

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.

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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 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

qualification, regulations made to facilitate the implementation of an intergovernmental agreement 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 under Décret 1500-98 dated 15 December 1998, the Minister of State for Labour and Employment performs the duties of the Minister of Employment and Solidarity as prescribed in the Act respecting manpower vocational training and qualification;

WHEREAS it is expedient to make the Regulation attached to this Order in Council;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour and Employment and Minister responsible for Employment:

THAT the Regulation to amend the Regulation respecting gas and public safety, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting gas and public safety*

An Act respecting manpower vocational training and qualification
(R.S.Q., c. F-5, s. 30)

1. Section 17 of the Regulation respecting gas and public safety is amended

(1) by substituting the word “Minister” for the word “Board” in subsections 1, 3 and 5;

(2) in subsection 2:

(a) by substituting the words “the Minister” for the words “the Board” after the word “certificate,”;

(b) by adding the following at the end:

“A valid certificate or other document issued outside Québec and recognized by the Gouvernement du Québec

under a bilateral intergovernmental agreement in respect of manpower mobility or the recognition of the qualifications, skills or work experience in the construction industry exempts its holder from proving his knowledge in order to obtain a certificate of competency required by this section if the certificate or other document held is deemed equivalent to a category of certificate listed in the Order respecting certificates of competency with respect to gas (R.R.Q., 1981, c. D-10, r. 2) as amended, in accordance with the intergovernmental agreement or for the purpose thereof.”;

(3) by substituting the words “from the Minister or an investigator designated by the Minister” for the words “from an inspector of the Board” in subsection 6;

(4) by substituting the word “Minister” for the word “Board” in subsection 7.

2. Section 32 is amended

(1) in subsection 2:

(a) by substituting the words “the Minister” for the words “the Board” after the words “issued by” and “certificate,”;

(b) by adding the following at the end:

“A valid certificate or other document issued outside Québec and recognized by the Gouvernement du Québec under a bilateral intergovernmental agreement in respect of manpower mobility or the recognition of the qualifications, skills or work experience in the construction industry exempts its holder from proving his knowledge in order to obtain a certificate of competency required by this section if the certificate or other document held is deemed equivalent to a category of certificate listed in the Order respecting certificates of competency with respect to gas, as amended, in accordance with the intergovernmental agreement or for the purpose thereof.”;

(2) by substituting the word “Minister” for the word “Board” in subsections 3 and 6;

(3) by substituting the words “from the Minister or an investigator designated by the Minister” for the words “from an inspector of the Board” in subsection 7;

(4) by substituting the word “Minister” for the word “Board” in subsection 8.

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

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* The Regulation respecting gas and public safety (R.R.Q., 1981, c. D-10, r. 4) was last amended by the Regulation made by Order in Council 1179-99 dated 13 October 1999 (1999, G.O. 2, 3713). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 September 1999.