

(6) the parent is a person who has been granted protection by the Minister under the Immigration and Refugee Protection Act and holds the selection certificate referred to in paragraph 5;

(7) the parent is a person who holds a temporary resident permit issued under section 24 of the Immigration and Refugee Protection Act in view of granting permanent residence and holds the selection certificate referred to in paragraph 5; or

(8) the parent is a person who is authorized to submit an application for permanent residence in Canada under the Immigration and Refugee Protection Act and the Immigration and Refugee Protection Regulations and holds the selection certificate referred to in paragraph 5.”.

2. Section 6 is amended by substituting the following for subparagraph 2 of the first paragraph:

“(2) two snacks for a child receiving childcare during the hours scheduled for providing snacks;

(2.1) a meal at noon and a meal in the evening for a child receiving childcare during the hours scheduled for these meals or breakfast only if a child is receiving childcare during the hours scheduled for breakfast;”.

3. Section 13 is amended by substituting the following for the first paragraph:

“**13.** A foreign national referred to in paragraphs 2 to 8 of section 5 must also provide the following documents:

(1) a copy of the landing card, of the permanent resident card or the confirmation of permanent residence issued by the Canadian immigration authorities;

(2) a copy of the work permit issued by the Canadian immigration authorities with the name of the workplace and employer’s name or, if the foreign national is exempted from holding such a permit, a copy of the document attesting to the foreign national’s right to legally be in Canada;

(3) a copy of a letter issued by the Minister of Education attesting that the foreign national is receiving a scholarship referred to in paragraph 4 of section 5, and a copy of the certificate of acceptance issued pursuant to section 3.2 of the Act respecting immigration to Québec;

(4) a copy of the letter issued by the competent authority of Canada establishing that the person is a refugee or a protected person within the meaning of the Immigration and Refugee Protection Act, and a copy of the selection certificate issued under section 3.1 of the Act respecting immigration to Québec;

(5) a copy of the temporary resident permit whose coding establishes that it was issued in view of granting permanent residence and a copy of the selection certificate referred to in paragraph 4; and

(6) a copy of the letter issued by the Canadian immigration authorities establishing that the person may apply for permanent residence in Canada and a copy of the selection certificate referred to in paragraph 4;”.

4. The following is substituted for section 24:

“**24.** If the parent is granted the reduced contribution or, if applicable, the exemption from payment, the childcare provider must also indicate the type of service, among the types established in section 1, on the attendance card provided for in section 99 of the Regulation respecting childcare centres and in section 49 of the Regulation respecting day care centres for each day the child is present.”.

5. Section 25 is amended by inserting “, 6.1” after “6”.

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

5434

Draft Decree

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

Installation of petroleum equipment — Amendments

Notice is hereby given, under section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of State for Human Resources and Labour and Minister of Labour has received a petition from contracting parties to amend the Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r.33) and, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Decree to amend the Decree respecting the installation of petroleum equipment,” the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation concerns in particular the terms of employment related to the hours of the workday and workweek, family-related leaves, the organization of shifts, use of vehicles supplied by the employer, compensation for meals, evening and night premiums, hourly wages and both employers’ and employees’ contributions to pension and fringe benefit plans.

To do so, the draft redefines the duties of Class C mechanic, authorizes that the workweek be scheduled over four consecutive days and adds 30 minutes to the workday, clarifies the conditions for employees' use of vehicles provided by the employer, specifies the definition of the workplace and the scheduling of shifts, increases the shift premium to \$1.00 for work carried out in the evening or at night, provides compensation for meals, modifies the terms and conditions of family-related leaves which are granted for births, weddings or deaths in the employee's immediate family, increases the hourly wages for each class of employment, as well as employers' and employees' contributions to the fringe benefit and pension plans.

During the consultation period, the impact of the amendments sought will be clarified. According to the 2001 annual report of the Comité paritaire de l'installation d'équipement pétrolier, the Decree governs 54 employers, 11 artisans and 339 employees.

Further information may be obtained by contacting Mr. Michel Roberge, Direction des politiques, de la construction et des décrets, ministère du Travail, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1, telephone: (418) 528-9701, fax: (418) 528-0559, e-mail: michel.roberge@travail.gouv.qc.ca

Any interested person with comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

ROGER LECOURT,
Deputy Minister of Labour

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 and 6.1)

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

1° by inserting the word “derivatives” before the word “liquid” in subparagraph *b* of paragraph 1;

2° by substituting the words “their liquid derivatives” for the word “by-products” in subparagraph *c* of paragraph 1;

3° by substituting the following for subparagraph *iii* of paragraph 9:

“*iii.* Class C: employee who will perform a portion of the duties provided for in the definition of the trade;”.

2. Section 2.01 is amended by adding, before the word «derivatives», the word «liquid».

3. Section 3.01 is amended by adding the following after the first paragraph:

“However, the employer may, after reaching an agreement with the employees, establish a regular workweek of four consecutive days, from Monday to Friday, consisting of 10 hours per day.”.

4. Section 3.02 is amended by substituting the following for paragraph 2:

“(2) for service employees: eight hours scheduled between 7:30 a.m. and 7:30 p.m., with one hour off without pay for the noon meal;”.

5. Section 3.04 is amended by inserting the following after the first paragraph:

“An employee is not paid for the time spent travelling between his or her residence and the employer's establishment when the employee uses a vehicle owned by the employer.

The employer may ask an employee to go directly to the job site if the distance between the employee's residence and the job site is less than that between the employee's residence and the employer's establishment. In such a case, the employee's regular workday begins when the employee begins to work on the job site.”.

6. The following are substituted for sections 3.06 and 3.07:

“**3.06.** When the double shift is in effect, the standard workday of the first shift remains as stipulated in section 3.02 and the hours of the regular workday of the second shift must be scheduled over eight hours. The regular workday of the second shift must begin as soon as possible after the end of the regular workday of the first shift, and the employer must notify the parity committee in advance of the date when the double shift system begins and the hour when the regular workday of the second shift begins.

* 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. 1341-2001 dated 7 November 2001 (2001, *G.O.* 2, 6037). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 September 2002.

3.07 When the double or triple shift system is in effect, the employee is entitled to half an hour off with pay for a meal and the regular workday hours are scheduled as follows:

- (1) 1st shift : from 8 a.m. to 4 p.m., Monday to Friday;
- (2) 2nd shift : from 4 p.m. to 12 a.m., Monday to Friday;
- (3) 3rd shift : from 12 a.m. to 8 a.m., Tuesday to Friday.”.

7. The following is substituted for section 3.10:

“**3.10. Shift premium:** An installation employee working on the second or third shift is paid an hourly premium of \$1.00.”.

8. The Decree is amended by adding the following after section 7.04:

“**7.05.** An employee who usually works in the shop and must work away from the shop without prior notice without returning to the shop to eat is entitled to an amount of \$10 for the noonday meal and of \$10 for the evening meal if the employee works after 7 p.m.”.

9. Section 8.02 is amended:

- (1) by substituting the following for paragraph 1:

“(1) on the occasion of the death of his or her spouse, child or child of his or her spouse, of his or her father or mother: five consecutive days with pay, including the day of the funeral.”;

- (2) by revoking paragraphs 2 and 3;

- (3) by adding the following after paragraph 7:

“(8) on the occasion of his or her wedding: one day with pay, the wedding day.”.

10. Section 9.01 is amended by substituting the following for paragraphs 1 to 3:

“(1) The minimum hourly rate payable to the service mechanic, the installation mechanic, the shop mechanic and the tank-truck mechanic is established as follows for each class of employment:

Class of Employment	As of (insert here date of coming into force of this Decree)	As of 2004-04-01	As of 2004-12-31
A	\$23.70	\$24.11	\$24.61;
B	\$19.70	\$20.11	\$20.61;
C	\$16.60	\$17.01	\$17.51.

(2) The labourer is paid according to the number of hours accumulated since the date on which he or she is hired. The minimum hourly rate payable is established as follows:

Labourer	As of (insert here date of coming into	As of 2004-04-01	As of 2004-12-31
starting:	\$13.89	\$14.30	\$14.80;
after 2000 hours:	\$14.30	\$14.71	\$15.21;
after 4000 hours:	\$14.75	\$15.16	\$15.66;
after 6000 hours:	\$15.34	\$15.75	\$16.25.

(3) The minimum hourly rate payable to a student is established as follows:

As of (insert here date of coming into force of this Decree)	As of 2004-04-01	As of 2004-12-31
\$10.07	\$10.48	\$10.98”.

11. The following are substituted for sections 11.02 to 11.04:

“**11.02.** The employer contributes on a weekly basis, to the fringe benefit plan managed by the Comité paritaire de l’installation d’équipement pétrolier du Québec, the sum of \$17.20 as of (insert here date of coming into force of this Decree), \$20.40 as of 1 July 2003 and \$23.60 as of 1 April 2004, for each employee at his employment, except for a student.

11.03. The employer deducts on a weekly basis from the pay of each employee, except for a student, the sum of \$17.20 as of (insert here date of coming into force of this Decree), \$20.40 as of 1 July 2003 and \$23.60 as of 1 April 2004, for the fringe benefit plan.

11.04. In order for the amount provided for in section 11.02 to be paid by the employer and for that provided for in section 11.03 to be deducted from the wages of an employee, the employee must have worked 24 hours or more during the week, including overtime hours.

Where the number of hours worked is less than 24 hours, the employer’s and employee’s contribution for each hour worked, respectively, is \$0.43 as of (insert here date of coming into force of this Decree), \$0.51 as of 1 July 2003 and \$0.59 as of 1 April 2004.”.

12. Section 11.08 is amended by substituting the following for paragraph 1:

“(1) The employer pays into the pension plan of employees, except for students, the amount of \$0.52 as of (*insert here date of coming into force of this Decree*), and \$0.62 as of 1 April 2004, for each hour worked by the employees. The employer deducts from the pay of the employees the amount that each of them elects to pay as contribution; however, that amount may not be lower than \$0.52 as of (*insert here date of coming into force of this Decree*) and \$0.62 as of 1 April 2004, for each hour worked.”.

13. The following is substituted for section 12.01 :

12.01. This Decree remains in force until 31 December 2004. It is then renewed automatically from year to year thereafter, unless one of the contracting parties opposes it by sending written notice to the Minister of Labour and to the other contracting party during the month of August of the year 2004 or during the month of August of any subsequent year.”.

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

5442

Draft Regulation

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

Nurses

— **Professional acts that may be performed by a nursing extern on certain terms and conditions**
— **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 Bureau of the Ordre des infirmières et infirmiers du Québec, at its meeting held on November 3, 2002, adopted the “Regulation to amend the Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions”.

The said regulation has been transmitted to the Office des professions du Québec for examination in accordance with section 95 of the Professional Code (R.S.Q., c. C-26). Thereafter, it will be submitted, with the recommendation of the Office, to the Government which, in accordance with the same section, may approve it, with or without amendment, following the expiry of a period of 45 days from the publication of this notice.

The Ordre des infirmières et infirmiers du Québec advises that this regulation proposes to rescind the condition pertaining to the minimum number of nursing

externs that a health institution is required to select, so as to allow nursing externships to be performed in a larger number of institutions. The regulation also proposes to add certain professional acts to the list of acts that may be performed a nursing extern during the externship, the whole subject to the specific conditions prescribed, if any.

This regulation has no impact on businesses, in particular small and medium-sized businesses.

Further information concerning the proposed regulation may be obtained from Jean Lapointe, attorney, Legal Department, Ordre des infirmières et infirmiers du Québec, 4200, boulevard Dorchester Ouest, Montréal, Québec, H3Z 1V4; telephone number: (514) 935-2501 or 1-800-363-6048; fax number (514) 935-3147.

Any person having comments to make is asked to transmit them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, 800, place D’Youville, 10^e étage, Québec (Québec) G1R 5Z3. Those comments will be forwarded by the Office to the Minister Responsible for the Administration of Legislation respecting the Professions; they may be also forwarded to the professional order that made the Regulation as well as to the persons, departments and agencies concerned.

JEAN-K. SAMSON,
*Chairman of the Office des
professions du Québec*

Regulation to amend the Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions*

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

1. Section 4 of the Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions is amended by replacing paragraph 1 with the following :

* The Regulation respecting the professional acts that may be performed by a nursing extern on certain terms and conditions was made by Order in Council 512-2000 dated 19 April 2000 (2000, G.O. 2, 2096); erratum (2000, G.O. 2, 2197) and was last amended by regulation approved by Order in Council 1365-2001 dated 14 November 2001 (2001, G.O. 2, 6077). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.