

(6) by inserting, after subparagraph *vii.1*, the following:

“*vii.2*. in Israel, the Tel Aviv Stock Exchange;”;

(7) by inserting, after subparagraph *x*, the following:

“*x.1*. in Norway, the Oslo Stock Exchange;”;

(8) by inserting, after subparagraph *xiv*, the following:

“*xiv.1*. in Sweden, the Stockholm Stock Exchange;”.

(2) Subsection 1 has effect from 19 December 2001.

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

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Gouvernement du Québec

O.C. 1476-2002, 11 December 2002

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20; 2001, c. 79)

Issuance of competency certificates — Amendments

Regulation to amend the Regulation respecting the issuance of competency certificates

WHEREAS, under the second paragraph of section 123.1 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20; 2001, c. 79, s. 4), a regulation made under subparagraph 9 of the first paragraph of that section may, with respect to work described in subparagraph 13 of the first paragraph of section 19 of that Act or work involving the use of old techniques, make the granting of exemptions from holding a competency certificate conditional on an examination or recommendation of a committee;

WHEREAS it is expedient to establish a committee consisting of representatives of the construction industry and the artistic community, which is responsible for examining applications and making recommendations to the Commission de la construction du Québec (CCQ) concerning applications filed by employers, in order to exempt artists who carry out work on construction sites or persons who carry out work involving the use of old techniques from the obligation to hold a competency certificate;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 11 September 2002 with a notice that it could be approved by the Government upon the expiry of 45 days from that publication;

WHEREAS no comments were submitted and it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Human Resources and Labour and Minister of Labour:

THAT the Regulation to amend the Regulation respecting the issuance of competency certificates, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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 13 and 2nd par.; 2001, c. 79, s. 4)

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 in one of the following cases:

* 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 last amended by the Regulation approved by Order in Council 441-2002 dated 10 April 2002 (2002, *G.O.* 2, 2207). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 September 2002.

(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.

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

15.7. 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) and the Conseil provincial du Québec des métiers de la construction (International) who shall have 1 voting right worth 2 votes each;

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

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

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

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

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

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

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

(11) one member designated by Héritage Montréal who shall have 1 voting right 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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