

Gouvernement du Québec

**O.C. 105-2016, 17 February 2016**

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

**Issuance of competency certificates  
— Amendment**

Regulation to amend the Regulation respecting the issuance of competency certificates

WHEREAS, under subparagraphs 5 and 7 of the first paragraph and the fourth and fifth paragraphs of section 123.1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20), the Commission de la construction du Québec may in particular, by regulation, determine the conditions of admission to apprenticeship and the various types of examinations, and of issue, renewal, cancellation and reinstatement of an apprentice competency certificate or apprenticeship booklet and determine the conditions of issue and renewal of occupation competency certificates and establish that such conditions may vary according to region to prescribe different standards in respect of Native persons, in particular, so as to favour their access to the construction industry;

WHEREAS the Commission made the Regulation to amend the Regulation respecting the issuance of competency certificates on 30 June 2015, after consultation with the Committee on vocational training in the construction industry in accordance with the first paragraph of section 123.3 of the Act;

WHEREAS, under section 123.2 of the Act, such a regulation of the Commission is submitted to the Government for approval, with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the issuance of competency certificates was published in Part 2 of the *Gazette officielle du Québec* of 11 November 2015, with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS no comments were received following that publication and it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Labour:

THAT the Regulation to amend the Regulation respecting the issuance of competency certificates, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation  
respecting the issuance of  
competency certificates**

An Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20, s. 123.1, 1st par., subpars. 5 and 7, and 4th and 5th pars.)

**1.** The Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) is amended in section 7 by replacing “section 2 or section 3” in the second paragraph by “section 2, 3, 30 or 32” and by adding “, 31 or 33” after “section 4.2” in the third paragraph.

**2.** The following is added after section 29:

“**30.** On 10 March 2016, the Commission issues automatically, with no fee, an apprentice competency certificate to a person 16 years of age or over who

(1) on that date, is domiciled in the territory situated north of the 55th parallel of north latitude, except Category IB-N lands intended for the Naskapi community of Kawawachikamach, Category IA and IB lands intended for the Cree community of Whapmagoostui and Category II lands on which only that community has exclusive rights, as the lands are so designated in the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1);

(2) is exempt from the obligation to hold an apprentice competency certificate issued by the Commission that is valid on that date; and

(3) on that date, has provided an attestation that he or she has successfully completed a health and safety course required under the Safety Code for the construction industry (chapter S-2.1, r. 4).

The apprentice competency certificate thus issued corresponds to the trade covered by the exemption and may be renewed on the conditions set out in this Regulation.

Despite the foregoing, on 10 March 2018, every apprentice competency certificate initially issued under this section is cancelled and may not be renewed despite any provision to the contrary, if the holder does not demonstrate

that he or she meets, on that date, the admission requirements prescribed in basic school regulations made under the Education Act (chapter I-13.3), for programs of studies leading to a vocational training diploma pertaining to the trade indicated in the application.

At the same time as the Commission issues an apprentice competency certificate under this section, it cancels the exemption referred to in subparagraph 2 of the first paragraph.

**31.** On 10 March 2016, the Commission issues automatically, with no fee, an occupation competency certificate to a person 16 years of age or over who

(1) on that date, is domiciled in the territory described in subparagraph 1 of the first paragraph of section 30;

(2) is exempt from the obligation to hold an occupation competency certificate issued by the Commission that is valid on that date; and

(3) on that date, has provided an attestation that he or she has successfully completed a health and safety course required under the Safety Code for the construction industry.

The occupation competency certificate thus issued is renewed on the conditions set out in this Regulation.

At the same time as the Commission issues an occupation competency certificate under this section, it cancels the exemption referred to in subparagraph 2 of the first paragraph.

**32.** Until 30 June 2017, despite sections 3 and 3.1, the Commission may issue an apprentice competency certificate to a person 16 years of age or over domiciled in the territory described in subparagraph 1 of the first paragraph of section 30

(1) who provides an attestation that he or she has successfully completed a health and safety course required under the Safety Code for the construction industry;

(2) who demonstrates that he or she meets the admission requirements prescribed in basic school regulations made under the Education Act, for programs of studies leading to a vocational training diploma pertaining to the trade indicated in the request; and

(3) in respect of whom an employer registered with the Commission files a workforce request, guarantees that person employment for not less than 150 hours over a period not exceeding 3 months and provides the Commission with proof of the guarantee.

**33.** Until 30 June 2017, despite sections 4.2 and 4.3, the Commission may issue an occupation competency certificate to a person 16 years of age or over domiciled in the territory described in subparagraph 1 of the first paragraph of section 30

(1) who provides an attestation that he or she has successfully completed a health and safety course required under the Safety Code for the construction industry; and

(2) in respect of whom an employer registered with the Commission files a workforce request, guarantees that person employment for not less than 150 hours over a period not exceeding 3 months and provides the Commission with proof of the guarantee.”

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

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