

“(4.1) an eligible expenditure as salary or wages includes contributions, premiums and assessments paid by an employer in respect of an employee for that salary or those wages, and provided for in the Act respecting industrial accidents and occupational diseases (R.S.Q., c. A-3.001), the Act respecting parental insurance (R.S.Q., c. A-29.011), the Act respecting the Québec Pension Plan (R.S.Q., c. R-9) and the Employment Insurance Act (S.C. 1996, c. 23);”;

(5) by replacing “, trainee or apprentice” in paragraph 5 by “or trainee”;

(6) by replacing “, including the apprentices and, where applicable, the trainees and the teachers” in paragraph 7 by “and, where applicable, trainees or teachers”;

(7) by replacing paragraphs 8 to 11 by the following:

“(8) no part of an expenditure referred to in paragraphs 1 to 3 and 6 of section 1 corresponding to the amount paid or to be paid by the training instructor, in connection with the training given by the training instructor for the benefit of the employer or a person with whom the employer does not deal at arm’s length within the meaning of section 18 of the Taxation Act for the use of premises, facilities or material, or as a consideration for the disposal of property, unless that consideration pertains to the part of the property that was consumed in the training process, is to be calculated;”;

(8) by replacing “expenditure referred to in subparagraphs 1 to 19, 21, 23, 24 and 26 of the first paragraph of section 1” in paragraph 13 by “eligible training expenditure” and by replacing “a day care centre with a permit from the Minister of Families, Seniors and the Status of Women by virtue of section 3 of the Act respecting childcare centres and childcare services (R.S.Q., c. C-8.2)” by “a person holding a childcare centre permit or a day care centre permit issued respectively under section 7 and section 11 of the Educational Childcare Act (R.S.Q., c. S-4.1.1) or accredited as a home childcare coordinating office pursuant to section 40 of that Act”;

(9) by replacing paragraph 14 by the following:

“(14) an eligible training expenditure may not be declared for a year prior to the year for which the training activity was completed.”.

6. Schedule 1 to the Regulation is revoked.

7. This Regulation comes into force on 1 January 2008.

Gouvernement du Québec

O.C. 1061-2007, 28 November 2007

An Act to promote workforce skills development and recognition
(R.S.Q., c. D-7.1)

Training bodies, training instructors and training services

— **Accreditation**

— **Amendments**

Regulation to amend the Regulation respecting the accreditation of training bodies, training instructors and training services

WHEREAS, under subparagraph 1 of the first paragraph of section 20 of the Act to promote workforce skills development and recognition (R.S.Q., c. D-7.1), amended by chapter 3 of the Statutes of 2007, the Commission des partenaires du marché du travail may make regulations to define eligible training expenditures within the meaning of Chapter II of the Act and provide for exclusions, limits or deductions;

WHEREAS, under subparagraph 2 of the first paragraph of section 20 of the Act, the Commission may make regulations to establish rules for the calculation and substantiation of eligible training expenditures applicable to a year;

WHEREAS, under paragraph 2 of section 21 of the Act, a regulation made pursuant to subparagraph 1 of the first paragraph of section 20 may set out the principles, criteria or factors taken into account by the Minister for the purpose of granting accreditation or recognition or the conditions to be fulfilled for that purpose and, where expedient, determine the fees payable and the period for which the accreditation or recognition is valid;

WHEREAS, under paragraph 3 of section 21 of the Act, such a regulation may determine the conditions to be fulfilled by accredited or recognized persons or bodies including the documents and information to be sent to the Minister, related inspections and the conditions on which accreditation or recognition may be renewed, suspended or revoked;

WHEREAS, by Order in Council 764-97 dated 11 June 1997, the Government approved the Regulation respecting the accreditation of training bodies, training instructors and training services;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, on 27 June 2007, the Commission made the Regulation to amend the Regulation respecting the accreditation of training bodies, training instructors and training services;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Regulation to amend the Regulation respecting the accreditation of training bodies, training instructors and training services was published in Part 2 of the *Gazette officielle du Québec* of 5 September 2007 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting the accreditation of training bodies, training instructors and training services, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the accreditation of training bodies, training instructors and training services*

An Act to promote workforce skills development and recognition
(R.S.Q., c. D-7.1, s. 20, 1st par., subpar. 1, and s. 21, pars. 2 and 3)

1. Section 1 of the Regulation respecting the accreditation of training bodies, training instructors and training services is amended in section 1

(1) by replacing the part preceding subparagraph 1 of the first paragraph by the following:

“**1.** A legal person, including a non-profit organization, or a partnership wishing to be accredited as a training body for the purposes of the Act to promote workforce skills development and recognition (R.S.Q., c. D-7.1) must apply in writing to the Minister of Employment and Social Solidarity using the form provided, giving the following information:”;

(2) by replacing “the registration number attributed to it under” in subparagraph 1 of the first paragraph by “its Québec business number assigned under section 21 of”;

(3) by striking out subparagraph 2 of the first paragraph;

(4) by striking out the second paragraph;

(5) by replacing “Société” in the third paragraph by “Minister”.

2. Section 2 is amended by replacing “Société” by “Minister”.

3. Section 3 is amended by replacing “Société” wherever it appears by “Minister”.

4. Section 4 is amended

(1) by replacing “The Société will accredit the training service of an employer subject to the provisions of section 1 of the Act to foster the development of manpower training when it” in the part preceding paragraph 1 by “The Minister is to accredit the training service of an employer subject to the provisions of Division I of the Act if the Minister”;

(2) by striking out paragraph 3;

(3) by replacing “written statement by the representative authorized for this purpose specifying the skills” in paragraph 5 by “description of the skills and qualifications”.

5. Section 5 is amended

(1) by inserting “must demonstrate that it” in the part preceding paragraph 1 after “services”;

(2) by inserting the following before paragraph 1:

“(0.1) identification of training needs;”;

(3) by adding the following paragraph at the end:

“(4) follow-up to training activities.

* The Regulation respecting the accreditation of training bodies, training instructors and training services, approved by Order in Council 764-97 dated 11 June 1997 (1997, *G.O.* 2, 2737), has not been amended since.

6. Section 6 is revoked.

7. Section 7 is amended by replacing “to 6” by “and 5”.

8. Section 8 is amended

(1) by inserting “, du Loisir et du Sport” in paragraph 3 after “Éducation”;

(2) by replacing “, a municipality, an urban community” in paragraph 4 by “et des Régions, a municipality, a metropolitan community”.

9. Section 10 is amended

(1) by replacing the first paragraph by the following:

“**10.** Accredited training bodies and training instructors must inform the Minister without delay of any change in the conditions to be satisfied for accreditation or in the information provided in their initial application for accreditation or in their application for renewal.”;

(2) by replacing “stipulated in the 3rd sub-section” in the second paragraph by “required by the second paragraph”;

(3) by striking out “, at least every 6 months,” in the second paragraph.

10. Sections 16 and 17 are amended by striking out “actively” wherever it appears.

11. The following is inserted after section 17:

“**17.1.** The holder of an accreditation must give to any participant who so requests a detailed statement of the content of the training provided to the participant in the last 24 months.

The first paragraph is applicable to training provided as of 1 January 2008.”.

12. Section 20 is amended by replacing “board of directors of the Société can” by “Minister may” and by replacing “it” by “the Minister”.

13. The first paragraph of section 22 is replaced by the following:

“**22.** The holder of an accreditation wishing to renew the accreditation must apply to the Minister in writing, using the form provided, at least 30 days before the accreditation expires.”.

14. Sections 23 and 24 are replaced by the following:

“**23.** The fees for processing an application for accreditation or a renewal application are

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| (1) for a training body: | \$550; |
| (2) for a non-profit organization: | \$200; |
| (3) for a training instructor: | \$300; |
| (4) for a training service: | \$250; |
| (5) for a multi-employer training service: | \$500.”. |

15. This Regulation comes into force on 1 January 2008.

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Gouvernement du Québec

O.C. 1062-2007, 28 November 2007

An Act to promote workforce skills development and recognition (R.S.Q., c. D-7.1)

Training mutuals

Regulation respecting training mutuals

WHEREAS, under section 8 of the Act to promote workforce skills development and recognition (R.S.Q., c. D-7.1), replaced by section 7 of chapter 3 of the Statutes of 2007, payments made by an employer to a training mutual recognized by the Minister or expenditures incurred with such a mutual are eligible, on the conditions fixed by regulation of the Commission des partenaires du marché du travail as expenditures incurred for the benefit of personnel;

WHEREAS, under subparagraph 1 of the first paragraph of section 20 of the Act, the Commission may make regulations to define eligible training expenditures within the meaning of Chapter II of the Act and provide for exclusions, limits or deductions;

WHEREAS, under paragraph 2 of section 21 of the Act, a regulation made pursuant to subparagraph 1 of the first paragraph of section 20 may set out the principles, criteria or factors taken into account by the Minister for the purpose of granting accreditation or recognition or the conditions to be fulfilled for that purpose and, where expedient, determine the fees payable and the period for which the accreditation or recognition is valid;