

Regulations and other Acts

Gouvernement du Québec

O.C. 1194-2009, 18 November 2009

An Act to promote workforce skills development and recognition
(R.S.Q., c. D-8.3)

Training mutuals — Amendments

Regulation to amend the Regulation respecting training mutuals

WHEREAS, under section 8 of the Act to promote workforce skills development and recognition (R.S.Q., c. D-8.3), payments made by an employer to a training mutual recognized by the Minister or expenditures incurred with such a mutual are eligible, on the conditions fixed by regulation of the Commission des partenaires du marché du travail as expenditures incurred for the benefit of personnel;

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

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

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

WHEREAS, under section 22 of the Act, the regulations of the Commission made pursuant to section 20 require the approval of the Government;

WHEREAS the Commission made the Regulation to amend the Regulation respecting training mutuals by resolution on 7 May 2009;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 26 August 2009 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation;

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

THAT the Regulation to amend the Regulation respecting training mutuals, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting training mutuals*

An Act to promote workforce skills development and recognition
(R.S.Q., c. D-8.3, ss. 8, 20 and 21)

1. Section 2 of the Regulation respecting training mutuals is replaced by the following:

“**2.** The purpose of a training mutual is to structure, develop and implement training services adapted to the common problems and specific needs of the workforce in a sector of economic activity, a region, an industrial domain, or those of the workforce belonging to a specific clientele addressed by an integration and job retention committee, as well as to their socio-economic environment and to technological or structural changes in the market.”.

* The Regulation respecting training mutuals, approved by Order in Council 1062-2007 dated 28 November 2007 (2007, *G.O.* 2, 3683), has not been amended since it was approved.

2. Section 3 is replaced by the following:

“**3.** A sectoral workforce committee or a parity committee constituted under the Act respecting collective agreement decrees (R.S.Q., c. D-2) may be recognized as a training mutual.

A regional group of employers, a sectoral group of employers, a group of employers, a group of employers that are clients and subcontractors in the same industrial domain or a group of employers with a workforce belonging to a specific clientele addressed by an integration and job retention committee, if the group is constituted as a legal person under Part III of the Companies Act (R.S.Q., c. C-38) and has a multiparty board of directors composed of a majority of employer representatives and representatives of the workforce of the employer members, may also be recognized as a training mutual.

For the purposes of this Regulation, an integration and job retention committee is an organization constituted as a legal person under Part III of the Companies Act and intended particularly to favour the integration and job retention of a specific clientele. For that purpose, the committee identifies the difficulties faced by those persons and develops strategies to facilitate access to employment and to the training necessary for their integration into the labour market.”

3. Section 4 is amended

(1) by replacing “belong to the same sector of economic activity or are from the same region” in the first paragraph by “form a type of group authorized by section 3”;

(2) by replacing “and that a sufficient number of employers share a desire to work collaboratively to that end” in the second paragraph by “, that the employers concerned share a desire to work collaboratively and that their number is sufficient to ensure the viability of the training mutual”;

(3) by replacing the third paragraph by the following:

“Problems are considered common where employers face difficulties of the same nature as to the improvement of their workforce qualifications and skills or to the management and organization of their workforce training.”

4. Section 5 is amended

(1) by inserting “and documents” in the part preceding paragraph 1 after “information”;

(2) by replacing paragraph 3 by the following:

“(3) the applicant’s sector of economic activity, region, industrial domain or the characteristic specific to the workforce concerned;”;

(3) by adding the following paragraphs after paragraph 5:

“(6) a resolution of the board of directors of the legal person applying for recognition;

(7) in the case of a sectoral group of employers for which a sectoral workforce committee exists, a resolution of the board of directors of the sectoral committee in support of the application; and

(8) in the case of a group of employers with a workforce belonging to a specific clientele addressed by an integration and job retention committee, a resolution of the board of directors of that committee in support of the application.”

5. Section 9 is amended

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

“**9.** The sums received by a training mutual as payments made by an employer or the expenditures incurred by the employer with the training mutual must be used in their entirety for”;

(2) by replacing “employers” in subparagraph 1 of the first paragraph by “employer members”.

6. Section 12 is replaced by the following:

“**12.** When a training mutual ceases its activities, the sum of the unexpended payments received by the mutual and the interest earned on those sums must be paid into the Workforce Skills Development and Recognition Fund.

The amounts paid into the Fund pursuant to the first paragraph are reserved, for a period not exceeding 3 years from the date on which the mutual ceases its activities, to be used to train the workforce for which the training mutual was recognized.”

7. Section 13 is amended by replacing “of the employer’s expenditures that are eligible as payments made to or expenditures incurred with the training mutual” by “of payments made to the training mutual or expenditures incurred with the training mutual”.

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

9541

Gouvernement du Québec

O.C. 1198-2009, 18 November 2009

Professional Code
(R.S.Q., c. C-26)

Certified general accountants — Continuing education for holding a public accountancy permit

Regulation respecting continuing education for certified general accountants holding a public accountancy permit

WHEREAS, under the second paragraph of section 187.10.2 of the Professional Code (R.S.Q., c. C-26), amended by section 1 of chapter 11 of the Statutes of 2008 and by section 22 of chapter 35 of the Statutes of 2009, the board of directors of the Ordre des comptables généraux accrédités du Québec must determine, by regulation, the continuing education activities in which the holder of a public accountancy permit is required to take part, the penalties for failing to take part in the activities and, where applicable, the cases in which a member may be exempted from taking part in such activities;

WHEREAS the board of directors of the Ordre des comptables généraux accrédités du Québec made the Regulation respecting continuing education for certified general accountants holding a public accountancy permit;

WHEREAS, under section 95 of the Professional Code, amended by section 63 of chapter 11 of the Statutes of 2008 and by section 4 of chapter 16 of the Statutes of 2009, and subject to sections 95.0.1 and 95.2 of the Code, section 95.2 being amended by sections 1 and 65 of chapter 11 of the Statutes of 2008, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting continuing education for certified general accountants holding a public accountancy permit was published in Part 2 of the *Gazette officielle du Québec* of 13 August 2008 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation respecting continuing education for certified general accountants holding a public accountancy permit, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation respecting continuing education for certified general accountants holding a public accountancy permit

Professional Code
(R.S.Q., c. C-26, s. 187.10.2, 2nd para.;
2009, c. 35, s. 22)

DIVISION I CONTINUING EDUCATION

1. A member of the Ordre des comptables généraux accrédités du Québec holding a public accountancy permit shall, unless exempt pursuant to division IV, accrue at least 60 hours of continuing education activities per three-year reference period, with a minimum of 20 hours in each reference year. The 60 hours shall relate to the audit engagement, the review engagement and other activities related to public accountancy.

The member shall choose the continuing education activities that are best suited to his needs. He shall choose continuing education activities among those provided for in the program developed by the Order in accordance with section 4.

Continuing education activities shall include: