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Coming into force of Acts

Gouvernement du Québec

O.C. 417-2011, 13 April 2011

An Act to amend the Act respecting health services and social services as regards the safe provision of health services and social services (2002, c. 71)
— **Coming into force of a provision of the Act**

COMING INTO FORCE of a provision of the Act to amend the Act respecting health services and social services as regards the safe provision of health services and social services

WHEREAS the Act to amend the Act respecting health services and social services as regards the safe provision of health services and social services (2002, c. 71) was assented to on 19 December 2002;

WHEREAS, under section 18 of the Act, the provisions of the Act came into force on 19 December 2002, except subparagraph 6.2 of section 431 of the Act respecting health services and social services (R.S.Q., c. S-4.2), introduced by section 15 of the Act, which comes into force on the date to be fixed by the Government;

WHEREAS it is expedient to fix the date of coming into force of subparagraph 6.2 of the second paragraph of section 431 of the Act respecting health services and social services;

IT IS ORDERED, therefore, on the recommendation of the Minister of Health and Social Services:

THAT 1 May 2011 be fixed as the date of coming into force of subparagraph 6.2 of the second paragraph of section 431 of the Act respecting health services and social services (R.S.Q., c. S-4.2), introduced by section 15 of the Act to amend the Act respecting health services and social services as regards the safe provision of health services and social services (2002, c. 71).

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 420-2011, 13 April 2011

An Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14)
— **Coming into force of section 37 of the Act**

COMING INTO FORCE of section 37 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14)

WHEREAS the Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14) was assented to on 12 June 2008;

WHEREAS, under section 141 of the Act, the provisions of the Act come into force on the date or dates to be set by the Government, except paragraph 2 of section 1, paragraph 2 of section 2, sections 3, 4, 8, paragraph 1 of section 9, sections 10, 23, 24, 28, 30, 34 to 36, 38 to 40, 43, 45 to 47, paragraph 3 of section 54, sections 55 to 57, 59 to 71, 73 to 78, 81 to 85, paragraphs 2 to 4 of section 86, sections 88 to 90, 94, 96, paragraph 2 of section 98, sections 99, 102, 117, 120 to 123, 125, 132 to 135, 137 and 138 to 140, which came into force on 12 June 2008, and section 7, paragraph 1 of section 11, section 12, paragraphs 2 and 3 of section 49, paragraph 2 of section 50, paragraph 2 of section 51, section 52 and paragraph 2 of section 53, which came into force on 2 July 2008;

WHEREAS, under Order in Council 857-2008 dated 3 September 2008, paragraph 1 of section 98 and section 118 of the Act came into force on 3 September 2008;

WHEREAS, under Order in Council 905-2008 dated 17 September 2008, section 48 of the Act came into force on 17 September 2008;

WHEREAS, under Order in Council 1107-2008 dated 5 November 2008, section 136 of the Act came into force on 5 November 2008;

WHEREAS, under Order in Council 1109-2008 dated 5 November 2008, sections 5 and 13, paragraph 1 of section 14 and sections 31, 32, 41, 42, 87, 92, 93, 97 and 116 of the Act came into force on 7 December 2008;

WHEREAS, under Order in Council 1207-2009 dated 18 November 2009, paragraph 2 of section 11 and section 58 of the Act came into force on 6 December 2009;

WHEREAS, under Order in Council 933-2010 dated 3 November 2010, sections 15, 16, 17 and 103 to 110 of the Act came into force on 1 December 2010;

WHEREAS, under Order in Council 1047-2010 dated 1 December 2010, sections 25, 44 and paragraph 2 of section 72 of the Act came into force on 1 January 2011;

WHEREAS it is expedient to set 1 May 2011 as the date of coming into force of section 37 of the Act;

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

THAT section 37 of the Act to again amend the Highway Safety Code and other legislative provisions (2008, c. 14) come into force on 1 May 2011.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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Regulations and other Acts

Gouvernement du Québec

O.C. 402-2011, 13 April 2011

Dam Safety Act
(R.S.Q., c. S-3.1.01)

Dam Safety — Amendment

Regulation to amend the Dam Safety Regulation

WHEREAS sections 6, 14 to 17, 19, 20, 21, 24, 29, 31, 36 and 37 of the Dam Safety Act (R.S.Q., c. S-3.1.01), empower the Government to make regulations on the matters set forth therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Dam Safety Regulation was published in Part 2 of the *Gazette officielle du Québec* of 17 November 2010 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments to the English text;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Regulation to amend the Dam Safety Regulation, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Dam Safety Regulation*

Dam Safety Act
(R.S.Q., c. S-3.1.01, ss. 6, 14 to 17, 19, 20, 21, 24, 29, 31, 36 and 37)

1. The Dam Safety Regulation is amended in section 14

(1) by replacing “or “poor or unknown”” in subparagraph 3 of the first paragraph by “, “poor” or “undetermined””;

(2) by replacing “or “unsatisfactory or unknown”” in subparagraph 4 of the first paragraph by “, “unsatisfactory” or “undetermined””.

2. Section 22 is amended by inserting “during floods” after “inflow” in the part preceding subparagraph 1 of the first paragraph.

3. Section 23 is replaced by the following:

“**23.** Subject to section 24, the safety check flood determined under section 21 or 22 may be less, but it may not be less than a 100-year flood if it is shown that a dam failure during such a flood would cause a consequence category lower than that used for the purposes of section 21.”.

4. Section 25 is amended by replacing “in the Severe Consequence category under sections 17 and 18” in the last paragraph by “designed to withstand a “probable maximum flood””.

5. Section 29 is amended

(1) by replacing the second and third sentences in the first paragraph by the following: “Calculations must be based on the full supply level and be accompanied by the opinion of the engineer in charge on the liquefaction potential of the dam and its foundation and the data on which that opinion is based.”;

* The Dam Safety Regulation, made by Order in Council 300-2002 dated 20 March 2002 (2002, *G.O.* 2, 1647), has been amended once by the regulation made by Order in Council 17-2005 dated 19 January 2005 (2005, *G.O.* 2, 471).

(2) by adding the following sentence at the end of the second paragraph: “The coefficients may also be determined, for each dam site, from peak ground acceleration data established by the Geological Survey of Canada for a return period of 2,500 years.”.

6. Section 45 is amended by replacing “Class C or Class D” in the third paragraph by “Class C, D or E”.

7. The following is inserted after section 49:

“**49.1.** Where the owner of a dam intends, within 5 years, to remove it, reconstruct it or make a structural alteration to it that affects all parts of the dam or that, because of the scope of the work, is equivalent to reconstructing the dam, the dam safety review may be limited to the following:

(1) a check of the condition and behaviour of the dam by means of a comprehensive inspection of every structural component; and

(2) a check of the functionality and reliability of the discharge facilities.

The report documenting the dam safety review must include

(1) the report of the most recent formal inspection carried out pursuant to section 42; and

(2) the opinion of the engineer in charge on the structural and functional safety of the dam and, where applicable, on the measures proposed to prevent the risks of dam failure until the planned work is carried out.

The report must also contain the information referred to in subparagraphs 1 to 4 and 6 of the second paragraph of section 49.

Paragraph 1 of sections 32 and 38 and subparagraph 1 of the first paragraph of sections 76 and 77 do not apply to a dam whose safety review is conducted under this section.”.

8. Section 57 is amended by replacing “pseudostatic or, where applicable, dynamic structural and foundation” in subparagraph 6 of the first paragraph by “seismic”.

9. Section 58 is amended by replacing “pseudostatic or, where applicable, dynamic structural and foundation” in subparagraph 2 of the first paragraph by “seismic”.

10. Section 59 is amended

(1) by replacing “the removal of a dam” in the part preceding paragraph 1 by “the complete removal of a dam, or its partial removal if as a result the dam is no longer a high-capacity dam,”;

(2) by adding the following second paragraph:

“An application for authorization for partial removal must also include

(1) the name and address of the dam owner;

(2) the plans and specifications of the altered dam, drawn up by an engineer, and the hydrologic and hydraulic data and assumptions considered; and

(3) the new impounding capacity of the dam.”.

11. Section 61 is amended by replacing ““poor or unknown”” in subparagraph *c* of paragraph 1 by ““poor” or “undetermined””.

12. Section 62 is amended by inserting “complete or partial” before “removal” in the second paragraph.

13. Section 66 is amended by inserting “complete or partial” before “removal”.

14. Section 78 is amended

(1) by replacing “or poor or unknown” by “, poor or undetermined”, and “unsatisfactory or unknown” by “unsatisfactory or undetermined” in subparagraph 1 of the second and third paragraphs;

(2) by replacing “7 years” by “10 years”, “or poor or unknown” by “, poor or undetermined” and “unsatisfactory or unknown” by “unsatisfactory or undetermined” in subparagraph 1 of the fourth paragraph;

(3) by replacing “8 years” in subparagraph 2 of the fourth paragraph by “12 years”;

(4) by replacing “9 years” by “16 years”, “or poor or unknown” by “, poor or undetermined”, and “unsatisfactory or unknown” by “unsatisfactory or undetermined” in subparagraph 1 of the fifth paragraph;

(5) by replacing “10 years” in subparagraph 2 of the fifth paragraph by “18 years”.

15. Schedule III is amended by replacing “unknown” wherever it appears by “undetermined”.

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

Gouvernement du Québec

O.C. 408-2011, 13 April 2011

An Act respecting Investissement Québec
(R.S.Q., c. I-16.0.1)

Certain transitional measures for the carrying out of the Act

Regulation respecting certain transitional measures for the carrying out of the Act respecting Investissement Québec

WHEREAS, under the first paragraph of section 177 of the Act respecting Investissement Québec (R.S.Q., c. I-16.0.1), the Government may, by a regulation made before 1 January 2012, enact any other transitional measure required for the carrying out of the Act;

WHEREAS, under the second paragraph of that section, a regulation made under the first paragraph of that section is not subject to the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) and comes into force on the date of its publication in the *Gazette officielle du Québec*, or on any later date set in the regulation; the regulation may also, if it so provides, apply from any date not prior to 1 January 2011;

WHEREAS, under Order in Council 321-2011 dated 30 March 2011, certain obligations of Investissement Québec are transferred to the Minister of Economic Development, Innovation and Export Trade;

WHEREAS it is expedient to make the Regulation respecting certain transitional measures for the carrying out of the Act respecting Investissement Québec in order to transfer other obligations of Investissement Québec to the Minister of Economic Development, Innovation and Export Trade, without including them in the Company's patrimony, and to specify certain mandates given to the Company;

IT IS ORDERED, therefore, on the recommendation of the Minister of Economic Development, Innovation and Export Trade:

THAT the Regulation respecting certain transitional measures for the carrying out of the Act respecting Investissement Québec (R.S.Q., c. I-16.0.1), attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting certain transitional measures for the carrying out of the Act respecting Investissement Québec

An Act respecting Investissement Québec
(R.S.Q., c.I-16.0.1, s. 177)

1. For the purposes of this Regulation, “Company” means the company constituted by section 1 of the Act respecting Investissement Québec (R.S.Q., c. I-16.0.1), and “Investissement Québec” means the agency referred to in section 1 of the Act respecting Investissement Québec and La Financière du Québec (R.S.Q., c. I-16.1).

2. The following obligations of Investissement Québec are transferred to the Minister of Economic Development, Innovation and Export Trade:

(1) obligations resulting from the programs and forms of financial assistance referred to in sections 159 and 160 of the Act respecting Investissement Québec, unless the resulting rights become those of the Company; and

(2) obligations resulting from an investment, a loan or a guarantee referred to in section 164 of the Act, except those resulting from investments, loans or guarantees referred to in the Orders in Council listed in that section.

3. The rights and obligations resulting from the administration of the fiscal measures intended for enterprises that were administered, before 1 April 2011, by Investissement Québec are transferred to the Minister of Economic Development, Innovation and Export Trade.

4. The current and future assets and liabilities relating to the rights and obligations transferred to the Minister in accordance with sections 2 and 3 become those of the Economic Development Fund established by section 25 of the Act respecting Investissement Québec.

5. The carrying out of the obligations transferred to the Minister is deemed to be a mandate given to the Company under section 21 of the Act respecting Investissement Québec.

The same applies to the administration of the fiscal measures for enterprises that were administered by Investissement Québec before 1 April 2011.

6. This Regulation has effect from 1 April 2011.

Gouvernement du Québec

O.C. 416-2011, 13 April 2011

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

Specialist of professional orders — Diplomas issued by designates educational institutions which give access to permits or specialist's certificates — Amendment

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

WHEREAS, under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12 of the Code, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist's certificate;

WHEREAS, under subparagraph 7 of the third paragraph of section 12 of the Professional Code, the Office must, before advising the Government, consult the educational institutions and the order concerned, the Conference of Rectors and Principals of Quebec Universities in the case of a university-level diploma, the Fédération des cégeps in the case of a college-level diploma, and the Minister of Education, Recreation and Sports;

WHEREAS the Office carried out the required consultations;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 30 June 2009 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, on 30 September 2009, the Ordre professionnel de la physiothérapie du Québec gave a favourable opinion in respect of the submitted text;

WHEREAS, on 2 November 2009, the Office gave an opinion favourable to the Regulation attached to this Order in Council being made by the Government;

WHEREAS it is expedient to make the Regulation with amendment;

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

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders*

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders is amended by replacing section 1.14 by the following:

“1.14. The following diplomas awarded by the educational institutions designated below give access to the permit of physiotherapist issued by the Ordre professionnel de la physiothérapie du Québec:

- (a) Maîtrise en physiothérapie from Université Laval;
- (b) Maîtrise ès sciences en physiothérapie from the Université de Montréal;
- (c) Maîtrise en physiothérapie from the Université de Sherbrooke;
- (d) Master of Science, Applied, in Physical Therapy from McGill University.”

* The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983 (1983, *G.O.* 2, 2369), was last amended by the regulations made by Orders in Council 894-2010 dated 27 October 2010 (2010, *G.O.* 2, 2933), 1162-2010 dated 15 December 2010 (2011, *G.O.* 2, 5), 267-2011 dated 23 March 2011 (2011, *G.O.* 2, 894) and 268-2011 dated 23 March 2011 (2011, *G.O.* 2, 895). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2010, updated to 1 October 2010.

2. Section 1.14, replaced by section 1 of this Regulation, remains applicable to persons who, on 12 May 2011, hold the diplomas referred to in the replaced section or are registered in a program enabling them to obtain such diplomas.

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

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Gouvernement du Québec

O.C. 421-2011, 13 April 2011

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

Automotive services industry — Chapais, Chibougamau, Lac-Saint-Jean and Saguenay — Amendment

Decree to amend the Decree respecting the automotive services industry in Chapais, Chibougamau, Lac-Saint-Jean and Saguenay

WHEREAS, under section 2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), the Government made the Decree respecting the automotive services industry in Chapais, Chibougamau, Lac-Saint-Jean and Saguenay (R.R.Q., c. D-2, r. 7);

WHEREAS the contracting parties designated in the Decree have, under section 6.1 of the Act, petitioned the Minister of Labour to have amendments made to the Decree;

WHEREAS sections 2 and 6.1 of the Act authorize the Government to amend a collective agreement decree;

WHEREAS, under section 7 of the Act, notwithstanding section 17 of the Regulations Act (R.S.Q., c. R-18.1), a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act and sections 5 and 6.1 of the Act respecting collective agreement decrees, a draft of the amending decree was published in Part 2 of the *Gazette officielle du Québec* of 22 December 2010 and, on the same date, in a French language newspaper and in an English language newspaper with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS no comments have been submitted in respect of the draft Decree;

WHEREAS it is expedient to make the draft Decree without amendment;

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

THAT the Decree respecting the automotive services industry in Chapais, Chibougamau, Lac-Saint-Jean and Saguenay, attached hereto, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting automotive services industry in Chapais, Chibougamau, Lac-Saint-Jean and Saguenay

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

1. The Decree respecting automotive services industry in Chapais, Chibougamau, Lac-Saint-Jean and Saguenay (R.R.Q., c. D2, r. 7) is amended by striking out “Le Syndicat des travailleurs de production Centropneus (CSN)” in paragraph 2 of section 1.02.

2. Section 3.01 is amended by replacing paragraph 1 by the following:

“(1) over no more than 5 consecutive days, from Monday to Saturday, for the apprentice, the journeyman, the dismantler and the semiskilled worker;

(1.1) over no more than 5 consecutive days for the parts clerk, the messenger, the washer and the service attendant;”.

3. Section 3.02 is amended

(1) by replacing “Except for the pump attendant, the” in the first paragraph by “The”;

(2) by striking out the second paragraph.

4. Section 3.03 is revoked .

5. Section 3.05 is replaced by the following:

“**3.05.** An employee is deemed to be at work

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

(2) subject to section 3.04, during the break periods granted by the Decree and the employer;

(3) when travel is required by the employer;

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

6. Section 3.06 is amended by replacing “24” by “32”.

7. The following is inserted after section 3.07:

“**3.08.** An employee may refuse to work

(1) more than 4 hours after regular daily working hours or more than 14 working hours per 24-hour period, whichever period is the shortest;

(2) more than 12 working hours per 24-hour period if the employee’s daily working hours are flexible or non-consecutive;

(3) more than 50 working hours per week.

3.09. An employee who is required to appear as a witness before a court or a quasi judicial body in a case concerning his or her employer, other than a grievance or penal proceedings instituted by the parity committee, where the employee is not one of the interested parties has no reduction in wages for the period during which the employee’s presence is required in court.”.

8. Section 5.01 is amended by adding the following after the first paragraph:

“Despite the foregoing, an employee who, outside of the regular working hours, is recalled after leaving the place of employment, is entitled to an indemnity equal to 3 hours at the employee’s rate currently paid, except where the application of section 4.01 entitles the employee to a greater amount.”.

9. Section 5.02 is revoked.

10. Section 6.02 is replaced by the following:

“**6.02.** To benefit from a statutory 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 following the holiday.

Despite the foregoing, an employee is deemed not to have been absent from work on the working day preceding or following a general holiday when the employee was laid off for less than 20 days preceding or following 1 and 2 January as well as 25 and 26 December, or for less than 48 hours for the other holidays provided for in section 6.01.”.

11. Section 6.03 is replaced by the following:

“**6.03.** For each statutory general holiday, the employer must pay the employee an indemnity equal to 1/20 of the wages earned during the 4 complete weeks of pay preceding the week of the holiday or layoff, excluding overtime.”.

12. Section 6.07 is revoked.

13. Section 7.03 is amended by replacing the third paragraph by the following:

“An employee is also entitled, if the employee applies therefor, to an additional annual leave without pay equal to the number of days required to increase the employee’s annual leave to 3 weeks.

Such additional leave need not follow immediately a leave under the first paragraph and it may not be divided, or be replaced by a compensatory indemnity.”.

14. Section 7.06 is amended

(1) by adding “, except where a collective agreement allows it to be deferred until the following year” at the end of the first paragraph;

(2) by replacing the second paragraph by the following:

“Despite 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, accident or a criminal offence 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.

Despite any contrary clause of a collective agreement, decree or 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.”.

15. Section 8.04 is amended

(1) by replacing “on his wedding day” in the first paragraph by “on the day of his or her wedding or civil union”;

(2) by replacing “on the wedding day of one of his children, of his father, mother, brother or sister or a child of his spouse” in the second paragraph by “on the day of the wedding or civil union of his or her child, father, mother, brother or sister or of a child of his or her spouse.”.

16. Section 8.05 is amended

(1) by replacing “his child or the adoption of a child” in the first paragraph by “his or her child, the adoption of a child or where there is termination of pregnancy in or after the twentieth week of pregnancy”;

(2) by adding “or after the termination of pregnancy” after “mother” at the end of the second paragraph;

(3) by striking out the fourth paragraph.

17. The following is added after section 8.05:

“**8.06.** An employee may be absent from work, without pay, for 10 days per year to fulfil obligations relating to the custody, 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 the employer of his or her absence as soon as possible and take the reasonable steps within his or her power to limit the leave and the duration of the leave.

8.07. In accordance with the provisions of the Act respecting labour standards (R.S.Q., c. N-1.1), an employee may be absent from work

(1) if the employee must stay with the employee’s child, spouse, the child of the employee’s spouse, the employee’s father, mother, the spouse of the employee’s father or mother, the employee’s brother, sister or one of the employee’s grandparents because of a serious illness or a serious accident;

(2) if the employee’s minor child has a serious and potentially mortal illness;

(3) if the employee must stay with the employee’s minor child who suffered serious bodily injury during or resulting directly from a criminal offence that renders the child unable to carry on regular activities;

(4) if the employee’s minor child has disappeared;

(5) if the employee’s spouse or child commits suicide; or

(6) if the death of the employee’s spouse or child occurs during or results directly from a criminal offence.

8.08. In accordance with the provisions of the Act respecting labour standards, a pregnant employee is entitled to a maternity leave, an employee is entitled to parental leave and the father and the mother of a newborn child, and a person who adopts a child, are entitled to parental leave.

An employee may also be absent from work without pay for a medical examination related to her pregnancy or for an examination related to her pregnancy carried out by a midwife.”.

18. Section 10.01 is replaced by the following:

“**10.01.** The minimum hourly wage rates are as follows:

Trades	As of 27 April 2011	As of 1 January 2012	As of 1 January 2013	As of 1 January 2014
1. Apprentice:				
1st year	\$11.93	\$12.23	\$12.53	\$12.85
2nd year	\$12.33	\$12.64	\$12.95	\$13.28
3rd year	\$13.15	\$13.48	\$13.82	\$14.16
4th year	\$14.24	\$14.60	\$14.96	\$15.33
2. Journeyman:				
mechanic, diesel-mechanic, welder, electrician, body-builder, wheel balancer, automatic transmission specialist, painter, saddler, body repairer:				
A	\$20.90	\$21.42	\$21.96	\$22.51
B	\$18.60	\$19.07	\$19.54	\$20.03
C	\$16.38	\$16.79	\$17.21	\$17.64

3. Parts Clerk:

1st year	\$10.73	\$11.00	\$11.27	\$11.56
2nd year	\$11.41	\$11.70	\$11.99	\$12.29
3rd year	\$12.17	\$12.47	\$12.79	\$13.11
4th year	\$12.84	\$13.16	\$13.49	\$13.83
5th year	\$13.55	\$13.89	\$14.24	\$14.59
6th year	\$14.35	\$14.71	\$15.08	\$15.45
7th year	\$14.80	\$15.17	\$15.55	\$15.94
8th year	\$15.20	\$15.58	\$15.97	\$16.37

4. Messenger:	\$10.01	\$10.26	\$10.52	\$10.78
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5. Dismantler:

1st year	\$10.34	\$10.60	\$10.86	\$11.14
2nd year	\$10.98	\$11.25	\$11.54	\$11.82
3rd year	\$11.95	\$12.25	\$12.55	\$12.87
4th year	\$12.92	\$13.24	\$13.57	\$13.91

6. Washer:	\$9.69	\$9.93	\$10.18	\$10.44
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7. Semiskilled Worker:

1st year	\$10.98	\$11.25	\$11.54	\$11.82
2nd year	\$11.65	\$11.94	\$12.24	\$12.55
3rd year	\$12.92	\$13.24	\$13.57	\$13.91

8. Pump Attendant:	\$9.75	\$9.99	\$10.24	\$10.50
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9. Service Attendant:

1st year	\$9.92	\$10.17	\$10.42	\$10.68
2nd year	\$11.17	\$11.45	\$11.74	\$12.03
3rd year	\$11.95	\$12.25	\$12.55	\$12.87
4th year	\$13.05	\$13.38	\$13.71	\$14.05.”

19. Section 10.07 is replaced by the following:

“**10.07.** No employer may make deductions from wages unless the employer is required to do so pursuant to an Act, a regulation, a court order, a collective agreement, an order or 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.

The employee may at any time revoke that authorization, except where it pertains to membership in a group insurance plan, or a supplemental pension plan.

The employer shall remit, within 30 days, the sums so withheld to their intended receiver.”.

20. Section 10.08 is amended by adding the following after the first paragraph:

“The employer may not impose an arrangement to share gratuities or a tip-sharing arrangement among employees. Nor may the employer intervene, in any manner whatsoever, in the establishment of an arrangement to share gratuities or a tip-sharing arrangement. Such an arrangement must result solely from the free and voluntary consent of the employees entitled to gratuities or tips.”.

21. The following is added after section 10.11:

“**10.12.** An employer is required to reimburse an employee for reasonable expenses incurred where, at the request of the employer, the employee must travel or undergo training.”.

22. Section 13.01 is amended by replacing “2001”, wherever it appears, by “2014”.**23.** This Decree comes into force on the date of its publication in the *Gazette officielle du Québec*.

1418

M.O., 2011**Order number AM 2011-014 of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife**

CONCERNING the delimitation of areas on lands in the domain of the State in view of increased utilization of wildlife resources of the lake Duguay located on the territory of the municipality of Notre-Dame-de-Pontmain, in the MRC d’Antoine-Labelle

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE AND THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE

CONSIDERING the first paragraph of section 85 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C61.1), the Minister may delimit areas on lands in the domain of the State in view of increased utilization of wildlife resources and secondarily, the practice of recreational activities;

CONSIDERING that it is expedient to delimit the areas on lands in the domain of the State specified in appendix attached to this Order in view of increased utilization of wildlife resources and secondarily, the practice of recreational activities;

ORDER THAT:

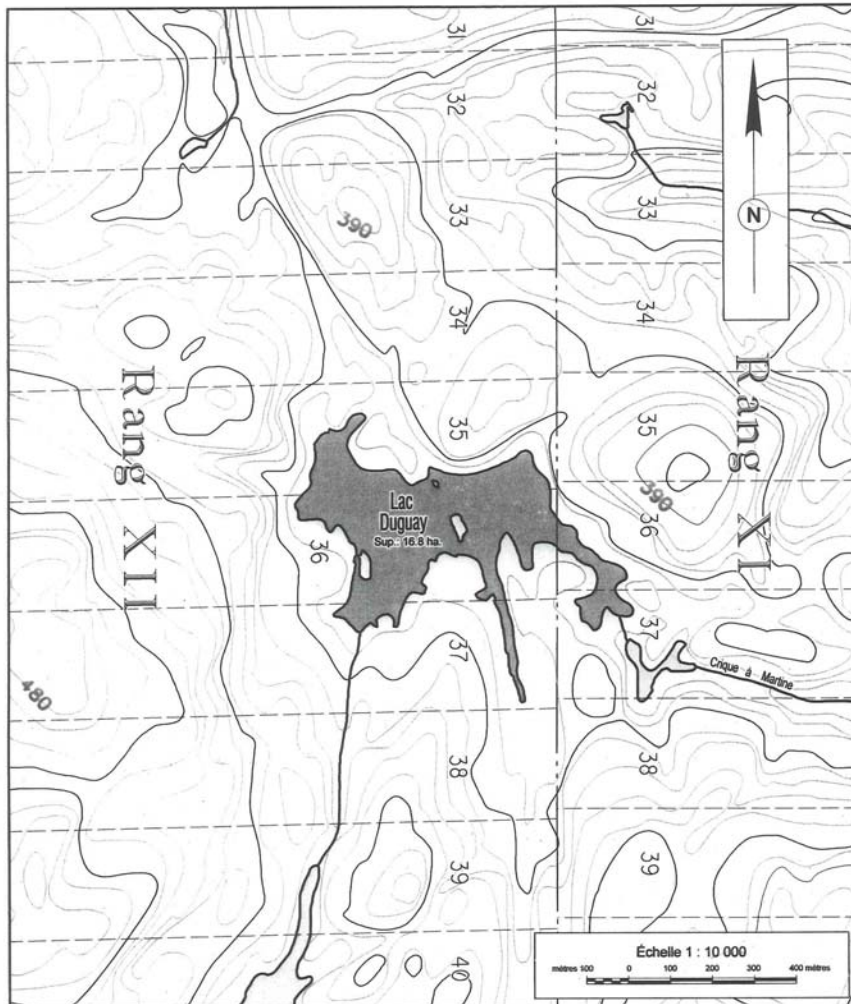
The areas on lands in the domain of the State specified in appendix attached to this Order are delimited in view of increased utilization of wildlife resources and secondarily, the practice of recreational activities;

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

Québec, 14 April 2011

SERGE SIMARD,
*Minister for Natural
Resources and Wildlife*

NATHALIE NORMANDEAU,
*Minister of Natural
Resources and Wildlife*



DOSSIER BAGQ : 517568
DOSSIER FAUNE : 15-925

Ministère des Ressources naturelles et de la Faune

Original déposé au Greffe de l'arpenteur général du Québec, le 9 mars 2011

Julie Bernier
Arpenteur-géomètre
Pour l'arpenteur général du Québec

Seul le Bureau de l'arpenteur général du Québec est autorisé à délivrer des copies conformes de ce document.

Copie conforme de l'original, le 9 mars 2011
Stéphane Morneau
Pour l'arpenteur général du Québec

**TERRES DU DOMAINE DE L'ÉTAT DÉLIMITÉES
AUX FINS DE DÉVELOPPER L'UTILISATION
DES RESSOURCES FAUNIQUES**

(PETIT LAC AMÉNAGÉ)

Arpentage primitif: Canton de Bouthillier
Municipalité: Notre-Dame-de-Pontmain
M.R.C.: Antoine-Labelle
Région administrative: Laurentides (15)

Québec, le 24 février 2011

Préparé par:

Stéphane Morneau
Stéphane Morneau
Arpenteur-géomètre
Matricule : 2190

Minute : 536

Draft Regulations

Draft Regulation

Forest Act
(R.S.Q., c. F-4.1)

Operating permits for wood processing plants — 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 operating permits for wood processing plants, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the classes of wood processing plants. More particularly, it specifies the scope of the class for industries processing wood for energy production purposes. As a result, industries processing wood for electrical power production, for thermal energy production and those manufacturing products derived from biorefinery are introduced in the Regulation as a specific class. It is necessary to further specify the volume of wood processed to separate the issue of permits to industries processing wood for thermal energy production and manufacturing products derived from biorefinery from the other industries. These two types of industries are subject to the issue of a permit where their annual consumption of wood from forests in the domain of the State exceeds 2,000 m³ and where they do not process sawing by-products.

The enterprises concerned by the classes of plants introduced in the Regulation will have to bear the minor costs and take the steps required for the administration of permits.

Further information on the draft Regulation may be obtained by contacting André Denis, Direction du développement de l'industrie des produits forestiers, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, bureau 7.50, Québec (Québec) G1S 4X4; telephone: 418 627-8644, extension 4101; fax: 418 643-9534; email: andre.denis@mrnf.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments before the expiry of the 45-period to Richard Savard, Associate Deputy Minister for Forêt Québec, Ministère des Ressources naturelles et de la Faune, 880, chemin Sainte-Foy, 10^e étage, Québec (Québec) G1S 4X4.

NATHALIE NORMANDEAU,
Minister of Natural Resources and Wildlife

Regulation to amend the Regulation respecting operating permits for wood processing plants

Forest Act
(R.S.Q., c. F-4.1, s. 172, 1st par., subpar. 16)

1. The Regulation respecting operating permits for wood processing plants (R.R.Q., c. F-4.1, r. 8) is amended by replacing section 1 by the following:

“**1.** For the purposes of Title IV of the Forest Act (R.S.Q., c. F-4.1), the classes of wood processing plants are

(1) the following industries processing more than 2,000 m³ of timber annually:

(a) pulp and paper industries manufacturing market pulps, newsprint, building papers, cardboards, low-density board and other paper products such as printing and writing papers, wrapping paper, tissue papers, papers for special uses and toilet papers;

(b) lumber industries manufacturing building lumber, shop lumber, shingles, pallet, box and container components and other sawed products such as railroad ties, laths and mining timber;

(c) veneer and plywood industries manufacturing veneers, plywoods, and other products produced by peeling or slicing such as laminated products, tongue depressors and chopsticks;

(d) wood-derived product industries manufacturing composite panels and other reconstituted products;

(e) wood turning and shaping industries manufacturing posts, piles, rustic furniture components, log house components and fence posts;

(f) industries processing wood for electrical power production or metallurgical purposes;

(g) industries manufacturing charcoal and compressed products for combustion;

(h) industries processing shrubs or half-shrubs or branches from shrubs or half-shrubs for the production of substances intended for pharmaceutical use; and

(i) other wood processing industries manufacturing wooden articles, building and packing materials, torrefied wood, mulch and absorbents such as bedding;

(2) the following industries processing more than 2,000 m³ of timber annually, from forests in the domain of the State, except industries processing sawing by-products:

(a) industries processing wood for thermal energy production; and

(b) industries manufacturing products derived from biorefinery.”.

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

1412

Draft Regulation

An Act to promote workforce skills development and recognition
(R.S.Q., c. D-8.3)

Training bodies, training instructors and training services

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 respecting training bodies, training instructors and training services, made by the Commission des partenaires du marché du travail and appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The changes made by the Regulation respecting training bodies, training instructors and training services are intended to ensure that the issue of an accreditation certificate is pertinent and in keeping with the purpose of the Act, which is to improve workforce qualifications and skills, and to reduce the regulatory requirements regarding accreditation and the ethics of training instructors and bodies by integrating the applicable provisions of the Regulation respecting the ethics of training instructors and training bodies.

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

Further information on the draft Regulation may be obtained by contacting Maude Brisson, Secretariat of the Commission des partenaires du marché du travail, 800, rue du Square-Victoria, 28^e étage, C.P. 100, Montréal (Québec) H4Z 1B7; telephone: 514 864-8216; fax: 514 864-8005; e-mail: maude.brisson@mess.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Jean-Luc Trahan, Chair of the Commission des partenaires du marché du travail, 800, rue du Square-Victoria, 28^e étage, C.P. 100, Montréal (Québec) H4Z 1B7.

JULIE BOULET,
*Minister of Employment
and Social Solidarity*

Regulation respecting training bodies, training instructors and training services

An Act to promote workforce skills development and recognition
(R.S.Q., c. D-8.3, s. 20, 1st par., subpars. 1 and 4, s. 21, 1st par., subpars. 2 and 3, and s. 21.1)

CHAPTER I ACCREDITATION OF TRAINING BODIES, TRAINING INSTRUCTORS AND TRAINING SERVICES

DIVISION I CONDITIONS FOR THE ISSUE OF AN ACCREDITATION CERTIFICATE

1. A legal person, including a non-profit organization, or a partnership wishing to be accredited as a training body for the purposes of the Act to promote workforce skills development and recognition (R.S.Q., c. D-8.3) must apply in writing to the Minister of Employment and Social Solidarity using the form provided by the Minister, giving the following information:

(1) its Québec business number assigned under section 21 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45);

(2) the professional fields in which training will be provided;

(3) the names of the training instructors, employees or contract workers, who are members of its personnel and, for all of them, their professional field and experience in such field, their training and experience as a training instructor;

(4) the résumé of the instructor or instructors; and

(5) the detailed content of any training already provided.

If an application does not include the names of the training instructors, it must be accompanied by a written statement by the representative authorized for this purpose whereby the training body undertakes to provide training only through training instructors who have been accredited by the Minister.

2. An applicant who satisfies the following conditions will be accredited by the Minister as a training body:

(1) its training instructors, employees or contract workers have an average experience of at least 3 years in each of the professional fields in which they will provide training;

(2) each of its training instructors has either received a minimum of 135 hours of training in teaching methods, or has at least 250 hours of experience as a training instructor or has received a minimum of 90 hours of training in teaching methods and has at least 100 hours of experience as a training instructor.

In this Regulation,

“experience as a training instructor” means any training activity provided to the personnel of an enterprise or in a recognized educational institution, in accordance with section 7 of the Act, enabling the transmission of knowledge in a structured manner;

“training in teaching methods” means any training enabling the participant to develop skills at structuring a training activity, carrying out a training activity favouring the transmission of the knowledge concerned and at reaching the objectives of the training activity.

3. The Minister will accredit as a training instructor a natural person who submits an application in writing to the Minister using the form provided by the Minister and who satisfies the following conditions:

(1) has at least 3 years of experience in each professional field for which the person seeks accreditation;

(2) satisfies one of the conditions set out in subparagraph 2 of the first paragraph of section 2.

The application must be accompanied by the documents specified in subparagraphs 4 and 5 of the first paragraph of section 1.

4. The Minister is to accredit the training service of an employer subject to the provisions of Division I of Chapter II of the Act if the Minister receives an application submitted in writing on the form provided by the Minister and the following information and documents are included:

(1) its address in Québec;

(2) the name of the person responsible for the training service;

(3) the nature of the training activities carried out in the last year or of those planned at the time of the application;

(4) a description of the skills and qualifications of the personnel of the service that enable it to fulfill its responsibilities.

5. An accredited training service must demonstrate that it assumes or coordinates the following responsibilities:

(1) identification of training needs;

(2) preparation of specific training plans, design and programming of activities;

(3) implementation of training activities for the personnel of the employer and provided by employees of the employer with the relevant skills or a supplier of material, equipment or software;

(4) recognition of the successful completion of an internal training activity by a member of the personnel;

(5) follow-up to training activities.

6. Sections 4 and 5 apply, with the necessary modifications, to a multi-employer training service.

An application for accreditation from such a service must include the names of the employers to which it applies.

In this Regulation, “multi-employer training service” means the administrative unit or legal person responsible for the organization of training for the personnel of employers belonging to a group identified with a common banner or a common trademark or a line of products or services.

7. The accredited multi-employer training service of an employer belonging to one of the following groups can assume or coordinate activities relating to the training of the personnel of other employers belonging to such group with which it shares a common mission:

(1) the Conseil du trésor, a department or organization whose personnel is appointed under the Public Service Act (R.S.Q., c. F-3.1.1) or any organization for which, by law, the Government sets or approves the working conditions or remuneration scales and standards of its employees;

(2) the Ministère de la Santé et des Services sociaux, an agency or an establishment covered by the Act respecting health services and social services (R.S.Q., c. S-4.2), a regional council or an establishment covered by the Act respecting health services and social services for Cree native persons (R.S.Q., c. S-5);

(3) the Ministère de l'Éducation, du Loisir et du Sport, a school board or educational institution covered by the Education Act (R.S.Q., c. I-13.3), a private educational institution covered by the Act respecting private education (R.S.Q., c. E-9), a general and vocational education college covered by the General and Vocational Colleges Act (R.S.Q., c. C-29) or a university level educational institution covered by the Act respecting educational institutions at the university level (R.S.Q., c. E-14.1);

(4) the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire, a municipality, a metropolitan community or a regional county municipality.

8. The Minister may refuse to issue accreditation if, during the 5 years preceding the application for accreditation, the applicant or, as the case may be, one of its directors or officers, was found guilty of a criminal or penal offence which, in the Minister's opinion, is related to the practice of the profession or activity, unless pardon was granted.

The Minister may also refuse to issue accreditation to a person mentioned in the first paragraph if, during the 2 years preceding the application for accreditation, the person has knowingly claimed to be accredited or has acted in such a way as to let believe that the person was accredited when such was not the case.

DIVISION II

OBLIGATIONS OF ACCREDITATION HOLDERS

9. An accredited training body may only provide training through its training instructors, employees or contract workers.

10. Accredited training bodies and training instructors must inform the Minister without delay of any change in the conditions to be met for accreditation or in the information provided in their initial application for accreditation or in their application for renewal.

Unless it has filed the statement required by the second paragraph of section 1, the accredited training body must update the list of its training instructors, employees or contract workers.

11. The training provided by the accredited training service of an employer or by an accredited multi-employer training service must be provided solely by the personnel of such employer or of the employers mentioned in the accreditation, as the case may be. It can also be provided by the personnel of a supplier of material, equipment or software, provided the supply for which training is given is used by the personnel so trained.

12. An accredited multi-employer training service covered by section 7 may provide training only through a competent employee from the group to which it belongs.

A multi-employer training service of the group covered by paragraph 2 of section 7 may also provide training through a physician, a dentist or an optometrist.

13. Sections 9 and 11 do not apply in the case of an eligible training activity within the meaning of the Regulation respecting eligible training expenditures (c. D-8.3, r. 3) and held as part of a symposium, conference or seminar or any other activity organized in partnership with an educational institution recognized in accordance with section 7 of the Act, an accredited training body or an accredited training instructor.

14. The accredited training body and accredited training instructor issue a training attestation to each employee who successfully completes or participates in a training activity. Such attestation includes

- (1) the name of the employer;
- (2) the name of the participant;
- (3) a brief description of the training activity;
- (4) confirmation of successful completion or participation of the employee;
- (5) the length of the training activity;
- (6) the name of the accredited training body or accredited training instructor.

15. An accredited training service, including an accredited multi-employer service, issues an attestation containing the information in section 14 to each employee who successfully completes or participates in a training activity. Such attestation is issued at least once a year and upon the employee's departure.

16. An accreditation holder must give to any participant who so requests a detailed statement of the content of the training provided to the participant in the last 24 months.

17. Accreditation may not be assigned.

18. An accreditation holder must display the accreditation in public view in the holder's establishment.

19. Accreditation may be suspended or revoked if

(1) the provisions of this Regulation have not been complied with;

(2) the accreditation holder uses the accreditation for purposes other than those described in the Act or this Regulation; or

(3) the accreditation holder was found guilty of a criminal or penal offence which, in the Minister's opinion, is related to the practice of the profession or activity.

20. An accreditation is valid for 2 years.

21. An accreditation holder wishing to renew the accreditation must apply to the Minister in writing, using the form provided by the Minister, before the accreditation expires.

Accreditation is renewed if the holder continues to satisfy the conditions for accreditation and if the holder has satisfied those imposed for the maintenance of accreditation.

Accreditation remains valid while the application for renewal is being processed.

22. Renewal of accreditation may be refused if, during the 2 years preceding the application for renewal,

(1) the accreditation has been suspended or the accreditation holder has been reprimanded; or

(2) the accreditation holder was found guilty of a criminal or penal offence which, in the Minister's opinion, is related to the practice of the profession or activity, unless pardon was granted.

23. Where an accreditation is revoked, the holder of that accreditation may not submit a new application for accreditation before the expiry of a 2-year period following the date of the Minister's decision.

In the case of a training body, the prohibition referred to in the first paragraph also applies to its directors and officers.

24. The fees payable for the issue or renewal of an accreditation are

(1) for a training body: \$550;

(2) for a non-profit organization: \$200;

(3) for a training instructor: \$300;

(4) for a training service: \$250;

(5) for a multi-employer training service: \$500.

The fees payable under the first paragraph are adjusted on 1 January of each year based on the cumulative rate of increase in the general Consumer Price Index for Canada, as determined by Statistics Canada, for the 12-month period ending on 31 December of the preceding year.

The fees adjusted as prescribed above are reduced to the nearest dollar if they contain a fraction of a dollar less than \$0.50; they are increased to the nearest dollar if they contain a fraction of a dollar equal to or greater than \$0.50.

The Minister publishes the result of the adjustment made under this section in Part 1 of the *Gazette officielle du Québec* and, if the Minister considers it appropriate, informs the public by any other means.

CHAPTER II ETHICS OF TRAINING INSTRUCTORS AND BODIES

DIVISION I STANDARDS OF ETHICS

25. Accredited training bodies and instructors must fully honour contracts concluded with their clients.

26. An accredited training body must ensure that any training it provides is given by a training instructor with the required experience and competency.

27. Accredited training instructors must act with competence. They must provide quality professional services and make sure that the training provided complies with the set objectives and is adapted to the client's needs.

Training instructors must take into account the limits of their skills and knowledge, as well as the means at their disposal. In particular, they must refrain from

(1) providing professional services for which they are not sufficiently prepared without the assistance or information needed;

(2) accepting an assignment when they have not acquired the required competence in due time or are unable to acquire it.

28. Accredited training instructors must update and upgrade their knowledge and methods of instruction so that they are in keeping with the requirements of their profession and ensure the quality of the training provided.

29. In the practice of their profession, accredited training instructors must act honestly and loyally and they must not, in particular,

(1) use discriminatory, fraudulent or illegal practices and they must refuse to take part in such practices;

(2) carry on their activities in conditions or states likely to compromise the quality of the services they provide;

(3) receive, in addition to the remuneration to which they are entitled, any benefit, commission or discount related to their profession and they may not pay, offer to pay or promise to pay any such benefit, commission or discount;

(4) use unfair methods for attracting or soliciting clients;

(5) abuse the good faith of another accredited training instructor, commit a breach of trust towards such a person or use disloyal practices;

(6) take credit for work done by another person;

(7) plagiarize or use without written permission the content of training provided for instance by a recognized educational institution or by another accreditation holder.

30. Accreditation holders must, where applicable, make sure that the rules prescribed in sections 27 to 29 are observed by their training instructors, employees or contract workers.

31. Accreditation holders must refrain from providing persons in training with information intended to recruit them for organizations, movements, associations and circles, regardless of their purpose or reputation.

32. Accreditation holders must avoid placing themselves in any situation where their personal interest would be in conflict with their contractual obligations or, where applicable, the obligations resulting from the performance of their duties.

33. Accreditation holders may not use for their benefit or the benefit of a third person personal information obtained for training purposes or in the course of their training activities, or any information of a confidential nature provided by a client or employer and usually dealt with confidentially by the client or employer, except with the consent of the person, client or employer concerned.

34. Accreditation holders must advertise their services in a way likely to adequately inform persons who have no special knowledge of the advertised domain.

In particular, accreditation holders may not in their advertising state or let people believe that

(1) the content of the training provided is approved by the Government, the Minister responsible for Employment, the Commission des partenaires du marché du travail, a Government department, a public body or a public or private institution, unless they are so authorized under an agreement in writing to that effect;

(2) the training instructors have skills or experience not recognized by the accreditation;

(3) the scope of the accreditation covers professional fields other than those for which accreditation was issued.

35. Accreditation holders may not in any way whatsoever engage in or allow advertising that is false, misleading or likely to mislead with respect to the training activities they provide or are called upon to provide to clients.

36. Accreditation holders may not in any way whatsoever engage in or allow advertising that is incompatible with the purpose of the Act.

An advertisement may however indicate that the holder is accredited by the Minister.

37. Accreditation holders must keep a complete copy of any advertisement they have made for at least 3 years following the date it was last broadcast or published. That copy must be furnished to the Minister upon request.

DIVISION II DISCIPLINARY PROCEDURE

38. Any person may file a complaint with the Minister against an accreditation holder about a conduct that is derogatory to the Act or the regulations thereunder.

A complaint must be in writing and briefly state the reasons supporting it.

39. The Minister may dismiss any complaint that is obviously ill-founded. In such case, the Minister is to inform the complainant and give the reasons for the dismissal.

40. After a complaint has been made or on his or her own initiative, the Minister may inquire into any situation where a conduct that is derogatory to the Act or the regulations thereunder is suspected.

41. An accreditation holder may not communicate with a person complaining of a violation to the Act or the regulations thereunder for the duration of the inquiry.

42. The Minister informs the accreditation holder of the alleged violations, of the reference to the provisions concerned in the Act and the regulations thereunder, of the possible penalty and that the accreditation holder may make observations in writing and file documents to complete the accreditation holder's record within 15 days.

43. If the Minister finds that an accreditation holder's conduct has been derogatory to the Act and the regulations thereunder, the Minister may, depending on the seriousness of the conduct, reprimand the accreditation holder or suspend or revoke the accreditation.

44. Any decision of the Minister must be in writing, give reasons and be notified to the accreditation holder.

Where applicable, the Minister must inform the accreditation holder of the way to exercise the recourse provided for in section 23.1 of the Act.

45. The Minister must inform the complainant of the result of his or her inquiry and decision.

The first paragraph does not allow disclosure of confidential information.

46. The Minister makes public any decision to suspend or revoke accreditation rendered against an accreditation holder.

47. The Minister's decision takes effect as soon as notification is given to the accreditation holder.

Within 10 days of the notification of the Minister's decision to suspend or revoke accreditation, the accreditation holder must return to the Minister the document evidencing accreditation.

48. A decision to suspend or revoke the accreditation of a holder may not affect the eligibility of an employer's training expenditure recognized under the Act or a regulation thereunder, if that expenditure was incurred by the employer in good faith prior to that decision.

49. Renewal of accreditation as a training instructor may not be refused to the natural person holding the accreditation on 1 January 2011, on the grounds that the experience as a training instructor or the training in teaching methods that was recognized when such accreditation was issued no longer corresponds to the definition in the second paragraph of section 2.

The foregoing also applies to the renewal of a training body's accreditation, valid on 1 January 2011, with regard to the experience as a training instructor or training in teaching methods recognized for its instructors before that date.

50. This Regulation replaces the Regulation respecting the accreditation of training bodies, training instructors and training services, approved by Order in Council 764-97 dated 11 June 1997, and the Regulation respecting the ethics of training instructors and training bodies, approved by Order in Council 1248-2000 dated 25 October 2000, and comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Decisions

Decision 1560-2, 7 April 2011

An Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1)

CONCERNING the Regulation to amend the Regulation respecting the procedure for selecting persons qualified for appointment as members of the Commission d'accès à l'information

AS the Commission d'accès à l'information was established under the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1);

AS, in accordance with section 104.1 of that Act, the members of the Commission d'accès à l'information are chosen beforehand according to the procedure for selecting persons qualified for appointment as members of the Commission established by regulation of the Office of the National Assembly;

AS the Office, by its Decision 1384 dated 25 October 2007, adopted the Regulation respecting the procedure for selecting persons qualified for appointment as members of the Commission d'accès à l'information;

AS it is expedient to amend the Regulation in order to extend from three to five years the valid period of the existing initial list of candidates considered qualified by the selection committee for the position of member of the Commission;

AS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation to amend the Regulation respecting the procedure for selecting persons qualified for appointment as members of the Commission d'accès à l'information was published in the *Gazette officielle du Québec* on 17 November 2010;

AS it is expedient that the Office adopt the amending regulation;

IT IS THE DECISION OF THE OFFICE:

To adopt the Regulation to amend the Regulation respecting the procedure for selecting persons qualified for appointment as members of the Commission d'accès à l'information; and

To publish the Regulation in the *Gazette officielle du Québec*.

JACQUES CHAGNON,
President of the National Assembly

Regulation to amend the Regulation respecting the procedure for selecting persons qualified for appointment as members of the Commission d'accès à l'information

Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1, s. 104.1)

1. Section 15 of the Regulation respecting the procedure for selecting persons qualified for appointment as members of the Commission d'accès à l'information, adopted by Decision 1384 dated 25 October 2007, is amended by replacing "three" in the third paragraph by "five".

2. This regulation applies only to the existing initial list of candidates considered qualified by the selection committee for the position of member of the Commission d'accès à l'information.

3. This regulation comes into force on the day on which it is adopted.

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

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