

## Regulation to amend the Regulation respecting the application of the Consumer Protection Act\*

Consumer Protection Act  
(R.S.Q., c. P-40.1, s. 350, par. r)

**1.** The Regulation respecting the application of the Consumer Protection Act is amended by inserting the following after section 12:

“**12.1.** Contracts for the loan of money or contracts extending variable credit entered into by a bank listed in Schedules I, II or III of the Bank Act (S.C., 1991, c. 46), by a credit union or federation of credit unions governed by the Act respecting financial services cooperatives (R.S.Q., c. C-67.3), by a trust company or savings company governed by the Act respecting trust companies and savings companies (R.S.Q., c. S-29.01), or by an insurer governed by the Act respecting insurance (R.S.Q., c. A-32) are exempt from the obligation provided for in section 25 of the Act to be drawn up as a paper document and, when a medium based on information technology is used, they are exempt from the application of section 26 of this Regulation, provided the medium used allows the consumer to keep the contract and print it.”.

**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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Gouvernement du Québec

### O.C. 655-2003, 11 June 2003

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

#### Installation of petroleum equipment — Amendments

CONCERNING the Decree to amend the Decree respecting the installation of petroleum equipment

WHEREAS the Government made the Decree respecting the installation of petroleum equipment (R.R.Q., 1981, c. D-2, r.33);

WHEREAS the contracting parties within the meaning of the Decree have petitioned the Minister of Labour for amendments to be made to that Decree;

WHEREAS sections 2 and 6.1 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) authorize the Government to amend a collective agreement decree;

WHEREAS, under sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and sections 5 and 6.1 of the Act respecting collective agreement decrees, a draft of an amendment Decree was published in Part 2 of the *Gazette officielle du Québec* of 11 December 2002 and, on the same date, in two French language newspapers and one English language newspaper, with a notice that it could be made by the Government on the expiry of the 45-day period following that publication;

WHEREAS it is expedient to make that draft Decree with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Decree to amend the Decree respecting the installation of petroleum equipment, attached hereto, be made.

ANDRÉ DICAIRE,  
*Clerk of the Conseil exécutif*

## 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 adding the word “liquid” at the end of subparagraph *b* of paragraph 1;

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

\* The Regulation respecting the application of the Consumer Protection Act (R.R.Q., 1981, c. P-40.1, r. 1) was last amended by Order in Council 1349-2002 dated 20 November 2002 (2002, *G.O.* 2, 6247). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 March 2003.

\* 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. 1369-2002 dated 20 November 2002 (2002, *G.O.* 2, 6251). For previous amendments, please refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 March 2003.

(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;”;

(4) by substituting the following for paragraph 11:

“(11) “spouse” means either of two persons who

(a) are married or in a civil union and cohabiting;

(b) being of opposite sex or the same sex are living together in a *de facto* union and are the father and mother of the same child;

(c) are of opposite sex or the same sex and have been living together in a *de facto* union for one year or more;”.

**2.** Section 2.01 is amended by adding, at the end, the word “liquid”.

**3.** Section 3.01 is amended by adding the following 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.** The following is substituted for section 3.02:

“**3.02.** The regular workday is eight hours or, where applicable, ten hours, scheduled as follows:

(1) for installation employees: between 6:30 a.m. and 7:00 p.m., with one hour off without pay for the noon meal;

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

(3) for all other employees: between 7:00 a.m. and 7:00 p.m., with one hour off without pay for the noon meal.”.

**5.** Section 3.04 is amended by adding the following paragraphs:

“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.

**3.07** When the double or triple shift 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; and

(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 inserting 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; and

(3) by adding the following paragraph:

“(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 2003 06 18	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 2003 06 18	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 2003 06 18	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 18 June 2003, \$20.40 as of 1 July 2003 and \$23.60 as of 1 April 2004, for each employee, 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 18 June 2003, \$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 18 June 2003, \$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 18 June 2003 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 18 June 2003 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*.