

Gouvernement du Québec

O.C. 1342-2001, 31 October 2001

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

Agreement to amend the Agreement related to the mandate entrusted to the Corporation des maîtres électriciens du Québec in respect of the administration and application of the Building Act pertaining to the vocational qualification of its members and the financial guarantees required from them

WHEREAS, under section 129.3 of the Building Act (R.S.Q., c. B-1.1) the Government has entrusted to the Corporation des maîtres électriciens du Québec, to the extent indicated in an Agreement made by Order in Council 887-2001 dated 4 July 2001, the mandate to supervise the administration of the Act or to see to its application with respect to the vocational qualification of its members as well as the financial guarantees that may be required from them;

WHEREAS the Agreement comes into force on 19 November 2001;

WHEREAS it is expedient to clarify and amend certain sections of the Agreement so that the Corporation des maîtres électriciens may correctly carry out the mandate entrusted to it under the Agreement;

WHEREAS it is expedient to amend section 2.3 of the Agreement in order to update the list of the office holders who may exercise the powers and duties entrusted to the Corporation;

WHEREAS it is expedient to amend section 6.6 of the Agreement in order to update and complete the list of the office holders who may have access to information related to the solvency of a contractor;

WHEREAS it is expedient to amend section 6.11 of the Agreement in order to appoint a new person responsible for the access for the purposes of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1);

WHEREAS it is expedient to amend section 8 of the Agreement in order to clarify the activities of the Corporation which have to be temporarily carried out in the offices of the Régie du bâtiment du Québec as well as the matters that may become the object of an administrative agreement between those bodies;

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

THAT the Agreement to amend the Agreement related to the mandate entrusted to the Corporation des maîtres électriciens du Québec in respect of the administration and application of the Building Act pertaining to the vocational qualification of its members and the financial guarantees required from them, attached to this Order in Council, be approved and that the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour be authorized, for and on behalf of the Government, to sign the said Agreement with the Corporation des maîtres électriciens du Québec.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

AGREEMENT TO AMEND THE AGREEMENT RELATED TO THE MANDATE ENTRUSTED TO THE CORPORATION DES MAÎTRES ÉLECTRICIENS DU QUÉBEC IN RESPECT OF THE ADMINISTRATION AND APPLICATION OF THE BUILDING ACT PERTAINING TO THE VOCATIONAL QUALIFICATION OF ITS MEMBERS AND THE FINANCIAL GUARANTEES REQUIRED FROM THEM

BETWEEN

THE MINISTER OF STATE FOR LABOUR, EMPLOYMENT AND SOCIAL SOLIDARITY AND MINISTER OF LABOUR, acting for and on behalf of the Gouvernement du Québec,

hereinafter called the “Minister”

AND

THE CORPORATION DES MAÎTRES ÉLECTRICIENS DU QUÉBEC, a corporation legally constituted under the Master Electricians Act (R.S.Q., c. M-3), that has its head office at 5925, boulevard Décarie, Montréal (Québec), acting by Jacques Plante, chairman, duly authorized under Resolution 209-10

hereinafter called the “Corporation”

THE PARTIES AGREE TO THE FOLLOWING:

1. The following is substituted for section 2.3:

“2.3 Subdelegation of the powers and duties entrusted to the Corporation

In accordance with the third paragraph of section 129.3 of the Building Act, the Corporation shall designate, for the carrying out of the powers and duties entrusted to it under this agreement, the persons holding the following positions:

(1) for applications for the issue of a licence: the director general of legal affairs and vocational qualification, the vocational qualification coordinator, the members of the qualification committee and the analysts;

(2) for applications for the renewal of a licence: the director general of legal affairs and vocational qualification, the vocational qualification coordinator and the analysts;

(3) for applications for the alteration of a licence: the director general of legal affairs and vocational qualification, the vocational qualification coordinator, the members of the qualification committee and the analysts;

(4) for the purposes of Division III of Chapter IV and of section 297.3 of the Building Act (suspension, cancellation, refusal to renew a licence): the vocational qualification coordinator, the members of the qualification committee and the analysts;

(5) for applications for the review of a ruling: the members of the review committee, the vocational qualification coordinator and the analysts;

(6) for applications for the evaluation of the vocational qualification by examinations or by any other means that the Corporation deems suitable: the vocational qualification coordinator, the technical counsel with the executive vice-chairman office and the analysts; and

(7) for the carrying out of the duties referred to in sections 112 and 129 of the Building Act: the director general of legal affairs and vocational qualification, the vocational qualification coordinator, the vocational qualification investigator and the analysts.”.

2. The following is substituted for section 6.6:

“6.6. Only the holders of the positions designated hereafter may have access to information related to the solvency of an electrical contractor: the director general of legal affairs and vocational qualification, the voca-

tional qualification coordinator, the solvency auditor, the vocational qualification investigator, the members of the qualification committee and the analysts.”.

3. The following is substituted for section 6.11:

“6.11. The vocational qualification coordinator is the person responsible for the access designated by the Corporation in accordance with the Act respecting Access to documents held by public bodies and the Protection of personal information.”.

4. The following is substituted for section 8:

“8. TRANSITIONAL PERIOD

The Corporation shall exercise its powers and duties under this Agreement in its own premises. Notwithstanding the foregoing, during the transitional period necessary to set up a transaction office based on an information exchange network between the Régie and the Corporation, all data acquisition prescribed by this Agreement shall be done on the premises of the Régie and by using its computer systems by one of the holders of the positions referred to in section 6.6 of this Agreement.

During the transitional period, the holders of the positions referred to in section 6.6 of this Agreement may have access to all information necessary to the exercise of the powers and duties entrusted to the Corporation under this Agreement. To this effect, the Régie will allow them access to its offices and computer systems.

The administrative Agreement entered into between the Régie and the Corporation establishes the terms and conditions relating to access to information held by the Régie, to the use of the offices and computer systems of the Régie as well as the processing of applications relating to a permit, in particular those comprising many subcategories. The Agreement fixes the term of the application of the terms and conditions agreed upon.”.

5. These Amendments form part of the Agreement made by Order in Council 887-2001 dated 4 July 2001 and are consequently an integral part of it binding the parties as if they were reproduced in it in full.

Notwithstanding the foregoing, if certain provisions of the said Agreement are inconsistent with the provisions of these Amendments, the latter shall prevail.

6. This Agreement comes into force on 19 November 2001.

IN WITNESS WHEREOF THE PARTIES HAVE SIGNED THIS AGREEMENT IN DUPLICATE, AS FOLLOWS :

THE MINISTER OF STATE FOR LABOUR,
EMPLOYMENT AND SOCIAL SOLIDARITY
AND MINISTER OF LABOUR

date _____ place _____

THE CORPORATION DES MAÎTRES
ÉLECTRICIENS DU QUÉBEC

date _____ place _____

4662

Gouvernement du Québec

O.C. 1343-2001, 31 October 2001

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

Agreement to amend the Agreement related to the mandate entrusted to the Corporation des maîtres mécaniciens en tuyauterie du Québec in respect of the administration and application of the Building Act pertaining to the vocational qualification of its members and the financial guarantees required from them

WHEREAS, under section 129.3 of the Building Act (R.S.Q., c. B-1.1) the Government has entrusted to the Corporation des maîtres mécaniciens en tuyauterie du Québec, to the extent indicated in an agreement made by Order in Council 888-2001 dated 4 July 2001, the mandate to supervise the administration of the Act or to see to its application with respect to the vocational qualification of its members as well as the financial guarantees that may be required from them;

WHEREAS the Agreement comes into force on 19 November 2001;

WHEREAS it is expedient to clarify and amend certain sections of the Agreement so that the Corporation des maîtres mécaniciens en tuyauterie du Québec may correctly carry out the mandate entrusted to it under the Agreement;

WHEREAS it is expedient to amend section 2.3 of the Agreement in order to update the list of the office holders who may exercise the powers and duties entrusted to the Corporation;

WHEREAS it is expedient to amend section 6.6 of the Agreement in order to update the list of the office holders who may have access to information relative to the solvability of a contractor;

WHEREAS it is expedient to amend section 8 of the Agreement in order to clarify the activities of the Corporation which have to be temporarily carried out in the offices of the Régie du bâtiment du Québec as well as the matters that may become the object of an administrative agreement between those bodies;

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

THAT the Agreement to amend the Agreement related to the mandate entrusted to the Corporation des maîtres mécaniciens en tuyauterie du Québec in respect of the administration and application of the Building Act pertaining to the vocational qualification of its members and the financial guarantees required from them, attached to this Order in Council, be approved and that the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour be authorized, for and on behalf of the Government, to sign the said Agreement with the Corporation des maîtres mécaniciens en tuyauterie du Québec.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif