

Draft Regulations

Draft Regulation

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20)

Commission de la construction du Québec — Cost exigible

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 certain costs exigible by the Commission de la construction du Québec, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

That Regulation would replace the Regulation respecting fees in respect of the written notice from an employer and the written notice of a new designation of a representative by a corporation or partnership, made by Order in Council 1365-93 dated 22 September 1993.

In addition to the fees provided for in the Regulation presently in force, the attached Regulation would allow the fixing of the rates for services rendered by the Commission in the issue of letters describing the situation requested by employers and in the processing of requests respecting the partition or assignment of benefits accrued by participants in the retirement plan of employees in the construction industry.

In these respects, the draft regulation would have a financial impact on employers, employees or other applicants.

Additional information may be obtained by contacting Mr. Jean Ménard, advocate, Director of the Direction des services juridiques at the Commission de la construction du Québec, 3530, rue Jean-Talon Ouest, Montréal (Québec), H3R 2G3; tel.: (514) 341-7740, extension 6425; fax: (514) 341-4287.

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 Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec), G1R 5S1.

MATTHIAS RIOUX,
Minister of Labour

Regulation respecting certain costs exigible by the Commission de la construction du Québec

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 123, par. 8.1)

1. Costs of \$350 are exigible from any employer who sends to the Commission de la construction du Québec the notice provided for in section 2 of the Regulation on the register, monthly report and notices from employers, and on the designation of a representative by a corporation or partnership (*insert the reference for the Regulation*).

2. Costs of \$50 are exigible for any new designation of a representative of a corporation or partnership within the meaning of the second paragraph of section 7 of the Regulation on the register, monthly report and notices from employers, and on the designation of a representative by a corporation or partnership.

3. Costs of \$30 are exigible from any employer for the issue of a letter describing the situation.

For the purposes of this Regulation, a letter describing the situation is a document issued by the Commission de la construction du Québec upon the request of an employer and containing certain information brought to the knowledge of the Commission, in either of the following cases:

(1) **Description of situation for the purposes of tendering:** A letter indicating, in particular, the job site, the nature of the work and the name of the client in relation to the contract for which the letter is requested;

(2) **Description of situation respecting a particular job site:** A letter indicating, in particular, the job site, the nature of the work, the name of the client, the value of the contract, the percentage of the cost of manpower in relation to that value, the maximum number of employees involved, the total number of hours of work carried out and the duration of the work, in respect of the contract for which the letter is requested.

4. Payment of the costs provided for in sections 1 to 3 shall accompany the notice, the new designation or the request, as the case may be, and shall be made in cash or by certified cheque or postal order made out to the Commission de la construction du Québec.

5. The costs provided for in sections 1 to 3 are not refundable.

6. The administrative expenses recoverable by the Commission de la construction du Québec in the administration of the Supplemental Pension Plan for the employees of the Québec construction industry are as follows:

(1) an amount of \$50 in the case of any request to obtain a statement of benefits;

(2) an amount of \$50 in the case of a request for payment of the amounts awarded to the spouse, where a statement of benefits was provided beforehand;

(3) an amount of \$100 in the case of a request for payment of the amounts awarded to the spouse, where no statement of benefits was provided beforehand.

7. The amount provided for in paragraph 1 of section 6 shall be payable at the time of the issue of the statement of benefits, where there is no proceeding for divorce, nullity of marriage or separation from bed and board pending between the spouses, or at the latest 1 year after the date of the sending of the statement, in the other cases.

The amounts provided for in paragraphs 2 and 3 of section 6 are payable to the Commission at the time of payment of the sums awarded to the spouse.

8. Unless the court or the parties decide otherwise, the costs provided for in section 6 shall be divided equally among the parties.

The Commission shall retain the amount of the costs that must be paid by the spouse from the amounts that are transferred in his name, except where he receives payment before the transfer of those sums.

The Commission shall retain the amount of the costs that must be paid by the participant from the amount of the benefits that are owed to him, except where he receives payment before the payment of those benefits.

9. The costs provided for in section 6 bear interest at the legal rate from the time of the issue of the statement of benefits or, as the case may be, from the time of payment of the sums awarded to the spouse.

10. This Regulation replaces the Regulation respecting fees in respect of the written notice from an employer and the written notice of a new designation of a representative by a corporation or partnership, made by Order in Council 1365-93 dated 22 September 1993.

11. 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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Draft Regulation

Financial Administration Act
(R.S.Q., c. A-6; 1996, c. 22,)

Savings products

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 savings products, the text of which appears below, may be made by the Government upon the expiry of 20 days following this publication.

The purpose of the draft Regulation is to define the book based system set up to manage the savings products issued by the Gouvernement du Québec, to determine how it will work and its characteristics, to specify the rules of ownership and evidence relating to the entries made therein, to establish the conditions for participation and the categories of qualifying participants and purchasers, to fix the terms and conditions governing the assignment, transfer and payment of securities and the granting of hypothecs thereon. The draft Regulation also contain provisions that may apply to any authorized savings product, as the Minister decides. The draft Regulation has no negative impact on the public and businesses.

In accordance with section 13 of the Regulations Act, the Government is of the opinion that the urgency due to the following circumstances warrants a shorter publication period.

In his Speech on the 1995-1996 budget, the Minister of Finance announced the will of the Government to modernize the process by which it resorts to Quebecers' savings. In May 1996, on the occasion of the inauguration of Placements Québec, he repeated the Government's promise to market all year long, from September 1996, a variety of savings products better adapted to Quebecers' needs. Since all those new products are issued in dematerialized form, under a book based system, it is necessary that the Regulation describing that system and its rules of ownership and evidence be in force at that time to ensure the efficient and safe management of the operations related to the issue of those products.