

Draft Regulation

Building Act
(R.S.Q., c. B-1.1)

Professional qualification of contractors and owner-builders

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 the professional qualification of contractors and owner-builders, appearing below, may be approved by the Government, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation modernizes the qualification system for building contractors by proposing new competency evaluation standards and a new construction work classification better adapted to the prevailing practices in the construction field. Several of the current 98 licence subcategories are merged thereby reducing their number to 60. The 23 licence subcategories for general contractors are reduced to 11 and the 75 licence subcategories for specialized contractors are reduced to 49 and are classed according to the level of risk involved in the work. The licence subcategories for owner-builders are modified so that owner-builders having construction work carried out become general owner-builders, and owner-builders carrying out the work become specialized owner-builders who may carry out construction work or have it carried out. Lastly, persons or partnerships may hold a contractor's licence and an owner-builder's licence concurrently, and natural persons may apply for a general contractor's licence or an owner-builder's licence on behalf of more than one legal person or partnership on certain conditions.

The draft Regulation proposes that examinations focus more specifically on the knowledge required for the management of an enterprise and, to a lesser degree, on the carrying out of construction work governed by other laws. Examinations will be adapted according to the modifications made to the licence subclasses and will be divided into modules although no exemption will be permitted for a module. Persons who fail a supplemental examination will not be admitted to any new examination before the expiry of a six-month period following the date of the Board's decision regarding the failure. Construction work knowledge will be verified solely for the licence subclasses for high-risk work. It is proposed in the draft Regulation that contractors be exempted from the examination only if they have completed a full training program. Proof of one-year experience as a manager will, however, no longer be required and it will be possible for persons who have acted as a guarantor in

the five years preceding their licence application to be exempted from an examination despite a bankruptcy or an offence under one of the Acts listed in the relevant provision of the draft Regulation.

Under the draft Regulation, all contractors will be required to provide security to compensate clients who sustain a loss as a result of a failure to carry out construction work or the construction work itself. The draft Regulation replaces the security for fraud, embezzlement or misuse of funds that was rarely used by clients because of the difficulty in obtaining the proof required. The new security will be required as soon as the Regulation comes into force although contractors will be allowed to provide the new security in the period between the approval of the Regulation and its coming into force. This formality replaces the production of balance sheets, financial statements and security for fraud.

The draft Regulation is a reflection of the Government's decision to simplify regulations and administration. By significantly reducing procedures it will facilitate dealings on the website of the Régie du bâtiment du Québec.

Lastly, fees for the issue and maintenance of general contractor's licences and general owner-builder's licences are increased to take into account the scope of the work authorized under those licence subclasses. The licence maintenance fees that replace the existing licence renewal fees are reduced by just over \$50. Fees of \$75 are to be paid for a first examination and fees for supplemental examinations are reduced from \$126.75 to \$75.

Transitional measures are provided to ensure the preservation of the rights of certain contractors.

The draft Regulation will have no negative impact on the public or on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Jocelyne Raymond, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 7^e étage, Montréal (Québec) H2M 2V2; telephone: 514 873-0303; fax: 514 873-1939.

Any person wishing to comment on the draft Regulation is requested to submit written comments to Daniel Gilbert, President and Chief Executive Officer, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2, within the 45-day period.

DAVID WHISELL,
Minister of Labour

Regulation respecting the professional qualification of contractors and owner-builders

Building Act
(R.S.Q., c. B-1.1, s. 185, 1st par., subpars. 8 to 18, 19.7, 20 and 38 and s. 192; 2005, c. 22, s. 45)

CHAPTER I INTERPRETATION

1. In this Regulation, “guarantor” means a natural person doing business alone or an officer who shows that, following examinations prescribed by this Regulation or by any other method of evaluation considered appropriate by the Régie du bâtiment du Québec under subparagraph 1 of the first paragraph of section 58 of the Building Act (R.S.Q., c. B-1.1), unless the person or officer is exempt therefrom under that Act or a regulation made thereunder, he or she has the knowledge or relevant experience in managing a building undertaking and in carrying out construction work, or who holds a recognition or attestation issued by the Board under section 58.1 of the Act.

2. A member of a partnership, or in the case of a legal person, a director, officer or shareholder holding 20% or more of the voting shares is deemed to be an officer within the meaning of section 45 of the Act; a full-time manager and, for construction work on an owner-builder’s electrical installation, a journeyman electrician who has carried on the trade of electrician for at least two years, is a full-time employee of the owner-builder and supervises such work on behalf of the owner-builder are also deemed to be officers and are authorized to apply for a licence on behalf of a partnership or legal person.

CHAPTER II LICENCES

DIVISION I LICENCE CLASSES

3. The licence classes are as follows:

- (1) general contractor;
- (2) general owner-builder;
- (3) specialized contractor;
- (4) specialized owner-builder.

4. A general contractor’s licence is required of any contractor whose main activity consists in organizing, coordinating, carrying out or having carried out, in whole or in part, construction work in the licence subclasses in the general contractor class, or in making or submitting tenders personally or through an intermediary, for the purpose of carrying out or having carried out, in whole or in part, such work.

5. A general owner-builder’s licence is required of any owner-builder whose main activity consists in organizing, coordinating, carrying out or having carried out, in whole or in part, construction work in the licence subclasses in the general owner-builder class.

6. The licence that qualifies the holder in a subclass in the general contractor or general owner-builder class authorizes the holder to carry out or to have carried out construction work in that subclass.

However, a general contractor’s or general owner-builder’s licence authorizes its holder to carry out construction work in a licence subclass in Schedule II only if that licence subclass is mentioned in a subclass of the licence held.

7. A specialized contractor’s licence is required of any contractor whose main activity consists in carrying out or having carried out, in whole or in part, construction work in the licence subclasses in the specialized contractor class, or in making or submitting tenders, personally or through an intermediary, for the purpose of carrying out or having carried out, in whole or in part, such work.

8. A specialized owner-builder’s licence is required of any owner-builder whose main activity consists in carrying out or having carried out, in whole or in part, construction work in the licence subclasses in the specialized owner-builder class.

9. The licence subclasses in the general contractor class are those in Schedule I.

The licence subclasses in the general owner-builder class are those in Schedule I, except subclasses 1.1.1 and 1.1.2, with “general contractor” and “contractor” replaced wherever they appear by “general owner-builder” and “owner-builder” respectively.

10. The licence subclasses in the specialized contractor class are those in Schedules II and III.

The licence subclasses in the specialized owner-builder class are those in Schedule II, with “specialized contractor” and “contractor” replaced wherever they appear by “specialized owner-builder” and “owner-builder” respectively.

11. Related construction work authorized by a licence subclass in Schedule I, II or III must be carried out at the same time as work in that licence subclass.

The holder of a licence subclass may carry out construction work that is similar or related to work in the licence subclass, except work reserved exclusively to master pipe-mechanics and electrical contractors.

DIVISION II ISSUE, AMENDMENT OR MAINTENANCE OF A LICENCE

12. A natural person applying for the issue or amendment of a licence must provide the Board with the following information and documents:

(1) for a contractor’s licence:

(a) the person’s name, home address, date of birth, telephone number and, where applicable, the business number assigned under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45);

(b) if the application is made on behalf of a partnership or legal person, the person’s name, the address and telephone number of its head office and, where applicable, the business number assigned under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons and the name, title, domicile address, date of birth and telephone number of every officer and, if the partnership or legal person is constituted for the purpose of carrying out construction work on only one construction project, the name of the project;

(c) in the absence of the registration required in subparagraph *b*, a copy of the constituting act or shareholders agreement, in the case of a legal person, and a copy of the contract of partnership in the case of a partnership;

(d) a statement indicating that the person is applying for the licence on behalf of the partnership or legal person or that the person is a guarantor or wishes to qualify as such for that partnership or legal person and is designated to sign the application;

(e) the number or title of each licence subclass for which the person or any officer of the partnership or legal person on whose behalf the application is made wishes to qualify;

(f) the name of the administrator of the guaranty plan joined by the person or the partnership or legal person on whose behalf the licence application is made, where applicable, in accordance with sections 77 and 78 of the Act;

(g) the security required by Division V or proof of issue pursuant to an agreement between the Board and the surety;

(h) a statement that the person, partnership or legal person on whose behalf the application is made or any of its officers has not, in the five years preceding the application, been convicted of an offence under a fiscal law or of an indictable offence connected with the business the contractor intends to carry on in the construction industry and, where applicable, the title of the Act under which the person was convicted, or proof of pardon;

(i) in case of bankruptcy, a copy of the order releasing the person or any officer of the partnership or legal person on whose behalf the licence application is made, and any information concerning the person’s involvement or that of any officer as an officer of a partnership or legal person that went bankrupt less than three years before the date of the application;

(j) a statement that the person or any of the officers of the partnership or legal person on whose behalf the licence application is made was not an officer of a partnership or legal person in the 12 months preceding the termination of the contractor activities of that partnership or legal person and, where applicable, the reason for the termination;

(k) a statement that the person or any of the officers of the partnership or legal person on whose behalf the licence application is made was not an officer of a partnership or legal person that was liquidated by a court of competent jurisdiction because of insolvency within the meaning of the Winding-up and Restructuring Act (R.S.C. 1985, c. W-11) or, where applicable, a copy of the winding-up order;

(l) a statement that the person or any of the officers of the partnership or legal person on whose behalf the licence application is made was not an officer for a contractor who terminated its activities because the contractor was insolvent within the meaning of the Bankruptcy and Insolvency Act (R.S.C. 1985, c. B-3); and

(m) a statement that the person or the partnership or legal person on whose behalf the licence application is made has not been convicted of an offence under the Consumer Protection Act (R.S.Q., c. P-40.1), the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20) or the Act respecting occupational health and safety (R.S.Q., c. S-2.1) or, where applicable, the title of the Act under which the person was convicted; and

(2) for an owner-builder's licence:

(a) the information and documents required in subparagraphs *a* to *e*, *j* and *m* of paragraph 1;

(b) the location of each site where the owner-builder intends to carry out activities referred to in section 5 or 8; and

(c) if the licence application is for a person or partnership other than a public body within the meaning of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., c. A-2.1), information attesting to the rights of the person or those of the partnership or legal person on whose behalf the licence application is made in the immovable involved in the planned construction work.

Every licence application must include the fees and charges payable under section 53 and an attestation that the information provided under the first paragraph is true, and be signed by the natural person making the application.

13. An application for the issue or amendment of a licence is deemed to be received only if it contains all the required information and documents and the fees and charges payable under this Regulation.

14. The holder of a licence must notify the Board immediately of any change in the information or documents provided under section 12.

15. The fees and charges prescribed under section 53 for the maintenance of a licence are payable once a year, on the anniversary date of its issue or, in the case of a licence issued on (*insert the date of coming into force of section 53 of chapter 22 of the Statutes of 2005*) in accordance with section 53 of chapter 22 of the Statutes of 2005, on the anniversary of the expiry date of the replaced licence.

DIVISION III CONTENT OF A LICENCE

16. A licence contains

(1) the name of the contractor or owner-builder who holds the licence and any other name the contractor or owner-builder is legally authorized to use in Québec in the exercise of its functions;

(2) the address of the contractor or owner-builder;

(3) the names of the guarantors and their capacity;

(4) in the case of a partnership or legal person constituted for the purpose of carrying out construction work on only one construction project, the name of the project;

(5) the date of issue;

(6) the yearly deadline for payment of the fees and charges prescribed under section 53 to maintain the licence;

(7) the restriction period, if any, as regards the obtention of a public contract as provided in section 65.1 of the Act;

(8) in the case of a licence issued to a trustee in bankruptcy or a liquidator in accordance with section 76 of the Act, the validity period of the licence;

(9) the classes and subclasses of construction work that the holder of the licence is authorized to carry out or have carried out;

(10) in the case of an owner-builder's licence, the location of each site referred to in subparagraph *b* of subparagraph 2 of the first paragraph of section 12; and

(11) the signature of the president and chief executive officer or a vice-president and that of the secretary of the Board.

DIVISION IV EXAMINATION OF KNOWLEDGE

§1. *Conditions for admission to and passing of examinations*

17. A person is eligible, for each application for the issue or amendment of a licence, for the examination prescribed for the licence class or subclass applied for.

To pass the examination, the person must obtain the passing mark for each examination module; that mark remains valid for a five-year period for an application for the issue or amendment of a licence, or for a three-year period in the case provided for in the first paragraph of section 58.1 of the Act.

18. A person who fails an examination or examination module may register for only one supplemental examination within 30 days of the date of the Board's decision regarding the failure.

A person who fails a supplemental examination or examination module may not sit for another examination or examination module for a period of six months after the date of the Board's decision regarding the failure.

A person who failed an examination or examination module and did not register for a supplemental examination or failed to appear for the examination may not sit for another examination or examination module for a period of six months after the date of the Board's decision regarding the failure.

19. The examination of a person who is admitted to an examination sitting under false pretenses or who disrupts the examination proceedings by committing fraud, plagiarizing or cheating or by cooperating in such acts is cancelled and that person may not be admitted to any examination or examination module for a period of one year after the date of the cancellation by the Board.

§2. *Exemption from examination*

20. A person is exempt from an examination under subdivision 3 if the person meets any of the following conditions:

(1) the person has successfully completed a training program in the subject-matter of the examination related to the licence subclass applied for and recognized by the Board;

(2) if the examination is prescribed by section 21, the person has acted, in the five years preceding the licence application, as an administration guarantor for the licence class or subclass applied for, to the extent that the examination takes into account that class or subclass;

(3) if the examination is prescribed by section 22, the person has acted, in the five years preceding the licence application, as a construction site safety management guarantor for the licence class or subclass applied for, to the extent that the examination takes into account that class or subclass;

(4) if the examination is prescribed by section 23, the person has acted, in the five years preceding the licence application, as a project and site management guarantor for the licence class or subclass applied for, to the extent that the examination takes into account that class or subclass; or

(5) if the examination is prescribed by section 24, the person has acted, in the five years preceding the licence application, as a construction work guarantor for the licence subclass applied for.

An examination exemption granted to a person under false pretenses is cancelled and the person may not be admitted to any examination or examination module for a period of one year after the date of cancellation by the Board.

§3. *Examinations*

— Management of a building undertaking

21. The examination of knowledge in administration is established by the Board in relation to the licence class or subclass applied for. It may deal with the subjects listed below and be divided into modules:

- (1) financial management;
- (2) management;
- (3) labour relations; and
- (4) statutes and regulations.

22. The examination of knowledge in safety management on construction sites is established by the Board in relation to the licence class or subclass applied for. It may deal with the subjects listed below and be divided into modules:

- (1) prevention management;
- (2) compensation files management;
- (3) assessment management; and
- (4) statutes and regulations.

23. The examination of knowledge in project and site management is established by the Board in relation to the licence class or subclass applied for. It may deal with the subjects listed below and be divided into modules:

- (1) management of construction activities;

- (2) reading and interpreting plans and specifications;
- (3) assessment of costs and tenders;
- (4) quality control activities; and
- (5) statutes and regulations.

— Carrying out of construction work

24. The examination of knowledge in the carrying out of construction work is established by the Board in relation to the licence subclass applied for. It may deal with the subjects listed below and be divided into modules:

- (1) knowledge of the standards, regulations and construction techniques specific to construction work in the licence subclass; and
- (2) reading and interpreting plans and specifications specific to construction work in the licence subclass.

DIVISION V SECURITY

25. Every contractor must provide the security required by section 84 of the Act to compensate clients who sustain a loss directly resulting from instalments paid, a failure to carry out construction work or faulty work or defects discovered in the year following the completion of the work. It does not, however, cover the claims of persons who took part in the construction work, damages for moral injury or punitive damages.

26. Despite section 25, security is not required if licences in subclasses 1.1.1 and 1.1.2 in Schedule I only are applied for.

27. The amount of security required is established as follows:

- (1) \$20,000 if a licence in a subclass in the general contractor class is applied for;
- (2) \$10,000 if licences only in the subclasses in the specialized contractor class are applied for.

28. Security is to be provided in the form of

- (1) an individual or group insurance policy issued in favour of the Régie du bâtiment du Québec;
- (2) a certified cheque or a bank draft to the order of the Minister of Finance;

(3) bonds or other debt securities issued or guaranteed by Québec, another Canadian province, Canada or a Canadian municipality, entered in the book entry system of a Canadian clearing house and having a market value at all times that is at least equal to the security required;

(4) guaranteed investment certificates or term investment certificates, in Canadian dollars, issued in favour of the Minister of Finance having a term of at least 12 months, automatically renewable for the term of the licence and redeemable without restriction during their term; or

(5) an irrevocable and unconditional letter of credit issued in favour of the Régie du bâtiment du Québec.

29. The security referred to in paragraph 1 of section 28 may be issued only by a legal person authorized to act as surety under the Bank Act (S.C. 1991, c. 46), the Savings and Credit Unions Act (R.S.Q., c. C-4.1), the Act respecting trust companies and savings companies (R.S.Q., chapter S-29.01) or the Act respecting insurance (R.S.Q., c. A-32) and, in the case of a group insurance policy, an association of contractors may, for its members, offer the security solidarily with a legal person authorized under this section.

The security referred to in paragraph 2, 4 or 5 of section 28 may be issued only by a bank, a savings and credit union or a trust company referred to in one of the Acts mentioned in the first paragraph.

30. The security referred to in paragraph 2, 3 or 4 of section 28 may be provided only by the contractor for itself; in such case, the contractor must fulfil the same obligations as the surety, in addition to the contractor's obligations as principal debtor.

31. The security must be drawn up on the standard form containing the elements prescribed by sections 32 to 37 and made public by the Board. It must also be signed by the surety or by the contractor, if the security is provided by the latter and, at the surety's request, by the principal debtor.

In the case of a group insurance policy, the policy must be deposited with the Board and the association of contractors must, at the Board's request, provide it with the information required for acceptance of the policy.

32. The surety is required to fulfil its obligation up to the amount required by section 27.

Despite the foregoing, in the case of security provided by a group insurance policy for the members of an association of contractors, the total amount of the policy is established as follows:

(1) \$250,000 if the association has fewer than 1,000 members;

(2) \$500,000 if the association has a minimum of 1,000 members but fewer than 5,000 members; and

(3) \$1,000,000 if the association has 5,000 members or more.

33. The surety must undertake to be solidarily liable with the contractor towards the Board, in the case of individual security, or with every member of the group, in the case of a group insurance policy, to compensate in principal, interest and costs, up to the amount of security required, any client who has a liquidated claim related to a loss referred to in section 25 that is evidenced by a final judgment rendered against the contractor or surety otherwise than on an acquiescence in the demand under articles 457 to 461 of the Code of Civil Procedure (R.S.Q., c. C-25), or by an agreement or a transaction to settle the dispute made between the client and the contractor or the syndic and the surety. That undertaking must bind the administrators, heirs and legal representatives of the surety.

34. If the security is provided by the contractor for itself, the contractor must undertake to pay, up to the amount of security required, the principal, interest and costs awarded by a final judgment rendered against the contractor or agreed upon in an agreement or a transaction between the client and the contractor or syndic and settling a dispute arising from the compensation of a client who sustained a loss referred to in section 25. The undertaking must bind the directors, heirs and legal representatives of the contractor.

35. The surety must waive the benefits of discussion and division.

36. The security must be valid for the term of the licence and must be provided without an expiry date.

The surety or contractor may terminate the security only on written notice of at least 60 days to the Board.

If the contractor's licence ceases to have effect because the contractor did not pay the fees and charges required to maintain the licence when they became due, the security remains valid, where applicable, for the new licence issued to the contractor provided that the new licence is issued within 60 days of the due date and requires the same amount of security.

37. Even if the security has expired, the obligations of the surety continue to apply in respect of construction work if

(1) the work pertains to a contract concluded while the security was in force or the work was performed while the security was in force; or

(2) no more than two years have elapsed since the completion of the work before a civil lawsuit is filed or an agreement or transaction is made.

38. Each licence holder covered under a group insurance policy must be identified by a member certificate stating

(1) the name of the surety;

(2) the name of the group for which the surety is to act;

(3) the number of the certificate of the group member;

(4) the amount of security required under section 27;

(5) the number of the group insurance policy and its date of issue;

(6) a document attesting that the licence holder is a member of the group and is covered by the group insurance policy; and

(7) the signature of a duly authorized representative of the surety or the association of contractors.

39. Subject to the second paragraph of section 31, the security forms for an individual or group insurance policy, an irrevocable and unconditional letter of credit, an undertaking provided by the contractor for itself and member certificates are to be kept by the Board.

The security referred to in paragraph 2, 3 or 4 of section 28 must be forwarded by the Board to the Minister of Finance who receives the security on deposit under the Deposit Act (R.S.Q., c. D-5) until the expiry date and, thereafter, for a five-year period unless the contractor shows that no lawsuit filed within the time set out in section 37 is in progress.

40. The security to which this Division applies is required to guarantee, for the term of the security,

(1) first, the compensation in principal, interest and costs of any natural person having a liquidated claim related to a loss referred to in section 25 and evidenced by a judgment rendered against the contractor or the surety, or by an agreement or transaction made between the client and the contractor or the syndic and the surety to settle a dispute; and

(2) second, the compensation of any other client, on the conditions mentioned in subparagraph 1.

However, clients may not be compensated from the security to which this Division applies for any part of their claim for which they may obtain compensation under other security issued by a person authorized to act as surety under the first paragraph of section 29; every claim for compensation from the security must be accompanied by a sworn statement from the client attesting that the client cannot obtain compensation from other security.

41. Where the Board receives a copy of a final judgment, agreement or transaction referred to in section 40 that settles a dispute, the Board is to open a claim file on the contractor concerned and so notify the surety. Every copy of a judgment, agreement or transaction received thereafter must be entered in the file.

In the case of more than one surety, the claim is made to the surety having issued the security that was in force at the time the contract was entered into, evidenced by a written document or the payment of an instalment. Otherwise, the claim is made to the surety having issued the security that was in force at the commencement of the work.

42. Where the surety receives from a person other than the Board a copy of a final judgment, agreement or transaction referred to in section 40 that settles a dispute, the surety must forward the copy to the Board without giving effect to the claim.

43. At the end of each six-month period following the opening of a claim file, the Board is to pay, in principal, interest and costs, the claims received during the six preceding months. To that end, the Board must,

(1) if the security was provided by means of an individual or group insurance policy or an irrevocable and unconditional letter of credit, notify the surety by sending the surety a copy of the judgments, agreements or transactions with instructions to remit to the Board the sums necessary to satisfy the claims;

(2) if the security was provided by means of a certified cheque or bank draft, request the Minister of Finance to remit to the Board the sums necessary to satisfy the claims;

(3) if the security was provided by means of bonds or other debt instruments or investment certificates, request the Minister of Finance to cash them and to remit to the Board the sums necessary to satisfy the claims.

The surety or the Minister of Finance is to remit to the Board the sums necessary to satisfy the claims within 30 days of receipt of a notice or request to that effect.

44. If the total amount of the claims exceeds the sums available to satisfy the claims on the date of the notice or request made under the first paragraph of section 43, the Board is to satisfy in full all the claims from natural persons, if the sums available are sufficient; otherwise, the Board is to satisfy the claims on a pro rata basis.

If sums are still available once the claims from natural persons have been satisfied, the Board is to satisfy the claims from the other clients on a pro rata basis.

45. Where a judgment, agreement or transaction is executed in accordance with section 43, the contractor must upgrade the security provided so that it meets the requirements of section 27 at all times.

In the case of a group insurance policy, the total amount of the policy must at all times satisfy the requirements of section 32.

CHAPTER III SPECIAL CASES OF LICENCE APPLICATION

46. A natural person, whether or not the person holds a licence, may apply for a licence on behalf of more than one partnership or legal person if the person holds 50% of the shares of those partnerships or 50% of the voting shares of those legal persons and the person has not waived the rights attaching to the person's participation or shares.

Despite the first paragraph, a natural person who, on 30 June 1992, held a contractor's licence and is the guarantor for a partnership or legal person as an officer may, for the same licence subclasses, remain the guarantor for that partnership or legal person.

Despite the first paragraph, a natural person who, on 30 June 1992, did not hold a contractor's licence but is the guarantor for more than one partnership or legal person as an officer may, for the same licence subclasses, remain the guarantor for those partnerships or legal persons.

47. A natural person who is the guarantor for a legal person holding a licence and holding 50% of the voting shares of one or more legal persons, and who has not waived the rights attaching to the voting shares may apply for a licence on behalf of those legal persons.

Despite the first paragraph, a natural person who, on 30 June 1992, was a guarantor for more than one legal person as an officer may, for the same licence subclasses, remain the guarantor for those legal persons.

48. A natural person who is the guarantor for a legal person holding a licence may apply for a licence on behalf of a legal person controlled by or affiliated with that legal person.

Legal persons are affiliated if one is controlled by the other.

A legal person is controlled by another legal person if the latter owns 50% of the voting shares and has not waived the rights attaching to those shares.

49. A natural person who holds a contractor's licence may apply for a contractor's licence on behalf of a partnership or legal person constituted for the purpose of construction work on a single construction project and for the same licence subclasses the person already holds, if the person is a partner in the partnership or a shareholder holding voting shares of the legal person and the person has not waived the rights attaching to the person's participation or shares.

A natural person may make such an application on behalf of more than one partnership or legal person thus constituted, provided that the person meets the conditions mentioned in the first paragraph in respect of each partnership or legal person.

50. A natural person who is the guarantor for a partnership or legal person that holds a contractor's licence and is a partner in one or more partnerships or a shareholder holding voting shares of one or more legal persons constituted for the purpose of construction work on a single construction project may, for the same licence subclasses held, apply for a contractor's licence on behalf of those partnerships or legal persons. That partnership or legal person must not have waived the rights attaching to its participation or shares.

51. A partnership or person may hold a contractor's licence and an owner-builder's licence concurrently.

52. A natural person may apply for a contractor's licence and an owner-builder's licence on behalf of the same partnership or legal person.

CHAPTER IV FEES AND CHARGES

53. The fees and charges payable as regards the professional qualification of building contractors and owner-builders are as follows:

	Fees	Charges
(1) application for the issue of a licence:		
(a) for one or more licence subclasses in Schedule I:	\$630	\$290
(b) for one or more licence subclasses in Schedules II and III, with one or more licence subclasses in Schedule I:	\$630	\$290
(c) for one or more licence subclasses in Schedules II and III, without any licence subclass in Schedule I:	\$315	\$290
(2) application for an amendment of a licence comprising only licence subclasses in Schedules II and III, to provide for an addition or replacement of one or more licence subclasses in Schedule I, with or without the addition or replacement of a guarantor:	\$315	\$290
(3) application for an amendment of a licence comprising only licence subclasses in Schedule I, to provide for an addition or replacement of one or more licence subclasses in Schedules II and III, with or without the addition or replacement of a guarantor:	None	\$290
(4) application for an amendment of a licence with the addition or replacement of a guarantor, without the addition or replacement of a class of licence:	None	\$75

	Fees	Charges		Fees	Charges
(5) maintenance of a licence:			(ii) knowledge in safety management on construction sites:		\$625 per person
(a) for one or more licence subclasses in Schedule I:	\$630	\$75	(iii) knowledge in project and site management:		\$625 per person
(b) for one or more licence subclasses in Schedules II and III, with one or more licence subclasses in Schedule I:	\$630	\$75	(b) in the carrying out of construction work:		\$625 per person, per subclass
(c) for one or more licence subclasses in Schedules II and III, without any licence subclass in Schedule I:	\$315	\$75	(8) application for the review of a decision of the Board concerning the issue, amendment, suspension or cancellation of a licence or of a decision under section 58.1 of the Act:		\$290
(6) examination under subparagraph 1 of the first paragraph of section 58 of the Act concerning an application for the issue or amendment of a licence or the verification of an exemption from an examination provided for in subparagraph 1 of the first paragraph of section 20:		\$75 per person, per examination			
(7) any other means of evaluation referred to in subparagraph 1 of the first paragraph of section 58 of the Act concerning an application for the issue or amendment of a licence:					
(a) in the management of a construction enterprise:					
(i) knowledge in administration:		\$625 per person			

54. The fees set out in paragraph 2 of section 53 for a licence amendment application are reduced by 50% if the due date of the payment of the licence maintenance fees and charges occurs within six months of the application.

55. The charges payable under paragraphs 1 to 4 of section 53 are doubled if priority processing is requested.

56. The fees payable under section 53 are not reimbursed by the Board following the suspension, cancellation or relinquishment of a licence.

The charges payable under section 53 are not reimbursed by the Board, except if the Board allows an application for a review of a decision.

However, the Board is to reimburse the holder for the licence fees and charges paid under section 53 in relation to a licence obtained under section 49 or 50 for construction work on a single construction project if the holder's tender is rejected, on receipt by the Board, at the latest on the thirtieth day following the date on which the tender rejection notice is received, of a document from the holder requesting the licence be relinquished and attesting that the tender was rejected and that no construction work was carried out after the licence was issued. Despite the foregoing, the reimbursement does not include additional charges paid under section 55 for a priority processing request.

CHAPTER V TRANSITIONAL AND FINAL

57. Licences issued in accordance with section 53 of chapter 22 of the Statutes of 2005 specify the licence classes and subclasses which, under Schedule IV, correspond to those mentioned on the replaced licence, as well as the capacity of the guarantors, in accordance with sections 61 to 64.

58. As of (*insert the date of coming into force of this section*), a natural person applying for the issue, maintenance or amendment of a building contractor's licence for the person or on behalf of a partnership or legal person may provide the security prescribed by Division V of Chapter II to serve in lieu of the security referred to in section 297.2 of the Act as well as the documents mentioned in section 24, 25 or 26, as the case may be, of the Regulation respecting the professional qualification of building contractors and owner-builders, approved by Order in Council 876-92 dated 10 June 1992, except if the application deals only with licence subcategories 3031 and 3032 in Schedule A to that Regulation.

However, for the purposes of the first paragraph, paragraphs 1 and 2 of section 27 are to be read as follows:

“(1) \$20,000 if a licence subcategory in Schedule A to the Regulation respecting the professional qualification of building contractors and owner-builders is applied for, excluding licence subcategory 4063;

(2) \$20,000 if licence subcategory 4515 in Schedule B to that Regulation is applied for;

(3) \$10,000 if the only licence subcategory in Schedule A to that Regulation that is applied for is licence subcategory 4063;

(4) \$10,000 if only the licence subcategories in the category of specialized contractor in Schedule B to that Regulation are applied for, excluding the subcategory referred to in paragraph 2.”

59. Despite the second paragraph of section 6, a general contractor who, on (*insert the date preceding the date of coming into force of this Regulation*), was authorized to carry out construction work referred to in Schedule II is authorized to carry out the work until (*insert the date that occurs two years after the date preceding the date of coming into force of this Regulation*).

60. In the case of an owner-builder's licence issued before (*insert the date of coming into force of this Regulation*) which became void on that date because it does not include any of the licence subclasses in Schedule I or Schedule II, the Board is to reimburse the owner-builder for the fees paid on the basis of the number of full months between (*insert the date of coming into force of this Regulation*) and the expiry date of the licence.

The Board is also to reimburse the holder of a licence issued before (*insert the date of coming into force of this Regulation*) comprising only licence subcategory 4230.2 in Schedule B to the Regulation respecting the professional qualification of building contractors and owner-builders.

61. A person who, on (*insert the date preceding the date of coming into force of this Regulation*), is a guarantor in administrative management becomes an administrative management guarantor.

62. A person who, on (*insert the date preceding the date of coming force of this Regulation*) is a guarantor in safety management on building sites becomes a construction site safety management guarantor.

63. A person who, on (*insert the date preceding the date of coming into force of this Regulation*), is a guarantor in construction work management becomes a project and site management guarantor.

64. A person who, on (*insert the date preceding the date of coming into force of this Regulation*), is a guarantor in construction work management for a licence subclass which, under Schedule IV, corresponds to a licence subclass in Schedule I or Schedule II, becomes a construction work guarantor in the corresponding licence subclass.

65. A person who, on (*insert the date preceding the date of coming into force of this Regulation*), holds a recognition or attestation in administrative management issued by the Board under section 58.1 of the Act, may, during the validity period of the recognition or attestation, be an administration guarantor.

A person who, before (*insert the date of coming into force of this Regulation*), obtained a passing mark for all the modules of the examination of skills related to management described in section 20 of the Regulation respecting the professional qualification of building contractors and owner-builders may, in the period during which the marks are granted pursuant to the first paragraph of section 21 of that Regulation, be an administration guarantor.

66. A person who, on (*insert the date preceding the date of coming into force of this Regulation*), holds a recognition or attestation in safety management on construction sites issued by the Board under section 58.1 of the Act may, during the validity period of the recognition or attestation, be a construction site safety management guarantor.

A person who, before (*insert the date of coming into force of this Regulation*), obtained a passing mark for all the modules of the examination of skills related to managing safety on construction sites described in section 16 of the Regulation respecting the professional qualification of building contractors and owner-builders may, in the period during which the marks are granted pursuant to the first paragraph of section 17 of that Regulation, be a construction site safety management guarantor.

67. A person who, on (*insert the date preceding the date of coming into force of this Regulation*), holds a recognition or attestation in construction work management issued by the Board under section 58.1 of the Act may, during the validity period of the recognition or attestation, be a project and site management guarantor.

A person who, before (*insert the date of coming into force of this Regulation*), obtained a passing mark for all the modules of the examination of skills related to managing construction work described in section 12 of the Regulation respecting the professional qualification of building contractors and owner-builders may, in the period during which the marks are granted pursuant to the first paragraph of section 13 of that Regulation, be a project and site management guarantor.

68. A person who, on (*insert the date preceding the date of coming into force of this Regulation*), holds a recognition or attestation in construction work management issued by the Board under section 58.1 of the Act may, during the validity period of the recognition or attestation, be a construction work guarantor for a licence subclass in Schedule I or Schedule II which, under Schedule IV, corresponds to a licence subcategory for which the person held a recognition or attestation.

A person who, before (*insert the date of coming into force of this Regulation*), obtained a passing mark for all the modules of the examination of skills related to managing construction work described in section 12 of the Regulation respecting the professional qualification of building contractors and owner-builders may, in the period during which the marks are granted pursuant to the first paragraph of section 13 of that Regulation, be a

construction work guarantor for a licence subclass in Schedule I or Schedule II which, under Schedule IV, corresponds to a licence subcategory for which the person passed all the examination modules.

69. A person is exempt from the examination under section 21 if, in the five years preceding the person's application for a licence but before (*insert the date of coming into force of this Regulation*), the person was a guarantor in administrative management.

70. A person is exempt from the examination under section 22 if, in the five years preceding the person's application for a licence but before (*insert the date of coming into force of this Regulation*), the person was a guarantor in safety management on construction sites.

71. A person is exempt from the examination under section 23 if, in the five years preceding the person's application for a licence but before (*insert the date of coming into force of this Regulation*), the person was a guarantor in the management of construction work.

72. A person is exempt from the examination under section 24 if, in the five years preceding the person's application for a licence but before (*insert the date of coming into force of this Regulation*), the person was a guarantor in a licence subclass which, under Schedule IV, corresponds to the licence subclass applied for.

73. The provisions of the second and third paragraphs of section 18 apply only if the decision of the Board refusing the issue or amendment of the licence is rendered on an application received by the Board after (*insert the date of coming into force of this Regulation*).

74. This Regulation replaces the Regulation respecting the professional qualification of building contractors and owner-builders approved by Order in Council 876-92 dated 10 June 1992.

75. The Regulation of the Régie des entreprises de construction du Québec (R.R.Q., 1981, c. Q-1, r.2) is revoked.

76. This Regulation comes into force on (*insert the date that occurs 180 days after the date of its publication in the Gazette officielle du Québec*). However, section 58 and, for the implementation of that section, Division V of Chapter II come into force on the fifteenth day following the date of publication of the Regulation in the *Gazette officielle du Québec*.

SCHEDULE I

LICENCE SUBCLASSES IN THE GENERAL CONTRACTOR'S LICENCE CLASS REFERRED TO IN SECTION 9

1.1.1 Contractor – new residential buildings covered by a guaranty plan, Class I

This subclass authorizes construction work in respect of

- a single family detached, duplex or town house dwelling, whether or not it is held in divided co-ownership;
- a multifamily building, from a duplex to a quintuplex, that is not held in divided co-ownership;
- a multifamily building of more than 5 units, held by a non-profit organization or a cooperative and not held in divided co-ownership.

It also authorizes construction work in subclasses 2.6, 3.1, 4.1, 5.1 and 6.1 of Schedule II, in respect of a new residential building covered by this subclass.

1.1.2 Contractor – new residential buildings covered by a guaranty plan, Class II

This subclass authorizes construction work in respect of a multifamily building held in divided co-ownership, of combustible construction or non-combustible construction, the latter comprising no more than 4 private portions stacked one above the other.

It also authorizes construction work in subclasses 2.6, 3.1, 4.1, 5.1 and 6.1 of Schedule II, in respect of a new residential building covered by this subclass.

In this subclass,

“combustible construction” means a combustible construction within the meaning of the National Building Code – Canada 1995 (NRCC 38726E) including the revisions of July 1998 and November 1999 issued by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada;

“non-combustible construction” means a non-combustible construction within the meaning of the National Building Code – Canada 1995 (NRCC 38726E) including the revisions of July 1998 and November 1999 issued by the Canadian Commission on Building and Fire Codes of the National Research Council of Canada;

1.2 Contractor – small buildings

This subclass authorizes construction work in respect of

– buildings referred to in Part 9 of the National Building Code – Canada 1995 (NRCC 38726 E) as amended by Chapter I of the Building Code approved by Order in Council 953-2000 dated 26 July 2000, without regard to the exemptions in Division II of the Regulation respecting the application of the Building Act, made by Order in Council 954-2000 dated 26 July 2000;

– buildings referred to in subclasses 1.1.1 and 1.1.2 authorized by this subclass to the extent that the work is subcontracted on behalf of the holder of a licence in subclass 1.1.1 or 1.1.2;

– tents referred to in paragraph 2 of section 3.4 of the Regulation respecting the application of the Building Act.

It also authorizes construction work in subclasses 2.6, 3.1, 4.1, 5.1 and 6.1 of Schedule II in respect of a building or a tent referred to in this subclass.

Lastly, it authorizes similar or related construction work.

1.3 Contractor – all buildings

This subclass authorizes construction work on any building, including those of subclass 1.2, and construction work on inflatable structures referred to in paragraph 2 of section 3.4 of the Regulation respecting the application of the Building Act.

It also authorizes construction work in respect of a new residential building in this subclass to the extent that the work is subcontracted on behalf of the holder of a licence in subclass 1.1.1 or 1.1.2.

This subclass authorizes construction work in subclasses 2.6, 3.1, 4.1, 5.1 and 6.1 of Schedule II in respect of a building or inflatable structure covered by this subclass.

Lastly, it authorizes similar or related construction work.

1.4 Contractor – roads and mains

This subclass authorizes construction work in respect of roads and public thoroughfares, sewers, water mains, pipelines, railroad structures and tunnels.

It also authorizes construction work in subclasses 3.1, 4.1, 5.1 and 6.1 of Schedule II in respect of civil engineering structures covered by this subclass.

This subclass also authorizes construction work in subclass 1.6, but only to have it carried out when it is related to civil engineering structures covered by this subclass.

Lastly, it authorizes similar or related construction work.

1.5 Contractor – civil engineering structures

This subclass authorizes construction work in respect of civil engineering structures made of reinforced concrete, metal or other material and electric generating works.

It also authorizes construction work in subclasses 3.1, 4.1, 5.1 and 6.1 of Schedule II in respect of civil engineering structures covered by this subclass.

This subclass also authorizes construction work in subclass 1.6 but only to have it carried out, when it is related to civil engineering structures covered by this subclass.

Lastly, it authorizes similar or related construction work.

1.6 Contractor – underwater civil engineering

This subclass authorizes construction work in respect of underwater civil engineering structures related to water intakes, sewer outlets, bridge piers and caissons.

It also authorizes construction work in subclasses 3.1, 4.1, 5.1 and 6.1 of Schedule II, when it is related to civil engineering structures covered by this subclass.

Lastly, it authorizes similar or related construction work.

1.7 Contractor – telecommunications, transmission, transformation and distribution of electric power

This subclass authorizes construction work in respect of electric power transformation and telecommunications stations and overhead and underground lines for electric power transmission, dispatching and distribution, and for telecommunications.

It also authorizes construction work in subclasses 3.1, 4.1, 5.1 and 6.1 of Schedule II when it is related to civil engineering structures covered by this subclass.

This subclass also authorizes construction work in subclass 1.6, but only to have it carried out, when it is related to civil engineering structures covered by this subclass.

Lastly, it authorizes similar or related construction work.

1.8 Contractor – petroleum equipment installation

This subclass authorizes construction work in respect of installations for the use, storage or distribution of petroleum products and similar or related construction work.

1.9 Contractor – building mechanicals

Subject to the second paragraph of section 6 of this Regulation, this subclass authorizes construction work in respect of building mechanicals of a building, facilities intended for use by the public or civil engineering structures, such as heating, ventilation, refrigeration, plumbing, fire protection and their control systems, as well as insulation and emergency electrical supply systems.

It also authorizes construction work in a subclass of Schedule III that is not already authorized by the first paragraph, when such work is part of a project related to building mechanicals of buildings, facilities intended for use by the public or civil engineering structures.

Lastly, it authorizes similar or related construction work.

1.10 Contractor – mechanical lifts

This subclass authorizes construction work in respect of mechanical lifts and conveyors referred to in paragraph 7 of section 3.4 of the Regulation respecting the application of the Building Act.

It also authorizes construction work in subclasses 3.1, 4.1, 5.1 and 6.1 of Schedule II, when it is related to a mechanical lift or conveyor covered by this subclass.

Lastly, it authorizes similar or related construction work.

SCHEDULE II

LICENCE SUBCLASSES IN THE SPECIALIZED CONTRACTOR'S LICENCE CLASS REFERRED TO IN SECTION 10

2.1 Contractor – water collecting structures

This subclass authorizes construction work in respect of the sinking of wells, shallow wells, springwater collection and similar or related construction work.

2.2 Contractor – non-drilled collection structures

This subclass authorizes construction work in respect of non-drilled collection structures such as shallow wells and springwater collection and similar or related construction work.

This subclass applies only for the purposes of section 58.

2.3 Contractor – underground water pumping systems

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics or electrical contractors in respect of underground water pumping systems and similar or related construction work.

2.4 Contractor – private sewerage systems

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics in respect of building sewage treatment and similar or related construction work.

2.6 Contractor – piles and special foundations

This subclass authorizes construction work in respect of soil mechanics such as piles and caissons, cofferdams, tiebacks, underpinning or grouting of soil and rock.

It also authorizes construction work in subclass 2.5 of Schedule III.

Lastly, it authorizes similar or related work.

2.8 Contractor – blasting

This subclass authorizes construction work in respect of drilling, loading of holes and firing explosives and similar and related construction work.

3.1 Contractor – concrete structures

This subclass authorizes construction work in respect of cast or precast structural concrete.

It also authorizes construction work in subclass 3.2 of Schedule III.

Lastly, it authorizes similar or related construction work.

4.1 Contractor – masonry structures

This subclass authorizes construction work in respect of structural masonry and masonry outer wall.

It also authorizes construction work in subclass 4.2 of Schedule III.

Lastly it authorizes similar or related construction work.

5.1 Contractor – metallic structures

This subclass authorizes construction work in respect of metallic structures and steel structural elements.

It also authorizes construction work in subclass 5.2 of Schedule III.

Lastly, it authorizes similar or related construction work.

6.1 Contractor – wood structures

This subclass authorizes construction work in respect of wood structures.

It also authorizes construction work in subclass 6.2 of Schedule III.

Lastly, it authorizes similar or related construction work.

10. Contractor - solid fuel local heating systems

This subclass authorizes construction work that is not exclusively reserved for master pipe-mechanics or electrical contractors in respect of solid fuel local heating systems, such as stoves and prefabricated fireplaces and similar or related construction work.

11.1 Contractor – pressurized industrial piping

This subclass authorizes construction work that is not exclusively reserved for master pipe-mechanics in respect of the installation of pressurized industrial piping and similar or related construction work.

13.1 Contractor – lightning protection

This subclass authorizes construction work that is not exclusively reserved for electrical contractors in respect of lightning protection installations and similar or related construction work.

13.2 Contractor – fire alarm systems

This subclass authorizes construction work that is not exclusively reserved for electrical contractors in respect of fire alarm systems and similar or related construction work.

13.3 Contractor – fire extinguishing system

This subclass authorizes construction work that is not exclusively reserved for master pipe-mechanics in respect of automatic water sprinkler systems, fire protection standpipe and similar or related construction work.

13.4 Contractor – local fire extinguishing systems

This subclass authorizes construction work in respect of local fire extinguishing systems using a product stored in a tank and similar or related construction work.

14.1 Contractor – passenger and freight elevators

This subclass authorizes construction work that is not exclusively reserved for electrical contractors in respect of passenger and freight elevators, dumbwaiters, escalators, moving walks and material lifts governed by the current edition of CAN/CSA B44 Safety Code for Elevators and Freight Elevators, rendered applicable by Chapter IV of the Construction Code approved by Order in Council 895-2004 dated 22 September 2004 and defined in that Code, and related construction work.

14.2 Contractor – lifts for persons with physical disabilities

This subclass authorizes construction work that is not reserved exclusively for electrical contractors in respect of lifts for persons with physical disabilities governed by the current edition of standards CAN/CSA B355 Lifts for Persons with Physical Disabilities and CAN/CSA B613 Private Residence Lifts for Persons with Physical Disabilities, rendered applicable by Chapter IV of the Construction Code and defined in those standards, and related construction work.

14.3 Contractor – other types of elevators

This subclass authorizes construction work that is not reserved exclusively for electrical contractors in respect of elevators not in subclass 1.10 provided for in Schedule I and in subclasses 14.1 and 14.2 and related construction work.

15.1 Contractor – warm air heating systems

This subclass authorizes construction work reserved exclusively for master pipe-mechanics under the Master Pipe-Mechanics Act (R.S.Q., c. M-4) in respect of warm air heating systems.

It also authorizes, even if it is not reserved exclusively for master pipe-mechanics, construction work in respect of propane gas burners part of warm air heating systems and construction work in subclass 15.1.1.

Lastly, it authorizes related construction work.

15.1.1 Contractor – warm air heating systems for certain work that is not reserved exclusively for master pipe-mechanics

This subclass authorizes maintenance work in respect of warm air heating systems, including propane gas burners that are part of them.

It also authorizes construction work in respect of heating systems referred to in the first paragraph that is carried out in the territory of a local municipality with fewer than 5,000 inhabitants, except if there is a public sewer system, or in an unorganized territory.

Lastly, it authorizes related construction work.

15.2 Contractor – natural gas burners

This subclass authorizes construction work that is reserved exclusively for master pipe-mechanics under the Master Pipe-Mechanics Act in respect of natural gas combustion systems.

It also authorizes construction work in subclass 15.2.1.

Lastly, it authorizes related construction work.

15.2.1 Contractor – natural gas burners for certain work that is not reserved exclusively for master pipe-mechanics

This subclass authorizes maintenance work in respect of natural gas combustion systems.

It also authorizes construction work in respect of natural gas combustion systems that is carried out in the territory of a local municipality with fewer than 5,000 inhabitants, except if there is a public sewer system, or in an unorganized territory.

Lastly, it authorizes related construction work.

15.3 Contractor – oil burners

This subclass authorizes construction work reserved exclusively for master pipe-mechanics under the Master Pipe-Mechanics Act in respect of oil combustion systems.

It also authorizes construction work in subclass 15.3.1.

Lastly, it authorizes related construction work.

15.3.1 Contractor – oil burners for certain work that is not reserved exclusively for master pipe-mechanics

This subclass authorizes maintenance work in respect of oil combustion systems.

It also authorizes construction work in respect of oil combustion systems that is carried out in the territory of a local municipality with fewer than 5,000 inhabitants, except if there is a public sewer system, or in an unorganized territory.

Lastly, it authorizes related construction work.

15.4 Contractor – hot water and steam heating systems

This subclass authorizes construction work reserved exclusively for master pipe-mechanics under the Master Pipe-Mechanics Act in respect of hot water and steam heating systems.

It also authorizes, even if it is not reserved exclusively for master pipe-mechanics, construction work in respect of propane burners that are part of hot water or steam heating systems and construction work in subclass 15.4.1.

Lastly, it authorizes related construction work.

15.4.1 Contractor – hot water and steam heating systems for certain work that is not reserved exclusively for master pipe-mechanics

This subclass authorizes maintenance work in respect of hot water and steam heating systems, including propane burners that are part of the systems.

It also authorizes construction work in respect of heating systems referred to in the first paragraph and that is carried out in the territory of a local municipality with fewer than 5,000 inhabitants, except if there is a public sewer system, or in an unorganized territory.

Lastly, it authorizes related construction work.

15.5 Contractor – plumbing

This subclass authorizes construction work that is reserved exclusively for master pipe-mechanics under the Master Pipe-Mechanics Act in respect of plumbing systems in any building or structure, including piping and all the fixtures used for drainage, back venting of traps, hot and cold water supply or gas supply.

It also authorizes construction work in subclass 15.5.1.

Lastly, it authorizes related construction work.

15.5.1 Contractor – plumbing for certain work that is not reserved exclusively for master pipe-mechanics

This subclass authorizes maintenance work in respect of plumbing systems in any building or structure, including piping and all fixtures used for drainage, back venting of traps, hot and cold water supply or gas supply.

It also authorizes construction work in respect of plumbing systems referred to in the first paragraph and carried out in the territory of a local municipality with fewer than 5,000 inhabitants, except if there is a public sewer system, or in an unorganized territory.

Moreover, this subclass authorizes construction work in respect of plumbing installations that are not building installations and that are outdoors.

Lastly, it authorizes related construction work.

15.6 Contractor – propane

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics in respect of installations for the use, storage or distribution of propane gas, including their components and fixtures as well as similar or related construction work.

15.7 Contractor – residential ventilation

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics in respect of air circulation or distribution systems related to ventilation, exhaust, air compensation and air conditioning of

single family dwellings, duplexes or town houses and private portions of multi-family dwellings held in divided co-ownership.

It also authorizes construction work in respect of the heating duct systems in the dwellings referred to in the first paragraph.

Lastly, it authorizes similar or related construction work.

15.8 Contractor – ventilation

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics in respect of air circulation or distribution systems related to ventilation, exhaust, air compensation and air conditioning.

It also authorizes construction work in respect of the heating duct systems and construction work in subclass 15.7.

Lastly, it authorizes similar or related construction work.

15.9 Contractor – small refrigeration systems

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics in respect of air-conditioning refrigeration systems with a cooling capacity not exceeding 20 kilowatts and a refrigerant of group A1, A2 or a mixture of both, according to the classification provided for in CSA B-52 Mechanical Refrigeration Code, 1999 edition, published by the Canadian Standards Association, taking into account further amendments that may be made.

It also authorizes similar or related construction work.

15.10 Contractor – refrigeration

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics in respect of any refrigeration system, including work related to air-conditioning, industrial processes and food preservation.

It also authorizes construction work in subclass 15.9.

Lastly, it authorizes similar or related construction work.

16. Contractor – electrical

Except for demolition work, this subclass authorizes construction work on an electrical installation to which applies Chapter V of the Construction Code, introduced by the Regulation to amend the Construction Code approved by Order in Council 961-2002 dated 21 August 2002, that is reserved exclusively for electrical contractors.

It also authorizes construction work in respect of fixtures permanently connected to the electrical installation, if it is governed by Chapter V of the Construction Code and if it is not specifically governed by another subclass and construction work in subclasses 13.2 and 17.1 of this Schedule.

Lastly, it authorizes related construction work.

17.1 Contractor – instrumentation and control systems

This subclass authorizes construction work that is not reserved exclusively for electrical contractors in respect of instrumentation and control systems.

It also authorizes construction work in subclass 17.2 of Schedule III.

Lastly, it authorizes similar or related construction work.

SCHEDULE III

LICENCE SUBCLASSES IN THE SPECIALIZED CONTRACTOR'S LICENCE CLASS REFERRED TO IN SECTION 10

2.5 Contractor – excavation and earthwork

Except for the work in subclasses 2.2 and 2.4 of Schedule II, this subclass authorizes construction work in respect of excavating, moving, compacting and levelling of earth or granular materials, including work relating to small works of art and similar or related construction work.

2.7 Contractor – sitework

This subclass authorizes construction work in respect of the preparation and finishing of sitework, such as alignment, levelling, fencing, demolition, paving and asphalt-ing, laying interlocking paving stones, and similar or related construction work.

3.2 Contractor – concrete forms and concrete work

This subclass authorizes construction work in respect of concrete forms, reinforcement bars, concrete finishing and similar or related construction work.

4.2 Contractor – masonry, marble and ceramics

This subclass authorizes construction work in respect of non-structural masonry, marble, granite, ceramics, ter-razzo and other similar materials, refractory products and similar or related construction work.

5.2 Contractor – metal fabrication

This subclass authorizes construction work in respect of cold-formed steel and aluminium sections used in the construction of non-bearing partitions, architectural elements, wrought metal, welding and similar or related construction work.

6.2 Contractor - wood and plastic work

This subclass authorizes construction work in respect of wood and plastic structures such as finishing carpentry and similar or related construction work.

7. Contractor – insulation, waterproofing, roofing and siding

This subclass authorizes construction work in respect of fireproofing, waterproofing, insulation, lagging, roof-ing, siding other than masonry and similar or related construction work.

8. Contractor – doors and windows

This subclass authorizes construction work in respect of doors, windows, glazed curtain walls and similar or related construction work.

9. Contractor –interior finishing

This subclass authorizes construction work in respect of interior and exterior painting, interior surfaces such as flooring, wall and ceiling and their finishing and similar or related construction work.

11.2 Contractor – special equipment and products

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics and electrical contractors in respect of all types of equipment and special products that are not already governed by a subclass in Schedule II or this Schedule and similar or related construction work.

12. Contractor – manufactured cabinets and counter tops

This subclass authorizes construction work in respect of manufactured cabinets and counter tops and similar or related construction work.

13.5 Contractor – prefabricated special installations

This subclass authorizes construction work that is not reserved exclusively for master pipe-mechanics and electrical contractors in respect of prefabricated special installations such as cold rooms, pools, skating rinks, excluding their heating and cooling systems, and noise and vibration protection systems.

It also authorizes similar or related construction work.

17.2 Contractor – intercommunications, telephone and surveillance

This subclass authorizes construction work that is not reserved for electrical contractors in respect of inter-communications, telephone and surveillance systems and similar or related construction work.

SCHEDULE IVLICENCE SUBCLASS CONCORDANCE TABLE
(ss. 57, 64, 68 and 72)

Licence subcategories in force on (insert the date preceding the date of coming into force of this Regulation)		Corresponding licence subclasses on (insert the date of coming into force of this Regulation)	
Number	Title	Number	Title
3031	Contractor – new residential buildings covered by a guaranty plan, Class I	1.1.1 10 15.7	Contractor – new residential buildings covered by a guaranty plan, Class I Contractor – solid fuel local heating systems Contractor – residential ventilation
3032	Contractor – new residential buildings covered by a guaranty plan, Class II	1.1.2 15.7	Contractor – new residential buildings covered by a guaranty plan, Class II Contractor – residential ventilation
4041	Residential building contractor, Class I	1.2 10 15.7	Contractor – small buildings Contractor – solid fuel local heating systems Contractor – residential ventilation
4042	Residential building contractor, Class II	1.3 15.7	Contractor – all buildings Contractor – residential ventilation
4043	Maintenance, renovation, repair and alteration of residential buildings contractor	1.2 10 15.7	Contractor – small buildings Contractor – solid fuel local heating systems Contractor – residential ventilation
4047	Building removal contractor	1.2	Contractor – small buildings
4050.1	Public, commercial and industrial buildings contractor, Class I	1.2	Contractor – small buildings
4050.2	Shelters, all types, contractor	1.2	Contractor – small buildings
4051	Public, commercial and industrial buildings contractor, Class I	1.3	Contractor – all buildings
4053	Maintenance, renovation, repair and alteration of public, commercial and industrial buildings contractor	1.3	Contractor – all buildings
4062	Heavy industry factory complexes contractor	1.3	Contractor – all buildings
4063	Sports equipment contractor	11.2	Contractor – special equipment and products
4071.1	Roads and public thoroughfares contractor	1.4	Contractor – roads and mains
4071.2	Sewers, water mains, prefabricated reservoirs and pumping stations contractor	1.4	Contractor – roads and mains
4071.3	Railroad work contractor	1.4	Contractor – roads and mains
4072	Bridges and overpasses contractor	1.5	Contractor – civil engineering structures
4073	Underground civil engineering works contractor	1.4	Contractor – roads and mains

Number	Title	Number	Title
4074	Underwater civil engineering works contractor	1.6	Contractor – underwater civil engineering structures
4092	Electric generating works contractor	1.5	Contractor – civil engineering structures
4093.1	Electrical distribution substations contractor	1.7	Contractor – telecommunications, transmission, transformation and distribution of electric power
4093.2	Overhead lines contractor	1.7	Contractor – telecommunications, transmission, transformation and distribution of electric power
4093.3	Underground lines contractor	1.7	Contractor – telecommunications, transmission, transformation and distribution of electric power
4096	Pipelines contractor	1.4	Contractor – roads and mains
4200	Piles and special foundations contractor	2.6	Contractor – piles and special foundations
4201	Architectural structures and structural works contractor	3.1 5.1 6.1	Contractor – concrete structures Contractor – metallic structures Contractor – wood structures
4202	Fireproof products contractor	4.2	Contractor – masonry, marble and ceramics
4203	Masonry contractor	4.1	Contractor – masonry structures
4204	Concrete finishing work contractor	3.2	Contractor – concrete forms and concrete work
4205	Marble, granite, ceramic and terrazzo installation contractor	4.2	Contractor – masonry, marble and ceramics
		9	Contractor – interior finishing
4206	Chalky surfaces contractor	7	Contractor – insulation, waterproofing, roofing and siding
		9	Contractor – interior finishing
4207	Interior systems contractor	6.2	Contractor – wood and plastic work
		9	Contractor – interior finishing
4208	Pool contractor	13.5	Contractor – prefabricated special installations
4209	Reinforcing steel contractor	3.2	Contractor – concrete forms and concrete work
		5.2	Contractor – metal fabrication
4210.1	Carpentry contractor	5.2	Contractor – metal fabrication
		6.1	Contractor – wood structures
		7	Contractor – insulation, waterproofing, roofing and siding
		8	Contractor – doors and windows
		11.2	Contractor – special equipment and products

Number	Title	Number	Title
4210.2	Woodwork contractor	6.2	Contractor – wood and plastic work
		8	Contractor – doors and windows
		9	Contractor – interior finishing
		11.2	Contractor – special equipment and products
		12	Contractor – manufactured cabinets and counter tops
4211.1	Formwork contractor	3.1	Contractor – concrete structures
4211.2	Course and foundation wall formwork contractor	3.1	Contractor – concrete structures
4212	Resilient coverings contractor	9	Contractor – interior finishing
4213	Flooring contractor	6.2	Contractor – wood and plastic work
		9	Contractor – interior finishing
4220	Ornamental iron contractor	5.2	Contractor – metal fabrication
		8	Contractor – doors and windows
		11.2	Contractor – special equipment and products
4221	Glaziery contractor	8	Contractor – doors and windows
4223	Boilermaker contractor	11.2	Contractor – special equipment and products
4224	Metal siding contractor	7	Contractor – insulation, waterproofing, roofing and siding
		8	Contractor – doors and windows
4225	Tinsmithing contractor	7	Contractor – insulation, waterproofing, roofing and siding
4226.1	Roofing contractor	7	Contractor – insulation, waterproofing, roofing and siding
4226.2	Pitched roof contractor	7	Contractor – insulation, waterproofing, roofing and siding
4227	Welding contractor	5.2	Contractor – metal fabrication
4230.1	Ventilation contractor	15.8	Contractor – ventilation
4231	Thermal insulation contractor	7	Contractor – insulation, waterproofing, roofing and siding
4232	Insulation contractor	7	Contractor – insulation, waterproofing, roofing and siding
		13.5	Contractor – prefabricated special installation
4233	Soundproofing contractor	7	Contractor – thermal insulation, waterproofing, roofing and siding
		9	Contractor – interior finishing
4234	Refrigeration contractor	15.10	Contractor – refrigeration
4235	Propane gas burner systems contractor	15.6	Contractor – propane

Number	Title	Number	Title
4240.1	Buildings painting contractor	9	Contractor – interior finishing
4240.2	Civil engineering works painting contractor	9	Contractor – interior finishing
4250.1	Intercommunication systems contractor	17.2	Contractor – intercommunications, telephone and surveillance
4250.2	Telephone systems contractor	17.2	Contractor – intercommunications, telephone and surveillance
4250.3	Monitoring systems contractor	17.2	Contractor – intercommunications, telephone and surveillance
4250.4	Instrumentation and control systems contractor	17.1	Contractor – instrumentation and control systems
4252.1	Anti-theft alarm systems contractor	17.2	Contractor – intercommunications, telephone and surveillance
4252.2	Fire alarm systems contractor	13.2	Contractor – fire alarm systems
4253.1	Fire protection systems contractor	13.3	Contractor – fire extinguishing systems
4253.2	Local fire protection systems contractor	13.4	Contractor – local fire extinguishing systems
4270	Transportation systems contractor	1.10	Contractor – mechanical lifts
		14.1	Contractor – passenger and freight elevators
		14.2	Contractor – lifts for persons with physical disabilities
		14.3	Contractor – other types of elevators
4271	Millwright contractor	8	Contractor – doors and windows
		11.2	Contractor – special equipment and products
4280	Excavation and earthwork contractor	2.2	Contractor – non-drilled collection structures
		2.4	Contractor – private sewerage systems
		2.5	Contractor – excavation and earthwork
4281.1	Paving and asphaltting contractor	2.7	Contractor – sitework
4281.2	Interlocking paving stones contractor	2.7	Contractor – sitework
4283.1	Buildings demolition contractor	2.7	Contractor – sitework
4283.2	Civil engineering works demolition contractor	2.7	Contractor – sitework
4283.3	Stripping contractor	2.7	Contractor – sitework
4284	Electrical contractor	16	Contractor – electrical
4285.10	Warm air heating systems contractor	15.1	Contractor – warm air heating systems
4285.11	Natural gas burner systems contractor	15.2	Contractor – natural gas burners
4285.12	Oil burner systems contractor	15.3	Contractor – oil burners

Number	Title	Number	Title
4285.13	Hot water and steam heating systems contractor	15.4	Contractor – hot water and steam heating systems
4285.14	Plumbing contractor	15.5	Contractor – plumbing
4500	Airtightness and waterproofing contractor	7	Contractor – insulation, waterproofing, roofing and siding
4501	Line and grade contractor	2.7	Contractor – sitework
4502	Signal systems contractor	11.2	Contractor – special equipment and products
4503	Lightning protection contractor	13.1	Contractor – lightning protection
4504	Blasting contractor	2.6	Contractor – blasting
4505	Flameproofing contractor	7	Contractor – insulation, waterproofing, roofing and siding
4506	Chimneys, all types, repair contractor	4.2	Contractor – masonry, marble and ceramics
		11.2	Contractor – special equipment and products
4507	Industrial piping contractor	11.1	Contractor – pressurized industrial piping
4508	Cutting and drilling contractor	3.2	Contractor – concrete forms and concrete work
4509	Pneumatic control systems contractor	11.2	Contractor – special equipment and products
4510	Central systems contractor	11.2	Contractor – special equipment and products
4511	Safety slides and fences contractor	2.7	Contractor – sitework
4513	Solid fuel secondary heating appliances installation contractor	10	Contractor – solid fuel local heating systems
4514	Documents conveyance systems contractor	11.2	Contractor – special equipment and products
4515	Petroleum equipment installation contractor	1.8	Contractor – petroleum equipment installation
4516	Restoration contractor	4.2	Contractor – masonry, marble and ceramics
		9	Contractor – interior finishing
4517	Underground water pumping systems contractor	2.3	Contractor – underground water pumping systems
4518	Well drilling contractor	2.1	Contractor – water collecting structures
4520	Plumbing contractor in unorganized territories	15.5.1	Contractor – plumbing for certain work not reserved exclusively for master pipe-mechanics
4521	Synthetic resin work contractor	6.2	Contractor – wood and plastic work
		9	Contractor – interior finishing