

Draft Regulations

Draft Regulation

An Act respecting manpower vocational training and qualification
(R.S.Q., c. F-5)

Certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels

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 certificates of qualification and apprenticeship in certain trades regarding gas, stationary engines and pressure vessels, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to govern admission to apprenticeship, the issue of certificates of qualification and the carrying of the trades or vocations for work on gas, stationary engines and pressure vessels. To that end, the Regulation proposes the establishment of 13 certificates of qualification in those fields. It also specifies the conditions under which a restricted certificate of qualification may be issued to an apprentice.

The draft Regulation also proposes fees for qualification, in particular for apprenticeship registration, for a qualification examination and for the renewal of a certificate of qualification. It allows any person who considers he or she is aggrieved by a decision made pursuant to the Regulation to contest the decision within 30 days before the construction industry commissioner.

The draft Regulation replaces the provisions respecting vocational training and qualification in the Regulation respecting pressure vessels, the Order respecting certificates of competency with respect to gas, the Regulation respecting gas and public safety and the Regulation respecting stationary enginemen, maintained in force by section 216 of the Building Act (R.S.Q., c. B-1.1). It also clarifies various notions and contains transitional provisions.

The draft Regulation has no negative impact on enterprises, including small and medium-sized businesses.

Further information concerning the draft Regulation may be obtained by contacting Jean-Pierre Tremblay, Direction du développement des compétences en

milieu de travail, Emploi-Québec, 800, rue du Square-Victoria, 27^e étage, Montréal (Québec) H4Z 1B7; telephone: (514) 864-3998; fax: (514) 864-2189; e-mail: jean-pierre.tremblay7@messf.gouv.qc.ca

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Employment, Social Solidarity and Family Welfare, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1.

CLAUDE BÉCHARD,
*Minister of Employment, Social Solidarity
and Family Welfare*

Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels

An Act respecting manpower vocational training and qualification
(R.S.Q., c. F-5, s. 30, 1st par., subpars. a to c, g, h and l and s. 41.1, 1st par.)

DIVISION I INTERPRETATION

1. In this Regulation,

“certified appliance” means any appliance certified in accordance with section 2.05 of the Building Code approved by Order in Council 953-2000 dated 26 July 2000; (*appareil approuvé*)

“cylinder” means a receptacle designed and built for the use, storage and distribution of propane, in accordance with Division IV of Chapter III of the Safety Code approved by Order in Council 964-2002 dated 21 August 2002; (*bouteille*)

“gas” means any gas within the meaning of section 7 of the Building Act (R.S.Q., c. B-1.1); (*gas*)

“gas appliance” means a device used to transform gas into energy, including all required controls, components, piping and wiring; (*appareil au gaz*)

“installation” means, in the case of stationary engines, a combination of stationary engines located in the same premises and connected together; (*installation*)

“pressure vessel” means a pressure vessel within the meaning of section 7 of the Building Act; (*appareil sous pression*)

“propane” means propane within the meaning of section 28 of the Safety Code; (*propane*);

“stationary engine” means any of the following pressure vessels, including the piping and accessories used for their operation:

- (1) a steam, hot water or other fluid boiler or generator;
- (2) a steam engine or turbine; and
- (3) a refrigerating apparatus; (*machine fixe*)

“supervise” means to watch over and control the operation of a stationary engine or installation of stationary engines and fill out the required records; (*surveiller*)

“supervision” means the overseeing of the work of a person by the holder of a certificate of qualification required for the supervised work and who is available to assist the person; (*supervision*)

“tank” means a receptacle, including a mobile tank, intended for gas storage or distribution. (*réservoir*)

DIVISION II SCOPE

2. This Regulation governs the admission to apprenticeship, the issue of certificates of qualification and the carrying on of the trades and vocations described in section 3 for work on gas, stationary engines and pressure vessels.

It does not apply to work carried out by a manufacturer in shops, on gas appliances, pressure vessels and components of appliances manufactured there. It does not apply either to work carried out by a manufacturer on pressure vessels it manufactures.

DIVISION III CERTIFICATES OF QUALIFICATION

3. The following certificates of qualification are required for the carrying on of work described for each certificate:

(1) certificate in gas piping installation (GPI) for the installation and connection of any gas piping to the natural gas distribution network or, in the case of propane, to an installation of cylinders or tank and for the installation, replacement, removal, repair and maintenance of any accessory on the gas piping and the connection of gas appliances to such piping;

(2) Class 1 certificate in gas appliance techniques (GAT-1) for the installation, connection, removal, repair, maintenance or initial start-up of any type of gas appliance, including its accessories and exhaust system;

(3) Class 2 certificate in gas appliance techniques (GAT-2) for the installation, connection, removal, repair, maintenance or initial start-up of any type of gas appliance with a capacity not exceeding 120kW, including its accessories and exhaust system;

(4) Class 3 certificate in gas appliance techniques (GAT-3) for the installation, connection, removal, repair, maintenance or initial start-up of any certified propane appliance with a capacity not exceeding 120kW, including its accessories and exhaust system and the installation and connection of propane piping and cylinders, including their accessories, whatever the capacity of the gas appliances supplied;

(5) Class 4 certificate in gas appliance techniques (GAT-4) for the installation, connection, removal, repair, maintenance or initial start-up on a structure that is not connected to an electric power supply and used to shelter persons, of any type of certified propane appliance with a capacity not exceeding 30kW, including their accessories, exhaust systems, supply lines and cylinders;

(6) certificate in restricted gas appliance maintenance techniques (RGAMT) for the connection, removal, repair, maintenance or initial start-up of any type of gas appliance installed on the premises of the employer of the holder of the certificate for which apprenticeship has been completed;

(7) certificate in receptacle installation techniques (RIT) for the installation, cleaning, removal, repair, maintenance and initial start-up of any installation of gas cylinders or tanks, of any refuelling station for receptacles and vehicles, of any filling station and any mobile tank, including their accessories such as vaporizers, pumps, compressors, distribution devices and the piping connecting the receptacles and their accessories; this certificate is not required for work on the fuel tanks of gas-powered vehicles;

(8) certificate in distribution system control (DSC) for the control of work carried out on natural gas distribution systems as regards compliance with the regulations and the supervision of the quality of work for the construction, maintenance, repair, alteration, replacement or removal of installations related to any transport system, any distribution network or any natural gas service pipe of a building;

(9) certificate in gas carburetion techniques (GCT) for the installation, cleaning, inspection, putting in service, repair, maintenance and replacement of components, including the fuel tanks, for the supply of gas-powered internal combustion engines and for filling motor vehicle tanks and cylinders;

(10) certificate in propane handling (PH) for the transfer of propane between receptacles and the connection of cylinders of more than 34 kilograms;

(11) certificate in cylinder and vehicle filling (CVF) for the filling of cylinders and fuel tanks of gas-powered vehicles;

(12) certificate in stationary engine mechanics (SEM) to operate, supervise, check or maintain a stationary engine or an installation of stationary engines and see to their repair or alteration, according to the categories and classes established up in section 4;

(13) certificate in pressure installation inspection (PII) for the inspection of the manufacture, installation, repair or alteration of a pressure installation within the meaning of section 7 of the Building Act (R.S.Q., c. B-1.1).

4. The certificate of qualification in stationary engine mechanics comprises the following categories:

- (1) the energy production category; and
- (2) the refrigerating apparatus category.

The certificate of qualification in stationary engine mechanics of the energy production category comprises four classes and that of the refrigerating apparatus category comprises two classes according to the type of engines the holder is authorized to operate or supervise pursuant to Schedule I.

5. A person who operates or supervises a stationary engine or an installation of stationary engines must hold a certificate of qualification of the same category and of a class equal to or higher than the classification of that engine or installation.

6. Despite section 5, the holder of a certificate of qualification of a class immediately lower than the class required may operate or supervise a stationary engine or an installation of stationary engines of that class for a period not exceeding 90 days in case of death, illness, holiday, resignation or dismissal of the holder of the appropriate certificate.

In addition, the holder may at all times, under the supervision of the holder of a certificate of qualification of the appropriate class and category who operates the stationary engine or installation, carry out work authorized by the certificate of qualification of that class and category.

7. A person who checks, maintains, repairs, starts-up or stops a stationary engine or installation of stationary engines under the supervision of the holder of a certificate of qualification of the category and class required to operate or supervise that stationary engine or installation of stationary engines is exempt from the issue of a certificate of qualification in stationary engine mechanics.

8. A person who fills the fuel tanks of natural gas-powered vehicles under the supervision of the holder of a certificate of qualification in gas carburetion techniques or a certificate of qualification in cylinder and vehicle filling who is on the premises and near the supervised person is exempt from the issue of a certificate of qualification in cylinder and vehicle filling.

DIVISION IV CONDITIONS FOR THE ISSUE OF A CERTIFICATE OF QUALIFICATION

§1. General

9. In order to be issued a certificate of qualification, an apprentice must complete the apprenticeship period and pass the qualification examination prescribed for that certificate or, in the case of a certificate of qualification in stationary engine mechanics, for the class of the category of certificate sought.

However, a person who holds an attestation issued by the Association québécoise du propane inc., according to which the person passed the course entitled "Approvisionnement du produit" given by the association, is exempt from the apprenticeship and qualification examination required by this Regulation in order to be issued the certificate of qualification in cylinder and vehicle filling. The person must, however, pay the fees required for the issue of the certificate of qualification following an exemption from the qualification examination.

The same applies to a person who has successfully taken a program of vocational studies in stationary engine mechanics comprising an apprenticeship period meeting the requirements of section 21 for the certificate of qualification in stationary engine mechanics, Class 4 of the energy production category or Class B of the refrigerating apparatus category given by an educational institution recognized by the Minister of Education.

10. A holder of a certificate of competency or qualification issued in Canada, recognized as equivalent by the Gouvernement du Québec under an intergovernmental agreement concerning manpower mobility or recognition of qualification, skills or work experience in trades or vocations, or the issue of which requires qualification requirements equivalent to those required in Québec for the issue of a certificate of qualification described in section 3, is exempt from the qualification examination provided for in section 9. The person must, however, pay the required fee for the issue of the certificate of qualification following an exemption from the qualification examination.

11. A holder of a certificate of qualification may be issued a duplicate of the certificate on written application to Emploi-Québec after paying the required fee.

§2. *Qualification Examination*

12. In order to be eligible for the qualification examination, an apprentice must have completed the apprenticeship prescribed in subdivision 3.

13. In order to be admitted to the qualification examination, a person who, in accordance with section 20, was admitted to apprenticeship in gas piping installation, class 1 or 2 gas appliance techniques or restricted gas appliance maintenance techniques because the person holds an apprenticeship card in electricity, pipe fitting, plumbing, fuel oil burner mechanics or refrigeration systems issued by Emploi-Québec or because the person holds a certificate of competency - apprentice of electrician, pipe fitter or refrigeration specialist issued by the Commission de la construction du Québec must, in addition to meeting the conditions prescribed by section 12, have been issued a certificate of qualification or certificate of competency - journeyman in that qualification.

14. As soon as an apprentice is eligible for a qualification examination, the apprentice must register with Emploi-Québec and pay the required fee.

The apprenticeship card of an apprentice who does not show up for examination without a valid reason will be suspended by Emploi-Québec. The suspension will be lifted as soon as the apprentice shows up for the examination.

15. The content of the qualification examination is designed to verify if an apprentice meets the qualification requirements for carrying on the work mentioned in section 3 for each certificate of qualification and it deals with the elements described in the apprenticeship booklet.

16. An apprentice who fails an examination may write it again on the date determined by Emploi-Québec.

In order to be reaccepted at an examination after three failures, an apprentice must redo and complete the apprenticeship of the qualification elements for which he or she failed the examination.

The examination may not be rewritten less than one month after the preceding examination.

17. An apprentice who, after three failures, does not pass the qualification examination may apply to Emploi-Québec to be issued a restricted certificate of qualification for a part of the activities of a trade or vocation described in Schedule II.

In order to be issued such a certificate, the apprentice must have successfully written the part of the examination corresponding to the part of the activities of the trade or vocation for which he is applying for the issue of a restricted certificate of qualification and prove that he has carried on that part of the activities for a number of hours equivalent to the duration prescribed in the apprenticeship booklet for the apprenticeship of that trade or vocation.

Despite section 3, the carrying on of the trade or vocation is then restricted to that part of the activities.

18. The examination of an apprentice who is admitted to an examination under false pretense or who contravenes the good order of the examination, in particular by defrauding, copying or cheating or by cooperating to such manoeuvres is cancelled and the apprentice may not be admitted again to an examination for one year after the date of cancellation of that examination.

§3. *Apprenticeship*

19. Any person wishing to undergo an apprenticeship must register as such and pay the required fee for the issue of an apprenticeship card and apprenticeship booklet.

20. For each certificate of qualification referred to hereunder, a person who wishes to register for apprenticeship must meet the conditions described in the corresponding paragraphs or subparagraphs:

(1) certificate of qualification in gas carburetion techniques: have at least 24 months of experience as a motorized equipment mechanic;

(2) certificate of qualification in gas piping installation:

(a) hold a certificate of qualification or an apprenticeship card in pipe fitting, plumbing, fuel oil burner mechanics issued by Emploi-Québec; or

(b) hold a certificate of competency - journeyman or a certificate of competency - apprentice as a pipe fitter issued by the Commission de la construction du Québec;

(3) Class 1 certificate of qualification in gas appliance techniques:

(a) hold a certificate of qualification or an apprenticeship card in electricity, pipe fitting, plumbing, fuel oil burner mechanics or refrigeration systems issued by Emploi-Québec;

(b) hold a certificate of competency - journeyman or a certificate of competency - apprentice of electrician, pipe fitter or refrigeration specialist issued by the Commission de la construction du Québec;

(c) hold a diploma in gas appliance repair, electromechanics, electrotechniques, building services, stationary engine mechanics or engineering issued by an educational institution recognized by the Minister of Education for the issue of a vocational training diploma; or

(d) hold a Class 2 or 3 certificate of qualification in gas appliance techniques or in restricted gas appliance maintenance techniques;

(4) Class 2 certificate of qualification in gas appliance techniques and certificate of qualification in restricted gas appliance maintenance techniques:

(a) hold a certificate of qualification or an apprenticeship card in electricity, pipe fitting, plumbing, fuel oil burner mechanics or refrigeration systems issued by Emploi-Québec;

(b) hold a certificate of competency - journeyman or a certificate of competency - apprentice of electrician, pipe fitter or refrigeration specialist issued by the Commission de la construction du Québec;

(c) hold a diploma in gas appliance repair, electromechanics, electrotechniques, building services, stationary engine mechanics or engineering issued by an educational institution recognized by the Minister of Education for the issue of a vocational training diploma; or

(d) hold a certificate of qualification in Class 3 gas appliance techniques.

21. The content of the apprenticeship is established in the apprenticeship booklet. For each certificate of qualification, the booklet contains the list of the qualification elements to be acquired and measured in a work environment, the description of required vocational training and the minimum duration of apprenticeship prescribed, necessary for an apprentice to obtain the required vocational qualification to carry out autonomously the work referred to in section 3.

22. Each class of a category of certificate of qualification in stationary engine mechanics requires a separate apprenticeship.

23. In order to complete the apprenticeship, an apprentice must have completed all the qualification elements described in the apprenticeship booklet.

The apprentice is evaluated by a holder of a certificate of qualification required for the work to be evaluated. Both of them must certify that the apprentice masters each qualification element completed.

The educational institution or the employer with which the apprenticeship is carried on certifies, in the apprenticeship booklet, the beginning and end of the apprenticeship period and the number of hours of apprenticeship worked.

24. The apprenticeship in stationary engine mechanics must be done on an installation of stationary engines corresponding at least to the class of the certificate of qualification sought.

A person who wishes to be issued a Class 3, 2 or 1 certificate of qualification in stationary engine mechanics in the energy production category or a Class A certificate in the refrigeration apparatus category must, in addition to meeting the conditions required for the class sought, hold the lower class certificate or have completed the training and the minimum of apprenticeship hours prescribed in the apprenticeship booklet for those classes.

25. The vocational training courses passed by a person may be recognized as equivalent to those required under this Regulation when they meet the vocational training requirements described in the apprenticeship booklet.

26. The duration of the apprenticeship is reduced by a number of hours equal to the number of hours of related experience worked in Canada prior to the registration for apprenticeship that may be proven by the apprentice to Emploi-Québec.

27. A holder of a certificate of qualification issued in Canada requiring certain qualification elements equivalent to those required for a certificate of qualification referred to in section 3 is exempt from the corresponding qualification elements described in the apprenticeship booklet. The holder must, however, pay the fees required for apprenticeship registration.

28. A holder of an apprenticeship card must have it renewed annually, have his or her apprenticeship booklet revised at the latest on his or her birthday and pay the required fee. An apprenticeship card or an apprenticeship booklet need not be renewed or revised within 12 months following its issue.

However, the holder of more than one apprenticeship card seeking the issue of more than one certificate referred to in paragraphs 1 to 10 of section 3 must pay the required fee for the annual renewal of only one apprenticeship card and the revision of only one apprenticeship booklet, whatever the number of apprenticeship cards in trades or vocations referred to in those paragraphs for which renewal is sought. The same applies to the holder of an apprenticeship card in stationary engine mechanics in both categories established in section 4.

29. For as long as the apprentice has not completed the apprenticeship of a qualification element, the apprentice may carry on the work referred to in section 3 for the certificate of qualification sought only under the supervision of the holder of such a certificate of qualification who is on the premises and near the apprentice.

After completing the apprenticeship of a qualification element and for as long as the certificate of qualification has not been issued, the apprentice may carry on that work only under the supervision of the holder of a certificate of qualification required for the supervised work.

DIVISION V VALIDITY AND CONDITIONS FOR THE RENEWAL OF A CERTIFICATE OF QUALIFICATION

30. A certificate of qualification is valid from the date it is issued to the date of the third birthday of the holder following that issue. It may be renewed for two-year periods thereafter.

Despite the first paragraph, the certificate of qualification in cylinder and vehicle refilling is valid from the date it is issued to the date of the tenth birthday of its holder following that issue and it may be renewed for ten-year periods thereafter.

31. A holder of one of the certificates of qualification referred to in paragraphs 1 to 10 of section 3 who qualifies for one of the other certificates referred to in those paragraphs is issued a new certificate for the unexpired period of validity of the first certificate the person holds. The same applies to the holder of a certificate of qualification in stationary engine mechanics in a category that qualifies for a certificate in the other category.

32. A certificate of qualification is renewed upon request by the holder, if the holder has taken the required training, where applicable, under section 33 and pays the required fee for each of the certificates of qualification for which the holder is requesting a renewal.

However, a holder of more than one certificate referred to in paragraphs 1 to 10 of section 3 is required to pay only the required fee for one certificate of qualification whatever the number of certificates of qualification referred to in those paragraphs for which renewal is sought. The same applies to the holder of a certificate of qualification in stationary engine mechanics for both categories established in section 4.

33. In order for a certificate of qualification to be renewed, the holder of such a certificate must take the training courses necessary to maintain his or her qualification. Such training deals in particular with technical developments, work methods or amendments to the laws and regulations likely to influence the carrying out of the work referred to in this Regulation.

When training becomes necessary, Emploi-Québec notifies the holder of a certificate of qualification upon renewal of the certificate. The holder has until the date of the next renewal to complete the required training.

In the case of a certificate of qualification in cylinder and vehicle refilling, the notice may be given at any time by Emploi-Québec and the holder must comply within two years following the sending of the notice.

34. A person whose certificate of qualification has not been renewed for more than four consecutive years must pass a new qualification examination to be issued a certificate of qualification. In case of failure, the person may not be readmitted to the examination unless the person again meets the requirements of the apprenticeship.

35. A person whose certificate of qualification has not been renewed for a period of four consecutive years or less must pay the required fee for the renewal of a certificate of qualification and comply with any training requirements that could be required under section 33 for a certificate to be issued. The certificate is then valid from the date of issue to the second birthday of the holder following such issue.

A person whose certificate of qualification has been expired for more than one year but less than four years must also pay the required fee for the non-continuous renewal of a certificate.

DIVISION VI **FEES**

36. The required fees are as follows :

- | | |
|--|--------|
| (1) registration for apprenticeship and issue of apprenticeship card and apprenticeship booklet : | \$100; |
| (2) annual revision of apprenticeship booklet and renewal of apprenticeship card : | \$50; |
| (3) registration for a qualification examination : | \$100; |
| (4) registration for a make-up examination : | \$50; |
| (5) issue of a certificate of qualification following an exemption from a qualification examination under the second or third paragraph of section 9 or section 10 : | \$50; |
| (6) issue or renewal of a restricted certificate of qualification under section 17 : | \$100; |
| (7) renewal of a certificate of qualification : | \$100; |
| (8) issue of a duplicate of a certificate of qualification : | \$30; |
| (9) non-continuous renewal of a certificate of qualification : | \$50. |

The fees are increased on 1 April of each year according to the rate of increase of the Consumer Price Index for Canada for the period ending on 31 December of the preceding year, as determined by Statistics Canada.

The fees so adjusted are reduced to the nearest dollar if they include a fraction of dollar less than \$0.50; they are increased to the nearest dollar if they include a fraction of dollar equal to or greater than \$0.50.

The Minister shall publish the result of the indexing in Part I of the *Gazette officielle du Québec* and by any other means the Minister considers appropriate.

DIVISION VII **CONTESTATION**

37. Any person who believes he or she is aggrieved by a decision made pursuant to this Regulation may, within 30 days, contest the decision before the construction industry commissioner pursuant to the first paragraph of section 41.1 of the Act.

DIVISION VIII **CONTROL**

38. The holder of a certificate of qualification must notify Emploi-Québec immediately of any change of address.

39. The holder of a certificate of qualification or apprenticeship card must be in possession of it when carrying on work governed by this Regulation.

The holder must show the document upon request to a representative of the Minister or any other person authorized by law to carry out inspections or investigations in the field of manpower qualification.

The holder of a certificate of qualification in stationary engine mechanics must post the original certificate or a duplicate on the work premises.

DIVISION IX **TRANSITIONAL AND FINAL**

40. The following certificates of competency issued under the Order respecting certificates of competency with respect to gas (R.R.Q., 1981, c. D-10 r.2) and in force on 1 January 2007 are held to be, as of that date, the certificates of qualification listed in the following table and are valid until the birthday of the holder in 2008.

Certificate of competency under the Order respecting certificates of competency with respect to gas	Certificates of qualification provided for in this Regulation
Certificate of competency, category 111, Pipe fitter	Certificate of qualification in gas piping installation (GPI) and certificate of qualification, Class 2 gas appliance techniques (GAT-2)
Certificate of competency, category 121, Pipe fitter	Certificate of qualification, Class 3 gas appliance techniques (GAT-3)
Certificate of competency, category 122, General tank installer	Certificate of qualification in receptacle installation techniques (RIT)
Certificate of competency, category 131, Appliance serviceman	Certificate of qualification, Class 1 gas appliance techniques (GAT-1)
Certificate of competency, category 132, General appliance serviceman	Certificate of qualification, Class 1 gas appliance techniques (GAT-1)
Certificate of competency, category 134, "Préposé au service d'appareils"	Certificate of qualification, Class 2 gas appliance techniques (GAT-2)
Certificate of competency, category 223, Bulk carrier and handler	Certificate of qualification in propane handling (PH)
Certificate of competency, category 224, Bulk carrier	Certificate of qualification in propane handling (PH)
Certificate of competency, category 225, "Préposé au remplissage"	Certificate of qualification in cylinder and vehicle filling (CVF)
Certificate of competency, category 226, "Préposé à la carburation"	Certificate of qualification in gas carburetion techniques (GCT)
Certificate of competency, category 312, Supervisor	Certificate of qualification in distribution system control (DSC)
Certificate of competency, category 314, "Préposé à la carburation"	Certificate of qualification in gas carburetion techniques (GCT)

41. A certificate of competency, category 133, General exhaust system installer, issued under the Order respecting certificates of competency with respect to gas and in force on 1 January 2007 is held to be, as of that date, a certificate of qualification in gas appliance techniques, Class 2 restricted to exhaust systems (GAT-2 – ES) and is valid until the birthday of the holder in 2008.

42. A certificate of competency, category 221, Cylinder handler, issued under the Order respecting certificates of competency with respect to gas and in force on 1 January 2007 is held to be, as of that date, a certificate of qualification in propane handling, restricted to cylinder connection (PH – CC) and is valid until the birthday of the holder in 2008. That holder is also admitted, without paying fees, to the qualification examina-

tion required for the issue of the certificate of qualification in propane handling (PH). In case of failure at that examination, the required fee applies for a make-up examination.

43. A certificate of competency, category 222, Cylinder filler, issued under the Order respecting certificates of competency with respect to gas and in force on 1 January 2007 is held to be, as of that date, a certificate of qualification in cylinder and vehicle filling (CVF) and is valid until the birthday of the holder in 2008. That holder is also admitted, without paying fees, to the qualification examination required for the issue of the certificate of qualification in propane handling (PH). In case of failure at that examination, the required fee applies for a make-up examination.

44. A certificate of competency, category 313, “Préposé au remplissage”, issued under the Order respecting certificates of competency with respect to gas and in force on 1 January 2007 is held to be, as of that date, a certificate of qualification in cylinder and vehicle filling, restricted to gas-powered vehicle filling (CVF – GPVF) and is valid until the birthday of the holder in 2008.

45. A certificate of competency with respect to gas bearing the mention “RESTRICTION” issued under the Order respecting certificates of competency with respect to gas and in force on 1 January 2007 is held to be, as of that date, a apprenticeship card corresponding to the certificate of qualification prescribed in this Regulation, according to the equivalences established in sections 40 to 44. An apprenticeship card is issued without any fee to its holder.

46. A stationary engineman’s certificate of the category “heating and steam engines” issued under the Regulation respecting stationary enginemen (R.R.Q., 1981, c. M-6, r.1) and in force on 1 January 2007 is held to be, as of that date, a certificate of qualification in stationary engine mechanics (SEM) of the energy production category of the same class as that of the certificate held and is valid until the expiry date of the certificate it replaces.

A stationary engineman’s certificate of the category “refrigerating apparatus” issued under the Regulation respecting stationary enginemen and in force on 1 January 2007 is held to be, as of that date, a certificate of qualification in stationary engine mechanics (SEM) of the refrigerating apparatus category of the same class as that of the certificate held and is valid until the expiry date of the certificate it replaces.

47. The Class A or B inspector’s qualification certificate issued under the Regulation respecting pressure vessels made by Order in Council 2519-82 dated 3 November 1982 and in force on 1 January 2007 is held to be, as of that date, a certificate of qualification in pressure installation inspection (PII) and is valid until the date of expiry of the certificate it replaces.

48. A person whose stationary engineman’s certificate issued under the Regulation respecting stationary enginemen, certificate of competency issued under the Order respecting certificates of competency with respect to gas or Class A or B inspector’s qualification certificate issued under the Regulation respecting pressure vessels has been expired for more than four years on 1 January 2007 must pass the qualification examination in order to be issued a certificate of qualification provided for in this Regulation. In case of failure, the person may not be readmitted to the examination unless he or she meets the conditions of apprenticeship.

49. A person whose stationary engineman’s certificate issued under the Regulation respecting stationary enginemen, certificate of competency issued under the Order respecting certificates of competency with respect to gas or Class A or B inspector’s qualification certificate issued under the Regulation respecting pressure vessels has been expired for four years or less on 1 January 2007 must pay the required fee for the renewal of a certificate of qualification prescribed by this Regulation to be issued a certificate. That certificate is valid until the second birthday of the holder following the issue.

In addition, a person whose certificate on that date has been expired for more than one year but less than four years must pay the required fee for the non-continuous renewal of a certificate.

50. This Regulation replaces sections 43 to 55, 58 to 64, 78 and 86 of the Regulation respecting pressure vessels made by Order in Council 2519-82 dated 3 November 1982, as regards the personal qualification of the welder and the inspector’s qualification, the Order respecting certificates of competency with respect to gas (R.R.Q., 1981, c. D-10, r.2), except category 311 of title “300 – Distribution”, section 1, Schedule A and the list of categories in Schedule B, sections 17 and 32 of the Regulation respecting gas and public safety (R.R.Q., 1981, c. D-10, r.4), as well as sections 28 to 39, 41 to 60 and Schedule D to the Regulation respecting stationary enginemen (R.R.Q., 1981, c. M-6, r.1) maintained in force by section 216 of the Building Act (R.S.Q., c. B-1.1).

51. This Regulation comes into force on 1 January 2007, except the second, third and fourth paragraphs of section 36, which come into force on 31 December 2007.

SCHEDULE I

(s. 4)

STATIONARY ENGINE AND STATIONARY ENGINE INSTALLATION CLASSIFICATION
FOR CLASSIFYING THE CERTIFICATES OF QUALIFICATION IN STATIONARY ENGINE MECHANICS

Type of machine within the meaning of the Regulation respecting stationary engines	Maximum capacity permitted, in kW					
	Energy production				Refrigerating apparatus	
	Class 4	Class 3	Class 2	Class 1	Class B	Class A
High-pressure boilers	6000	12 000	20 000	All		
Low-pressure steam boilers	6000	12 000	20 000	All		
High or low pressure coiled tube boilers	All					
Low-pressure hot water boilers	All					
Thermal liquid boilers	All					
High-pressure steam generators	All					
Steam engines and turbines	All					
Refrigerating apparatus Group A2, A3, B2 or B3					250	All
Refrigerating apparatus Group A1 or B1					900	All

SCHEDULE II

(s. 17)

PARTS OF THE ACTIVITIES OF A TRADE OR VOCATION FOR WHICH A RESTRICTED CERTIFICATE OF QUALIFICATION MAY BE ISSUED

1. Gas appliance techniques, Class 1 :

— Exhaust systems (GAT – 1 – ES)

2. Gas appliance techniques, Class 2 :

— Exhaust systems (GAT – 2 – ES)

3. Gas appliance techniques, Class 3 :

— Appliance maintenance (GAT – 3 – AM)

— Installation and connection of piping (GAT – 3 – ICP)

— Recreational vehicles and mobile installations (GAT – 3 – RVM)

4. Cylinder and vehicle filling :

— Natural gas-powered vehicle filling (CVF – NGPV)

5. Propane handling :

— Cylinder connection (PH - CC).

6557

Draft Regulation

An Act respecting manpower vocational training and qualification
(R.S.Q., c. F-5)

Manpower vocational training and qualification — Certificates of qualification and apprenticeship — Electricity, pipe fitting, mechanical conveyor systems mechanics and hoisting apparatus operation — Sectors other than the construction industry

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 certificates of qualification and apprenticeship in electricity, pipe fitting, mechanical conveyor systems mechanics and hoisting apparatus operation in sectors other than the construction industry, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to govern admission to apprenticeship, the issue of certificates of qualification and the carrying on of trades or vocations for work in electricity, pipe fitting, mechanical conveyor systems mechanics and hoisting apparatus operation, when it is carried on in fields not governed by the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20). To that end, the Regulation proposes the establishment of 10 certificates of qualification in those fields. It also specifies the conditions under which a restricted certificate of qualification may be issued to an apprentice.

The draft Regulation also proposes fees for qualification, in particular for apprenticeship registration, for a qualification examination and for the renewal of a certificate of qualification. It allows any person who believes he or she is aggrieved by a decision made pursuant to the Regulation to contest the decision within 30 days before the construction industry commissioner.

The draft Regulation also clarifies various notions, replaces the Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors other than the construction industry (R.R.Q., 1981, c. F-5, r.4) and contains various transitional provisions.

The draft Regulation has no negative impact on enterprises, including small and medium-sized businesses.

Further information concerning the draft Regulation may be obtained by contacting Jean-Pierre Tremblay, Direction du développement des compétences en milieu de travail, Emploi-Québec, 800, rue du Square-Victoria, 27^e étage, Montréal (Québec) H4Z 1B7; telephone: (514) 864-3998; fax: (514) 864-2189; e-mail: jean-pierre.tremblay7@messf.gouv.qc.ca

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Employment, Social Solidarity and Family Welfare, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1.

CLAUDE BÉCHARD,
*Minister of Employment, Social Solidarity
and Family Welfare*

Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting, mechanical conveyor systems mechanics and hoisting apparatus operation in sectors other than the construction industry

An Act respecting manpower vocational training and qualification
(R.S.Q., c. F-5, s. 30, 1st par, subpars. a to c, g, h and l and s. 41.1, 1st par.)

DIVISION I INTERPRETATION

1. In this Regulation,

“combustion and heating system” means the piping, apparatuses, accessories and other devices used in any building or installation for the production of energy or heat in any form whatsoever including gravity or forced hot water systems, high-pressure, low-pressure or vacuum steam systems and combustion systems; (*système de chauffage et de combustion*)

“electrical installation” means an electrical installation within the meaning of section 5.03.01 of the Construction Code approved by Order in Council 953-2000 dated 26 July 2000, including baseboard heaters, heating panels and the lighting fixtures connected to the installation; (*installation électrique*)

“fixed crane” means a hoisting apparatus of the fixed type or of the rolling type carrying a suspended load, such as an overhead travelling crane, a gantry crane, a crane, a hoist and a motorized winch; (*appareil de levage stationnaire*)

“mechanical conveyor systems” means apparatus, accessories and other devices generally used or that may be used to transport persons, objects or materials, such as elevators, flying scaffolds, escalators, dumb waiters, passenger ropeways, movable stage platforms, elevators for handicapped persons, rolling sidewalks and other similar devices; (*système de déplacement mécanisé*)

“plumbing system” means piping, apparatus, accessories and other devices necessary for the supply of water, gas or other fluids in any building or installation, except heating and combustion system fluids, refrigerating fluids, refrigeration systems, water mains and sewer networks; (*système de plomberie*)

“supervision” means the overseeing of the work of an apprentice by the holder of a certificate of qualification required for the supervised work and who is available to assist the apprentice. (*supervision*)

DIVISION II SCOPE

2. This Regulation governs admission to apprenticeship, the issue of certificates of qualification and the carrying on of the trades or vocations described in section 3 for work carried on in the fields of electricity, pipe fitting, mechanical conveyor systems and the operation of hoisting apparatus, when the work is carried on in sectors not governed by the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20).

However, it does not apply to the following work :

(1) work for the mounting in a plant of an electrical installation, plumbing system or combustion or heating system in a prefabricated building ;

(2) work carried on in an agricultural exploitation within the meaning of subparagraph 1 of the first paragraph of section 1 of the Act respecting labour relations, vocational training and manpower management in the construction industry ;

(3) work carried on on an electrical installation used to provide the energy for the operation of electric railroads and on the apparatus connected to it ;

(4) work referred to in paragraphs 1 to 4 of section 3 when carried on by a person without compensation, remuneration or any other benefit.

DIVISION III CERTIFICATES OF QUALIFICATION

3. The following certificates of qualification are issued for the carrying on of work described for each certificate :

(1) certificate in electricity (CE) for the construction, renewal, alteration, repair and maintenance of an electrical installation ;

(2) certificate in pipe fitting (CPF) for the installation, renewal, alteration, repair and maintenance of plumbing systems and combustion and heating systems including work referred to in paragraphs 3 and 4 ;

(3) certificate in plumbing (CP) for the installation, renewal, alteration, repair and maintenance of plumbing systems and electric water heaters of 30kW or less with a diameter of 600 millimetres or less ;

(4) certificate in fuel oil burner mechanics (CFBM) for the installation, renewal, alteration, repair and maintenance of fuel oil heating apparatus of 120 kw or less, including burners, fuel and air supply lines and conduits, tanks, pumps, safety and control devices, exhaust systems, chimney linings and accessories such as air humidifiers and purifiers ; this certificate does not include work on heat or fluid distribution systems ;

(5) certificate in refrigeration systems (CR) for the installation, renewal, alteration, repair and maintenance of refrigeration systems of a capacity of 200 watts or more, including the piping, apparatus, accessories and other devices necessary for the production of cold by the systems and for the distribution of the fluids and refrigerating mediums, as well as work on ventilation and combustion and heating systems when they are an integral part of an air conditioning or refrigeration system ;

(6) certificate in mechanical conveyor systems mechanics (CMCSM) for work referred to in paragraphs 7 and 9 ;

(7) certificate in elevator mechanics (CEM) for the installation, renewal, alteration, repair and maintenance on elevators and other mechanical conveyor systems including the operation of a temporary or unfinished system and the electrical connection of the apparatus or accessories to the main line distribution panel specific to the mechanical conveyor systems, except work referred to in paragraphs 8 and 9 ;

(8) certificate in elevating platform mechanics (CEPM) for the installation, renewal, alteration, repair and maintenance on lifts for handicapped persons referred to in Standard CAN/CSA-B355 “Lifts for Persons with Physical Disabilities” and in Standard CAN/CSA-B613 “Private Residence Lifts for Persons with Physical Disabilities” including the operation of a temporary or unfinished system and the electrical connection of the apparatus and accessories to the main line distribution panel specific to the mechanical conveyor system;

(9) certificate in passenger ropeway mechanics (CPRM) for the installation, renewal, alteration, repair and maintenance of passenger ropeways such as chair lifts, aerial tramways and ski lifts including the operation of a temporary or unfinished system and the electrical connection of the apparatus and accessories to the main line distribution panel specific to the mechanical conveyor system;

(10) certificate in fixed crane operation (CFCO) for the operation of a fixed crane with a capacity greater than 15 metric tons or with a lesser capacity for the hoisting of complex loads whose fixation points have not been determined by an engineer or the manufacturer of the load or where the load is a high-risk product such as burning, corrosive or explosive substances.

4. For work on propane piping and work on the combustion systems of gas apparatus, the holder of a Class 3 or 4 certificate of qualification in gas appliance techniques or the holder of a certificate of qualification in receptacle installation techniques issued under the Regulation respecting certificates of qualifications and apprenticeship regarding gas, stationary engines and pressure vessels, made by Order in Council (*insert the number and date of the Order in Council making the Regulation*), need not obtain a certificate in pipe fitting or refrigeration systems.

5. A certificate of qualification or of competency or an apprenticeship card issued by the Commission de la construction du Québec or issued outside Québec and recognized as equivalent by the Gouvernement du Québec under an intergovernmental agreement concerning manpower mobility or recognition of qualification, skills or work experience in trades or vocations, is held to be, as long as it is in force, a certificate of qualification or apprenticeship card required under this Regulation on the condition that it pertains to a trade or vocation which, under such an intergovernmental agreement or pursuant to it, is held to be a trade or vocation referred to in section 3.

If the holder of a certificate referred to in the first paragraph applies for the issue of a certificate of qualification corresponding to such an equivalence, the holder must pay the required fee for the issue of the certificate of qualification after being exempted from the qualification examination.

DIVISION IV **CONDITIONS FOR THE ISSUE OF A** **CERTIFICATE OF QUALIFICATION**

§1. General

6. In order to be issued a certificate of qualification referred to in paragraphs 1 to 5 and 7 to 9 of section 3, an apprentice must complete the apprenticeship period and pass the qualification examination prescribed for that certificate.

In order to be issued a certificate of qualification for mechanical conveyor systems mechanics provided for in paragraph 6 of section 3, a person must hold the certificates referred to in paragraphs 7 to 9 of that section. If the person meets that condition, the person is exempt from the qualification examination and apprenticeship prescribed by subdivisions 2 and 3 for that certificate of qualification which is issued to the person to replace the certificates the person holds.

In order to be issued a certificate of qualification for the operation of fixed cranes provided for in paragraph 10 of section 3, an apprentice must complete the apprenticeship prescribed for that certificate. The person who meets that condition is exempt from the qualification examination prescribed by subdivision 2. The person must, however, pay the fee for the issue of the certificate of qualification after being exempted from the examination.

7. A holder of a certificate of qualification or competency to whom section 5 does not apply and who holds a certificate issued by the Commission de la construction du Québec or issued in Canada and requiring qualifications equivalent to those required for the issue of a certificate of qualification referred to in section 3, is exempt from the qualification examination required in the first paragraph of section 6. The holder must pay the fee required for the issue of the certificate of qualification after being exempted from the examination.

8. A holder of a certificate of qualification may obtain a duplicate of the certificate on written application to Emploi-Québec after paying the required fee.

§2. Qualification Examination

9. In order to be eligible for the qualification examination, an apprentice must have completed the apprenticeship prescribed in subdivision 3.

10. As soon as an apprentice is eligible for a qualification examination, the apprentice must register with Emploi-Québec and pay the required fee.

The apprenticeship card of an apprentice who does not show up for examination without a valid reason will be suspended by Emploi-Québec. The suspension will be lifted as soon as the apprentice shows up for the examination.

11. The content of the qualification examination is designed to verify if an apprentice meets the qualification requirements for carrying on the work mentioned in section 3 for each certificate of qualification and it deals with the elements described in the apprenticeship booklet.

12. An apprentice who fails an examination may write it again on the date determined by Emploi-Québec.

In order to be reaccepted at an examination after three failures, an apprentice must redo and complete the apprenticeship of the qualification elements for which he or she failed the examination.

The examination may not be rewritten less than one month after the preceding examination.

13. An apprentice who, after three failures, does not pass the qualification examination may apply to Emploi-Québec to be issued a restricted certificate of qualification for a part of the activities of a trade or vocation described in Schedule I.

In order to be issued such a certificate, the apprentice must have passed the part of the examination corresponding to the part of the activities of the trade or vocation for which he is applying for the issue of a restricted certificate of qualification and prove that he has carried on that part of the activities for a number of hours equivalent to the duration prescribed in the apprenticeship booklet for the apprenticeship of that trade or vocation.

Despite section 3, the carrying on of the trade or vocation is then restricted to that part of the activities.

14. The examination of an apprentice who is admitted to an examination under false pretense or who contravenes the good order of the examination, in particular by defrauding, copying or cheating or by cooperating in such manoeuvres is cancelled and the apprentice may not be readmitted to an examination for one year after the date of cancellation of that examination.

§3. Apprenticeship

15. Any person wishing to undergo an apprenticeship must register as such and pay the required fee for the issue of an apprenticeship card and apprenticeship booklet.

16. The content of the apprenticeship is established in the apprenticeship booklet. For each certificate of qualification, the booklet contains the list of the qualification elements to be acquired and measured in a work environment, the description of required vocational training and the minimum duration of apprenticeship prescribed, necessary for an apprentice to obtain the required vocational qualification to carry on autonomously the work referred to in section 3.

17. In order to complete the apprenticeship, an apprentice must have completed all the qualification elements described in the apprenticeship booklet.

The apprentice is evaluated by a holder of a certificate of qualification required for the work to be evaluated. Both of them must certify that the apprentice masters each qualification element completed.

The educational institution or the employer with which the apprenticeship is carried on certifies, in the apprenticeship booklet, the beginning and end of the apprenticeship period and the number of hours of apprenticeship worked.

18. The vocational training courses passed by a person may be recognized as equivalent to those required under this Regulation when they meet the vocational training requirements described in the apprenticeship booklet.

19. The duration of the apprenticeship is reduced by a number of hours equal to the number of hours of related experience worked in Canada prior to the registration for apprenticeship that may be proven by the apprentice to Emploi-Québec.

20. A holder of a certificate of qualification issued in Canada requiring certain qualification elements equivalent to those required for a certificate of qualification referred to in section 3 is exempt from the corresponding qualification elements described in the apprenticeship booklet. The holder must, however, pay the fees required for apprenticeship registration.

21. A holder of an apprenticeship card must have it renewed annually, have his or her apprenticeship booklet revised at the latest on his or her birthday and pay the required fee. An apprenticeship card or an apprenticeship booklet need not be renewed or revised within 12 months following its issue.

22. For as long as the apprentice has not completed the apprenticeship of a qualification element, the apprentice may carry on the work referred to in section 3 for the required certificate of qualification only under the supervision of the holder of such a certificate of qualification who is on the premises and near the apprentice.

After completing the apprenticeship of a qualification element and for as long as the certificate of qualification has not been issued, the apprentice may carry on that work only under the supervision of the holder of a certificate of qualification required for the supervised work.

DIVISION V VALIDITY AND CONDITIONS FOR THE RENEWAL OF A CERTIFICATE OF QUALIFICATION

23. A certificate of qualification is valid from the date it is issued to the date of the third birthday of the holder following that issue. It may be renewed for two-year periods thereafter.

Despite the first paragraph, the certificate of qualification for fixed-type cranes is valid from the date it is issued to the date of the tenth birthday of the holder following that issue and it may be renewed for ten-year periods thereafter.

24. A holder of one of the certificates of qualification referred to in paragraphs 3 and 4 of section 3 who qualifies for the other certificate referred to in those paragraphs or a holder of one of the certificates of qualification referred to in paragraphs 7 to 9 of that section who qualifies for one of the other certificates referred to in those paragraphs is issued a new certificate for the unexpired period of validity of the first certificate that person holds.

25. A certificate of qualification is renewed upon request by the holder, if the holder has taken the required training, where applicable, under section 26 and pays the required fee for each of the certificates of qualification for which the holder is requesting a renewal.

However, a holder of a certificate of qualification referred to in paragraphs 3 and 4 of section 3 or a holder of more than one certificate referred to in paragraphs 7 to 9 of that section is required to pay the fee for only one certificate of qualification, whatever the number of certificates referred to in those paragraphs for which he is requesting a renewal.

26. In order for a certificate of qualification to be renewed, the holder of such a certificate must take the training courses necessary to maintain the qualification. Such training deals in particular with technical developments, work methods or amendments to the laws and regulations likely to influence the carrying on of the work referred to in this Regulation.

When training becomes necessary, Emploi-Québec notifies the holder of a certificate of qualification upon renewal of the certificate. The holder has until the date of the next renewal to complete the required training.

In the case of a certificate of qualification for fixed cranes, the notice may be given at any time by Emploi-Québec and the holder must comply within two years following the sending of the notice.

27. A person who passes the qualification examination for pipe fitting need not request the renewal of his or her certificate of qualification in plumbing or fuel oil burner mechanics if the person holds such a certificate.

28. A person whose certificate of qualification has not been renewed for more than four consecutive years must pass a new qualification examination to be issued a certificate of qualification. In case of failure, the person may not be readmitted to the examination unless the person again meets the requirements of the apprenticeship.

29. A person whose certificate of qualification has not been renewed for a period of four consecutive years or less must pay the required fee for the renewal of a certificate of qualification and comply with any training requirements that could be required under section 26 for a certificate to be issued. The certificate is then valid from the date of issue to the second birthday of the holder following such issue.

A person whose certificate of qualification has been expired for more than one year but less than four years must also pay the required fee for non-continuous renewal of a certificate.

DIVISION VI FEES

30. The required fees are as follows:

- | | |
|---|--------|
| (1) registration for apprenticeship and issue of apprenticeship card and apprenticeship booklet: | \$100; |
| (2) annual revision of apprenticeship booklet and renewal of apprenticeship card: | \$50; |
| (3) registration for a qualification examination: | \$100; |
| (4) registration for a make-up examination: | \$50; |
| (5) issue of a certificate of qualification following an exemption from a qualification examination under the second paragraph of section 5, the third paragraph of section 6 or section 7: | \$50; |
| (6) issue or renewal of a restricted certificate of qualification under section 13: | \$100; |
| (7) renewal of a certificate of qualification: | \$100; |
| (8) issue of a duplicate of a certificate of qualification: | \$30; |
| (9) non-continuous renewal of a certificate of qualification: | \$50. |

The fees are increased on 1 April of each year according to the rate of increase of the Consumer Price Index for Canada for the period ending 31 December of the preceding year, as determined by Statistics Canada.

The fees so adjusted are reduced to the nearest dollar if they include a fraction of dollar less than \$0.50; they are increased to the nearest dollar if they include a fraction of dollar equal to or greater than \$0.50.

The Minister shall publish the result of the indexing in Part I of the *Gazette officielle du Québec* and by any other means the Minister considers appropriate.

DIVISION VII CONSTESTATION

31. Any person who believes he or she is aggrieved by a decision made pursuant to this Regulation may, within 30 days, contest the decision before the construction industry commissioner pursuant to the first paragraph of section 41.1 of the Act.

DIVISION VIII CONTROL

32. The holder of a certificate of qualification must notify Emploi-Québec immediately of any change of address.

33. The holder of a certificate of qualification or an apprenticeship card must be in possession of it when carrying on work governed by this Regulation.

The holder must show the document upon request to a representative of the Minister or any other person authorized by law to carry on inspections or investigations in the field of manpower qualification.

DIVISION IX TRANSITIONAL AND FINAL

34. A certificate of qualification issued under the Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors other than the construction industry (R.R.Q., 1981, c. F-5, r.4) and in force on 1 January 2007 is held to be, from that date, the certificate of qualification listed in the following table and is valid until the expiry of the certificate it replaces.

Qualification certificates issued under the Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors other than the construction industry	Certificates of qualification provided for in this Regulation
Qualification certificate of electrician	Certificate of qualification in electricity (CE)
Qualification certificate of pipe fitter, specialty of the plumber	Certificate of qualification in plumbing (CP)
Qualification certificate of pipe fitter, specialty of the sprinkler installer	Certificate of qualification in plumbing (CP)
Qualification certificate of pipe fitter, specialty of the heating systems installer	Certificate of qualification in pipe fitting (CPF)
Qualification certificate of pipe fitter, specialty of refrigeration	Certificate of qualification in refrigeration systems (CR)
Qualification certificate of elevator mechanics	Certificate of qualification in mechanical conveyor systems mechanics (CMCSM)
Qualification certificate of electrical machinery operator, crane category	Certificate of qualification in fixed crane operation (CFCO)
Qualification certificate of electrical machinery operator, shovel category	Certificate of qualification in fixed crane operation (CFCO)
Qualification certificate of electrical machinery operator, winch category	Certificate of qualification in fixed crane operation (CFCO)
Qualification certificate of electrical machinery operator, overhead crane category	Certificate of qualification in fixed crane operation (CFCO)
Qualification certificate of electrical machinery operator, derrick category	Certificate of qualification in fixed crane operation (CFCO)
Qualification certificate of oil burner installer	Certificate of qualification in fuel-oil burner mechanics (CFOBM)

35. An apprenticeship booklet and an apprenticeship card issued before 1 January 2007 remain in force until the date provided for the revision of the booklet and are held to be, as of 1 January 2007, the apprenticeship booklet and apprenticeship card corresponding to the certificates of qualification provided for in this Regulation, according to the equivalence established in section 34.

An apprentice who completes apprenticeship between 1 January 2007 and 31 December 2008, according to the duration and periods prescribed by section 15 and Schedule C to the Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors other than the construction industry as it reads on 31 December 2006 is considered as completing the apprenticeship under this Regulation.

During the same period, the apprentice may apply to Emploi-Québec to convert the apprenticeship booklet issued under the Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors other than the construction industry to an apprenticeship booklet provided for in this Regulation.

36. An attestation of experience issued under section 20 of the Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors other than the construction industry and in force on 1 January 2007 is held to be, as of that date, the corresponding certificate of qualification listed in the following table and is valid until the date of expiry of the attestation it replaces.

Attestations of experience issued under the Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors other than the construction industry

Certificates of qualification prescribed by this Regulation

Attestation of experience of oil burner installer	Certificate of qualification in fuel-oil burner mechanics (CFOBM)
Attestation of experience of maintenance electrician	Certificate of qualification in electricity restricted to maintenance (CE-M)
Attestation of experience of ferry electrician	Certificate of qualification in electricity restricted to ship electricity (CE-S)
Attestation of experience of road lighting electrician	Certificate of qualification in electricity restricted to outdoor lighting (CE-OL)
Attestation of experience of electrician (no mention)	Certificate of qualification in electricity restricted to maintenance (CE-M)
Attestation of experience of overhead crane operator	Certificate of qualification in fixed crane operation (CFCO)
Attestation of experience of crane operator	Certificate of qualification in fixed crane operation (CFCO)
Attestation of experience of shovel operator	Certificate of qualification in fixed crane operation (CFCO)
Attestation of experience of plumber	Certificate of qualification in plumbing (CP)
Attestation of experience of heating systems installer	Certificate of qualification in pipe fitting restricted to combustion and heating systems (CPF-CHS)
Attestation of experience of sprinkler installer	Certificate of qualification in pipe fitting restricted to fire prevention systems (CPF-FPS)
Attestation of experience of refrigeration specialist	Certificate of qualification in refrigeration systems (CR)
Attestation of experience of elevator mechanic	Certificate of qualification in elevator mechanics (CEM)

37. A person whose attestation of experience or certificate of qualification issued under the Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors other than the construction industry has been expired for more than four years before 1 January 2007 must pass the qualification examination to obtain a certificate of qualification prescribed by this Regulation. In case of failure, the person may not be readmitted to the examination unless he or she meets the conditions of apprenticeship.

38. A person whose attestation of experience or certificate of qualification issued under the Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors

other than the construction industry has been expired for four years or less on 1 January 2007 must pay the required fee for the renewal of a certificate of qualification prescribed by this Regulation for a certificate to be issued. The certificate is valid until the date of the second birthday of the holder following that issue.

In addition, a person whose certificate or attestation has, on that date, been expired for more than one year but less than four years must pay the required fee for the non-continuous renewal of a certificate.

39. This Regulation replaces the Regulation respecting the vocational training and qualification of manpower, covering electricians, pipe fitters, elevator mechanics and electrical machinery operators in sectors other than the construction industry (R.R.Q., 1981, c. F-5, r.4).

40. This Regulation comes into force on 1 January 2007, except the second, third and fourth paragraphs of section 30, which come into force on 31 December 2007.

SCHEDULE I

(s. 13)

PARTS OF THE ACTIVITIES OF A TRADE OR VOCATION FOR WHICH A RESTRICTED CERTIFICATE OF QUALIFICATION MAY BE ISSUED

1. Electricity

- Temporary Installations Electricity (CE-TI)
- Maintenance Electricity (CE-M)
- Ship Electricity (CE-S)
- Outdoor Lighting Electricity (CE-OL)

2. Piping

- Fire Prevention Systems (CPF-FPS)
- Combustion and Heating Systems (CPF-CHS)
- Maintenance and Repair of Plumbing Fixtures (CPF-MRPF)
- Maintenance and Repair of Industrial Piping (CPF-MRIP)

6558

Draft Regulation

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

Agrologists

- Code of ethics
- Amendment

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 Code of ethics of agrologists”, adopted by the Bureau of the Ordre des agronomes du Québec, may be submitted to the government, which may approve it with or without amendment upon the expiry of 45 days following this publication.

This draft regulation amends the Code of ethics of agrologists in order to introduce therein provisions setting out the conditions and terms according to which a professional may disclose confidential information in order to prevent an act of violence. This amendment became necessary as a result of the new provisions introduced into the Code by Chapter 78 of the Statutes of Quebec of 2001, An Act to amend various legislative provisions as regards the disclosure of confidential information to protect individuals (Bill 180). Specifically, this draft regulation provides that the member disclosing confidential information pursuant to the third paragraph of Section 60.4 of the Code must do so forthwith. The draft regulation then sets out the information which must be included in the record of the client in question.

The Ordre does not expect these amendments to have any impact on businesses, including small- to medium-sized businesses.

Further information may be obtained by contacting, madame Louise Rougeau, secrétaire, Ordre des agronomes du Québec, 1001, rue Sherbrooke Est, bureau 810, Montréal (Québec) H2L 1L3; telephone: (514) 596-3833, ext. 29 or 1 800 361-3833; fax: (514) 596-2974.

Any interested person having comments to make is requested to send them, before the expiry of the 45-day period, to the President of the Office des professions du Québec, 800, place D’Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the minister responsible for the administration of legislation governing the professions. They may also be forwarded to the professional order that has adopted the regulation, as well as to the persons, departments, and agencies concerned.

GAÉTAN LEMOYNE,
*Chairman of the Office des
professions du Québec*

Regulation amending the Code of ethics of agrologists*

Professional Code
(R.S.Q., c. C-26, s. 87)

1. The Code of ethics of agrologists is amended by adding, after subdivision 6 of Division III, the following subdivision:

“**§6.1.** *Lifting professional secrecy in order to ensure the protection of persons*

35.1. The agrologist may, in addition to the cases provided for in section 35, communicate information that is protected by professional secrecy, in order to prevent an act of violence, including a suicide, where the agrologist has reasonable cause to believe that there is an imminent danger of death or serious bodily injury to a person or an identifiable group of persons. However, the agrologist may only communicate the information to a person exposed to the danger or that person’s representative, and to persons that can come to that person’s aid. The agrologist may only communicate such information as is necessary to achieve the purposes for which the information is communicated.

35.2. The agrologist who, pursuant to section 35.1, communicates information that is protected by professional secrecy in order to prevent an act of violence, shall:

- (1) communicate the information forthwith;
- (2) include as soon as possible in the client’s record the following information:
 - (a) the grounds supporting the decision to disclose the information;
 - (b) the purpose of the disclosure, the means of communication used and the identity of the person to whom the information was disclosed.”

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

6562

Draft Regulation

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

Physical therapists and physical rehabilitation therapists

— Professional activities that may be engaged in by persons other than physical therapists or physical rehabilitation therapists

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Ordre professionnel de la physiothérapie du Québec, at its meeting held on 17 September 2004, adopted the Regulation respecting the professional activities that may be engaged in by persons other than physical therapists or physical rehabilitation therapists.

The Regulation was transmitted to the Office des professions du Québec for examination pursuant to section 95 of the Professional Code (R.S.Q., c. C-26). It will then be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment, under the same section, on the expiry of 45 days following this publication.

According to the Ordre professionnel de la physiothérapie du Québec, it is necessary to make the Regulation because of the new professional activities that have been reserved for physical therapists and physical rehabilitation therapists, following the coming into force of the Act to amend the Professional Code and other legislative provisions as regards the health sector (2002, c. 33). More specifically, the Regulation

(1) determines, among the professional activities that may be engaged in by physical therapists and physical rehabilitation therapists, those that may be engaged in by a student registered in the program of studies leading to a diploma giving access to a permit issued by the Ordre professionnel de la physiothérapie du Québec or a candidate for the practice of the profession with a view to obtaining diploma or training equivalence; and

(2) specifies the terms and conditions on which such persons may engage in such activities;

(3) specifies the conditions on which a teacher or training supervisor may supervise such activities.

In the opinion of the Order, the Regulation has no impact on businesses, including small and medium-sized businesses.

* The Code of ethics of agrologists was approved by Order in Council No. 919-2002 dated August 21, 2002 (2002, G.O. 2, 5959). The Regulation has not been amended since.

Further information may be obtained by contacting madame Louise Bleau, secrétaire générale, Ordre professionnel de la physiothérapie du Québec, 7101, rue Jean-Talon Est, bureau 1120; telephone: 1 800 361-2001, ext. 236; fax: (514) 351-2658.

Any person having comments to make on the text reproduced below is asked to send them, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order that adopted the Regulation, namely the Ordre professionnel de la physiothérapie du Québec, as well as to interested persons, departments and bodies.

GAÉTAN LEMOYNE,
*Chair of the Office des
professions du Québec*

Regulation respecting the professional activities that may be engaged in by persons other than physical therapists or physical rehabilitation therapists

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

1. Among the professional activities that may be engaged in by physical therapists or physical rehabilitation therapists, the activities required for the completion of a program of studies leading to a diploma giving access to a permit issued by the Ordre professionnel de la physiothérapie du Québec may be engaged in by a student registered in the program, on the condition that the student does so under the supervision of a teacher or training supervisor who is available to intervene at short notice.

2. Among the professional activities that may be engaged in by physical therapists or physical rehabilitation therapists, the activities required for the completion of training that would allow a person referred to in section 4 of the Regulation respecting the standards for equivalence of diplomas and training for the issue of a physical therapist's permit or a physical rehabilitation therapist's permit, approved by Order in Council 1257-96 dated 2 October 1996, to obtain diploma or training equivalence may be engaged in by the person, on the condition that the person does so under the supervision of a teacher or training supervisor who is available to intervene at short notice.

3. The teacher or training supervisor referred to in sections 1 and 2 must meet the following conditions:

(1) be a member of the Ordre professionnel de la physiothérapie du Québec;

(2) not have been the subject of any penalty imposed by the committee on discipline or the Order or by the Professions Tribunal; and

(3) not have been required by the Bureau, on the recommendation of the professional inspection committee or the committee on discipline, to serve a refresher training period or course pursuant to section 55 of the Professional Code (R.S.Q., c. C-26) in the three years preceding the date as of which he or she supervises as a teacher or training supervisor.

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

6561

