

Draft Regulations

Draft Regulation

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 — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting certificates of qualification and apprenticeship in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides in particular that certificates of qualification in electricity, pipe fitting and mechanical conveyor systems mechanics in sectors other than the construction industry will be issued for a period of 4 years and be renewable without paying duties. In addition, the draft Regulation permanently excludes work carried on in a mine from the scope of application of the Regulation. It also specifies temporary conditions that may lead to the issue of an attestation of experience for 4 trades.

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

Further information on the draft Regulation may be obtained by contacting Sylvie Bouchard, Director, Direction de la qualification réglementée, ministère de l'Emploi et de la Solidarité sociale, 800, rue du Square-Victoria, 27^e étage, C. P. 100, Montréal (Québec) H4Z 1B7; telephone: 514 873-6422; fax: 514 873-2189; e-mail: sylvie.bouchard@mess.gouv.qc.ca

Any person wishing to comment is requested to submit written comments within the 45-day period to the Minister of Employment and Social Solidarity, 425, rue Saint-Amable, 4^e étage, Québec (Québec) G1R 4Z1.

SAM HAMAD,
*Minister of Employment
and Social Solidarity*

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., subpars. a to c, g, h and l and s. 41.1, 1st par.; 2006, c. 58, s. 63)

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 1

(1) by inserting the following definition in alphabetical order:

“mine” means the establishment, with or without a treatment or processing plant, in which exploration work is performed, except the drilling of an artesian well, or the extraction of soil or sub-soil for removing a mineral substance in order to obtain a commercial or industrial product, including the buildings, warehouses, garages and workshops located at the surface in which work is performed related to the exploration for or the extraction of a mineral substance; (*mine*)”;

(2) by inserting “thermal” before “energy” in the definition of “combustion and heating system”.

2. Section 2 is amended by adding the following at the end of the second paragraph:

“(4) work in a mine.”.

* 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 1127-2007 dated 12 December 2007 (2007, G.O. 2, 3660A). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 March 2008.

3. Section 21 is amended by striking out the second paragraph.

4. Section 22 is amended

(1) by replacing “third” by “fourth”;

(2) by replacing “for 2-year periods” by “, without paying duties, for 4-year periods”.

5. Section 23 is replaced by the following:

“**23.** If the holder of a certificate of qualification, referred to in this Regulation or in the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels, made by Order in Council 280-2006 dated 29 March 2006, qualifies for a new certificate, the certificate is valid for the unexpired period of the first certificate.”.

6. Section 24 is replaced by the following:

“**24.** A certificate of qualification is renewed upon request by the holder, if the holder has taken the required training, if applicable, under section 25.”.

7. Section 25 is amended by replacing “complete” in the second paragraph by “take”.

8. Section 26 is amended by replacing “has not been renewed for more than four consecutive years” by “has lapsed for more than 6 consecutive years”.

9. Section 27 is replaced by the following:

“**27.** A person whose certificate of qualification has lapsed for 6 consecutive years or less must comply with any training requirements that could have been required under section 25 for a certificate to be issued.”.

10. Section 28 is amended

(1) by replacing “apprenticeship card” in subparagraph 2 of the first paragraph by “one or more apprenticeship cards”;

(2) by striking out subparagraphs 6, 7 and 9 of the first paragraph;

(3) by inserting the following after the first paragraph:

“For the purposes of subparagraph 2 of the first paragraph, the apprenticeship cards issued under the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels are taken into account.”;

(4) by replacing “The duties” in the second paragraph by “The duties referred to in the first paragraph”.

11. Section 29 is amended by replacing “the construction industry commissioner” by “the Commission des relations du travail”.

12. The following is inserted after section 31:

“**31.1.** The employer must ensure that the work carried on by an apprentice is supervised as provided in the first and second paragraphs of section 17.”.

13. Section 36 is amended

(1) by replacing “pay the duties exigible for the renewal of a certificate of qualification prescribed by this Regulation for a certificate to be issued” in the first paragraph by “apply for a certificate to be issued and comply with any training requirements that could have been required under section 25”;

(2) by replacing “second” in the first paragraph by “fourth”;

(3) by striking out the second paragraph;

(4) by adding the following at the end:

“The application for a certificate of qualification referred to in the first paragraph must be made not later than 31 March 2009.”.

14. The following is inserted after section 36:

“**36.1.** The Minister issues to an apprentice, upon the request and recommendation of the apprentice’s employer, an attestation of experience listed in the following table if the apprentice proves, by means of supporting documents, that he or she carries on a trade referred to in the certificate corresponding to such an attestation of experience and has accumulated the number of hours of practice in the table for work referred to in that certificate.

Attestations of experience	Number of hours of practice required
Restricted attestation of experience in equipment connection (ARCA)	60
Attestation of experience in process pipe fitting (ATPT)	1200
Attestation of experience in elevating platform mechanics (AMPFÉ)	4000
Attestation of experience in passenger ropeway mechanics (AMRM)	3000

An attestation of experience is considered to be a certificate of qualification for the purposes of sections 1 to 3, 8, 16, 17, 22 to 28, 30 and 31. Its holder is eligible for the qualification examination.

Duties of \$100 are exigible for the issue of an attestation of experience referred to in the first paragraph.

The application for an attestation of experience referred to in the first paragraph must be made not later than 31 March 2009.”.

15. Section 38 is amended by striking out the second paragraph.

16. This Regulation comes into force on 1 January 2009.

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Draft Regulation

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

— Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation provides in particular that certificates of qualification regarding gas, stationary engines and pressure vessels will be issued for a period of 4 years and be renewable without paying duties. In addition, the draft Regulation permanently excludes from the scope of application of the Regulation work for which a certificate of qualification in stationary engine mechanics is required when carried on in a mine. It also clarifies the scope of the certificate in restricted gas appliance maintenance techniques.

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

Further information on the draft Regulation may be obtained by contacting Sylvie Bouchard, Director, Direction de la qualification réglementée, ministère de l'Emploi et de la Solidarité sociale, 800, rue du Square-Victoria, 27^e étage, C. P. 100, Montréal (Québec) H4Z 1B7; telephone: 514 873-6422; fax: 514 873-2189; e-mail: sylvie.bouchard@mess.gouv.qc.ca

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

An Act respecting workforce vocational training and qualification
(R.S.Q., c. F-5, s. 30, 1st par., subpars. *a* to *c*, *g*, *h* and *l* and s. 41.1, 1st par.; 2006, c. 58, s. 63)

1. The Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels is amended in section 1 by inserting the following definition in alphabetical order:

* The Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessel, made by Order in Council 280-2006 dated 29 March 2006 (2006, *G.O.* 2, 1260), was amended once by the regulation made by Council 1128-2007 dated 12 December 2007 (2007, *G.O.* 2, 3661A).