

(10) Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r.33), last amended by the Regulation made by Order in Council 770-96 dated 19 June 1996;*

(11) Decree respecting the building materials industry (R.R.Q., 1981, c. D-2, r.34), last amended by the Regulation made by Order in Council 228-96 dated 21 February 1996;*

(12) Decree respecting the non-structural metalwork industry in the Montréal region (R.R.Q., 1981, c. D-2, r.35), last amended by the Regulation made by Order in Council 1127-94 dated 20 July 1994;*

(13) Decree respecting building services employees industry in the Montréal region (R.R.Q., 1981, c. D-2, r.39), last amended by the Regulation made by Order in Council 1077-94 dated 13 July 1994;*

(14) Decree respecting building services employees industry in the Québec region (R.R.Q., 1981, c. D-2, r.40), last amended by the Regulation made by Order in Council 99-96 dated 24 January 1996.*

3. This Decree comes into force on 22 June 1998.

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Gouvernement du Québec

O.C. 758-98, 3 June 1998

Building Act
(R.S.Q., c. B-1.1)

**Exemption of the application of the Act
— Amendments**

Regulation to amend the Regulation respecting exemption from the application of the Building Act

WHEREAS under section 4.1 and subparagraph 1 of the first paragraph of section 182 of the Building Act (R.S.Q., c. B-1.1), the Government may, by regulation, exempt, in particular, categories of contractors from the total or partial application of the Act;

WHEREAS under the second paragraph of section 182 of that Act, a regulation made under subparagraph 1 of

the first paragraph of that section may, in particular, where it is made to give effect to an intergovernmental agreement in respect of mobility or the recognition of the qualifications, skills or work experience of building contractors, provide for adjustments to the provisions of the Act and the regulations, including regulations adopted by the Board, and for special management rules applicable to the categories of persons and contractors covered by the regulation;

WHEREAS under the second paragraph of section 192, the contents of the regulations may, in particular, vary to facilitate the recognition of the qualifications, skills or work experience of the building contractors covered by an intergovernmental agreement in respect of mobility or the recognition of such qualifications, skills or work experience;

WHEREAS under Décret 569-98 dated 22 April 1998, the Government approved the Newfoundland and Labrador–Québec Agreement on Labour Mobility and Recognition of Qualifications, Skills and Work Experience in the Construction Industry signed on 24 April 1998;

WHEREAS it is expedient to make the Regulation attached to this Order in Council in order to give effect to that Agreement;

WHEREAS under the second paragraph of section 182 of the Building Act, a regulation made to give effect to an intergovernmental agreement is not subject to the requirements as to publication and the date of coming into force set out in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

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

THAT the Regulation to amend the Regulation respecting exemption from the application of the Building Act, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Acting Clerk of the Conseil exécutif

* For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1998, updated to 1 March 1998.

Regulation to amend the Regulation respecting exemption from the application of the Building Act(*)

Building Act
(R.S.Q., c. B-1.1, s. 4.1, s. 182, 1st par., subpar. 1 and 2nd par., and s. 192)

1. The following section is inserted after section 3.1 of the Regulation respecting exemption from the application of the Building Act:

“**3.2.** A contractor domiciled in Newfoundland or in the area of Labrador that is part of Newfoundland is exempt from the application of paragraph 1 of section 58 of the Act and from the provisions pertaining to the examination of skills in the Regulation respecting the professional qualification of building contractors and owner-builders, approved by Order in Council 876-92 dated 10 June 1992 and amended by the Regulations approved by Orders in Council 376-95 dated 22 March 1995, 98-96 dated 24 January 1996 and 7-97 dated 7 January 1997 and its future amendments, where it is established, to the satisfaction of the Régie du bâtiment du Québec, that

(1) in the case of a legal person, it has been registered for at least 5 years as a building contractor with the Commercial and Corporate Affairs Branch of the Department of Government Services and Lands of Newfoundland; or

(2) in the case of a sole proprietorship or of a general or limited partnership, the firm name of the construction firm has been registered for at least 5 years with the Worker's Compensation Commission of Newfoundland.

The exemption referred to in the first paragraph is valid only for the categories or subcategories of licences corresponding to the fields for which the contractor is registered and for as long as he meets one of the conditions provided for in subparagraphs 1 and 2 of the first paragraph.”

2. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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*The Regulation respecting exemption from the application of the Building Act, made by Order in Council 375-95 dated 22 March 1995 (1995, *G.O.* 2, 1100), was once amended by the Regulation made by Order in Council 6-97 dated 7 January 1997 (1997, *G.O.* 2, 188).

Gouvernement du Québec

O.C. 759-98, 3 June 1998

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 — Requirement of holding a competency certificate or an exemption — Exemptions

Regulation to amend the Regulation respecting certain exemptions from the requirement of holding a competency certificate or an exemption issued by the Commission de la construction du Québec

WHEREAS under section 123 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20) the Government may, in order to give effect to an inter-governmental agreement in respect of manpower mobility or the mutual recognition of qualifications, skills or work experience in trades and occupations in the construction industry, make regulations to exempt certain persons, on the conditions it determines, from the requirement of holding a competency certificate or an exemption issued by the Commission de la construction du Québec;

WHEREAS the same section also enacts that such regulations may provide for adjustments to the provisions of the Act and the regulations and special management rules, and that they are not subject to the requirements as to publication and the date of coming into force set out in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS the Government made the Regulation respecting certain exemptions from the requirement of holding a competency certificate or an exemption issued by the Commission de la construction du Québec by Order in Council 4-97 dated 7 January 1997;

WHEREAS under Décret 569-98 dated 22 April 1998, the Government approved the Newfoundland and Labrador–Québec Agreement on Labour Mobility and Recognition of Qualifications, Skills and Work Experience in the Construction Industry signed on 24 April 1998;

WHEREAS it is expedient to make the Regulation attached to this Order in Council in order to give effect to that Agreement;