

2. The following is inserted after section 32:

“**32.1.** The territory of a municipality that is a limited activity zone under the first paragraph of section 32 or that is considered as such for the purposes of the second paragraph of that section, shall continue to be a limited activity zone or to be considered as such even if the municipality ceases to exist after its amalgamation with another municipality.”.

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

4688

Gouvernement du Québec

O.C. 1397-2001, 21 November 2001

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

Arpenteurs-géomètres — Standards of equivalence for diplomas and training for the issue of a permit by the Ordre

Regulation respecting standards of equivalence for diplomas and training for the issue of a permit by the Ordre des arpenteurs-géomètres du Québec

WHEREAS under paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26) the Bureau of a professional order 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 the Bureau of the Ordre des arpenteurs-géomètres du Québec duly adopted the Regulation respecting standards of equivalence for diplomas and training for the issue of a permit by the Ordre des arpenteurs-géomètres du Québec;

WHEREAS in accordance with the Regulations Act (R.S.Q., c. R-18.1) a draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 13 June 2001 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 of the Professional Code, the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation respecting standards of equivalence for diplomas and training for the issue of a permit by the Ordre des arpenteurs-géomètres du Québec, attached to this Order in Council, be approved

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting standards of equivalence for diplomas and training for the issue of a permit by the Ordre des arpenteurs-géomètres du Québec

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

DIVISION I GENERAL

1. This Regulation applies to any person who does not hold a diploma giving access to a permit issued by the Ordre des arpenteurs-géomètres du Québec and who is requesting that, for the purposes of obtaining a permit, a diploma issued by an educational establishment outside Québec be recognized as equivalent.

It also applies to any person who neither holds a diploma giving access to a permit, nor a diploma issued by an educational establishment outside Québec that could be recognized as equivalent under this Regulation and who is requesting, for the purposes of obtaining a permit, that the training received in Québec or outside Québec be recognized as equivalent to that diploma.

2. In this Regulation,

“diploma giving access to the permit” means a diploma recognized as giving access to the permit issued by the Order, by a government regulation made under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26);

“diploma equivalence” means the recognition by the Bureau of the Order, pursuant to subparagraph *g* of the first paragraph of section 86 of the Professional Code, that a diploma issued by an educational establishment outside Québec certifies that its holder has attained a level of knowledge and skills equivalent to the level that may be attained by the holder of a diploma giving access to the permit;

“training equivalence” means the recognition by the Bureau of the Order, pursuant to subparagraph *g* of the first paragraph of section 86 of the Professional Code, that a person’s training demonstrates that he has attained a level of knowledge and skills equivalent to the level that may be attained by the holder of a diploma giving access to the permit.

3. The secretary of the Order shall forward a copy of this Regulation to any person who requests diploma or training equivalence in order to obtain a permit from the Order.

DIVISION II EQUIVALENCE STANDARDS FOR DIPLOMAS

4. A person who holds a diploma issued by an educational establishment outside Québec shall be granted a diploma equivalence if his diploma was obtained upon completion of undergraduate studies comprising a minimum of 120 training credits, with each credit corresponding to 45 hours of course attendance or personal work. At least 108 of the 120 credits must be apportioned as follows:

(1) at least 14 credits in geometry and senior mathematics;

(2) at least 24 credits in civil law, land law (cadastral survey and land surveying) and Québec administrative and municipal law;

(3) at least 25 credits in cartography, topometry, photogrammetry and remote sensing;

(4) at least 6 credits in company management and land use planning;

(5) at least 15 credits in geodesy, hydrography and metrology;

(6) at least 9 credits in data processing, data base and geographic information systems management; and

(7) at least 15 credits on the subjects referred to in paragraphs 1 to 6.

DIVISION III EQUIVALENCE STANDARDS FOR TRAINING

5. A person shall be granted a training equivalence if he has attained a level of knowledge and skills equivalent to the level that may be attained by the holder of a diploma giving access to the permit.

6. In appraising the training presented in support of an application for training equivalence, the Bureau of the Order shall take all the following factors into account, in particular:

(1) the fact that the person holds one or more college or undergraduate diplomas obtained in Québec or elsewhere;

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

(3) the total years of education;

(4) the training sessions and other continuing professional training or upgrading activities engaged in;

(5) the relevant work experience;

(6) the fact that the person was a member of a recognized association of surveyors, land surveyors or building surveyors and that he held a permit to practise in due form; and

(7) any contribution to the advancement of the profession, estate in land or geomatics.

DIVISION IV PROCEDURE FOR THE RECOGNITION OF AN EQUIVALENCE

7. A person who applies for a diploma or training equivalence to obtain a permit issued by the Order shall provide the secretary of the Order with the following documents and information:

(1) a written application, along with the fees prescribed for the examination of the application pursuant to paragraph 8 of section 86.0.1 of the Professional Code;

(2) his academic record, including a description of the courses taken, the number of course hours completed or credits obtained and an official transcript of the marks obtained;

(3) a true copy of any diploma he holds;

(4) where applicable, authentic or certified proof that he was a member of a recognized association of surveyors, land surveyors or building surveyors, or a true copy of any permit to practise that he held;

(5) where applicable, a document attesting to his relevant work experience in the field of land surveying or in the field of the management of spatially referenced data bases, with a description thereof;

(6) where applicable, a document attesting to the person's participation in a training or professional development session and successful completion of that training session;

(7) where applicable, a document attesting to any additional training received during the last five years; and

(8) where applicable, any information related to the factors that the Bureau of the Order may take into account pursuant to section 6.

Where documents submitted in support of an application for recognition of an equivalence are written in a language other than French or English, the applicant shall provide a French translation of the documents, attested by an accredited translator or by a sworn statement of the person who did the translation.

8. The secretary of the Order shall send the documents and information referred to in section 7 to a committee formed by the Bureau of the Order in accordance with paragraph 2 of section 86.0.1 of the Professional Code for the purposes of examining applications for equivalence and making an appropriate recommendation to the Bureau of the Order.

For the purposes of making an appropriate recommendation, the committee may require that the applicant do one or more of the following: pass an examination, successfully complete a training session or do both.

9. At its first meeting following the date of receipt of the committee's recommendation, the Bureau of the Order shall decide whether or not the person shall be granted a diploma or training equivalence.

The secretary of the Order shall inform the person in writing of the Bureau's decision by sending it by registered mail within 15 days of the date the decision is made.

Where the equivalence is granted, the secretary of the Order shall issue a document, in the name of that person, attesting to the recognition of the equivalence of the diploma he holds or of the training that he has received.

Where the Bureau of the Order decides not to grant a diploma or training equivalence, the secretary of the Order shall, on the same occasion, inform the person in writing of the programs of study leading to a diploma giving access to the permit or of additional training that should be successfully completed within the time period indicated by the Bureau, taking into account the candidate's level of knowledge and skills at the time of his application, for the training equivalence to be granted.

10. Where the Bureau of the Order does not recognize a diploma or training equivalence, the person may apply to the Bureau for review of the decision and for a hearing. The person shall send a written application to that effect to the secretary of the Order within 30 days of the mailing of the Bureau's decision.

The secretary of the Order shall convene the applicant by means of a notice sent by registered mail not less than ten days before the date of the regular meeting of the Bureau following the date of receipt of the application for a hearing.

The Bureau shall hear the person and shall review its decision if necessary. The Bureau's decision is final and shall be sent to the person in writing by registered mail within 30 days following the date it is made.

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

4689

Gouvernement du Québec

O.C. 1398-2001, 21 November 2001

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

Land surveyors
— **Code of ethics**
— **Amendments**

Regulation to amend the Code of ethics of land surveyors

WHEREAS under section 87 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, his clients and his profession, particularly the duty to discharge his professional obligations with integrity;

WHEREAS under the same section of the Professional Code, the code of ethics must contain, *inter alia*, provisions setting out the conditions and procedure applicable to the exercise of the rights of access and correction provided for in section 60.5 and 60.6 of the Code and provisions concerning a professional's obligation to release documents to his client;

WHEREAS the Bureau of the Ordre des arpenteurs-géomètres du Québec adopted the Regulation to amend the Code of ethics of land surveyors;