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Part

2

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Laws and Regulations

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Summary

Table of Contents
Coming into force of Acts
Regulations and other Acts
Draft Regulations
Notices
Index

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Contents

Part 2 contains:

- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (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 (chapter C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
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- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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Table of Contents

Page

Coming into force of Acts

1033-2012	Access to justice in family matters, An Act to promote... — Coming into force of sections 46 to 50 and 54 of the Act	3179
-----------	--	------

Regulations and other Acts

1023-2012	Professional Code — Amount of the contribution of each member of a professional order for the 2013-2014 fiscal year of the Office des professions du Québec	3181
1024-2012	Professional Code — Certain professional activities that may be engaged in by persons other than guidance counsellors.	3181
1025-2012	Professional Code — Certain professional activities that may be engaged in by persons other than psychoeducators	3183
1026-2012	Professional Code — Certain professional activities that may be engaged in by persons other than psychologists and by psychologists	3184
1027-2012	Professional Code — Certain professional activities that may be engaged in by persons other than marriage and family therapists	3185
1028-2012	Professional Code — Certain professional activities that may be engaged in by persons other than social workers	3187
1029-2012	Professional Code — Certain professional activities that may be engaged in by social work technicians	3188
1030-2012	Professional Code — Categories of permits issued by the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec	3189
1031-2012	Professional Code — Categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec (Amend.)	3190
	Strobe lights on road vehicles used for the transportation of schoolchildren	3191

Draft Regulations

	Professional Code — Geologists — Practice of the profession of geologist within a partnership or a joint-stock company	3193
	Sustainable Forest Development Act — Method for assessing the annual royalty and method and frequency for assessing the market value of the standing timber purchased by guarantee holders pursuant to their timber supply guarantee	3196

Notices

	Serpentine (Secteur Bricault-Cordeau) Nature Reserve — Recognition	3199
--	--	------

Coming into force of Acts

Gouvernement du Québec

O.C. 1033-2012, 7 November 2012

An Act to promote access to justice in family matters (2012, c. 20)

— Coming into force of sections 46 to 50 and 54 of the Act

COMING INTO FORCE of sections 46 to 50 and 54 of the Act to promote access to justice in family matters

WHEREAS the Act to promote access to justice in family matters (2012, c. 20) was assented to on 15 June 2012;

WHEREAS section 57 of the Act provides that the provisions of the Act come into force on the date or dates set by the Government, except sections 43, 44, 52 and 55, which come into force on 15 June 2012;

WHEREAS it is expedient to set the date of coming into force of sections 46 to 50 and 54 of the Act to promote access to justice in family matters;

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

THAT 1 December 2012 be set as the date of coming into force of sections 46 to 50 and 54 of the Act to promote access to justice in family matters (2012, c. 20).

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

2306

Regulations and other Acts

Gouvernement du Québec

O.C. 1023-2012, 7 November 2012

Professional Code
(chapter C-26)

Office des professions du Québec — Contribution of each member of a professional order for the 2013-2014 fiscal year

Amount of the contribution of each member of a professional order for the 2013-2014 fiscal year of the Office des professions du Québec

WHEREAS, under the first paragraph of section 196.2 of the Professional Code (R.S.Q., c. C-26), the expenditures incurred by the Office des professions du Québec in a fiscal year are to be payable by the members of the professional orders;

WHEREAS, under the second paragraph of section 196.2 of the Code, the members of the orders are required to pay, for each fiscal year of the Office, a contribution determined by the Government;

WHEREAS, under the third paragraph of section 196.2 of the Code, each fiscal year, the surplus of the Office for the preceding fiscal year is added to, or its deficit for the preceding year is deducted from, the expenditures determined by the Office in its budget estimates for the following fiscal year;

WHEREAS any surplus or deficit expected by the Office for a fiscal year may also be taken into account;

WHEREAS the resulting amount under the third paragraph of section 196.2 of the Code is then divided by the number of members in all the orders on 31 March of the calendar year in progress; the quotient is the amount of the annual contribution of each member;

WHEREAS, under the first paragraph of section 196.8 of the Professional Code, every person or group and every department or other government body are to pay the charge determined by regulation of the Government after consultation with the Office and the Interprofessional Council in respect of any request they submit to the Office or of any act that must be performed by the Office in the exercise of its functions;

WHEREAS, under the second paragraph of section 196.8 of the Code, the charges collected during a fiscal year are taken into account in establishing the contribution computed under section 196.2 of the Code;

WHEREAS, under subparagraph 4 of the first paragraph of section 19.1 of the Code, the Minister of Justice has submitted to the Interprofessional Council, for advice, the amount of the contribution of each member of an order for the 2013-2014 fiscal year;

WHEREAS it is expedient to set the amount of the contribution of each member of an order;

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

THAT the amount of the contribution of each member of a professional order for the 2013-2014 fiscal year of the Office des professions du Québec be set at \$23.35.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

2297

Gouvernement du Québec

O.C. 1024-2012, 7 November 2012

Professional Code
(chapter C-26)

Guidance counsellors — Certain professional activities that may be engaged in by persons other than guidance counsellors

Regulation respecting certain professional activities that may be engaged in by persons other than guidance counsellors

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the

regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of that section, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the board of directors of the Ordre des conseillers et conseillères d'orientation du Québec made the Regulation respecting certain professional activities that may be engaged in by persons other than guidance counsellors;

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 certain professional activities that may be engaged in by persons other than guidance counsellors was published in Part 2 of the *Gazette officielle du Québec* of 9 May 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation respecting certain professional activities that may be engaged in by persons other than guidance counsellors, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting certain professional activities that may be engaged in by persons other than guidance counsellors

Professional Code
(chapter C-26, s. 94, par. *h*)

1. Among the professional activities that may be engaged in by guidance counsellors, the activities required for the completion of a program of studies in guidance counselling may be engaged in by a student registered in a program of studies leading to a diploma giving access to the permit issued by the Ordre des conseillers et conseillères d'orientation du Québec, on the condition that the student engages in the activities under the supervision of a guidance counsellor.

2. A person who must complete a training period or training for the purposes of the recognition of an equivalence in accordance with the Règlement sur les normes d'équivalence pour la délivrance d'un permis de l'Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec (c. C-26, r. 74) may, among the professional activities that may be engaged in by guidance counsellors, engage in the activities required for the completion of the training period or training that would enable the person to be granted an equivalence, on the condition that the person engages in the activities under the supervision of a guidance counsellor.

3. The guidance counsellor referred to in sections 1 and 2 must meet the following conditions:

(1) have practised the profession for 3 years in the last 5 years;

(2) not have been temporarily or permanently struck off the roll, not have been the subject of a restriction or suspension of the right to engage in professional activities imposed by the disciplinary council of the Order or by the Professions Tribunal; and

(3) not have been the subject of a decision by the board of directors of the Order imposing a refresher training period or course, a restriction or suspension of the right to engage in professional activities or the striking off the roll of the Order, in the 5 years preceding the date on which the guidance counsellor or other professional must act as a training supervisor.

4. 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. 1025-2012, 7 November 2012

Professional Code
(chapter C-26)

Psychoeducators

— Certain professional activities that may be engaged in by persons other than psychoeducators

Regulation respecting certain professional activities that may be engaged in by persons other than psychoeducators

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of that section, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the board of directors of the Ordre des psychoéducateurs et psychoéducatrices du Québec made the Regulation respecting certain professional activities that may be engaged in by persons other than psychoeducators;

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 certain professional activities that may be engaged in by persons other than psychoeducators was published in Part 2 of the *Gazette officielle du Québec* of 9 May 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation respecting certain professional activities that may be engaged in by persons other than psychoeducators, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting certain professional activities that may be engaged in by persons other than psychoeducators

Professional Code
(chapter C-26, s. 94, par. *h*)

1. Among the professional activities that may be engaged in by psychoeducators, the activities required for the completion of a program of studies in psychoeducation may be engaged in by a student registered in a program of studies leading to a diploma giving access to the permit issued by the Ordre des psychoéducateurs et psychoéducatrices du Québec, on the condition that the student engages in the activities under the supervision of a training supervisor within the scope of learning activities of the master's level program.

2. A person who must complete a training period or training for the purposes of the recognition of an equivalence in accordance with the Règlement sur les normes d'équivalence pour la délivrance d'un permis de l'Ordre des psychoéducateurs et psychoéducatrices du Québec (c. C-26, r. 208.01) may, among the professional activities that may be engaged in by psychoeducators, engage in the activities required for the completion of the training period or training that would enable the person to be granted an equivalence, on the condition that the person engages in the activities under the supervision of a training supervisor.

3. The training supervisor referred to in sections 1 and 2 must meet the following conditions:

(1) be a member of the Ordre des psychoéducateurs et psychoéducatrices du Québec;

(2) not have been the subject of any penalty imposed by the disciplinary council of the Order or the Professions Tribunal; and

(3) not have been the subject, in the 5 years preceding the date on which the training supervisor acts as a training supervisor, of a decision by the board of directors of

the Order imposing a refresher training period or course, a restriction or suspension of the right to engage in professional activities or the striking off the roll of the Order.

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

2299

Gouvernement du Québec

O.C. 1026-2012, 7 November 2012

Professional Code
(chapter C-26)

Psychologists

— Certain professional activities that may be engaged in by persons other than psychologists and by psychologists

Regulation respecting certain professional activities that may be engaged in by persons other than psychologists and by psychologists

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of that section, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the board of directors of the Ordre des psychologues du Québec made the Regulation respecting certain professional activities that may be engaged in by persons other than psychologists and by psychologists;

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 certain professional activities that may be engaged in by persons other than psychologists

and by psychologists was published in Part 2 of the *Gazette officielle du Québec* of 9 May 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation respecting certain professional activities that may be engaged in by persons other than psychologists and by psychologists, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting certain professional activities that may be engaged in by persons other than psychologists and by psychologists

Professional Code
(chapter C-26, s. 94, par. *h*)

DIVISION I

PERSONS OTHER THAN PSYCHOLOGISTS

1. Among the professional activities that may be engaged in by psychologists, the activities required for the completion of a program of studies in psychology may be engaged in by a student registered in a program, on the condition that the student engages in the activities under supervision and in keeping with the regulatory standards that apply to psychologists relating to ethics and the keeping of records and consulting rooms, and that

(1) the program of studies in psychology in which the student is registered leads to a diploma giving access to the permit issued by the Ordre des psychologues du Québec; or

(2) the program of studies in psychology in which the student is registered leads to a diploma in psychology issued by an educational institution situated outside Québec of a level equivalent to that of the program provided for in paragraph 1.

2. A person who must complete a training period or training for the purposes of the recognition of an equivalence in accordance with the Regulation respecting diploma and training equivalence standards for the issue of a permit by the Ordre des psychologues du Québec (c. C-26, r. 219) may, among the professional activities that may be engaged in by psychologists, engage in the activities required for the completion of the training period or training that would enable the person to be granted an equivalence, on the condition that the person engages in the activities under supervision and in keeping with the regulatory standards that apply to psychologists relating to ethics and the keeping of records and consulting rooms.

3. A person referred to in sections 1 and 2 who has the required knowledge and skills may, where the person acts outside the framework of a program of studies, training period or training, engage in the professional activities that may be engaged in by psychologists in connection with an employment on the condition that the person engages in the activities under supervision and in keeping with the regulatory standards that apply to psychologists relating to ethics and the keeping of records and consulting rooms. That person must also be registered in the register kept for that purpose by the Order.

4. The supervisor referred to in sections 1, 2 and 3 must be a member of the Order and, where applicable, be qualified to engage in the professional activities he or she is supervising and have a minimum of 2 years of practical experience in the field of practice covered by the training program, training period or internship to be completed or by the employment held, if he or she holds a doctorate, or a minimum of 6 years of practical experience, if he or she holds a master's degree.

A person who is a member of another professional order may be a supervisor if the person is qualified to engage in the professional activities he or she is supervising, if the person's competence and experience are equivalent to those required by the supervisor who is a member of the Order and if an active and continuous cooperation relationship is established between that person and the person in charge of practical training activities on behalf of the university or the Order.

The supervisor may not have been the subject, in the 3 years preceding the supervision, of a decision under section 55 of the Professional Code (R.S.Q., c. C-26) requiring the person to complete a period of refresher training or a refresher course or of a decision by a professional order, a disciplinary council or the Professions Tribunal imposing the striking off the roll, or restriction or suspension of the right to engage in professional activities.

On request, the supervisor sends to the Order the contact information of the student or person he or she is supervising and the terms and conditions that apply to the supervisor.

DIVISION II PSYCHOLOGISTS

5. Psychologists may assess, within the scope of the training provided for in the Règlement sur une activité de formation des psychologues pour l'évaluation des troubles neuropsychologiques (c. C-26, r. 208.3), neuropsychological disorders under the supervision of a person who meets the criteria of recognition as a supervisor provided for in Schedule II to the Regulation to the extent that the performance of that activity is required in order for them to complete the training.

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

2300

Gouvernement du Québec

O.C. 1027-2012, 7 November 2012

Professional Code
(chapter C-26)

Marriage and family therapists — Certain professional activities that may be engaged in by persons other than marriage and family therapists

Regulation respecting certain professional activities that may be engaged in by persons other than marriage and family therapists

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of that section, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the board of directors of the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec made the Regulation respecting certain professional activities that may be engaged in by persons other than marriage and family therapists;

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 certain professional activities that may be engaged in by persons other than marriage and family therapists was published in Part 2 of the *Gazette officielle du Québec* of 9 May 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation respecting certain professional activities that may be engaged in by persons other than marriage and family therapists, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting certain professional activities that may be engaged in by persons other than marriage and family therapists

Professional Code
(chapter C-26, s. 94, par. h)

1. Among the professional activities that may be engaged in by marriage and family therapists, the activities required for the completion of a program of studies in marriage and family therapy may be engaged in by a

student registered in a program, on the condition that the student engages in the activities under the supervision of a training supervisor and that

(1) the student is registered in a training and supervision program in marriage and family therapy referred to in the first paragraph of section 26 of the Order in Council respecting the integration of marriage and family therapists into the Ordre professionnel des travailleurs sociaux du Québec (c. C-26, r. 292); or

(2) the program of studies in which the student is registered leads to a university-level diploma in marriage and family therapy issued by a canadian educational institution situated outside Québec.

2. A person who must complete a training period or training for the purposes of the recognition of an equivalence pursuant to section 29 of the Order in Council respecting the integration of marriage and family therapists into the Ordre professionnel des travailleurs sociaux du Québec may, among the professional activities that may be engaged in by marriage and family therapists, engage in the activities required for the completion of the training period or training that would enable the person to be granted an equivalence, on the condition that the person engages in the activities under the supervision of a training supervisor.

3. The training supervisor referred to in sections 1 and 2 must meet the following conditions:

(1) be a member of the Order and hold the marriage and family therapist's permit;

(2) not have been the subject of any penalty imposed by the disciplinary council of the Order or by the Professions Tribunal; and

(3) not have been the subject of a decision by the board of directors of the Order imposing a refresher training period or course, a restriction or suspension of the right to engage in professional activities or the striking off the roll of the Order, in the 5 years preceding the date on which the training supervisor must act as a training supervisor.

4. On request, the educational institution referred to in paragraph 2 of section 1 sends to the Order the contact information of the training supervisor and the student supervised by the training supervisor and the terms and conditions of supervision that apply to the training supervisor.

On request, the training supervisor referred to in section 2 sends to the Order the contact information of the person supervised by the training supervisor and the terms and conditions of supervision that apply to the training supervisor.

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

2301

Gouvernement du Québec

O.C. 1028-2012, 7 November 2012

Professional Code
(chapter C-26)

Social workers — Certain professional activities that may be engaged in by persons other than social workers

Regulation respecting certain professional activities that may be engaged in by persons other than social workers

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of that section, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the board of directors of the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec made the Regulation respecting certain professional activities that may be engaged in by persons other than social workers;

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 certain professional activities that may be engaged in by persons other than social workers was published in Part 2 of the *Gazette officielle du Québec* of 9 May 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation respecting certain professional activities that may be engaged in by persons other than social workers, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting certain professional activities that may be engaged in by persons other than social workers

Professional Code
(chapter C-26, s. 94, par. *h*)

1. Among the professional activities that may be engaged in by social workers, the activities required for the completion of a program of studies in social work may be engaged in by a student registered in a program, on the condition that the student engages in the activities under the supervision of a training supervisor and that

(1) the program of studies in which the student is registered leads to a diploma giving access to the social worker's permit issued by the Ordre professionnel des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec;

(2) the program of studies in which the student is registered leads to a diploma in social work issued by a Canadian university situated outside Québec; or

(3) the program of studies in which the student is registered leads to a diploma in social work issued by an educational institution situated outside Canada that has

entered into an agreement on the terms and conditions of admission of a foreign student with an educational institution that has a program leading to a diploma giving access to the social worker's permit issued by the Order.

2. A person who must complete a training period or training for the purposes of the recognition of an equivalence in accordance with the Règlement sur les normes d'équivalence pour la délivrance d'un permis de travailleur social de l'Ordre professionnel des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec (c. C-26, r. 293) may, among the professional activities that may be engaged in by social workers, engage in the activities required for the completion of the training period or training that would enable the person to be granted an equivalence, on the condition that the person engages in the activities under the supervision of a training supervisor.

3. The training supervisor referred to in sections 1 and 2 must meet the following conditions:

(1) be a member of the Order and hold the social worker's permit;

(2) not have been the subject of any penalty imposed by the disciplinary council of the Order or by the Professions Tribunal; and

(3) not have been the subject of a decision by the board of directors of the Order imposing a refresher training period or course, a restriction or suspension of the right to engage in professional activities or the striking off the roll of the Order, in the 5 years preceding the date on which the training supervisor must act as a training supervisor.

4. On request, the educational institution referred to in paragraphs 2 and 3 of section 1 sends to the Order the contact information of the training supervisor and the student supervised by the training supervisor and the terms and conditions of supervision that apply to the training supervisor.

On request, the training supervisor referred to in section 2 sends to the Order the contact information of the person supervised by the training supervisor and the terms and conditions of supervision that apply to the training supervisor.

5. 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. 1029-2012, 7 November 2012

Professional Code
(chapter C-26)

Social work technicians

— Certain professional activities that may be engaged in by social work technicians

Regulation respecting certain professional activities that may be engaged in by social work technicians

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of that section, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the board of directors of the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec made the Regulation respecting certain professional activities that may be engaged in by social work technicians;

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 certain professional activities that may be engaged in by social work technicians was published in Part 2 of the *Gazette officielle du Québec* of 9 May 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, 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 respecting certain professional activities that may be engaged in by social work technicians, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting certain professional activities that may be engaged in by social work technicians

Professional Code
(chapter C-26, s. 94, par. *h*)

1. This Regulation determines, among the professional activities that may be engaged in by social workers, those that may be engaged in by social work technicians.

2. In this Regulation, “social work technician” means any person who holds a diploma of college studies awarded by the Minister of Higher Education, Research, Science and Technology following studies completed in social work techniques or in social assistance in a general and vocational educational institution, or an equivalent diploma.

3. Social work technicians may assess, within the scope of the activities referred to in subparagraph *i* of paragraph *d* of section 37 of the Professional Code (R.S.Q., c. C-26), a person further to a decision of the director of youth protection to receive reports regarding children, analyze them briefly and decide whether they must be evaluated further pursuant to the Youth Protection Act (R.S.Q., c. P-34.1).

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

2303

Gouvernement du Québec

O.C. 1030-2012, 7 November 2012

Professional Code
(chapter C-26)

Travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec — Categories of permits issued by the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec

Regulation respecting the categories of permits issued by the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec

WHEREAS, under paragraph *m* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional 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 des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec made the Regulation respecting the categories of permits issued by the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec;

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 categories of permits issued by the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec was published in Part 2 of the *Gazette officielle du Québec* of 9 May 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation respecting the categories of permits issued by the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting categories of permits issued by the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec

Professional Code
(chapter C-26, s. 94, par. m)

1. The following 2 categories of permits are established within the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec:

- (1) the social worker category;
- (2) the marriage and family therapist category.

2. A member of the Order may not use the title “Social Worker” or any other title or abbreviation which may lead to the belief that the member is a social worker, or use initials which may lead to the belief that the member is a social worker or the initials “P.S.W.”, “T.S.P.”, “S.W.” or “T.S.”, or engage in the professional activities referred to in paragraph 1.1.1 of section 37.1 of the Professional Code (R.S.Q., c. C-26) within the scope of the activities the member may engage in under subparagraph *i* of paragraph *d* of section 37 of the Code, unless the member holds the social worker category permit referred to in paragraph 1 of section 1.

3. No member of the Order may use the title “Marriage and Family Therapist”, “Marriage Therapist” or “Family Therapist” or any other title or abbreviation which may lead to the belief that the member is a marriage and family therapist, a marriage therapist or a family therapist, or use initials which may lead to the belief that the member is a marriage and family therapist, a marriage therapist or a family therapist or the initials “M.F.T.”, “T.C.F.”, “M.T.”, “T.C.”, “F.T.” or “T.F.”, or engage in the professional activities referred to in paragraph 1.1.2 of section 37.1 of the Professional Code within the scope of the activities the member may engage in under subparagraph *ii* of

paragraph *d* of section 37 of the Code, unless the member holds the marriage and family therapist category permit referred to in paragraph 2 of section 1.

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

2304

Gouvernement du Québec

O.C. 1031-2012, 7 November 2012

Professional Code
(chapter C-26)

Orthophonistes et audiologistes — Categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec — Amendment

Regulation to amend the Regulation respecting the categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec

WHEREAS, under paragraph *m* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional 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 des orthophonistes et audiologistes du Québec made the Regulation to amend the Regulation respecting the categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec;

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 to amend the Regulation respecting the categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec was published in Part 2

of the *Gazette officielle du Québec* of 9 May 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, 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 Regulation respecting the categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec

Professional Code
(chapter C-26, s. 94, par. *m*)

1. The Regulation respecting the categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec (c. C-26, r. 183) is amended by replacing “c and d” in section 2 by “c, d, e and f”.

2. Section 3 is amended by replacing “b and c” by “b, c, e and f”.

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

2305

M.O., 2012

Order No. 2012-07 of the Minister of Transport dated 8 November 2012

Highway Safety Code
(chapter C-24.2, s. 633.2)

Transport Act
(chapter T-12, s. 4.2)

Regulation respecting strobe lights on road vehicles used for the transportation of schoolchildren

THE MINISTER OF TRANSPORT,

CONSIDERING section 633.2 of the Highway Safety Code (R.S.Q., c. C-24.2), which provides that the Minister of Transport may, after consultation with the Société de l'assurance automobile du Québec, suspend the application of a provision of the Code, if the Minister considers that it is in the interest of the public and is not likely to compromise highway safety;

CONSIDERING the first paragraph of section 4.2 of the Transport Act (R.S.Q., c. T-12), which provides that the Minister may, by order, authorize a carrier to add safety equipment not regulated under paragraph *a* of section 5 of the Act to a road vehicle used for the transportation of schoolchildren;

CONSIDERING the second paragraph of that section, which provides that the order shall indicate the period and conditions of use of the safety equipment and that the order takes effect from the date of its publication in the *Gazette officielle du Québec*;

CONSIDERING that it is expedient to authorize, on certain conditions, the addition of a strobe light to a road vehicle referred to in the Regulation respecting road vehicles used for the transportation of school children (R.R.Q., c. T-12, r. 17);

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation respecting strobe lights on road vehicles used for the transportation of schoolchildren was published in Part 2 of the *Gazette officielle du Québec* of 6 June 2012, with a notice that it could be made by the Minister of Transport on the expiry of 45 days following that publication and that any interested person could make comments before the expiry of the 45-day period;

WHEREAS it is expedient to make the Regulation with amendment;

ORDERS AS FOLLOWS:

The Regulation respecting strobe lights on road vehicles used for the transportation of schoolchildren, attached to this Order, is hereby made.

SYLVAIN GAUDREAULT,
Minister of Transport

Regulation respecting the addition and use of strobe lights on road vehicles used for the transportation of school children

Highway Safety Code
(chapter C-24.2, s. 633.2)

Transport Act
(chapter T-12, s. 4.2)

1. A white strobe light having a range of 360° may be added on a road vehicle covered by the Regulation respecting road vehicles used for the transportation of school children (R.R.Q., c. T-12, r. 17).

The light is installed in the last third of the roof of the vehicle and centred on its width.

2. The strobe light may only be used when the vehicle is in the territory of the regional county municipalities of La Côte-de-Beaupré and Charlevoix and for the transportation of any person under 18 years of age.

3. The application of the provisions of section 239 of the Highway Safety Code (R.S.Q., c. C-24.2) is suspended when it prohibits a road vehicle from having a strobe light in accordance with section 1.

4. This Regulation comes into force on 21 November 2012 and ceases to have effect on 22 June 2014.

Draft Regulations

Draft Regulation

Professional Code
(chapter C-26)

Geologists — Practice within a partnership or a joint-stock company

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the practice of the profession of geologist within a partnership or a joint-stock company, made by the board of directors of the Ordre des géologues du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation contains the terms and conditions for authorization of the carrying on by geologists of professional activities within a partnership or a joint-stock company, in particular as regards the administration of the partnership or joint-stock company and the holding of company shares or partnership units.

The conditions also include the requirement to take out insurance to cover liability which may arise from fault or negligence on the part of geologists in the practice of the profession within the partnership or joint-stock company and provide the Order with the required information on the partnership or joint-stock company and maintain the information up to date.

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

Further information may be obtained by contacting Alain Liard, Director General and Secretary, Ordre des géologues du Québec, 500, rue Sherbrooke Ouest, bureau 900, Montréal (Québec) H3A 3C6; telephone: 514 278-6220 or 1 800 377-7708; fax: 514 844-7556; email: dirgen@ogq.qc.ca

Any person wishing to comment on the draft Regulation may submit written comments to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3, within the 45-day period. The comments will be sent by the Office to the Minister of

Justice. They may also be sent to the professional order that made the Regulation and to interested persons, departments and bodies.

JEAN PAUL DUTRISAC,
Chair of the Office des professions du Québec

Regulation respecting the practice of the profession of geologist within a partnership or a joint-stock company

Professional Code
(chapter C-26, s. 93, pars. *g* and *h*, and s. 94, par. *p*)

DIVISION I GENERAL

1. Geologists are authorized to carry on professional activities within a limited liability partnership or a joint-stock company within the meaning of Chapter VI.3 of the Professional Code (chapter C-26) subject to the conditions set out in this Regulation.

A geologist who becomes aware that a condition set out in Chapter VI.3 of the Professional Code is no longer being complied with must, within 15 days, take the necessary measures to ensure compliance, failing which the geologist ceases to be authorized to carry on professional activities within the partnership or joint-stock company.

2. A geologist who is struck off the roll for more than three months or whose permit has been revoked may not, during the period of the striking off or revocation, directly or indirectly hold any share in the partnership or joint-stock company.

The geologist may also not be a director, officer or representative of the partnership or joint-stock company during that period.

DIVISION II TERMS AND CONDITIONS OF PRACTICE

3. A geologist may carry on professional activities within a limited liability partnership or a joint-stock company if

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

(a) members of a professional order governed by the Professional Code or by persons subject to similar rules;

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

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

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

(3) at least one geologist carrying on professional activities within the partnership or company holds a voting share or unit.

A geologist must ensure that the conditions are stipulated in the contract constituting the limited liability partnership or appear in the articles of constitution of the joint-stock company, the unanimous shareholders' agreement or in any other document related to the constitution and operation of the partnership or company. A geologist must also ensure that it is provided that the partnership or joint-stock company is constituted for the purpose of the carrying on of professional activities.

4. A geologist who wishes to carry on professional activities within a partnership or joint-stock company must first provide the Order with the following documents:

(1) a sworn declaration that meets the requirements of section 5, accompanied by the fees prescribed by the board of directors of the Order;

(2) written confirmation from the competent authority that the partnership or joint-stock company complies with the professional liability coverage requirements of Division III;

(3) in the case of a joint-stock company, a written document issued by the competent authority certifying the existence of the joint-stock company;

(4) where applicable, a certified true copy of the declaration issued by a competent authority indicating that the general partnership has become a limited liability partnership;

(5) written confirmation from the competent authority that the partnership or joint-stock company is registered in Québec;

(6) written confirmation from the competent authority that the partnership or joint-stock company maintains an establishment in Québec; and

(7) irrevocable written authorization from the partnership or joint-stock company within which the geologist carries on professional activities entitling a person, a committee, a disciplinary body or a tribunal referred to in section 192 of the Professional Code to require any partner or shareholder to produce and to obtain a document referred to in section 12, or a copy of such a document.

5. The sworn declaration required by paragraph 1 of section 4 must be made on the form provided for that purpose by the Order and contain

(1) the geologist's name, domicile address, status and professional activities carried on by the geologist within the partnership or joint-stock company;

(2) the name of the partnership or joint-stock company and any other names used in Québec and its business number assigned by the competent authority;

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

(4) in the case of a joint-stock company, the address of its head office and establishments in Québec, the name of all shareholders and their domicile address, the percentage of voting and non-voting shares they hold, the name of the directors and officers and their domicile address and the professional order or equivalent to which they belong, if any;

(5) in the case of a limited liability partnership, the address of its establishments in Québec, indicating its principal establishment, the name of all partners and their domicile address, and, where applicable, the name and domicile address of the directors appointed by the partners to manage the partnership, domiciled or not in Québec, and the professional order or equivalent to which they belong, if any;

(6) where applicable, the date on which the general partnership became a limited liability partnership or a joint-stock company; and

(7) an indication that the holding of shares or units and the rules governing the administration of the partnership or joint-stock company comply with the conditions set out in this Regulation.

6. To maintain the right to carry on professional activities within a partnership or joint-stock company, a geologist must

(1) update and submit, before 31 March of each year, the documents referred to in paragraphs 1, 2, 3 and 5 of section 4 and pay the fees prescribed by the board of directors; and

(2) inform the secretary of the Order without delay of any change in or cancellation of the coverage under Division III, of the striking off, dissolution, assignment of assets, bankruptcy, voluntary or forced liquidation of the partnership or joint-stock company or of any other cause likely to prevent the partnership or joint-stock company from pursuing its activities, as well as of any change in the information provided in the declaration that may affect compliance with the conditions set out in section 3.

7. If more than one geologist carries on professional activities within the same partnership or joint-stock company, a representative must be designated who is to act on behalf of all the geologists in the partnership or joint-stock company to meet the requirements of sections 4 to 6. The representative must reply for all the geologists to requests made by the syndic, an inspector, an investigator or any other representative of the Order and submit, as applicable, the documents and information that the geologists are required to submit.

The representative must be a geologist and carry on professional activities in Québec within the partnership or joint-stock company and be a partner or shareholder of the partnership or joint-stock company with voting rights.

The declaration by the representative is deemed to be the declaration of each of the geologists of the partnership or joint-stock company. Except for paragraph 1 of section 6, the representative must ensure the accuracy of the information given in the declaration.

DIVISION III PROFESSIONAL LIABILITY COVERAGE

8. A geologist who carries on professional activities within a partnership or joint-stock company must furnish and maintain for that partnership or joint-stock company, either by an insurance or suretyship contract or by participation in group insurance contracted by the Order, or by contributing to a professional liability insurance fund established in accordance with section 86.1 of the Professional Code, security against professional liability that the partnership or joint-stock company may incur as the result of fault or negligence on the part of geologists committed while carrying on professional activities within the partnership or joint-stock company.

9. The security must provide the following minimum terms:

(1) an undertaking by the insurer or the surety to pay in lieu of the partnership or joint-stock company, over and above the amount of the security to be furnished by the geologist pursuant to the Règlement sur l'assurance de la responsabilité professionnelle des membres de l'Ordre des géologues du Québec (chapter G-1.01, r. 2), or of any other coverage taken out by the geologist if it is greater, up to the amount of the security, any sum that the partnership or joint-stock company may be legally bound to pay to a third person on a claim filed during the coverage period and arising from fault or negligence on the part of the geologist committed while carrying on professional activities within the partnership or joint-stock company;

(2) an undertaking by the insurer or the 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 security, all costs and expenses of proceedings against the partnership or joint-stock company, including the costs of the inquiry and defence and the interest on the amount of the security;

(3) an undertaking to maintain the security against all claims filed during the 5 years following the coverage period during which a geologist of the partnership or joint-stock company dies, leaves the partnership or joint-stock company or ceases to be a member of the Order;

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

(5) where a geologist is a sole practitioner, as the unique shareholder of a joint-stock company in which no other geologist is an employee, the coverage must be at least \$250,000 per claim and \$500,000 for all claims filed against the company in a 12-month coverage period; and

(6) an undertaking by the insurer or surety to give 30 days' notice to the secretary of the Order prior to any cancellation or non-renewal of the insurance or suretyship contract or any amendment to the contract if the amendment affects a condition set out in this Regulation.

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

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

DIVISION IV ADDITIONAL INFORMATION

11. On a general partnership being continued as a limited liability partnership, or a joint-stock company being constituted, a geologist must send a notice to clients, on the date of the continuation or constitution, informing them of the nature and effects of the continuation or constitution, including as regards the geologist's professional liability and that of the partnership or joint-stock company.

12. The information and documents that may be required from the partnership or joint-stock company to which paragraph 7 of section 4 refers are the following:

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

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

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

(e) any shareholders' agreement or voting agreement and any attendant amendments;

(f) any agreement concerning the granting of share purchase options with voting rights or concerning any other right, even conditional, conferred on a person and allowing that person to be issued such shares;

(g) the registration declaration and the certificate of constitution of the joint-stock company and any update; and

(h) the names and domicile addresses of the principal officers of the joint-stock company;

(2) if the geologist carries on professional activities within a limited liability partnership,

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

(b) the partnership agreement and any amendments;

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

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

(e) the names and domicile addresses of the principal officers of the partnership.

DIVISION V TRANSITIONAL AND FINAL PROVISIONS

13. A geologist carrying on professional activities within a joint-stock company constituted before the (*insert the date of coming into force of this Regulation*) must comply with the requirements of this Regulation at the latest within one year after that date.

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

2307

Draft Regulation

Sustainable Forest Development Act
(chapter A-18.1)

Method for assessing the annual royalty and method and frequency for assessing the market value of the standing timber purchased by guarantee holders pursuant to their timber supply guarantee

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation respecting the method for assessing the annual royalty and the method and frequency for assessing the market value of standing timber purchased by guarantee holders pursuant to their timber supply guarantee, appearing below, may be made by the Government on the expiry of 45 days following this Regulation.

The draft Regulation determines the methods and frequency according to which the timber marketing board will assess the annual royalty and the market value of standing timber to be paid by holders of a timber supply guarantee. The royalty must be paid each year before 1 April 2013, which means that the draft Regulation must be already made at the time the royalty is billed.

Further information on the draft Regulation may be obtained by contacting Jean-Pierre Adam, Direction des évaluations économiques et des opérations forestières,

Bureau de mise en marché des bois, Ministère des Ressources naturelles, 880, chemin Sainte-Foy, 7^e étage, Québec (Québec) G1S 4X4; telephone: 418 627-8640, extension 4375; fax: 418 528-1278; email: jean-pierre.adam@bmbm.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Richard Savard, Deputy Associate Minister for Forêt Québec, Ministère des Ressources naturelles, 880, chemin Sainte-Foy, RC-120, Québec (Québec) G1S 4X4.

MARTINE OUELLET,
Minister of Natural Resources

Regulation respecting the method for assessing the annual royalty and the method and frequency for assessing the market value of standing timber purchased by guarantee holders pursuant to their timber supply guarantee

Sustainable Forest Development Act
(chapter A-18.1, s. 126)

1. For the purposes of this Regulation,

(1) “reference period” means the last 12 months where the billing data is available, at the time of the assessment of the annual royalty, which is assessed in January of each year;

(2) “billed volume of timber” means all the timber from forests in the domain of the State that is billed to the holder of a timber supply guarantee by the timber marketing board, except timber acquired on the open market.

2. The annual royalty payable by the holder of a timber supply guarantee, who was billed a volume of timber during the reference period that is equal to or greater than 10% of the volume of timber specified in the timber supply guarantee, is assessed according to the following method:

$$VBG^1 [20\% (VMBSPF^2 / VBF^3)]$$

¹ the volume of timber specified in the holder’s timber supply guarantee;

² the market value of the standing timber related to the volume of timber billed to the holder during the reference period;

³ the volume of timber billed to the holder during the reference period.

3. The annual royalty payable by the holder of a timber supply guarantee, who was billed a volume of timber during the reference period that is less than 10% of the volume of timber specified in the timber supply guarantee, is assessed according to the following method:

$$\Sigma e^1 \{VBGe^2 [20\% (VMTBSPFe^3 / VBTFe^4)] \}$$

¹ the sum of the operation between braces for each species or group of species specified in the holder’s timber supply guarantee;

² the volume of the species or group of species in question, as specified in the holder’s timber supply guarantee;

³ the total market value of the standing timber related to the volume of timber billed to all the holders of a timber supply guarantee during the reference period for the species or group of species in question, as specified in their timber supply guarantee;

⁴ the total volume of the species or group of species in question, as specified in the holder’s timber supply guarantee and billed to all the holders of a timber supply guarantee during the reference period.

4. The market value of standing timber purchased pursuant to a timber supply guarantee is assessed on 1 April of each year according to the parity technique applicable in property assessment by comparing the timber to similar timber for which the selling price is known. The value is expressed in Canadian dollars per cubic metre.

The unit rates obtained on the basis of that assessment are adjusted every 3 months according to the rate of increase in forest product price indexes.

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

2308

Notices

Notice

Natural Heritage Conservation Act
(chapter C-61.01)

**Serpentine (Secteur Bricault-Cordeau)
Nature Reserve
— Recognition**

Notice is hereby given, in keeping with article 58 of the Natural Heritage Conservation Act (chapter C-61.01), that the Minister of Sustainable Development, Environment, Wildlife and Parks has recognized as a nature reserve a private property, situated on the territory of the Municipality of Bolton-Est, Regional County Municipality of Memphrémagog, known and designated as a part of the lot number 1300 and a part of the lot number 1301-1 of the township of Bolton cadastre, Brome registry division. This property covering an area of 9,76 hectares.

This recognition, for perpetuity, takes effect on the date of the publication of this notice in the *Gazette officielle du Québec*.

PATRICK BEAUCHESNE,
Director of Ecological Heritage and Parks

2309

Index

Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

	Page	Comments
Access to justice in family matters, An Act to promote... — Coming into force of sections 46 to 50 and 54 of the Act	3179	
(2012, c. 20)		
Geologists — Practice of the profession of geologist within a partnership or a joint-stock company	3193	Draft
(Professional Code, chapter C-26)		
Guidance counsellors — Certain professional activities that may be engaged in by persons other than guidance counsellors	3181	N
(Professional Code, chapter C-26)		
Highway Safety Code — Strobe lights on road vehicles used for the transportation of schoolchildren	3191	N
(chapitre C-24.2)		
Marriage and family therapists — Certain professional activities that may be engaged in by persons other than marriage and family therapists	3185	N
(Professional Code, chapter C-26)		
Method for assessing the annual royalty and method and frequency for assessing the market value of the standing timber purchased by guarantee holders pursuant to their timber supply guarantee	3196	Draft
(Sustainable Forest Development Act, chapitre A-18.1)		
Natural Heritage Conservation Act — Serpentine (Secteur Bricault-Cordeau) Nature Reserve — Recognition	3199	Notice
(chapter C-61.01)		
Office des professions du Québec — Amount of the contribution of each member of a professional order for the 2013-2014 fiscal year	3181	N
(Professional Code, chapter C-26)		
Orthophonistes et audiologistes — Categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec	3190	M
(Professional Code, chapter C-26)		
Professional Code — Geologists — Practice of the profession of geologist within a partnership or a joint-stock company	3193	Draft
(chapter C-26)		
Professional Code — Guidance counsellors — Certain professional activities that may be engaged in by persons other than guidance counsellors.	3181	N
(chapter C-26)		
Professional Code — Marriage and family therapists — Certain professional activities that may be engaged in by persons other than marriage and family therapists	3185	N
(chapter C-26)		
Professional Code — Office des professions du Québec — Amount of the contribution of each member of a professional order for the 2013-2014 fiscal year	3181	N
(chapter C-26)		

Professional Code — Orthophonistes et audiologistes — Categories of permits issued by the Ordre des orthophonistes et audiologistes du Québec. (chapter C-26)	3190	M
Professional Code — Psychoeducators — Certain professional activities that may be engaged in by persons other than psychoeducators (chapter C-26)	3183	N
Professional Code — Psychologists — Certain professional activities that may be engaged in by persons other than psychologists and by psychologists (chapter C-26)	3184	N
Professional Code — Social work technicians — Certain professional activities that may be engaged in by social work technicians. (chapter C-26)	3188	N
Professional Code — Social workers — Certain professional activities that may be engaged in by persons other than social workers (chapter C-26)	3187	N
Professional Code — Travailleurs sociaux et thérapeutes conjugaux et familiaux — Categories of permits issued by the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec. (chapter C-26)	3189	N
Psychoeducators — Certain professional activities that may be engaged in by persons other than psychoeducators (Professional Code, chapter C-26)	3183	N
Psychologists — Certain professional activities that may be engaged in by persons other than psychologists and by psychologists. (Professional Code, chapter C-26)	3184	N
Serpentine (Secteur Bricault-Cordeau) Nature Reserve — Recognition (Natural Heritage Conservation Act, chapter C-61.01)	3199	Notice
Social work technicians — Certain professional activities that may be engaged in by social work technicians (Professional Code, chapter C-26)	3188	N
Social workers — Certain professional activities that may be engaged in by persons other than social workers (Professional Code, chapter C-26)	3187	N
Strobe lights on road vehicles used for the transportation of schoolchildren (Highway Safety Code, chapitre C-24.2)	3191	N
Strobe lights on road vehicles used for the transportation of schoolchildren (Transport Act, chapitre T-12)	3191	N
Sustainable Forest Development Act — Method for assessing the annual royalty and method and frequency for assessing the market value of the standing timber purchased by guarantee holders pursuant to their timber supply guarantee. (chapitre A-18.1)	3196	Draft
Transport Act — Strobe lights on road vehicles used for the transportation of schoolchildren (chapitre T-12)	3191	N
Travailleurs sociaux et thérapeutes conjugaux et familiaux — Categories of permits issued by the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec. (Professional Code, chapter C-26)	3189	N