

and 2” for the words “in subparagraphs 1 and 2 of the first paragraph of section 1 or”.

4. Section 6 is amended:

(1) by substituting, in the first paragraph, the words “satisfies the condition provided for in subparagraph 1 of the first paragraph of section 1 of this Regulation and who is exempted under that section or to a person who is exempted under” for the words “is exempted under section 1 or”;

(2) by adding the following paragraph after the first paragraph:

“A person who satisfies one of the conditions provided for in subparagraphs 2, 3 and 4 of the first paragraph of section 1 of this Regulation and who is exempted under that section is deemed to be an apprentice or a journeyman, as the case may be, according to the number of hours the person has worked in the activities included in one of the trades listed in Schedule A to the Regulation respecting the vocational training of manpower in the construction industry, as attested to by a department, body or agency authorized to do so and recognized to that end under an agreement between Ontario and Québec.”.

5. This Regulation comes into force on the date that it is made.

3294

Gouvernement du Québec

O.C. 1464-99, 15 December 1999

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

**Exemption from 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 of the Building Act (R.S.Q., c. B-1.1), amended by section 2 of chapter 46 of the Statutes of 1998, and under subparagraph 1 of the

first paragraph of section 182 of that Act, amended by section 52 of chapter 46 of the Statutes of 1998 and by section 3 of chapter 13 of the Statutes of 1999, the Government may, by regulation, exempt categories of contractors from the total or partial application of the Act;

WHEREAS under the second paragraph of section 182 of the Act, a regulation made under subparagraph 1 of the first paragraph of that section may, 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 of the Act, amended by section 54 of chapter 46 of the Statutes of 1998, the contents of such 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 by Order in Council 1462-99 dated 15 December 1999, the Government approved the Agreement between the Ontario Government and the Gouvernement du Québec on labour mobility in the construction industry, entered into on 11 November 1999 in the form of an exchange of letters;

WHEREAS it is expedient to make the Regulation attached to this Order in Council in order to give effect to the 12-month 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. 18-1);

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour and Employment and 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,
Clerk of the Conseil exécutif

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

Building Act
(R.S.Q., c. B-1.1, ss. 4.1, 182, 1st par., subpar. 1 and 2nd par.; 1998, c. 46, ss. 2, 52 and 54)

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

“**3.1.1.** Notwithstanding sections 42 and 43 of the Regulation respecting the professional qualification of building contractors and owner-builders, the Régie shall reimburse to a contractor domiciled in Ontario whose tender is rejected the fees and charges paid under section 41 of the Regulation upon receipt, within 15 days following the opening of tenders, of a document requesting the termination of his licence, attesting to the unsuccessful tender and to the fact that no construction work in Québec has been performed under that licence.

The reimbursement shall be made within 15 days following receipt of the documents referred to in the first paragraph.

This section applies only if the particular terms and conditions that it provides for are also included in an agreement between the Ontario Government and the Gouvernement du Québec in respect of mobility or the recognition of qualifications, skills or work experience of building contractors.”.

2. This Regulation comes into force on the date that it is made.

3295

* 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 last amended by the Regulation made by Order in Council 758-98 dated 3 June 1998 (1998, *G.O.* 2, 2218). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.

Gouvernement du Québec

O.C. 1465-99, 15 December 1999

An Act respecting manpower vocational training and qualification
(R.S.Q., c. F-5)

Gas and public safety — Amendments

Regulation to amend the Regulation respecting gas and public safety

WHEREAS section 30 of the Act respecting manpower vocational training and qualification (R.S.Q., c. F-5) provides that the Government may make regulations consistent with the Act and in particular determine the conditions for admission to the examinations for qualification, for obtaining and renewal of certificates of qualification, and generally, adopt any other related or supplementary provision for the efficient carrying out of the Act, including any exceptional provision to facilitate the implementation of intergovernmental agreements in respect of manpower mobility or the recognition of the qualifications, skills or work experience in trades or vocations;

WHEREAS the Regulation respecting gas and public safety (R.R.Q., 1981, c. D-10, r. 4) was made by the Government;

WHEREAS, under section 216 of the Building Act (R.S.Q., c. B-1.1), amended by section 37 of chapter 40 of the Statutes of 1999, and section 132 of the Act to amend the Building Act and other legislation (1991, c. 74), sections 17 and 32 of the Regulation respecting gas and public safety are deemed to have been made under the Act respecting manpower vocational training and qualification and a certificate of qualification or competency issued under such provisions is deemed to be a certificate of qualification required by that Act;

WHEREAS under Décret 1462-99 dated 15 December 1999, the Government approved the Ontario-Québec Agreement on Labour Mobility in the Construction Industry, concluded on 11 November 1999 in the form of an exchange of letters;

WHEREAS it is expedient to amend the Regulation respecting gas and public safety, particularly so that the twelve-month agreement may take effect and to ensure an update of sections 17 and 32 of the Regulation;

WHEREAS under the last paragraph of section 30 of the Act respecting manpower vocational training and