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Québec, 19 November 1996

Prepared by: HENRI MORNEAU,
Land Surveyor

Minute: 9145

PROVINCE OF QUÉBEC
MINISTÈRE DE L'ENVIRONNEMENT
ET DE LA FAUNE

TECHNICAL DESCRIPTION
FISHING-BREEDING AREAS

Area 23

That area comprises: the St. Lawrence River downstream from Pierre-Laporte bridge and all the islands found there, except île d'Orléans, rivière Boyer downstream from the bridge on highway 132, rivière Saguenay downstream from Dubuc bridge at Chicoutimi and all the islands found there, the estuary of rivière York downstream from Gaspé bridge, the estuary of rivière Dartmouth, rivière Grande Rivière and rivière Petit Port-Daniel downstream from the bridge on highway 132; the estuary of rivière Saint-Jean, rivière Malbaie, rivière Petit Pabos, rivière Grand Pabos Ouest and rivière Port-Daniel downstream from the bridge on the Canadian National railroad, baie des Chaleurs downstream from Campbellton bridge and all the Canadian waters along the Québec seacoast and all the islands found there, except and to be withdrawn therefrom fish-breeding areas 1 and 2.

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1237

Draft Regulation

An Act to foster the development of manpower training (1995, c. 43)

Collector organizations

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 collector organizations", the text of which appears below, may be enacted by the Government, with or without amendment, upon the expiry of 45 days following this publication.

The purpose of this draft regulation is to set the conditions under which the Société québécoise de développement de la main-d'oeuvre will recognize collector organizations which, in accordance with section 8 of the Act, wish to implement a training plan for the benefit of employees of many employers. It should facilitate the development of training in small and medium businesses that are not able to implement such a plan individually.

The draft regulation also stipulates the conditions under which such a training plan can be accredited. It goes on to stipulate the conditions which collector organizations will have to satisfy in the administration of their accredited training plan and of funds collected from participating employers. It stipulates that accreditation can be revoked if the Act or the Regulation are not complied with.

Under the draft regulation, a collector organization cannot act as a training body unless it is accredited as such under the Regulation respecting the accreditation of training bodies.

Further information may be obtained by contacting Mrs. Francine Gaudette, Société québécoise de développement de la main-d'oeuvre, 800, place Victoria, 29^e étage, Montréal (Québec), H4Z 1B7. Telephone: (514) 873-1892.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the President and Chief Executive Officer of the Société québécoise de développement de la main-d'oeuvre, Mrs. Diane Bellemare, 800, place Victoria, 29^e étage, Montréal (Québec), H4Z 1B7.

LOUISE HAREL,
*Minister of State for
Employment and Solidarity*

Regulation respecting collector organizations

An Act to foster the development of manpower training (1995, c. 43, s. 21, par. 2° and 3°)

1. A sectoral or regional association, a joint committee, a community organization or 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° its name and address;

2° 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° a description of the economic activity sector in which the applicant is active and the names of the region or regions covered;

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

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

A sectoral manpower committee mentioned in paragraph 3° of section 18 of the Act respecting the Société québécoise de développement de la main-d'oeuvre (R.S.Q., c. S-22.001) is recognized as a collector organization with no further formalities.

2. The applicant will not be recognized as a collector organization unless it is constituted as a legal person under Part III of the Companies Act (R.S.Q., c. C-38).

In addition, unless the applicant is a community organization, its members must be employers belonging to the same economic activity sector or from the same region.

This section does not apply to a joint committee within the meaning of paragraph *c* of section 1 of the Act respecting collective agreement decrees (R.S.Q., c. D-2).

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 para-

graphs 2° and 3° of the Regulation respecting eligible training expenditures enacted by order in council 1586-95 of December 5, 1995.

A sectoral committee must also submit such a plan to the Société for accreditation.

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

5. A training plan is accredited if it contains:

1° an analysis of the needs of the personnel;

2° a brief description of each of the proposed training activities;

3° identification of an order of priorities according to job categories;

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

5° a description of how the applicant will implement the plan.

6. 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, trainers and training services.

7. A recognized collector organization can receive financial assistance for the implementation of an accredited training plan for the personnel of health establishments covered by the Act respecting health services and social services (R.S.Q., c. S-4.2) and of villages covered by the Act respecting Northern Villages and the Kativik Regional Government (R.S.Q., c. V-6.1). This assistance is likened to the payments stipulated in section 8 of the Act to foster the development of manpower training.

8. Within three months after the date of accreditation of its training plan and, thereafter, before March 1 of each year, the recognized collector organization must submit to the Société its budget forecasts for the current year.

9. The recognized 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.

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

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

If no attestation is awarded by the provider of the training, the collector organization must provide the employee concerned with such an attestation. The attestation includes the items mentioned in section 16 of the Regulation respecting the accreditation of training bodies, trainers and training services.

12. The recognized 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.

13. The management expenses of the recognized 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 25-26 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 recognized collector organization in addition to the expenses necessary for the implementation of the plan.

14. The recognized 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.

15. A recognized 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.

16. For each calendar year, the recognized 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.

17. The funds gathered by the recognized 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 training expenditures stemming from the accredited plan.

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

19. A recognized 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° the number of employees who participated in a training activity;

6° an assessment of the results in regard to the objectives;

7° audited financial statements.

20. A recognized collector organization whose training expenditures are less than the amounts collected for the purposes of an accredited training plan must 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.

21. The board of directors of the Société can suspend or revoke an accreditation if it concludes that the Act, this regulation or the accredited plan are not being observed.

22. The collector organization whose recognition is suspended or revoked must stop collecting contributions from employers.

23. If the accreditation of a training plan is suspended or revoked, the amounts collected by the recognized training organization and the interest produced by these amounts are paid into the Fonds national de formation de la main-d'oeuvre.

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

24. 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.

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

26. The fees payable for accreditation of an amended training plan are \$250.00.

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