

Each statement must be certified monthly by an authorized person and kept by the employer for 6 years.”.

6. The heading of Division VII is amended by inserting “DECISIONS AND” before “CONTESTATION”.

7. The following is inserted before section 29:

“**28.1.** The Minister may revoke any decision made pursuant to this Regulation on the basis of a declaration, document or information that is false, misleading or incomplete.

28.2. Before making an unfavourable decision or revoking a decision made pursuant to this Regulation, the Minister must notify in writing the person concerned by the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and give the person the opportunity to present observations.”.

8. Section 31.1 is amended

(1) by replacing “provided in the first and second paragraphs of” by “provided for in”;

(2) by adding “The employer must also comply with sections 17.1 to 17.6, if applicable.” at the end.

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

105900

Draft Regulation

Act respecting workforce vocational training and qualification
(chapter F-5)

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

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter 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 introduces rules allowing remote supervision of certain work carried on by an apprentice, including compliance by the employer with certain

conditions, the establishment of a remote supervision procedure, the sending to the Minister of a notice respecting the procedure and the keeping of a register of the work carried on under remote supervision. It amends the conditions applicable to the operation and supervision of stationary engines or stationary engine installations, and the carrying on of work on the engines and installations.

It specifies the rules for recognizing the apprentice’s proficiency in qualification elements. It also adds the possibility of recognizing certain training qualifications issued in France. Lastly, it specifies certain rules applicable to the Minister’s decision-making.

The draft Regulation will have a favourable impact on enterprises that will choose to avail themselves of the new provisions allowing remote supervision of certain work carried on by an apprentice and those related to the operation and supervision of stationary engines or stationary engine installations.

Further information on the draft Regulation may be obtained by contacting Jean-Louis Gauthier, Direction de la qualification professionnelle, Ministère du Travail, de l’Emploi et de la Solidarité sociale, 800, rue du Square-Victoria, 29^e étage, Montréal (Québec) H4Z 1B7; telephone: 514-873-0800, extension 88333; email: jean-louis.gauthier@mtess.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Labour, Employment and Social Solidarity, 425, rue Jacques-Parizeau, 4^e étage, Québec (Québec) G1R 4Z1; email: ministre@mtess.gouv.qc.ca.

JEAN BOULET

Minister of Labour, Employment and Social Solidarity

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

Act respecting workforce vocational training and qualification
(chapter F-5, s. 30, 1st par., subpars. b, c and l)

l. The Regulation to amend the Regulation respecting certificates of qualification and apprenticeship regarding gas, stationary engines and pressure vessels (chapter F-5, r. 2) is amended in section 1

(1) by inserting the following after the definition of “propane”:

““property” means a location, separated or not by a street, road or railway, that belongs to the same owner; (*propriété*)”;

(2) by adding “within the meaning of the Regulation respecting stationary enginemen (chapter M-6, r. 1)” at the end of the definition of “supervise”.

2. Section 6 is replaced by the following:

“6. Despite section 5, the holder of a certificate of qualification of a class immediately lower than the class required may

(1) operate or supervise a stationary engine or a stationary engine installation of that class for a period not exceeding 180 days in case of death, illness, holidays, vacations, resignation or dismissal of the holder of the appropriate certificate or the class augmentation of a stationary engine installation;

(2) operate or supervise a stationary engine or a stationary engine installation of that class where the chief stationary engineman who operates or supervises its operation is absent for a reason other than those listed in paragraph 1 and

(a) the chief stationary engineman designated by the owner or user of the stationary engine or the stationary engine installation holds a certificate of qualification of the same category and a class equal to or higher than the classification of that engine or installation; and

(b) the chief stationary engineman is not designated as such for another stationary engine or stationary engine installation, unless it is on the same property;

(3) at all times, under the supervision of a holder of a certificate of qualification of the appropriate class and category who operates the stationary engine or stationary engine installation, carry on work authorized by the certificate of qualification for that class and category.”

3. Section 10.1 is amended by inserting “or another French qualification recognized as equivalent by the Minister” after “France,” in the first paragraph.

4. Section 20 is amended by inserting the following after the second paragraph:

“Despite the foregoing, the apprentice’s proficiency in a qualification element may not be considered acquired before the apprentice receives a written confirmation from the Minister.”

5. Section 21 is amended by adding “who is on the premises” at the end of the second paragraph.

6. The following is inserted after section 21:

“**21.1.** In the cases referred to in the second paragraph of section 21, the supervision may be carried on remotely where the employer who has the work carried on by the apprentice

(1) has put in place means to enable the apprentice, during the work supervised remotely, to communicate with the qualified person referred to in section 21.5 and receive technical support from that person;

(2) has made sure that the qualified person referred to in section 21.5 may, within a reasonable time, intervene on the premises with the apprentice;

(3) has established procedures for overseeing the work and restarting the installations and equipment on which the apprentice works;

(4) has sent a notice to the Minister in accordance with section 21.2 or 21.3.

21.2. An employer may have the work referred to in the second paragraph of section 21 carried on under remote supervision by an apprentice provided a prior written notice is sent to the Minister, in the manner determined by the Minister. The notice must include

(1) the supervision procedure established, including

(a) the available means of communication enabling the apprentice to contact the qualified person referred to in section 21.5 who supervises the work remotely;

(b) the maximum time necessary for the qualified person referred to in section 21.5 to intervene on the premises with the apprentice;

(c) a list of the technical documents made available to the apprentice for the performance of tasks under remote supervision;

(d) the safety instructions specific to the work concerned; and

(e) the procedures for overseeing the work and restarting the installations or equipment on which the apprentice works;

(2) the type of installation where the work will be carried out by the apprentice under remote supervision; and

(3) where applicable, the duration of the work supervised remotely.

21.3. The employer must notify the Minister of any change to any of the elements referred to in section 21.2. The notice must be sent in writing not later than 10 days after the change takes effect.

21.4. The employer must, before the beginning of the work supervised remotely, give or make available to the apprentice the supervision procedure established.

The employer must also make available to the apprentice the spare parts, materials and tools required to carry on the work or inform the apprentice on how to obtain them.

21.5. The person who remotely supervises the work must be a worker qualified for the work concerned. The person must have at least 5 years of experience for such work, including the evaluation and certification of the proficiency in the elements of qualification.

21.6. The employer who has work carried on by an apprentice under remote supervision must keep a register. The register must contain, each time such work is carried on, a statement including

- (1) the date of the work;
- (2) the name of the apprentice who carried on the work;
- (3) the apprentice's home base;
- (4) the name of the qualified person referred to in section 21.5 who supervised the work;
- (5) the start and end time of the work;
- (6) the identification of the equipment on which work is carried on and its location;
- (7) a description of the work carried on by the apprentice; and
- (8) a description of any problems the apprentice encountered, interventions made by the qualified person referred to in section 21.5 and corrections made.

Each statement must be certified monthly by an authorized person and kept by the employer for 6 years.”

7. The heading of Division VII is amended by inserting “DECISIONS AND” before “CONTESTATION”.

8. The following is inserted before section 35:

“**34.1.** The Minister may revoke any decision made pursuant to this Regulation on the basis of a declaration, document or information that is false, misleading or incomplete.

34.2. Before making an unfavourable decision or revoking a decision made pursuant to this Regulation, the Minister must notify in writing the person concerned by the prior notice prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and give the person the opportunity to present observations.”

9. Section 37.1 is amended

(1) by replacing “provided in the first and second paragraphs of section 21” in the first paragraph by “provided for in section 21 and, where applicable, comply with sections 21.1 to 21.6”;

(2) by replacing “in the second paragraph of section 6, section 7 or section 8” in the second paragraph by “section 6 or 7”.

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

105901

Draft Regulation

Act respecting legal aid and the provision of certain other legal services
(chapter A-14)

Establishment of community legal centres — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the establishment of community legal centres, made by the Commission des services juridiques and appearing below, may be approved by the Government on the expiry of 45 days following this publication.

The draft Regulation amends certain provisions of the Regulation respecting the establishment of community legal centres (chapter A-14, r. 7) to replace the name of a community legal centre and the city in which the head office of a community legal centre is situated.