

NATIONAL ASSEMBLY

THIRD SESSION

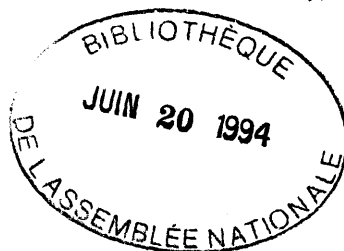
THIRTY-FOURTH LEGISLATURE

Bill 201
(Private)

An Act to amend the Act respecting the master refrigeration contractors of Quebec

Introduction

**Introduced by
Mr Robert Benoit
Member for Orford**



**Québec Official Publisher
1994**

Bill 201

(Private)

An Act to amend the Act respecting the master refrigeration contractors of Quebec

WHEREAS the Corporation of Master Refrigeration Contractors of Quebec wishes to open membership to air-conditioning and ventilation contractors and, for that purpose, to amend its constituent Act;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The title of the Act respecting the master refrigeration contractors of Quebec (1963-64, chapter 103) is replaced by the following title:

“An Act respecting the master air treatment and cold processing contractors of Québec”.

2. Section 1 of the said Act is amended by replacing the expressions “Corporation of Master Refrigeration Contractors of Quebec” and “Corporation des maîtres entrepreneurs en réfrigération du Québec” by the expressions “Corporation of Air Treatment and Cold Processing Enterprises of Québec” and “Corporation des entreprises du traitement de l’air et du froid du Québec”, respectively.

3. Section 2 of the said Act is replaced by the following section:

“**2.** A master air treatment and cold processing contractor within the meaning of this Act means a person who undertakes construction work on refrigeration systems relating to air conditioning, industrial processes, the preserving of products and other similar or related construction work not reserved exclusively for master pipe-mechanics.

The title also designates any person who undertakes the work of installing, overhauling, altering, repairing, servicing or dismantling any system using refrigerants, in any building, vehicle or equipment, including the piping, apparatus, controls and connections, accessory components and other equipment related to the conveying of fluids used in the production of cooling and the displacement of thermal energy by the system.

A master air treatment and cold processing contractor within the meaning of this Act also means any person who undertakes construction work on air circulation or distribution systems relating to ventilation, exhaust, air conditioning, heating system ductwork, testing, control adjustment and balancing, dust removal, decontamination, disinfection, degreasing and other similar or related work not reserved exclusively for master pipe-mechanics.”

4. Section 4 of the said Act is replaced by the following section:

“**4.** The objects of the corporation shall be to represent and defend the interests of its members, to regulate their discipline and professional conduct, to facilitate and promote refresher training of its members, to afford opportunities for them to discuss matters of common interest and to provide members with any services they may need. Without restricting the generality of the foregoing, the corporation shall promote the passage of legislation which is appropriate to the air treatment and cold processing industry and which is advantageous to the industry, and serve as an intermediary with governments in matters of draft legislation at the provincial, federal or municipal level to the extent that the legislation may affect the industry; in addition, the corporation shall establish and maintain closer relations with and work for better understanding between the various sectors of the construction industry and professional groups; improve procedures for tendering and for the awarding of contracts as well as improve contract document forms; collect and disseminate information regarding the air treatment and cold processing industry; and whenever practicable promote standardization of the practices of persons doing business in the industry or supplying materials to it.”

5. Section 6 of the said Act is amended by replacing the word “fonctionnaires” in the second paragraph and in the third paragraph of the French text by the word “officiers”.

6. Section 7 of the said Act is amended

(1) by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) the admission, suspension, expulsion, classification and description of the members, in particular by adopting a code of ethics;”;

(2) by replacing the last paragraph by the following paragraph:

“To be executory, the by-laws referred to in subparagraphs *b*, *c* and *e* of the first paragraph must be ratified by the members at a special general meeting of the members duly called for that purpose or at the members’ annual meeting.”

7. Section 10 of the said Act is amended by striking out the second paragraph.

8. Section 12 of the said Act is replaced by the following section:

“12. No person may display or use the title of “*maître entrepreneur en traitement de l’air et du froid*” or “master air treatment and cold processing contractor” or any abbreviation thereof, or use the logo or any other identification mark of the corporation unless he is a member in good standing of the corporation.”

9. Sections 13 and 14 of the said Act are replaced by the following sections:

“13. Any person who contravenes section 12 is guilty of an offence and is liable, in addition to costs, to a fine of \$500 and, for any subsequent offence within two years, to a fine of not less than \$1 000 nor more than \$2 000.

“14. Penal proceedings taken under this Act shall be instituted in accordance with the Code of Penal Procedure (R.S.Q., chapter C-25.1).

Fines imposed under this Act belong to the corporation.”

10. Section 15 of the said Act is replaced by the following section:

“15. The corporation shall keep at its corporate seat a list on which the names of all members in good standing of the corporation are entered in alphabetical order, and any person may examine the list during office hours without charge.

No person may be considered to be a member of the corporation unless he is entered on the list mentioned in the preceding paragraph.

The list or any copy or extract from it, certified by the secretary of the corporation, is *prima facie* proof that the person whose name appears on it is a member in good standing of the corporation."

11. Section 16 of the said Act is repealed.

12. Section 17 of the said Act is renumbered and replaced by the following section:

"16. Nothing in this Act authorizes the corporation to regulate the price of the work described in section 2 of this Act, the price of labour or materials, or the conditions of sale or of payment."

13. Section 18 of the said Act is renumbered and replaced by the following section:

"17. The Minister of Labour is responsible for the administration of this Act."

14. This Act comes into force on (*insert here the date of assent to this Act*).