

(1) .....  
(member's name)  
is claiming from me (or refuses to reimburse to me) a sum of money for professional services.

(2) I have enclosed a copy of the conciliation report.

(3) I am applying for arbitration of the account under the Regulation respecting the conciliation and arbitration procedure for the accounts of members of the Ordre des administrateurs agréés du Québec.

(4) I have received a copy of the Regulation mentioned above and have taken cognizance thereof.

(5) I agree to submit to the procedure provided for in the Regulation and, where required, to pay to .....  
(member's name)  
the amount of the arbitration award.

.....  
Signature

**SCHEDULE II**

(s. 15)

**OATH**

I solemnly affirm that I will perform all my duties and exercise all my powers as an arbitrator faithfully, impartially and honestly, to the best of my ability and knowledge.

I solemnly affirm that I will not, without being so authorized by law, disclose or make known anything whatsoever of which I may take cognizance in the performance of my duties.

.....  
Signature

Oath taken before .....  
(name and position, profession or quality)

at ..... on .....  
(municipality) (date)

.....  
(signature of person administering oath)

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Gouvernement du Québec

**O.C. 670-96, 5 June 1996**

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

**Bar**

**— Standards for equivalence of diplomas and training**

Regulation respecting the standards for equivalence of diplomas and training of the Barreau du Québec

WHEREAS under paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26), as it read before 15 October 1994, the General Council of the Barreau du Québec was required, by regulation, to prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit or specialist's certificate;

WHEREAS under paragraph *g* of section 94 of the Code, as it read before 15 October 1994, the General Council could, by regulation, fix the standards for recognizing, for the issuing of a permit or a specialist's certificate, the equivalence of the training of a person who does not hold a diploma otherwise required for such purposes;

WHEREAS the General Council made the Regulation respecting training equivalence standards for the issuance of a permit by the Barreau du Québec, approved by Order in Council 140-83 dated 26 January 1983;

WHEREAS it is expedient to replace that Regulation;

WHEREAS under the abovementioned sections, the General Council made the Regulation respecting the standards for equivalence of diplomas and training of the Barreau du Québec;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 11 May 1994, with a notice that it could be submitted for approval by the Government at the expiry of 45 days following that publication;

WHEREAS on 15 October 1994, the date of the coming into force of the Act to amend the Professional Code and other Acts respecting the professions (1994, c. 40), the provisions under which that Regulation was made were amended by sections 80 and 81 of that Act;

WHEREAS under paragraph *c* of section 93 of the Code, the General Council must, by regulation, prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit or specialist's certificate, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes;

WHEREAS under paragraph *i* of section 94 of the Code, the General Council may, by regulation, fix standards of equivalence applicable to the other terms and conditions for issuing permits, specialist's certificates or special authorizations;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting the standards for equivalence of diplomas and training of the Barreau du Québec, attached to this Order in Council, be approved.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Regulation respecting the standards for equivalence of diplomas and training of the Barreau du Québec

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

### DIVISION I GENERAL PROVISIONS AND APPLICATIONS FOR EQUIVALENCE

**1.** The secretary of the equivalences committee shall forward a copy of this Regulation to a candidate wishing to have his training or a diploma issued by an educational establishment outside Québec recognized as equivalent.

In this Regulation,

“diploma equivalence” means the recognition by the equivalences committee that a diploma issued by an educational establishment outside Québec certifies that a candidate's level of knowledge and skills is equivalent to the level attained by the holder of a diploma recognized by the Government as meeting the requirements for the permit issued by the Barreau du Québec; and

“training equivalence” means the recognition by the equivalences committee that a candidate's training has

enabled him to attain a level of knowledge and skills equivalent to the level attained by the holder of a diploma recognized by the Government as meeting the requirements for the permit issued by the Barreau du Québec.

**2.** A candidate applying for a diploma or training equivalence shall provide the secretary of the committee with those of the following documents that are necessary to support his application, together with the fees for the examination of his application prescribed under paragraph 8 of section 86.0.1 of the Professional Code (R.S.Q., c. C-26):

(1) the candidate's university record and a description of the courses taken, with the number of credits or hours for each course and the marks obtained;

(2) a list of the candidate's publications;

(3) official proof of the diplomas held by the candidate;

(4) a document attesting to the candidate's participation in a training session or in any other continuing education or upgrading activity in the field of law;

(5) official proof that the candidate belongs to one or more bars; and

(6) a document attesting to the candidate's work experience in the field of law.

**3.** Documents provided in support of an application and originally written in a language other than French or English shall be accompanied by a French or English translation, attested to by a declaration under oath by the person who made the translation.

**4.** The secretary shall forward the documents to the members of the committee. At the first meeting following the date of receipt of those documents, the committee shall, after having given the candidate an opportunity to be heard, dispose of the applications in accordance with this Regulation.

**5.** The committee's decision shall be sent in writing to the candidate within 60 days following the end of the hearing.

**6.** A candidate holding a diploma issued by an educational establishment outside Québec shall be granted a diploma equivalence if the diploma was issued upon completion of undergraduate or graduate university studies pertaining to legal concepts, rules and institutions substantially similar to those prevailing in Québec and

comprising not less than 90 credits or the equivalent, including 45 distributed among the following subjects: civil law, civil procedure, commercial and corporate law, constitutional law, administrative law and criminal and penal law.

**7.** Notwithstanding section 6, where the diploma in respect of which an equivalence application has been filed was issued 5 or more years prior to the application, a diploma equivalence shall be denied if the legal knowledge of the candidate no longer corresponds to the knowledge currently taught in Québec and acquired by the holder of a diploma recognized as meeting permit requirements.

Notwithstanding the foregoing, a diploma equivalence shall be granted if the candidate's training and work experience have enabled him to attain the required level of knowledge.

**8.** A training equivalence shall be granted if the candidate demonstrates that his relevant work experience of at least 5 years in the field of law has enabled him to acquire knowledge and skills equivalent to those acquired by the holder of a diploma recognized as meeting permit requirements.

**9.** In appraising whether a candidate's training is equivalent, the committee shall take into account the following factors in particular:

- (1) the nature and duration of the candidate's experience;
- (2) the fact that the candidate holds one or more diplomas awarded in Québec or elsewhere;
- (3) the nature and content of the courses taken;
- (4) the training sessions completed; and
- (5) the total number of years of schooling.

**10.** In appraising whether a candidate's training is equivalent, the committee shall determine whether the level of knowledge and skills of the candidate corresponds to the level attained by the holder of a diploma recognized as meeting permit requirements who has successfully fulfilled the terms and conditions of the By-law respecting the professional training of advocates; if so, the candidate is deemed to have successfully fulfilled those terms and conditions.

**11.** When ruling on a candidate's application for equivalence, the committee may decide

(1) to recognize the diploma or training equivalence;

(2) to recognize a partial diploma or training equivalence and inform the candidate of the courses or training sessions that must be successfully completed for the equivalence to be granted; or

(3) to deny the diploma or training equivalence.

**12.** A candidate who has new facts to present may apply to the committee for a new hearing.

The committee shall hear the candidate within 60 days following receipt of such an application and, where expedient, shall revise its decision. To that end, the secretary of the committee shall convene the candidate by registered mail not less than 10 days before the date of the hearing.

The committee's decision shall be sent in writing to the candidate within 60 days following the end of the hearing.

## **DIVISION 2**

### **EXEMPTION FROM PROFESSIONAL TRAINING AND EXAMINATIONS**

**13.** A candidate who wishes to be exempted from the terms and conditions prescribed in the By-law respecting the professional training of advocates shall apply therefor to the secretary of the committee and shall provide him with a certificate signed by an officer and establishing

(1) that he is a member of the bar of a State or of another province or territory of Canada; and

(2) that advocates of Québec benefit from a similar exemption in that State or in that province or territory of Canada, or else that they do not have to complete a professional training program in that place.

The committee's decision to grant the exemption from professional training shall be sent in writing to the candidate within 15 days following acceptance of the certificate by the committee.

**14.** A candidate exempt under section 13 may receive an attestation of training equivalence, provided that he passes an examination made up in accordance with this Division to establish whether his level of knowledge and skills corresponds to the level attained by the holder of a diploma recognized as meeting permit requirements.

The examination provided for in this section is intended to measure the level of knowledge of candidates who are members of another bar in order to ensure the protection of the public with a view to the full right to practice the profession of advocate in Québec.

**15.** Considering the specificity of the legal system in force in Québec, the examination shall comprise 2 parts: one on Québec law and the other on federal law.

**16.** The examination shall comprise 4 written tests, each lasting 3 hours, pertaining respectively to the subjects described in Schedule I.

Each test shall pertain to the application of substantive law in the context of litigation. More specifically, a test shall consist in solving practical cases inspired by concrete situations.

**17.** Upon examination of the file, the committee shall exempt the candidate from any part of the examination pertaining to subjects for which the candidate is legally authorized to practice in Québec.

**18.** The material organization of the examination shall be entrusted to an evaluation subcommittee. That subcommittee shall set up an evaluation team for each test, determine the topics for evaluation and draw up a list of books and other printed material useful in helping the candidate to prepare for the examination. Each evaluation team shall assume the preparation and correction of the test under its responsibility.

The tests shall be organized so as to ensure that candidates remain anonymous.

Candidates are authorized to use any document they consider useful.

**19.** Each test is graded on a scale of 100 points. To pass the examination, the candidate shall obtain at least 60 % in each test required of him. A certificate of success shall be awarded to him for each test passed.

A candidate who fails a test may apply for revision of his evaluation within 30 days following the date on which the result is forwarded to him.

The revised decision of the committee is final and may not be appealed.

**20.** A candidate who, after revision, still fails a test required of him may sit again for that test within 3 years following the date of the failure.

**21.** The committee shall grant an attestation of training equivalence to a candidate who passes all the tests required of him.

**22.** The examination shall take place at least once a year. The date and place of the tests shall be fixed by the committee, which shall send an individual notice of examination to the candidate at least 3 months before the date of the first test. Where applicable, the notice shall specify the tests from which the candidate is exempt.

### DIVISION 3 TRANSITIONAL AND FINAL PROVISIONS

**23.** Any application sent to the secretary of the committee before 4 July 1996 is deemed to be made in accordance with this Regulation where the candidate has not been heard by the committee before that date.

**24.** Any candidate in either of the following situations may apply to the committee for a new decision based on the provisions of this Regulation:

(1) he was granted, before 4 July 1996, a training equivalence and he has not begun or completed his professional training; or

(2) he has not completed the program of legal studies prescribed by a decision of the General Council rendered before 4 July 1996, under paragraph 2 of section 6 of the Regulation respecting training equivalence standards for the issuance of a permit by the Barreau du Québec, approved by Order in Council 140-83 dated 26 January 1983.

**25.** This Regulation replaces the Regulation respecting training equivalence standards for the issuance of a permit by the Barreau du Québec, approved by Order in Council 140-83 dated 26 January 1983.

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

### SCHEDULE I (s. 16)

#### LIST OF THE SUBJECTS EVALUATED BY EACH TEST IN THE WRITTEN EXAMINATION

**First test:** Civil law I and related proceedings, which may include, in particular: persons, successions, property, obligations and the Consumer Protection Act.

**Second test:** Civil law II and related proceedings, which may include, in particular: nominate contracts, prior claims and hypothecs, evidence, prescription, publication of rights and private international law.

**Third test:** Québec public (administrative) and labour law and related proceedings.

**Fourth test:** Federal public law:

- (1) distribution of legislative jurisdictions;
- (2) Canadian Charter of Rights and Freedoms;
- (3) fiscal law;
- (4) criminal law.

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Gouvernement du Québec

## O.C. 672-96, 5 June 1996

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

### Certified general accountants — Indemnity fund — Amendments

Regulation to amend the Regulation respecting the indemnity fund of the Ordre professionnel des comptables généraux licenciés du Québec

WHEREAS under section 89 of the Professional Code (R.S.Q., c. C-26; 1994, c. 40), the Bureau of the Ordre professionnel des comptables généraux licenciés du Québec must determine, by regulation, a procedure for the indemnity fund;

WHEREAS under section 89 of the Code, that Bureau had made a Regulation respecting the indemnity fund of the Ordre professionnel des comptables généraux licenciés du Québec (R.R.Q., 1981, c. C-26, r. 33);

WHEREAS it is expedient to amend that Regulation;

WHEREAS under that section of the Code, that Bureau made a Regulation to amend the Regulation respecting the indemnity fund of the Ordre professionnel des comptables généraux licenciés du Québec;

WHEREAS in accordance with section 95.3 of the Code, a draft of the Regulation was sent to every member of the professional order at least 30 days before its adoption by the Bureau;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of that Regulation was published in Part 2 of the *Gazette officielle du Québec* of 27 December 1995 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 95.3 of the Code, the Office des professions du Québec made its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Regulation respecting the indemnity fund of the Ordre professionnel des comptables généraux licenciés du Québec, attached to this Order in Council, be approved.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting the indemnity fund of the Ordre professionnel des comptables généraux licenciés du Québec

Professional Code  
(R.S.Q., c. C-26, s. 89)

**1.** The Regulation respecting the indemnity fund of the Ordre professionnel des comptables généraux licenciés du Québec (R.R.Q., 1981, c. C-26, r. 33), amended by the Regulation approved by Order in Council 1879-82 dated 18 August 1982, which was replaced on 18 May 1983 by a notice published in the *Gazette officielle du Québec* of 18 May 1983, is further amended by substituting the following for section 2.02:

“**2.02.** The fund shall be maintained at a minimum amount of \$60 000 in cash or in securities and may be made up of any of the following: