

WHEREAS by Order in Council 599-98 dated 29 April 1998, the Government made the Regulation respecting the selection, remuneration, group insurance plans, employment stability measures, end of engagement measures and procedure of appeal applicable to executive officers of regional councils and public institutions referred to in the Act respecting health services and social services for Cree Native persons;

WHEREAS by Order in Council 1205-2000 dated 11 October 2000, the Government replaced the title of the Regulation for Regulation respecting certain conditions of employment of senior administrators of regional councils and public institutions referred to in the Act respecting health services and social services for Cree Native persons;

WHEREAS it is expedient to amend the Regulation;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Health and Social Services and Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting certain conditions of employment of senior administrators of regional councils and public institutions referred to in the Act respecting health services and social services for Cree Native persons, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting certain conditions of employment of senior administrators of regional councils and public institutions referred to in the Act respecting health services and social services for Cree Native persons*

An Act respecting health services and social services for Cree Native persons
(R.S.Q., S-5, s. 154, 1st para., subpar. 1 and 2nd para.)

1. The following section is inserted after section 3.2 of the Regulation respecting certain conditions of em-

ployment of senior administrators of regional councils and public institutions referred to in the Act respecting health services and social services for Cree Native persons:

“3.3 The provisions of the Regulation to amend the Regulation respecting certain terms of employment applicable to senior administrators of regional boards and of public health and social services institutions, approved by T.B. 196313 dated 10 April 2001, where they deal with the evaluation of the positions of senior administrators, professional development for senior administrators, mobility measures and the transfer of sick-leave funds, shall apply, *mutatis mutandis*, to the senior administrators of regional councils and public health and social services institutions referred to in the Act respecting health services and social services for Cree Native persons (R.S.Q., c. S-5).

The same applies in the case of the provisions of the Regulation referred to in the first paragraph that modify the conditions of employment referred to in sections 1, 3.1 and 3.2.”

2. The following is substituted for paragraph 2 of section 4:

“(2) the Regulation respecting certain conditions of employment applicable to directors general of regional councils and of public health and social services establishments, made by Order in Council 1178-92 dated 12 August 1992.”

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

4537

Gouvernement du Québec

O.C. 1032-2001, 5 September 2001

Master Electricians Act
(R.S.Q., c. M-3)

Corporation of the Master Electricians of Québec — Amendments

Corporation of the Master Electricians of Québec
(Amendment Regulation)

WHEREAS under paragraph 1 of section 12 of the Master Electricians Act (R.S.Q., c. M-3), the provincial council of administration of the Corporation of Master Electricians of Québec may make regulations respecting the administration of the Corporation and the manage-

* The Regulation respecting certain conditions of employment of senior administrators of regional councils and public institutions referred to in the Act respecting health services and social services for Cree Native persons, made by Order in Council 599-98 dated 29 April 1998 (1998, G.O. 2, 1817) was amended by the Regulation made by Order in Council 1205-2000 dated 11 October 2000 (2000, G.O. 2, 5182). For previous amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

ment of its affairs in all respects, the attainment of its objects and purposes, the exercise of the rights and powers granted by the Act to the Corporation, as well as the matters mentioned therein;

WHEREAS the council of the Corporation made the Corporation of the Master Electricians of Québec (Amendment Regulation) on 29 January 2001;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 13 of the Master Electricians Act, a draft of the Corporation of the Master Electricians of Québec (Amendment Regulation) was published in Part 2 of the *Gazette officielle du Québec* of 16 May 2001 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Corporation of the Master Electricians of Québec (Amendment Regulation), attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Corporation of Master Electricians of Québec *(Amendment Regulation)

Master Electricians Act
(R.S.Q., c. M-3, s. 12, par. 1, sp. a, c, f, h and i)

1. Section 42 of the Regulation of the Corporation of Master Electricians of Québec is amended:

(1) by replacing, in the second paragraph, the word "everywhere" by the words "on the committees of which he is a member";

(2) by inserting, in the second paragraph and after the word "elections," the words "the committee on professional ethics and discipline and the appeals committee".

2. Section 55 of this regulation is replaced by the following:

"**55.** Each member of a committee other than a member of the committee on professional ethics and discipline and of the appeals committee remains in office until replaced or re-appointed.

At its first meeting following the annual general meeting the council must revise the list of members forming these committees to make appropriate appointments or changes that may be necessary.

The council or the executive committee sees to fill in all vacancies arising in any one of these committees."

3. Section 57 of this regulation is replaced by the following:

"**57.** All acts and proceedings of committees are subject to revision by the council or the executive committee except those of the committee on professional ethics and discipline and of the appeals committee.

57.1. Each member of the committee on professional ethics and discipline and of the appeals committee is appointed by the council for a three-year term.

However, even if his term is expired, a member of one of these committees may continue to deal with the case of which he was seized.

The council or the executive committee fills in all vacancies arising in any of the committees".

4. The first paragraph of section 59 of this regulation is amended by inserting, after subsection *f*, the following:

"*f.1*) the appeals committee;".

5. The title of subsection 7 of section III of this regulation is replaced by the following:

"**§7. Committee on professional ethics and discipline and appeals committee**".

6. Section 77 of this regulation is amended:

(1) by inserting, in the first paragraph, after the word "rule", the words "including a chairman";

* The Regulation of the Corporation of Master Electricians of Québec, adopted under the 10 March 1983 decision (1983, *G.O.* 2, 1416), was last amended by the Regulation made by Order in Council 2320-85 dated 7 November 1985 (1985, *G.O.* 2, 4118). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

(2) by inserting, in the second paragraph, after the words “executive committee”, the words “of the council and appeals committee”;

(3) by inserting, after the second paragraph, the following:

“The committee on professional ethics and discipline sits with 3 or 5 members.”.

7. This regulation is amended by inserting, after section 77, the following:

“77.1. The appeals committee consists of 5 members in good standing, including a chairman, appointed by the council.

Its functions are to sit on appeal from the decisions rendered by the committee on professional ethics and discipline as well as from the decision of the chairman of this committee rejecting a complaint according to section 82. It is authorized to make any decision that comes under its functions.

The appeals committee sits with 3 or 5 members.

Members of the executive committee, of the council and of the committee on professional ethics and discipline may not act as members of the appeals committee.”.

8. Section 78 of this regulation is amended by inserting, after the word “committee”, the words “on professional ethics and discipline and of the appeals committee”.

9. Section 79 of this regulation is amended, in the first paragraph, by inserting, after the word “committee”, the words “on professional ethics and discipline”.

10. Section 82 of this regulation is amended by inserting, after the word “committee”, the words “on professional ethics and discipline”.

11. Section 83 of this regulation is amended in the part preceding subsection *a*, by inserting, after the word “committee”, the words “on professional ethics and discipline”.

12. Section 85 of this regulation is amended by inserting, after the words “of the committee”, the words “on professional ethics and discipline and of the appeals committee”.

13. Section 86 of this regulation is amended by inserting, after the word “hearing”, the words “before the committee on professional ethics and discipline”.

14. Section 87 of this regulation is repealed.

15. Section 88 of this regulation is amended:

(1) by inserting, after the words “In cases where the committee”, the words “on professional ethics and discipline”;

(2) by inserting, after the words “delegate the chairman”, the words “of the committee”.

16. Section 89 of this regulation is amended by inserting, after the word “committee”, the words “on professional ethics and discipline”.

17. Section 90 of this regulation is amended by inserting, after the words “before the committee”, the words “on professional ethics and discipline”.

18. Section 91 of this regulation is amended by inserting, after the words “before the committee”, the words “on professional ethics and discipline”.

19. Section 92 of this regulation is replaced by the following:

“92. The committee on professional ethics and discipline, after deliberating, renders a written decision stating the reasons therefore.

All decisions require the absolute majority of the members who sit on this committee.”.

20. Sections 93 to 97 of this regulation are replaced by the following:

“93. An appeal may be made on the initiative of any interested party within 30 days from the date of the sending of the decision of the committee on professional ethics and discipline by means of a summary inscription addressed to the executive secretary of the Corporation.

A \$50 deposit must accompany the summary inscription. This deposit will be returned to the plaintiff if, after the appeal hearing, the decision is amended in his favour.

94. Upon receipt of a summary inscription the executive secretary shall forward to the appeals committee the record of first instance and the summary inscription.

95. Each party may send to the executive secretary a statement of his contentions no later than 5 days before the hearing of the appeal. The executive secretary then forwards it to the appeals committee.

96. A notice of hearing shall be sent to the parties at least 10 days before the hearing.

97. In appeal, the record of first instance, the summary inscription and the statement of contentions of the parties are the only documents produced. However, the appeals committee may authorize the deposit of additional documents if it sees fit.

97.1. The parties have the right to testify and to make oral representations before the appeals committee. No other witness may be heard, except by authorization of the appeals committee.

97.2. After deliberating, the appeals committee renders a written decision stating the reasons therefore.

The appeals committee may reject or maintain the appeal or render the decision that it believes the professional ethics and discipline committee should have rendered.

All decisions require the absolute majority of the members sitting on this committee.”.

21. Section 98 of this regulation is amended:

(1) by replacing, in the part preceding subsection *a*, the words “discipline committee or executive committee, as the case may be, may” by the words “professional ethics and discipline committee or the appeals committee may”;

(2) by replacing, in subsection *b*, the words “of the discipline committee” by the words “of this committee”.

(3) by adding, at the end, the following paragraphs:

“The committee seized of the matter may, in addition to the disciplinary measures referred to in the first paragraph, recommend that the Régie du bâtiment du Québec suspend or revoke the electrician contractor’s license of the member when it considers that his conduct warrants it. The committee shall also specify the recommended length of disciplinary action and forward the file to the executive secretary of the Corporation.

The Corporation’s executive secretary shall forward the file and the recommendation referred to in the first paragraph to the Régie du bâtiment du Québec so that it may decide on the suspension or revocation of the license.”.

22. Section 99 of this regulation is amended by replacing the words “or the council” by the words “on professional ethics and discipline or the appeals committee”.

23. Sections 99.1 et 99.2 of this regulation are repealed.

24. Section 115 of this regulation is amended in the second paragraph by inserting, after the words “other committee”, the words “except for the committee on professional ethics and discipline and the appeals committee”.

25. Section 126 of this regulation is replaced by the following :

“126. A member or the representative of a member of the Corporation who is present at a meeting of the council or of the executive committee, or at a meeting or hearing of a standing or temporary committee, is entitled to an allowance of \$84 per day or half-day of sitting, in the form of an attendance allowance.

This allowance is increased, on August 1st of each year, according to the rate of change of the consumer price index for Canada for the 12-month period ending on May 31st of the same year as determined by Statistics Canada.

These increased allowances are rounded off by increasing or decreasing them to the hundredth of a dollar.

The council decrees by resolution concerning allowances for travelling, hotel and meals expenses and the conditions for their payment. If these expenses exceed those provided by the resolutions adopted, they may be paid upon presentation of vouchers.”.

26. The present regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.