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Draft Regulations

Notice

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

Non-structural metalwork industry — Montréal — 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 the non-structural metalwork industry in the Montréal region (R.R.Q., 1981, c. D-2, r.35) and that, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft “Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal 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 or introduce provisions, notably with regard to the term of the Decree and the title of the committee. In addition, amendments are made to some articles related to holidays and annual leaves as well as to amounts offered for safety equipment. Finally, the draft Decree aims to amend the wage rates and to harmonize certain sections.

During the consultation period, the impact of the amendments requested will be clarified. According to the 2006 annual report of the Comité conjoint des matériaux de construction, the Decree governs 184 employers, 1,138 employees and 13 artisans.

Further information may be obtained by contacting:

Mr. Patrick Bourassa
Direction des données sur le travail et des décrets
Ministère du Travail, 200, chemin Sainte-Foy, 5^e étage
Québec (Québec) G1R 5S1

Telephone: 418 528-9738

Fax: 418 644-6969

E-mail: patrick.bourassa@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^e étage, Québec (Québec) G1R 5S1.

JULIE GOSSELIN,
Deputy Minister of Labour

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, ss. 2 and 6.1)

1. The Decree respecting the non-structural metalwork industry in the Montréal region is amended by replacing “The United Steelworkers of America, Local 7625” by “United Steelworkers” in the first WHEREAS preceding DIVISION 1.00.

2. Section 3.01 is amended by replacing the words “parity committee” by the words “Comité conjoint des matériaux de construction.”

3. Section 3.05 is amended by replacing the words “parity committee” by the words “Comité conjoint des matériaux de construction” in paragraph 7.

4. Section 3.07 is amended by replacing the number “10” by the number “15.”

5. Section 5.01 is replaced by the following:

“**5.01.** The minimum hourly wage rates are as follows for the classifications listed below:

* 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. 736-2005 dated 9 August 2005 (2005, *G.O.* 2, 3444). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2006, updated to 1 September 2006.

(1) zone 1:

Classifications	As of	As of	As of
	(enter here date of coming into force of this Decree)	30 May 2008	30 May 2009
(a) specialized brake press operator and mechanic	\$21.18	\$21.71	\$22.25
(b) fitter and blacksmith	\$19.33	\$19.81	\$20.31
(c) brake press operator, blade shear operator, buffer	\$19.00	\$19.48	\$19.97
(d) trailer-truck driver	\$18.41	\$18.87	\$19.34
(e) production worker A	\$18.12	\$18.58	\$19.04
(f) truck driver	\$18.12	\$18.58	\$19.04
(g) production worker B and painter	\$12.78	\$13.10	\$13.43
(h) labourer	\$11.43	\$11.98	\$12.48

(2) zone 2: The minimum wage rates for zone 2 are those for zone 1 reduced by \$0.15 per hour.”

6. Section 5.04 is replaced by the following:

“**5.04. Labourer:** When a labourer has received during 4,000 hours the rate prescribed in paragraph h of section 5.01 for his classification or more, he receives the wages of a production worker B.”

7. Section 6.02 is amended by replacing the first paragraph by the following:

“**6.02.** Holiday pay and movable holiday pay is equal to 8 or 10 times the hourly rate, according to the employee’s regular schedule, plus the shift differential, as the case may be.”

8. Section 6.06 is amended by replacing the words “joint committee” by the words “Comité conjoint des matériaux de construction” in paragraph b.**9.** Section 6.07 is replaced by the following:

“**6.07.** Any employee working on the day of a leave with pay shall be paid once his regular rate plus his leave with pay including the shift differential, as the case may be.”

10. Section 7.03 is amended by replacing paragraphs 4 and 5 by the following:

“4° 20 years and more 11% 5 weeks.”

11. Section 7.07 is amended by adding the following paragraph after paragraph 4:

“Should an employee be absent owing to sickness or accident or to maternity or paternity leave during the reference year and should that absence result in the reduction of that employee’s annual leave indemnity, the employee is then entitled to an equal indemnity based on the effective wage rate he would normally have earned without that absence. An employee whose annual leave is less than two weeks is entitled to that amount in proportion to the days of leave credited to his account.

To determine the indemnity applicable to that leave, the employer must:

(a) calculate the weekly average of the wages earned by the employee during the period worked;

(b) count the number of weeks during which the employee would normally have worked;

(c) multiply the amount of the wages earned per week by the number of weeks of paid annual leave to which the employee is entitled;

(d) multiply the amount obtained in subparagraph c by the number of weeks counted in subparagraph b, and divide the result obtained by 52.

An annual leave indemnity calculated in accordance with this section must not, however, exceed that to which the employee would have been entitled if he had not been absent.”

12. Section 13.04 is amended:

(1) by replacing the amount “\$100” by the amount “180” in subparagraph a of the second paragraph;

(2) by replacing “2003 to 2006” by “2007 to 2009” in subparagraph *a* of the second paragraph;

(3) by replacing subparagraph *b* of the second paragraph by the following:

“(b) an amount of \$120.00 yearly, for the years 2007 to 2009, for safety shoes to any employee having one year of continuous service; that amount shall be paid on September 1.

For an employee working on September 1 and having less than one year of continuous service, the employer shall grant 1/12 of the amount provided for each month beginning with the month following his hiring.”.

13. Section 17.01 is amended by replacing the number “2006” by the number “2009” in the first and second sentences.

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

Decisions

Decision

An Act respecting elections and referendums in municipalities
(R.S.Q., c. E-2.2)

Chief Electoral Officer

— Identification of electors on polling day

Decision of the Chief Electoral Officer pursuant to the powers conferred upon him by section 90.5 of the Act respecting elections and referendums in municipalities concerning the identification of electors on polling day

WHEREAS a referendum shall take place in Ville de Granby on April 1, 2007;

WHEREAS the returning officer has informed the Chief Electoral Officer that problems may arise regarding security and the conduct of the election in polling stations on April 1, 2007, and during the advance poll on March 25, 2007;

WHEREAS the security of electors who exercise their right to vote and the good conduct of the election must be guaranteed;

WHEREAS section 90.5 of the Act respecting elections and referendums in municipalities states that if, subsequent to an error, a provision of the Act does not meet the demands of the resultant situation, the Chief Electoral Officer may adapt the provision in order to achieve its object;

WHEREAS the Chief Electoral Officer has first informed the Minister of Municipal Affairs and Regions of the decision he intends to make;

The Chief Electoral Officer, pursuant to the powers conferred upon him by section 90.5 of the Act respecting elections and referendums in municipalities, has decided to adapt the provisions of sections 122, 125, 126 and 132 of this legislation as follows:

1. Anyone who appears at a polling station or at an identity verification panel must have his face uncovered.

This decision applies during the election scheduled on April 1, 2007, as well as during the advance poll on March 25, 2007, and goes into effect on March 25, 2007.

Québec, 25 March 2007

MARCEL BLANCHET,
*Chief Electoral Officer and
Chair of the Commission
de la représentation électorale*

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Notices

Notice

An Act respecting the enterprise registrar (R.S.Q., c. R-17.1, s. 24)

Authorization to sign certain documents in lieu of the enterprise registrar

WHEREAS, under section 33 of the Act respecting the enterprise registrar (R.S.Q., c. R-17.1, hereinafter referred to as the “AER”), as enacted by section 12 of chapter 38 of the Statutes of Québec of 2006 (hereinafter referred to as the “amending Act”), and under section 2 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31), as amended by section 41 of the amending Act, the Minister of Revenue is responsible for the administration of the AER;

WHEREAS the Direction du registre des entreprises has been created at the Ministère du Revenu;

WHEREAS, in accordance with the first paragraph of section 1 of the AER, as replaced by section 2 of the amending Act, the Minister of Revenue has appointed a public servant to act as enterprise registrar;

WHEREAS, in accordance with the second paragraph of that same section of the AER, the Minister of Revenue has appointed public servants to assist the enterprise registrar in the functions of office;

WHEREAS section 24 of the AER, as enacted by section 12 of the amending Act, provides that no deed, document or writing is binding on or attributable to the enterprise registrar unless it is signed by the enterprise registrar or by a public servant referred to in the second paragraph of section 1 of the AER (as replaced by section 2 of the amending Act) and authorized by the enterprise registrar;

WHEREAS the second paragraph of section 24 of the AER, as enacted by section 12 of the amending Act, provides that a facsimile of the signature of a person referred to in the first paragraph has the same force as the person’s signature;

WHEREAS sections 2, 12 and 41 of the amending Act came into force on April 1, 2007;

ACCORDINGLY:

In my capacity as enterprise registrar, in accordance with section 24 of the AER, as enacted by section 12 of the amending Act, I authorize the public servants who hold the positions referred to hereinafter to sign, in lieu of the enterprise registrar but within the scope of their respective powers, duties, functions and responsibilities, all the documents that the latter has the authority to sign under the following:

The Companies Act (R.S.Q., c. C-38), the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45) and the laws concerning the constitution, working and winding-up of legal persons doing business in Québec, except for documents relating to the Religious Corporations Act (R.S.Q., c. C-71), the Roman Catholic Bishops Act (R.S.Q., c. E-17) and the Act respecting fabriques (R.S.Q., c. F-1)

DIRECTION DU REGISTRE DES ENTREPRISES

— head of the Service d’expertise, de la qualité du registre et des recours;

— head of the Service des personnes morales (Québec);

— head of the Division des personnes morales (Montréal);

— head of the Service de la publicité légale.

The provisions of Part IA and Part III of the Companies Act concerning the reserving of names

DIRECTION DU REGISTRE DES ENTREPRISES

Service des personnes morales (Québec)

— office agent principal class;

Division des personnes morales (Montréal)

— office agent principal class.

And I have signed at Québec, this 2nd day of April 2007

MARC SAMSON,
Enterprise registrar

Notice

An Act respecting the enterprise registrar (R.S.Q., c. R-17.1, s. 23)

Delegation of certain powers of the enterprise registrar

WHEREAS, under section 33 of the Act respecting the enterprise registrar (R.S.Q., c. R-17.1, hereinafter referred to as the “AER”), as enacted by section 12 of chapter 38 of the Statutes of Québec of 2006 (hereinafter referred to as the “amending Act”), and under section 2 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31), as amended by section 41 of the amending Act, the Minister of Revenue is responsible for the administration of the AER;

WHEREAS the Direction du registre des entreprises has been created at the Ministère du Revenu;

WHEREAS, in accordance with the first paragraph of section 1 of the AER, as replaced by section 2 of the amending Act, the Minister of Revenue has appointed a public servant to act as enterprise registrar;

WHEREAS, in accordance with the second paragraph of that same section of the AER, the Minister of Revenue has appointed public servants to assist the enterprise registrar in the functions of office;

WHEREAS section 23 of the AER, as enacted by section 12 of the amending Act, provides that the enterprise registrar may, with the concurrence of the Minister of Revenue, delegate powers to the public servants assisting the enterprise registrar;

WHEREAS sections 2, 12 and 41 of the amending Act came into force on April 1, 2007;

ACCORDINGLY:

In my capacity as enterprise registrar, in accordance with section 23 of the AER, as enacted by section 12 of the amending Act, I delegate to the public servants identified hereinafter the powers referred to in the following:

Sections 18.1, 18.2, 19, 20, 123.27.1, 123.27.2, 123.27.3, 123.27.4, 123.27.5, 221.1, 221.2 and 224 of the Companies Act (R.S.Q., c. C-38) and sections 83, 84, 85, 86, 87 and 88 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45)

DIRECTION DU REGISTRE DES ENTREPRISES

Service d’expertise, de la qualité du registre et des recours

- Mr. Denis Bouchard;
- Ms. Céline Gingras;
- Mr. Jean-François Guay;
- Mr. Denis Racine.

Section 110 and subsection (2) of section 113 of the Companies Act

DIRECTION DU REGISTRE DES ENTREPRISES

Service d’expertise, de la qualité du registre et des recours

- Mr. Denis Bouchard;
- Mr. Jean-François Guay;
- Mr. Denis Racine.

And I have signed at Québec, this 2nd day of April 2007

MARC SAMSON,
Enterprise registrar

CONCURRENCE OF THE MINISTER OF REVENUE

Pursuant to section 23 of the AER, as enacted by section 12 of the amending Act, the Minister of Revenue, represented here by the Deputy Minister of Revenue, who is duly authorized to act under section 4 of the Act respecting the Ministère du Revenu, concurs with this delegation of certain powers of the enterprise registrar.

And I have signed at Québec, this 2nd day of April 2007

DIANE JEAN,
Deputy Minister of Revenue

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

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