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If you find any errors or omissions in this consolidation, please contact:

Legislative Counsel Office
Tel: (902) 368-4291
Email: legislation@gov.pe.ca

CHAPTER A-15.1

APPRENTICESHIP AND TRADES QUALIFICATION ACT

REGULATIONS

Pursuant to section 10 of the *Apprenticeship and Trades Qualification Act* R.S.P.E.I. 1988, Cap. A-15.1, Council made the following regulations:

1. In these regulations Definitions
 - (a) "Act" means the *Apprenticeship and Trades Qualification Act* R.S.P.E.I. 1988, Cap. A-15.1; Act
 - (b) "credits" means recognition of previous work experience and training as suitable for reducing the requirements of the apprenticeship term; credits
 - (c) "in-school training" means off-the-job training provided to apprentices in a classroom setting; in-school training
 - (d) "interprovincial trade" means any trade designated by the Canadian Council of Directors of Apprenticeship as suitable for interprovincial standards; interprovincial trade
 - (e) "probationary period" means the period of time a new apprentice must work at the trade before an apprenticeship agreement will be executed. (EC712/95) probationary period
2. These regulations apply to any trade which has been designated under the Act and for which an apprenticeship training or certification program has been established. (EC712/95) Application
3. No person shall become an apprentice in a designated trade unless that person Apprenticeship qualifications
 - (a) is at least sixteen years of age;
 - (b) has the minimum educational standing established for the trade by the Board; and
 - (c) is employed by an employer who meets the requirements established by the Board; and
 - (d) is willing to abide by the conditions set out in the apprenticeship agreement. (EC712/95)
4. (1) The Minister, upon recommendation of the Board, may designate any trade or occupation for apprenticeship training and certification. Designation of trades

<i>Idem</i>	(2) The designated trades are: all interprovincial trades, drafting, motor vehicle mechanic-electrical and fuel technician, motor vehicle mechanic-transmission technician, production equipment mechanic, small equipment mechanic, service station mechanic, secretary, and such other trades as may be designated by the Minister. (EC712/95)
Certified trades	5. The certified trades are: plumber and automotive service technician, construction electrician, steamfitter/pipefitter, and such other trades as may be certified by the Lieutenant Governor in Council. (EC712/95; 180/04; 207/07)
Duration of apprenticeship	6. (1) The term of apprenticeship for each trade shall be established by the Board and shall include a probationary period, for new apprentices, of <ul style="list-style-type: none"> (a) two months for those who have completed a pre-apprentice training course approved by the Manager; and (b) three months for those who have not completed a pre-apprentice training course.
Extension	(2) Probationary periods may be extended, upon approval of the Manager, to a maximum of six months.
Agreement	(3) Upon completion of the probationary period, an apprenticeship agreement shall be executed and registered with the Manager. (EC712/95)
Credit	7. (1) The Board shall establish guidelines for the granting of credits toward a term of apprenticeship to persons who have <ul style="list-style-type: none"> (a) graduated from a training institution whose course has been determined to be of acceptable standards; (b) previous work experience in the trade; or (c) been registered apprentices in another province or territory in Canada.
Evidence	(2) The Board may require documented evidence of previous work experience and training, and of registration as an apprentice in another province or territory. (EC712/95)
Completion of program	8. (1) Apprentices shall complete, to the satisfaction of the Manager, the training programs established for the trades in which they are registered.
Attendance	(2) An apprentice shall attend all in-school classes, required by the program, at a training institution approved by the Board.
Failure to attend	(3) If an apprentice fails to attend authorized in-school training classes, the Manager, after investigation, may

- (a) impose a penalty of additional time on the apprenticeship term;
or
(b) cancel the apprenticeship agreement. (EC712/95)
- 9.** (1) Upon completion of the term of apprenticeship, an apprentice shall sit the final examination for the trade. Final examination
- (2) If successful, the Minister shall issue to the apprentice Issue of certificate, etc.
- (a) a Completion of Apprenticeship certificate;
(b) a Certificate of Qualification; and
(c) a pocket card.
- (3) If unsuccessful on the first attempt of the examination, the apprentice may be permitted a second attempt Resetting examination
- (a) after serving a waiting period of three months; or
(b) upon completion of a program of training approved by the Manager.
- (4) After the second attempt of the examination, subsequent attempts may be made only after completion of a program of training approved by the Manager. (EC712/95) Additional training
- 10.** (1) Tradespersons desiring to be examined for a Certificate, shall apply on a form approved by the Minister. Application for examination
- (2) Tradespersons may be examined for a Certificate of Qualification if they have worked at the trade at least twelve months more than the full term of apprenticeship established for the trade, Extra work experience
- (a) within the previous ten years; and
(b) since reaching the age of sixteen years.
- (3) Tradespersons may be examined for a Certificate of Proficiency if they have worked at the trade at least eighty months Certificate of proficiency
- (a) within the previous ten years; and
(b) since reaching the age of sixteen years.
- (4) Tradesperson may be examined for a Certificate of Achievement if they have worked at the trade at least the time period established for the trade by the Board, and since reaching the age of sixteen years. Certificate of achievement
- (5) If tradespersons fail the examination, they are not eligible for re-examination until Conditions precedent to re-examination
- (a) three months have elapsed after the first attempt;
(b) twelve months have elapsed after the second attempt, or they have completed a period of technical training satisfactory to the Manager; and

(c) eighteen months have elapsed after subsequent attempts, or they have completed a period of technical training satisfactory to the Manager. (EC712/95)

PEI certificates

11. (1) The Minister shall issue Prince Edward Island certificates to apprentices and tradespersons who

- (a) successfully complete the prescribed examination; or
- (b) hold an out-of-province certificate with an interprovincial Red Seal affixed; or
- (c) hold a certificate issued under similar legislation by another province or territory.

National status

(2) Apprentices, and tradespersons who successfully complete an interprovincial examination, will have a Red Seal, emblematic of national standing, affixed to their certificates. (EC712/95)

Suspension and cancellation

12. (1) The Minister, upon recommendation of the Board or the Manager, may suspend or cancel a certificate if the holder thereof has obtained it by fraud, or is incompetent or grossly negligent in the discharge of his or her duties.

Notice

(2) If a certificate is suspended or cancelled, the holder shall be notified within twenty one days by registered letter.

Return of certificate

(3) Where a certificate is suspended or cancelled, the holder shall return the certificate to the Minister within seventy-two hours after receiving a written notice of suspension or cancellation. (EC712/95)

Plan of apprenticeship training

13. (1) A plan of apprenticeship training for a designated trade shall not be activated unless it has first been approved by the Board.

Content of plan

(2) The following shall be include in the plan of apprenticeship training:

- (a) the Apprenticeship Agreement;
- (b) the trade scope and content;
- (c) an outline of both the in-school and on-the-job training components;
- (d) the process for developing examinations for determining apprentice progress and completion;
- (e) the ratio of apprentices to journeypersons; and
- (f) other factors determined by the Board to be essential to a successful apprenticeship. (EC712/95)

Trade Advisory Committees

14. (1) The Board, in consultation with the Manager, may establish a trade advisory committee in respect to any designated trade.

(2) The Board shall appoint not less than four persons as members of each committee established under subsection(1), one-half of whom are qualified tradespersons representative of the views of employees, and one-half representative of the views of employers.

Membership

(3) The Board shall appoint an independent chairperson for each committee established under subsection (1), who may be an employee of government or a training agency.

Chairperson

(4) Each member shall be appointed for a three year term, and may be re-appointed.

Term

(5) A committee established in respect of a trade shall

Functions

- (a) determine the examination that a candidate for a certificate in that trade is required to complete, and the degree of proficiency required to complete the examination;
- (b) designate one or more members of the committee who shall conduct practical sections of examinations for a certificate;
- (c) advise the Board on the details of a plan of apprenticeship; and
- (d) advise the Board on apprenticeship matters in general.

(6) All examination papers and other documents pertaining to the work of trade advisory committees shall be the property of government and shall be filed with the Minister.

Documents

(7) The Board, in lieu of establishing a trade advisory committee in respect of a trade, may appoint members to a joint trade advisory committee, or a similar committee, that is co-sponsored and co-managed by the Board and other training partners. (EC712/95)

Joint committee

14.1. Subject to the approval of the Minister, the Board may enter into an agreement with any organization or government for the purpose of facilitating or providing apprenticeship related training and the management of any programs concerning such training. (EC108/07)

Agreements with
organizations and
governments

15. The Manager shall

Functions of
Manager

- (a) register all apprentices and journeypersons;
- (b) file and keep a registry of all apprenticeship agreements, cancellations, terminations, transfers and completions of apprenticeship;
- (c) maintain and promote interest in the role of apprenticeship;
- (d) plan and carry out plans of apprenticeship in a designated trade;
- (e) provide such information and make such investigations, pursuant to a complaint or report, as required by the Minister or the Board;
- (f) undertake studies or investigations of a trade and of the requirements for the supply and training of persons therefor, and

- collaborate with appropriate authorities in carrying out such studies and investigations;
- (g) monitor the training of apprentices and inspect facilities being used for such training; and
- (h) submit a report annually to the Minister. (EC712/95)

Fees

16. (1) The fees payable for the examination of candidates for Certificate of Qualification are listed below. The issuing of certificates is included in the fees.

(a) apprentices, first attempt	\$25
(b) apprentices, re-examination	50
(c) tradespersons, first attempt	50
(d) tradespersons, re-examination	50
(e) practical examination, first attempt	100
(f) practical re-examination	100
(g) oral examination, first attempt	75
(h) oral re-examination	75

Idem

(2) The fee payable for the examination of a candidate for Certificate of Achievement, or for examination in a segment of a trade, and for the issuing of the certificate shall be \$50.

Idem

(3) The fee payable for the issuing of a permit without examination shall be \$50.

Idem

(4) The fee payable for issuing a certificate to a person holding an out-of-province certificate shall be \$20.

Idem

(5) The fee payable for issuing a duplicate certificate shall be \$20.

(6) The fee payable for administering pre-apprentice and block examinations to non-registered apprentices shall be \$10. (EC712/95)