

Gouvernement du Québec

O.C. 1127-2007, 12 December 2007

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

Certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry
— Amendment

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

WHEREAS, under the first paragraph of section 30 of the Act respecting workforce vocational training and qualification (R.S.Q., c. F-5), the Government may make regulations to ensure the efficient carrying out of the Act;

WHEREAS the Government made, by Order in Council 279-2006 dated 29 March 2006, the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry and set 1 January 2008 as the date of coming into force, other than for certain exceptions;

WHEREAS work performed in mines governed by the Mining Act (R.S.Q., c. M-13.1) will be subject to the Regulation;

WHEREAS it is expedient to amend the Regulation to defer the date of effect in respect of such work;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided in section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of prior publication must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication of the Regulation attached to this Order in Council:

— the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry will apply to work performed in mines governed by the Mining Act as of 1 January 2008, and that work is currently exempted from the applicable regulation;

— during the recent work to prepare implementation of the Regulation, the stakeholders in the mining sector informed the Minister of the problems that the Regulation would create were it to apply to work performed in mines governed by the Mining Act;

— being a newly covered sector of activities, there is no complementarity between the qualification programs developed and the work performed in mines governed by the Mining Act and as a consequence, an in-depth analysis of the workers and the specific technical context in which they work is necessary;

— in the circumstances, it is impossible to establish adapted qualification programs before 1 January 2008 and it is therefore urgent and necessary to defer the date of effect of the Regulation to 1 January 2009 for the work performed in mines governed by the Mining Act;

WHEREAS it is expedient to make the Regulation to amend the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry;

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

THAT the Regulation to amend the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry*

An Act respecting workforce vocational training and qualification
(R.S.Q., c. F-5, s. 30, 1st par.)

1. The Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry is amended in section 38 by adding the following paragraph:

“Despite the foregoing, this Regulation takes effect on 1 January 2009 in respect of work performed in mines governed by the Mining Act (R.S.Q., c. M-13.1).”.

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

8465

Gouvernement du Québec

O.C. 1128-2007, 12 December 2007

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

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

— Amendment

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

WHEREAS, under the first paragraph of section 30 of the Act respecting workforce vocational training and qualification (R.S.Q., c. F-5), the Government may make regulations to ensure the efficient carrying out of the Act;

WHEREAS the Government made, by Order in Council 280-2006 dated 29 March 2006, the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels and set 1 January 2008 as the date of coming into force, other than for certain exceptions;

WHEREAS work performed in mines governed by the Mining Act (R.S.Q., c. M-13.1) will be subject to the Regulation;

WHEREAS it is expedient to amend the Regulation to defer the date of effect in respect of such work;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided in section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of prior publication must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication of the Regulation attached to this Order in Council:

— the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels will apply to work performed in mines governed by the Mining Act as of 1 January 2008, and that work is currently exempted from the applicable regulation;

— during the recent work to prepare implementation of the Regulation, the stakeholders in the mining sector informed the Minister of the problems that the Regulation would create were it to apply to work performed in mines governed by the Mining Act;

— being a newly covered sector of activities, there is no complementarity between the qualification programs developed and the work performed in mines governed by the Mining Act and as a consequence, an in-depth analysis of the workers and the specific technical context in which they work is necessary;

— in the circumstances, it is impossible to establish adapted qualification programs before 1 January 2008 and it is therefore urgent and necessary to defer the date of effect of the Regulation to 1 January 2009 for the work performed in mines governed by the Mining Act;

* The Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry, made by Order in Council 279-2006 dated 29 March 2006 (2006, G.O. 2, 1252) was last amended by the regulation made by Order in Council 1011-2007 dated 14 November 2007 (2007, G.O. 2, 3226).