

**Laws and Regulations**

Volume 136

**Summary**

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## Regulations and other acts

Gouvernement du Québec

### **O.C. 910-2004, 30 September 2004**

Professional Code  
(R.S.Q., c. C-26)

#### **Conseillers en ressources humaines et en relations industrielles agréés — Standards for equivalence of diplomas or training for the issue of a permit**

Regulation respecting the standards for equivalence of diplomas or training for the issue of a permit by the Ordre des conseillers en ressources humaines et en relations industrielles agréés du Québec

WHEREAS, under paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must, by regulation, prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit or specialist's certificate, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes;

WHEREAS the Bureau of the Ordre des conseillers en ressources humaines et en relations industrielles agréés du Québec has made the Regulation respecting the standards for equivalence of diplomas or training for the issue of a permit by the Ordre des conseillers en ressources humaines et en relations industrielles agréés du Québec;

WHEREAS, under section 95 of the Code and subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order shall be transmitted to the Office des professions du Québec for examination and submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in the *Gazette officielle du Québec* of 4 February 2004 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting the standards for equivalence of diplomas or training for the issue of a permit by the Ordre des conseillers en ressources humaines et en relations industrielles agréés du Québec, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

### **Regulation respecting the standards for equivalence of diplomas or training for the issue of a permit by the Ordre des conseillers en ressources humaines et en relations industrielles agréés du Québec**

Professional Code  
(R.S.Q., c. C-26, s. 93, par. c)

#### **DIVISION I GENERAL PROVISIONS**

**1.** The secretary of the Ordre des conseillers en ressources humaines et en relations industrielles agréés du Québec shall forward a copy of this Regulation to a candidate who, for the purpose of obtaining a permit from the order, applies for an equivalence of a diploma issued by an educational establishment situated outside Québec, or requests a training equivalence.

**2.** In this Regulation, the following terms mean:

1° “diploma giving access to a permit” means a diploma recognized as giving access to the permit issued by the order by regulation of the Government made under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26);

2° “diploma equivalence” means the attestation by the Bureau of the order, in accordance with subparagraph g of the first paragraph of section 86 of the Professional Code, that the level of knowledge and skills attained by the holder of a diploma issued by an educational establishment outside Québec is equivalent to the level attained by the holder of a diploma giving access to a permit by the order;

3° “training equivalence” means the attestation by the Bureau of the order, in accordance with subparagraph g of the first paragraph of section 86 of the Professional Code, that a candidate’s training is equivalent to the level of knowledge and skills attained by the holder of a diploma giving access to a permit by the order.

## **DIVISION II**

### **STANDARDS FOR A DIPLOMA EQUIVALENCE**

**3.** A candidate holding a diploma issued by an educational establishment outside Québec shall be granted a diploma equivalence if the diploma was issued upon completion of an undergraduate program comprising at least 90 credits. Each credit must correspond to 45 hours of in-class attendance and individual work. At least 84 out of the 90 credits shall be in the subjects described in paragraphs 1 to 6, and 60 of the credits shall be apportioned in accordance with the minimum requirements provided therein:

1° A minimum of 12 credits in labour relations;

2° A minimum of 12 credits in human resources management;

3° A minimum of 9 credits in Québec public policies and labour laws;

4° A minimum of 12 credits in financial and organizational management;

5° A minimum of 9 credits in information systems, scientific and statistical methods, workplace health and safety, industrial, social and organizational psychology, organizational behaviour, and political sociology;

6° A minimum of 6 credits in economics and the workplace, planning and management, marketing, business ownership, business management, ethics, technology and industrial relations, multi-ethnic relations, organizational communications and international industrial relations.

**4.** Notwithstanding section 3, where the diploma in respect of which an equivalence application has been filed was issued 3 or more years prior to the application, a candidate, to be granted a diploma equivalence, must demonstrate at the time of the application that he has acquired, in the interim since the application, the level of skills and knowledge equivalent to the level acquired upon completion of a diploma giving access to a permit.

## **DIVISION III**

### **STANDARDS FOR TRAINING EQUIVALENCE**

**5.** A candidate shall be granted a training equivalence if he demonstrates that the level of knowledge and skills he acquired is equivalent to the level acquired upon completion of a diploma giving access to a permit.

**6.** To determine whether a candidate has attained the level of training required in section 5, the Bureau shall take all the following factors into account:

1° the fact that the candidate holds one or more diplomas issued in Québec or elsewhere;

2° the courses taken, the number of credits earned and the grades obtained;

3° training periods and other learning activities or refresher courses;

4° the total number of years of education;

5° relevant work experience.

Where the evaluation carried out in accordance with the preceding paragraph does not lead to a decision, the candidate may be interviewed or invited to take an examination prescribed by resolution of the Bureau, or both, in order to complete the evaluation.

**7.** Notwithstanding section 5, where the training in respect of which an equivalence application has been filed was completed 3 or more years prior to the application, a candidate, to be granted a training equivalence, must demonstrate at the time of the application that he has acquired, in the interim since the application, the level of skills and knowledge equivalent to the level attained by a holder of a diploma giving access to a permit.

#### **DIVISION IV**

##### **DIPLOMA OR TRAINING EQUIVALENCE RECOGNITION PROCEDURE**

**8.** A candidate applying for a diploma or training equivalence, for the purpose of obtaining a permit from the order, shall provide the secretary of the order with the following documents and information:

1° a written request along with the fees for the examination of the application, prescribed in accordance with paragraph 8 of section 86.0.1 of the Professional Code;

2° an academic record, including a description of courses taken, and the number of credits and the grades obtained;

3° a copy of any diploma obtained;

4° a document describing and attesting to the candidate's relevant work experience, namely in the practice of professional activities as described in paragraph *f* of section 37 of the Professional Code. The candidate's experience must be attested to in writing by an authorized representative of the employer with respect to the length of employment and the positions held;

5° a list of the candidate's publications;

6° a document attesting to the candidate's participation in a training period or in any learning activity or refresher course pertaining to a professional activity described in paragraph *f* of section 37 of the Professional Code.

When the documents forwarded in support of an application for diploma or training equivalence are written in a language other than French or English, they must be accompanied by a French translation attested to by a sworn declaration from the person who did the translation.

**9.** The secretary of the order shall forward the documents and information prescribed in section 8 to a committee set up by the Bureau of the order, in accordance with paragraph 2 of section 86.0.1 of the Professional Code, to examine equivalence applications and make appropriate recommendations to the Bureau.

**10.** At its first meeting following receipt of the committee's recommendation, the Bureau shall decide whether to grant the diploma or training equivalence. It shall notify the candidate in writing within 30 days following the date of its decision.

**11.** If it does not grant the diploma or training equivalence, the Bureau shall inform the candidate thereof in writing and shall indicate to him the study, the training periods or the examinations that must be successfully completed for the equivalence to be granted, and the prescribed time period during which they must be completed.

**12.** A candidate who is informed of the Bureau's decision not to grant the diploma or training equivalence may apply to the Bureau for a review, provided that the candidate applies there for in writing to the secretary of the order within 30 days following the date on which the decision was mailed.

The Bureau has a period of 60 days from the date it receives the application for review to decide whether to review its decision. Before doing so, however, the Bureau shall allow the candidate to present his observations.

**13.** The Bureau's decision is final and shall be forwarded to the candidate by registered mail within 30 days.

**14.** When it has been established that the candidate has successfully completed, within the prescribed time period, the study, the examinations or the training periods prescribed by a decision rendered in accordance with section 11, the Bureau grants the training equivalence. The secretary of the order notifies the candidate in writing within 30 days of the date the application is granted.

#### **DIVISION IV**

##### **FINAL PROVISION**

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

**M.O., 2004****Order number AM 2004-045 of the Minister of Natural Resources, Wildlife and Parks and the Minister for Forests, Wildlife and Parks**

An Act respecting the conservation and development of wildlife  
(R.S.Q., c. C-61.1)

CONCERNING replacing Schedule IV of Order in Council 123-89 dated February 8, 1989 concerning the establishment of certain wildlife management areas for the development, harvesting or conservation of anadromous Atlantic salmon

THE MINISTER OF NATURAL RESOURCES, WILDLIFE AND PARKS AND THE MINISTER FOR FORESTS, WILDLIFE AND PARKS,

GIVEN that under section 104 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), amended by chapter 11 of the statutes of 2004, which provides that the minister may establish controlled zones on lands in the domain of the State, for the purposes of the development, utilisation and conservation of wildlife or of a wildlife species and accessorially, for the practice of recreational activities;

GIVEN that the Grande-Rivière Controlled Zone was established by the Government in accordance with section 104 of that Act, by the adoption of the Order in Council 123-89 dated February 8, 1989 modified by the Order in Council 37-98 dated January 14, 1998;

GIVEN section 33 of the Act to amend the Act respecting the conservation and development of wildlife and the Act respecting commercial fisheries and aquaculture (1998, c. 29) which provides in particular that orders made by the Government under section 104 of the Act respecting the conservation and development of wildlife before 17 June 1998 remain in force until they are replaced or repealed by an order of the Minister;

CONSIDERING that it is expedient to alter the territory of the Grande-Rivière Controlled Zone;

CONSIDERING that it is expedient to replace the Schedule IV of the Order in Council 123-89 dated February 8, 1989;

ORDER THE FOLLOWING:

Schedule IV, attached hereto be substituted for Schedule IV to Order in Council 123-89 dated February 8, 1989;

This Order comes into force on the day of its publication in the *Gazette officielle du Québec*.

Québec, 30 September 2004

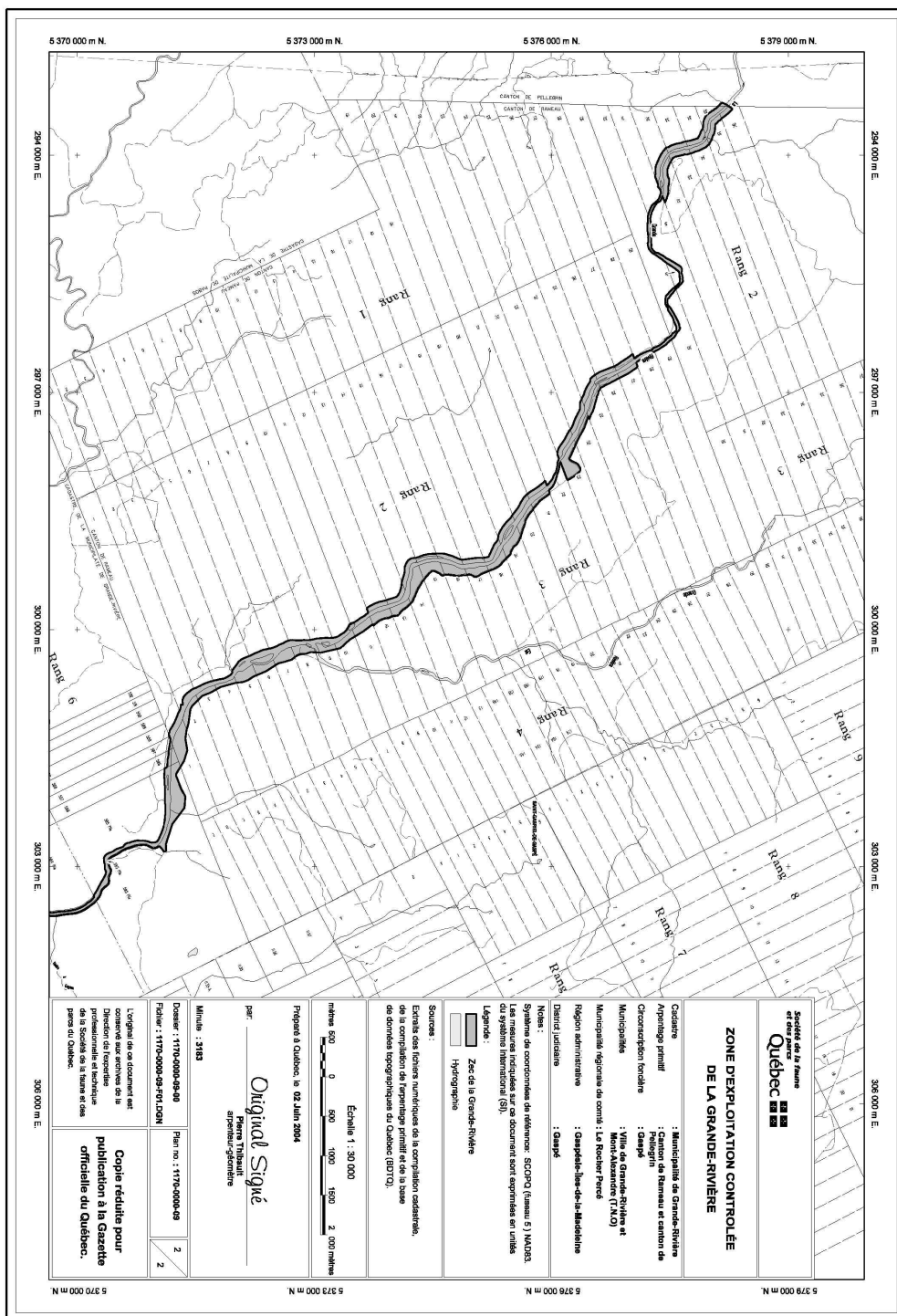
PIERRE CORBEIL,  
*Minister for Forests,*  
*Wildlife and Parks*

SAM HAMAD,  
*Minister of Natural Resources,*  
*Wildlife and Parks*

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## Draft Regulations

### Draft Regulation

Securities Act  
(R.S.Q., c. V-1.1)

#### Securities

##### — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Securities Regulation, the text of which appears below, was made by the Agence nationale d'encadrement du secteur financier on 21 September 2004 and may be submitted to the Government for approval on the expiry of 45 days following this publication. The Government may approve it with or without amendment.

The purpose of the draft Regulation is to change the date on which dealers and advisers are to pay their fees. That date will now be 31 December each year and the payment will be made by electronic funds transfer. However, the excess of 0.14% of the capital employed in the province will remain due on the first day of the fourth month following the end of the financial year of dealers with an unrestricted practice and of discount brokers.

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

Further information may be obtained by contacting Maurice Lalancette, directeur général de l'encadrement et du développement du secteur financier, Ministère des Finances, 800, place D'Youville, bureau 17.01, Québec (Québec) G1R 3P4; telephone: (418) 646-7572; fax: (418) 646-5744; e-mail: m.lalancette@finances.gouv.qc.ca.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Finance, 12, rue Saint-Louis, 1<sup>er</sup> étage, Québec (Québec) G1R 5L3.

YVES SÉGUIN,  
*Minister of Finance*

### Regulation to amend the Securities Regulation<sup>1</sup>

Securities Act  
(R.S.Q., c. V-1.1, s. 331, subpar. 9)

**1.** Section 271.5 of the Securities Regulation is amended:

(1) by replacing, in subparagraphs 3, 4 and 5 of the first paragraph, the words “the first day of the fourth month following the end of the financial year” with “on December 31 of each year, in the case”;

(2) by replacing clause a of subparagraph 3 in the first paragraph with the following:

“(a) \$1 500;”;

(3) by inserting the following after subparagraph 3:

“(3.1) the first day of the fourth month following the end of the financial year of a dealer with an unrestricted practice or of a discount broker, the amount exceeding 0.14% of the capital employed in the province and the fee prescribed in clause a of subparagraph 3;”.

**2.** This Regulation comes into force on January 1, 2005.

6545

### Draft Regulation

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2)

#### Practice in the securities field — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting prac-

<sup>1</sup> The Securities Regulation, made by Order in Council 660-83 dated 30 March 1983 (1983, *G.O.* 2, 1269), was last amended by the regulation approved by Order in Council 630-2003 dated 4 June 2003 (2003, *G.O.* 2, 1887) and Ministerial Order 2003-01 dated 28 May 2003 (2003, *G.O.* 2, 1890). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2004, updated to 1 March 2004.

tice in the securities field, the text of which appears below, was made by the Agence nationale d'encadrement du secteur financier on 21 September 2004 and may be submitted to the Government for approval on the expiry of 45 days following this publication. The Government may approve it with or without amendment.

The purpose of the draft Regulation is to remove the requirement for securities representatives wishing to be authorized to offer permanent shares and preferred shares to provide the Agency with proof of successful compulsory training. It will rest on the firm to ensure that its representatives have the necessary training to offer permanent or preferred shares.

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

Further information may be obtained by contacting Maurice Lalancette, Directeur général de l'encadrement et du développement du secteur financier, Ministère des Finances, 800, place D'Youville, bureau 17.01, Québec (Québec) G1R 3P4; telephone: (418) 646-7572; fax: (418) 646-5744; e-mail: m.lalancette@finances.gouv.qc.ca

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Finance, 12, rue Saint-Louis, 1<sup>er</sup> étage, Québec (Québec) G1R 5L3.

YVES SÉGUIN,  
*Minister of Finance*

## **Regulation to amend the Regulation respecting practice in the securities field\***

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2, s. 214 et s. 217)

**1.** Section 3 of the Regulation respecting practice in the securities field is amended by deleting the words “providing the Financial Services Bureau with a written declaration demonstrating that he”.

**2.** This Regulation comes into force on January 1, 2005.

6544

## **Draft Regulation**

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2)

### **Registration of firms, representatives and independent partnerships — Amendments**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the registration of firms, representatives and independent partnerships, the text of which appears below, was made by the Agence nationale d'encadrement du secteur financier on 21 September 2004 and may be submitted to the Government for approval on the expiry of 45 days following this publication. The Government may approve it with or without amendment.

The purpose of the draft Regulation is to require firms in the securities field to register in the National Registration Database (NRD), to use the forms in the database and to pay fees for its use. The draft Regulation entails additional responsibilities for firms acting through securities representatives since, in addition to having to meet the conditions currently in place, they will be required to comply with Regulation 31-102 respecting the National Registration Database and Regulation 33-109 respecting registration information. Both regulations made under the Securities Act (R.S.Q., c. V-1.1) must, following approval by the Minister of Finance, come into force at the same time as the amendments to the Regulation respecting the registration of firms, representatives and independent partnerships.

The draft Regulation has no significant impact on the public or enterprises, including small and medium-sized businesses. Although mandatory participation in the NRD entails certain costs to enterprises not currently registered, such as the cost of registration, participation in the NRD eliminates several other costs and should generate substantial overall savings.

Further information may be obtained by contacting Maurice Lalancette, Directeur général de l'encadrement et du développement du secteur financier, Ministère des Finances, 800, place D'Youville, bureau 17.01, Québec (Québec) G1R 3P4; telephone: (418) 646-7572; fax: (418) 646-5744; e-mail: m.lalancette@finances.gouv.qc.ca.

\* The Regulation respecting practice in the securities field, approved by Order in Council 1122-99 dated 29 September 1999 (1999, G.O. 2, 3613), was not modified since its approval.



Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Finance, 12, rue Saint-Louis, 1<sup>er</sup> étage, Québec (Québec) G1R 5L3.

YVES SÉGUIN,  
*Minister of Finance*

## Regulation to amend the Regulation respecting the registration of firms, representatives and independent partnerships\*

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2, s. 217 and s. 223,  
subpars. 4, 5, 14 and 15)

**1.** Section 1 of the Regulation respecting the registration of firms, representatives and independent partnerships is amended:

(1) by replacing in the first paragraph the words “to the Bureau des services financiers” and “the Bureau” with “to the Agence nationale d’encadrement du secteur financier” and “the Agency” respectively;

(2) by inserting the following after the first paragraph:

“Moreover, the legal person who proposes to register as a firm that will act through a securities representative must apply in accordance with Regulation 31-102 respecting the National Registration Database (*indicate the number and date of the Ministerial Order that approved the Regulation*) and Regulation 33-109 respecting registration information approved by (*indicate the number and date of the Ministerial Order that approved the Regulation*).”.

**2.** Section 9 of the Regulation is amended by adding the following paragraph at the end:

“The firm acting through a securities representative must file its notice in accordance with Regulation 31-102 respecting the National Registration Database and Regulation 33-109 respecting registration information according to the time periods stipulated therein.”.

\* The Regulation respecting the registration of firms, representatives and independent partnerships, which was adopted on July 6, 1999 by resolution 99.07.09 and published on July 19, 1999 in Bulletin No. 3 of the Bureau des services financiers (BSF), was amended only by the Regulation adopted on October 5, 2000 by resolution 2000.10.07 and published in October 2000 in BSF Bulletin No. 8.

**3.** Section 10 of the Regulation is amended by inserting the following after subparagraph 1:

“1.1 in the case of a firm acting through a securities representative, comply with the provisions of Regulation 31-102 respecting the National Registration Database and Regulation 33-109 respecting registration information.”.

**4.** Sections 2 to 6, 7, 9 to 12 and 14.2 to 14.5, as well as schedules 1 to 6 of the Regulation are amended by replacing the words “to the Bureau”, “by the Bureau” and “the Bureau” wherever they appear with the words “to the Agency”, “by the Agency” and “the Agency” and making the necessary modifications.

**5.** This Regulation comes into force on January 1, 2005.

6543

## Draft Regulation

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2)

### Issuance and renewal of representatives’ certificates — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the issuance and renewal of representatives’ certificates, the text of which appears below, was made by the Agence nationale d’encadrement du secteur financier on 21 September 2004 and may be submitted to the Government for approval on the expiry of 45 days following this publication. The Government may approve it with or without amendment.

The purpose of the draft Regulation is to require securities representatives working in firms to register in the National Registration Database (NRD), to use the forms in the database and to pay fees for its use. Paper forms will be replaced by NRD electronic forms.

The draft Regulation provides that securities representatives working in a firm must proceed according to Regulation 31-102 respecting the National Registration Database and Regulation 33-109 respecting registration information to obtain or renew a certificate or to notify changes in the conditions attached to its issuance. Both regulations made under the Securities Act (R.S.Q., c. V-1.1) must, following approval by the Minister of

Finance, come into force at the same time as the amendments to the Regulation respecting the issuance and renewal of representatives' certificates.

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

Further information may be obtained by contacting Maurice Lalancette, Directeur général de l'encadrement et du développement du secteur financier, Ministère des Finances, 800, place D'Youville, bureau 17.01, Québec (Québec) G1R 3P4; telephone: (418) 646-7572; fax: (418) 646-5744; e-mail: m.lalancette@finances.gouv.qc.ca.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Finance, 12, rue Saint-Louis, 1<sup>er</sup> étage, Québec (Québec) G1R 5L3.

YVES SÉGUIN,  
*Minister of Finance*

## Regulation to amend the Regulation respecting the issuance and renewal of representatives certificates<sup>1</sup>

An Act respecting the distribution of financial products and services  
(R.S.Q., c. D-9.2, s. 200, subpars. 7, 9, s. 203, subpars. 1, 3, 5, 6 and s. 217)

**1.** Section 118 of the Regulation respecting the issuance and renewal of representatives' certificates is amended by replacing the words "a candidate must have paid the fees prescribed in the Regulation respecting annual fees and other fees payable" with the words "the annual fees and other fees payable under the Regulation respecting annual fees and other fees payable must have been paid".

<sup>1</sup> The Regulation respecting the issuance and renewal of representatives' certificates, which was adopted on July 6, 1999 by resolution 99.07.08 and published on July 19, 1999 in Bulletin No. 3 of the Bureau des services financiers (BSF), was amended by the Regulation adopted on October 6, 2000 by resolution 2000.10.09 and published in October 2000 in BSF Bulletin No. 8, the Regulation adopted on December 14, 2000 by resolution 2000.12.20 and published on February 5, 2001 in BSF Bulletin No. 11, the Regulations adopted on October 25, 2001 by resolutions 2001.10.18 and 2001.10.19 and published on November 7, 2001 in BSF Bulletin No. 19, the Regulation adopted on February 13, 2003 by resolution 2003.02.09 and published on March 6, 2003 in BSF Bulletin No. 32, and the Regulation adopted on October 9, 2003 by resolution 2003.10.17 and published on October 17, 2003 in BSF Bulletin No. 40.

**2.** The Regulation is amended by inserting the following after 118:

"**118.0.1.** To obtain a securities representative's certificate, the candidate must apply to the Agency in accordance with Regulation 31-102 respecting the National Registration Database approved by (*indicate the number and date of the Ministerial Order that approved the Regulation*) and Regulation 33-109 respecting registration information approved by (*indicate the number and date of the Ministerial Order that approved the Regulation*)."

**3.** Section 122 of the Regulation is amended by:

(1) inserting after the words "initial certificate" the words "to act in the sector of insurance of persons, group insurance of persons, damage insurance, claims adjustment or financial planning, or any classes thereof";

(2) adding the following paragraph at the end:

"For the issue of the initial certificate to act in the sector of group savings plan brokerage, investment contract brokerage or scholarship plan brokerage, the period of validity extends to the following December 31 and may be less than six months."

**4.** Section 123 of the Regulation is amended by:

(1) inserting after the words "expiry date" the words "of a certificate, to act in the sector of insurance of persons, group insurance of persons, damage insurance, claims adjustment or financial planning, or any classes thereof";

(2) adding the following paragraph at the end:

"The expiry date of a certificate to act in the sector of group savings plan brokerage, investment contract brokerage or scholarship plan brokerage is established as December 31."

**5.** Section 125 of the Regulation is amended:

(1) by replacing the words "the Bureau" with the words "the Agency";

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

"Notwithstanding the first paragraph, the securities representative must give his notice in accordance with Regulation 31-102 respecting the National Registration Database and Regulation 33-109 respecting registration information according to the time periods stipulated therein."

**6.** Section 126 of the Regulation is replaced with the following:

“**126.** A representative’s certificate is renewed upon the expiry thereof where the following conditions are met:

(1) the fees prescribed in the Regulation respecting annual fees and other fees payable are paid;

(2) the holder complies with the conditions prescribed in section 94;

(3) in the case of a securities representative, the firm for which he is acting has complied with the provisions of Regulation 31-102 respecting the National Registration Database and Regulation 33-109 respecting registration information;

(4) in the case in which he intends to act on behalf of a firm without being an employee thereof, the holder has forwarded a copy of the insurance contract to the Agency demonstrating that he is covered by professional liability insurance in accordance with the requirements set out in Division VI of the Regulation respecting the pursuit of activities as a representative approved by Order in Council 830-99 dated July 7, 1999;

(5) in the case of a certificate to act in the sector of insurance of persons, group insurance of persons, damage insurance, claims adjustment and financial planning, the holder forwards to the Agency the documents and information stipulated in sections 96 and 97;

(6) the holder is not in default of complying with the rules relating to the compulsory professional development prescribed in the by-laws of the *Chambre de la sécurité financière*, the *Chambre de l’assurance de dommages* or the *Institut québécois de planification financière* that apply to the sector or sector class contemplated by his certificate;”.

**7.** Sections 2, 4, 6, 8, 10 to 12, 14, 15, 17 to 19, 20.2, 21 to 39, 39.3 to 40, 42, 45 to 47, 49 to 49.4, 51, 52, 54, 56, 58, 63, 65, 67 to 74, 77, 83, 84, 94 to 94.2, 96, 98, 117, 118.1 to 120, 124 and 128 of the Regulation are amended by replacing the words “by the Bureau des services financiers” wherever they appear with the words “by the Agence nationale d’encadrement du secteur financier” and the words “to the Bureau”, “of the Bureau” and “the Bureau” with the words “to the Agency”, “of the Agency” and “the Agency” respectively and making the necessary modifications.

**8.** Notwithstanding the second paragraph in section 123 of the Regulation respecting the issuance and renewal of representatives’ certificates, enacted by section 4, for the period from January 1, 2005 to December 31, 2005, the expiry date of a certificate to act in the sector of group savings plan brokerage, investment contract brokerage or scholarship plan brokerage, issued in 2004, is maintained until the day preceding the first day of the month corresponding to the first letter of the surname of the holder in accordance with the first paragraph of such section 123.

Moreover, notwithstanding section 121 of the Regulation, the period of validity of a certificate renewed in 2005 may be less than one year.

**9.** For the application of sections 118 and 126 of the Regulation respecting the issuance and renewal of representatives’ certificates, respectively amended by section 1 and enacted by section 6, for the period from January 1, 2005 to December 31, 2005, the annual fees and other fees payable under the Regulation respecting annual fees and other fees payable, approved by Order in Council 836-99 dated July 7, 1999, for the issuance of a certificate in 2005 or the renewal of a certificate issued in 2004 to act in the sector of group savings plan brokerage, investment contract brokerage or scholarship plan brokerage shall be paid by the representative concerned in proportion to the period of validity of the certificate.

**10.** This Regulation comes into force on January 1, 2005.

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## Draft Regulation

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

### Collective agreement decrees — Amendments

Notice is hereby given under section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour has received several similar requests from contracting parties to amend their respective collective agreement decree and that under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), draft amendment regulations, the texts of which appear in the appendix, may be made by the Government at the expiry of the 45 days following this publication.

— The Decree respecting the cartage industry in the Québec region (R.R.Q., 1981, c. D-2, r.7) governs 221 employers and 1 022 employees;

— The Decree respecting hairdressers in the Hull region (R.R.Q., 1981, c. D-2, r.15) governs 104 employers, 292 artisans and 305 employees;

— The Decree respecting solid waste removal in the Montréal region (R.R.Q., 1981, c. D-2, r.29) governs 279 employers, 12 artisans and 1 337 employees;

— The Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r.33) governs 47 employers, 8 artisans and 299 employees;

— The Decree respecting the building materials industry (R.R.Q., 1981, c. D-2, r.34) governs 12 employers and 101 employees;

— The Decree respecting the non-structural metalwork industry in the Montréal region (R.R.Q., 1981, c. D-2, r.35) governs 166 employers, 16 artisans and 1 036 employees;

— The Decree respecting building service employees in the Montréal region (R.R.Q., 1981, c. D-2, r.39) governs 818 employers and 10 478 employees;

— The Decree respecting building service employees in the Québec region (R.R.Q., 1981, c. D-2, r.40) governs 583 employers and 6 746 employees.

The purpose of the draft amendment decrees is to have certain provisions of these decrees comply with the major new provisions of the Act respecting labour standards and with those amended by the Act to amend an Act respecting labour standards and other legislative provisions (2002, c. 80).

To do so, these draft regulations propose mainly to add or adjust the definition of spouse so as to include spouses of the same sex, to adjust the rules governing the payment of holiday indemnities, to increase the number of days of unpaid leave granted to employees on the occasion of a marriage or death, to include civil union and a termination of pregnancy as events giving employees the right to certain leaves and to recognize trial and training periods as hours worked with pay.

The consultation period shall serve to clarify the impact of the amendments sought.

Further information may be obtained by contacting Mr. Normand Pelletier, Direction des politiques, de la construction et des décrets, ministère du Travail, 200, chemin Sainte-Foy, 5<sup>e</sup> étage, Québec (Québec) G1R 5S1, telephone: (418) 646-2472; fax: (418) 644-6969; e-mail: normand.pelletier@travail.gouv.qc.ca.

Any interested person with comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1.

JEAN-PAUL BEAULIEU,  
*Deputy Minister of Labour*

## **Decree to amend the Decree respecting the cartage industry in the Québec region\***

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2 and 6.1)

**1.** The Decree respecting the cartage industry in the Québec region is amended by replacing subsection 21 of section 1.01 by the following:

“**21.** “spouse” means either of two persons who:

(a) are married or in a civil union and cohabiting;

(b) being of opposite sex or the same sex, are living together in a *de facto* union and are the father and mother of the same child;

(c) are of opposite sex or the same sex and have been living together in a *de facto* union for one year or more;”.

**2.** Section 4.01 of is amended by replacing the first paragraph by the following:

“**4.01.** For the purpose of calculating overtime hours, the standard workweek is 40 hours scheduled over five days from Monday to Friday. The standard workday is 8 hours.”.

**3.** Section 4.07 is amended by substituting the number “32” for the number “24”.

\* The Decree respecting the cartage industry in the Québec region (R.R.Q., 1981, c. D-2, r.7) was last amended by the Regulation made by Order in Council No.1289-2003 dated 3 December 2003 (2003, G.O. 2, 3602). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2004, updated to 1 March 2004.



**4.** Section 6.01 is replaced by the following :

**“6.01.** The employee is deemed to be at work in the following cases :

1. while available to the employer at the place of work and required to wait for work to be assigned ;
2. subject to section 4.04, during the break periods granted by the employer ;
3. when travel is required by the employer ;
4. during any trial or training period required by the employer.”.

**5.** Section 7.07 is amended by adding at the end of the first paragraph, after the words “by a document signed by the employee”, the words “and for a specific purpose mentioned in the document”.

**6.** Section 7.08 is amended by substituting the words “as indicated in this Decree at the time it is in force” for “on 30 May 1996”.

**7.** Section 8.06 is replaced by the following :

**“8.06.** The employer is required to reimburse the reasonable expenses of the employee when the employee is required to travel or participate in a training session at the employer’s request.”.

**8.** Section 9.02 is amended by substituting “the Monday preceding 25 May” for the words “the Queen’s Birthday”.

**9.** Section 9.04 is replaced by the following :

**“9.04.** For each general holiday provided for in section 9.02, the employer shall pay the employee an indemnity equal to 1/20 of his wages earned during the four complete weeks of pay preceding the week of the holiday, excluding overtime hours, provided that the employee was available to work on the working day preceding and following the holiday, unless his absence was authorized by the employer or justified by a valid reason, notably sickness or an accident preventing him from doing his work, or a fortuitous event ; in cases of sickness, the employee advises the employer at the time of his absence.”.

**10.** Section 9.08 is replaced by the following :

**“9.08.** The employee who is paid by the kilometre travelled shall receive as compensation for any general holiday mentioned in section 9.02, pay equal to 1/20 of his wages earned during the four complete weeks of pay preceding the week of the holiday, provided that he is available to work the working day preceding and following the holiday, unless his absence was authorized by the employer or is justified by a valid reason, notably sickness or an accident preventing him from working or a fortuitous event ; in the case of sickness, the employee must advise the employer at the time of his absence.”.

**11.** Section 10.11 is amended by adding the following after the first paragraph :

“The employee whose annual vacation is less than 2 weeks is entitled to that amount in proportion to the vacation days that he has accumulated.”.

**12.** Section 11.02 is amended in the first paragraph :

1. by substituting in subsection 2, the words “his child. He may also be absent for an extra day on that occasion but without pay ;” for the words “his child ;” ;

2. by substituting in subsection 3, the words “two extra days” for the words “an extra day” ;

3. by substituting in subsection 5, the number “4” for the number “3”.

**13.** Section 11.03 is amended :

1. by inserting in the first paragraph, after the words “wedding day”, the words “or day of his civil union” ;

2. by inserting in the second paragraph, after the words “wedding day”, the words “or day of the civil union”.

**14.** Section 11.04 is amended :

1. by substituting in the first paragraph, the words “, the adoption of a child or the termination of pregnancy in or after the twentieth week of pregnancy” for the words “or the adoption of a child” ;

2. by adding in the second paragraph, after the words “or mother”, the words “or, if such is the case, the termination of pregnancy”.

**15.** Section 11.05 is replaced by the following :

“**11.05.** An employee may be absent from work, without pay, for 10 days a year to fulfil obligations relating to the care, health or education of the employee’s child or the child of the employee’s spouse, or because of the state of health of the employee’s spouse, father, mother, brother, sister or one of the employee’s grandparents.

The leave may be divided into days. A day may also be divided if the employer consents thereto.

The employee must advise his employer of his absence as soon as possible and take the reasonable steps within his power to limit the leave and its duration.”.

**16.** Section 13.01 is amended by replacing subsection 9 by the following :

“9. “spouse” means either of two persons who :

(a) are married or in a civil union and cohabiting ;

(b) being of opposite sex or the same sex, are living together in a *de facto* union and are the father and mother of the same child ;

(c) are of opposite sex or the same sex and have been living together in a *de facto* union for one year or more ;”.

**17.** Section 15.01 is replaced by the following :

“**15.01.** For the purpose of calculating overtime hours, the standard workweek is 40 hours, scheduled over not more than six days from Monday to Saturday. The standard workday must not exceed 10 hours.”.

**18.** Section 17.01 is replaced by the following :

“**17.01.** The employee is deemed to be at work in the following cases :

1. while available to the employer at the place of work and required to wait for work to be assigned ;

2. subject to section 15.03, during the break periods granted by the employer ;

3. during travel time required by the employer ;

4. during any trial or training period required by the employer.”.

**19.** Section 19.02 is amended by substituting “the Monday that precedes 25 May” for the words “Dollard’s Day or the Queen’s Birthday”.

**20.** Section 19.04 is replaced by the following :

“**19.04.** For each general holiday provided for in section 9.02, the employer shall pay the employee an indemnity equal to 1/20 of his wages earned during the four complete weeks of pay preceding the week of the holiday, excluding overtime hours, provided that the employee was available to work on the working day preceding and following the holiday, unless his absence was authorized by the employer or justified by a valid reason, notably sickness or an accident preventing him from doing his work, or a fortuitous event ; in cases of sickness, the employee advises the employer at the time of his absence.”.

**21.** Section 21.01 is amended in the first paragraph :

1. by substituting in subsection 2, the words “his child. He may also be absent for an extra day on that occasion but without pay” for the words “his child” ;

2. by substituting in subsection 3, the words “two extra days” for the words “another day” ;

3. by substituting in subsection 5, the number “4” for the number “3”.

**22.** Section 21.02 is amended :

1. by inserting in the first paragraph, after the words “wedding day”, the words “or day of his civil union” ;

2. by inserting in the second paragraph, after the words “wedding day”, the words “or day of the civil union”.

**23.** Section 21.03 is amended :

1. by substituting in the first sentence, the words “,the adoption of a child, or when there is a termination of pregnancy in or after the twentieth week of pregnancy”, for the words “or the adoption of a child” ;

2. by adding at the end of the fourth sentence, after the word “mother”, the words “or, if such is the case, the termination of pregnancy”.

**24.** Section 21.04 is replaced by the following :

“**21.04.** The employee may be absent from work, without pay, for 10 days a year to fulfil obligations related to the custody, health or education of his child or the child of his spouse, or the state of health of his spouse, father, mother, brother, sister or one of the employee’s grandparents.

This leave may be divided into days. A day may also be divided if the employer consents thereto.

The employee must advise his employer of his absence as soon as possible and take the reasonable steps within his power to limit the leave and its duration. “.

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

## Decree to amend the Decree respecting hairdressers in the Hull region\*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2 and 6.1)

**1.** Section 0.02 of the Decree respecting hairdressers in the Hull region is amended by inserting the following after the definition of the word “hairdresser”:

“ “spouse” means either of two persons who:

(a) are married or in a civil union and cohabiting;

(b) being of opposite sex or the same sex, are living together in a *de facto* union and are the father and mother of the same child;

(c) are of opposite sex or the same sex and have been living together in a *de facto* union for one year or more.”.

**2.** Section 2.02 is amended by adding the following paragraph at the end:

“This period must be paid if the employee is not authorized to leave his work station.”.

**3.** Section 3.01 is amended:

1. by substituting in the first paragraph, the word “The” for the words “When they fall on a working day for the employee, the”;

2. by replacing the second and third paragraphs by the following:

“The employer pays the employee the indemnity provided for in section 3.06 or grants him a compensatory leave of one day. This leave shall be taken within the three weeks preceding or following such holiday.

To be entitled to a general holiday provided for in the first paragraph, an employee shall not be absent from work without the authorization of the employer or without a valid reason on the working day before or after such day.”.

**4.** Section 4.04 is amended by substituting in the second paragraph, “section 4.02.1” for “the second paragraph of section 4.02”.

**5.** Section 4.07 is amended by adding the following paragraph at the end:

“At the request of the employee, the third week of leave may be replaced by a compensatory indemnity if the establishment closes for two weeks on the occasion of the annual leave.”.

**6.** The Decree is amended by inserting the following after section 5.09:

“**5.10.** An employee is entitled to a weekly rest of 32 consecutive hours.”.

**7.** Section 8.07 is amended by inserting at the end of the first paragraph, after the words “in writing by the employee”, the words “for the specific purpose mentioned in the writing”.

**8.** The Decree is amended by adding the following after section 8.10:

“**8.11.** For the purpose of calculating overtime hours, annual vacations and paid general holidays are considered to be working days.

**8.12.** An employee who reports for work at his place of employment at the express demand of his employer or in the regular course of his employment and who works fewer than three consecutive hours, except in the case of a fortuitous event, is entitled to an indemnity equal to three hours’ wages at his prevailing hourly rate.”.

**9.** Section 12.02 is amended by substituting the number “four” for the number “three”.

**10.** Section 12.04 is amended:

1. by inserting in the first paragraph, after the words “on his wedding day”, the words “or the day of his civil union”;

\* The Decree respecting hairdressers in the Hull region (R.R.Q., 1981, c. D-2, r.15) was last amended by the Regulation made by Order in Council No. 1378-99 dated 8 December 1999 (1999, *G.O.* 2, 4590). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2004, updated to 1 March 2004.

2. by inserting in the second paragraph, after the words “on the wedding day”, the words “or the civil union”.

**11.** Section 12.05 is amended:

1. by inserting in the first paragraph, after the words “of a child”, the words “or the termination of pregnancy in or after the twentieth week of pregnancy”;

2. by inserting in the third paragraph, after the words “or mother”, the words “or, if such is the case, the termination of pregnancy.”

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

## **Decree to amend the Decree respecting solid waste removal in the Montréal region\***

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2 and 6.1)

**1.** Section 1.01 of the Decree respecting solid waste removal in the Montréal region is amended by replacing subsection 11 by the following:

“11. “spouse” means either of two persons who:

(a) are married or in a civil union and cohabiting;

(b) being of opposite sex or the same sex, are living together in a *de facto* union and are the father and mother of the same child;

(c) are of opposite sex or the same sex and have been living together in a *de facto* union for one year or more;”.

**2.** Section 3.01 is replaced by the following:

“**3.01.** The standard workweek is 40 hours scheduled over not more than six days, from Monday through Saturday.”.

**3.** Section 5.01 is amended by adding the following paragraph at the end:

“The employee is also remunerated during the entire trial or training period required by the employer.”.

**4.** Section 8.02 is replaced by the following:

“**8.02.** The full-time employee is entitled to the following paid general holidays: 1 and 2 January, Good Friday or Easter Monday, at the option of the employer, the Monday preceding 25 May, 1 July, Labour Day, Thanksgiving, 25 and 26 December.

The part-time employee is entitled to the following paid general holidays: 1 and 2 January, Good Friday or Easter Monday, at the option of the employer, 1 July, Thanksgiving, 25 and 26 December.”.

**5.** Section 8.05 is replaced by the following:

“**8.05.** The indemnity paid to the full-time employee for a paid general holiday is equal to 9 times his regular hourly rate or to 8 times the hourly rate of this employee if the holiday falls on a Sunday.

For the part-time employee, the employer must pay an indemnity equal to 1/20 of the wages earned during the four complete weeks of pay preceding the week of the holiday, excluding overtime hours.

To benefit from a paid general holiday, an employee must not have been absent from work without the employer’s authorization or without valid cause on the working day preceding or on the working day following the holiday.”.

**6.** Section 9.03 is amended by inserting after the number “2”, the word “continuous”.

**7.** Section 9.04 is amended by inserting after the number “3”, the word “continuous”.

**8.** Section 10.01 is amended by substituting in the second sentence, “for 2 additional days” for the words “for one other day”.

**9.** Section 10.04 is amended by substituting in the second sentence, “for 4 additional days” for “for 3 additional days”.

**10.** Section 10.05 is amended by substituting in the second sentence, “for 4 additional days” for “for 3 additional days”.

\* The Decree respecting solid waste removal in the Montréal region (R.R.Q., 1981, c. D-2, r.29) was last amended by the Regulations made by Order in council No. 800-2003 dated 16 July 2003 (2003, G.O. 2, 2236). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2004, updated to 1 March 2004.

**11.** Section 10.09 is amended:

1. by replacing the first paragraph by the following:

“**10.09.** The employee may be absent from work for one day without reduction of wages, on the day of his wedding or civil union.”;

2. by inserting in the second paragraph, after the words “on the wedding day”, the words “or civil union”.

**12.** Section 10.10 is amended:

1. by replacing the first paragraph by the following:

“**10.10.** The employee may be absent from work for five days on the occasion of the birth of his child, the adoption of a child or the termination of pregnancy in or after the twentieth week of pregnancy. The first two days of absence are paid if the employee has 60 days of continuous service.”;

2. by adding at the end of the second paragraph, after the word “mother”, the words “or if such is the case, the termination of pregnancy”.

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

## Decree to amend the Decree respecting the installation of petroleum equipment\*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2 and 6.1)

- 1.** Section 5.02 of the Decree respecting the installation of petroleum equipment is amended by substituting the words “National Patriots’ Day” for the words “Dollard Day”.

**2.** Section 8.02 is amended:

1. by substituting in subsection 4, “3 additional days” for “2 more days”;
2. by replacing subsections 7 and 8 by the following:

“7. on the occasion of the birth of his child, the adoption of a child or a termination of pregnancy in or after the twentieth week of pregnancy: 5 days, including 2 days with pay and 3 days without pay if the employee is credited with 60 days of uninterrupted service. This leave may be divided into days at the request of the employee. It may not be taken more than 15 days after the child arrives at the residence of its father or mother or, if such is the case, the termination of pregnancy. The employee must advise his employer of his absence as soon as possible. However, an employee who adopts the child of his spouse may be absent from work for only two days, without pay;

8. on the occasion of his wedding or civil union: one day with pay, the day of the wedding or of his civil union;”;

3. by adding the following after subsection 8:

“9. the employee may also be absent from work without pay on the day of the wedding or civil union of one of his children, his father, mother, brother, sister or a child of his spouse.”.

**3.** Section 10.04 is replaced by the following:

“**10.04.** The hours during which the employee is at the employer’s disposal and required to be present on the work premises or job site, as well as any trial or training period required by the employer, are considered to be hours worked and shall be paid.”.

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

## Decree respecting the building materials industry\*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2 and 6.1)

- 1.** Section 0.01 of the Decree respecting the building materials industry is amended by replacing subsection 1 by the following:

\* The Decree respecting the installation of petroleum equipment (R.S.Q., 1981, c. D-2, r.33) was last amended by the Regulation made by Order in Council No. 708-2004 dated 30 June 2004 (2004, G.O. 2, 2297). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2004, updated to 1 March 2004.

\* The Decree respecting the building materials industry (R.R.Q., 1981, c. D-2, r.34) was last amended by the Regulation made by Order in council No. 440-2001 dated 11 April 2001 (2001, G.O. 2, 1951). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2004, updated to 1 March 2004.

“1. “spouse” means either of two persons who:

(a) are married or in a civil union and cohabiting;

(b) being of opposite sex or the same sex, are living together in a *de facto* union and are the father and mother of the same child;

(c) are of opposite sex or the same sex and have been living together in a *de facto* union for one year or more;”.

**2.** Section 16.11 is amended by replacing the first paragraph by the following:

**“16.11. Deduction from wages:** An employer may make deductions from wages only if he is required to do so pursuant to an act, a regulation, a court order, a collective agreement, a decree or a mandatory supplemental pension plan.

The employer may make deductions from wages if the employee consents thereto in writing, for a specific purpose mentioned in the writing.”.

**3.** Section 20.02 is amended by substituting the words “National Patriots’ Day” for the words “Dollard’s Day”.

**4.** Section 20.04.1 is replaced by the following:

**“20.04.1. Indemnity:** For each general holiday provided for in section 20.02, the employer shall pay the employee an indemnity equal to 1/20 of his wages earned during the four complete weeks of pay preceding the week of the holiday, excluding overtime hours.”.

**5.** Section 23.01 is amended:

1. by adding at the end of the first sentence of the first paragraph, after the words “wedding day”, the words “or day of his civil union”;

2. by inserting in the second sentence of the first paragraph, after the words “wedding day”, the words “or day of the civil union”;

3. by adding at the end of the first sentence of the second paragraph, after the word “wedding”, the words “or of his civil union”;

4. by inserting in the second sentence of the second paragraph, after the words “wedding day”, the words “or day of the civil union”.

**6.** Section 23.02 is amended by substituting in the second sentence of the first paragraph, the number “4” for the number “3”.

**7.** Section 23.04 is amended by substituting in the first sentence of the first paragraph, the words “, the adoption of a child or if there is a termination of the pregnancy in or after the twentieth week of pregnancy” for the words “or the adoption of a child”.

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

## Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region\*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2 and 6.1)

**1.** Section 1.01 of the Decree respecting the non-structural metalwork industry in the Montréal region is amended by replacing paragraph *m* by the following:

“(m) “spouse” means either of two persons who:

(a) are married or in a civil union and cohabiting;

(b) being of opposite sex or the same sex, are living together in a *de facto* union and are the father and mother of the same child;

(c) are of opposite sex or the same sex and have been living together in a *de facto* union for one year or more;”.

**2.** Section 6.01 is amended by substituting in subsection 2, the words “National Patriots’ Day” for the words “Dollard’s Day or the Queen’s Birthday”.

**3.** Section 10.01 is amended:

1. by adding at the end of the first paragraph, after the words “the day of his marriage”, the words “or of his civil union”.

2. by inserting in the second paragraph, after the word “marriage”, the words “or of the civil union”.

**4.** Section 10.01.1 is amended by substituting in the first sentence of the first paragraph “, the adoption of a child, or the termination of pregnancy in or after the twentieth week of pregnancy” for the words “or the adoption of a child”.

\* The Decree respecting the non-structural metalwork industry in the Montréal region (R.R.Q., 1981, c. D-2, r.35) was last amended by the Regulation made by Order in Council No. 801-2003 dated 16 July 2003 (2003, *G.O.* 2, 2237). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2004, updated to 1 March 2004.



**5.** Section 11.01 is amended by substituting in paragraph *b*, the words “two other days” for the words “another day”.

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

### **Decree to amend the Decree respecting building service employees in the Montréal region\***

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2 and 6.1)

**1.** Section 1.01 of the Decree respecting building service employees in the Montréal region is amended by adding the following after paragraph *j*:

“(k) “spouse” means either of two persons who:

*i.* are married or in a civil union and cohabiting;

*ii.* being of opposite sex or the same sex, are living together in a *de facto* union and are the father and mother of the same child;

*iii.* are of opposite sex or the same sex and have been living together in a *de facto* union for one year or more.”.

**2.** Section 3.06 is amended by adding the following paragraph at the end:

“The employee is considered to be at work during any trial or training period required by the employer.”.

**3.** Section 4.01 is amended:

1. by substituting in the first paragraph the word “exceed” for the words “not exceed”;

2. by replacing the second paragraph by the following:

“Such meal period is paid at the effective hourly wage rate for the performance of maintenance work where the employee is not authorized to leave his work position or where the employer assigns the employee to work for a period of 12 hours or more.”.

**4.** Section 7.01 is amended:

1. by inserting in the first paragraph, after the word “holidays”, the words “for regular employees”;

2. by substituting in subsection 4 of the first paragraph, “the Monday preceding 25 May” for the words “Dollard’s Day”.

**5.** Section 7.02 is amended:

1. by substituting in the first paragraph, the words “a regular employee” for the words “an employee”;

2. by inserting in the second paragraph, the word “regular” before the word “employee”.

**6.** Section 7.04 is amended:

1. by substituting in the first paragraph, the words “a regular employee” for the words “an employee”;

2. by inserting in the second paragraph, the word “regular” before the word “employee”.

**7.** Section 7.05 is amended by inserting the words “for the regular employee” after the words “When a holiday”.

**8.** Section 7.06 is amended by inserting in the text preceding paragraph 1, after the word “employee”, the words “or the employee who is not a regular employee”.

**9.** The Decree is amended by adding the following after section 7.07:

“**7.07.1.** The following are general holidays for employees who are not regular employees:

1. 1 January;
2. Good Friday or Easter Monday, at the option of the employer;
3. the Monday preceding 25 May;
4. 24 June;
5. 1 July;
6. Labour Day;
7. Thanksgiving;
8. 25 December.

\* The Decree respecting building service employees in the Montréal region (R.R.Q., 1981, c. D-2, r.39) was last amended by the Regulation made by Order in Council No. 1436-2001 dated 28 November 2001 (2001, *G.O.* 2, 6184). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2004, updated to 1 March 2004.

The compensatory holiday for the fixed 24 June holiday is governed by the provisions of the National Holiday Act (R.S.Q., c. F-1.1).

**7.07.2.** For each general holiday, the employer must pay the employee who is not a regular employee an indemnity equal to 1/20 of the wages earned during the four complete weeks of pay preceding the week of the holiday, excluding overtime hours.

**7.07.3.** Where the employee, who is not a regular employee, is obliged to work on one of the days mentioned in section 7.07.1, the employer, in addition to paying the employee the wage corresponding to the work performed on the holiday, is obliged to pay him the indemnity provided in section 7.07.2 or grant him a compensatory holiday of one day. In this case, the holiday must be taken within three weeks before or after that day, unless a collective agreement or a decree provides for a longer period.”.

**10.** Section 7.08 is amended:

1. by substituting “Sections 7.01 and 7.07.1 do not apply” for “Section 7.01 does not apply”;

2. by substituting the words “prescribed in those sections” for the words “prescribed in that section”.

**11.** Section 8.11 is amended by adding the following after the first paragraph:

“Notwithstanding the first paragraph, the employer may, at the request of the employee, allow the annual vacation to be taken in whole or in part during the reference year.

In addition, if, at the end of the 12 months following the end of a reference year, the employee is absent owing to sickness or accident or is absent or on leave for family or parental matters, the employer may, at the request of the employee, defer the annual leave to the following year. If the annual leave is not so deferred, the employer must pay the indemnity for the annual leave to which the employee is entitled.”.

**12.** Section 9.01 is amended:

1. by deleting in subsection 1, the word “paid”;

2. by inserting in paragraph *a* of subsection 1, before the word “consecutive”, the word “paid”;

3. by substituting in paragraph *b* of subsection 1, “3 paid consecutive days and 2 additional days with pay” for “3 consecutive days”;

4. by inserting in paragraph *c* of subsection 1, after the word “day”, the words “with pay”.

**13.** Section 9.03 is amended by substituting in subsection 1, the number “4” for the number “3”.

**14.** Section 9.04 is replaced by the following:

“**9.04.** The employee is entitled to one day’s leave with pay on his wedding day or day of his civil union. He may also be absent from work without pay on the wedding day or day of the civil union of his child, the child of his spouse, his father, mother, brother or sister.”.

**15.** Section 9.05 is amended:

1. by replacing the first paragraph by the following:

“**9.05.** The employee may be absent from work for 5 days on the birth of his child, the adoption of a child, or for a termination of pregnancy in or after the twentieth week of pregnancy. The first two days of absence are paid if the employee has 60 days of continuous service.”;

2. by inserting at the end of the second paragraph, after the word “mother”, the words “or, if such is the case, the termination of the pregnancy”.

**16.** Section 9.06 is amended by replacing the first paragraph by the following:

“**9.06.** An employee may be absent from work, without pay, for 10 days a year to fulfil obligations relating to the care, health or education of the employee’s child or the child of the employee’s spouse, or because of the state of health of the employee’s spouse, father, mother, brother, sister or one of the employee’s grandparents. The employee must have taken the reasonable steps within his power to assume his obligations otherwise and to limit the duration of the leave.”.

**17.** Section 10.01 is amended by inserting, after the word “cash”, the words “in a sealed envelope”.

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



## Decree to amend the Decree respecting building service employees in the Québec region\*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2 and 6.1)

**1.** Section 1.01 of the Decree respecting building service employees in the Québec region is amended by replacing paragraph *b* by the following:

“(b) “spouse” means either of two persons who:

- i.* are married or in a civil union and cohabiting;
- ii.* being of opposite sex or the same sex, are living together in a *de facto* union and are the father and mother of the same child;
- iii.* are of opposite sex or the same sex and have been living together in a *de facto* union for one year or more;”.

**2.** Section 3.03 is replaced by the following:

“**3.03.** The employer schedules the standard workweek of the employee so as to provide two periods of rest totalling 48 hours, one of the periods being at least 32 consecutive hours.”.

**3.** Section 3.04 is amended by adding, after subsection 4, the following:

“5. during any trial or training period required by the employer.”.

**4.** Sections 4.04 and 4.05 are replaced by the following:

“**4.04.** The employee who reports to work at the beginning of the workday and who works less than three consecutive hours, receives at least an amount equal to three times his hourly wage, unless notified the previous day not to report to work.

The employee who reports to work at the express request of the employer and who works less than three consecutive hours, is entitled, except in the case of a fortuitous event, to an indemnity equal to three times his regular hourly wage, except where section 4.01 ensures him of a higher amount.

The employee, who after leaving the work site, is called to return for overtime shall not receive less than wages equal to 4½ times his hourly wage.

The first two paragraphs do not apply when the nature of the work or the performance conditions are such that the work is usually done entirely within a period of three hours.”.

**5.** Section 5.09 is amended by inserting at the end of the first paragraph and after the words “in writing by an employee”, the words “for a specific purpose mentioned in the document”.

**6.** Section 6.02 is amended:

1. by inserting, after the word “Employees”, “having completed 60 days of continuous service in the enterprise”;

2. by substituting, in the French version, the words «Vendredi saint» for the words “vendredi Saint”;

3. by substituting “the Monday preceding 25 May” for “Dollard’s Day”.

**7.** Section 6.05 is replaced by the following:

“**6.05.** The indemnity for each general holiday provided for in sections 6.02 and 6.03 is equal to 1/20 of the wages earned during the four complete weeks of pay preceding the week of the holiday, excluding overtime hours.”.

**8.** Section 6.06 is amended by deleting, in paragraph *c*, “with pay for a period of less than 5 days”.

**9.** Section 6.07 is deleted.

**10.** The Decree is amended by inserting after section 6.09, the following:

“**6.10.** The employee who has not completed 60 days of continuous service in the enterprise is entitled to the following paid general holidays: New Year’s Day, Good Friday or Easter Monday, at the option of the employer, the Monday preceding 25 May, 1 July, or if that date falls on a Sunday, 2 July, Labour Day, Thanksgiving and Christmas Day.

**6.11.** For each general holiday provided in section 6.10, the employer shall pay the employee an indemnity equal to 1/20 of his wages earned during the four complete weeks of pay preceding the week of the holiday, excluding overtime hours.

\* The Decree respecting building service employees in the Québec region (R.R.Q., 1981, c. D-2, r.40) was last amended by the Regulation made by Order in Council No. 1381-99 dated 8 December 1999 (1999, G.O. 2, 4597). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2004, updated to 1 March 2004.

**6.12.** Where an employee, who has not completed 60 days of service in the enterprise, is obliged to work one of the days mentioned in section 6.10, the employer, in addition to paying the employee the wage corresponding to the work performed on the holiday, shall pay the indemnity provided in section 6.11 or grant him a compensatory holiday of one day. In this case, the holiday must be taken in the 30 civil days before or after that day.

**6.13.** Where an employee, who has not completed 60 days of continuous service in the enterprise, is on annual leave on one of the general holidays provided in section 6.10, the employer shall pay him the indemnity provided in section 6.11 or grant him a compensatory holiday on a date agreed upon by the employer and the employee concerned or fixed by a collective agreement.

**6.14.** To benefit from a general holiday, an employee who has not completed 60 days of continuous service in the enterprise must not be absent from work without the authorization of the employer or for valid cause, the working day preceding or the working day following the holiday.”.

**11.** Section 7.09 is amended by adding the following paragraphs at the end:

“Notwithstanding the first paragraph, the employer may at the request of the employee, allow the annual leave to be taken in whole or in part, during the reference year.

In addition, if at the end of the 12 months following the end of a reference year, the employee is absent owing to sickness or accident or is absent or on leave for family or parental matters, the employer may, at the request of the employee, defer the annual leave to the following year. If the annual leave is not so deferred, the employer must pay the indemnity for the annual leave to which the employee is entitled.

Notwithstanding any contrary clause of a collective agreement or a contract, any period of salary insurance, sickness insurance or disability insurance interrupted by a leave taken in accordance with the first paragraph is continued, where applicable, after the leave, as if it had never been interrupted.”.

**12.** Section 9.01 is amended:

1. by deleting subsection 2;
2. by substituting in subsection 3, the words “The employer”, for “As of 1 January 2001”.

**13.** Section 9.02 is amended by inserting, after the words “In the event of the death”, the words “or the funeral”.

**14.** Section 9.03 is amended by inserting, after the words “In the event of the death”, the words “or the funeral”.

**15.** Section 9.04 is amended by inserting, after the words “In the event of the death”, the words “or the funeral”.

**16.** Section 9.07 is amended by inserting, after the words “on his wedding day”, the words “or day of his civil union”.

**17.** Section 9.08 is amended by inserting in the first paragraph, after the words “on the wedding day”, the words “or day of the civil union”.

**18.** Section 9.09 is amended by substituting in the first paragraph, the words “, the adoption of a child or the termination of the pregnancy in or after the twentieth week of pregnancy” for the words “or the adoption of a child”.

**19.** Section 9.11 is replaced by the following:

“**9.11.** The employee may be absent from work 10 days a year, without pay, to fulfil obligations relating to the care, health or education of the employee’s child or the child of the employee’s spouse, or because of the state of health of the employee’s spouse, father, mother, brother, sister or one of the employee’s grandparents.

The leave may be divided into days. A day may also be divided if the employer consents thereto.

The employee must advise his employer of his absence as soon as possible and take the reasonable steps within his power to limit the leave and its duration.”.

**20.** Section 11.01 is amended by inserting in the third paragraph, after the words “while he is laid off is not valid”, the words “and has no legal force”.

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

## Draft Regulation

Code of Civil Procedure  
(R.S.Q., c. C-25)

### Determination of child support payments — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the determination of child support payments, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to make technical adjustments to harmonize the rule that applies to support for a child of full age with the Civil Code of Québec and to adjust the amounts in the Basic Parental Contribution Determination Table and the amount of the basic deduction provided for in that Table.

Further information on the draft Regulation may be obtained by contacting Pierre Tanguay, Direction générale des services de justice, 1200, route de l'Église, 7<sup>e</sup> étage, Sainte-Foy (Québec) G1V 4M1; telephone: (418) 644-7700 ext. 20197; fax: (418) 644-9968.

## SCHEDULE II (s. 3)

### BASIC PARENTAL CONTRIBUTION DETERMINATION TABLE (Effective as of 1 January 2005)

Disposable Income of Parents ( \$ )			Basic Annual Contribution Number of Children					
			1 child	2 children	3 children	4 children	5 children	6 children <sup>(1)</sup>
1	-	1 000	500	500	500	500	500	500
1 001	-	2 000	1 000	1 000	1 000	1 000	1 000	1 000
2 001	-	3 000	1 500	1 500	1 500	1 500	1 500	1 500
3 001	-	4 000	2 000	2 000	2 000	2 000	2 000	2 000
4 001	-	5 000	2 260	2 500	2 500	2 500	2 500	2 500
5 001	-	6 000	2 320	3 000	3 000	3 000	3 000	3 000
6 001	-	7 000	2 430	3 500	3 500	3 500	3 500	3 500
7 001	-	8 000	2 530	3 940	4 000	4 000	4 000	4 000
8 001	-	9 000	2 610	4 070	4 500	4 500	4 500	4 500
9 001	-	10 000	2 670	4 180	4 940	5 000	5 000	5 000

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Sainte-Foy (Québec) G1V 4M1.

JACQUES P. DUPUIS,  
*Minister of Justice*

### Regulation to amend the Regulation respecting the determination of child support payments\*

Code of Civil Procedure  
(R.S.Q., c. C-25. art. 825.8)

- Section 1 of the Regulation respecting the determination of child support payments is amended by striking out the last sentence of the second paragraph.
- Schedule II to the Regulation is replaced by the Schedule attached to this Regulation.
- This Regulation comes into force on 1 January 2005.

\* The Regulation respecting the determination of child support payments, made by Order in Council 484-97 dated 9 April 1997 (1997, *G.O.* 2, 1651), was last amended by the regulation made by Order in Council 1312-2003 dated 10 December 2003 (2003, *G.O.* 2, 3605). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.

Disposable Income of Parents ( \$ )			Basic Annual Contribution Number of Children					
			1 child	2 children	3 children	4 children	5 children	6 children <sup>(1)</sup>
10 001	-	12 000	2 830	4 390	5 200	6 000	6 000	6 000
12 001	-	14 000	3 010	4 690	5 560	6 460	7 000	7 000
14 001	-	16 000	3 210	4 960	5 930	6 890	7 880	8 000
16 001	-	18 000	3 400	5 240	6 310	7 370	8 440	9 000
18 001	-	20 000	3 570	5 490	6 640	7 810	8 950	10 000
20 001	-	22 000	3 780	5 800	7 050	8 290	9 530	10 740
22 001	-	24 000	3 970	6 110	7 430	8 740	10 080	11 410
24 001	-	26 000	4 190	6 440	7 860	9 270	10 700	12 130
26 001	-	28 000	4 410	6 740	8 310	9 840	11 410	12 950
28 001	-	30 000	4 640	7 060	8 710	10 380	12 040	13 710
30 001	-	32 000	4 850	7 350	9 140	10 940	12 710	14 500
32 001	-	34 000	5 060	7 650	9 580	11 460	13 370	15 280
34 001	-	36 000	5 290	7 940	9 970	11 990	14 010	16 030
36 001	-	38 000	5 470	8 250	10 310	12 380	14 460	16 530
38 001	-	40 000	5 690	8 510	10 640	12 780	14 920	17 030
40 001	-	42 000	5 890	8 770	10 980	13 170	15 370	17 570
42 001	-	44 000	6 100	9 050	11 300	13 540	15 790	18 030
44 001	-	46 000	6 300	9 300	11 620	13 940	16 250	18 570
46 001	-	48 000	6 480	9 590	11 960	14 360	16 750	19 130
48 001	-	50 000	6 670	9 810	12 290	14 760	17 220	19 690
50 001	-	52 000	6 860	10 060	12 620	15 190	17 720	20 290
52 001	-	54 000	7 050	10 330	12 950	15 560	18 190	20 820
54 001	-	56 000	7 220	10 570	13 280	16 020	18 720	21 430
56 001	-	58 000	7 400	10 820	13 600	16 370	19 180	21 960
58 001	-	60 000	7 590	11 050	13 910	16 780	19 660	22 510
60 001	-	62 000	7 760	11 280	14 210	17 150	20 090	23 010
62 001	-	64 000	7 910	11 490	14 520	17 530	20 550	23 570
64 001	-	66 000	8 070	11 720	14 820	17 900	20 980	24 050
66 001	-	68 000	8 250	11 910	15 070	18 240	21 390	24 560
68 001	-	70 000	8 370	12 110	15 350	18 610	21 850	25 100
70 001	-	72 000	8 510	12 310	15 620	18 920	22 250	25 560
72 001	-	74 000	8 650	12 490	15 890	19 280	22 690	26 080
74 001	-	76 000	8 820	12 680	16 160	19 650	23 140	26 620
76 001	-	78 000	8 920	12 830	16 370	19 920	23 450	26 990
78 001	-	80 000	9 040	13 010	16 610	20 200	23 800	27 390
80 001	-	82 000	9 160	13 160	16 810	20 460	24 110	27 770
82 001	-	84 000	9 270	13 320	17 030	20 740	24 460	28 170
84 001	-	86 000	9 440	13 470	17 250	21 000	24 780	28 540
86 001	-	88 000	9 530	13 600	17 420	21 250	25 060	28 880
88 001	-	90 000	9 610	13 730	17 580	21 430	25 280	29 150

Disposable Income of Parents ( \$ )			Basic Annual Contribution Number of Children					
			1 child	2 children	3 children	4 children	5 children	6 children <sup>(1)</sup>
90 001	-	92 000	9 700	13 850	17 770	21 670	25 600	29 510
92 001	-	94 000	9 790	13 980	17 930	21 880	25 810	29 760
94 001	-	96 000	9 900	14 100	18 110	22 110	26 110	30 100
96 001	-	98 000	9 980	14 220	18 250	22 300	26 340	30 400
98 001	-	100 000	10 070	14 330	18 410	22 470	26 560	30 640
100 001	-	102 000	10 160	14 440	18 570	22 680	26 820	30 940
102 001	-	104 000	10 240	14 530	18 720	22 860	27 050	31 200
104 001	-	106 000	10 320	14 650	18 850	23 060	27 270	31 460
106 001	-	108 000	10 390	14 750	19 010	23 240	27 500	31 720
108 001	-	110 000	10 450	14 840	19 160	23 410	27 710	31 960
110 001	-	112 000	10 540	14 940	19 300	23 570	27 940	32 230
112 001	-	114 000	10 620	15 030	19 440	23 760	28 170	32 480
114 001	-	116 000	10 710	15 140	19 580	23 930	28 380	32 730
116 001	-	118 000	10 790	15 230	19 730	24 100	28 610	33 000
118 001	-	120 000	10 870	15 330	19 880	24 310	28 820	33 240
120 001	-	122 000	10 940	15 430	20 000	24 470	29 040	33 490
122 001	-	124 000	11 010	15 540	20 150	24 650	29 270	33 740
124 001	-	126 000	11 090	15 640	20 290	24 810	29 500	34 010
126 001	-	128 000	11 170	15 730	20 450	25 000	29 710	34 270
128 001	-	130 000	11 240	15 830	20 590	25 170	29 920	34 520
130 001	-	132 000	11 320	15 940	20 750	25 350	30 150	34 770
132 001	-	134 000	11 390	16 030	20 870	25 540	30 380	35 030
134 001	-	136 000	11 470	16 130	21 010	25 710	30 580	35 280
136 001	-	138 000	11 560	16 220	21 170	25 870	30 820	35 530
138 001	-	140 000	11 630	16 330	21 310	26 070	31 040	35 800
140 001	-	142 000	11 710	16 420	21 450	26 240	31 260	36 050
142 001	-	144 000	11 790	16 530	21 600	26 410	31 490	36 300
144 001	-	146 000	11 870	16 620	21 730	26 570	31 710	36 560
146 001	-	148 000	11 950	16 720	21 890	26 790	31 920	36 820
148 001	-	150 000	12 020	16 830	22 030	26 950	32 160	37 080
150 001	-	152 000	12 100	16 930	22 170	27 120	32 370	37 320
152 001	-	154 000	12 170	17 020	22 310	27 310	32 600	37 560
154 001	-	156 000	12 260	17 130	22 480	27 480	32 830	37 840
156 001	-	158 000	12 330	17 240	22 610	27 650	33 030	38 100
158 001	-	160 000	12 410	17 320	22 730	27 830	33 270	38 360
160 001	-	162 000	12 480	17 410	22 890	28 020	33 490	38 600
162 001	-	164 000	12 570	17 510	23 040	28 200	33 700	38 840
164 001	-	166 000	12 640	17 630	23 190	28 370	33 930	39 120
166 001	-	168 000	12 710	17 730	23 330	28 540	34 160	39 370
168 001	-	170 000	12 790	17 820	23 460	28 720	34 370	39 620
170 001	-	172 000	12 880	17 920	23 620	28 900	34 600	39 890
172 001	-	174 000	12 960	18 030	23 760	29 080	34 810	40 120
174 001	-	176 000	13 040	18 120	23 910	29 260	35 050	40 400
176 001	-	178 000	13 100	18 230	24 030	29 440	35 270	40 650
178 001	-	180 000	13 180	18 330	24 210	29 620	35 490	40 910

Disposable Income of Parents ( \$ )			Basic Annual Contribution Number of Children					
			1 child	2 children	3 children	4 children	5 children	6 children <sup>(1)</sup>
180 001	-	182 000	13 270	18 420	24 340	29 790	35 710	41 170
182 001	-	184 000	13 340	18 530	24 480	29 960	35 930	41 410
184 001	-	186 000	13 410	18 620	24 630	30 140	36 140	41 670
186 001	-	188 000	13 500	18 710	24 780	30 330	36 380	41 930
188 001	-	190 000	13 570	18 810	24 920	30 490	36 600	42 190
190 001	-	192 000	13 650	18 920	25 060	30 690	36 820	42 440
192 001	-	194 000	13 730	19 030	25 200	30 870	37 050	42 710
194 001	-	196 000	13 810	19 120	25 370	31 040	37 270	42 960
196 001	-	198 000	13 880	19 230	25 500	31 220	37 470	43 220
198 001	-	200 000	13 960	19 330	25 640	31 400	37 720	43 460
Disposable income greater than \$ 200,000 <sup>(2)</sup>			13 960 plus 3.5% of excess amount	19 330 plus 4.5% of excess amount	25 640 plus 6.5% of excess amount	31 400 plus 8.0% of excess amount	37 720 plus 10.0% of excess amount	43 460 plus 11.5% of excess amount

(1) For families of 7 children or more, multiply the difference between 5 and 6 children by the number of additional children and add the product to the basic annual contribution for 6 children (s.11).

(2) For the portion of income exceeding \$200,000, the percentage indicated is shown for information purposes only (s.10).

Amount of the basic deduction for the purpose of calculating disposable income (line 301 on the Child Support Determination Form) effective as of 1 January 2005 : \$10,100

6540

## Draft Regulation

An Act respecting collective agreement decrees  
(R.S.Q., c. D-2)

### Hairdressing

#### — Hull

#### — Amendments

Notice is hereby given, under section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour has received a petition from the contracting parties to amend the Decree respecting hairdressers in the Hull region (R.R.Q., 1981, c. D-2, r.15) and that, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the “Decree to amend the Decree respecting hairdressers in the Hull region”, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Decree is to amend the Decree respecting hairdressers in the Hull region to take into account the present territorial jurisdiction, the constitution of the new Ville de Gatineau and the name

changes of certain villages, cities, parishes and townships, to facilitate understanding of the Decree, to allow hairdressers to offer their services for the celebration of a civil union, in spite of the closure of their salon in compliance with general holidays or closing hours, to index the minimum prices for hairdressing services and to change the duration of the Decree.

To do so, the draft proposes to change the name of the Decree, that of the contracting party representing the employees, as well as the list of municipalities included in the territorial jurisdiction of the Decree. It also recommends that the period of uninterrupted service entitling an employee to a written advance notice of departure be “30 days”. The term “superior force” is substituted for “fortuitous event”. In addition, the draft proposes to allow a hairdresser to provide services in a salon outside opening hours, even during a general holiday or on the occasion of a civil union, to spouses and their direct relatives. In addition, the draft proposes increases in the minimum prices for services, as of the coming into force of the Decree, and on 1 January 2006 and 1 January 2007. Finally, the draft renews the Decree until 31 December 2008 and updates the automatic renewal clause.

During the consultation period, the impact of the amendments sought will be clarified. According to the 2003 annual report of the Comité paritaire des coiffeurs de la région de Hull, the Decree governs 104 employers, 292 artisans and 305 employees.

Further information may be obtained by contacting Ms. Julie Massé, Direction des politiques, de la construction et des décrets, Ministère du Travail, 200, chemin Sainte-Foy, 7<sup>e</sup> étage, Québec (Québec) G1R 5S1, telephone: (418) 643-1432, fax: (418) 643-3514, e-mail: julie.masse@travail.gouv.qc.ca

Any interested person with comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1.

JEAN-PAUL BEAULIEU,  
*Deputy Minister of Labour*

## Decree to amend the Decree respecting hairdressers in the Hull region\*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, ss. 2 and 6.1)

**1.** The following is substituted for the title of the Decree respecting hairdressers in the Hull region:

“Decree respecting hairdressers in the Outaouais region”.

**2.** The first Whereas preceding section 0.01 of the Decree is amended by substituting the name “Le Syndicat des employé(e)s coiffeurs(ses) de l’Outaouais” for the name “Le Syndicat des employés coiffeurs pour hommes et dames du district de Hull”.

**3.** Section 5.04 of the Decree is amended:

(1) by substituting, in the first paragraph, “30 days” for “3 weeks”; and

(2) in the third paragraph, by substituting the words “superior force” for the words “fortuitous event”.

**4.** Section 5.09 of the Decree is amended by substituting the following for paragraph 1:

“(1) on the occasion of a wedding or a civil union: to the future spouses and their direct relatives;”.

**5.** The following is substituted for section 6.01:

“**6.01.** This Decree remains in force until 31 December 2008. It is then automatically renewed from year to year thereafter, unless one of the contracting parties opposes it by sending a written notice to the Minister of Labour and to the other contracting party, during the month of August of 2008 or during the month of August of any subsequent year.”.

**6.** The following is substituted for section 9.01:

“**9.01.** Professional employers, employers, artisans and employees shall demand from the public at least the following prices for the services listed below:

\* The Decree respecting hairdressers in the Hull region (R.R.Q., 1981, c. D-2, r.15) was last amended by the Regulation made by Order in Council No. 1378-99 dated 8 December 1999 (1999, G.O. 2, 4590). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2004, updated to 1 March 2004.



	As of (insert here date of coming into force of this Decree)	As of 2006 01 01	As of 2007 01 01
(1) Dying	\$19.50	\$21.50	\$22.50
(2) Haircut	\$11.50	\$12.50	\$13.50
(3) Bleaching	\$19.50	\$21.50	\$22.50
(4) Streaks	\$29.50	\$30.50	\$31.50
(5) Finger wave	\$11.50	\$12.50	\$13.50
(6) Permanent, all included	\$47.00	\$49.00	\$51.00
(7) Permanent	\$37.00	\$39.00	\$41.00
(8) Shampoo	\$2.50	\$2.75	\$3.00
(9) Scalp treatment	\$9.50	\$9.75	\$10.00
(10) Haircut including shampoo and finger wave	\$19.50	\$21.50	\$22.50
(11) Haircut for children under 12	\$8.50	\$9.50	\$10.00
(12) Haircut for children under 12 including shampoo and wave	\$16.00	\$16.50	\$17.00.”.

**7.** The following is substituted for Schedule I:

**“SCHEDULE I**  
(s. 1.01)

**Region 07 – Outaouais**

Ville de Gatineau.

**Municipalité régionale de comté  
de La Vallée-de-la-Gatineau**

Canton d’Aumond, Blue Sea, Bois-Franc, Bouchette, Cayamant, Déléage, Denholm, Égan-Sud, Ville de Gracefield, Grand-Remous, Kazabazua, Lac-Sainte-Marie, Canton de Low, Ville de Maniwaki, Messines, Montcerf-Lytton, Sainte-Thérèse-de-la-Gatineau.

**Municipalité régionale de comté  
de Les Collines-de-l’Outaouais**

Cantley, Chelsea, L’Ange-Gardien, La Pêche, Notre-Dame-de-la-Salette, Pontiac, Val-des-Monts.

**Municipalité régionale de comté de Papineau**

Boileau, Bowman, Chénéville, Duhamel, Fassett, Lac-des-Plages, Lac-Simon, Canton de Lochaber, Canton de Lochaber-Partie-Ouest, Mayo, Montebello, Montpellier, Mulgrave-et-Derry, Namur, Notre-Dame-de-Bonsecours, Notre-Dame-de-la-Paix, Papineauville, Plaisance, Ripon, Saint-André-Avellin, Saint-Émile-de-Suffolk, Saint-Sixte, Ville de Thurso, Val-des-Bois.

**Municipalité régionale de comté de Pontiac**

Alleyn-et-Cawood, Bristol, Bryson, Campbell’s Bay, Canton de Chichester, Clarendon, Village de Fort-Coulange, Grand-Calumet, L’Isle-aux-Allumettes, Canton de Litchfield, Mansfield-et-Pontefract, Otter Lake, Village de Portage-du-Fort, Rapides-des-Joachims, Shawville, Sheenboro, Thorne, Waltham.”.

**8.** This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

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**Draft Regulation**

An Act respecting manpower vocational training and qualification  
(R.S.Q., c. F-5)

**Manpower vocational training and qualification**  
— **Electricians, pipe fitters, elevator mechanics and electrical machinery operators**  
— **Sectors other than construction**  
— **Amendment**

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors other than the construction industry, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.



The purpose of the draft Regulation is to exempt operators of pipe-thawing machines and motion picture machinery from the requirement to hold a qualification certificate or an apprenticeship card for an electrical machinery operator.

The draft Regulation will have no negative impact on businesses, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Jean-Pierre Tremblay, Direction du développement des compétences en milieu de travail, Emploi-Québec, 800, rue du Square-Victoria, 27<sup>e</sup> étage, Montréal (Québec) H4Z 1B7; telephone: (514) 864-3998; fax: (514) 873-2189; e-mail: jean-pierre.tremblay7@messf.gouv.qc.ca.

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Employment, Social Solidarity and Family Welfare, 425, rue Saint-Amable, 4<sup>e</sup> étage, Québec (Québec) G1R 4Z1.

CLAUDE BÉCHARD,  
*Minister of Employment, Social Solidarity  
and Family Welfare*

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## **Regulation to amend the Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors other than the construction industry\***

An Act respecting manpower vocational training and qualification  
(R.S.Q., c. F-5, s. 30, 1st par., subpar. b)

**1.** The Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery

operators in sectors other than the construction industry is amended in paragraph 4 of Schedule A by striking out “, pipe-thawing machines, motion picture machinery”.

**2.** This Regulation comes into force on 1 January 2005.

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\* The Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors other than the construction industry (R.R.Q., 1981, c. F-5, r. 4) was last amended by the regulation made by Order in Council 5-97 dated 7 January 1997 (1997, *G.O.* 2, 186). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2004, updated to 1 March 2004.



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## Erratum

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Gouvernement du Québec

### **O.C. 1342-2001, 31 October 2001**

Building Act  
(R.S.Q., c. B-1.1)

*Gazette officielle du Québec*, Part 2, 14 November 2001, Vol. 133, No. 46, page 5880.

On page 5880, the heading of the Order in Council should read “O.C. 1342-2001, 7 November 2001” instead of “O.C. 1342-2001, 31 October 2001”.

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Gouvernement du Québec

### **O.C. 1343-2001, 31 October 2001**

Building Act  
(R.S.Q., c. B-1.1)

*Gazette officielle du Québec*, Part 2, 14 November 2001, Vol. 133, No. 46, page 5882.

On page 5882, the heading of the Order in Council should read “O.C. 1343-2001, 7 November 2001” instead of “O.C. 1343-2001, 31 October 2001”.

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Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

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