

Gouvernement du Québec

O.C. 868-97, 2 July 1997

Cinema Act
(R.S.Q., c. C-18.1)

Stamps for films — Amendment

Regulation to amend the Regulation respecting stamps for films

WHEREAS under paragraph 4 of section 167 of the Cinema Act (R.S.Q., c. C-18.1), the Régie du cinéma may, by regulation, determine the information, qualifications and indications which may appear on stamps in addition to the classifications;

WHEREAS under that provision, the Régie made the Regulation to amend the Regulation respecting stamps for films, which was published in Part 2 of the *Gazette officielle du Québec* of 19 March 1997, on page 1218, with a notice that it would be submitted to the Government for approval upon the expiry of 60 days following that publication, in accordance with section 170 of the Act and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS under section 169 of the Cinema Act, a regulation made by the Régie must be submitted for approval to the Government, which may amend it;

WHEREAS the Régie du cinéma did not receive any comments concerning that draft regulation;

WHEREAS it is expedient to approve the Regulation without amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Culture and Communications:

THAT the Regulation to amend the Regulation respecting stamps for films, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting stamps for films

Cinema Act
(R.S.Q., c. C-18.1, s. 167, par. 4)

1. The Regulation respecting stamps for films, made by Order in Council 742-92 dated 20 May 1992 and amended by the Regulation made by Order in Council 8-95 dated 11 January 1995, is further amended by substituting the following for paragraph 1.1 of section 19:

“(1.1) not advisable for young children;”.

2. 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. 874-97, 2 July 1997

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

Collector organizations

Regulation respecting collector organizations

WHEREAS under subparagraph 1 of the first paragraph of section 20 of the Act to foster the development of manpower training (R.S.Q., c. D-7.1), the Société québécoise de développement de la main-d'oeuvre may, by regulation, 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 of that Act may set out the principles, criteria or factors taken into account by the Société for the purpose of granting accreditation or recognition or the conditions to be fulfilled for that purpose and, where expedient, determine the fees payable and the period for which the accreditation or recognition is valid;

WHEREAS under paragraph 3 of section 21 of that Act, such regulation may determine the conditions to be fulfilled by accredited or recognized persons or bodies including the documents and information to be sent to the Société, related inspections and the conditions on which accreditation or recognition 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 19 February 1997 with a notice that it could be approved by the Government upon the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS the Société has examined the comments received;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Employment and Solidarity;

THAT the Regulation respecting collector organizations, attached to this Order in Council, be approved.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation respecting collector organizations

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

1. A sectoral or regional association, a joint committee, a community organization, a federation of cooperatives or any other body wishing to be recognized as a collector organization and receive payments made by an employer for the implementation of a training plan must apply in writing to the Société québécoise de développement de la main-d'oeuvre using the form provided, giving the following information:

1^o its name and address;

2^o 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), if any;

3^o a description of the economic activity sector in which the applicant is active and the region covered;

4^o the joint or multi-partite composition of its board of directors, as the case may be;

5^o the identity of the employers or group of employers ready to make the payments.

2. To be recognized as a collector organization, the applicant must, unless it is a community organization or a federation of cooperatives, demonstrate that its members are employers belonging to the same economic activity sector or from the same region.

3. The applicant must file with the Société, to have it accredited, the training plan he intends to implement for the personnel of the employers which make payments. The plan can also stipulate expenditures for the benefit of apprentices, trainees and teachers undergoing refresher training in the workplace within the meaning of paragraphs 2^o and 3^o of the Regulation respecting eligible training expenditures enacted by Order in Council 1586-95 of December 5, 1995.

4. Only an organization recognized as a collector organization can have its training plan accredited by the Société.

5. A training plan is accredited if it contains:

1^o an analysis of the needs of the personnel;

2^o a brief description of each of the proposed training activities;

3^o identification of an order of priorities according to job categories;

4^o a timetable for completion of the plan and its length, which cannot exceed five years;

5^o a brief description of how the applicant will implement the plan.

6. Provisional accreditation lasting six months may be granted for a preliminary training plan if such plan includes an action plan for the use of the funds collected to formulate a training plan with all the items mentioned in section 5.

7. The payment made by an employer while the provisional accreditation is in effect constitutes a payment for the purposes of section 8 of the Act, but only for the period covered by such provisional accreditation.

During such provisional accreditation period, the collector organization must issue a receipt to the employer upon receiving a payment.

8. The accreditation of a training plan whose duration is less than five years can be extended as is or with changes provided that the complete duration does not exceed the limit of five years. To do so, the collector organization must apply to the Société prior to the ex-

piry date mentioned in the accreditation and give information showing that the plan is still relevant.

9. A collector organization can only provide training itself if it is accredited as a training body under the Regulation respecting the accreditation of training bodies, training instructors and training services enacted by Order in Council 764-97 of June 11, 1997.

10. Within three months after the date of accreditation of its training plan and, thereafter, before March 1 of each year, the collector organization must submit to the Société its budget forecasts and any adjustments it plans to make to the accredited plan for the current year, regarding the methods described in paragraph 5° of section 5.

11. The collector organization must keep an up-to-date register in which it records, for each training activity:

- 1° the title;
- 2° a statement of its objectives, content and length;
- 3° the name of the recognized educational institution, accredited training body or accredited trainer providing the training;
- 4° the names of the employers concerned;
- 5° the job categories covered;
- 6° the number of employees participating and the results obtained;
- 7° the cost.

12. The collector organization must provide the Société, when requested, with any information in the register.

13. The collector organization must ensure that the employee who participates actively in a training activity it organizes receives an attestation of training.

14. The collector organization must keep an up-to-date detailed statement of expenditures made and keep appropriate vouchers. It must provide the Société with any voucher when requested to do so.

15. The management expenses of the training organization, other than the expenses necessary to prepare, implement and monitor the accredited training plan, are limited to 10 % of the expenditures made during the period of the plan's validity.

The fees payable under section 27 and those payable under section 1 of the Regulation respecting fees payable under section 23 of the Act to foster the development of manpower training enacted by the Société in its decision of February 22, 1996 are counted for the collector organization in addition to the management fees covered by the preceding paragraph.

16. The collector organization cannot count as an expenditure stemming from the accredited training plan an expenditure that does not comply with the accredited plan or with the purpose of the Act.

17. A collector organization can amend the accredited training plan before completion; it must submit the amended plan containing the items mentioned in section 5 to the Société.

18. For each calendar year, the collector organization provides each participating employer, no later than the month following the end of such calendar year, with a receipt corresponding to the amount of its payments and bearing the number assigned by the Société to this organization.

19. The funds gathered by the collector organization for the purposes of the Act, including dues, must be paid into a trust account, in a chartered bank or other legally authorized deposit-taking institution. The money withdrawn from this account must be used exclusively for expenditures relating to the formulation, implementation and monitoring of the accredited training plan, as well as those mentioned in section 15; expenditures incurred for the purposes of formulating the training plan can include those incurred for this purpose prior to the plan's accreditation.

20. The interest produced by the account must be used for the implementation of the accredited training plan.

21. A collector organization must provide the Société, before March 31, with an annual activity report including:

- 1° a list of employers that have paid money to the organization during the calendar year that has just ended;
- 2° the approximate number of employees represented by the employers contributing to the organization;
- 3° the cost of activities carried out;
- 4° the surplus accumulated in the trust account;

5° an assessment of the results in regard to the objectives and to the investment by the employers or group of employers concerned;

6° audited financial statements.

22. A collector organization whose training expenditures are less than the amounts collected for the purposes of an accredited training plan must, upon the expiry of the accredited plan, pay the difference between these two amounts into the Fonds national de formation de la main-d'oeuvre unless the organization obtains from the Société a new accreditation for a training plan specifying how this surplus will be used.

23. The Société can suspend or revoke an accreditation if it concludes that a collector organization does not observe the Act, this regulation or the accredited plan.

24. The collector organization must stop collecting contributions from employers when its accredited training plan is expired, suspended or revoked.

25. The amounts collected by the collector organization and the interest generated by these amounts that have not been spent must be paid into the Fonds national de formation de la main-d'œuvre:

1° when a collector organization ceases its activities;

2° when a training plan submitted for accreditation, following provisional accreditation, is rejected by the Société;

3° when the accreditation of a training plan revoked.

In the event of revocation, these amounts are set aside under the Fonds national, for a period of not more than three years from the date of the decision, with a view to being used for training personnel of employers who made a payment to a collector organization whose plan is revoked.

26. Recognition of a collector organization terminates six months after the term of an accredited training plan or after its revocation if accreditation of a new plan is not obtained by the same organization during such period.

27. The fees payable for processing an application for accreditation of a training plan are \$500, except in the case of accreditation of a training plan of a sectoral committee.

The fees payable for processing an application for provisional accreditation are \$100, and for processing an application for an amended training plan, \$250.

28. 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. 934-97, 9 July 1997

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

Flat Glass Industry

CONCERNING the Decree to repeal the Decree respecting the flat glass industry

WHEREAS the Government made the Decree respecting the flat glass industry (R.R.Q., 1981, c. D-2, r. 52);

WHEREAS in accordance with section 8 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), amended by section 9 of chapter 71 of the Statutes of 1996, the Government may, after consulting with the contracting parties or the committee and after publication of a notice in the *Gazette officielle du Québec* and in a French language newspaper and in an English language newspaper, repeal the Decree;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of a draft repealing decree was published in Part 2 of the *Gazette officielle du Québec* of 12 March 1997, and notice given in a French language newspaper on 12 March 1997 and in an English language newspaper on 12 March 1997, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve without amendment the Decree attached hereto;

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

THAT the Decree to repeal the Decree respecting the flat glass industry, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif
