

specting the professions. They may also be forwarded to the professional order that made the regulation and to interested persons, departments and bodies.

ROBERT DIAMANT,  
*Chairman of the Office des professions  
du Québec*

## Regulation amending the Regulation respecting other terms and conditions for permits to be issued by the Ordre des ingénieurs du Québec

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

**1.** The Regulation respecting other terms and conditions for permits to be issued by the Ordre des ingénieurs du Québec approved by O.C. 287-94 of 23 February 1994 and amended by O.C. 64-96 of 16 January 1996, is again amended by the insertion after paragraph 6 of section 2 of the following:

“6.1° he has proved that he possesses Canadian citizenship or that he has been legally admitted into Canada in order to live there permanently.”.

**2.** This regulation is amended by the insertion after article 8 of the following:

“8.1 The candidate or engineer-in-training who holds a diploma recognized by the Government or a diploma obtained at the end of a program of studies agreed to by the Canadian Council of Engineers which features experience acquired outside of Canada, is considered to have acquired experience equivalent to that obtained in Canada when all of the following conditions are met:

— the experience was acquired while being employed by a firm the head office of which or the head of the mother firm is in Canada;

— the experience was acquired under the supervision of an engineer or of a member having the full rights of exercise of a Canadian professional corporation of engineers;

— he demonstrates to the evaluator of the experience, a good knowledge of local Canadian conditions notably with regard to law, customs, economy, climate, resources and technology.”.

**3.** Section 40 of the regulation is amended by the insertion, in paragraph 1 thereof and after the word “Code” of the words “and who, in the 5 years following this date, sends a permit application to the secretary of the Order”.

**4.** The present regulation enters into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.

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## Draft Regulation

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

### Nurses

#### — Conditions and terms for the issue of permits and special authorizations

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Ordre des infirmières et infirmiers du Québec made the Regulation respecting the conditions and terms for the issue of permits by the Ordre des infirmières et infirmiers du Québec and respecting special authorizations.

Pursuant to section 95 of the Professional Code, the Regulation, the text of which appears below, will be examined by the Office des professions du Québec. Subsequently, it shall be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment, upon the expiry of 45 days following this publication.

The purpose of the Regulation is to allow the Ordre des infirmières et infirmiers du Québec to continue to impose, as an additional condition for the issue of a permit to practise the nursing profession, the passing of an examination consisting in a method of assessment of the assimilation of knowledge of candidates for the profession of nursing and of their capacity to apply their knowledge in solving problems specific to nursing.

According to the Ordre des infirmières et infirmiers du Québec, the Regulation has no impact on businesses.

Further information on the Regulation may be obtained by contacting:

• Mme Hélène Rajotte  
Secretary of the Ordre des infirmières et infirmiers du Québec

• M<sup>e</sup> Claudette Ménard, advocate and legal counsel  
 Director of the Services juridiques de l'Ordre des  
 infirmières et infirmiers du Québec  
 4200, boulevard Dorchester  
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Any person having comments to make is asked to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, complexe de la Place-Jacques-Cartier, 320, rue Saint-Joseph Est, 1<sup>er</sup> étage, Québec (Québec), G1K 8G5. The comments will be sent by the Office to the Minister responsible for the administration of legislation respecting the professions. They may also be sent to the professional order which made the Regulation and to interested persons, departments or bodies.

ROBERT DIAMANT,  
*Chairman of the Office  
 des professions du Québec*

## **Regulation respecting the conditions and terms for the issue of permits by the Ordre des infirmières et infirmiers du Québec and respecting special authorizations**

Professional Code  
 (R.S.Q., c. C-26, s. 94, par. *i*; 1994, c. 40, s. 81)

### **DIVISION I DEFINITIONS**

**1.** In this Regulation, the following expressions mean:

“candidate for the profession of nursing”: a person who holds a diploma meeting the permit requirements of the Ordre des infirmières et infirmiers du Québec, a person recognized by the Bureau of the Order as having successfully completed a program in nursing or a person whose diploma or training has been recognized as equivalent by the Bureau of the Order, who has applied to the Order for a permit and is awaiting its issue;

“program in nursing”: courses in theory and the clinical practice, as a whole, that lead to a diploma meeting the Order’s permit requirements.

### **DIVISION II GENERAL**

**2.** To obtain a permit issued by the Order in accordance with the Nurses Act (R.S.Q., c. I-8), the Professional Code (R.S.Q., c. C-26) and the Charter of the French Language (R.S.Q., c. C-11), a person shall pass the professional examination prescribed in this Regulation and shall comply with the other conditions and terms set out herein.

The dues required under this Regulation shall be determined by the Bureau of the Order pursuant to paragraphs (8) and (9) of section 86.01 of the Professional Code.

Unless otherwise indicated by the context, the provisions of this Regulation that refer to the professional examination apply to the supplemental examination.

### **DIVISION III PROFESSIONAL EXAMINATION**

#### *§1. General*

**3.** The professional examination shall assess the extent to which candidates for the profession of nursing have assimilated their knowledge, as well as their capacity to apply their knowledge in solving problems specific to nursing.

**4.** A candidate for the profession of nursing shall register for and sit the first examination held following the day on which the Bureau of the Order, as applicable, recognizes her diploma meeting permit requirements, recognizes that she has successfully completed a program in nursing or grants her a diploma or training equivalence.

**5.** A candidate for the profession of nursing may take up to two years from the date set for the first examination for which she must register and which she must sit, to meet all the requirements for the issue of a permit.

The Bureau may, on such conditions as it may determine and for reasons that relate to a superior force of which the candidate for the profession of nursing shall be required to provide, grant such candidate additional time in which to sit the professional examination.

**6.** To maintain her status for purposes of the Regulation respecting the professional acts contemplated in section 36 of the Nurses Act which, under certain conditions and terms, may be performed by persons other than nurses, a candidate for the profession of nursing who fails to sit an examination must be excused by the Bureau of the Order for a satisfactory reason; such reasons

include illness, accident, childbirth, the death of a family member or some other major event.

**7.** Not less than sixty days preceding the date set for an examination, the secretary shall send a notice of such examination to each educational establishment that grants a diploma meeting permit requirements. The notice shall be published in Québec, at least once, in a French-language daily and an English-language daily.

**8.** Each year the Bureau of the Order shall set the registration fees for the examination.

**9.** The examination may be written in French or in English.

**10.** The Order shall hold an examination not less than twice per year at locations determined by the Bureau of the Order. The supplemental examination shall be held at the same time.

**11.** The Bureau of the Order shall determine the passing mark and may decide that the result obtained on the examination will be expressed simply as a pass or a failure. Within fifteen days following receipt of the examination results at the head office of the Order, the secretary shall send them to the persons who sat the examination.

**12.** Where so decided by the professional examination committee, a candidate fails the professional examination where she

(1) registers for the examination under false pretences; or

(2) copies or is a party to copying during the examination.

Such decision by the committee may not be revised and a person who fails for either of the foregoing reasons shall not have the right to sit the supplemental examination.

**13.** A person who fails the examination may apply to the authority designated by the Bureau of the Order for a review. Such application shall be made in writing within thirty days following the mailing of the result.

**14.** No person may rewrite the examination more than twice.

## §2. Professional examination committee

**15.** The professional examination committee set up by resolution under paragraph (2) of section 86.01 of the Professional Code shall be made up of five nurses and a

number of substitute members determined by the Bureau of the Order; committee members shall have not less than five years of experience in nursing, in a clinical setting or in teaching in the program in nursing, and shall hold a master's degree.

**16.** The Bureau of the Order shall appoint the nurses and the substitute members of the committee for a three year term of office, which may be renewed once, and shall designate a chairperson from among the committee members.

**17.** The committee shall be accountable to the Bureau of the Order for the entire professional examination process, and in particular for elaborating, drafting, evaluating, revising and correcting the examination questions and for supervising all examination sessions held.

The committee shall examine the overall report on the results of each examination and shall make its recommendations to the Bureau of the Order.

**18.** The committee may appoint experts to sit with its members, subject to the approval of the Bureau of the Order for each appointment.

**19.** Nurses, substitute members of the committee and, where applicable, experts shall take an oath to the effect that they will respect the confidential nature of all information that comes to their attention during the performance of their duties.

**20.** The Bureau of the Order shall determine the general operating rules of the committee in accordance with paragraph (2) of section 86.01 of the Professional Code.

## §3. Eligibility for the professional examination for a person having successfully completed a program in nursing

**21.** To be eligible for the professional examination, a person having successfully completed a program in nursing shall meet the following conditions:

(1) hold a registration certificate issued by the secretary when the person registered for the first term of the program in nursing or at the beginning of a professional training period carried out under such program; and

(2) hold a diploma meeting the Order's permit requirements.

Where the diploma referred to in subparagraph (2) of the first paragraph is not available, the person shall provide proof of successful completion of the program in nursing, in particular by having the educational estab-

lishment attended by the person send a transcript to the secretary not less than thirty days preceding the date set for the examination.

#### §4. Examination registration process

**22.** A person registering for the professional examination shall meet the following registration terms:

(1) fill out and sign an application for registration using the form determined by the Bureau of the Order and send the application to the secretary so that it arrives not less than thirty days before the date set for the examination;

(2) enclose, with the application prescribed in paragraph 1, two recent identical photographs of passport size (5 cm x 7 cm), signed on the white strip intended for that purpose, which photographs shall be not more than one year old; the photographs shall be authenticated on the back by the persons designated as sponsors for Canadian passports; and

(3) pay the examination fees not less than thirty days preceding the date set for the examination.

#### DIVISION IV OTHER CONDITIONS AND TERMS FOR THE ISSUE OF A PERMIT

**23.** A person applying for a permit provided for in section 40 of the Professional Code shall also meet the following conditions and terms:

(1) provide proof that her knowledge of French is appropriate for the practice of nursing;

(2) fill out an application using the form determined by the Bureau of the Order;

(3) pay the fees required by the Bureau of the Order for the processing of an application and the issue of a permit;

(4) in the case where she has acquired the right to practise the profession of nursing in other jurisdictions, provide proof that she is in good standing in such jurisdictions.

#### DIVISION V CONDITIONS AND TERMS FOR THE ISSUE OF TEMPORARY PERMITS

**24.** A person applying for a temporary permit in accordance with section 41 of the Professional Code shall meet the following conditions:

(1) provide proof that she is from outside Québec;

(2) provide proof that she has been declared qualified to practise the profession of nursing outside Québec;

(3) hold a diploma or training equivalence granted by the Bureau;

(4) meet all the conditions terms and for the issue of a permit set out in this Regulation, except the condition in paragraph (1) of section 23.

#### DIVISION VI TRANSITIONAL AND FINAL

**25.** This Regulation replaces the Regulation respecting the terms and conditions for the issue of permits by the Ordre des infirmières et infirmiers du Québec and respecting special authorizations, approved by O.C. 922-96 of July 17, 1996, which ceases to have effect on July 31, 1997.

**26.** This Regulation shall come into force on July 31, 1997.

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### Draft Regulation

Nurses Act  
(R.S.Q., c. I-8)

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

#### Nurses — Professional acts which may be performed by persons other than nurses

Notice is hereby given, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Ordre des infirmières et infirmiers du Québec made the Regulation respecting the professional acts contemplated in section 36 of the Nurses Act which, under certain conditions and terms, may be performed by persons other than nurses.

Pursuant to section 95 of the Professional Code, the Regulation, the text of which appears below, will be examined by the Office des professions du Québec. Subsequently, it shall be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment, upon the expiry of 45 days following this publication.