

credited after 31 December 1996 but before 1 January 2000, while covered by Schedule I to this Order in Council and up to a maximum of ten years; the 10-year period shall be reduced by the number of years or parts of a year of service carried out by the employee while he held employment referred to in section 17 or 18 of the basic Order in Council;

(3) an amount equal to 1% of his average pensionable salary per year of service credited after 31 December 1999 while covered by Schedule I to this Order in Council;

(4) the amount obtained by multiplying the part of his average pensionable salary that exceeds the part used to calculate the amount of the pension provided for in section 8 of the basic Order in Council by 1.7% per year of service credited after 31 December 1999 while covered by the basic Order in Council except for the years of service credited during which he holds employment in the education sector or in the health and social services sector;

(5) the amount corresponding to the amount by which 0.30% of his average pensionable salary exceeds the amount calculated under subparagraph 2 of the first paragraph of section 8 of the basic Order in Council and including therein the limit provided for in the third paragraph of that section, per year of service credited after 31 December 1999, while covered by the basic Order in Council except for the years of service credited during which he holds employment in the education sector or in the health and social services sector, if he is under 65 years of age at the time his pension becomes payable. The amount is payable until the end of the month in which the pensioner reaches 65 years of age and is indexed in accordance with sections 77 and 78 of the Act. If the employee has less than 120 months of service, including the months of service recognized under his former pension plan, the amount is reduced by multiplying it by the ratio of the number of months of such service to the total of 120. For the purpose of computing the number of such months of service, the service carried out by an employee while paragraph 7 of section 4 of the Act applied to him, or by a person referred to in section 2 of the Act during the period in which the plan did not apply to that person, shall also be counted;

(6) for the years of services credited before 1 January 1992 to an employee that is or was subject to any of paragraphs 1 to 11 of Schedule II to the basic Order in Council, the amount corresponding to that of the pension that would have been calculated under section 21 of the basic Order in Council if the fiscal limits determined by the Income Tax Act (Revised Statutes of Canada (1985), chapter 1, 5th Supplement) had not applied, less

the amount of his pension calculated in accordance with this section.

Subparagraphs 4 and 5 of the first paragraph also apply to the employee who is a permanent public servant within the meaning of the Public Service Act, in respect of a year of service credited during which he was on leave without pay.

For the purposes of the first paragraph, the limit provided for in the fourth paragraph of section 8 of the basic Order in Council shall apply.”.

2. Section 3.0.1 is revoked.

3. The following is substituted for sections 5 and 6:

“5. For the purposes of section 3, the average pensionable salary shall be calculated in the manner provided for in section 9 of the basic Order in Council, without taking into account the limit provided for in section 18.1 of the Act.

6. Section 12 of the basic Order in Council applies in respect of the amount of the supplementary benefit payable under subparagraphs 1 to 4 and 6 of the first paragraph of section 3 or section 3.1, *mutatis mutandis*.”.

4. This Order in Council shall apply to an employee who ceased to participate in the Plan on 31 December 1999 or after that date.

5. This Order in Council shall have effect from 1 January 2000.

4027

Gouvernement du Québec

O.C. 1483-2000, 20 December 2000

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

Certificates of competency with respect to gas — Amendments

Regulation to amend the Order respecting certificates of competence with respect to gas

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, the provisions of the Order respecting certificates of competence with respect to gas (R.R.Q., 1981, c. D-10, r. 2) are deemed to have been

made under the Act respecting manpower vocational training and qualification (R.S.Q., c. F-5) and a certificate of competence issued under such provisions is deemed to be a certificate of qualification required by that Act;

WHEREAS under subparagraph *c* of the first paragraph of section 30 of the Act respecting manpower vocational training and qualification, the Government may make regulations consistent with the Act to ensure the efficiency carrying out thereof and it may, in particular, determine the conditions for admission to the examinations for qualification, for obtaining and renewal of certificates of qualification and generally the conditions for admission to the carrying on of trades or vocations;

WHEREAS it is expedient to amend the Order to update certain provisions;

WHEREAS under Order in Council 1500-98 dated 15 December 1998, the Minister of State for Labour and Employment exercises the functions of the Minister of Employment and Solidarity provided for in the Act respecting manpower vocational training and qualification;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft of the Regulation to amend the Order respecting certificates of competence with respect to gas was published in Part 2 of the *Gazette officielle du Québec* of 13 September 2000 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS the Minister of State for Labour and Employment and Minister responsible for Employment has not received any comment during that period;

WHEREAS it is expedient to make the draft regulation without amendment;

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 Order respecting certificates of competence with respect to gas, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Order respecting certificates of competence with respect to gas*

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

1. The Order respecting certificates of competence with respect to gas is amended by inserting the following after section 6:

“6.1. The period of apprenticeship prescribed in section 6 in respect of categories 221, 222 and 225 is not compulsory if the candidate provides the Minister with an attestation issued by the Association québécoise du propane inc. to the effect that he has successfully completed the course “Approvisionnement du produit” given by that Association.

The period of apprenticeship prescribed in section 6 in respect of categories 223 and 224 shall be reduced to five days if the candidate provides the Minister with an attestation issued by the Association québécoise du propane inc. to the effect that he has successfully completed the courses “Approvisionnement du produit” and “Cours de formation pour les chauffeurs de camions de propane en vrac” given by that Association.”.

2. Section 10 is amended

(1) by substituting the word “Minister” for the words “Régie de l’électricité et du gaz”; and

(2) by adding the following paragraph at the end:

“The examination marking the successful completion of a training course referred to in section 6.1 may be accepted instead of the examination provided for in the first paragraph for categories 221, 222 and 225.”.

3. The following is inserted after section 12:

“12.1. The Minister issues free of charge to the holder of a certificate marked RESTRICTION who passes the examination related to any of categories 221 to 225 a certificate of competence valid for the remaining validity period of that certificate.”.

* The Order respecting certificates of competence with respect to gas (R.R.Q., 1981, c. D-10, r. 2) was last amended by the Regulation made by Order in Council 163-93 dated 10 February 1993 (1993, *G.O.* 2, 831). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 February 2000.

4. The word “Minister” is substituted for the word “Board” in section 13.

5. The following is substituted for section 15:

“15. A duty of \$50 is exigible upon the issue or renewal of a certificate of competence with respect to gas.”

6. Schedule A is amended

(1) by inserting “repair,” after “remove,” in the definition of Category 111;

(2) by inserting “repair,” after “remove,” in the definition of Category 121;

(3) by inserting “, repair, maintain” after “remove” in the definition of Category 131;

(4) by inserting “and repair” after “remove” in the definition of Category 133;

(5) by inserting “réparer,” after “enlever,” in the French text of the definition of Category 134.

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

4024

Gouvernement du Québec

O.C. 1498-2000, 20 December 2000

Highway Safety Code
(R.S.Q., c. C-24.2)

Highway Safety Code

— Fees exigible and return of confiscated objects
— Amendments

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects

WHEREAS under subparagraph 4 of the first paragraph of section 624 of the Highway Safety Code (R.S.Q., c. C-24.2) the Société de l'assurance automobile du Québec may by regulation determine the amount of the fee exigible for proficiency examinations;

WHEREAS under section 625 of the Code every regulation made by the Société is subject to the approval of the Government;

WHEREAS by Order in Council 646-91 dated 8 May 1991, the Government approved the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects and it is expedient to amend it;

WHEREAS at a meeting of its board of directors held on 16 November 2000, the Société made the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects;

WHEREAS under section 11 of the Act to amend the Highway Safety Code (2000, c. 31), the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1) does not apply to a regulation made, before 1 January 2001, under subparagraph 3 or 4 of the first paragraph of section 624 of the Highway Safety Code;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, attached to this Order in Council, be approved.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects*

Highway Safety Code
(R.S.Q., c. C-24.2, s. 624, par. 1, subpar. 4)

1. Section 4 of the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects is amended:

* The latest amendments to the Regulation respecting fees exigible under the Highway Safety Code and the return of confiscated objects, approved by Order in Council 646-91 dated 8 May 1991 (1991, *G.O.* 2, 1695), were made by the regulations approved by O.C. 162-99 dated 24 February 1999 (1999, *G.O.* 2, 251), O.C. 550-2000 dated 3 May 2000 (2000, *G.O.* 2, 2207) and O.C. 1372-2000 dated 22 November 2000 (2000, *G.O.* 2, 5525) For prior amendments, see the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 2000, updated to 1 February 2000.