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Part

2

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Laws and Regulations

Volume 143

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- (1) Acts assented to, before their publication in the annual collection of statutes;
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- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
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Regulations and other Acts

Gouvernement du Québec

O.C. 879-2011, 7 September 2011

An Act respecting the Société immobilière du Québec (R.S.Q., c. S-17.1)

Société immobilière du Québec — Signing of certain documents

By-law respecting the signing of certain documents of the Société immobilière du Québec

WHEREAS the first paragraph of section 17 of the Act respecting the Société immobilière du Québec (R.S.Q., c. S-17.1) provides that no document is binding on the Société unless it is signed by the president and chief executive officer or, in the cases determined by by-law of the Société, a person designated by the Société;

WHEREAS, under the second paragraph of section 17 of the Act, the Société, by by-law, may, on the conditions it determines, allow a required signature to be affixed by means of an automatic device to the documents it determines, or a facsimile of a signature to be engraved, lithographed or printed on them;

WHEREAS, at its sitting of 17 January 2011, the Société made the By-law respecting the signing of certain documents of the Société immobilière du Québec, attached to this Order in Council, to replace the By-law respecting the signing of certain documents of the Société immobilière du Québec approved by Order in Council 52-2010 dated 20 January 2010 which was amended by Order in Council 341-2010 dated 14 April 2010;

WHEREAS, under the second paragraph of section 15 of the Act respecting the Société immobilière du Québec, such a by-law made by the Société comes into force on the date of its approval by the Government or on any later date it determines;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT the By-law respecting the signing of certain documents of the Société immobilière du Québec, attached to this Order in Council, be approved;

THAT the By-law come into force on the date of its publication in the *Gazette officielle du Québec*.

GILLES PAQUIN,
Clerk of the Conseil exécutif

By-law respecting the signing of certain documents of the Société immobilière du Québec

An Act respecting the Société immobilière du Québec (R.S.Q., c. S-17.1, s. 17)

1. The holders of the positions or the officers responsible for the duties hereinafter designated are authorized to sign the documents listed after their respective designation, and their signature is binding on the Société immobilière du Québec as if they had been signed by the president and chief executive officer of the Société.

The same applies to persons authorized to hold the positions or perform the duties temporarily.

2. The vice-presidents and the secretary general of the Société immobilière du Québec are authorized to sign all the documents referred to in this By-law and any other deed or document including, but not limited to, cheques, drafts, orders of payment, promissory notes, bonds, bankers' acceptances, bills of exchange, bank transfers and other negotiable instruments.

3. The operations assistant vice-president is authorized to sign

(1) temporary occupancy agreements, parking space agreements, access to immovable property agreements, proposals to clients and occupancy agreements and their riders;

(2) leases where the annual rent is less than \$1,000,000 and riders where the amount is less than \$500,000;

(3) construction contracts, concession contracts and contracts for services other than professional services, where the amount is less than \$1,000,000;

(4) deeds of receipt of a work concerning a contract where the amount is less than \$1,000,000;

(5) supply contracts where the amount is less than \$250,000;

(6) contracts for professional services where the amount is less than \$250,000;

(7) contracts for the alienation of movable property where the amount is less than \$250,000;

(8) contracts for the alienation of immovable property where the amount is less than \$250,000; and

(9) customer program changes, orders for changes and riders to construction contracts, concession contracts, contracts for services other than professional services where the amount is less than \$100,000, supply contracts where the amount is less than \$25,000 and contracts for professional services where the amount is less than \$25,000.

4. Directors are authorized to sign

(1) construction contracts, concession contracts, contracts for services, supply contracts and contracts for the alienation of movable property, where the amount is less than \$50,000;

(2) leases where the annual rent is less than \$50,000 and riders where the amount is less than \$50,000; and

(3) customer program changes, orders for changes and riders to construction contracts, concession contracts, contracts for services and supply contracts, where the amount is less than \$5,000.

5. Assistant directors are authorized to sign

(1) construction contracts, concession contracts, contracts for services, supply contracts and contracts for the alienation of movable property, where the amount is less than \$25,000;

(2) leases where the annual rent is less than \$25,000 and riders where the amount is less than \$25,000; and

(3) customer program changes, orders for changes and riders to construction contracts, concession contracts, contracts for services and supply contracts, where the amount is less than \$2,500.

6. Service managers are authorized to sign

(1) proposals to clients, construction contracts, supply contracts and contracts for services other than professional services where the amount is less than \$25,000;

(2) deeds of receipt of a work concerning a contract where the amount is less than \$25,000;

(3) contracts for professional services where the amount is less than \$10,000; and

(4) customer program changes, orders for changes and riders to construction contracts, supply contracts, contracts for services other than professional services where the amount is less than \$2,500 and contracts for professional services where the amount is less than \$1,000.

7. The expertise and project management support service manager and the project support office director are authorized to sign

(1) construction contracts and contracts for services other than professional services where the amount is less than \$375,000;

(2) deeds of receipt of a work concerning a contract where the amount is less than \$375,000;

(3) supply contracts where the amount is less than \$75,000;

(4) contracts for professional services where the amount is less than \$75,000; and

(5) orders for changes and riders to construction contracts and contracts for services other than professional services where the amount is less than \$37,500 and to contracts for professional services and supply contracts where the amount is less than \$7,500.

8. The director of financial administration and the assistant director of financial administration are authorized to sign cheques, drafts, orders of payment, promissory notes, bonds, bankers' acceptances, bills of exchange, bank transfers and other negotiable instruments.

9. The executive director of coordination and operational support, immovable property directors, the director of planning and coordination spaces and the director of operational support are authorized to sign

(1) temporary occupancy agreements, parking space agreements, access to immovable property agreements, proposals to clients and occupancy agreements and their riders;

(2) leases where the annual rent is less than \$500,000 and riders where the amount is less than \$500,000;

(3) construction contracts, concession contracts and contracts for services other than professional services where the amount is less than \$500,000;

(4) deeds of receipt of a work concerning a contract where the amount is less than \$500,000;

(5) supply contracts where the amount is less than \$100,000;

(6) contracts for professional services where the amount is less than \$50,000;

(7) contracts for the alienation of movable property where the amount is less than \$50,000;

(8) contracts for the alienation of immovable property where the amount is less than \$10,000; and

(9) customer program changes, orders for changes and riders to construction contracts, concession contracts, contracts for services other than professional services where the amount is less than \$50,000, supply contracts where the amount is less than \$10,000 and contracts for professional services where the amount is less than \$5,000.

10. Immovable property counsellors and space management coordinators are authorized to sign

(1) proposals to clients;

(2) occupancy agreements and their riders;

(3) construction contracts where the amount is less than \$100,000;

(4) contracts for professional services where the amount is less than \$10,000;

(5) contracts for services other than professional services where the amount is less than \$25,000;

(6) supply contracts where the amount is less than \$10,000;

(7) deeds of receipt of a work concerning a contract where the amount is less than \$100,000; and

(8) customer program changes, orders for changes and riders to construction contracts where the amount is less than \$10,000, to contracts for services other than professional services where the amount is less than \$2,500 and to supply contracts and contracts for professional services where the amount is less than \$1,000.

11. Coordinating operations engineers, operations engineers, project managers, project management coordinators and immovable property management coordinators are authorized to sign

(1) proposals to clients and construction contracts where the amount is less than \$100,000;

(2) contracts for professional services where the amount is less than \$10,000;

(3) contracts for services other than professional services where the amount is less than \$50,000;

(4) supply contracts where the amount is less than \$25,000;

(5) deeds of receipt of a work concerning a contract where the amount is less than \$100,000; and

(6) customer program changes, orders for changes and riders to construction contracts where the amount is less than \$10,000, to contracts for services other than professional services where the amount is less than \$5,000, to supply contracts where the amount is less than \$2,500 and to contracts for professional services where the amount is less than \$1,000.

12. Intermediate project managers are authorized to sign

(1) proposals to clients and construction contracts where the amount is less than \$75,000;

(2) contracts for professional services where the amount is less than \$7,500;

(3) contracts for services other than professional services where the amount is less than \$35,000;

(4) supply contracts where the amount is less than \$15,000;

(5) deeds of receipt of a work concerning a contract where the amount is less than \$75,000; and

(6) customer program changes, orders for changes and riders to construction contracts where the amount is less than \$7,500, to contracts for services other than professional services where the amount is less than \$3,500, to supply contracts where the amount is less than \$1,500 and to contracts for professional services where the amount is less than \$750.

13. Immovable property technicians, architecture and planning technicians, project management technicians, the central coordinating technician and security technicians are authorized to sign

(1) proposals to clients, construction contracts and contracts for services other than professional services where the amount is less than \$25,000;

(2) supply contracts where the amount is less than \$10,000;

(3) deeds of receipt of a work concerning a contract where the amount is less than \$25,000; and

(4) customer program changes, orders for changes and riders to construction contracts and contracts for services other than professional services where the amount is less than \$2,500 and to supply contracts where the amount is less than \$1,000.

14. Supply technicians are authorized to sign

(1) supply contracts where the amount is less than \$10,000;

(2) contracts for services other than professional services where the amount is less than \$25,000;

(3) contracts for the alienation of movable property where the amount is less than \$10,000; and

(4) riders to supply contracts where the amount is less than \$1,000 and to contracts for services other than professional services where the amount is less than \$2,500.

15. Operations support technicians and leasing technicians are authorized to sign

(1) proposals to clients and construction contracts and contracts for services other than professional services where the amount is less than \$5,000;

(2) supply contracts where the amount is less than \$2,000;

(3) deeds of receipt of a work concerning a contract where the amount is less than \$5,000; and

(4) customer program changes, orders for changes and riders to construction contracts and contracts for services other than professional services where the amount is less than \$500, and riders to supply contracts where the amount is less than \$200.

16. Supervisors are authorized to sign supply contracts where the amount is less than \$2,000.

17. Warehousemen are authorized to sign

(1) supply contracts where the amount is less than \$5,000;

(2) contracts for services other than professional services where the amount is less than \$2,000;

(3) contracts for the alienation of movable property where the amount is less than \$2,500; and

(4) orders for changes and riders to supply contracts where the amount is less than \$500.

18. Development directors, the expertise and project management support director, project management directors and the planning and expertise director are authorized to sign

(1) construction contracts and contracts for services other than professional services where the amount is less than \$500,000;

(2) deeds of receipt of a work concerning a contract where the amount is less than \$500,000;

(3) supply contracts where the amount is less than \$100,000;

(4) contracts for professional services where the amount is less than \$100,000; and

(5) orders for changes and riders to construction contracts and contracts for services other than professional services where the amount is less than \$50,000, and to contracts for professional services and supply contracts where the amount is less than \$10,000.

19. Major project directors are only authorized to sign

(1) construction contracts and contracts for services other than professional services where the amount is less than \$250,000;

(2) supply contracts where the amount is less than \$50,000;

(3) contracts for professional services where the amount is less than \$50,000;

(4) deeds of receipt of a work concerning a contract where the amount is less than \$250,000; and

(5) program changes, orders for changes and riders to construction contracts and contracts for services other than professional services where the amount is less than \$25,000, to supply contracts and to contracts for professional services where the amount is less than \$5,000.

20. Architects, mechanical engineers, electrical engineers, civil and structural engineers, architectural, mechanical and electrical project coordinators are authorized to sign

(1) contracts for professional services where the amount is less than \$10,000;

(2) contracts for services other than professional services where the amount is less than \$50,000; and

(3) orders for changes and riders to contracts for services other than professional services where the amount is less than \$5,000, and to contracts for professional services where the amount is less than \$1,000.

21. The general director in charge of information technology is authorized to sign

(1) supply contracts and contracts for services where the amount is less than \$300,000 and riders where the amount is less than \$30,000; and

(2) contracts for the alienation of movable property where the amount is less than \$100,000.

22. The person in charge of office systems is authorized to sign supply contracts where the amount is less than \$1,000.

23. Financial statement analysts and the treasury and financial management technician are authorized to sign bank transfers.

24. The signatures of the president and chief executive officer, the vice-president for finance and the secretary general may be affixed by means of an automatic device and a facsimile of their signatures may be engraved, lithographed or printed on the following documents:

(1) cheques for an amount of less than \$50,000;

(2) employee paycheques; and

(3) cheques, drafts, orders of payment, promissory notes, bonds, bills of exchange, or other negotiable instruments used in connection with the Société's financing operations.

25. This By-law replaces the By-law respecting the signing of certain documents of the Société immobilière du Québec approved by Order in Council 52-2010 dated 20 January 2010 amended by Order in Council 341-2010 dated 14 April 2010.

26. This By-law comes into force on September 21, 2011.

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Gouvernement du Québec

O.C. 897-2011, 7 September 2011

Professional Code
(R.S.Q., c. C-26)

Infirmières et infirmiers — Specialty class of clinical nurse specializing in infection prevention and control

Regulation respecting the Ordre des infirmières et infirmiers du Québec specialty class of clinical nurse specializing in infection prevention and control

WHEREAS, under paragraph *e* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order may, by regulation, define the different classes of specialization within the profession and, where applicable, the conditions of practice;

WHEREAS the board of directors of the Ordre des infirmières et infirmiers du Québec made the Regulation respecting the Ordre des infirmières et infirmiers du Québec specialty class of clinical nurse specializing in infection prevention and control;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting such an order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the Ordre des infirmières et infirmiers du Québec specialty class of clinical nurse specializing in infection prevention and control was published in Part 2 of the *Gazette officielle du Québec* of 6 April 2011 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation respecting the Ordre des infirmières et infirmiers du Québec specialty class of clinical nurse specializing in infection prevention and control, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation respecting the Ordre des infirmières et infirmiers du Québec specialty class of clinical nurse specializing in infection prevention and control

Professional Code
(R.S.Q., c. C-26, s. 94, par. e; 2008, c. 11, par. 1)

1. The “clinical nurse specializing in infection prevention and control” is a specialty class defined within the nursing profession.

2. This regulation comes into effect on the fifteenth day following its publication in the *Gazette officielle du Québec*.

1647

Gouvernement du Québec

O.C. 898-2011, 7 September 2011

Professional Code
(R.S.Q., c. C-26)

Specialist’s certificates of professional orders — Diplomas issued by designated educational institutions which give access to permits or specialist’s certificates — Amendment

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders

WHEREAS, under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12 of the Code, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist’s certificate;

WHEREAS, under subparagraph 7 of the third paragraph of section 12 of the Professional Code, the Office must, before advising the Government, consult the educational institutions and the order concerned, the Conference of Rectors and Principals of Quebec Universities in the case of a university-level diploma, the Fédération des cégeps in the case of a college-level diploma, and the Minister of Education, Recreation and Sports;

WHEREAS the Office carried out that consultation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 6 April 2011 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, on 1 June 2011, the Ordre professionnel des ergothérapeutes du Québec gave a favourable opinion in respect of the submitted text;

WHEREAS, on 10 June 2011, the Office gave an opinion favourable to the Regulation attached to this Order in Council being made by the Government;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (c. C-26, r. 2) is amended by replacing paragraph *a* of section 1.07 by the following:

“(a) Maîtrise en ergothérapie (M.Erg.) from Université Laval;”

2. Paragraph *a* of section 1.07, replaced by section 1 of this Regulation, remains applicable to persons who, on 6 October 2011, hold the diploma referred to in the paragraph that is replaced or are registered in a program enabling them to obtain such a diploma.

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

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Gouvernement du Québec

O.C. 899-2011, 7 September 2011

Professional Code
(R.S.Q., c. C-26)

Specialist's certificates of professional orders — Diplomas issued by designated educational institutions which give access to permits or specialist's certificates — Amendment

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

WHEREAS, under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12 of the Code, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist's certificate;

WHEREAS, under subparagraph 7 of the third paragraph of section 12 of the Professional Code, the Office must consult the educational institutions and the order concerned, the Conference of Rectors and Principals of Quebec Universities in the case of a university-level diploma, the Fédération des cégeps in the case of a college-level diploma, and the Minister of Education, Recreation and Sports;

WHEREAS the Office carried out the consultations;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders was published in Part 2 of the *Gazette officielle du Québec* of 6 April 2011 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Government obtained the advice of the Office and that of the Ordre des ingénieurs du Québec;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (c. C-26, r. 2) is amended in section 1.21

1° in paragraph *a*

a) by replacing “ès sciences appliquées (B.Sc.A.)” by “en ingénierie (B.Ing.)”;

b) by inserting “- Baccalauréat coopératif en génie du bois, awarded after 1 April 2002; - Baccalauréat en génie agroenvironnemental;” before “- Baccalauréat en génie chimique”;

c) by inserting “- Baccalauréat en génie des eaux;” after “- Baccalauréat en génie civil;”;

d) by inserting “- Baccalauréat en génie géomatique;” after “- Baccalauréat en génie géologique;”;

e) by inserting “- Baccalauréat en génie logiciel, awarded after 1 April 2006;” after “- Baccalauréat en génie informatique;”;

f) by striking out “- Baccalauréat en génie rural;”;

2° by inserting “- Baccalauréat en génie logiciel;” in paragraph *b* after “- Baccalauréat en génie informatique;”;

3° by inserting “- Baccalauréat en génie biotechnologique;” in paragraph *c* before “- Baccalauréat en génie chimique;”;

4° in paragraph *d*

a) by inserting “- Baccalauréat en génie logiciel;” after “- Baccalauréat en génie électrique;”;

b) by inserting “- Baccalauréat en génie des opérations et de la logistique;” after “- Baccalauréat en génie mécanique;”;

c) by inserting “- Baccalauréat en génie des technologies de l’information;” after “- Baccalauréat en génie de la production automatisée;”;

5° in paragraph *e*

a) by inserting “- Baccalauréat en génie électrique;” before “- Baccalauréat en génie informatique;”;

b) by inserting “- Baccalauréat en génie mécanique;” after “- Baccalauréat en génie géologique;”;

c) by striking out “- Baccalauréat en génie unifié;”;

d) by adding “- Baccalauréat en ingénierie de l’aluminium;” at the end;

6° in paragraph *f* by striking out “manufacturier” at the end;

7° in paragraph *g*

a) by inserting “- Bachelor of Engineering in Bioresource Engineering;” before “- Bachelor of Engineering in Chemical Engineering;”;

b) by inserting “- Bachelor of Engineering in Materials Engineering;” after “- Bachelor of Engineering in Electrical Engineering with Honours;”;

c) by striking out “- Bachelor of Engineering in Metallurgical Engineering;”;

8° by replacing paragraph *h* by the following:

“*h*) Bachelor of Software Engineering (B.S.E.) obtained upon completion of the Bachelor of Software Engineering program of McGill University;”;

9° by adding “- Bachelor of Engineering in Software Engineering;” at the end of paragraph *i*;

10° by replacing paragraph *j* by the following:

“*j*) diplôme de baccalauréat en ingénierie (B.Ing.) obtained upon completion of one of the following programs of the Université du Québec offered by the Université du Québec à Rimouski:

— Baccalauréat en génie électrique;

— Baccalauréat en génie mécanique;

— Baccalauréat en génie des systèmes électromécaniques;”;

11° by adding the following paragraph at the end:

“*l*) diplôme de baccalauréat en ingénierie (B.Ing.), obtained upon completion of the program “Baccalauréat en génie informatique” of the Université du Québec offered by the Université du Québec en Outaouais.”.

2. Paragraphs *a*, *e*, *f*, *g* and *h* of section 1.21 amended by section 1 of this Regulation continue to apply to persons who, on 6 October 2011, hold a diploma mentioned in the provision amended or replaced or are registered in a program leading to such a diploma.

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

Gouvernement du Québec

O.C. 900-2011, 7 September 2011

Professional Code
(R.S.Q., c. C-26)

Specialist's certificates of professional orders — Diplomas issued by designated educational institutions which give access to permits or specialist's — Amendment

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

WHEREAS, under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), after obtaining the advice of the Office des professions du Québec in accordance with subparagraph 7 of the third paragraph of section 12 of the Code, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist's certificate;

WHEREAS, under subparagraph 7 of the third paragraph of section 12 of the Professional Code, the Office must, before advising the Government, consult the educational institutions and the order concerned, the Conference of Rectors and Principals of Quebec Universities in the case of a university-level diploma, the Fédération des cégeps in the case of a college-level diploma, and the Minister of Education, Recreation and Sports;

WHEREAS the Office carried out that consultation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), two draft Regulations to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders were published in Part 2 of the *Gazette officielle du Québec* of 6 April 2011 with a notice that they could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Government obtained the advice of the Office and that of the Ordre des infirmières et infirmiers du Québec;

WHEREAS it is expedient to make the Regulation without any amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders, attached to this Order in Council, be made.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (c. C-26, r. 2) is amended in section 1.17

(1) by replacing subparagraphs *a* to *c* of the first paragraph of section 1.17 by the following:

“(a) Baccalauréat ès sciences (B.Sc.) awarded upon completion of the baccalauréat en sciences infirmières program from Université Laval;

(b) Baccalauréat ès sciences (B.Sc.) awarded upon completion of the baccalauréat en sciences infirmières program from the Université de Montréal;

(c) Bachelor of Science (Nursing) (B.Sc.(N.)) awarded upon completion of the Bachelor of Science in Nursing program from McGill University;

(d) Baccalauréat ès sciences (B.Sc.) awarded upon completion of the baccalauréat en sciences infirmières program from the Université du Québec en Outaouais;

(e) Baccalauréat ès sciences (B.Sc.) awarded upon completion of the baccalauréat en sciences infirmières program from the Université du Québec à Trois-Rivières;

(f) Baccalauréat ès sciences (B.Sc.) obtained upon completion of the baccalauréat en sciences infirmières program from the Université du Québec à Chicoutimi.”;

(2) by adding the following after subparagraph 4 of the second paragraph:

“(5) specialist’s certificate, clinical nurse specializing in infection prevention and control:

(a) Diplôme de 2^e cycle en prévention et contrôle des infections from the Université de Sherbrooke;

(b) Diplôme d’études supérieures spécialisées (D.E.S.S.) en prévention et contrôle des infections from the Université de Montréal.”

2. Section 2.02 is amended

(1) by replacing, in paragraph *a*,

(a) “Gaspésie” by “Gaspésie et des Îles”;

(b) “Saguenay–Lac-Saint-Jean (Alma, Chicoutimi and Jonquière campuses)” by “Alma, Chicoutimi, Jonquière, St-Félicien”;

(c) “Thetford-Mines” by “Thetford”;

(d) “Sherbrooke (Granby campus)” by “Granby-Haute-Yamaska”;

(e) “Bourchemin (Drummondville, Saint-Hyacinthe and Tracy campuses)” by “Drummondville, Sorel-Tracy, St-Hyacinthe”;

(f) “Hull” by “Outaouais”;

(g) “Rouyn-Noranda” by “Abitibi-Témiscamingue”;

(h) “Côte-Nord (Manicouagan and Mingan campuses)” by “Baie-Comeau, Sept-Îles”;

(i) “Séminaire Saint-Georges-de-Beauce” by “Beauce-Appalaches”;

(2) by striking out “Joliette”, “Dawson”, “Vanier” and “and Collège Jean-Marie-Vianney” in paragraph *a*;

(3) by inserting “Montmorency, André-Laurendeau” after “John-Abbot” in paragraph *a*;

(4) by adding “and Dawson College, Collège Héritage, Cégep régional de Lanaudière à Joliette, Vanier College, Champlain Regional College (Lennoxville and Saint-Lambert-Longueuil campuses) and Campus Notre-Dame-de-Foy” at the end of paragraph *a*;

(5) by striking out paragraphs *b*, *c* and *d*.

3. Sections 1.17 and 2.02 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders, amended respectively by sections 1 and 2 of this Regulation, remain applicable to persons who, on (*insert the date of coming into force of this Regulation*), hold the diplomas referred to in those sections or are registered in a program leading to such diplomas.

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

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Gouvernement du Québec

O.C. 901-2011, 7 September 2011

Professional Code
(R.S.Q., c. C-26)

Architects
— **Code of ethics**

Code of ethics of architects

WHEREAS, under section 87 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, clients and the profession, particularly the duty to discharge professional obligations with integrity;

WHEREAS the board of directors of the Ordre des architectes du Québec made the Code of ethics of architects to replace the Code of ethics of architects (c. A-21, r. 5);

WHEREAS, in accordance with section 95.3 of the Professional Code, a draft of the Regulation was sent to every member of the Order at least 30 days before being made by the board of directors;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Code of ethics of architects was published in Part 2 of the *Gazette officielle du Québec* of 12 May 2010 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office des professions du Québec has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Code of ethics of architects, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Code of ethics of architects

Professional Code
(R.S.Q., c. C-26, s. 87)

CHAPTER I GENERAL

- 1.** This Code determines, pursuant to section 87 of the Professional Code (R.S.Q., c. C-26), the duties and obligations that must be discharged by every member of the Ordre des architectes du Québec.
- 2.** Architects may not exempt themselves, even indirectly, from a duty or obligation contained in this Code.
- 3.** Architects must take reasonable measures to ensure that persons who collaborate with them in the practice of their profession and any partnership or joint-stock company in which they practise their profession comply with the Architects Act (R.S.Q., c. A-21), the Professional Code and their regulations.
- 4.** Architects may not allow another person to perform an act on the architect's behalf which, if performed by the architect, would be in contravention of the Architects Act, the Professional Code or their regulations.
- 5.** The duties and obligations under the Architects Act, the Professional Code and their regulations are not modified or reduced in any manner owing to the fact that an architect member practises within a partnership or joint-stock company.

6. Architects must ensure that their obligations towards the partnership or company of which they are directors or officers are not incompatible with their obligations towards the client.

7. Architects must respect man and man's environment, and take into account the impact of their research, work and interventions on the life, health and property of every person.

8. Architects must update their knowledge and maintain their competence in the fields in which they practise. They must support every measure likely to improve the quality of the professional services in those fields.

CHAPTER II DUTIES AND OBLIGATIONS TOWARDS THE CLIENT

DIVISION I GENERAL

9. Before accepting to provide professional services, architects must take into account the limits of their proficiency, knowledge and the means at their disposal. In particular, they must not:

1° offer to perform or perform professional services for which they are not sufficiently prepared or do not have the skills, knowledge or means required unless they obtain the necessary assistance;

2° offer to perform or perform professional services without having the possibility to exercise the personal intervention required by the nature of the services and the place where they are to be carried out.

10. Architects must act with all the necessary care and discharge their professional obligations with competence. They must practise their profession in keeping with good practice and generally accepted standards.

11. Architects must refrain from practising their profession in a condition or in a state likely to compromise the quality of their services or the dignity of the profession.

12. Before providing professional services, architects must enter into an agreement with the client regarding the scope and conditions of the services required and the conditions of remuneration.

They must refrain from setting an amount of fees before knowing the important elements used to establish the fees.

13. Architects must, when the interest of their client so requires, consult another architect, a member of another professional order or another competent person, or refer the client to one of those persons.

Architects must acknowledge the right of their clients to consult another architect, a member of another professional order or any other competent person.

DIVISION II **INTEGRITY AND OBJECTIVITY**

14. Architects must discharge their professional obligations with integrity and objectivity.

For that purpose, they must be objective in their relations with other professionals, contractors, suppliers and collaborators on a project.

15. Architects must not, by any means nor for any purpose, make a false, misleading or incomplete representation, in particular with regard to:

1° their level of competence or the efficiency of their services or, if applicable, the level of competence or the efficiency of the services of the persons who carry on their activities within the same partnership or joint-stock company as them;

2° the offices they have and the addresses of the head office and establishments of the partnership or joint-stock company in which they practise their profession; and

3° the achievements they attribute to themselves; when a project is carried out in a consortium or when they took part in a project while practising the profession within a partnership or company, they must specify their role and participation in the project and disclose the name of the other architects or firms of architects involved.

16. When architects formulate an opinion, give advice or prepare a plan, specifications or any other document in the practice of their profession, they must have sufficient knowledge of the facts and be reasonably certain of the proposed solution or the accuracy of the document.

Architects must not lead a client to believe that the client's budget is sufficient for the proposed work without being reasonably certain themselves.

17. Architects must, in the practice of their profession, assume full civil liability. They must not evade or attempt to evade professional liability or request that a client or person renounce any recourse in a case of professional negligence on their part. They may not

include in a contract for professional services a clause that directly or indirectly excludes all or part of such liability. Similarly, they may not invoke the liability of the partnership or joint-stock company within which they carry on professional activities or that of another person also carrying on activities within the partnership or joint-stock company as a ground for excluding or limiting their personal liability.

18. Architects must promptly inform their client of any event likely to have, or that has had, a significant impact on their professional services and take, where applicable, the necessary measures to remedy the situation.

19. Architects must take reasonable care of property entrusted to their care by a client and may not lend or use property for purposes other than those for which it was entrusted to them.

If they practise their profession within a partnership or joint-stock company, they must take reasonable measures to ensure that the partnership or joint-stock company complies with the requirements prescribed in the first paragraph when property is entrusted to the care of the partnership or company.

20. Unless otherwise formally agreed upon, architects must not, before obtaining their client's authorization, proceed from the sketch stage to the preliminary studies stage, or from the preliminary studies stage to that of the working drawings, detail drawings and specifications.

21. Architects must immediately interrupt their professional services where their contract is terminated.

DIVISION III **AVAILABILITY AND DILIGENCE**

22. In the practice of their profession, architects must show reasonable availability and diligence.

23. In addition to the opinions and advice given to the client, architects must provide the explanations required for the understanding and appreciation of the professional services provided to the client.

24. On request from the client or when circumstances or the nature of the contract so require, architects must give an account of the professional services provided.

25. Architects cannot, except for just and reasonable grounds, interrupt their professional services. Just and reasonable grounds include:

1° the loss of trust on the part of the client;

2° the fact that an architect is in a situation of conflict of interest or in a context that is such that his or her professional independence could be questioned;

3° inducement by the client to perform illegal, unjust or fraudulent acts;

4° the fact that the client refuses to pay the architect's fee; and

5° the fact that the architect has been misled by the client or the client has failed to co-operate.

26. Before ceasing their professional activities with a client, architects must so inform the client in writing within a reasonable time and take the steps necessary to minimize any prejudice to the client.

DIVISION IV **SEAL AND SIGNATURE**

27. Architects must indicate on the documents they prepare in the practice of their profession the purposes for which they are prepared.

28. Architects must date and write their name or the name of the partnership or joint-stock company within which they practise their profession on every document they prepare in the practice of their profession.

29. Architects may sign and, as the case may be, affix their seal to a document they have prepared in the practice of their profession only if the document is complete relating to the purposes indicated in the document, and if they have an overall knowledge and control of the document.

Architects may, under the same conditions, sign and, as the case may be, affix their seal to a document prepared by:

a) a person working under their supervision; or

b) another architect who practises within the same partnership or joint-stock company or acts as collaborator for the same project or by a person working under the supervision of that architect.

30. Architects must, for documents they prepare,

1° sign the following documents: riders and change directives, payment certificates, substantial completion certificates and completion certificates;

2° sign and affix their seal to the following documents:

a) plans and specifications for the execution given to the client or a municipality in support of a permit application and to any authority concerned;

b) documents issued for the purposes of the contract between the client and the contractor, and documents related to the management of the contract, such as plans and specifications issued for construction and used for performing on-site work, and addenda;

c) certificates of progress or compliance of the work to the plans and specifications or the Construction Code, made by Order in Council 953-2000 dated 26 July 2000, and any other certificate they issue; and

d) expert reports.

31. Despite the foregoing, architects do not have to identify a document prepared for an architectural contest where anonymity is required.

32. For the purpose of identifying a document, architects may reproduce the seal given by the Order by any process allowing for the creation of a print. The print must, whatever the reproduction means used, be exactly the same as the original seal, except for the size which must however be large enough so that the elements of the seal are legible.

33. Where architects sign and affix a seal to a document, they must do so according to one of the following methods:

1° sign the document by hand and seal it with the original seal received from the Order;

2° sign the document by hand and seal it with a print produced in accordance with section 32;

3° sign and affix their seal to the document using a technological means that guarantees the document's integrity, within the meaning of the Act to establish a legal framework for information technology (R.S.Q., c. C-1.1).

34. Architects must take reasonable steps to prevent any person from using their seal or seal print without their authorization.

35. Architects sending a document must take reasonable steps so that the information contained in the document may not be used for purposes other than those indicated, or modified without their consent.

DIVISION V INDEPENDENCE AND IMPARTIALITY

36. Architects must subordinate their personal interest and, if applicable, the interest of the partnership or joint-stock company in which they practise their profession, or in which they have interests, and the interest of any other person practising in that partnership or joint-stock company, to that of their client.

37. Architects must ignore any intervention by a third person that could influence the performance of their professional services to the detriment of their client.

38. Architects must safeguard their professional independence at all times and avoid any situation in which they would be in conflict of interest. Without restricting the generality of the foregoing, architects:

1° are not independent if they derive a direct or indirect, real or possible personal benefit in the performance of a given act;

2° are in conflict of interest where they might tend to favour certain interests over those of their client or their judgment and loyalty towards their client might be adversely affected.

As soon as architects become aware that they are in conflict of interest, they must disclose the conflict in writing to the persons involved and ask them if they allow the architects to act or continue to act. They must obtain, if applicable, written authorization from the persons involved.

39. Architects must take the necessary measures to ensure that information and documents relevant to professional secrecy are not disclosed to a partner, shareholder, director, manager, officer or employee of a partnership or joint-stock company within which they carry on professional activities or in which they have an interest, as soon as they become aware that the partner, shareholder, director, manager, officer or employee has a conflict of interest.

The following factors must be considered in assessing the effectiveness of such measures:

1° size of the partnership or company;

2° precautions taken to prevent access to the architect's file by the person having a conflict of interest;

3° instructions given to protect confidential information or documents related to the conflict of interest; and

4° isolation, from the architect, of the person having a conflict of interest.

40. Architects must enter into an agreement for their professional services in their exclusive area of practice directly with the client or the client's representative.

However, architects may enter into an agreement concerning their professional services with:

1° any person for whom they prepare plans or specifications for buildings intended for the use of that person or that will be owned by the person;

2° any architect or partnership or joint-stock company within which an architect is authorized by regulation to practise the profession;

3° any person offering a building or structure upon completion of a turnkey agreement, offering elements of buildings or structures or systems for the construction of buildings or structures;

4° any person providing services for carrying out constructions that are accessory to engineering works and intended to shelter such works;

5° any person using an architect's competence for services other than those in their exclusive area of practice.

41. Architects must refrain from receiving any gratuity, rebate or commission relating to the practice of their profession other than customary tokens of appreciation or gifts of small value. No architect may pay, offer to pay or undertake to pay such gratuity, rebate or commission.

DIVISION VI PROFESSIONAL SECRECY

42. Architects must preserve the secrecy of all confidential information obtained in the practice of their profession. Architects must take reasonable means with respect to the persons with whom they work or who are under their supervision to ensure that professional secrecy is maintained.

43. Architects may be released from professional secrecy only where so ordered by law or with the authorization of their client.

44. Architects must not use confidential information to the detriment of a client to obtain directly or indirectly a benefit for themselves or for another person.

45. Architects must avoid any indiscreet conversation about a client and the professional services provided to a client.

46. Architects must not accept to provide professional services when the performance of the services involve or may involve disclosure or use of confidential information or documents obtained from another client, unless they obtain that client's consent.

47. Architects who, pursuant to the third paragraph of section 60.4 of the Professional Code, communicate, verbally or in writing, information that is protected by professional secrecy to prevent an act of violence, must:

1° communicate the information immediately to the person exposed to the danger or that person's representative, or to the persons who can come to that person's aid;

2° use a means of communication that ensures, given the circumstances, the confidentiality of the communication;

3° enter in the client's record as soon as possible:

a) the name of the person or group of persons exposed to the danger;

b) the name of the person who caused the architect to communicate the information;

c) the reasons supporting the decision to communicate the information;

d) the name of the person to whom the information was given;

e) the date and time the information was communicated;

f) the mode of communication; and

g) the content of the communication; and

4° send the syndic of the Order, within 5 days of the communication, a notice of the communication indicating the reasons supporting the decision to communicate the information and the date and time the information was communicated.

48. If the well-being of the person exposed to the imminent danger of death or serious bodily injury requires it, architects who are on the verge of disclosing information protected by professional secrecy consult another architect, a member of another professional order or any other competent person provided the consultation does not cause harmful delay in the communication of the information.

DIVISION VII

ACCESS TO AND CORRECTION OF RECORDS AND RELEASE OF DOCUMENTS

49. Architects must respond promptly to any request made by a client to consult documents that concern the client in any record made in his or her respect.

Architects must also respond promptly to any request made by a client to obtain a copy of documents referred to in the first paragraph.

50. Architects who grant a request made under section 49 must give the client access to the documents, free of charge, in their presence or in the presence of a person they authorized.

Architects may, with respect to a request made under the second paragraph of section 49, charge the client a reasonable fee not exceeding the cost of transmitting, transcribing or reproducing documents.

Architects charging such fees must, before they are incurred, inform the client of the approximate amount to be paid before incurring them.

51. Architects must respond promptly, at the latest within 30 days after its receipt, to any request made by a client:

1° to have information that is inaccurate, incomplete or ambiguous corrected in a document concerning the client and included in any record made in his or her respect;

2° to have information that is outdated or unjustified deleted in any document concerning the client; and

3° to have the client's written comments filed in the record.

52. Architects who respond to a request made under section 51 must, in addition to the obligations provided for in the second paragraph of article 40 of the Civil Code, give the applicant a copy free of charge of the corrected information or, as the case may be, an attestation that the information has been deleted or that comments have been filed in the record.

53. Architects must respond promptly to any written request from a client to have a document or object returned to the client.

Architects may, with respect to that request, charge the client reasonable fees not exceeding the cost of transmitting the document or object requested.

DIVISION VIII DETERMINATION AND PAYMENT OF FEES

54. Architects must charge and accept fair and reasonable fees warranted under the circumstances, and proportional to the professional services provided.

To determine their fees, architects must consider the following factors:

1° the time devoted to the performance of the professional services;

2° the complexity and scope of the professional services;

3° the performance of professional services that are unusual or require exceptional competence or celerity;

4° the importance of the responsibility assumed; and

5° the existence of a decree or recognized rate.

55. Architects must provide their client with all the explanations required for the understanding of their statement of fees and terms and conditions of payment and must ensure that the statement is explicit enough to identify the professional services provided and the progress of the record.

56. Where architects practise their profession within a joint-stock company, the fees relating to the professional services they provided within or on behalf of the company belong to the company, unless agreed otherwise.

57. Architects who appoint another person to collect their fees must ensure that the person acts with tact and moderation.

58. Before having recourse to legal proceedings, architects must have exhausted all other means at their disposal to obtain payment of their fees.

CHAPTER III DEROGATORY ACTS

59. In addition to the acts referred to in sections 57, 58, 58.1, 59.1 of the Professional Code and those that may be determined pursuant to the second paragraph of section 152 of the Code, the following acts are derogatory to the profession of architect:

1° to certify the progress or compliance of the work to the plans and specifications or to the Construction Code without having performed the necessary monitoring personally or through the architect's personnel or another architect;

2° to participate or contribute to the illegal practice of the profession of architect;

3° to announce or designate, or allow to be announced or designated, as architect a person who is not a member of the Order;

4° to exercise the profession within a partnership or joint-stock company holding itself out to be or giving the impression that it is a partnership or joint-stock company within the meaning of Chapter VI.3 of the Professional Code if the partnership or joint-stock company does not comply with the requirements of the Code or of a regulation made pursuant to the Code;

5° to enter into an agreement or permit an agreement to be entered into within a partnership or joint-stock company in which the architect practises, including a unanimous agreement between shareholders, that operates to impair the independence, objectivity and integrity required for the practice of the profession or compliance with the Professional Code, the Architects Act and the regulations made thereunder;

6° when practising the profession within a partnership or joint-stock company, failing to take reasonable measures to put an end to, or prevent the repeated performance of, an act derogatory to the dignity of the profession performed by another architect also practising within the partnership or joint-stock company, and that was brought to the architect's attention more than 30 days earlier;

7° communicating with the complainant without the prior written permission of the syndic or the assistant syndic when the architect is informed by the syndic or assistant syndic that an investigation into his or her professional conduct or competence will be held or when the architect has been served a complaint against him or her;

8° offering professional services to a third person towards whom the architect's employer has contractual obligations.

CHAPTER IV INCOMPATIBLE DUTIES AND RESPONSIBILITIES

60. The fact for an architect to supervise the carrying out of work for the account of a client for whom the architect acts, personally or through a partnership or joint-stock company, as contractor is incompatible with the practice of the profession.

CHAPTER V DUTIES AND OBLIGATIONS TOWARDS THE ORDER, THE PROFESSION AND OTHER ARCHITECTS

61. Architects must respond as soon as possible to any correspondence from the admission service, the professional inspection service, the office of the syndic or the Fonds d'assurance-responsabilité professionnelle of the Ordre des architectes du Québec.

62. Architects must ensure the accuracy of the information provided to the Order.

63. Architects who are requested by the Order to sit on a council of arbitration, disciplinary council or professional inspection committee or to act as a tutor, in the course of a training period prescribed under the Regulation respecting refresher training periods for architects (c. A-21, r. 14), are required to accept that function unless they have valid reasons to refuse.

64. Architects must, to the extent possible, participate in the development of their profession by sharing their knowledge and experience with the public, other architects and architect trainees. They must, where circumstances so allow, promote the hiring of trainees.

65. Architects must not abuse the good faith or trust of another architect or be disloyal toward another architect.

66. Nothing in this Code should be interpreted as restricting the right of architects to express critical judgment on a building.

67. Architects acting as professional consultants for an architecture contest approved by the Order must inform the Order if the organization and the holding of the contest breach the terms and conditions adopted by the Order's board of directors.

CHAPTER VI ADVERTISEMENT AND USE OF THE GRAPHIC SYMBOL OF THE ORDER

68. Architects may not make or allow to be made, by any means whatsoever, false or misleading advertisement or advertisement likely to mislead or go against the honour or dignity of the profession.

69. Where architects or a partnership or joint-stock company within which they practise their profession use the graphic symbol of the Order in their advertisement and documents, they must ensure that the symbol conforms to the original and is not represented in such a manner as to imply that the advertisement or documents come from the Ordre des architectes du Québec or are approved by the Order.

70. No architect may, in a statement or advertisement, use or allow the use of an endorsement or testimonial concerning the architect, in particular by citing an honour, award or honorary title.

71. All architects who are partners or work together in the practice of their profession are jointly responsible for complying with the rules respecting advertising, unless the advertising clearly indicates the name of the architect who is responsible for it or unless the other architects establish that the advertising was done without their knowledge and consent and in spite of measures taken to ensure compliance with those rules.

72. Where architects use their name in an advertisement, the name must be followed by "architect".

The first paragraph does not apply where the name or part of the name of the architect is used to designate the partnership or joint-stock company in which the architect practises the profession.

73. In any statement or advertisement, architects may not, by any means whatsoever, give more importance to the professional fees than to the services offered.

CHAPTER VII NAME OR CORPORATE NAME

74. Architects must not practise their profession within a partnership or joint-stock company under a firm name or any other designation which is misleading, deceptive or derogatory to the honour or dignity of the profession or is a number name.

75. When an architect dies or withdraws from a partnership or company, the architect's name must be removed from the name or corporate name of the partnership or company.

76. Despite section 75, the name of a partnership or company within which architects practise their profession may include the name of a deceased or retired architect provided that the architect was a member of that partnership or company during the 3 years preceding the architect's death or retirement and provided that the architect or, as the case may be, the architect's heirs or successors have entered into an agreement to that effect.

CHAPTER VIII FINAL

77. This Regulation replaces the Code of ethics of architects (c. A-21, r. 5).

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

1643

Gouvernement du Québec

O.C. 902-2011, 7 September 2011

Professional Code
(R.S.Q., c. C-26)

Physiothérapie

— Categories of permits issued by the Ordre

Regulation respecting the categories of permits issued by the Ordre professionnel de la physiothérapie du Québec

WHEREAS, under paragraph *m* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of an order may, by regulation, determine categories of permits on the basis of the professional activities that the members may engage in or the titles they may use, and the conditions and restrictions to which members must submit when engaging in such activities or using such titles;

WHEREAS the board of directors of the Ordre professionnel de la physiothérapie du Québec made the Regulation respecting the categories of permits issued by the Ordre professionnel de la physiothérapie du Québec;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the categories of permits issued by the Ordre professionnel de la physiothérapie du Québec was published in Part 2 of the *Gazette officielle du Québec* of 5 January 2011 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation respecting the categories of permits issued by the Ordre professionnel de la physiothérapie du Québec, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation respecting the categories of permits issued by the Ordre professionnel de la physiothérapie du Québec

Professional Code
(R.S.Q., c. C-26, s. 94, par. *m*)

1. The Ordre professionnel de la physiothérapie du Québec establishes the following 2 categories of permits:

- (1) the physiotherapist permit;
- (2) the physical rehabilitation therapist permit.

A member of the Order may not hold more than 1 category of permit.

2. The physiotherapist permit allows its holder to engage in the professional activities provided for in paragraph *n* of section 37 of the Professional Code (R.S.Q., c. C-26) and in paragraph 3 of section 37.1 of the Code.

The holder of the permit may only use the titles “Physiotherapist” or “Physical Therapist” and the initials “pht” or “P.T.”.

3. The physical rehabilitation therapist permit allows its holder to engage in the professional activities provided for in paragraph *n* of section 37 of the Professional Code and in subparagraphs *e* and *f* of paragraph 3 of section 37.1 of the Code, to the extent, under the conditions and in the cases provided for in section 4.

The holder of the permit may only use the titles “Physical Rehabilitation Therapist”, “Physiotherapy Therapist”, “Physical Rehabilitation Technician” or “Physiotherapy Technician” and the initials “P.R.T.”.

4. Where a physical rehabilitation therapist has a prior assessment that was made by a physical therapist or a medical diagnosis that is not restricted to symptoms and specifies the type of structural disorder, if applicable, with relevant medical information,

(1) the physical rehabilitation therapist may determine the list of problems, treatment objectives and contra-indications or precautions, make decisions regarding the means of treatment and provide the treatment to a patient suffering from an impairment for which an established loss of autonomy or sequelae require rehabilitation to maintain a level of autonomy or recover functional autonomy;

(2) the physical rehabilitation therapist may contribute to the development of the list of problems, determine treatment objectives and contra-indications or precautions, make decisions regarding the means of treatment and provide the treatment for a patient with an orthopedic or rheumatic disorder that does not interfere with normal growth;

(3) where the physical rehabilitation therapist also has the list of problems, treatment objectives and contra-indications or precautions, the physical rehabilitation therapist may make decisions regarding the means of treatment and provide the treatment for a patient with

(a) an orthopedic or rheumatic disorder that interferes with normal growth;

(b) a neurological disorder affecting an adult with no intensive period of functional rehabilitation or for which the intensive period of functional rehabilitation has ended;

(c) a chronic and controlled respiratory disorder;

(d) a peripheral vascular disorder;

(e) a skin disorder, pressure ulcer or burns, except a serious burn;

(f) a geriatric profile the condition of which requires an investigation;

(4) where the physical rehabilitation therapist also has the list of problems, treatment objectives and contra-indications or precautions, the physical rehabilitation therapist may apply the means of treatment prescribed by the physiotherapist or physician for a patient with a disorder or condition other than those provided for in paragraph 1, 2 or 3.

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

1642

Gouvernement du Québec

O.C. 903-2011, 7 September 2011

Professional Code
(R.S.Q., c. C-26)

Certified management accountant

— Practice of the profession within a partnership or joint-stock company

Regulation respecting the practice of the profession of certified management accountant within a partnership or joint-stock company

WHEREAS, under paragraph *p* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order may authorize the members of the Order to carry on their professional activities within a limited liability partnership or a joint-stock company constituted for that purpose and, as appropriate, determine the applicable terms and conditions and restrictions;

WHEREAS, under paragraphs *g* and *h* of section 93 of the Code, the board of directors of a professional order must impose on its members who carry on their professional activities within a partnership or a joint-stock company the obligation to furnish and maintain coverage, on behalf of the partnership or company, against liabilities of the partnership or company arising from fault in the practice of their profession and fix the conditions and procedure applicable to a declaration made to the Order;

WHEREAS the board of directors of the Ordre des comptables en management accrédités du Québec made the Regulation respecting the practice of the profession of certified management accountant within a partnership or joint-stock company;

WHEREAS, under section 95.3 of the Code, a draft of the Regulation was sent to every member of the Order at least 30 days before being made by the board of directors;

WHEREAS, pursuant to section 95 of the Code and subject to sections 95.0.1 and 95.2, every regulation made by the board of directors of a professional order

under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, pursuant to the first paragraph of section 95.2 of the Code, a regulation made by the board of directors of a professional order under paragraph *g* or *h* of section 93 must be transmitted for examination to the Office, which may approve it with or without amendment;

WHEREAS the first regulation made by the board of directors of an order under paragraph *p* of section 94 of the Code must be submitted to the Government for approval;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting the practice of the profession of certified management accountant within a partnership or joint-stock company was published in Part 2 of the *Gazette officielle du Québec* of 6 April 2011 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office approved the Regulation with amendments, except Division I, sections 3 to 5, 7 and 8 of Division II and Divisions IV, V and VI;

WHEREAS the Office has examined the Regulation and made its recommendation to the Government;

WHEREAS it is expedient to approve Division I, sections 3 to 5, 7 and 8 of Division II and Divisions IV, V and VI of the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT Division I, sections 3 to 5, 7 and 8 of Division II and Divisions IV, V and VI of the Regulation respecting the practice of the profession of certified management accountant within a partnership or joint-stock company, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation respecting the practice of the profession of certified management accountant within a partnership or joint-stock company

Professional Code
(R.S.Q., c. C-26, s. 93, pars. *g* and *h*, and s. 94, par. *p*)

DIVISION I GENERAL

1. Members of the Ordre des comptables en management accrédités du Québec are authorized, on the conditions set out in this Regulation, to carry on their professional activities within a limited liability partnership or joint-stock company within the meaning of Chapter VI.3 of the Professional Code (R.S.Q., c. C-26).

2. Where a member becomes aware that a condition set out in this Regulation or in Chapter VI.3 of the Professional Code is no longer met, the member must, within 15 days, take the necessary measures to comply, failing which, the member is no longer authorized to carry on professional activities within the partnership or company.

DIVISION II TERMS AND CONDITIONS

3. Members of the Order may carry on their professional activities within a partnership or joint-stock company that holds itself out to be exclusively a partnership or joint-stock company of certified management accountants if all the following conditions are met:

(1) more than 50% of the voting rights attached to the shares or units of the partnership or joint-stock company are held

(a) by members of the Order or a professional order of certified management accountants or equivalent in a Canadian province or territory who carry on their professional activities within the partnership or joint-stock company;

(b) by legal persons, trusts or any other enterprise whose voting rights attached to the units, shares, equity securities or other rights are held entirely by one or more persons referred to in subparagraph *a*;

(c) by a combination of persons, trusts or enterprises referred to in subparagraphs *a* and *b*;

(2) a majority of the members of the board of directors of the joint-stock company, the partners or, if applicable, the directors appointed by the partners to manage the affairs of the limited liability partnership are the persons referred to in subparagraph *a* of subparagraph 1 of the first paragraph; they must constitute the majority of the quorum of the board of directors or, if applicable, internal management board;

(3) at least one member of the Order carrying on professional activities within the partnership or joint-stock company holds a voting unit or share;

(4) the chair of the board of directors of the joint-stock company or the person who performs similar duties within a limited liability partnership is a voting shareholder or partner and a member of the Order or of a professional order of certified management accountants or equivalent in a Canadian province or territory;

(5) only a person referred to in subparagraph *a* of subparagraph 1 of the first paragraph is granted, by voting agreement or proxy, the voting rights attached to a share or voting unit held by a person referred to in that subparagraph or by a legal person, trust or any other enterprise referred to in subparagraph *b* of subparagraph 1 of the first paragraph.

Members of the Order must ensure that those conditions are stipulated in the contract constituting the limited liability partnership or appear in the articles of incorporation of the joint-stock company, in the unanimous shareholder agreement, or in any other document relating to the constitution or operation of the partnership or joint-stock company and that the documents also stipulate that the partnership or joint-stock company is constituted for the purpose of carrying on professional activities.

4. Members of the Order may carry on their professional activities within a partnership or joint-stock company that does not hold itself out to be exclusively a partnership or joint-stock company of certified management accountants if

(1) more than 50% of the voting rights attached to the shares or units of the partnership or joint-stock company are held

(*a*) by the following persons practising within the partnership or joint-stock company:

i. members of a professional order governed by the Professional Code;

ii. certified management accountants who are members of a professional order of certified management accountants or equivalent in a Canadian province or territory;

iii. real estate brokers or mortgage brokers holding a licence issued by the Organisme d'autorégulation du courtage immobilier du Québec under the Real Estate Brokerage Act (R.S.Q., c. C-73.2);

iv. insurance representatives, claims adjusters and financial planners holding a certificate issued by the Autorité des marchés financiers under the Act respecting the distribution of financial products and services (R.S.Q., c. D-9.2);

v. dealers, advisers and investment fund managers registered as such in accordance with Title V of the Securities Act (R.S.Q., c. V-1.1);

vi. actuaries who are members of the Canadian Institute of Actuaries;

vii. any person carrying on activities similar to those referred to in subparagraphs iii to v under an Act of another Canadian province or territory setting out rules similar to those that apply to members of the Order;

(*b*) by a legal person, trust or any other enterprise whose voting rights attached to the units, shares, equity securities or other rights are held entirely by one or more persons referred to in subparagraph *a*; or

(*c*) by a combination of the persons referred to in subparagraphs *a* and *b*;

(2) a majority of the members of the board of directors of the joint-stock company and the partners or, if applicable, the directors appointed by the partners to manage the affairs of the limited liability partnership are the persons referred to in subparagraph *a* of subparagraph 1 of the first paragraph; and

(3) a majority of the members of the board of directors of the joint-stock company, the partners or directors appointed by the partners to manage the affairs of the limited liability partnership are the persons referred to in subparagraph *a* of subparagraph 1 of the first paragraph; they must constitute the majority of the quorum of the board of directors or, if applicable, internal management board.

Members of the Order must ensure that those conditions are stipulated in the contract constituting the limited liability partnership or appear in the articles of

incorporation of the joint-stock company, in the unanimous shareholder agreement, or in any other document relating to the constitution or operation of the partnership or joint-stock company and that the documents also stipulate that the partnership or joint-stock company is constituted for the purpose of carrying on professional activities.

5. Members of the Order may carry on their professional activities within a partnership or joint-stock company if, before carrying on those activities, they provide the Order with the following documents:

(1) a written document from a competent authority certifying that the partnership or joint-stock company is covered by security in compliance with Division II;

(2) where the member carries on professional activities within a joint-stock company, a written document from a competent authority certifying the existence of the joint-stock company;

(3) if applicable, a certified true copy of the declaration from the competent authority stating that the general partnership has been continued as a limited liability partnership;

(4) a written document from a competent authority certifying that the partnership or joint-stock company is registered in Québec;

(5) a written document from a competent authority certifying that the partnership or joint-stock company has an establishment in Québec;

(6) an irrevocable written authorization from the partnership or joint-stock company within which the member carries on professional activities allowing a person, committee, disciplinary body or tribunal referred to in section 192 of the Professional Code to require disclosure of information and obtain any document listed in section 13 from any partner or shareholder or to obtain a copy of such a document;

(7) a sworn declaration in compliance with section 6, accompanied by the fees payable prescribed by the board of directors of the Order;

(8) where shareholders referred to in subparagraph *b* of subparagraph 1 of the first paragraph of section 3 are concerned, a confirmation that the conditions set out in that subparagraph are met; and

(9) a written document certifying that the shares or units held and the rules of administration of the partnership or joint-stock company comply with the conditions set out in this Regulation.

6. The sworn declaration provided for in paragraph 7 of section 5 must be made using the form provided for that purpose by the Order and contain the following information:

(1) the name of the partnership or joint-stock company within which the member carries on professional activities, and any other names used in Québec, if any, together with the business number assigned to it by the competent authority;

(2) the legal form of the partnership or joint-stock company;

(3) where the member carries on professional activities within a joint-stock company, the address of the head office of the partnership or joint-stock company and the addresses of its establishments in Québec;

(4) the professional activities carried on by the member within the partnership or joint-stock company;

(5) the member's name, home and professional address, and status within the partnership or joint-stock company, together with a list of all the other members of the Order who carry on their professional activities within the partnership or joint-stock company;

(6) where the member carries on professional activities within a joint-stock company, the names and home addresses of the directors of the joint-stock company and, if any, the professional order of certified management accountants or equivalent to which they belong;

(7) where the member carries on professional activities within a limited liability partnership, the addresses of the establishments of the partnership in Québec, specifying the address of its principal establishment, the names and home addresses of all the partners domiciled in Québec and, if any, the names and home addresses of the directors appointed to manage the affairs of the partnership, whether or not they are domiciled in Québec, as well as the professional order of certified management accountants or equivalent to which they belong; and

(8) the names of the holders of shares or units referred to in subparagraph 1 of the first paragraph of section 3, with the percentage of voting rights held by each shareholder.

7. To retain the right to carry on professional activities within a partnership or joint-stock company, the member of the Order must

(1) update and provide, before 31 March of each year, the documents referred to in paragraphs 1, 4 and 5 of section 5 and pay the fees payable prescribed by the board of directors;

(2) promptly inform the Order of any change to the coverage provided for in Division II, the cancellation of the coverage and changes to any document referred to in section 5 and to the information included in the declaration referred to in section 6, including the striking off, dissolution, assignment of property, bankruptcy, voluntary or forced liquidation of the partnership or joint-stock company or any other cause likely to prevent the partnership or joint-stock company from carrying on its activities in compliance with the conditions set out in section 3 or 4.

8. Where 2 members of the Order or more carry on their professional activities within the same partnership or joint-stock company, a single declaration may be made by a representative or substitute for all the members.

The representative and the substitute must be members of the Order, carry on their professional activities in Québec within the partnership or joint-stock company and be voting partners or shareholders.

The representative's declaration is deemed to be each member's declaration of the partnership or joint-stock company. Each member remains fully responsible for the accuracy of the information provided in the declaration.

DIVISION III **PROFESSIONAL LIABILITY COVERAGE**

9. A member of the Order carrying on professional activities within a partnership or joint-stock company must, to be authorized to carry them on within that partnership or joint-stock company, provide and maintain, by insurance contract or specific rider, or by suretyship contract, coverage for the partnership or joint-stock company against the liabilities of the partnership or joint-stock company arising from fault on the part of the member in the practice of the profession within the partnership or joint-stock company.

10. The coverage must include the following conditions:

(1) an undertaking by the insurer or surety to pay in lieu of the partnership or joint-stock company, over and above the amount of the coverage to be furnished by a member in accordance with the regulation made pursuant to paragraph *d* of section 93 of the Professional Code or any other coverage taken out by a member if it is greater, up to the amount of the coverage, any sum that

the partnership or joint-stock company may be legally bound to pay to an injured third person on a claim filed during the coverage period and arising from fault on the part of the member in the practice of the profession within the partnership or joint-stock company;

(2) an undertaking by the insurer or surety to take up the cause of the partnership or joint-stock company and defend it in any action against it and to pay, in addition to the amounts covered by the coverage, all legal costs of actions against the partnership or joint-stock company, including the costs of the inquiry and defence and interest on the amount of the coverage;

(3) coverage of at least \$1,000,000 per claim for all claims filed against the partnership or joint-stock company during a 12-month coverage period;

(4) an undertaking to maintain coverage for all claims submitted in the 5 years following the period of coverage during which a member of the Order in the partnership or joint-stock company dies, withdraws from the partnership or joint-stock company or ceases to be a member of the Order;

(5) an undertaking by the insurer or surety to provide the secretary of the Order with a 30-day notice of intent to cancel the insurance or suretyship contract or to amend it with regard to one of the conditions set out in this section;

(6) an undertaking by the insurer or surety to provide the secretary of the Order, within 15 days of the end of the insurance or suretyship contract, with a notice that the insurance or suretyship contract has not been renewed; and

(7) an undertaking by the insurer to notify the Order when it has paid a sum of money by reason of a fault committed by a member setting out the name of the partnership or joint-stock company and of the member involved, the nature of the damage and of the fault, and the sum paid.

11. The suretyship contract must be with a bank, savings and credit union, or trust or insurance company domiciled in Canada. The surety must also maintain sufficient property in Québec to honour the coverage provided for in this Division.

The surety must undertake to provide coverage in accordance with the conditions of this Division and to pay the amount due on behalf of the partnership or joint-stock company by waiving the benefit of division and discussion, up to the amount of the suretyship coverage.

DIVISION IV ADDITIONAL INFORMATION

12. Where a general partnership is continued as a limited liability partnership or where a joint-stock company is constituted, members of the Order must send to their clients, on the date of the continuation or constitution, a notice informing them of the nature and effects of the change of status of the partnership or joint-stock company, in particular with respect to their professional liability and the professional liability of the partnership or joint-stock company.

13. The information or documents that may be required from a partnership or joint-stock company pursuant to paragraph 6 of section 5 are the following:

(1) if the member of the Order carries on professional activities within a joint-stock company,

(a) a complete and up-to-date register of the articles of incorporation and by-laws of the joint-stock company;

(b) a complete and up-to-date register of the securities of the joint-stock company;

(c) a complete and up-to-date register of the directors of the joint-stock company;

(d) a complete and up-to-date register of the shareholders of the joint-stock company;

(e) any unanimous shareholder agreement, voting agreement and any amendments;

(f) the declaration of registration and certificate of constitution of the joint-stock company and any updates; and

(g) a complete and up-to-date list of the officers of the joint-stock company, with their home addresses;

(2) if the member of the Order carries on professional activities within a limited liability partnership,

(a) the declaration of registration of the partnership and any updates;

(b) the partnership agreement and any amendments;

(c) a complete and up-to-date register of the partners;

(d) if applicable, a complete and up-to-date register of the directors of the partnership; and

(e) the names of the principal officers of the partnership with their home addresses.

DIVISION V INCOME

14. Where a member of the Order carries on professional activities within a joint-stock company, the income derived from the professional services rendered within and on behalf of the company belongs to the company, unless it has been agreed otherwise.

The determination, billing and receipt of fees are subject to the conditions set out in the Code of ethics of certified management accountants and the member is personally responsible for seeing to their application.

DIVISION VI TRANSITIONAL AND FINAL

15. Members of the Order who carry on professional activities within a joint-stock company constituted for those purposes before the date of coming into force of this Regulation must comply with this Regulation not later than one year following that date.

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

1641

Gouvernement du Québec

O.C. 904-2011, 7 September 2011

Professional Code
(R.S.Q., c. C-26)

Certified management accountants — **Code of ethics** — **Amendment**

Regulation to amend the Code of ethics of certified management accountants

WHEREAS, under section 87 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, clients and the profession, particularly the duty to discharge professional obligations with integrity;

WHEREAS the board of directors of the Ordre des comptables en management accrédités du Québec made the Regulation to amend the Code of ethics of certified management accountants;

WHEREAS, under section 95.3 of the Code, a draft of the Regulation was sent to every member of the Order at least 30 days before being made by the board of directors;

WHEREAS, pursuant to section 95 of the Code and subject to section 95.2, every regulation made by the board of directors of a professional order under the Code must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Code of ethics of certified management accountants was published in Part 2 of the *Gazette officielle du Québec* of 6 April 2011 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Code of ethics of certified management accountants, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of certified management accountants

Professional Code
(R.S.Q., c. C-26, s. 87)

1. The Code of ethics of certified management accountants (c. C-26, s. 28) is amended in section 1 by replacing paragraph *a* by the following:

“(a) “firm” means the place where a member offers services to the public and practises the profession, alone or within a partnership or joint-stock company;”

2. The following is inserted after section 1:

“**1.1.** The duties and obligations under the Professional Code (R.S.Q., c. C-26) and its regulations are not modified or reduced in any manner owing to the fact that a member practises the profession within a partnership or joint-stock company.”

3. Section 6 is amended by inserting “, and the name of the partnership or joint-stock company within which the member practises the profession,” after “accountant” in the second sentence.

4. Section 7 is revoked.

5. Section 13.1 is amended

(1) by replacing “of the partnership within which he practises his profession” in the second paragraph by “or shareholders with voting rights within the partnership or joint-stock company where the member practises the profession”;

(2) by adding “The partner or shareholder must hold the most senior position within the partnership or joint-stock company.” at the end of the second paragraph.

6. Section 14 is replaced by the following:

“**14.** No member may make false, misleading or incomplete representations with respect to the member’s level of competence, the effectiveness of services or, if applicable, the level of competence or the effectiveness of services provided by persons who carry on their professional activities within the same partnership or joint-stock company as the member or with respect to the firm the member claims to operate and the addresses of the head office and the offices in which the member practises the profession.

If the interest of the client or employer so requires, members must, with the latter’s authorization, consult another member, a member of another professional order or another competent person, or advise the client or employer to consult one of those persons.”

7. Section 19 is replaced by the following:

“**19.** Members must take the necessary measures to remedy a situation likely to have, or having, detrimental consequences to the members’ professional services. If it is impossible to avoid those consequences, members must so inform the client or employer as soon as possible.”

8. The following is inserted after section 20:

“20.1. Members must take reasonable care of the property entrusted to them by clients and they may not lend or use the property for purposes other than those for which the property was entrusted to them.

If members practise their profession within a partnership or joint-stock company, they must take the necessary measures to ensure that the partnership or joint-stock company complies with the requirements of the first paragraph when the property is entrusted to the partnership or joint-stock company.”.

9. Section 25 is amended by adding the following at the end:

“The following in particular constitute sound and reasonable grounds:

- (1) loss of the client’s confidence;
- (2) being in conflict of interest or in any situation in which the member’s professional independence could be called into question;
- (3) inducement by the client to perform illegal acts;
- (4) refusal by the client to recognize an obligation for the professional fees and expenses or, after being given reasonable notice, to pay an amount to the member to cover such fees and expenses; and
- (5) the fact that the member has been misled by a client or failure by the client to cooperate.”.

10. Section 27 is replaced by the following:

“27. In the practice of their profession, members must assume full civil liability. They must not evade or attempt to evade civil liability or request that a client or another person renounce any recourse in cases of professional negligence on their part.”.

11. Section 28 is replaced by the following:

“28. In the practice of their profession, members must subordinate their personal interest and, if applicable, the interest of the partnership or joint-stock company within which they practise their profession, or in which they have interests, and the interest of any other person practising within that partnership or joint-stock company, to that of their client or employer.”.

12. The following is inserted after section 28:

“28.1. Members must ensure that their obligations towards the partnership or joint-stock company of which they are directors or officers are not incompatible with their obligations towards clients.”.

13. The following is inserted after section 32:

“32.1. Where a partner, shareholder, director, officer or employee of a partnership or joint-stock company in which a member carries on professional activities or has interests is in a situation of conflict of interest, the member must, upon becoming aware of the situation, take the necessary measures to ensure that information or documents protected by professional secrecy are not disclosed to that partner, shareholder, director, officer or employee.

Those measures take into account the following factors:

- (1) the size of the partnership or joint-stock company;
- (2) the precautions taken to prevent access to the member’s records by the person in a situation of conflict of interest;
- (3) the instructions given to protect confidential information or documents protected by professional secrecy; and
- (4) isolation, from the member, of the person in a situation of conflict of interest.”.

14. Section 33 is replaced by the following:

“33. Members must refrain from receiving or soliciting, except for the remuneration to which they are entitled, any benefit, rebate, sum of money or commission relating to their professional services. They may, however, accept customary tokens of appreciation and gifts of small value.

Members must also refrain from paying, offering to pay or agreeing to pay any benefit, rebate, sum of money or commission relating to their professional services.”.

15. Section 34.3 is amended by replacing “of the partnership within which he practises his profession” in the first paragraph by “or shareholder with voting rights within the partnership or joint-stock company where the member practises the profession”.

16. Section 34.6 is amended by replacing “of the partnership within which he practises his profession” in paragraph 7 by “or shareholder with voting rights within the partnership or joint-stock company where the member practises the profession”.

17. Section 34.7 is amended

(1) by inserting “or a shareholder with voting rights” after “partner” in paragraph 9;

(2) by adding “or shareholders with voting rights” after “partners” at the end of paragraph 9.

18. Section 40.2 is amended by replacing “that such disclosure would likely cause serious harm to the client or to a third party” by “the reasons for the refusal”.

19. Section 43 is replaced by the following:

“**43.** No member may require full advance payment of fees for their professional services.”.

20. Section 44 is amended

(1) by replacing the first paragraph by the following:

“In addition to the acts referred to in sections 57, 58, 58.1, 59.1 and 59.2 of the Professional Code (R.S.Q., c. C-26) and those determined pursuant to the second paragraph of section 152 of the Code, the following acts by members are derogatory to the dignity of the profession:”;

(2) by inserting the following after paragraph c:

“(c.1) failing to notify the Order that the member has reason to believe that a member or partnership or joint-stock company within which the member practises the profession contravenes the Professional Code or a regulation made under the Code;”;

(3) by replacing paragraph *h* by the following:

“(h) failing to promptly inform the Order that the member has assigned his or her property or been declared bankrupt by a final judgment of a court of competent jurisdiction.”.

21. The following is inserted after section 44:

“**44.1.** For members practising their profession within a partnership or joint-stock company, the following acts are also derogatory to the dignity of the profession:

(1) failing to take reasonable measures, within 30 days of being aware of the act, to put an end to, or prevent the repeated performance of, an act derogatory to the dignity of the profession performed by a person who carries on professional activities within the partnership or joint-stock company;

(2) continuing their activities within the partnership or joint-stock company or having an interest in the partnership or joint-stock company when they have reason to believe that a director, shareholder, partner or employee practises a profession, trade, industry, business, position or function that is incompatible with the practice of the profession;

(3) continuing their activities within the partnership or joint-stock company when a person referred to in subparagraph *a* of subparagraph 1 of the first paragraph of section 3 or subparagraph *a* of subparagraph 1 of the first paragraph of section 4 of the Regulation respecting the practice of the profession of certified management accountant within a partnership or joint-stock company, approved by Order in Council 903-2011 dated 7 September 2011, who holds shares with voting rights or who acts as a director or officer of the partnership or joint-stock company, has been struck off the roll or had his or her permit revoked.

44.2. Despite section 44.1, members are authorized to continue to practise their profession within a partnership or joint-stock company within which a person referred to in subparagraph *a* of subparagraph 1 of the first paragraph of section 3 or subparagraph *a* of subparagraph 1 of the first paragraph of section 4 of the Regulation respecting the practice of the profession of certified management accountant within a partnership or joint-stock company has been struck off the roll of a professional order, or the equivalent, or has had their permit revoked, if

(1) the person concerned ceases to be a director or officer of the partnership or joint-stock company within 10 days from the date of the penalty or the date on which the measure imposed is executory;

(2) the person concerned ceases to attend all shareholder meetings and to exercise the person’s right to vote within 10 days from the date of the penalty or the date on which the measure imposed is executory; and

(3) the person concerned disposes of his or her partnership or company shares with voting rights within 180 days from the date of the penalty or the date on which the measure imposed is executory.

44.3. It is derogatory to the dignity of the profession for members to practise within a partnership or joint-stock company that holds out or implies that it is governed by the Professional Code where such partnership or joint-stock company does not comply with the requirements set out in the Professional Code or the Regulation respecting the practice of the profession of certified management accountant within a partnership or joint-stock company.

44.4. It is derogatory to the dignity of the profession for members to enter into an agreement or permit an agreement to be entered into, within a partnership or joint-stock company of which the member is a partner or shareholder, including a unanimous agreement between shareholders, that operates to impair the independence, objectivity and integrity required for the practice of the profession or compliance with the Professional Code and the regulations made under the Code.”.

22. Section 47 is replaced by the following:

“47. Members may not betray the good faith of a member or be guilty of breach of trust or disloyal practices towards a member.”.

23. Section 48 is revoked.

24. Section 50 and the heading preceding it are revoked.

25. The following is inserted after section 50.1:

“50.1.1. No member may practise the profession within a partnership or joint-stock company whose name is misleading, deceptive or contrary to the honour or dignity of the profession, or is a number name.

50.1.2. The name of a member must be withdrawn from the name of the partnership or joint-stock company and from any advertising document concerning the partnership or joint-stock company within one year after the death or retirement of the member of the partnership or joint-stock company, unless otherwise agreed.”.

26. Section 50.5 is amended by replacing “5” by “3”.

27. The following is inserted after section 50.5:

“50.5.1. Members who carry on professional activities within a partnership or joint-stock company must take reasonable measures to ensure that advertising by the partnership or joint-stock company or by any other person carrying on activities within it complies with the rules set out in this Division.”.

28. Section 50.6 is replaced by the following:

“50.6. All members who carry on professional activities within a partnership or joint-stock company are solidarily responsible for complying with advertising rules, unless the advertisement clearly indicates the name of the member who is responsible for it or unless the other members establish that the advertisement was done without their knowledge and despite the measures taken to ensure compliance with those rules.”.

29. Section 50.8 is replaced by the following:

“50.8. Where members use the graphic symbol of the Order in their advertising and documents, they must ensure that the symbol conforms to the symbol whose use is permitted by the Order and is not represented in such a manner as to imply that the advertising or documents come from the Order or are approved by the Order.”.

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

1640

Gouvernement du Québec

O.C. 915-2011, 7 September 2011

An Act respecting occupational health and safety (R.S.Q., c. S-2.1)

Occupational health and safety
— **Amendment**

Regulation to amend the Regulation respecting occupational health and safety

WHEREAS, under subparagraphs 3, 19 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission de la santé et de la sécurité du travail may make regulations listing contaminants or dangerous substances, classifying them, identifying the biological or chemical agents and determining for each class or each contaminant a maximum permissible quantity or concentration of emission, deposit, issuance or discharge at a workplace, prohibiting or restricting the use of a contaminant or prohibiting any emission, deposit, issuance or discharge of a contaminant, prescribing standards respecting the safety of such products, processes, equipment, materials, contaminants or dangerous substances as it specifies, indicating the directions for their use, maintenance and repair, and prohibiting or restricting their use, and generally prescribing any other measure to facilitate the application of the Act;

WHEREAS, under the second paragraph of that section, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply; the regulations may also provide times within which they are to be applied, and these times may vary according to the object and scope of each regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 224 of the Act respecting occupational health and safety, a draft of the Regulation to amend the Regulation respecting occupational health and safety was published in Part 2 of the *Gazette officielle du Québec* of 8 December 2010, with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Commission made the Regulation without amendment at its sitting of 25 March 2011;

WHEREAS it is expedient for the Government to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Regulation respecting occupational health and safety, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting occupational health and safety*

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 223, 1st par., subpars. 3, 19, 42, and 2nd par.)

1. The Regulation respecting occupational health and safety is amended in section 48

(1) by replacing the first paragraph by the following:

“Compressed breathing air for supplied-air respirators or self-contained respiratory protective apparatuses referred to in section 45 must comply with CSA Standard CAN/CSA-Z180.1-00, Compressed Breathing Air and Systems, and compressed breathing air that supplies diving equipment must comply with CSA Standard CAN3 Z180.1-M85, Compressed Breathing Air and Systems. Systems that produce, store and distribute air must comply with the standard that applies to them.”;

(2) by replacing “Samples of this air” in the second paragraph by “Samples of compressed breathing air”;

(3) by inserting the following sentence after “at the time that it is applied.” in the second paragraph: “The analyses must be made at least every six months, except for ambient air systems.”.

2. Part 1 of Schedule I is amended by inserting, in alphabetical order, the following substances and their specificities in replacement of the substance “Turpentine” and its specificities:

* The Regulation respecting occupational health and safety, approved by Order in Council 885-2001 dated 4 July 2001 (2001, *G.O.* 2, 3888), was last amended by the regulation approved by Order in Council 392-2011 dated 6 April 2011 (2011, *G.O.* 2, 1498). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2011, updated to 1 April 2011.

"

Substance	[#CAS]	TWA/EV		STEV/Ceiling		Designation and remarks
		ppm	mg/m ³	ppm	mg/m ³	
Turpentine and certain monoterpenes						
Turpentine	[8006-64-2]	20	112			S
Δ-3 Carene	[13466-78-9]	20	112			S
α-Pinene	[80-56-8]	20	112			S
β-Pinene	[127-91-3]	20	112			S"

3. Part 4 of Schedule I is amended by inserting the following substances in alphabetical order:

"80-56-8 α-Pinene
127-91-3 β-Pinene
13466-78-9 Δ-3 Carene".

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

1639

Gouvernement du Québec

O.C. 916-2011, 7 September 2011

An Act respecting occupational health and safety (R.S.Q., c. S-2.1)

Occupational health and safety in mines — Amendment

Regulation to amend the Regulation respecting occupational health and safety in mines

WHEREAS, under subparagraphs 7, 14, 19, 41 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission de la santé et de la sécurité du travail may make regulations on the matters set forth therein;

WHEREAS, under the second paragraph of that section, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply;

WHEREAS the Commission made the Regulation respecting occupational health and safety in mines and the Government approved the Regulation by Order in Council 213-93 dated 17 February 1993;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting occupational health and safety in mines was published in Part 2 of the *Gazette officielle du Québec* of 1 December 2010 with a notice that it could be made by the Commission on the expiry of 45 days following that publication and, in accordance with section 224 of the Act respecting occupational health and safety, be submitted to the Government for approval;

WHEREAS the Commission made, without amendment, the Regulation to amend the Regulation respecting occupational health and safety in mines, at its sitting of 25 March 2011;

WHEREAS it is expedient to approve the Regulation as it appears attached to this Order in Council;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour:

THAT the Regulation to amend the Regulation respecting occupational health and safety in mines, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting occupational health and safety in mines*

An Act respecting occupational health and safety (R.S.Q., c. S-2.1, s. 223, 1st par., subpars. 7, 14, 19, 41, 42, and 2nd par.)

1. The Regulation respecting occupational health and safety in mines is amended in section 27.1 by adding the following paragraph at the end:

“A person who holds a vocational studies diploma in mining issued after 1 January 1995 by the Ministère de l'Éducation, du Loisir et du Sport is deemed to have passed the training referred to in the first and second paragraphs and is exempt from the conditions prescribed in those paragraphs.”

2. Section 27.2 is amended by adding the following paragraph at the end:

“A person who holds a vocational studies diploma in mining issued after 1 January 1995 by the Ministère de l'Éducation, du Loisir et du Sport is deemed to have passed the training referred to in the first and second paragraphs and is exempt from the conditions prescribed in those paragraphs.”

3. Section 56 is amended by inserting “immediately” after “evacuated”.

4. The following is inserted after section 218:

“**218.1.** No alteration or adjustment to the main shaft of the hoist, the bearings, the brake rods or any other important part that could affect the integrity or the safe operation of the hoist may be undertaken prior to obtaining a certificate from an engineer. The certificate shall be kept on the mine site.”

* The Regulation respecting occupational health and safety in mines, approved by Order in Council 213-93 dated 17 February 1993 (1993, *G.O.* 2, 1757), was last amended by the regulation approved by Order in Council 1190-2010 dated 15 December 2010 (2011, *G.O.* 2, 55). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2011, updated to 1 April 2011.

5. Section 225 is amended by inserting the following after the first paragraph:

“The testing of the braking devices of a hoist operated by automatic or semi-automatic control, used exclusively for the transportation of materials, may be conducted once a day by a hoistman.”

6. Section 386.1 is amended by adding the following paragraph at the end:

“However, where a multi-deck work platform is used, a distance of less than

(1) 15 metres (49.2 feet) shall be maintained between the base of the platform and the bottom of the shaft, when there are workers at the bottom, except for inspection reasons related to blasting;

(2) 50 metres (164.0 feet) shall be maintained between the top of the platform and the lower chair.”

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

1638

M.O., 2011

Order number AM 2011-036 of the Minister of Natural Resources and Wildlife and the Minister for Natural Resources and Wildlife dated 12 August 2011

Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1)

Regulation to amend the Regulation respecting hunting

THE MINISTER OF NATURAL RESOURCES AND WILDLIFE AND THE MINISTER FOR NATURAL RESOURCES AND WILDLIFE,

CONSIDERING section 56 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1), which provides that the Minister may make regulations on the matters set forth therein;

CONSIDERING the first paragraph of section 164 of the Act, which provides that a regulation made under section 56 of the Act is not subject to the publication requirement set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

CONSIDERING the making of the Regulation respecting hunting (R.R.Q., c. C-61.1, r. 12);

CONSIDERING that it is expedient to amend certain provisions of the Regulation;

ORDER AS FOLLOWS:

The Regulation to amend the Regulation respecting hunting, attached hereto, is hereby made.

Québec, 12 August 2011

SERGE SIMARD,
*Minister for Natural
Resources and Wildlife*

NATHALIE NORMANDEAU,
*Minister of Natural
Resources and Wildlife*

Regulation to amend the Regulation respecting hunting

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 56)

1. The Regulation respecting hunting (c. C-61.1, r. 12) is amended in section 1 of Schedule V by replacing the part concerning the type of implement 13 by the following:

“

13 Parts of the territories shown on the plans in Schedules XL to XLIV, XLVI to LIII, LV to LXVIII, LXX to LXXVIII, LXXX to LXXXIV, LXXXVI, LXXXVIII to CII, CIV, CV, CVIII, CXIV, CXVI, CXVII, CXX, CXLI, CXLVI to CLIV, CLVII to CLXIV and CLXXXIX	From the Saturday on or closest to 15 September to the Sunday on or closest to 14 October
--	---

Parts of the territories shown on the plans in Schedules CIII, CVII and CXXXIX	From the Saturday on or closest to 15 October to the Sunday on or closest to 24 October *
--	---

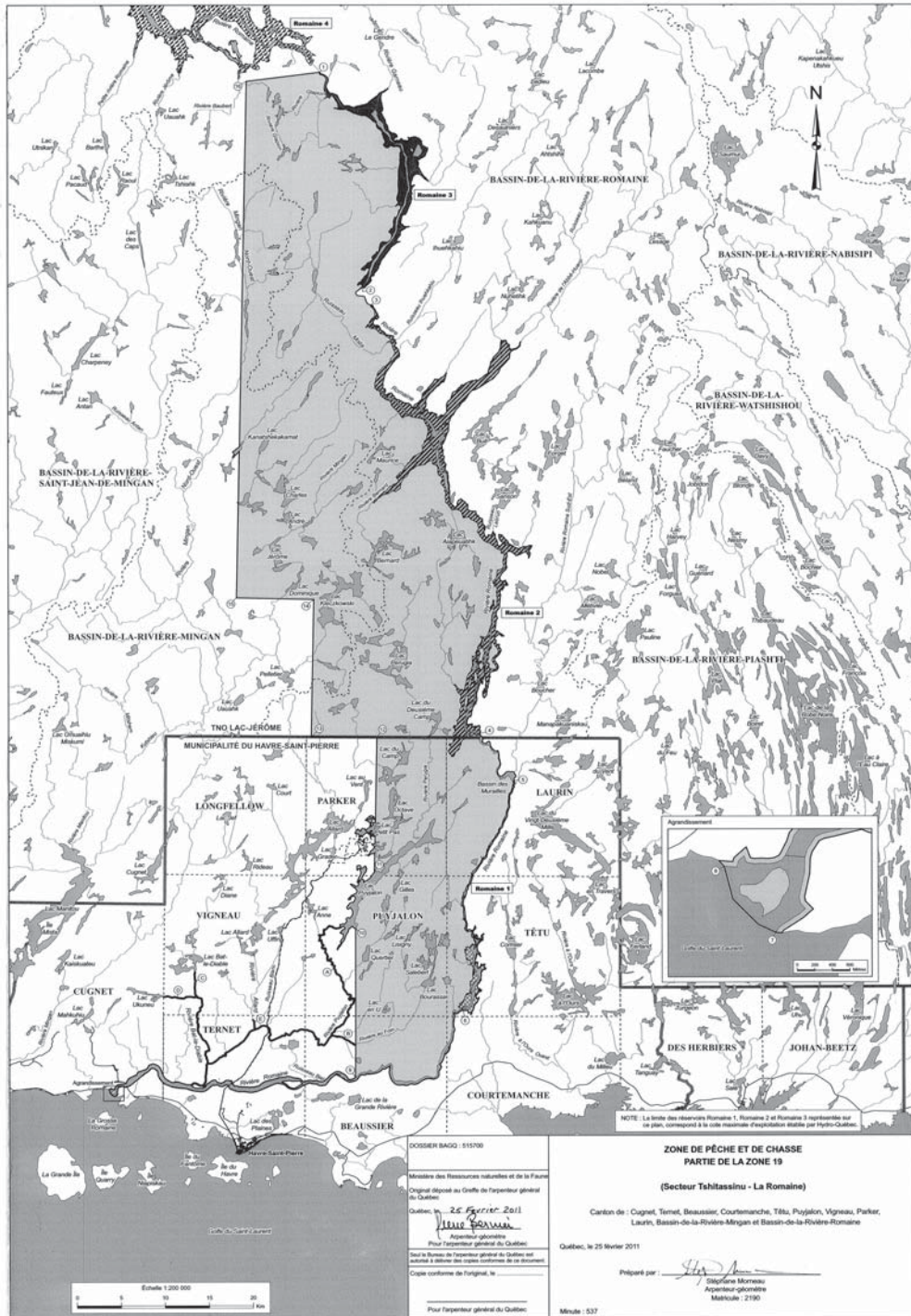
Parts of the territories shown on the plans in Schedule CXII	From the Saturday on or closest to 15 October to the Sunday on or closest to 17 October *
--	---

* That season ceases to apply on le 31 December 2011

2. The Regulation is amended by adding Schedule CXCIX attached hereto.

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

”



NOTE : La limite des rivières Romane 1, Romane 2 et Romane 3 représentée sur ce plan, correspond à la cote minimale d'expansion établie par Hydro-Québec.

COSSEREAU 515700
 Ministère des Ressources naturelles et de la Faune
 Original déposé au Greffe de l'arpenteur général du Québec
 Québec, le 26 Février 2011
Marie Perreault
 Agente arpenteuse
 Pour l'arpenteur général du Québec
 Seul le Bureau de l'arpenteur général du Québec est autorisé à délivrer des copies conformes de ce document
 Copie conforme de l'original, le
 Pour l'arpenteur général du Québec

ZONE DE PÊCHE ET DE CHASSE
PARTIE DE LA ZONE 19
(Secteur Tshittassinu - La Romaine)
 Canton de : Cugnet, Ternet, Beaussier, Courtemanche, Têtu, Puyalon, Vigneau, Parker, Laurin, Bassin-de-la-Rivière-Mingan et Bassin-de-la-Rivière-Romaine
 Québec, le 25 février 2011
 Préparé par : *Stéphane Morneau*
 Agente arpenteuse
 Matricule : 2190
 Minute : 537

Draft Regulations

Draft Regulation

Animal Health Protection Act
(R.S.Q., c. P-42)

Animal species or categories designated under Division IV.1.1 of the Act — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the animal species or categories designated under Division IV.1.1 of the Animal Health Protection Act, appearing below, may be made by the Gouvernement du Québec on the expiry of 45 days following this publication.

The draft Regulation extends the application of Division IV.1.1 of the Animal Health Protection Act to all animals other than those governed by the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1).

To date, study of the matter has revealed a negligible increase in costs for enterprises.

Further information may be obtained by contacting Dr. Dominique Baronet, Direction du développement et de la réglementation, Ministère de l'Agriculture, des Pêcheries et de l'Alimentation; telephone: 418 380-2100, extension 3126.

Any person wishing to comment on the draft Regulation is requested to submit written comments before the expiry of the 45-day period to Madeleine Fortin, Assistant Deputy Minister, Direction générale de la santé animale et de l'inspection des aliments, 200, chemin Sainte-Foy, 12^e étage, Québec (Québec) G1R 4X6; fax: 418 380-2171.

PIERRE CORBEIL,
Minister of Agriculture, Fisheries and Food

Regulation to amend the Regulation respecting the animal species or categories designated under Division IV.1.1 of the Animal Health Protection Act

Animal Health Protection Act
(R.S.Q., c. P-42, s. 55.9.1)

1. The Regulation respecting the animal species or categories designated under Division IV.1.1 of the Animal Health Protection Act (c. P-42, r. 6) is amended by replacing section 1 by the following:

“**1.** The provisions of Division IV.1.1 of the Animal Health Protection Act (R.S.Q., c. P-42) apply to domestic animals and animals kept in captivity, other than those governed by the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1).”.

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

1633

Draft Regulation

Building Act
(R.S.Q., c. B-1.1)

Construction Code — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Construction Code, appearing below, may be approved by the Government, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation amends Chapter IV, “elevators and other elevating devices” of the Construction Code with the purpose of striking out the automatic adoption clause for the new editions of the national codes so that the Régie du bâtiment du Québec may evaluate or change the content thereof, measure the economic or application impact thereof, consult the partners and prepare the information documents intended for designers and

installers, before making them compulsory, so as to adequately meet the needs of Québec. The automatic adoption of the amendments published between the new editions is however maintained.

The draft Regulation has no negative impact on the public and enterprises, including small and medium-sized businesses, and its purpose is to facilitate the adoption mechanism of standards adapted to the needs of Québec by taking into account the time required to do so.

The proposed amendments have no specific financial involvement regarding the current situation, but they ease the regulatory burden of the Board.

Further information may be obtained by contacting Mr. Stéphane Mercier, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 7^e étage, Montréal (Québec) H2M 2V2; telephone: 514 864-7249; fax: 514 873-1939.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Mr. Michel Beaudoin, President and Chief Executive Officer, Régie du bâtiment du Québec, 545, boulevard Crémazie Est, 3^e étage, Montréal (Québec) H2M 2V2.

LISE THÉRIAULT,
Minister of Labour

Regulation to amend the Construction Code*

Building Act
(R.S.Q., c. B-1.1, ss. 173, 178 and 185, 1st par., subpar. 38)

1. The Construction Code is amended in section 4.01 of Chapter IV - Elevators and Other Elevating Devices

(1) by striking out “and editions” in the first paragraph;

(2) by striking out “and new editions” in the first line of the second paragraph and “or editions” in the last line.

* The Construction Code, approved by Order in Council 953-2000 dated 26 July 2000 (2000, *G.O.* 2, 4203), was last amended by the regulation approved by Order in Council 1062-2010 dated 1st December 2010 (2010, *G.O.* 2, 5495). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2011, updated to 1 April 2011.

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

1636

Draft Regulation

Professional Code
(R.S.Q., c. C-26)

Forest engineers — Diplomas giving access to permits — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation is to update the titles of diplomas giving access to the permit issued by the Ordre des ingénieurs forestiers du Québec listed in section 1.08 of the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders.

The draft Regulation has no impact on enterprises, including small and medium-sized businesses.

The draft Regulation will be submitted to the Office des professions du Québec and the Ordre des ingénieurs forestiers du Québec for their opinion. To that end, the Office will seek the opinion of the Order and forward it with its own opinion to the Minister of Justice after consultation with the educational institutions and other bodies concerned.

Further information may be obtained by contacting Suzanne Bareil, Director, Affaires professionnelles, Ordre des ingénieurs forestiers du Québec, 2750, rue Einstein, bureau 110, Québec (Québec) G1P 4R1; telephone: 418 650-2411; fax: 418 650-2168; email: oifq@oifq.com

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Chair of the Office des professions

du Québec, Jean Paul Dutrisac, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the Order and to interested persons, departments and bodies.

JEAN-MARC FOURNIER,
Minister of Justice

Regulation to amend the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders

Professional Code
(R.S.Q., c. C-26, s. 184, 1st par.)

1. The Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist's certificates of professional orders (c. C-26, r. 2) is amended by replacing section 1.08 by the following:

“**1.08.** The following diplomas awarded by the educational institution designated below give access to the permit issued by the Ordre des ingénieurs forestiers du Québec:

(1) bachelier en Sciences appliquées (B. Sc. A) from Université Laval, upon completion of the programme de baccalauréat en aménagement et environnement forestiers;

(2) bachelier en Sciences appliquées (B. Sc. A) from Université Laval, upon completion of the programme de baccalauréat coopératif en opérations forestières; and

(3) bachelier en ingénierie (B. Ing.) from Université Laval, upon completion of the programme de baccalauréat coopératif en génie du bois.”.

2. Section 1.08 replaced by section 1 of this Regulation remains applicable to persons who, on (*insert the date of coming into force of this Regulation*), hold the diplomas referred to in the replaced section.

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

1634

Draft Regulation

Transport Act
(R.S.Q., c. T-12)

Contribution of motorists to public transit

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the contribution of motorists to public transit, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation maintains the contribution of motorists to public transit at \$30 and establishes new rules for the apportionment, between the Société de transport de Québec and the Société de transport de Lévis, of the share of that contribution attributable to the Communauté métropolitaine de Québec.

The draft Regulation has no impact on the public and enterprises, except that it maintains the contribution of motorists to public transit at \$30.

Further information on the draft Regulation may be obtained by contacting France Dompierre, directrice du transport terrestre des personnes, ministère des Transports du Québec, 700, boulevard René-Lévesque Est, 25^e étage, Québec (Québec) G1R 5H; telephone: 418 644-0324, extension 2206; fax: 418 6464904; email: france.dompierre@mtq.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 Transport, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1.

SAM HAMAD,
Minister of Transport

Regulation respecting the contribution of motorists to public transit

Transport Act
(R.S.Q., c. T-12, ss. 88.3 and 88.6, 3rd par.)

1. The amount of the contribution of motorists to public transit, established by section 88.2 of the Transport Act (R.S.Q., c. T-12), is fixed at \$30.

2. The sums referred to in section 88.6 of the Act are apportioned, for the share attributable to the Communauté métropolitaine de Québec, between the Société de transport de Québec and the Société de transport de Lévis, in a

proportion of 60% on the basis of the receipts generated from users of their respective public transit networks, and in a proportion of 40% on the basis of the contributions of motorists having their address in the territory of a municipality or of an Indian reserve located in their respective territories.

For the purposes of the first paragraph, the receipts generated from users during a total or partial interruption in the services of the public transit network of either of the public transit authorities as a result of a case of *force majeure* or of a labour dispute having the effect of reducing the receipts of either authority by at least 4% of what they would have been if that interruption had not occurred may not be considered in establishing the apportionment between the public transit authorities referred to in the first paragraph. That percentage difference is obtained by comparing the receipts generated during the period during which there was an interruption of the network with those generated during the equivalent period of the preceding fiscal year.

3. The Regulation respecting the contribution of motorists to public transit, made by Order in Council 1504-91 dated 30 October 1991, is revoked.

4. This Regulation comes into force on 1 January 2012.

Notices

Notice

Parks Act
(R.S.Q., c. P-9)

Parc national des Monts-Pyramides — Creation

Pursuant to section 4 of the Parks Act (R.S.Q., c. P-9):

Notice is hereby given by Mr. Pierre Arcand, Minister of Sustainable Development, Environment and Parks, of the intention of the Government of Québec:

1. to create Parc national des Monts-Pyramides, in Nunavik, on the territory in the public domain covering a surface area of 5272 km²;

2. to allow interested persons to submit their written comments on the creation of this park not later than November 16, 2011, to the Direction du patrimoine écologique et des parcs of the Ministère du Développement durable, de l'Environnement et des Parcs, 675, boulevard René-Lévesque Est, 4^e étage, boîte 21, Québec (Québec) G1R 5V7.

The map of the proposed boundary and the documentation related to this consultation are available at the Direction du patrimoine écologique et des parcs of the Ministère du Développement durable, de l'Environnement et des Parcs (telephone: 418 521-3907, e-mail: pyramides@mddep.gouv.qc.ca), at the Kativik Regional Government (telephone: 819 964-2961), at the municipal building of Kangiqsualujjuaq (telephone: 819 337-5271), and at the Band Office of Kawawachikamach First Nation (telephone: 418 585-3130)

Public hearings will be held in Kangiqsualujjuaq on November 21 and 22, 2011, in Kuujjuaq on November 23, 2011, and in Kawawachikamach on November 24 and 25, 2011. Time and location of these public hearings will be announced later. People who wish to make known their comments without preparing a written brief will also be heard.

PIERRE ARCAND,
*Minister of Sustainable Development,
Environment and Parks*

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