

Regulations and other acts

M.O., 2003

Minister's Order M.O. 2003-01 of the Minister responsible for Youth, Tourism, Recreation and Sport dated 31 March 2003

An Act respecting safety in sports
(R.S.Q., c. S-3.1)

CONCERNING the Approval of the By-law to amend the By-law respecting qualifications for recreational underwater diving

THE MINISTER RESPONSIBLE FOR YOUTH, TOURISM, RECREATION AND SPORT,

CONSIDERING the first paragraph of section 46.15 of the Act respecting safety in sports (R.S.Q., c. S-3.1) which provides that the Minister may designate a non-profit organization, established in particular for the purpose of ensuring the safety of underwater divers, to establish, by by-law, standards with respect to, among other things, the qualification of the persons who practise and teach the sport;

CONSIDERING the Minister's Order M.O. 1999 dated 1 June 1999 (1999, *G.O.* 2, p. 1692) which designated the Fédération québécoise des activités subaquatiques to exercise the powers provided for in section 46.15;

CONSIDERING the second paragraph of section 46.15 which provides that a by-law under the first paragraph must, to take effect, be approved by the Minister;

CONSIDERING Minister's Order M.O. 2002-01 dated 5 February 2002 which approved the By-law respecting qualifications for recreational underwater diving (2002, *G.O.* 2, p. 1538) made by the Federation;

CONSIDERING that the Federation made the By-law respecting qualifications for recreational underwater diving on 27 March 2003;

CONSIDERING section 12 of the Regulations Act (R.S.Q., c. R-18.1) which provides that a proposed by-law may be made without having been published as required under section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

CONSIDERING section 13 of that Act which requires the reason justifying the absence of such publication to be published with the by-law;

CONSIDERING section 18 of that Act which allows a by-law to come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

CONSIDERING the following circumstances which justify the absence of such pre-publication of the By-law and its immediate coming into force on the date of its publication in the *Gazette officielle du Québec*:

— the amendment proposed in the By-law attached hereto was made unanimously by the board of directors of the Federation at a special meeting held on 27 March 2003;

— the attestation of equivalency referred to in sections 10 and 11 of the By-law is valid until 1 April 2003;

— the implementation by the Federation of the certification system by that date is not possible; and

— if the By-law attached to this Minister's Order does not come into force on in early April 2003, the attestation of equivalency held by divers and instructors will expire and they will be unable to obtain a certificate;

CONSIDERING that it is expedient to approve the By-law to amend the By-law respecting qualifications for recreational underwater diving without amendment;

ORDERS:

THAT the By-law to amend the By-law respecting qualifications for recreational underwater diving, made by the Fédération québécoise des activités subaquatiques and attached to this Minister's Order, is approved.

Québec, 31 March 2003

RICHARD LEGENDRE,
*Minister responsible for Youth, Tourism,
Recreation and Sport*

By-law to amend the By-law respecting qualifications for recreational underwater diving

An Act respecting safety in sports
(R.S.Q., c. S-3.1, s. 46.15)

1. The By-law respecting qualifications for recreational underwater diving (M.O., 2002-01 (2002) *G.O.* 2, 1538) is amended in section 14 by replacing “first” by “second”.

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

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