

51.1 Any general contractor who, on 1 January 1999, holds a licence on which is indicated subcategory 4041 or 4042 is authorized to carry out or cause to be carried out construction work in respect of new residential buildings for which the preliminary contract or the contract of enterprise was signed before 1 January 1999 or which began before that date.

51.2 The Board shall not collect the exigible charges provided for in section 41 where a request for amendment is filed by a general contractor whose licence is still valid and who, on 31 December 1998, holds a licence on which is indicated subcategory 4041 or 4042, as long as his request is filed before the expiry of that licence and involves only the addition of subcategory 3031 or 3032.

Notwithstanding the foregoing, if that request for amendment is filed at the time of the first renewal of the licence after 1 January 1999, the fees and charges that the holder must pay to the Board are those indicated for renewal in section 41.”.

3. Schedule A to the Regulation is amended

(1) by inserting the following subcategories before subcategory “4041 Residential buildings contractor, Class I”:

“3031 Contractor — new residential buildings covered by a guaranty plan, Class I:

This subcategory includes construction work in respect of:

— a detached, semi-detached or row-type single-family dwelling, whether or not it is held in divided co-ownership;

— a multifamily building, from a duplex to a quintuplex, that is not held in divided co-ownership;

— a multifamily building of more than 5 units, held by a non-profit organization or a cooperative and not held in divided co-ownership.

3032 Contractor — new residential buildings covered by a guaranty plan, Class II:

This subcategory includes construction work in respect of a multifamily building of a building height of less than 4 stories, held in divided co-ownership.

(2) by substituting the following for subcategories “4041 Residential buildings contractor, Class I” and “4042 Residential buildings contractor, Class II”:

“4041 Residential building contractor, Class I:

This subcategory includes construction work in respect of buildings of a building height of 4 stories or less, not covered by the Regulation respecting the guaranty plan for new residential buildings, approved by Order in Council 841-98 dated 17 June 1998, and intended to be used mainly for residential purposes and similar or related construction work.

4042 Residential building contractor, Class II:

This subcategory includes construction work in respect of all types of buildings not covered by the Regulation respecting the guaranty plan for new residential buildings, and used mainly for residential purposes and similar or related construction work.”.

4. Once approved by the Government, this Regulation comes into force on 1 January 1999.

2338

Draft Regulation

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

Optometrists

— Equivalence standards for the issue of a permit

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting equivalence standards for the issue of a permit by the Ordre des optométristes du Québec, adopted by the Bureau of the Ordre professionnel des optométristes du Québec and whose text appears below, may be submitted to the Government for approval with or without amendment upon the expiry of 45 days following this publication.

According to the Ordre des optométristes du Québec, the main purpose of the Regulation is to establish, in accordance with the requirements of the Professional Code, equivalence standards to be used by the Bureau of the Order to recognize, for the purposes of issuing the permits of the Order, the equivalence of diplomas issued by educational institutions outside Québec and the equivalence of training received in or outside Québec, in favour of persons who do not hold a diploma recognized by government regulation as giving access to one or more permits of the Order.

In addition, the Regulation prescribes the procedures for applying for the recognition of an equivalence and for making a decision on such application.

To date, no impact on the public and businesses resulting from the application of the Regulation has been foreseen.

Further information may be obtained by contacting Mr. François Charbonneau, directeur général, Ordre des optométristes du Québec, 1265, rue Berri, bureau 700, Montréal (Québec) H2L 4X7; tel.: (514) 499-0524, fax: (514) 499-1051.

Any interested 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, 800, place d'Youville, 10^e étage, Québec (Québec) G1R 5Z3. Those comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional order that adopted the Regulation and to the persons, departments and organizations concerned.

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

Regulation respecting equivalence standards for the issue of a permit by the Ordre des optométristes du Québec

Professional Code
(R.S.Q., c. C-26, s. 93, par. c)

DIVISION I PROCEDURE FOR RECOGNITION OF EQUIVALENCE

1. The secretary of the Ordre des optométristes du Québec shall forward a copy of this Regulation to those who signify their wish to have a diploma issued by an educational institution outside Québec or training recognized as equivalent.

In this Regulation,

“diploma equivalence” means the recognition by the Bureau of the Order that a person’s diploma issued by an educational institution outside Québec demonstrates that the person has attained a level of knowledge that is equivalent, according to the standards provided for in section 6, to the level attained by the holder of a diploma recognized as meeting the requirements for the permit;

“training equivalence” means the recognition by the Bureau of the Order that a person’s training demonstrates that he has attained a level of knowledge that is

equivalent, according to the standards provided for in section 8, to the level attained by the holder of a diploma recognized as meeting the requirements for the permit.

2. A person who wishes to be granted a diploma or training equivalence shall provide the secretary of the Order with the following documents that are necessary to support his application, together with the file processing fees prescribed by a resolution adopted under paragraph 8 of section 86.0.1 of the Professional Code (R.S.Q., c. C-26):

(1) his academic record, including a description of the courses taken with the number of related credits and the marks obtained;

(2) proof that the diploma was obtained;

(3) an attestation that he has participated in a professional training period or any other continuous training or upgrading activity; and

(4) an attestation and a description of his relevant work experience.

The person may provide any other document he deems useful.

3. The secretary shall forward the documents mentioned in section 2 to the committee formed by the Bureau of the Order to examine applications for diploma or training equivalence and to make recommendations to the Bureau. The committee shall be composed of at least 3 optometrists who have been entered on the roll of the Order for more than 5 years. The committee may interview any person applying for a diploma or training equivalence.

At the first meeting following the receipt of the recommendation, the Bureau shall decide whether it will grant a diploma or training equivalence, in accordance with this Regulation.

4. Within 30 days of its decision, the Bureau shall inform the person of its decision in writing and, if the equivalence is denied, the Bureau shall inform the person of the programs of study, training sessions or examinations which, taking into consideration his current level of knowledge, must be passed or completed within the time prescribed by the Bureau for the equivalence to be granted.

5. A person whose application for diploma or training equivalence is not granted may apply to the Bureau for a hearing, provided that the person applies therefor in writing to the secretary of the Order within 30 days

following the mailing of the Bureau's decision not to grant the equivalence.

Within 90 days following the date of receipt of the application for a hearing, the Bureau shall hear that person and, where expedient, shall review its decision. Not less than 10 days before the date of the hearing, the secretary shall convene the person by means of a written notice sent by registered mail.

The decision of the Bureau is final and shall be sent to the person in writing within 30 days of the date of the hearing.

DIVISION II **DIPLOMA EQUIVALENCE STANDARDS**

6. A person holding a diploma in optometry issued by an educational institution outside Québec shall be granted a diploma equivalence if the diploma was obtained upon completion of university studies comprising 141 credits or the equivalent, 123 of which shall be apportioned as follows:

(1) 26 credits in biological and biomedical sciences, pertaining in particular to human and ocular anatomy, general and ocular histology, general and ocular physiology, general and ocular pharmacology, general and ocular pathology and microbiology;

(2) 34 credits in optics, pertaining in particular to geometric, physical, ophthalmic and physiological optics;

(3) 41 credits in optometrical sciences, pertaining in particular to general optometry, orthoptics, contact lenses and low vision;

(4) 22 credits obtained following a clinical training period, particularly in general optometry, in orthoptics, contact lenses and low vision.

Each credit shall represent 15 hours of attendance in class or 45 hours worked in the course of a training period.

7. Notwithstanding section 6, where the diploma in respect of which an application for equivalence has been filed was acquired 3 years or more prior to the application, the diploma equivalence shall be denied if the knowledge gained by the person no longer corresponds, considering the developments in the profession, to the knowledge being taught at the time of the application in a program of study leading to a diploma recognized by regulation of the Government as meeting the requirements for the permit.

In such a case, a training equivalence may be granted under section 8 if the training received since then has enabled the person to attain the required level of knowledge.

DIVISION III **TRAINING EQUIVALENCE STANDARDS**

8. A person shall be granted a training equivalence if he demonstrates that his knowledge is equivalent to the knowledge acquired by the holder of a diploma recognized by the Government under the first paragraph of section 184 of the Code.

9. Notwithstanding section 8, where the training in respect of which an application for equivalence has been filed was acquired 3 years or more prior to the application, equivalence shall be denied if the knowledge gained by the person no longer corresponds, considering the developments in the profession, to the knowledge being taught at the time of the application in a program of study leading to a diploma recognized as meeting the requirements for the permit.

10. To determine whether a person has the training required under section 8, the Bureau shall consider the following factors:

(1) the diplomas awarded to the person in Québec or elsewhere;

(2) the courses taken, the number of related credits and the marks obtained;

(3) the training periods completed and other continuous training or upgrading activities;

(4) the total number of years of schooling; and

(5) the relevant work experience.

11. Where assessing a person's training presents difficulties such that a judgment cannot be made on his level of knowledge, the person may be called for an interview or required to pass an examination or to complete a training period, or all three.

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