

DIVISION II SPECIAL FEES

2. The special fees payable under section 24.1 of the Act are \$2.00 per period of instruction for each course counted as a failure, except for the first one.

Where such courses are not of the same duration, the course which must be disregarded for the purposes of calculation is the one comprising the greatest number of periods of instruction.

3. For the purposes of section 24.1 of the Act, a student's failures shall be disregarded where he demonstrates with supporting documents that, during the term governed by this section, he could not pursue full-time studies for a serious reason such as illness or the death of his spouse or a member of his family, or could not attend the courses he was registered for or sit the required examinations because he was incapacitated for more than one month.

4. The special fees collected by a college shall be reimbursed where the student ceases courses on a full-time basis because he withdrew from a course not later than on the date determined by the Minister of Education, pursuant to section 29 of the College Education Regulations made by Order in Council 1006-93 dated 14 July 1993 as amended.

DIVISION III TUITION FEES

5. The tuition fees payable under section 24.2 of the Act are \$2.00 per period of instruction.

6. The tuition fees collected for a course in a program of college studies shall be reimbursed in full where a student withdraws from the course not later than on the date determined under section 4.

DIVISION IV PENALTIES

7. A student who fails to pay all or part of the fees payable under sections 2 and 5 or who delays payment thereof shall not be awarded credits for any of the courses for which he was registered for as long as the failure to pay or delayed payment persists.

DIVISION V FINAL

8. This Regulation replaces the Regulation respecting the tuition fees which a general and vocational college must charge, made by Order in Council 1007-93 dated 14 July 1993.

9. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except for Division II will come into force only for the second term of the 1997-1998 academic year.

1431

Draft Regulation

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

Vocational Training of Manpower in the Construction Industry

— Regulation

Issuance of Competency Certificates

— Regulation

Hiring and Mobility of Employees

in the Construction Industry

— Regulation

Notice is hereby given, in accordance with sections 10, 12 and 13 of the Regulations Act (R.S.Q., c. R-18.1), that the "Regulation to Amend the Regulation respecting the Vocational Training of Manpower in the Construction Industry, the Regulation respecting the Issuance of Competency Certificates and the Regulation respecting the Hiring and Mobility of Employees in the Construction Industry", enacted by the Commission de la construction du Québec, the text of which appears below, may be submitted to the Government for approval upon the expiry of a 15-day period beginning on the date on which this draft regulation is published.

Due to the fact that the notice of repeal of the Decree respecting the flat glass industry has already been published in Part II of the *Gazette Officielle du Québec* of 12 March 1997, it is urgent that the 45-day period provided for in Section 11 of the Regulations Act be reduced to 15 days for this draft regulation, so that the employees in question may obtain the issuance of a competency certificate at the time the said decree is repealed; indeed, the repeal of that decree will have the effect of subjecting to the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20) setting and installing flat glass on a construction site.

The purpose of this Draft Regulation is to provide for the integration to the construction industry of the employees who perform work pertaining to the flat glass industry; it provides for the issuance of competency certificates to persons who were qualified under the rules applicable to the flat glass industry, and for the

continuance of apprenticeship of the trade for the persons who are registered as apprentices with the Joint Committee for the Flat Glass Industry. It also provides for the hiring and mobility of these employees.

Further information may be obtained from Mr. Jean Ménard, Director, Direction des services juridiques, Commission de la construction du Québec, 3530, rue Jean-Talon Ouest, Montréal (Québec), H3R 2G3; tel.: (514) 341-3124 ext. 6425; fax: (514) 341-4287.

Any person wishing to make comments on this matter is requested to do so in writing, before the end of the said 15-day period, to Mr. André Ménard, Chairman and Chief Executive Officer, Commission de la construction du Québec, 3530 Jean-Talon Ouest, Montréal (Québec) H3R 2G3.

ANDRÉ MÉNARD,
Chairman and Chief Executive Officer

Regulation to amend the Regulation respecting the Vocational Training of Manpower in the Construction Industry, the Regulation respecting the Issuance of Competency Certificates, and the Regulation respecting the Hiring and Mobility of Employees in the Construction Industry

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 123.1, pars. 1, 2, 5, 6, 8, 10, 13 and 14)

Regulation respecting the vocational training of manpower in the construction industry

1. The Regulation respecting the vocational training of manpower in the construction industry, approved by Order in Council 313-93 dated 10 March 1993, amended by section 74 of Chapter 61 of the Statutes of 1993, by the regulation approved by Order in Council 799-94 dated 1 June 1994, by section 54 of Chapter 8 of the Statutes of 1995 and by the regulation approved by Order in Council 1489-95 dated 15 November 1995, is further amended by inserting the following after section 33.4:

“**33.5.** Any person who, after 30 April 1996 and before (*indicate here the date of the day preceding the coming into force of the Decree repealing the Decree respecting the flat glass industry*), was the holder of a qualification certificate delivered by the Joint Commit-

tee for the Flat Glass Industry for the trade of erector-mechanic (glazier), the trade of setter, glass and spandrel panels, the trade of setter, mechanic (glazier), or the trade of setter journeyman, shall be exempted from the qualification examination provided for in Division IV and may obtain a competency certificate pertaining to the trade of erector-mechanic (glazier) in accordance with the provisions of section 1.2 of the Regulation respecting the issuance of competency certificates, as if that person had been exempted from the examination pursuant to section 11.

Subject to the first paragraph of section 1.4 of the Regulation respecting the issuance of competency certificates, any person who has exercised the right provided for in the first paragraph may invoke the same exemption for any subsequent application for the issuance of a journeyman competency certificate.

33.6. Any person to whom the Commission issues an apprentice competency certificate pursuant to the trade of erector-mechanic (glazier) under section 28.6, under subsection 3 of section 28.7 or under section 28.8 of the Regulation respecting the issuance of competency certificates shall be classified according to the number of work hours an employer subject to the Decree respecting the flat glass industry (R.R.Q., 1981, c. D-2, r. 52) has reported for that person to the Joint Committee for the Flat Glass Industry.

For the purposes of that classification, the Commission shall take into account the data of the Joint Committee for the Flat Glass Industry and the training credits that person proves having acquired under sections 14.06 and 14.09 of that decree since that person's last classification by the joint committee.

33.7. Any person contemplated in section 35.6 may continue the apprenticeship of the trade in accordance with the provisions of this regulation; such person shall become eligible to sit for the qualification examination for the trade of erector-mechanic (glazier) after having completed three apprenticeship periods.”

2. Schedule A of this regulation is amended by adding, at the end, the following:

“Group XI

Group XI includes the trade of erector-mechanic (glazier).

24. Erector-mechanic (glazier): “Erector-mechanic (glazier)” means any person who installs and repairs work (permanent or not) related to the flat glass industry and all other similar work made of metal or substitute

materials, namely: installs and repairs all types of glass and their frames, ornamental or decorative items, prefabricated sheeting, curtain walls, doors, windows, show windows and other structures made of sheet metal or mouldings and fastened by means of an adhesive base or otherwise, but only, in the case of works not made of glass, when such works are accessory or secondary to setting or installing flat glass, when such works are related to the doors and windows of a building, and when such works are used as a substitute for glass.

Performance of the work described in the first paragraph includes trade-related handling for the purposes of immediate and permanent installation.”

3. Schedule B of this regulation is amended by adding, at the end, the following:

Groups	Trade	Apprenticeship period(s)	Ratio of apprentice(s) per qualified worker(s)	
			Apprentice(s)	Qualified workers
“XI	24. Erector-mechanic (glazier):	3	1	3”.

4. Schedule C of this regulation is amended by adding, at the end, the following:

“6. Erector-mechanic (glazier)

— setting doors and windows

— installing mirrors and show windows.”.

Regulation respecting the issuance of competency certificates

5. The Regulation respecting the issuance of competency certificates, approved by Order in Council 673-87 dated 29 April 1987 and amended by the Regulations approved by Orders in Council 1817-88 dated 7 December 1988, 1191-89 dated 19 July 1989, 992-92 dated 30 June 1992, 1462-92 dated 30 September 1992, 314-93 dated 10 March 1993, 772-93 dated 19 May 1993, 1112-93 dated 11 August 1993, 799-94 dated 1 June 1994, 1246-94 dated 17 August 1994, by sections 55 to 58 of Chapter 8 of the Statutes of 1995, and by the Regulations approved by Orders in Council 1327-95 dated 4 October 1995, 1489-95 dated 15 November 1995 and 1451-96 dated 20 November 1996, is further amended by inserting after section 28.4, the following:

“**28.5.** The Commission shall issue, upon application, a journeyman competency certificate pertaining to the trade of erector-mechanic (glazier) to any person who furnishes proof that he has successfully completed a safety course required by the Safety Code for the Construction Industry, and who is the holder of a qualification certificate delivered by the Joint Committee for the Flat Glass Industry for the trade of erector-mechanic (glazier), the trade of setter, glass and spandrel panels, the trade of setter, mechanic (glazier), or the trade of setter journeyman.

28.6. The Commission shall issue, upon application, an apprentice competency certificate pertaining to the trade of erector-mechanic (glazier) to any person who furnishes proof that he has successfully completed a safety course required by the Safety Code for the Construction Industry, and who is registered as an apprentice with the Joint Committee for the Flat Glass Industry for the trade of erector-mechanic (glazier) or the trade of setter, glass and spandrel panels, and who has completed at least one work hour as an apprentice during the twelve months preceding (*indicate here the date of the coming into force of this Regulation*), according to that joint committee’s data.

28.7. The Commission shall issue, upon application, to every person who furnishes proof that he has successfully completed a safety course required by the Safety Code for the Construction Industry, who is the holder of a qualification certificate delivered by the Joint Committee for the Flat Glass Industry, valid as of (*indicate here the date of the coming into force of this Regulation*):

(1) a journeyman competency certificate pertaining to the trade of erector-mechanic (glazier) restricted to the activities of setting doors and windows, when that person’s qualification certificate is pertaining to the trade of setter mechanic P.F. and that person has worked at least 6,000 hours in that trade, according to that joint committee’s data;

(2) a journeyman competency certificate pertaining to the trade of erector-mechanic (glazier) restricted to the activities of installing mirrors and show windows, when that person’s qualification certificate is pertaining to the trade of setter, mirrors and show windows, and that person has worked at least 6,000 hours in that trade, according to that joint committee’s data;

(3) an apprentice competency certificate pertaining to the trade of erector-mechanic (glazier) when that person’s qualification certificate is pertaining to the trade of setter mechanic P.F. or to the trade of setter, mirrors and show windows and that person has worked less than

6,000 hours in that trade, according to that joint committee's data, and that person has worked at least one hour during the twelve months preceding (*indicate here the date of the coming into force of this Regulation*)

28.8. The Commission may issue an apprentice competency certificate pertaining to the trade of erector-mechanic (glazier) to a person who would be contemplated in section 28.6 or in subsection 3 of section 28.7 had that person worked at least one hour during the twelve months preceding (*indicate here the date of the coming into force of this Regulation*), on condition that an employer registered with the Commission files a request for manpower, guarantees that person employment for not less than 150 hours over a period not exceeding 3 months and furnishes to the Commission proof of the guarantee.

28.9. An application for a competency certificate pursuant to sections 28.5 to 28.8 may be made not later than (*indicate here the date corresponding to the 365th day following the date of the coming into force of this Regulation*).”

Regulation respecting the hiring and mobility of employees in the construction industry

6. The Regulation respecting the hiring and mobility of employees in the construction industry, approved by Order in Council 1946-82 dated 25 August 1982 and amended by the Regulations approved by Orders in Council 276-84 dated 1 February 1984, 359-85 dated 21 February 1985, 162-86 dated 19 February 1986, by section 42 of Chapter 89 of the Statutes of 1986, by Orders in Council 306-88 dated 2 March 1988, 349-89 dated 8 March 1989, 230-90 dated 21 February 1990, 1743-90 dated 12 December 1990, by section 72 of Chapter 61 of the Statutes of 1993, by the Regulation approved by Order in Council 799-94 of 1 June 1994 and by section 59 of Chapter 8 of the Statutes of 1995, is further amended by inserting, after section 39.1, the following:

“**39.2.** An employer registered with the Commission and who has sent in the notice set forth in section 2 of the Regulation respecting the register, monthly report, notices from employers and the designation of a representative approved by Order in Council 1528-96 dated 4 December, 1996, may hire an employee for work everywhere in Québec, if the employee is the holder of a competency certificate issued pursuant to sections 28.5 to 28.8 of the Regulation respecting the issuance of competency certificates, and if that employee has worked at least 1,500 hours of such employer during the first twenty four of the twenty six months preceding the application for a competency certificate.

For the purposes of section 38, at the first renewal of a competency certificate issued pursuant to sections 28.5 to 28.8 of the Regulation respecting the issuance of competency certificates, the Commission takes into account, if applicable, the Joint Committee for the Flat Glass Industry's data.”

7. This regulation shall come into force on the date of the coming into force of the Decree repealing the Decree respecting the flat glass industry.

1430

Draft Regulation

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Wildlife habitats — Amendments

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 wildlife habitats, the text of which appears below, may be made by the Government upon the expiry of 60 days following this publication.

The purpose of the Regulation is to ensure that maintenance and repair work on future wildlife development projects will not be subject to authorization under the Regulation respecting wildlife habitats, if they meet the conditions provided for in the initial authorization.

That amendment is necessary because of the proposed amendment to the Regulation respecting environmental impact assessment and review, the purpose of which is to exempt certain wildlife development projects from the procedure for environmental impact assessment and review provided for in Division IV.1 of the Environment Quality Act; as a result of that exemption, the wildlife development projects will be subject to the Regulation respecting wildlife habitats and it appears necessary to exempt maintenance and repair work on wildlife development projects from the application of that Regulation.

Further information may be obtained by contacting Mrs. Nicole Perreault, Direction de la faune et des habitats, ministère de l'Environnement et de la Faune, 150, boulevard René-Lévesque Est, boîte 92, Québec (Québec), G1R 4Y7; tel.: (418) 646-4330; fax: (418) 646-6863.

Any person having comments to make on the draft of the Regulation to amend the Regulation respecting wild-