

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions :

THAT the Regulation to revoke the Regulation respecting terms and conditions for permits to be issued by the Ordre professionnel des conseillers en ressources humaines et en relations industrielles agréés du Québec, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to revoke the Regulation respecting terms and conditions for permits to be issued by the Ordre professionnel des conseillers en ressources humaines et en relations industrielles agréés du Québec*

Professional Code
(R.S.Q., c. C-26, s. 94, par. i)

1. The Regulation respecting terms and conditions for permits to be issued by the Ordre professionnel des conseillers en ressources humaines et en relations industrielles agréés du Québec is revoked.

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

4675

Gouvernement du Québec

O.C. 1328-2001, 7 November 2001

Professional Code
(R.S.Q., c. C-26)

Engineers

— Procedure for conciliation and arbitration of accounts

— Amendments

Regulation amending the Regulation respecting the procedure for conciliation and arbitration of accounts of engineers

* The Regulation respecting terms and conditions for permits to be issued by the Ordre professionnel des conseillers en ressources humaines et en relations industrielles agréés du Québec was adopted on 9 March 1983 (1983, *G.O.* 2, 2383) and has not been amended since.

WHEREAS under section 88 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must establish, by regulation, a conciliation and arbitration procedure for the accounts of the members of the order which may be used by persons having recourse to the services of the members ;

WHEREAS under the same section, the regulation shall include :

— provisions allowing a person to avail himself of the procedure if he has already paid the account in whole or in part ;

— provisions for the setting up of a council of arbitration with the power to determine, where applicable, the amount of any reimbursement to which a person may be entitled ;

— provisions for the arbitration of accounts by a council of arbitration composed of one or three arbitrators, according to the amount of the dispute as prescribed in the regulation ;

WHEREAS the Bureau of the Ordre des ingénieurs du Québec made the Regulation amending the Regulation respecting the procedure for conciliation and arbitration of accounts of engineers ;

WHEREAS under section 95.3 of the Professional Code, amended by section 22 of Chapter 13 of the Statutes of 2000 and by section 8 of Chapter 34 of the Statutes of 2001, a draft Regulation was sent to every member of the order at least 30 days before its adoption by the Bureau ;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 18 October 2000 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication ;

WHEREAS in accordance with section 95 of the Professional Code, the Office des professions du Québec made its recommendations ;

WHEREAS it is expedient to approve the Regulation with amendments ;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions :

THAT the Regulation amending the Regulation respecting the procedure for conciliation and arbitration of accounts of engineers, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation amending the Regulation respecting the procedure for conciliation and arbitration of accounts of engineers*

Professional Code
(R.S.Q., c. C-26, s. 88)

1. Section 1.01 of the Regulation respecting the procedure for conciliation and arbitration of accounts of engineers is revoked.

2. Section 1.02 of this Regulation is amended by replacing, in paragraph *a*, the words “executive director” with the word “secretary”.

3. Section 1.03 is revoked.

4. Section 2.02 of this regulation is amended by replacing the first two paragraphs with the following paragraph:

“**2.02.** A client or person who has a dispute with a member about the amount of an account, may, even if the amount was paid, partly or fully, file a written application for conciliation with the conciliator within sixty days of the date of receipt of the account.”

5. The first paragraph of section 2.04 is replaced by the following:

“**2.04.** Upon reception of an application for conciliation, the conciliator shall notify the member or, where he is unable to notify the member personally, shall notify the member’s firm or employer; he shall also send the client a copy of this regulation.”

6. Section 2.07 of this regulation is amended by replacing the third paragraph by the following:

The conciliator also sends the client the form provided in Schedule 1, indicating the procedure and the time allowed for submitting the dispute to arbitration.”

7. This regulation is amended by the addition, at the end of Division II, of the following section:

“**2.09.** The conciliation record is filed with the conciliator. This record includes the application for conciliation and the conciliator’s report; it must be kept for at least one year but not more than five years.”

8. Section 3.01.01 of this regulation is amended:

1° by adding, at the end of the first paragraph, the words “and its schedules”;

2° by replacing the second paragraph by the following:

“The application for arbitration may be withdrawn by the client only in writing and with the consent of the member.”

9. Section 3.01.02 of this regulation is replaced by the following:

“**3.01.02** Upon reception of an application for arbitration, the conciliator shall notify the member or, where he is unable to notify the member personally, shall notify the member’s firm or employer.”

10. Section 3.01.03 of this regulation is amended by the following:

“**3.01.03.** Any agreement reached by the parties after the application for arbitration has been submitted shall be put in writing, shall be signed by the parties and shall be recorded in the arbitration award.”

11. Section 3.02.01 of this regulation is amended:

1° by replacing, wherever it occurs in the first paragraph, the number 3,000 with the number 10,000;

2° by replacing the second paragraph by the following paragraphs:

“The administrative committee designates members of the Ordre to act as arbitrators.

The president of the Ordre selects from among the members designated as provided in the second paragraph, the member or the three members of a council of arbitration and, if it consists of three arbitrators, he designates the chairman and the secretary thereof.”

* The Regulation respecting the procedure for conciliation and arbitration of accounts of engineers (R.R.Q., 1981, c. I-9, r. 8) was last amended by Order in Council 822-95 dated 14 June 1995 (1995, *G.O.* 2, 1893). For previous amendments, refer to the *Tableau des modifications et index sommaire*, Éditeur officiel du Québec, 2000, updated to 1 November 2000.

12. Section 3.04.01 of this regulation is amended by replacing the words “six months of the application for arbitration” by the words “forty-five days of the end of the hearing.”.

13. Section 3.04.02 of this regulation is replaced by the following:

“3.04.02. The award is filed with the conciliator. It is sent to each of the parties or their counsel by registered mail within ten days of being submitted.”.

14. Section 3.04.06 of this regulation is amended:

1° by striking out in the first paragraph, what follows: “who, unless explicitly authorized by the parties, shall issue a copy thereof in whole or in part only to the latter, their advocate, the syndic and the members of the Bureau”;

2° by replacing the second paragraph by the following: “At the request of either of the parties, the conciliator shall return the documents filed by them at the hearing.”.

15. Schedule I of this regulation is amended by replacing the words “client’s name” by the words “name of the person seeking arbitration”.

16. This regulation applies to any application for conciliation sent to the conciliator after the date it comes into force.

17. This regulation comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.”.

4676

Gouvernement du Québec

O.C. 1341-2001, 7 November 2001

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

Petroleum equipment

— Installation

— Amendments

CONCERNING the Decree to amend the Decree respecting the installation of petroleum equipment

WHEREAS the Government made the Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r. 33);

WHEREAS the contracting parties within the meaning of the Decree have petitioned the Minister of State for Labour, Employment and Social Solidarity and Minister of Labour for certain amendments to be made to that Decree;

WHEREAS sections 2, 6.1 and 6.2 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) authorize the Government to decree the extension of a collective agreement and to amend an extension decree at the request of the contracting parties by making, where applicable, the amendments it deems appropriate;

WHEREAS under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 5 and 6.1 of the Act respecting collective agreement decrees, a draft of the amendment Decree was published in Part 2 of the *Gazette officielle du Québec* of 25 April 2001 and, on the same date, in two French language newspapers and one English language newspaper, with a notice that it could be made by the Government on the expiry of the 45-day period following that publication;

WHEREAS it is expedient to make that draft Decree with amendments;

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

THAT the Decree to amend the Decree respecting the installation of petroleum equipment, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Decree to amend the Decree respecting the installation of petroleum equipment*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, ss. 2, 6.1 and 6.2)

1. Section 1.01 of the Decree respecting the installation of petroleum equipment is amended:

* The Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r. 33) was last amended by the Regulation made by Order in Council No. 462-2000 dated 5 April 2000 (2000, *G.O.* 2, 2013). For previous amendments, please refer to the “Tableau des modifications et Index sommaire”, Éditeur officiel du Québec, 2000, updated to 1 November 2000.