



CHAPTER 69

An Act respecting pipe-fitters

[Assented to, the 13th of April, 1933]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The Revised Statutes, 1925, are amended by inserting R. S., therein, after chapter 176 thereof, the following chapter: **c. 176A, added.**

“CHAPTER 176A

“AN ACT RESPECTING PIPE-FITTERS

“**1.** This act may be cited as the *Pipe-fitters Act*.

Short title.

“DIVISION I

“DECLARATORY AND INTERPRETATIVE PROVISIONS

“**2.** In this act:

1. The word “Minister” designates the Minister of Labour; Interpretation:
“Minister”;

2. The word “contractor” designates and includes any person, company, association or corporation who or which undertakes on his or its own account by the hour, day or for a lump sum, by verbal agreement, written contract or otherwise, the work of installing, repairing or renewing of one, several or all of the following systems of piping, to wit:

a. Heating systems used for producing motive power or heat in any form whatsoever, in any building or construction; such systems including among others gravity or forced hot water systems, and high, low or vacuum steam systems; Heating systems;

Refrigerating systems;

b. Refrigerating systems of any warehouse, building or premises, used for cooling the air, chilling articles or for making ice, having a capacity to be fixed by the board of examiners;

Sprayers;
"Journeyman";

c. Mechanical sprayers;

3. The word "journeyman" designates and includes any person who hires his services to a contractor within the meaning of this act, to carry out the work of installing, repairing or renewing of one, several, or all of the systems of piping provided for by sub-paragraphs *a*, *b* and *c* of paragraph 2 of this section;

"Apprentice";

4. The word "apprentice" designates and includes any person who is apprenticed to the work of installing, repairing or renewing of one, several or all of the systems of piping provided for by sub-paragraphs *a*, *b* and *c* of paragraph 2 of this section;

"Board of examiners";

5. The words "board of examiners" or "examiners" designate the board contemplated by section 3 of this act;

"Regulations".

6. The word "regulations" designates the regulations adopted in virtue of this act.

"DIVISION II

"BOARD OF EXAMINERS

Appointing of board of examiners.

"3. The Lieutenant-Governor in Council may appoint a board of examiners consisting of three members, one of whom shall be designated as chief examiner, who shall be chosen from among the persons competent in the work of installing the systems of piping provided for by sub-paragraphs *a*, *b* and *c* of paragraph 2 of section 2 of this act, not under twenty-five years of age and having theoretical and practical knowledge of such kind of work.

Salary.

The salary of the members of such board shall be fixed by the Lieutenant-Governor in Council.

Duties

"4. The duties of such officers shall be:

Examining persons.

1. To examine any person obliged to procure a license in virtue of this act;

Holding of examinations.

2. To hold examinations, prepare forms and other documents for the same, collect fees, keep registers, direct the work of the inspectors appointed in virtue of this act and see to the details of the administration of the examiners' office.

Keeping of records, etc.

Such officers shall keep in the archives of their office a record of every license issued by them and draw up reports on the operations of the office whenever called upon by the Minister so to do.

They may, subject to the approval of the Minister, make a sub-classification of the licenses provided for by Division III of this act. Making of sub-classification of licenses.

"DIVISION III

"LICENSES

"5. No person shall do business as a contractor or work as a journeyman or apprentice in a municipality the population whereof exceeds ten thousand souls, unless a license to that effect has been granted to him by the board of examiners and such license be in force. Where licenses required to do business.

"6. Three license forms shall be issued, designated as follows: "contractor's license", "journeyman's license" and "apprentice's license". Three license forms.

"7. A contractor's license must be granted:

1. To any person who has satisfactorily passed the examination prescribed for journeymen and has fyled an application to be registered as a contractor and paid the prescribed fees; and To whom contractor's license must be granted.

2. To any company, corporation or association doing or wishing to do business as a contractor, provided that at least one director or member, as the case may be, of such company, corporation or association holds a journeyman's license, in force.

"8. A journeyman's license must be granted to any person who has satisfactorily passed the examination prescribed for a journeyman, has complied with the provisions contained in the forms prepared by the examiners and has paid the prescribed fees. Journeyman's license.

"9. An apprentice's license must be granted to any person wishing to work as an apprentice. Apprentice's license.

"10. Mention shall be made on the contractor's and journeyman's licenses of the system or systems of piping provided for by sub-paragraphs *a*, *b* and *c* of paragraph 2 of section 2 of this act, that the contractor is authorized to contract for or on which the journeyman is authorized to work. Mention on licenses.

"11. The licenses hereinabove provided for shall remain in force until the thirtieth day of June following the issuing thereof and must be renewed after such date. Duration of licenses.

License granted to person, etc., domiciled outside the Province.

Nevertheless, a contractor's license granted to a person domiciled outside of the Province or to a company, association or corporation which has not its place of business in the Province shall remain in force only during the period of time fixed by the examiners at the time of granting such license.

When such licence to have force and effect.

In the case provided for by the preceding paragraph such license shall have force and effect only in the case where the person, company, association or corporation in possession thereof obtains from the examiners a license for each of the journeymen, from outside of the Province, who are employed in carrying out the said works. The duration of the licenses granted to the said journeymen shall be determined by the examiners at the time of granting such licenses.

Admission of apprentice to certain examination.

"12. No apprentice shall be admitted to the examination for a journeyman's license unless he has served four years apprenticeship in the work of installing, repairing or renewing one, several or all of the systems of piping provided for by sub-paragraphs *a*, *b*, and *c* of paragraph 2 of section 2 of this act.

Admission in certain case.

The examiners may, however, admit an apprentice to the examination for a journeyman's license, after three years apprenticeship, if such apprentice has studied at a technical school the work of installing, repairing or renewing of one, several or all of the said systems of piping and if he furnishes proof to such effect.

Posting of license.

"13. A license granted to a contractor shall be posted up in the administration office of such contractor.

Carrying thereof.

Every journeyman and every apprentice must always carry on his person the license of journeyman or of apprentice.

Omission.

Every omission to post up the license or carry it as required shall of itself be proof of lack of qualification.

Transferring, etc., of licenses.

"14. No license granted in virtue of this act may be transferred or conveyed and the said license may be suspended or revoked for sufficient cause by the board of examiners.

Appeal to Minister.

Such suspension or revocation shall, however, be subject to appeal to the Minister whose decision shall be final.

Suspension, etc., of license in certain case.

"15. If it be proved that any person, company, association or corporation employs any unlicensed person to do work on one, several or all of the systems of piping pro-

vided for by sub-paragraphs *a*, *b* and *c* of paragraph 2 of section 2 of this act, or if a license has been obtained under false pretences, the license held by such person, company, association or corporation may be suspended or revoked.

The above provision shall not prevent the condemning Provisions of such person, company, association or corporation to ^{safeguarded.} the penalty provided for by this act for such offence.

"DIVISION IV

"FEES

"16. 1. The Lieutenant-Governor in Council may enact, ^{Tariff of} amend, replace or repeal the tariff of fees payable to the ^{fees.} board of examiners for the granting and the renewal of the licenses provided for by this act.

2. The fees for the granting and the renewal of licenses ^{Disposal} and the fines provided for by this act shall be collected by ^{thereof.} the board of examiners and handed over to the Provincial Treasurer.

3. The board of examiners shall alone have the right to ^{Collection} collect the fees imposed for the granting and the renewal ^{restricted.} of licenses.

"DIVISION V

"EXAMINATIONS

"17. Every person wishing to obtain a license as con- ^{Examina-} tractor, journeyman or apprentice must apply therefor to ^{tion prior to} the board of examiners and come before the said board to ^{issuing of} undergo an examination, verbal or written at the candidate's ^{license.} option, on the subjects prescribed by it, in the case where an examination is required.

Every company, association or corporation wishing to ^{Companies,} obtain a contractor's license must see that one or more of ^{etc.} its representatives come before the board of examiners to undergo the required examination before it.

"DIVISION VI

"PENALTIES

"18. Every person, company, association or corporation ^{Offences and} who or which,— ^{penalties.}

a. Acts as a contractor, without holding a contractor's license;

b. Has or takes into his or its employ any person unprovided with the license prescribed by this act,— shall be liable, for a first offence, in addition to the costs, to a minimum fine of ten dollars per day and to a maximum fine of twenty-five dollars per day, or to imprisonment for eight days, or to both fine and imprisonment at the discretion of the court; and, for a second or any subsequent offence, to a fine of twenty-five dollars per day or to one month's imprisonment, or to both fine and imprisonment at the discretion of the court.

Offences and penalties. **"19.** Every person who hinders, molests or embarrasses an inspector or any other officer or employee or who interferes in the execution of the duties of an inspector, or of any other officer or employee, shall be liable to the penalties provided for by section 18 of this act.

Idem. **"20.** Every person, company, association or corporation holding a contractor's license which has not been renewed, as provided for by section 11 of this act, shall be liable, in addition to the costs, to a fine of ten dollars, and, in default of payment of such fine and costs, to an imprisonment of thirty days.

Idem. **"21.** Every person holding a journeyman's or apprentice's license which has not been renewed as provided for by section 11 of this act, shall be liable, in addition to the costs, to a fine of five dollars, and, in default of payment of such fine and costs, to an imprisonment of thirty days.

"DIVISION VII

"JURISDICTION OF CERTAIN COURTS AND PROCEDURE

Bringing of prosecutions. **"22.** All prosecutions under this act shall be brought before a judge of the Sessions of the Peace or a police magistrate in the cities of Quebec and Montreal, or before a district magistrate or a justice of the peace of the place where the offence was committed if in any other part of the Province.

Procedure. The procedure to be followed in such cases shall be that prescribed by the Quebec Summary Convictions' Act (Chap. 165).

"DIVISION VIII

"GENERAL PROVISIONS

Inspectors. **"23.** In order to ensure the observance of this act and of the regulations, and to ascertain whether the persons,

companies, associations or corporations hold the required licenses and comply with the law and regulations, there may be appointed a number of inspectors duly qualified as journeymen whose work shall consist in making inspections in all the buildings of the Province, in making the law known to the interested parties and reporting to the examiners whatever infringements they may establish.

"24. Any member of the Provincial or municipal police or any person authorized to that effect by the examiners shall have the right to require any person, company, association or corporation to show to him the license or licenses provided for by this act, and to demand proof that the law has been complied with, and, failing which, the said member of the provincial or municipal police or the person so authorized, shall have the right to stop immediately the work under way and shall notify the examiners of every violation of this act. Powers of police, etc.

"25. Each member of the board of examiners or any inspector appointed in virtue of this act may, provided it be at a reasonable hour, have access to, enter upon or cross any lot, building or place for the purpose of ascertaining whether this act and the regulations are complied with and also to accomplish the duties devolving upon him in virtue of this act. Powers of board of examiners, etc.

"26. The salary of the examiners, inspectors and employees, as well as the expenses incurred for the carrying out of this act, shall be paid out of the consolidated revenue fund. How salaries, etc., paid.

"27. Notwithstanding any provision to the contrary in this act; Persons, etc., excluded from application of act.

a. No person, company, association or corporation who or which does business as a contractor or work as a journeyman or apprentice shall be subject to the provisions of this act if the work which he or it contracts for or does is work done on locomotives, railway cars or ships; and

b. No person who is regularly employed by another person or by a company, association or corporation shall be subject to the provisions of this act if the object of the work done is for the upkeep of one, several or all of the systems of piping provided for by sub-paragraphs *a*, *b* and *c* of paragraph 2 of section 2 of this act, installed in or on the property of the person, company, association or corporation employing him.

One appren-
tice per
journey-
man.

“28. No contractor shall, in undertaking the work of installing, repairing or renewing of one, several or all of the systems of piping provided for by sub-paragraphs *a, b, and c* of paragraph 2 of section 2 of this act, employ more than one apprentice for each journeyman executing such work for the contractor.

Regula-
tions.

“29. The Lieutenant-Governor in Council may make all the regulations necessary for the carrying out of this act and such regulations shall come into force from and after their publication in the *Quebec Official Gazette*.

Application
restricted.

“30. This act shall not apply to mines governed by the Quebec Mining Act (Chap. 80).”

Coming into
force.

2. This act shall come into force on the 1st of July, 1933.