



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 55
(2009, chapter 43)

**An Act respecting the implementation of
the Ninth Protocol of Amendment to the
Agreement on Internal Trade**

**Introduced 9 June 2009
Passed in principle 22 September 2009
Passed 28 October 2009
Assented to 3 November 2009**

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EXPLANATORY NOTES

The purpose of this Act is to implement the Ninth Protocol of Amendment to the Agreement on Internal Trade by amending various legislative provisions to bring them into line with the new Chapter 7 of the agreement. More specifically, it modifies certain statutory authorities and introduces various provisions relating to the recognition of occupational qualifications.

LEGISLATION AMENDED BY THIS ACT:

- Act respecting racing (R.S.Q., chapter C-72.1);
- Act to promote workforce skills development and recognition (R.S.Q., chapter D-8.3);
- Act respecting workforce vocational training and qualification (R.S.Q., chapter F-5);
- Act respecting medical laboratories, organ, tissue, gamete and embryo conservation, and the disposal of human bodies (R.S.Q., chapter L-0.2);
- Cullers Act (R.S.Q., chapter M-12.1);
- Act respecting pre-hospital emergency services (R.S.Q., chapter S-6.2);
- Stenographers' Act (R.S.Q., chapter S-33);
- Act to amend the Act respecting collective agreement decrees (1996, chapter 71).

Bill 55

AN ACT RESPECTING THE IMPLEMENTATION OF THE NINTH PROTOCOL OF AMENDMENT TO THE AGREEMENT ON INTERNAL TRADE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The purpose of this Act is to implement the Ninth Protocol of Amendment to the Agreement on Internal Trade, which pertains to labour mobility.

ACT RESPECTING RACING

2. Section 63 of the Act respecting racing (R.S.Q., chapter C-72.1) is amended by striking out the second paragraph.

ACT TO PROMOTE WORKFORCE SKILLS DEVELOPMENT AND RECOGNITION

3. Section 25.7 of the Act to promote workforce skills development and recognition (R.S.Q., chapter D-8.3) is amended

(1) by adding the following subparagraph after subparagraph 2 of the first paragraph:

“(3) the person holds an occupational qualification certificate issued outside Québec under the Interprovincial Standards Red Seal Program developed by the Canadian Council of Directors of Apprenticeship or recognized under an intergovernmental agreement to which the Government is party in respect of workforce mobility or the recognition of qualifications, skills or work experience.”;

(2) by replacing “described in the first paragraph” in the second paragraph by “described in subparagraph 1 or 2 of the first paragraph”.

ACT RESPECTING WORKFORCE VOCATIONAL TRAINING AND QUALIFICATION

4. Section 29.1 of the Act respecting workforce vocational training and qualification (R.S.Q., chapter F-5) is amended by inserting the following subparagraph after subparagraph 4 of the first paragraph:

“(4.1) any measure to give effect to an intergovernmental agreement to which the Government is party in respect of workforce mobility or the recognition of qualifications, skills or work experience in trades or vocations”.

5. The Act is amended by inserting the following section after section 29.1:

“29.2. The Minister administers, within Québec, the Interprovincial Standards Red Seal Program developed by the Canadian Council of Directors of Apprenticeship to provide greater mobility for skilled workers across Canada, and may

(1) request the Council to approve the Red Seal designation of trades, including trades governed by this Act or the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20);

(2) administer examinations for designated trades;

(3) issue certificates or affix seals to existing certificates;

(4) set the fees payable; and

(5) determine any other related measure that is necessary for the implementation of the program.”

ACT RESPECTING MEDICAL LABORATORIES, ORGAN, TISSUE, GAMETE AND EMBRYO CONSERVATION, AND THE DISPOSAL OF HUMAN BODIES

6. Section 38 of the Act respecting medical laboratories, organ, tissue, gamete and embryo conservation, and the disposal of human bodies (R.S.Q., chapter L-0.2) is amended by adding the following paragraph:

“A person applying for a permit required under section 32 may be domiciled outside Québec but must be domiciled in Canada.”

7. Section 69 of the Act is amended by inserting the following subparagraph after subparagraph *c* of the first paragraph:

“(c.1) set conditions for recognizing a permit, licence or other form of occupational certification issued in Canada;”.

CULLERS ACT

8. Section 18 of the Cullers Act (R.S.Q., chapter M-12.1) is amended by adding “or is exempted from the examinations, in accordance with the conditions prescribed by regulation, because the person holds a licence, permit or other form of occupational certification issued in Canada to cullers or scalers” at the end of paragraph 2.

9. Section 30 of the Act is amended by adding “, including the conditions for recognizing a licence, permit or other form of occupational certification issued in Canada to cullers or scalers” at the end of paragraph 1.

ACT RESPECTING PRE-HOSPITAL EMERGENCY SERVICES

10. Section 6 of the Act respecting pre-hospital emergency services (R.S.Q., chapter S-6.2) is amended by adding the following subparagraph after subparagraph 7 of the first paragraph:

“(8) to determine, with a view to awarding equivalencies to persons wishing to act as ambulance technicians, standards for recognizing certificates and other forms of official occupational certification and standards for recognizing prior training and experience, and to take the measures needed to facilitate such recognition.”

11. Section 63 of the Act is amended by inserting “or have completed training recognized as equivalent by the national medical director under subparagraph 8 of the first paragraph of section 6, or hold a certificate or other form of official occupational certification issued in Canada that attests that the holder is qualified and authorized to act as an ambulance technician and that is recognized by the national medical director in accordance with that subparagraph” after “examination” in paragraph 1.

STENOGRAPHERS’ ACT

12. Section 3 of the Stenographers’ Act (R.S.Q., chapter S-33) is amended by replacing the first paragraph by the following paragraph:

“**3.** To act as a stenographer, a person must hold an accreditation granted by the Comité sur la sténographie established by the Barreau du Québec under Division XIV.1 of the Act respecting the Barreau du Québec (chapter B-1). Such an accreditation is granted to any person who complies with the rules, terms and conditions prescribed by regulation under subparagraph 1 of the first paragraph of section 140.4 of that Act.”

ACT TO AMEND THE ACT RESPECTING COLLECTIVE AGREEMENT DECREES

13. Section 41 of the Act to amend the Act respecting collective agreement decrees (1996, chapter 71) is amended by adding the following sentence at the end of the first paragraph: “They may, in particular, be revised to give effect to an intergovernmental agreement to which the Government is party in respect of labour mobility or the recognition of qualifications, skills or work experience.”

FINAL PROVISIONS

14. In any regulation, “an interprovincial agreement on the reciprocal recognition of vocational qualification (Red Seal)” is replaced by “the Interprovincial Standards Red Seal Program”, with the necessary modifications.

15. This Act comes into force on 3 November 2009.

