



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 181

(2001, chapter 79)

An Act to amend various legislative provisions relating to the building trade and the construction industry

**Introduced 19 December 2000
Passage in principle 5 June 2001
Passage 19 December 2001
Assented to 20 December 2001**

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EXPLANATORY NOTES

This bill amends various legislative provisions applicable to the building trade and the construction industry.

The bill amends the Master Electricians Act and the Master Pipe-Mechanics Act so as to empower the court of competent jurisdiction to homologate a decision of the Corporation des maîtres électriciens du Québec or of the Corporation des maîtres mécaniciens en tuyauterie du Québec that imposes a disciplinary fine on one of its members.

Under the bill, certain work executed by professional artists who are members of a recognized association in the visual arts and arts and crafts fields or by professional restorers who are members of a restorers association recognized by the Minister is excluded from the application of the Act respecting labour relations, vocational training and manpower management in the construction industry. In addition, as regards certain work, the bill provides for the possibility of making the granting of an exemption from holding a competency certificate conditional on an examination or recommendation of a committee.

LEGISLATION AMENDED BY THIS BILL :

- Master Electricians Act (R.S.Q., chapter M-3);
- Master Pipe-Mechanics Act (R.S.Q., chapter M-4);
- Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20).

Bill 181

AN ACT TO AMEND VARIOUS LEGISLATIVE PROVISIONS RELATING TO THE BUILDING TRADE AND THE CONSTRUCTION INDUSTRY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

MASTER ELECTRICIANS ACT

1. The Master Electricians Act (R.S.Q., chapter M-3) is amended by inserting the following section after section 11.1 :

“11.2. Where a disciplinary fine is imposed on a member pursuant to a regulation under section 12, the Corporation may, if the fine is not paid, have the decision homologated by the Superior Court or the Court of Québec, according to the amount involved.

The decision thereby becomes executory as a judgment of that court in its civil law jurisdiction.”

MASTER PIPE-MECHANICS ACT

2. The Master Pipe-Mechanics Act (R.S.Q., chapter M-4) is amended by inserting the following section after section 9.2 :

“9.3. Where a disciplinary fine is imposed on a member pursuant to a regulation under section 11, the Corporation may, if the fine is not paid, have the decision homologated by the Superior Court or the Court of Québec, according to the amount involved.

The decision thereby becomes executory as a judgment of that court in its civil law jurisdiction.”

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING AND MANPOWER MANAGEMENT IN THE CONSTRUCTION INDUSTRY

3. Section 19 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20) is amended by inserting the following subparagraph after subparagraph 12 of the first paragraph :

“(13) the production or restoration of an original artistic work of research or expression or its integration into the architecture or interior and exterior spaces of a building or civil engineering structure, where the work is done by a person who is not a regular employee of a professional employer but is

i. a professional artist who is a member of an association in the field of visual arts or arts and crafts recognized under the Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters (chapter S-32.01); or

ii. a professional restorer who is a member of a restorers association recognized for that purpose by the Minister, after consultation with the Minister of Culture and Communications; the Minister shall publish the name of every restorers association recognized by the Minister in the *Gazette officielle du Québec*.”

4. Section 123.1 of the said Act is amended by inserting the following paragraph after the first paragraph :

“A regulation made under subparagraph 9 of the first paragraph may, with respect to work described in subparagraph 13 of the first paragraph of section 19 done by a person not referred to in that subparagraph or work involving the use of old techniques, make the granting of exemptions conditional on an examination or recommendation of a committee established for that purpose, specify the powers and duties, composition and mode of operation of the committee and the term of office of its members, and determine the criteria to be taken into account by the committee.”

FINAL PROVISION

5. This Act comes into force on 20 December 2001.