

## Regulations and other Acts

Gouvernement du Québec

### O.C. 677-2021, 12 May 2021

Act respecting collective agreement decrees  
(chapter D-2)

#### Installation of petroleum equipment — Amendment

Decree to amend the Decree respecting the installation of petroleum equipment

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government may order that a collective agreement respecting any trade, industry, commerce or occupation is to also bind all the employees and professional employers in Québec or in a stated region of Québec, within the scope determined in such decree;

WHEREAS the Government made the Decree respecting the installation of petroleum equipment (chapter D-2, r. 12);

WHEREAS, under the first paragraph of section 6.1 of the Act respecting collective agreement decrees, sections 4 to 6 of the Act apply to an application for amendment;

WHEREAS, in accordance with the first paragraph of section 4 of the Act, the contracting parties addressed an application to amend the Decree to the Minister of Labour, Employment and Social Solidarity;

WHEREAS, under the first paragraph of section 6 of the Act, at the expiry of the time specified in the notice provided for in section 5 of the Act, the Minister may recommend that the Government issue a decree ordering the extension of the agreement, with such changes as are deemed expedient;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and the first paragraph of section 5 of the Act respecting collective agreement decrees, a draft Decree to amend the Decree respecting the installation of petroleum equipment was published in Part 2 of the *Gazette officielle du Québec* of 3 February 2021 and in a French language newspaper and an English language newspaper, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 7 of the Act respecting collective agreement decrees, despite section 17 of the Regulations Act, a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS it is expedient to make the Decree without amendment;

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

THAT the Decree to amend the Decree respecting the installation of petroleum equipment, attached to this Order in Council, be made.

YVES OUELLET

*Clerk of the Conseil exécutif*

#### Decree to amend the Decree respecting the installation of petroleum equipment

Act respecting collective agreement decrees  
(chapter D-2, ss. 2, 4, 6 and 6.1)

**1.** The Decree respecting the installation of petroleum equipment (chapter D-2, r. 12) is amended in section 6.02 by replacing the term “5 years” wherever it appears by “3 years”.

**2.** Section 6.03 is replaced by the following:

“**6.03.** At each pay period, the employer credits each employee with an indemnity for statutory general holidays equal to 4.4% of the wages earned during that period and with an annual leave indemnity equal to 7.16% of the wages.

Despite the foregoing, the annual leave indemnity of an employee who has 10 years of service, on 30 April, with the same employer, is 7.56% of the wages.”.

**3.** Section 9.01 is amended by replacing subsections 1 to 3 by the following:

“(1) The minimum hourly rate payable to a service mechanic, an installation mechanic, a shop mechanic and a tank-truck mechanic is established as follows for each class of employment:

Class of employment	As of 26 May 2021	As of 1 January 2022	As of 31 December 2022
A	\$35.62	\$36.51	\$37.42
B	\$30.24	\$31.00	\$31.78
C	\$26.07	\$26.72	\$27.39;

(2) A labourer is paid according to the number of hours accumulated since the date of hiring. The minimum hourly rate payable is established as follows:

Labourer	As of 26 May 2021	As of 1 January 2022	As of 31 December 2022
Starting	\$22.42	\$22.98	\$23.56
After 2,000 hours	\$22.96	\$23.53	\$24.12
After 4,000 hours	\$23.58	\$24.17	\$24.77
After 6,000 hours	\$24.36	\$24.97	\$25.59;

(3) The minimum hourly rate payable to a student is established as follows:

Student	As of 26 May 2021	As of 1 January 2022	As of 31 December 2022
	\$17.27	\$17.70	\$18.14;

**4.** The following is inserted after section 9.03:

“**9.04.** Every employee who is available to receive service calls outside regular working hours receives a lump sum of \$100.00 per week, whether or not the employee receives calls, in addition to the wage applicable for the hours worked to respond to any call.”.

**5.** Section 11.08 is amended by striking out “\$1.44, and” and “as of 1 January 2014” in subparagraph *b* of paragraph 1.

**6.** Section 12.01 is amended by replacing “2019” wherever it appears by “2022”.

**7.** This Decree comes into force on the day of its publication in the *Gazette officielle du Québec*.

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## M.O., 2021

### Order number 4477 of the Minister of Justice dated 12 May 2021

Act respecting the Ministère de la Justice (chapter M-19)

Measures for ensuring the proper administration of justice following the fire at the Roberval courthouse

THE MINISTER OF JUSTICE,

CONSIDERING section 5.1 of the Act respecting the Ministère de la Justice (chapter M-19) which provides that, in a situation where it is impossible in fact to comply with the rules of the Code of Civil Procedure (chapter C-25.01) or of the Code of penal procedure (chapter C-25.1), the Minister of Justice may, if necessary for the proper administration of justice, amend any rule of procedure, introduce a new one or provide for any other measure;

CONSIDERING that that section provides that the measures are to be published in the *Gazette officielle du Québec*, that they may take effect on the date on which the situation occurs or on any later date specified in the measures, and that they are applicable for the period determined by the Minister of Justice, which may not exceed one year after the end of the situation;

CONSIDERING that that section provides that, before adopting the measures, the Minister must take into consideration their effects on the rights of individuals and obtain the agreement of the Chief Justice of Québec and the Chief Justice of the Superior Court or the Chief Judge of the Court of Québec, according to their jurisdiction, and the Minister must also take into consideration the opinion of the Barreau du Québec and, if applicable, the Chambre des notaires du Québec or the Chambre des huissiers de justice du Québec;

CONSIDERING section 12 of the Regulations Act (chapter R-18.1), which provides that a proposed regulation may be made without having been published as provided for in section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

CONSIDERING section 13 of that Act, which provides that the reason justifying the absence of prior publication must be published with the regulation;

CONSIDERING section 27 of that Act, which provides that a regulation may take effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made or approved expressly provides therefor;