must be installed at the static water level or at a maximum height of 150 mm above the static water level. The fingerholds must run continuously around the perimeter of the swimming pool, except where the water depth is less than 600 mm;

(4) a deck adjacent to the top of the wall of the swimming pool must be finished and



(a) at least 3000 mm wide in the part of the pool that is more than 1400 mm deep; and

(b) at least 1500 mm wide in the other parts of the swimming pool;

(5) at least 2 control stations that are sheltered from the sun must be installed on each side of the swimming pool wherever the water depth exceeds 1000 mm;

(6) the control stations must be

(a) 1800 mm above the static water level of a swimming pool up to 15 m wide;

(b) 2400 mm above the static water level of a swimming pool more than 15 m wide;

(7) stairs or ladders must be installed at regular intervals of not more than 7500 mm along parts of the swimming pool where the still water depth exceeds 1000 mm, and no stairs or ladders may be less than 3 m from the wave-making equipment;

(8) a “no diving” sign must be placed on the deck, using a pictogram that complies with Schedule III, a contrasting colour or characters at least 100 mm high in a contrasting colour, at intervals of not more than 7500 mm;

(9) skimming devices must be designed and situated in such a way as to remove surface film when the wave-making equipment stops;

(10) push buttons that can be easily accessed from the deck to stop the wave-making equipment must be installed on each side of the swimming pool, close to the control stations;

(11) the pool must be equipped with a first-aid room and the area around the pool must be easily accessed by the emergency services;

(12) no springboard, diving platform or accessory may be installed;

(13) a 250 mm wide black stripe must be traced across the bottom and the walls of the swimming pool where the water depth is 900 mm when the waves have stopped in order to warn bathers of the change from the shallow area to the deep area;

(14) the wave-making equipment must start up gradually in order to allow bathers who wish to leave the pool to do so before the waves are at their peak;

(15) the pool must be accessed using a beach entry ramp that complies with section 10.11;

(16) a sign must be installed prohibiting access to the pool without using the beach entry ramp. If characters are used, they must be in a contrasting colour and at least 25 mm in height.

## §2. *Water treatment*

**10.30.** The water supply and recirculation system for a swimming pool must be separated from the drinking water system by a shut-off valve and backflow preventer in accordance with Chapter III of this Code.

**10.31.** The devices in the filtration and overflow system and the floor drains in the deck must be connected to the drainage system in accordance with Chapter III of this Code.

**10.32.** Pipes, fittings, joints and filtration equipment in the water recirculation system of a swimming pool must be designed to resist at least 1.5 times the maximum rated operating pressure.

**10.33.** The water recirculation system of a swimming pool must be designed to avoid trapping any bather who comes into contact with a drain or suction outlet. The system must be equipped, for each pump, with

(1) at least 2 drain or suction outlets at least 1000 mm apart;

(2) a device to limit the water flow through the openings in each outlet to the maximum prescribed by the drain cover manufacturer;

(3) an emergency shut-off easily accessible to bathers at a clearly indicated location; and

(4) drain or suction outlets covered by drain covers that comply with ASME Standard A112.19.8, “Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, Hot Tubs, and Whirlpool Bathtub Appliances” or ANSI/APSP-16 “American National Standard for Suction Fittings for Use in Swimming Pools, Wading Pools, Spas, and Hot Tubs” and designed so that bathers cannot remove them without tools.

## §3. *Lighting and access*

**10.34.** An outdoor swimming pool used after sunset or an indoor swimming pool must have



(1) an artificial or natural lighting system, designed in such a way as to create no areas of shade or reflection, which makes all underwater areas of the pool visible and illuminates all parts of the deck, changing rooms and water surface with an illumination level of at least

- (a) 30 decalux for an indoor swimming pool;
- (b) 10 decalux for an outdoor swimming pool;

(2) in the event of a failure of the electric lighting power supply, an emergency lighting system supplied by a generator or a recharging battery with an automatic relay to illuminate the bottom of the swimming pool, the deck and the changing rooms, which must

- (a) provide a minimum illumination level of at least 1 decalux for at least 30 minutes; and
- (b) comply with CSA Standard C22.2 No. 141, “Emergency Lighting Equipment”.

**10.35.** A swimming pool must not be accessible to the public outside opening hours. Any fence used to prevent access must

- (1) be at least 1800 mm high;
- (2) not allow the passage of a spherical object more than 100 mm in diameter;
- (3) have no fixture, projection or opening enabling it to be climbed; and
- (4) be equipped with a lockable barrier.

However, a chain link fence may have openings of no more than 38 mm.

**10.36.** When the deck is adjacent to an area used for purposes other than bathing, a fence at least 900 mm high must separate the deck from that area.

The fence must have no fixture, projection or opening enabling it to be climbed.

The fence may, however, have openings provided that a spherical object of 100 mm in diameter cannot pass through them or, in the case of a chain link fence, that the openings are of no more than 38 mm.

The fence must be equipped at each entrance with a lockable barrier, unless access to the deck is controlled.

**10.37.** When a bathing place is made up of more than one pool and no enclosure separates the pools, the pools must be at least 3000 mm apart.

#### *§4. Springboards, diving platforms and accessories*

**10.38.** The installation of a springboard or diving platform must comply with the minimum dimensions indicated in the table in Schedule IV. The reference point when measuring is the plummet or vertical line passing through the centre of the end of the springboard or diving platform.

However, when a swimming pool is used for competitions, a springboard or diving platform may be installed in accordance with appendices 1 and 2 of the diving rules in the “Competition Regulations” approved by World Aquatics.

**10.39.** A springboard, diving platform or accessory must

- (1) be accessible only by stairs or a ladder;
- (2) have a walking surface designed with a non-slip finish, and the nosing of the springboard or diving platform must be in a contrasting colour;
- (3) be detectable to the touch; and
- (4) be in a contrasting colour and indicated by a contrasting marking on the ground.

**10.40.** A springboard, diving platform or accessory that is 3000 mm high or more may only be accessible by stairs equipped with a lockable barrier at the deck level to control access.

**10.41.** The part of a springboard, diving platform or accessory that is not over water and that is more than 600 mm high must be equipped, on each side, with a guard-rail that prevents bathers from passing through but allows them to be seen by the water safety supervisor.

**10.42.** The ladder of a springboard, diving platform or accessory must

- (1) have rungs of a minimum length of 300 mm between the rails; and
- (2) have rungs with a non-slip surface in a contrasting colour.

The part of the ladder above a height of 600 mm must be equipped with handrails that comply with paragraphs 1 and 2 of section 10.46.

**10.43.** The stairs of a springboard, diving platform or accessory must have steps

- (1) with a uniform rise between 125 mm and 150 mm;
- (2) with a run between 295 mm and 355 mm;
- (3) with a uniform tread depth between 320 mm and 355 mm;
- (4) with stair nosing that is rounded, non-slip and in a contrasting colour; and
- (5) with a non-slip surface.

Each flight of stairs must have a vertical height of not more than 3700 mm and be equipped, between each flight, with a landing of a length and width at least equal to the width of the stairs.

The stairs of a springboard, diving platform or accessory that is 1000 mm high or more must be equipped with guardrails and handrails on each side in compliance with sections 10.45 and 10.46.

**10.44.** Subject to the requirements of section 10.43 that are applicable, the stairs of a springboard, diving platform or accessory may include winders, provided the winders

- (1) are at least 190 mm deep, measured 300 mm from the axis of the handrail on the narrowest end of the winder;
- (2) are of a uniform angle and constant dimension;
- (3) curve only in one direction.

**10.45.** The guardrails of a springboard, diving platform or accessory must

- (1) not allow the passage of a spherical object over 100 mm in diameter;
- (2) have no opening allowing them to be climbed;
- (3) be at least
  - (a) 1070 mm high on the part of a springboard, diving platform or accessory more than 1 m high that is not over the water;
  - (b) 920 mm high measured vertically from the stair nosing to the top of the guardrail; and
  - (c) 1070 mm high around the landings.

**10.46.** The handrails of the stairs of a springboard, diving platform or accessory must

- (1) be not more than 40 mm in diameter;
- (2) be continuous with the handrails around the horizontal parts of the springboard, diving platform or accessory;
- (3) have a minimum height between 865 mm and 965 mm; and
- (4) be in a contrasting colour.

**10.47.** A swimming pool equipped with a diving platform exceeding 3 m must be used exclusively for diving.

However, a swimming pool may be used for other purposes provided that the diving area is delineated by a rigid barrier or recessed fittings to which a double safety cable held up by floats can be attached, the two cables being at least 300 mm apart.

The minimum distance between the pool wall under the diving platform and the double safety cable or rigid barrier must be as indicated in the following table:

Height of the diving platform in metres	Distance from the pool wall in metres
5	11.5
7.5	12.5
10	15

**10.48.** A swimming pool must be equipped with a device to agitate the surface water beneath diving installations of 3 m or more in height to allow divers to see the water surface.

**10.49.** The surface of a submersible or floating diving platform must be free of cracks and sharp corners, have a non-slip finish and be in a contrasting colour.

The area below the diving platform must not be accessible to bathers.

## DIVISION V WADING POOLS

**10.50.** The submerged surfaces of a wading pool must be white or a pastel colour. The bottom of the wading pool must have a non-slip surface.

**10.51.** When the depth of the wading pool exceeds the height of a step on the stairs, that is, more than 150 mm, stairs that comply with section 10.16 must be installed to allow access to the pool.

**10.52.** Sections 10.06, 10.07 and 10.30 to 10.37 apply to wading pools, with the necessary modifications.

Despite the first paragraph, section 10.35 does not apply to a wading pool that is emptied before the supervisor leaves.

**DIVISION VI**  
**PENAL PROVISIONS**

**10.53.** A contravention of any of the provisions of this Chapter constitutes an offence.”.

**2.** Schedule III of the Code is replaced by the following

**“SCHEDULE III**  
(Sections 10.27 and 10.29)

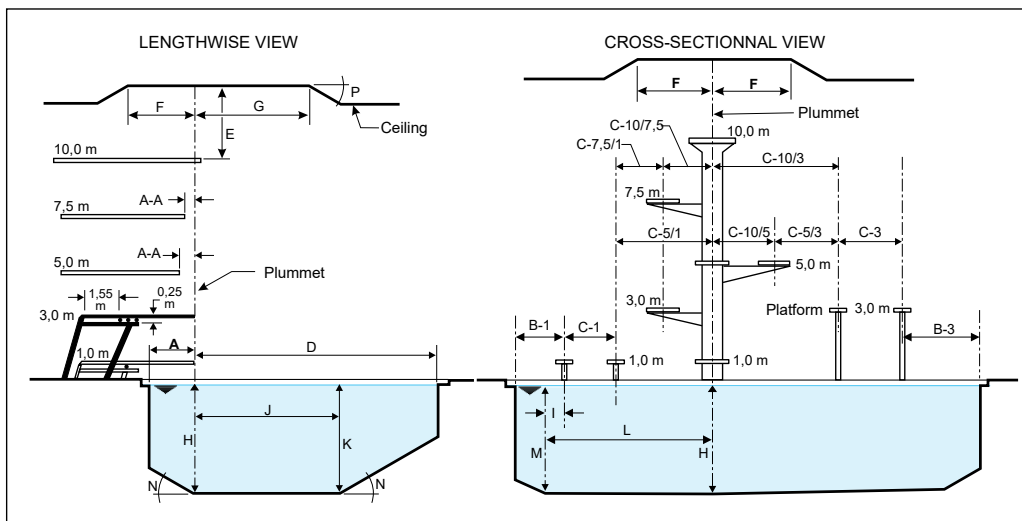
PICTOGRAM

[No diving]



**SCHEDULE IV**  
(Section 10.38)

MINIMUM DIMENSIONS OF DIVING INSTALLATIONS



## DRAFT REGULATIONS

	Springboard			Diving platform				
	≤ 0.5 m	0.5 m < h ≤ 1 m	3 m	1 m 0.6 m in width	3 m 0.6 m in width	5 m 1.5 m in width	7.5 m 1.5 m in width	10 m 2.5 m in width
A. From plummet back to pool wall de la piscine	1.50	1.50	1.50	1.25	1.25	1.50	1.50	1.50
AA. From plummet back to plummet for platform below						0.75	0.75	0.75
B. From plummet to side pool wall	2.50	2.50	3.50	2.30	2.90	4.25	4.50	5.25
C. From plummet to adjacent plummet	2.40	2.40	2.60	1.95	2.10	5/3 2.50 m 5/1 2.50 m	7.5/5 2.50 m 7.5/3/1 2.50 m	10/7.5/5 2.75 m 10/3 or 1 2.75 m
D. From plummet to pool wall ahead	9.00	9.00	10.25	8.00	9.50	10.25	11.00	13.50
E. From plummet to ceiling above	5.00	5.00	5.00	3.50	3.50	3.50	3.50	5.50
F. Clearance above. behind and to each side of plummet	2.50	2.50	2.50	2.75	2.75	2.75	2.75	2.75
G. Clearance above and ahead of plummet	5.00	5.00	5.00	5.00	5.00	5.00	5.00	6.00
H. Water depth at plummet	3.05	3.50	3.80	3.40	3.60	3.80	4.50	5.00
J/K. Distance and depth ahead of plummet	At a distance of 4.60 Minimum depth of 2.90	At a distance of 6.00 Minimum depth of 3.40	At a distance of 6.00 Minimum depth of 3.70	At a distance of 5.00 Minimum depth of 3.30	At a distance of 6.00 Minimum depth of 3.50	At a distance of 6.00 Minimum depth of 3.70	At a distance of 8.00 Minimum depth of 4.40	At a distance of 12.00 Minimum depth of 4.75
L/M. Distance and depth to each side of plummet	At a distance of 2.50 Minimum depth of 3.00	At a distance of 2.50 Minimum depth of 3.40	At a distance of 3.25 Minimum depth of 3.70	At a distance of 2.05 Minimum depth of 3.30	At a distance of 2.65 Minimum depth of 3.50	At a distance of 4.25 Minimum depth of 3.70	At a distance of 4.50 Minimum depth of 4.40	At a distance of 5.25 Minimum depth of 4.75

	Springboard			Diving platform				
	≤ 0.5 m	0.5 m < h ≤ 1 m	3 m	1 m 0.6 m in width	3 m 0.6 m in width	5 m 1.5 m in width	7.5 m 1.5 m in width	10 m 2.5 m in width
N. Maximum angle of slope to reduce pool depth beyond area of required depth	30 degrees	30 degrees	30 degrees	30 degrees				
P. Maximum angle of slope to reduce ceiling height beyond area of required clearance	30 degrees	30 degrees	30 degrees	30 degrees				

The dimensions indicated in rows B and C of the table in Schedule IV apply to diving platforms having the width indicated in the table. For diving platforms of greater width, the dimensions must be increased by one-half of the extra width.”.

**3.** The provisions of Chapter X of the Construction Code, as they read on (*insert the date of coming into force of this Regulation*), may be applied to construction work or renovation work on a bathing place provided that the work began before (*insert the date occurring six months after the date of coming into force of this Regulation*).

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

107118



## Draft Regulation

Act respecting collective agreement decrees  
(chapter D-2)

### Employer contracting party in certain decrees of the automotive services industry — Amendment

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (chapter D-2) and sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Decree to replace an employer contracting party in certain decrees of the automotive services industry, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree replaces “M.C.Q. Mouvement Carrossiers Québec” by “Corporation des carrossiers professionnels du Québec” as the employer contracting party in the Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions (chapter D-2, r. 6), the Decree respecting the automotive services industry in Chapais, Chibougamau, Lac Saint-Jean and Saguenay (chapter D-2, r. 7), the Decree respecting the automotive services industry in the Drummond and the Mauricie regions (chapter D-2, r. 8), the Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (chapter D-2, r. 9) and the Decree respecting the automotive services industry in the Québec region (chapter D-2, r. 11).

No regulatory impact analysis is required.

Further information on the draft Decree may be obtained by contacting Patrick Bourassa, coordinator for decrees and policy development advisor, Direction des politiques du travail, Ministère du Travail, 425, rue Jacques-Parizeau, 5<sup>e</sup> étage, Québec (Québec) G1R 4Z1; telephone: 418 528-9135, extension 82949 or 1 833 705-0399, extension 82949 (toll free); email: patrick.bourassa@travail.gouv.qc.ca.

Any person wishing to comment on the draft Decree is requested to submit written comments within the 45-day period to the Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1; email: ministre@travail.gouv.qc.ca.

JEAN BOULET  
*Minister of Labour*

## Decree to replace an employer contracting party in certain decrees of the automotive services industry

Act respecting collective agreement decrees  
(chapter D-2, s. 10).

**1.** The Decree respecting the automotive services industry in the Arthabaska, Granby, Sherbrooke and Thetford Mines regions (chapter D-2, r. 6) is amended in section 1.02 by replacing “M.C.Q. Mouvement Carrossiers Québec” in paragraph 1 by “Corporation des carrossiers professionnels du Québec”.

**2.** The Decree respecting the automotive services industry in Chapais, Chibougamau, Lac Saint-Jean and Saguenay (chapter D-2, r. 7) is amended in section 1.02 by replacing “M.C.Q. Mouvement Carrossiers Québec” in subparagraph *f* of paragraph 1 by “Corporation des carrossiers professionnels du Québec”.

**3.** The Decree respecting the automotive services industry in the Drummond and the Mauricie regions (chapter D-2, r. 8) is amended in section 1.02 by replacing “M.C.Q. Mouvement Carrossiers Québec” in paragraph 1 by “Corporation des carrossiers professionnels du Québec”.

**4.** The Decree respecting the automotive services industry in the Lanaudière-Laurentides regions (chapter D-2, r. 9) is amended in section 1.02 by replacing “M.C.Q. Mouvement Carrossiers Québec” in paragraph 1 by “Corporation des carrossiers professionnels du Québec”.

**5.** The Decree respecting the automotive services industry in the Québec region (chapter D-2, r. 11) is amended in section 1.02 by replacing “M.C.Q. Mouvement Carrossiers Québec” in paragraph 1 by “Corporation des carrossiers professionnels du Québec”.

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

107120



## Draft Regulation

Highway Safety Code  
(chapter C-24.2)

### Licences

#### —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 licences, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation prescribes

—that a person who holds a class 3 licence may drive a truck tractor having 2 axles and a net mass of 4,500 kg or more and a truck tractor having 3 axles or more;

—that a person who holds a class 5 driver's licence may, without holding a class 6E driver's licence, drive a motorcycle covered by the latter class of licence, but only during the practical part of the driving course required for driving such a motorcycle;

—the tightening of the conditions under which a person who holds a class 4A, 4B or 5 probationary licence or a class 3, 4A, 4B or 5 driver's licence may drive a bus, a minibus, a truck or an emergency vehicle without holding a licence of the class appropriate to the driving of those vehicles;

—the special conditions for obtaining a licence for the persons referred to in section 91.3 of the Highway Safety Code (chapter C-24.2) who fail the practical part of the proficiency examination;

—technical adjustments and details.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Lyne Vézina, Director General, Direction générale de la recherche et du développement en sécurité routière, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-5-15, P.O. Box 19600, succursale Terminus, Québec (Québec) G1K 8J6; telephone: 418 528-4105; email: lyne.vezina@saaq.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Nadia Fournier, Director, Direction des relations

gouvernementales et du soutien administratif, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, P.O. Box 19600, succursale Terminus, Québec (Québec) G1K 8J6; email: nadia.fournier@saaq.gouv.qc.ca. The comments will be forwarded by the Société to the Minister of Transport and Sustainable Mobility.

GENEVIÈVE GUILBAULT

*Minister of Transport and Sustainable Mobility*

## Regulation to amend the Regulation respecting licences

Highway Safety Code  
(chapter C-24.2, s. 91.3, 2nd par., and s. 619, pars. 3 and 6).

**1.** The Regulation respecting licences (chapter C-24.2, r. 34) is amended in section 2 by replacing “46” by “46.1”.

**2.** Section 3 is amended

(1) by replacing “46” by “46.1”;

(2) by replacing “third” by “first”.

**3.** Section 5 is amended by replacing “indication” in subparagraph 9 of the first paragraph of the English text by “endorsement”.

**4.** Section 9.1 is amended by replacing “indication or indications” in the English text by “endorsement or endorsements”.

**5.** Section 16 is amended

(1) by replacing paragraph 2 by the following:

“(2) a class 4A, 4B or 5 probationary licence also allows the holder to drive one of the following vehicles for the sole purpose of repairing or maintaining it:

(a) a bus or minibus containing not more than 3 passengers;

(b) a road vehicle covered by a class 3 licence, without load;

(c) an emergency vehicle;”;

(2) by striking out paragraph 3.



**6.** Section 24 is amended

- (1) by replacing “total” in paragraph 1 by “minimum”;
- (2) by striking out “or optometrical” in paragraph 2;
- (3) by adding the following at the end:

“(3) successfully pass the vision test required by the Société.”

**7.** Section 25 is amended

- (1) by striking out “or optometrical” in paragraph 3;
- (2) by adding the following at the end:

“(4) successfully pass the vision test required by the Société.”

**8.** Sections 28.1 and 28.2 are amended by replacing “indication or indications” in the second paragraph of the English text by “endorsement or endorsements”.

**9.** Section 28.3 is amended

- (1) by replacing the first paragraph by the following:

“A class 3 licence authorizes the driving

- (1) of a truck having 2 axles and a net mass of 4,500 kg or more and of a truck with 3 axles or more;
- (2) of a truck tractor having 2 axles and a net mass of 4,500 kg or more and of a truck tractor having 3 axles or more.”;

- (2) by replacing “indication or indications” in the second paragraph of the English text by “endorsement or endorsements”.

**10.** Section 30 is amended

- (1) by replacing “road vehicle” in paragraph 2 by “truck”;
- (2) by replacing paragraph 3 by the following:

“(3) a class 3, 4A, 4B or 5 driver’s licence also allows the holder to drive one of the following vehicles for the sole purpose of repairing or maintaining it:

(a) a bus or minibus containing not more than 3 passengers;

(b) a road vehicle covered by a class 3 licence, without load;

(c) an emergency vehicle.”;

- (3) by striking out paragraph 4;

- (4) by replacing “indication or indications” in paragraph 6 of the English text by “endorsement or endorsements”;

- (5) by replacing “indication” in paragraph 7 of the English text by “endorsement”;

- (6) by adding the following at the end:

“(8) a class 5 driver’s licence also allows the holder to drive a motorcycle covered by a class 6E licence, but only during the practical part of the driving course required for driving such a motorcycle.”

**11.** Section 32.1 is amended by striking out the second paragraph.

**12.** Section 32.2 is amended

- (1) by inserting the following after the second paragraph:

“After failing the practical part of the proficiency examination for the first time, a person no longer benefits from the exemption referred to in section 91.3 of the Highway Safety Code. The person must then obtain a class 5 learner’s licence under the conditions provided for in this Regulation, except the conditions relating to the requirement to have successfully completed the theoretical and practical parts of the driving course appropriate for that class of licence.

If the person referred to in the third paragraph successfully completes the practical part of the proficiency examination during the period of validity of the person’s learner’s licence, the Société issues a driver’s licence or, if the person has held a valid driver’s licence issued by another administrative authority for less than 2 years, a probationary licence.”;

- (2) by striking out the last paragraph.

**13.** Section 42 is amended in paragraph 2

- (1) by replacing “total” in subparagraph a by “minimum”;

(2) by striking out “or optometrical” and “to the Société” in subparagraph *b*;

(3) by adding the following at the end:

“(c) successfully pass the vision test required by the Société.”

**14.** Section 43 is amended

(1) in paragraph 2

(a) by replacing “total” in subparagraph *a* by “minimum”;

(b) by striking out “or optometrical” and “to the Société” in subparagraph *b*;

(c) by adding the following at the end:

“(c) successfully pass the vision test required by the Société.”;

(2) in paragraph 3

(a) by inserting “and have held such licence or a class 5 probationary licence for less than 24 months” at the end of subparagraph *a*;

(b) by striking out “or optometrical” and “to the Société” in subparagraph *c*;

(c) by adding the following at the end:

“(d) successfully pass the vision test required by the Société.”

**15.** Section 44 is amended by replacing “total” in subparagraph *b* of paragraph 1 and in paragraph 3 by “minimum”.

**16.** Section 45 is amended by replacing “total” in subparagraph *c* of subparagraph 1 of the first paragraph and in the second paragraph by “minimum”.

**17.** Section 46.1 is amended by replacing “indication” in the portion before paragraph 1 of the English text by “endorsement”.

**18.** Section 49 is amended by replacing “third” by “first”.

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

107115



## Draft Regulation

The Residential Swimming Pool Safety Act  
(chapter S-3.1.02)

### Residential Swimming Pool 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 Residential Swimming Pool Safety Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation replaces, in the definition of “swimming pool”, the reference to the Regulation respecting safety in public baths (chapter B-1.1, r. 11) by a reference to the Construction Code (chapter B-1.1, r. 2) to take into account the revocation of the Regulation respecting safety in public baths in the draft Regulation to amend the Safety Code, published in the *Gazette officielle du Québec* on the same date.

Further information on the draft Regulation may be obtained by contacting Gabrielle Rivard, policy advisor, Direction des orientations et de la gouvernance municipales, Ministère des Affaires municipales et de l’Habitation, 10, rue Pierre-Olivier-Chauveau, 3<sup>e</sup> étage, Québec (Québec) G1R 4J3; telephone: 418 691-2015, extension 83859; email: piscines@mamh.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Gabrielle Rivard at the above contact information.

ANDRÉE LAFOREST  
*Minister of Municipal Affairs*

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## Regulation to amend the Residential Swimming Pool Safety Regulation

The Residential Swimming Pool Safety Act  
(chapter S-3.1.02, s. 2, par. 1).

**1.** The Residential Swimming Pool Safety Regulation (chapter S-3.1.02, r. 1) is amended in section 1 by replacing “the Regulation respecting safety in public baths (chapter B-1.1, r. 11)” in paragraph 1 by “section 10.02 of the Construction Code (chapter B-1.1, r. 2), made by section 1 of the draft Regulation to amend the Construction Code, published in Part 2 of the *Gazette officielle du Québec* of 20 November 2024.”

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

107112



## Draft Regulation

Building Act  
(chapter B-1.1)

### Safety Code —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 Safety Code, appearing below, may be made by the Government, with or without amendment, on the expiry of 45 days following this publication.

The object of the draft Regulation is to amend the Safety Code (chapter B-1.1, r. 3) to add a new Chapter IX, Bathing Places. The new chapter will replace the Regulation respecting safety in public baths (chapter B-1.1, r. 11), which is repealed by the draft Regulation.

The draft Regulation establishes the safety requirements for the bathing places subject to regulation. More specifically, it includes safety requirements for indoor and outdoor pools at private seniors' residences and introduces safety requirements for wave pools.

The draft Regulation also introduces a requirement concerning a supervision and life-saving plan for certain bathing places. Similarly, a supervision audit report must be produced for wave pools and swimming pools if their irregular shape raises safety issues. Lastly, the draft Regulation drops the minimum age for acting as a lifeguard to 16.

The proposed measures will generate extra costs for the owners of bathing places, estimated at \$19,500,000 for the period from 2025 to 2029.

Further information on the draft Regulation may be obtained by contacting Sophie Bédard, Engineer, Régie du bâtiment du Québec, 800, place D'Youville, 15<sup>e</sup> étage, Québec (Québec) G1R 5S3; email: projet.reglement@rbq.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Caroline Hardy, Secretary General and Director of Institutional Affairs, Régie du bâtiment du Québec, 800, place D'Youville, 16<sup>e</sup> étage, Québec (Québec) G1R 5S3; email: projet.reglement.commentaires@rbq.gouv.qc.ca.

JEAN BOULET  
*Minister of Labour*

## Regulation to amend the Safety Code

Building Act  
(chapter B-1.1, s. 175, 1st par., 2nd par., 3rd par., subpars. 1 to 4, ss. 176, 176.1, 178 and 179, s. 185, pars. 0.1, 0.2, 0.3, 37 and 38, and s. 192).

**1.** The Safety Code (chapter B-1.1, r. 3) is amended by inserting the following after Chapter VIII:

### “CHAPTER IX BATHING PLACES

#### DIVISION I GENERAL

**421.** In this Chapter, the terms “accessory”, “deck”, “diving platform”, “pool lift”, “swimming pool”, “wading pool”, “water safety supervisor” and “wave pool” have the meaning given to them by section 10.01 of the Construction Code (chapter B-1.1, r. 2), as made by section 1 of the Regulation to amend the Construction Code, published as a draft in Part 2 of the *Gazette officielle du Québec* of 20 November 2024.

In addition, unless the context indicates otherwise,

“beach” means the waterfront area of a body of water and the adjacent area used for bathing;

“competent body” means a body that pursues activities in the area of water safety, including supervision and life-saving, is recognized by an international organization in the field such as the International Life Saving Federation, and possesses a document attesting to that recognition.

For the purposes of this Chapter, the terms “dwelling unit” and “private seniors' residence” have the meaning given to them by the National Building Code as adopted by Chapter I of the Construction Code. The term “residential board and care occupancy” has the meaning given to it by Chapter VIII of this Code.

**422.** The provisions of this Chapter apply to the following bathing places:

(1) a swimming pool or wading pool located in a building to which Chapter VIII of this Code applies;

(2) the following facilities, which are designated as facilities intended for use by the public in accordance with section 10 of the Building Act (chapter B-1.1):

(a) a beach or an outdoor swimming pool or wading pool operated as a bathing place for the general public or for a defined public group;

(b) an outdoor swimming pool or wading pool at a building used for dwelling purposes that has more than 8 dwelling units, a rooming house with more than 9 rooms, a residential board and care occupancy that accommodates more than 9 persons, or a private seniors' residence, where one of the following criteria is met:

- i. the water surface area of the pool exceeds 100 m<sup>2</sup>;
- ii. the pool is equipped with a springboard or diving platform.

The provisions also apply to a pool lift for a swimming pool, which is also designated as a facility intended for use by the public.

**423.** Despite section 422, the provisions of this Chapter do not apply to

- (1) a whirlpool bath;
- (2) a therapeutic bath or the parts of a body of water used for thermotherapy;
- (3) a receptacle basin not more than 600 mm in depth used solely for a water slide;
- (4) the parts of a natural body of water laid out for open water swimming.

In addition, subdivision 1 of Divisions III and IV of this Chapter, governing supervision, do not apply to

(1) a swimming pool or wading pool located in a building used for dwelling purposes that has more than 8 dwelling units or a rooming house with more than 9 rooms; or

(2) an outdoor swimming pool or wading pool located at a building used for dwelling purposes that has more than 8 dwelling units or a rooming house with more than 9 rooms.

**424.** A reference in this Chapter to a standard or code is a reference to the standard or code as adopted by the chapter of the Construction Code (chapter B-1.1, r. 2), the Safety Code or another regulation made under the Building Act (chapter B-1.1) that refers to it.

**425.** A bathing place must be kept in safe, sanitary and proper working condition.

**426.** The owner of a bathing place must inform the Régie du bâtiment du Québec, within 24 hours, of any fatal or non-fatal drowning incident requiring the intervention of the emergency services.

## DIVISION II REQUIREMENTS APPLICABLE BY DATE OF CONSTRUCTION OR MODIFICATION

**427.** A bathing place must comply with the regulatory requirements applicable at the date of its construction or modification.

Depending on the date of construction or modification of the bathing place, the regulatory requirements applicable are those indicated in the following table:

<b>Date of construction or modification of the bathing place</b>	<b>Regulatory requirements applicable</b>
Before 23 July 1986:	<b>Regulation respecting safety in public baths</b> (R.R.Q., 1981, c. S-3, r. 3), sections 3 to 25, 42 and 43.
Between 23 July 1986 and 13 March 2013:	<b>Regulation respecting safety in public baths</b> (R.R.Q., 1981, c. S-3, r. 3; O.C. 999-86, 86-07-02), sections 3 to 25, 42 and 43.  The Regulation, again amended by orders in council 369-90 dated 21 March 1990 and 749-91 dated 29 May 1991, was renumbered as "Chapter B-1.1, r. 11" on 1 December 2011.
Between 14 March 2013 and ( <i>insert the date preceding the date of coming into force of the Regulation to amend the Construction Code published as a draft in Part 2 of the Gazette officielle du Québec of 20 November 2024</i> ):	<b>Construction Code</b> (chapter B-1.1, r. 2) (O.C. 115-2013, 2013-02-13)  For a bathing place constructed or modified as of 14 March 2013, the preceding regulatory requirements could be applied for a period of 18 months following that date.

<b>Date of construction or modification of the bathing place</b>	<b>Regulatory requirements applicable</b>
As of <i>(insert the date of coming into force of the Regulation to amend the Construction Code published as a draft in Part 2 of the Gazette officielle du Québec of 20 November 2024)</i> :	<p><b>Construction Code</b> (chapter B-1.1, r. 2) <i>(insert the number of the order in council concerning the Regulation to amend the Construction Code published as a draft in Part 2 of the Gazette officielle du Québec of 20 November 2024)</i></p> <p>For a bathing place constructed or modified as of <i>(insert the date of coming into force of the Regulation to amend the Construction Code published as a draft in Part 2 of the Gazette officielle du Québec of 20 November 2024)</i>, the preceding regulatory requirements may be applied for a period of 6 months following that date.</p>

However, the regulatory requirements apply taking into account the fact that a regulatory requirement in force when a bathing place is constructed or modified may be covered by a measure that is equivalent or different as provided for in sections 127 and 128 of the Building Act (chapter B-1.1).

Despite the first paragraph and except for wave pools covered by an equivalent or different measure as provided for in sections 127 and 128 of the Building Act, wave pools must comply with the Regulation to amend the Construction Code, approved by Order in Council *(insert the number of the Order in Council concerning the Regulation to amend the Construction Code published as a draft in Part 2 of the Gazette officielle du Québec of 20 November 2024)*, regardless of their date of construction or modification.

### DIVISION III SWIMMING POOLS

#### §1. Supervision

**428.** A swimming pool with a water surface area greater than 150 m<sup>2</sup> must be provided with control stations

- (1) equipped with chairs at least 1.8 m above the water surface;
- (2) representing a minimum of
  - (a) 1 control station if the water surface area is 150 m<sup>2</sup> to 350 m<sup>2</sup>;
  - (b) 2 control stations if the water surface area is 351 m<sup>2</sup> to 600 m<sup>2</sup>;
  - (c) 3 control stations if the water surface area is 601 m<sup>2</sup> to 900 m<sup>2</sup>;

(d) 4 control stations if the water surface area is 901 m<sup>2</sup> or more;

(3) located sufficiently close to the walls of the swimming pool to provide an unobstructed view of the bottom of the swimming pool in the supervised area;

(4) designed and installed in a way that ensures that the water safety supervisor is not blinded by the sun and has access to shade;

(5) is reserved for the exclusive use of water safety supervisors.

**429.** A water safety supervisor must have access to a means of communication that is functional at all times and located in the enclosure of the swimming pool in order to contact the emergency services.

**430.** The procedure to be followed in the event of an emergency must be posted in a conspicuous place and the owner must ensure that water safety supervisors are capable of implementing its contents.

**431.** The owner must ensure that the minimum number of water safety supervisors respects the ratio applicable specified in Table 1, 2 or 3 in Schedule IV. For a wave pool, the applicable ratio is specified in Table 4 of the Schedule.

When a swimming pool is used exclusively for classes, swim meets or supervised training, the owner must ensure that the minimum number of water safety supervisors meets the requirements of Schedule V.

However, when an accessory in or projecting into the swimming pool obstructs the water safety supervisor's view, the number of water safety supervisors must be increased so that the entire swimming pool remains under constant supervision.



**432.** Despite the first paragraph of section 431, the owner of an indoor swimming pool with a water surface area of no more than 100 m<sup>2</sup> that is located in a residential board and care occupancy that accommodates more than 9 persons or in a private seniors' residence is not required to ensure supervision by a water safety supervisor if

(1) the owner allows only independent and semi-independent residents, and their guests, to have access to the pool;

(2) a person of at least 16 years of age, who holds a valid life-saving certificate, obtained following at least 16 hours of training, in particular concerning cardio-pulmonary resuscitation on people of all ages and first aid, is present on the premises and may be contacted quickly using a functional and clearly identified means of communication that is accessible to bathers, such as an emergency button;

(3) the swimming pool is no more than 1400 mm deep;

(4) the swimming pool is not equipped with accessories;

(5) the swimming pool is equipped with stairs;

(6) a person may not bathe if alone in the swimming pool enclosure, unless remote supervision is possible;

(7) no bather under the age of 12 is admitted to the swimming pool enclosure unless accompanied by a responsible person of at least 16 years of age and, in the case of a bather aged 7 or under, the bather remains at all times within arm's reach of that person;

(8) the accompaniment ratio is of one person of at least 16 years of age for every 2 children aged 7 or under;

(9) the total number of bathers on the deck and in the water is no more than 15;

(10) a notice stating the requirements of subparagraphs 6 to 9 in characters at least 25 mm high and in a contrasting colour is posted in a conspicuous place at the entrance to the swimming pool;

(11) the procedure to be followed in the event of an emergency and the resuscitation manoeuvres to be applied in the event of a drowning are posted in a conspicuous place, in characters at least 25 mm high; and

(12) a means of communicating with the emergency services that is functional at all times and readily accessible to bathers is installed.

However, where the swimming pool referred to in the first paragraph is more than 1400 mm deep, the requirements set out in the second paragraph of section 433 also apply.

**433.** Despite the first paragraph of section 431, the owner of a swimming pool with a water surface area of no more than 100 m<sup>2</sup> is not required to ensure supervision by a water safety supervisor if

(1) the swimming pool is reserved for the use of the clients of a tourist accommodation establishment, except a vacation camp, in which at least one dwelling unit is offered for rent in return for payment, or of an establishment providing restaurant services;

(2) a person of at least 16 years of age, who holds a valid first aid certificate, obtained following at least 16 hours of training, in particular concerning cardio-pulmonary resuscitation on people of all ages and first aid, is present on the premises and may be contacted quickly using an identified functional means of communication that is readily accessible to bathers, such as an emergency button;

(3) the swimming pool is no more than 1400 mm deep;

(4) the swimming pool is not equipped with accessories;

(5) a system to automatically prevent access to the swimming pool enclosure, of a height at least 1500 mm above floor height, is installed;

(6) a person may not bathe if alone in the swimming pool enclosure, unless remote supervision is possible;

(7) no bather under the age of 12 is admitted to the swimming pool enclosure, unless accompanied by a responsible person of at least 16 years of age and, in the case of a bather aged 7 or under, the bather remains at all times within arm's reach of that person;

(8) the accompaniment ratio is of one person of at least 16 years of age for every 2 children aged 7 or under;

(9) the total number of bathers on the deck and in the water is no more than 15;

(10) a notice stating the requirements of subparagraphs 6 to 9 in characters at least 25 mm high and in a contrasting colour is posted in a conspicuous place at the entrance to the swimming pool;



(11) the procedure to be followed in the event of an emergency and the resuscitation manoeuvres to be applied in the event of a drowning are posted in a conspicuous place; and

(12) a means of communicating with the emergency services that is functional at all times and readily accessible to bathers is installed.

However, where the swimming pool referred to in the first paragraph is more than 1400 mm deep, the following requirements also apply:

(1) the person referred to in subparagraph 2 of the first paragraph must hold a valid aquatic life-saving certificate issued by a competent body;

(2) the deep area of the swimming pool must be identified by

(a) a cable held up by floats, which must be installed in the swimming pool to indicate the boundary between the deep area and the shallow area; and

(b) clear markings for bathers to indicate the deep area of the swimming pool;

(3) personal floatation devices must be made available to all bathers.

**434.** Despite the second paragraph of section 431, when a swimming pool is used only for classes provided by a physical education teacher, the owner must ensure that the minimum number of water safety supervisors meets the requirements of the following table:

Number of bathers	Number of physical education teachers	Minimum number of:	
		Lifeguards	Assistant lifeguards
0-30	1	0	0
31-60	2	0	0
	or		
	1	1	0
61 and more	3	0	0
	or		
	2	1	0
	or		
	1	1	1

For the purposes of this section, a “physical education teacher” is a person who holds a physical education degree issued by a university in Québec or an equivalent degree issued by another university that is recognized by the Minister of Higher Education, and who has completed a minimum of 90 hours training in swimming as part of the university course. The 90 hours must include a minimum of 30 hours to qualify the person in life-saving, supervision, cardio-pulmonary resuscitation and first aid. The person must hold an attestation to this effect.

The owner must ensure that the life-saving, supervision, cardio-pulmonary resuscitation and first aid skills of a physical education teacher have been updated.

**435.** Despite the second paragraph of section 431, an owner is not required to ensure supervision by a water safety supervisor when the swimming pool is used only for underwater diving classes under the direct supervision of an instructor holding a valid certificate recognized under the By-law respecting qualifications for recreational underwater diving (chapter S-3.1, r. 8).

The owner must ensure that underwater diving instructors are capable of implementing the procedure to be followed in the event of an emergency.

**436.** Except for swimming pools where the owner is not required to ensure supervision by a water safety supervisor, the owner must establish a supervision and lifesaving plan taking the particularities of the swimming pool into account.

The plan must cover

- (1) the physical characteristics of the pool;
- (2) the maximum number of bathers allowed on the deck and in the water;
- (3) the number of water safety supervisors by type of activity, in accordance with Schedules IV and V;
- (4) the types of activities allowed in the swimming pool and the additional number of water safety supervisors they require, where applicable;
- (5) the areas supervised by each water safety supervisor; and
- (6) the procedure to be followed in the event of an emergency.

The supervision and lifesaving plan must be available for consultation on-site.

**437.** The owner of a wave pool or a swimming pool the irregular shape of which raises safety issues must hold a supervision audit report that covers at least

- (1) the swimming pool's compliance with the supervision requirements of this Chapter;
- (2) the verification of the supervision and lifesaving plan;
- (3) the identification, for each control station, of the particularities of the areas that may obstruct the view of the pool bottom because of the pool's design and the reflections caused by natural or artificial light;
- (4) a determination of the pool areas requiring special attention because of surface turbulence, an obstructed view of the pool bottom, or the presence of accessories or low walls;
- (5) a determination of the area supervised from each control station depending on the type of activity scheduled for each timetable slot; and
- (6) a determination of the position of each water safety supervisor to ensure constant and complete supervision of the pool, including the pool bottom.

The supervision audit must be produced by a competent body. It may also be produced by the owner after completing training in the production of such an audit, provided by such a body.

The owner must, without delay, obtain a new supervision audit after a change is made to the configuration of a pool referred to in the first paragraph.

**438.** A swimming pool lifeguard must meet the following conditions:

- (1) be at least 16 years of age;
- (2) hold a valid swimming pool lifeguard certificate issued by a competent body.

**439.** A wave pool lifeguard must meet the following conditions:

- (1) be at least 16 years of age;
- (2) hold a valid wave pool lifeguard certificate issued by a competent body.

**440.** Despite section 438, a person of at least 16 years of age who qualifies in accordance with paragraph 2 of section 441 may act as a swimming pool lifeguard at a pool with a water surface area of less than 150 m<sup>2</sup> provided that use of the pool is reserved for use by one of the following clientele:

- (1) the clients of a tourist accommodation establishment, except a vacation camp, in which at least one dwelling unit is offered for rent in return for payment, or of an establishment providing restaurant services;
- (2) the residents of a residential board and care occupancy that accommodates no more than 9 persons and their guests;
- (3) the residents of a private seniors' residence and their guests.

**441.** An assistant lifeguard must meet the following conditions:

- (1) be at least 15 years of age;
- (2) hold a valid assistant lifeguard certificate issued by a competent body.

**442.** Water safety supervisors must be identified in a way that allows them to be located by bathers. They must carry a pocket mask and a pair of protective gloves.

**443.** A water safety supervisor may leave the area temporarily provided that

- (1) the water safety supervisor remains within calling distance;
- (2) the other water safety supervisors, including at least one lifeguard, remain on duty.

**444.** The swimming pool must be cleared of bathers and access to the pool must be prevented as soon as one of the following situations occurs:

- (1) a safety check is necessary;
- (2) there is a hazard because of
  - (a) a lack of water clarity, as provided for in section 454;
  - (b) the presence of hazardous substances in the water or on the deck;
- (3) the applicable supervision requirements are not met;

(4) a protective cover in the water treatment system breaks;

(5) the bathers' safety or health is compromised.

### §2. Signs and safety equipment

**445.** The following rules must be posted in the swimming pool enclosure, in a conspicuous place, and be complied with by all swimming pool users, failing which they may be expelled from the pool:

(1) no glass container may be brought onto the deck or into the swimming pool;

(2) no pushing or shoving is allowed in the swimming pool or on the deck;

(3) bathing is prohibited for persons with diarrhoea or contagious skin lesions, or any other condition presenting a risk of contagion or water contamination;

(4) prolonged and repeated breath holding is prohibited;

(5) no person may bathe if alone in the swimming pool enclosure.

Where characters are used, they must be in a contrasting colour and at least 25 mm high.

**446.** Notices must be posted in conspicuous and appropriate places, with characters in a contrasting colour and at least 25 mm high, to inform bathers of

(1) the requirements concerning a spectator gallery, as set out in the second and third paragraphs of section 452;

(2) the safety rules for the accessories they use.

The maximum number of bathers that may be admitted to the deck and to the water, pursuant to sections 449 and 451, must be indicated on a notice using characters in a contrasting colour and at least 150 mm high.

**447.** A swimming pool must be equipped, in places that are accessible at all times, with the following safety equipment:

(1) an electrically insulated or non-conducting reaching pole at least 3.6 m long;

(2) two safety buoys, including at least one at each control station, that may be

(a) of a ring type with an inside diameter between 275 and 380 mm solidly attached by a cable that is 3 m plus half the width of the pool in length, placed on supports at the control station;

(b) of a torpedo type with a loop for the shoulders and at least 2 m of cable;

(c) of a tube type with a loop for the shoulders and at least 2 m of cable;

(3) a spine board with a head immobilizer;

(4) a first aid kit that meets the requirements of Schedule VI;

(5) a blanket;

(6) supplementary safety equipment for sites with several pools when it is difficult to install the safety equipment provided for in subparagraphs 1 to 5 in a place that is accessible from all the pools;

(7) a functional means of communication available to the water safety supervisor to contact the emergency services.

In addition to the equipment mentioned in the first paragraph, municipal swimming pools and swimming pools at educational establishments must be equipped with an automated external defibrillator (AED).

**448.** A water safety supervisor or a person responsible must be designated by the owner to ensure, each week, that the safety equipment provided for in section 447 is complete and in good working order. The person must record any pertinent remarks about the safety equipment in a register, sign the document, enter the date on which the equipment was checked and return the register to the owner.

The owner must also ensure that a person ensures, each week, the proper working order of

(1) the cut-off switch for the water treatment system;

(2) the cut-off switch for the metering pumps for disinfection and pH control if the water recirculation system is shut off.

### §3. Access and use

**449.** A swimming pool must not be accessible to the public outside its opening times. Where a fence is used to prevent access to the swimming pool, the fence must

comply with the requirement provided for in paragraph 4 of section 10.35 of the Construction Code, as made by section 1 of the Regulation to amend the Construction Code, published as a draft in Part 2 of the *Gazette officielle du Québec* of 20 November 2024.

**450.** Except for a wave pool, the total number of bathers on the deck and in the water must not exceed

(1) for an indoor swimming pool, the number obtained by allocating each bather 1.4 m<sup>2</sup> of surface area in the shallow area and 2.2 m<sup>2</sup> in the deep area;

(2) for an outdoor swimming pool, the number obtained by allocating each bather 0.9 m<sup>2</sup> of surface area in the shallow area and 1.2 m<sup>2</sup> in the deep area.

For the purposes of the calculation, the deep area of the swimming pool is the area where the water is over 1400 mm deep.

**451.** For a wave pool, the total number of bathers on the deck and in the water must not exceed the number determined by the following formula:

$$D/1.2 + S/0.9$$

Where D is the area in square metres of the part of the swimming pool that is deeper than 1000 mm when the wave-producing mechanism is not in operation, and S is the area in square metres of the part of the swimming pool that is 1000 mm in depth or shallower when the wave-producing mechanism is not in operation.

**452.** Benches or seats for use by spectators during events may be placed temporarily on the deck, provided that

(1) the spectator area and the access to it are separated from the remainder of the deck by a barrier placed not less than 600 mm from the edge of the swimming pool;

(2) the benches or seats are stored outside the deck area immediately after use.

Where a spectator gallery is provided, spectators must be prohibited from walking on the deck within 1800 mm of the edge of the pool.

When the swimming pool is accessible via a barrier-free path of travel, the spectator gallery must include a sufficient number of places reserved for disabled persons.

**453.** Pool water must be kept free of any matter or object hazardous to the safety of bathers.

**454.** The pool water must be of a clarity allowing the water safety supervisor

(1) in a swimming pool, to see the black disc required by section 10.26 of the Construction Code, as made by section 1 of the Regulation to amend the Construction Code, published as a draft in Part 2 of the *Gazette officielle du Québec* of 20 November 2024, from any point on the deck 9 m away from the disc;

(2) in a wave pool, when the wave-producing mechanism is not in operation, to see the black disc required by section 10.26 of the Construction Code, as made by section 1 of the Regulation to amend the Construction Code, published as a draft in Part 2 of the *Gazette officielle du Québec* of 20 November 2024, from any point on the deck 9 m away from the disc.

#### DIVISION IV WADING POOLS

##### §1. Access

**455.** A wading pool must not be accessible to the public outside its opening times.

This section does not apply to a wading pool that is emptied before the departure of the person responsible for supervision.

##### §2. Supervision

**456.** A wading pool must be supervised by a person of at least 14 years of age.

**457.** The supervision of a wading pool that is deeper than 150 mm must be ensured by a person holding

(1) a valid first aid certificate, obtained following at least 16 hours of training, in particular concerning cardio-pulmonary resuscitation on people of all ages and first aid;

(2) a valid life-saving certificate or aquatic supervisor's certificate issued by a competent body;

(3) any other certificate in supervision or lifesaving provided for in this Chapter.

However, when an accessory in or projecting into the wading pool obstructs the water safety supervisor's view, the number of water safety supervisors must be increased so that the entire wading pool remains under constant supervision.

### §3. *Safety equipment*

**458.** A wading pool must be equipped, at a place that is accessible at all times, with a first aid kit that meets the requirements of Schedule VI.

**459.** A functional means of communication must be available to the person responsible for supervision to contact the emergency services.

In addition, the procedure to be followed in the event of an emergency must be posted in a conspicuous place in characters at least 25 mm high.

## DIVISION V BEACHES

### §1. *Supervision*

**460.** When a beach is open to the public, the number of water safety supervisors must meet the requirements of Schedule VII.

However, when an accessory in or projecting into the supervised beach area obstructs the water safety supervisor's view, the number of water safety supervisors must be increased so that the entire supervised area remains under constant supervision.

**461.** The owner must establish a supervision and lifesaving plan taking the particularities of the beach into account. The plan must cover

- (1) the physical characteristics of the beach;
- (2) the number of water safety supervisors required by Schedule VII, depending on the length of the beach;
- (3) the location of the supervised areas allocated to each water safety supervisor;
- (4) the types of activity allowed on the beach and the additional number of water safety supervisors required, if applicable;
- (5) the procedure to be followed in the event of an emergency.

The supervision and lifesaving plan must be available for consultation on-site.

The owner is responsible for ensuring that the water safety supervisors are capable of implementing the procedure to be followed in the event of an emergency.

**462.** A beach lifeguard must meet the following conditions:

- (1) be at least 16 years of age;
- (2) hold a valid beach lifeguard certificate issued by a competent body.

However, one of the certificates mentioned in section 438 or 439 may be accepted for the purposes of this section if the beach is less than 15 m long or if it is shown that it is impossible to hire a lifeguard holding the certificate mentioned in subparagraph 2 of the first paragraph.

**463.** An assistant beach lifeguard must meet the following conditions:

- (1) be at least 16 years of age;
- (2) hold
  - (a) a swimming pool lifeguard certificate provided for in section 438;
  - (b) an assistant lifeguard certificate provided for in section 441.

**464.** Water safety supervisors must be identified in a way that allows them to be located by bathers. They must carry a pocket mask and a pair of protective gloves.

**465.** A water safety supervisor may leave the supervised area temporarily provided that

- (1) the water safety supervisor remains within calling distance;
- (2) the other water safety supervisors, including at least one lifeguard, remain on duty.

**466.** The beach must be cleared of bathers and access to the beach must be prevented as soon as one of the following situations occurs:

- (1) a safety check is necessary;
- (2) there is a hazard because of
  - (a) a lack of water clarity;
  - (b) the presence of hazardous substances in the water;

(3) the applicable supervision requirements are not met;

(4) the bathers' safety or health is compromised.

## **§2. Signs and safety equipment**

**467.** When a beach is open to the public, the bathing area must be delimited by a line of white buoys. The water in the delimited area, and outside the delimited area over a distance of at least 1000 mm, must be no more than 1600 mm. The line of buoys must be anchored so as to resist movement by waves.

Depth markers must be installed in the bathing area to mark the depths of 500 mm and 1000 mm. The depth must be indicated in metres using characters at least 150 mm high in a contrasting colour so as to be visible from the beach.

In the case of an oceanfront beach, the supervised area must be delimited using flags on the beach. If the beach is tidal, the supervised area must be adjusted depending on the water depth.

**468.** A beach open to the public must be equipped with

(1) one non-motorized rescue boat or aquaplane containing the equipment prescribed in section 471 for each 250 linear metres of beach or fraction thereof;

(2) one control station, protected from the sun, of a minimum height of 2.4 m, for each 125 linear metres of beach or fraction thereof;

(3) in each control station,

(a) a safety buoy, that may be

i. of a torpedo type with a loop for the shoulders and at least 2 m of cable;

ii. of a tube type with a loop for the shoulders and at least 2 m of cable;

(b) fins, face masks and snorkels;

(4) a first aid kit that meets the requirements of Schedule VI;

(5) a blanket;

(6) a functional means of communication, within a 100 m radius of each supervision station, that is available to the water safety supervisor to contact the emergency

services. In addition, the procedure to be followed in the event of an emergency must be posted in a conspicuous place in characters at least 25 mm high;

(7) a functional means of communication allowing communications between the water safety supervisors;

(8) personal flotation devices for children when groups of children are admitted to the beach.

**469.** In the presence of an accessory in or projecting into the supervised area of a beach, the water depth must be indicated at the place where the accessory is located, in metres, using characters at least 150 mm high in a contrasting colour so as to be visible from the beach.

**470.** A water safety supervisor or a person responsible must be designated by the owner to ensure, each week, that the equipment provided for in section 468 is complete and in good working order. The person must record any pertinent remarks about the safety equipment in a register, sign the document, enter the date on which the equipment was checked and return the register to the owner.

The owner must also ensure that a person, each week, checks

(1) the proper working order of the accessories;

(2) the depth of the bathing area at the places where depth markers are installed in accordance with the second paragraph of section 467.

**471.** A rescue boat must contain

(1) 2 oars and rowlocks;

(2) 1 mooring-buoy or anchor;

(3) 3 lifejackets approved by Transport Canada;

(4) 1 ringbuoy with a maximum interior diameter of 380 mm attached to a cable having a minimum length of 15 m.

**472.** Except in a case of necessity, a rescue boat must not be used for patrolling bathers.

**473.** The following rules must be posted in at least two conspicuous places on the beach:

(1) glass containers are prohibited on the beach;

(2) pushing or shoving is prohibited;



- (3) diving is prohibited;
- (4) watercraft and fishing are prohibited in the bathing area;
- (5) bathing is prohibited for persons with diarrhoea or contagious skin lesions, or any other condition presenting a risk of contagion or water contamination;
- (6) prolonged and repeated breath holding is prohibited.

Where characters are used, they must be in a contrasting colour and at least 25 mm high.

**474.** Notices using characters at least 100 mm high must be installed at each end of the beach and on the boundary with adjacent land at a maximum interval of 60 m to inform bathers about

- (1) the hours of supervision;
- (2) the prohibition on bathing outside the hours of supervision;
- (3) the boundaries of the supervised beach;
- (4) the water quality;
- (5) the risk of rip currents, on oceanfront beaches and tidal beaches.

## DIVISION VI PENAL PROVISION

**475.** A contravention of any of the provisions of this Chapter constitutes an offence.”

**2.** The following is added after Schedule III:

## SCHEDULE IV (ss. 431 and 436)

### SUPERVISION OF A SWIMMING POOL

**Table 1**  
Water surface area below 150 m<sup>2</sup>

Number of bathers in the water and on the deck	Lifeguards	Assistant lifeguards
0-50	1	0
51 or more	1	1

**Table 2**  
Indoor swimming pool  
Water surface area of 150 m<sup>2</sup> or more

Number of bathers in the water and on the deck	Minimum number of:	
	Lifeguards	Assistant lifeguards
0-30	1	0
31-100	1	1
101-200	1	2
201-300	2	2
301-400	2	3
401-500	3	3
501-600	3	4
601-700	4	4
701 or more	4 lifeguards, 4 assistant lifeguards and 1 additional water safety supervisor for each additional 100 bathers or fraction thereof over 700.	

**Table 3**  
Outdoor swimming pool  
Water surface area of 150 m<sup>2</sup> or more

Number of bathers in the water and on the deck	Minimum number of:	
	Lifeguards	Assistant lifeguards
0-30	1	0
31-150	1	1
151-300	1	2
301-500	2	2
501-700	2	3
701 or more	2 lifeguards, 3 assistant lifeguards et 1 additional water safety supervisor for each additional 300 bathers or fraction thereof over 700.	



**Table 4**  
**Wave pool**

Number of bathers	Number of lifeguards based on the surface area of a wave pool		
	No more than 1500 m <sup>2</sup>	Between 1,501 and 2,500 m <sup>2</sup>	More than 2,500 m <sup>2</sup>
0-50	2	2	3
51-100	3	4	5
101-300	4	5	6
301-500	5	6	7
501-700	6	7	8
701-850	7	8	9
851-1 000	8	9	10

For more than 1,000 bathers, one additional lifeguard for each additional 150 bathers.

**SCHEDULE V**  
(ss. 431 and 436)

ADDITIONAL SUPERVISION REQUIRED,  
IN ADDITION TO THE AQUATIC INSTRUCTOR,  
WHEN A SWIMMING POOL IS USED  
EXCLUSIVELY FOR CLASSES, SWIM MEETS  
OR SUPERVISED TRAINING

Number of bathers	Minimum number of:	
	Lifeguards	Assistant lifeguards
0-30	0*	0
31-50	1	0
51 or more	1	1

\* A lifeguard is required if the aquatic instructor is not a qualified lifeguard.

**SCHEDULE VI**  
(ss. 447, 458 and 468)

**FIRST AID KIT**

— 25 adhesive dressings, sterile, various sizes (standard, large, fingertip, joint, large patch);

— 1 roll stretch gauze bandage, unstretched length, individually wrapped, 5.1 cm x 1.8 m;

— 1 roll stretch gauze bandage, unstretched length, individually wrapped, 7.6 cm x 1.8 m;

— 1 pair bandage scissors, stainless steel (angled, blunted tip), minimum 14 cm;

— 2 compression bandages with ties, sterile, 10.2 cm x 10.2 cm;

— 2 triangular bandages, cotton, with 2 safety pins, 101.6 cm x 101.6 cm x 142.2 cm;

— 25 wound-cleansing wipes, antiseptic, individually wrapped;

— 1 splinter forceps/tweezers, fine point, stainless steel, minimum 11.4 cm;

— 2.3 m adhesive tape (diachylon), 2.5 cm;

— 1 barrier device for cardiopulmonary resuscitation (CPR), with one-way valve;

— 4 pairs examination gloves, disposable, medical grade, single-size, latex and powder free;

— 1 abdominal pad, sterile, individually wrapped, 12.7 cm x 22.9 cm;

— 12 sterile gauze swabs, individually wrapped, 7.6 cm x 7.6 cm;

— 1 emergency blanket, non-stretch aluminum and polyester, minimum 132 cm x 213 cm;

— 6 hand and skin cleansing wipes, individually wrapped (or equivalent);

— 6 doses antibiotic ointment, topical, single-use;

— 1 biomedical waste collection bag, single-use;

— List of contents.

**SCHEDULE VII**

(ss. 460 and 461)

**SUPERVISION OF A BEACH**

Beach length in metres	Minimum number of:	
	Lifeguards	Assistant lifeguards
Under 125	1	0
125 to 250	2	1
251 to 375	2	2
376 to 500	3	2
501 to 625	3	3

N.B. For each additional 125 linear metres of beach or fraction thereof over 625 metres, one additional water safety supervisor is required.

**DIVISION VII****TRANSITIONAL AND FINAL**

**3.** A physical education teacher holding the attestation required by section 26 of the Regulation respecting safety in public baths (chapter B-1.1, r. 11) when this Regulation comes into force is exempted from the application of the second paragraph of section 434 of this Regulation concerning the minimum number of hours of training qualifying the teacher in life-saving, supervision, cardiopulmonary resuscitation and first aid.

**4.** Despite section 20 of the Regulation respecting safety in public baths (chapter B-1.1) and section 10.18 of the Construction Code (chapter B-1.1), a swimming pool constructed with a slope towards the centre from the deck must comply with the requirement provided for in section 10.26 of the Construction Code, as made by section 1 of the Regulation to amend the Construction Code, published as a draft in Part 2 of the *Gazette officielle du Québec* of 20 November 2024, not later than 6 months following (*insert the date of coming into force of this Regulation*).

**5.** The Regulation respecting safety in public baths (chapter B-1.1, r. 11) is revoked.

**6.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except section 438, as made by section 1 of this Regulation, which comes into force on (*insert the date occurring one year after the date of coming into force of this Regulation*).

107117



## Draft Regulation

Environment Quality Act  
(chapter Q-2)

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation  
(chapter M-11.6)

### Water quality in swimming pools and other artificial pools — 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 water quality in swimming pools and other artificial pools, appearing below, may be made by the Government on the expiry of 45 days following this publication.

Consequential amendments are proposed in the draft Regulation respecting water quality in swimming pools and other artificial pools (chapter Q-2, r. 39) in relation to the amendments made in the Safety Code (chapter B-1.1, r. 3), in particular the revocation of the Regulation respecting safety in public baths (chapter B-1.1, r. 11) and the addition of pool water clarity standards as they apply to the black disc required under the Construction Code (chapter B-1.1, r. 2).

The draft Regulation has no impact on enterprises.

Further information on the draft Regulation may be obtained by contacting Pierre Ladevèze, Director, Direction de l'eau potable, Direction principale de la protection des eaux, Direction générale des politiques de l'eau, Ministère de l'Environnement, de la Lutte contre les changements climatiques, de la Faune et des Parcs, 675, boulevard René-Lévesque Est, 8<sup>e</sup> étage, boîte 42, Québec (Québec) G1R 5V7; email: [eaupotabledepes@environnement.gouv.qc.ca](mailto:eaupotabledepes@environnement.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Pierre Ladevèze at the above contact information.

**BENOIT CHARETTE**

*Minister of the Environment, the Fight Against Climate Change, Wildlife and Parks*

## Regulation to amend the Regulation respecting water quality in swimming pools and other artificial pools

Environment Quality Act  
(chapter Q-2, s. 46, par. 2).

Act respecting certain measures enabling the enforcement of environmental and dam safety legislation  
(chapter M-11.6, s. 30, 1st par.).

**1.** The Regulation respecting water quality in swimming pools and other artificial pools (chapter Q-2, r. 39) is amended in section 7 by replacing the first paragraph by the following:

“Pool water clarity must be such that the black disc referred to in section 10.26 of the Construction Code (chapter B-1.1, r. 2), made by section 1 of the draft Regulation to amend the Construction Code, published in Part 2 of the *Gazette officielle du Québec* of 20 November 2024, is visible from any point of the deck.”

**2.** Section 9 is amended in the French text by replacing “limpidité” in the table by “clarté”.

**3.** Section 22.4 is amended in the French text by replacing “limpidité” in paragraph 3 by “clarté”.

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

107113

