

Draft Regulation

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

Chartered appraisers — Diploma and training equivalence 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 Bureau of the Ordre des évaluateurs agréés du Québec made the Regulation respecting standards for a diploma or training equivalence for the issue of a permit by the Ordre des évaluateurs agréés du Québec, the text of which appears below.

The Regulation will be examined by the Office des professions du Québec pursuant to section 95 of the Professional Code, and will subsequently be submitted, with the recommendation of the Office, to the Government for approval with or without amendments upon the expiry of 45 days following this publication.

According to the Ordre des évaluateurs agréés, the purpose of the Regulation is to comply with the duty imposed on the Order by the Professional Code to establish standards for granting a diploma or training equivalence to applicants who do not hold a diploma recognized by government regulation as giving access to the permit issued by the Order.

The Regulation also allows a person to whom the equivalence is denied to be heard by the Bureau and to explain the reasons in support of the review of the decision.

Further information concerning the Regulation may be obtained by contacting Madame Céline Viau, Secretary of the Ordre des évaluateurs agréés du Québec, at the following address: 2075, rue University, bureau 1200, Montréal (Québec) H3A 2L1; tel.: (514) 281-9888; fax: (514) 281-0120.

Any person having comments to make on the matter 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. These comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order that made the regulation, that is, the Ordre des évaluateurs

agréés du Québec, and to interested persons, departments and agencies.

JEAN-K. SAMSON,
*Chairman of the Office
des professions du Québec*

Regulation respecting the standards for a diploma or training equivalence for the issue of a permit by the Ordre des évaluateurs agréés du Québec

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

DIVISION I GENERAL

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

In this Regulation,

“diploma equivalence” means the recognition by the administrative committee of the Order that a diploma issued by a teaching establishment outside Québec certifies that the candidate has attained a level of knowledge equivalent to the level attained by the holder of a diploma recognized by regulation of the Government as meeting the requirements for the permit;

“training equivalence” means the recognition by the administrative committee of the Order that a candidate’s training demonstrates that he has attained a level of knowledge equivalent to the level attained by the holder of a diploma recognized by regulation of the Government as meeting the requirements for the permit.

DIVISION II EQUIVALENCE STANDARDS

§1. *Diploma equivalence*

2. A person holding a diploma issued by a teaching establishment outside Québec shall be granted a diploma equivalence if the following conditions are met:

(1) the diploma was conferred upon completion of university studies comprising at least 90 credits, each credit representing 15 hours of attendance in class or at a training activity;

(2) the studies leading to the diploma included the following subjects:

(a) business administration: a minimum of 225 hours pertaining in particular to business law, marketing, financial management, economic analysis or macroeconomics and management accounting;

(b) the basics of appraisal: a minimum of 90 hours pertaining in particular to concepts, theories, laws, principles of value, processes, methods and analysis;

(c) the elements surrounding the appraisal activity: a minimum of 135 hours pertaining in particular to architecture, construction costs, depreciation, immovable development, urban planning, case study, the preparation of reports and testimony in court;

(d) real estate law: a minimum of 90 hours; and

(e) real estate finance: a minimum of 45 hours.

3. An application for equivalence in respect of a diploma acquired 5 years earlier or more shall be denied if the knowledge gained no longer corresponds, considering the developments in the profession, to the knowledge currently being taught 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 4 if the training received since then has enabled the candidate to attain the required level of knowledge.

§2. *Training equivalence*

4. A person shall be granted a training equivalence if he demonstrates that his knowledge is equivalent to the knowledge acquired upon completion of studies in a teaching establishment recognized under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), particularly by reason of relevant work experience in the carrying out of a chartered appraiser's professional activities.

5. Notwithstanding section 4, an application for equivalence in respect of training acquired 5 years earlier or more shall be denied if the knowledge gained no longer corresponds, considering the developments in the profession, to the knowledge currently being taught in a program of study leading to a diploma recognized by regulation of the Government as meeting the requirements for the permit.

6. To determine whether a candidate's training is equivalent, the following factors shall be taken into account:

(1) the nature and duration of his experience;

(2) the diplomas awarded in Québec or elsewhere;

(3) the nature, content and duration of the relevant courses taken, in relation to the application for equivalence;

(4) the training periods completed and other continuing education or skill upgrading activities;

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

(6) relevant work experience.

7. 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 both.

DIVISION III PROCEDURE FOR GRANTING EQUIVALENCES

8. A candidate who wishes to be granted an equivalence shall provide the secretary of the Order with the following documents in support of his application, together with the processing fees prescribed under paragraph 8 of section 86.0.1 of the Professional Code:

(1) his academic record, including an official transcript of his marks sent directly by the registrar of the teaching establishments, a description of the courses taken with the number of related hours and credits;

(2) copies of his diplomas certified as true by the teaching establishment;

(3) an attestation that he has participated in a professional training period or any other continuing education or skill upgrading activity in the field of appraisal, where applicable; and

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

Any document sent in support of an application for equivalence and not written in French or English shall be accompanied by a French or English translation certified by the translator's solemn affirmation.

9. The secretary of the Order shall forward the documents mentioned in section 8 to the committee formed

by the Bureau of the Order to examine applications for diploma or training equivalence and to promptly make appropriate recommendations to the administrative committee.

10. At the first meeting following the receipt of the committee's report, the administrative committee shall decide whether it will grant a diploma or training equivalence and shall notify the candidate in writing within 30 days of its decision.

11. If it does not recognize a diploma or training as equivalent, the administrative committee shall notify the person in writing of the programs of study, training periods or examinations which, given his current level of knowledge, must be successfully completed for the equivalence to be granted, within the time limit indicated by the committee.

12. A candidate whose application for equivalence is not granted may apply to the Bureau of the Order for a hearing and review of that decision, provided that the person sends a written application stating reasons to the secretary of the Order within 30 days following the mailing of the administrative committee's decision.

Within 60 days following receipt of the application for a hearing and review, the Bureau of the Order shall hear the candidate and, where expedient, shall review its decision. At least 10 days before the date of the hearing, the secretary shall convene the candidate by registered or certified mail.

13. The decision of the Bureau of the Order on the application for review is final and without appeal and shall be sent to the candidate in writing within 30 days of the date of the hearing.

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

2710

Draft Regulation

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

Chartered appraisers — Terms and conditions for permits to be issued

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 terms and conditions for permits to be issued by the Ordre des évaluateurs agréés du

Québec, made by the Bureau of the Ordre des évaluateurs agréés du Québec, may be submitted to the Government which may approve it, with or without amendment, upon the expiry of 45 days following this publication.

According to the Order, the purpose of the Regulation is to improve the terms and conditions of the training period and of the examination for admission. Among other improvements, there is the extension from 4 to 5 years of the period for passing the training period and the examination and the increase in the accreditation conditions of the tutors to ensure the quality of training of future members with a view to protecting the public. Moreover, the Regulation will allow a candidate who has failed the training period or examination to be heard by the admissions committee and to benefit from a review or a supplemental examination, where applicable, thus favouring more openness in the admission process and greater equity for candidates.

Further information may be obtained by contacting Ms. Céline Viau, Secretary of the Ordre des évaluateurs agréés du Québec, 2075, rue University, bureau 1200, Montréal (Québec) H3A 2L1; tel. (514) 281-9888; fax: (514) 281-0120.

Any interested person having comments to make on the matter is asked to send them in writing, 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 forwarded to the professional order that made the Regulation and to the interested persons, departments and agencies.

JEAN-K. SAMSON,
*Chairman of the Office
des professions du Québec*

Regulation respecting terms and conditions for permits to be issued by the Ordre des évaluateurs agréés du Québec

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

DIVISION I GENERAL

1. To obtain a permit issued by the Ordre des évaluateurs agréés du Québec, a person shall submit an application in writing to the administrative committee and shall