

(2) is no longer involved in the carrying on of an electrical contractor business; and

(3) has distinguished himself or herself through exceptional services rendered to the Corporation within a section or on a province-wide basis.

19. An honorary member's certificate is irrevocable. It only entitles its holder

(1) to receive calls to meetings and other correspondence pertaining to the meetings of the Corporation and the meetings of the members in the section in which the honorary member resides;

(2) to attend the meetings of the Corporation and the meetings of the members in the section in which the honorary member resides, without voting rights; and

(3) to receive certain of the Corporation's publications.

DIVISION V **TRANSITIONAL AND FINAL**

20. During the 12 months following the coming into force of this Regulation, the annual assessment payable under the first paragraph of section 7 on the renewal of an electrical contractor's licence is established in proportion to the number of months elapsed since 1 August preceding the licence renewal date.

During the 12 months following the coming into force of this Regulation, the annual assessment payable under the second paragraph of section 7 to maintain an electrical contractor's licence is established in proportion to the number of months elapsed since 1 August preceding the issuance anniversary date.

21. This Regulation replaces sections 3 to 3.5, 5 to 9, 12, 13, 159 to 168, 171 and 172 of the Regulation of the Corporation of Master Electricians of Québec (R.R.Q., 1981, c. M-3, r.2).

22. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except the second paragraph of section 7, the second paragraph of section 12 and the second paragraph of section 20, which come into force at the same time as paragraph 2 of section 44 of the Act to amend the Building Act and other legislative provisions (2005, c. 22).

Draft Regulation

Master Electricians Act
(R.S.Q., c. M-3)

Corporation of Master Electricians of Québec — Committees

Notice is hereby given, in accordance with section 13 of the Master Electricians Act (R.S.Q., c. M-3) and sections 10, 11 and 26 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the committees of the Corporation of Master Electricians of Québec, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The Corporation advises that the Regulation, adopted simultaneously with the regulations respecting admission as members, discipline of the members, sections and the internal management of the Corporation, repeats most of the rules contained in the regulation currently in force. In addition to regrouping the general provisions applicable to the committees of the Corporation, it provides for special rules for the appointment of the members of certain committees, in order to ensure their independence and impartiality, and specifies the cases where persons are disqualified from sitting on the committees of the Corporation.

The Corporation foresees no significant impact on the enterprises that are members.

Further information may be obtained by contacting Yvon Guilbault, Executive Vice President, Corporation of Master Electricians of Québec, 5925, boulevard Décarie, Montréal (Québec) H3W 3C9; telephone: 514 738-2184; fax: 514 738-2192; e-mail: yvon.guilbault@cmeq.org

Any interested person having comments to make on the Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1. The comments will be sent by the Minister to the Corporation of Master Electricians of Québec.

DAVID WHISSELL,
Minister of Labour

Regulation respecting the committees of the Corporation of Master Electricians of Québec

Master Electricians Act
(R.S.Q., c. M-3, s. 12, par. 1, subpars. *h* and *i*)

DIVISION I GENERAL

1. The Provincial Council of Administration of the Corporation of Master Electricians of Québec appoints the members of every committee.

2. A member of the council of the Corporation may not be a member of the committee on discipline, the appeals committee, the qualification committee or the review committee.

3. Each member of a committee, other than a member of the committee on discipline, the appeals committee, the qualification committee or the review committee, remains in office until replaced or reappointed.

Subject to the first paragraph, at its sitting following the annual meeting, the council must revise the list of members on the committees to make any appointments and changes it considers expedient to make.

The resignation of a committee member must be made by a notice in writing. It takes effect on the date on which the notice is received.

4. The acts and proceedings of a committee may be reviewed by the council or the executive committee, except those of the nominating and election committee, the complaints examination committee, the committee on discipline, the appeals committee, the qualification committee and the review committee.

5. The members of the committee on discipline, the appeals committee, the qualification committee and the review committee are appointed by the council for a three-year term.

Despite the expiry of term, a member of one of those committees may, however, continue to hear a matter under his or her consideration.

The members of the other committees are appointed for a one-year term.

6. The executive committee may for cause, including illness or absence, dismiss any member of a committee. Such a dismissal must be approved by the council.

7. The executive committee fills any vacant seat on a committee. Such an appointment must be approved by the council.

8. The number of members of a committee may be increased by the executive committee or the council.

9. The executive vice-president may designate an employee of the Corporation as the coordinator of a committee or as a resource person or secretary for that committee. That person has no decision-making power.

10. A committee sits when the need arises.

11. Each committee must record the minutes of its sittings and on request, report on its activities to the executive committee and the council.

12. A committee has an advisory or a decision-making role.

13. Each member of a committee must sign the oath of discretion in Schedule I.

A committee member who violates the oath is dismissed from the committee by resolution of the council.

14. A member of the complaints examination committee is disqualified from sitting and a member of the committee on discipline, the appeals committee, the qualification committee or the review committee is disqualified from sitting and must refrain from taking part in a hearing if

(1) the member is a relative of an officer of the member mentioned in the complaint by blood or by alliance to the degree of cousin-german;

(2) there is a mortal enmity between the member and the member mentioned in the complaint;

(3) the member is a relative by blood or by alliance of the attorney of one of the parties;

(4) the member is a party to a dispute regarding the issue involved in the complaint; or

(5) the member has tendered for the project involved in the complaint under investigation.

A ground for disqualification or recusation must be raised at the first opportunity and be dealt with immediately.

DIVISION II COMMITTEES

15. The committees of the Corporation are

- (1) the nominating and election committee;
- (2) the legislation and regulation committee;
- (3) the committee on the professional development of master electricians and manpower training;
- (4) the audit committee;
- (5) the complaints examination committee;
- (6) the committee on discipline;
- (7) the appeals committee;
- (8) the qualification committee; and
- (9) the review committee.

§1. Nominating and election committee

16. The nominating and election committee is composed of five members. It is a decision-making committee that performs the functions set out in Division VI of the Regulation respecting the internal management of the Corporation of Master Electricians of Québec, approved by Order in Council (*insert the number and date of approval of the Order in Council*).

The decisions of the committee are made by a majority.

§2. Legislation and regulation committee

17. The legislation and regulation committee is composed of nine members. It is an advisory committee that performs the following functions at the request of the executive committee:

- (1) it examines all legislation and regulations relevant to the activities of the Corporation's members;
- (2) it examines and coordinates every resolution of the council regarding the legislation and regulations relevant to the activities of the Corporation's members; and
- (3) it makes recommendations to the council on amendments to the Act and the Corporation's regulations or to any other Act or regulation relevant to the activities of electrical contractors.

§3. Committee on the professional development of master electricians and manpower training

18. The committee on the professional development of master electricians and manpower training is composed of five members.

It is an advisory committee that performs its mandate of seeing to the development of master electricians under the name "Institute for the development of master electricians".

It may take part in the preparation of courses to upgrade the skills of master electricians and any training program relating to apprenticeship in the trade of electrician.

§4. Audit committee

19. The audit committee is composed of five members. Members of the executive committee may not sit on the audit committee, although the treasurer of the Corporation attends its sittings without voting rights.

The audit committee is an advisory committee having the following functions:

- (1) it examines the Corporation's financial statements;
- (2) it examines the Corporation's budget before it is submitted by the executive committee to the council and at the Corporation's annual meeting;
- (3) it examines the financial statements of the sections of the Corporation and makes recommendations concerning them to the section council, the executive committee and the council;
- (4) it verifies the Corporation's expenditures against administrative authorizations, the budget and the regulations of the Corporation, and makes recommendations and observations to the executive committee and the council concerning any discrepancies noted;
- (5) it ensures the books of the Corporation are audited by independent auditors; and
- (6) it monitors the performance of the Corporation's investment funds.

The audit committee may submit to the executive committee any observation or recommendation arising out of its functions.

§5. *Complaints examination committee*

21. The complaints examination committee is composed of five members. It is a decision-making committee and its decisions are made by a majority. The complaints examination committee has the following functions:

(1) it decides whether a complaint filed with it is admissible;

(2) it requests any document or information necessary to perform its functions; and

(3) it requests that the member who is the subject of the complaint be called by the Corporation before the committee on discipline or the qualification committee or that proceedings be instituted by the Corporation pursuant to section 28 of the Act.

22. A member of the committee on discipline, the appeals committee, the qualification committee or the review committee may not be appointed to the complaints examination committee.

§6. *Committee on discipline*

23. The committee on discipline is composed of five members and may sit with three or five members.

It is a decision-making committee having the functions set out in the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec, approved by Order in Council (*insert the number and date of approval of the Order in Council*).

Its decisions are made by a majority.

24. A member of the complaints examination committee or the appeals committee may not be appointed to the committee on discipline.

§7. *Appeals committee*

25. The appeals committee is composed of five members and may sit with three or five members.

It is a decision-making committee having the functions set out in the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec.

Its decisions are made by a majority.

26. A member of the complaints examination committee or the committee on discipline may not be appointed to the appeals committee.

§8. *Qualification committee*

27. The qualification committee is composed of five members and may sit with three or five members.

It is a decision-making committee that hears any matter submitted to it involving a refusal to issue or renew an electrical contractor's licence or the suspension or cancellation of a licence, if the Corporation has entered into an agreement pursuant to paragraph 1 of section 9.1 of the Act.

Its decisions are made by a majority.

Sections 8, 12 to 19 and 25 of the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec apply to the qualification committee, with the necessary modifications.

28. A member of the complaints examination committee or the review committee may not be appointed to the qualification committee.

§9. *Review committee*

29. The review committee is composed of five members and may sit with three or five members.

It hears and decides every application for review of a decision of the qualification committee.

Its decisions are made by a majority.

Sections 12 to 19, 25 and 30 of the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec apply to the review committee, with the necessary modifications.

30. A member of the complaints examination committee or the qualification committee may not be appointed to the review committee.

DIVISION III TRANSITIONAL AND FINAL

31. This Regulation replaces sections 52 to 78 and 101 to 102.2 of the Regulation of the Corporation of Master Electricians of Québec (R.R.Q., 1981, c. M-3, r.2).

However, a member of the Corporation may continue to use the title of electric heating specialist if the member has a permanent and full-time employee who holds an electric heating specialization certificate issued by the Institute for the improvement of the master electrician under section 69 of the Regulation of the Corporation of Master Electricians of Québec.

The holder of the certificate may not allow two members to use the title of electric heating specialist concurrently.

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

SCHEDULE I

(s. 13)

OATH OF DISCRETION

I, _____, declare under oath that I will not reveal or disclose, unless so authorized, anything of a confidential or privileged nature that may come to my knowledge in the performance of my functions.

Signed this _____ day of _____, 20__ .

8203

Draft Regulation

Master Electricians Act
(R.S.Q., c. M-3)

Corporation of Master Electricians of Québec — Discipline of the members

Notice is hereby given, in accordance with section 13 of the Master Electricians Act (R.S.Q., c. M-3) and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec, appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The Corporation advises that the Regulation, adopted simultaneously with the regulations respecting admission as members, the sections, committees and the internal management of the Corporation, repeats most of the rules contained in the regulation currently in force. In addition to regrouping and reformulating the wording of derogatory acts, it amends the rules respecting the processing of complaints and the procedure for disciplinary hearings, and increases the amounts of disciplinary fines as well as the registration fees for appeals of a disciplinary decision.

The Corporation foresees no significant impact on the enterprises that are members.

Further information may be obtained by contacting Yvon Guilbault, Executive Vice President, Corporation of Master Electricians of Québec, 5925, boulevard Décarie, Montréal (Québec) H3W 3C9; telephone: 514 738-2184; fax: 514 738-2192; e-mail: yvon.guilbault@cmeq.org

Any interested person having comments to make on the Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1. The comments will be sent by the Minister to the Corporation of Master Electricians of Québec.

DAVID WHISSELL,
Minister of Labour

Regulation respecting discipline of the members of the Corporation of Master Electricians of Québec

Master Electricians Act
(R.S.Q., c. M-3, s. 12, par. 1, subpar. c and s. 20)

DIVISION I DEROGATORY ACTS

1. In addition to the acts in section 20 of the Master Electricians Act (R.S.Q., c. M-3), a member who commits any of the following is guilty of an act derogatory to the honour of the trade of master electrician and is liable to the disciplinary measures in section 33:

- (1) maliciously damaging the reputation of a colleague;
- (2) filing a frivolous or clearly unfounded complaint against a colleague;
- (3) being disloyal towards the Corporation of Master Electricians of Québec, maliciously damaging its reputation or speaking on its behalf without authorization;
- (4) impairing the work of an employee of the Corporation in the performance of duties or insulting or intimidating an employee in any way;
- (5) failing to reply to communications from the executive vice-president or a person designated by him or her, an investigator or a committee of the Corporation if they request information or explanations on any matter within the purview of the Act and regulations of the Corporation;
- (6) using disloyal and dishonest practices to obtain information on a tender submitted by a colleague;