

Regulations and Other Acts

Gouvernement du Québec

O.C. 758-97, 11 June 1997

An Act respecting the Pension Plan of Peace Officers in Correctional Services
(R.S.Q., c. R-9.2)

Regulation

— Amendment

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

WHEREAS under the first paragraph of section 141 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., c. R-9.2), the Government shall, by regulation, set up review committees to hear the applications for review filed under section 140 of that Act, for the classes of employees or beneficiaries it determines;

WHEREAS by Order in Council 1842-88 dated 14 December 1988, the Government made the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services;

WHEREAS by Order in Council 1494-96 dated 4 December 1996, the Government amended the Regulation to set up review committees for the classes of employees or beneficiaries who file applications for review under section 140 of that Act;

WHEREAS it is expedient to amend the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister for Administration and the Public Service, Chairman of the Conseil du trésor:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

An Act respecting the Pension Plan of Peace Officers in Correctional Services
(R.S.Q., c. R-9.2, s. 141)

1. The Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, made by Order in Council 1842-88 dated 14 December 1988 and amended by Orders in Council 834-90 dated 20 June 1990, 707-94 dated 18 May 1994 and 1494-96 dated 4 December 1996, is further amended by substituting “1 and 2” for “2 and 3” in paragraph 3 of section 8.4.

2. This Regulation comes into force on the date of its making by the Government.

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Gouvernement du Québec

O.C. 764-97, 11 June 1997

An Act to foster the development of manpower training
(R.S.Q., c. D-7.1)

Accreditation of training bodies, training instructors and training services

Regulation respecting the accreditation of training bodies, training instructors and training services

WHEREAS under subparagraph 1 of the first paragraph of section 20 of the Act to foster the development of manpower training (1995, c. 43), the Société québécoise de développement de la main-d'oeuvre may make regulations to define, within the meaning of Chapter II of that Act, eligible training expenditures;

WHEREAS under paragraph 2 of section 21 of that Act, a regulation made pursuant to subparagraph 1 of the first paragraph of section 20 may set out the principles, criteria or factors taken into account by the Société for the purpose of granting accreditation to a training body, a training instructor or a training service;

WHEREAS under paragraph 3 of section 21 of that Act, such regulation may determine the conditions to be fulfilled by accredited persons or bodies and the conditions on which accreditation may be renewed, suspended or revoked;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 8 January 1997, with a notice that it could be approved by the Government at the expiry of 45 days following that publication;

WHEREAS those 45 days have expired;

WHEREAS the Société has examined the numerous comments received and has adopted the amendments it considers appropriate;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of State for Employment and Solidarity:

THAT the Regulation respecting the accreditation of training bodies, training instructors and training services, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting the accreditation of training bodies, training instructors and training services

An Act to foster the development of manpower training (R.S.Q., c. D-7.1, s. 20, 1st par., subpar. 1 and s. 21, par. 2° and 3°)

1. Any legal person, including a non-profit organization, or any partnership that wishes to be accredited as a training body for the purposes of the Act to foster the development of manpower training (R.S.Q., c. D-7.1) must apply in writing to the Société québécoise de développement de la main-d'oeuvre using the form provided, giving the following information:

1° the registration number attributed to it under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45);

2° a brief description of the physical resources such as premises and equipment available to the body for training purposes;

3° the professional fields in which training will be provided;

4° the names of the training instructors, employees or contract workers, who are members of its personnel and, for each of them, his professional field and experience in such field, his training and experience as a training instructor.

This application must be accompanied by its most recent annual return filed with the Inspector General of Financial Institutions under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons or, failing that, its administrative organization plan specifying the names of the directors or partners, as the case may be.

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

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

1° its training instructors, employees or contract workers, have an average experience of at least three years in each of the professional fields in which training will be provided;

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.

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

1° has at least three years of experience in each professional field for which he seeks accreditation;

2° satisfies one of the conditions set out in paragraph 3° of section 2.

4. The Société will accredit the training service of an employer subject to the provisions of section 1 of the Act to foster the development of manpower training when it receives an application submitted in writing on the form provided and the following information and documents are included:

- 1° its address in Québec;
- 2° the name of the person responsible for the service;
- 3° a description of the responsibilities of the service;
- 4° information on the nature of the training activities carried out during the last year or on those planned at the time of the application;

5° a written statement by the representative authorized for this purpose specifying the skills of the personnel of the service that enable it to fulfill its responsibilities.

5. An accredited training service assumes or coordinates the following responsibilities:

1° preparation of specific training plans, design and programming of activities;

2° 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;

3° recognition of the successful completion of an internal training activity by a member of the personnel.

6. The accredited training service may also assume or coordinate any of the following responsibilities:

1° personnel development policy or strategy;

2° diagnosis of personnel needs;

3° organization of external training activities;

4° assessment of results;

5° training follow-up.

7. Sections 4 to 6 apply, with the necessary adaptations, to a multi-employer training service.

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

In this regulation, “multi-employer training service” means the administrative unit or legal person charged with organizing 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.

8. 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 and remunerated 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, a regional board 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, a school board or educational institution covered by the Education Act (R.S.Q., c. I-13.1), 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, a municipality, an urban community or a regional county municipality.

9. An accredited multi-employer training service covered by section 8 can provide training only by means of an employee with the relevant skills of the group to which it belongs.

A multi-employer training service of the group covered by paragraph 2° of section 8 can also provide training by means of a physician, a dentist or an optometrist.

10. The accredited training body and training instructor must inform the Société without delay of any change affecting the conditions they must satisfy for accreditation.

Unless it has filed the statement stipulated in the 3rd sub-section of section 1, the accredited training body must update, at least every six months, the list of its personnel of training instructors, employees or contract workers.

11. The accredited training body and accredited training instructor must fully honour contracts concluded with their clients.

12. The accredited training body must ensure that any training it provides is given by a training instructor with the required experience and skill.

13. The accredited training body can only provide training through its personnel of training instructors, employees or contract workers.

14. 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.

15. Sections 13 and 14 do not apply in the case of an eligible training activity within the meaning of the Regulation respecting eligible training expenditures enacted by order-in-council 1586-95 of December 6, 1995 and held as part of a symposium, conference or seminar or any other activity organized in partnership with a recognized educational institution, accredited training body or accredited training instructor.

16. The accredited training body and accredited training instructor issue a training attestation to each employee who successfully completes or actively 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;
- 5° the length of the training activity;
- 6° the name of the accredited training body or accredited training instructor.

17. An accredited training service, including an accredited multi-employer service, issues an attestation containing the information contained in section 16 to each employee who successfully completes or actively participates in a training activity. Such attestation is issued at least once a year and upon the employee's departure.

18. Accreditation cannot be assigned.

19. The holder of an accreditation must display it in public view in his establishment.

20. The board of directors of the Société can suspend or revoke an accreditation if it concludes that the conditions are no longer satisfied.

21. An accreditation is valid for two years.

22. The holder of an accreditation must complete his application for renewal using the form provided and return it to the Société at least thirty days before the expiration of his accreditation. He is not required to provide a document already supplied to the Société if the information contained in the document is still up to date.

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

23. The fees payable for processing an application for accreditation or its renewal are \$450 for a training body, \$250 for a training instructor and \$150 for a non-profit organization.

24. The fees payable for processing an application for the accreditation or renewal are \$400 for a multi-employer training service and \$200 for a training service.

25. An application for accreditation for which the information required under this regulation is not complete six months after payment of the required fees will be rejected.

26. 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. 765-97, 11 June 1997

An Act to foster the development of manpower training (R.S.Q., c. D-7.1)

Eligible training expenditures — Amendments

Regulation amending the Regulation respecting eligible training expenditures

WHEREAS under subparagraph 1 of the first paragraph of section 20 of the Act to foster the development of manpower training, the Société québécoise de