

Draft Regulation

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20)

Competency certificates

— Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the issuance of competency certificates, the text of which appears below, may be made by the Government upon the expiry of a 45-day period following this publication.

The purpose of the draft Regulation is to form a committee consisting of representatives of the construction industry and the artistic community. The committee is responsible for examining applications and making recommendations to the Commission de la construction du Québec (CCQ) concerning requests made by employers to exempt artists who carry out work on construction sites from the obligation to hold a competency certificate.

Further information on the draft Regulation may be obtained by contacting Normand Pelletier, Director, Direction des politiques, de la construction et des décrets, 200, chemin Sainte-Foy, 5^e étage, Québec (Québec) G1R 5S1 (telephone: (418) 643-7458; fax: (418) 644-6969).

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the aforementioned 45-day period, to the Minister of State for Human Resources and Labour and Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

JEAN ROCHON,
*Minister of State for Human Resources and Labour
and Minister of Labour*

Regulation to amend the Regulation respecting the issuance of competency certificates*

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20, s. 123.1, 1st par., subpars. 9 and 14, 2nd par.; 2001, c. 79)

1. The Regulation respecting the issuance of competency certificates is amended by inserting the following after section 15.5:

“**15.6.** The Commission may, upon the recommendation of the committee established under section 15.7, exempt a person from holding a journeyman competency certificate, an occupation competency certificate or an apprentice competency certificate if one of the following occurs:

(1) an employer proves that the production or restoration of an original work of research or expression, or its integration into the architecture or interior and exterior spaces of a building or civil engineering structure can only be adequately carried out with the help of that person; or

(2) an employer proves that the work involving the use of old techniques can only be adequately carried out with the help of that person.

15.7 The exemption is valid for the duration of the work relating to the project referred to in the application and for the applicant-employer.

An Exemption Committee is hereby established for the purposes of examining applications made pursuant to section 15.6 and making recommendations thereon to the Commission.

The committee, chaired by the Director of the Direction de la qualification professionnelle of the Commission, shall consist of 12 members appointed as follows:

(1) two members designated by the Conseil conjoint de la Fédération des travailleurs du Québec (FTQ-Construction) et du Conseil provincial du Québec des métiers de la construction (International) who shall have 1 vote worth 2 votes each;

* The Regulation respecting the issuance of competency certificates, approved by Order in Council 673-87 dated 29 April 1987 (1987, G.O. 2, 1471) was made by the Regulation approved by Order in Council 150-98 dated 4 February 1998 (1998, G.O. 2, 1139). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

(2) one member designated by the Confédération des syndicats nationaux (CSN-CONSTRUCTION) who shall have 1 vote worth 1 vote;

(3) one member designated by the Centrale des syndicats démocratiques (CSD-CONSTRUCTION) who shall have 1 vote worth 1 vote;

(4) one member designated by the Association de la construction du Québec (ACQ) who shall have 1 vote worth 1.5 votes;

(5) one member designated by the Association des constructeurs de routes et de grands travaux du Québec (ACRGTQ) who shall have 1 vote worth 1.5 votes;

(6) one member designated by the Association des entrepreneurs en construction du Québec (AECQ) who shall have 1 vote worth 1.5 votes;

(7) one member designated by the Association provinciale des constructeurs d'habitations du Québec (APCHQ) who shall have 1 vote worth 1.5 votes;

(8) one member designated by the Conseil des métiers d'art du Québec (CMAQ) who shall have 1 vote worth 3 votes;

(9) one member designated by the Regroupement des artistes en art visuel (RAAV) who shall have 1 vote worth 3 votes;

(10) one member designated by the restorers associations recognized by the Minister of Labour under subparagraph 13 of the first paragraph of section 19 of the Act, enacted by section 3 of chapter 79 of the Statutes of 2001, who shall have 1 vote worth 3 votes; and

(11) one member designated by Héritage Montréal who shall have 1 vote worth 3 votes.

It shall also include two observer members appointed by the Minister of Labour and the Minister of Culture and Communications, who shall sit without voting rights. Members and observer members shall remain on the committee until they are replaced.

The chair shall convene the committee meetings the quorum of which shall be the chair, two members appointed under subparagraphs 1 to 3 of the second paragraph, two members appointed under subparagraphs 4 to 7 of the second paragraph and two members appointed under subparagraphs 8 to 11 of the same paragraph.

The committee shall decide by a majority of the votes cast and its decision shall be sent in writing to the employer no later than four juridical days after the date the meeting was convened. The chair has no voting rights, except if there is a tie vote; the chair shall decide no later than two juridical days after the date of the sitting.”.

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

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Draft Regulation

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

Midwives

— Professional acts that may be performed by persons other than midwives

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting professional acts that may be performed by persons other than midwives on certain terms and conditions, adopted by the Bureau of the Ordre des sages-femmes du Québec, may be submitted to the Government for approval with or without amendment upon the expiry of 45 days following this publication.

The Regulation provides that professional acts reserved for midwives may be performed by certain categories of persons other than midwives under the supervision of a midwife.

The Regulation will have no impact on businesses, including small and medium-sized businesses.

Further information may be obtained by contacting Raymonde Gagnon, President, Ordre des sages-femmes du Québec, 430, rue Sainte-Hélène, bureau 405, Montréal (Québec) H2Y 2K7; tel.: (514) 286-1313.

Any person having comments to make is asked to send them, before the expiry of the 45-day period, to Mre Jean-K. Samson, Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. They will be forwarded by the Office to the Minister responsible for the administra-