

(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;

WHEREAS under section 95.3 of the Professional Code, amended by section 22 of chapter 13 of the Statutes of 2000 and by section 8 of chapter 34 of the Statutes of 2001, the secretary of the order has sent a draft of the regulation to every member of the order at least 30 days before its adoption by the Bureau;

WHEREAS in accordance with the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 8 August 2001 with a notice that it could be submitted to the Government which could approve it with or without amendment, upon the expiry of 45 days following the date of its publication;

WHEREAS in accordance with section 95 of the Professional Code, l'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 to amend the Code of ethics of land surveyors, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of land surveyors*

Professional Code
(R.S.Q., c. C-26, s. 87)

1. The following is substituted for Subdivision 7 of Division III of the Code of ethics of land surveyors:

“§7. Terms and conditions of the exercise of the rights of access and corrections provided for in sections 60.5 and 60.6 of the Professional Code and obligation for a land surveyor to release documents to a client.

3.07.01. A land surveyor may require that a request referred to in section 3.07.02, 3.07.05 or 3.07.08 be made at his place of business during his regular working hours.

3.07.02. In addition to the particular rules prescribed by law, a land surveyor shall promptly follow up, no later than 30 days after its receipt, on any request made by his client whose purpose is:

(1) to examine documents that concern him in any record established in his respect;

(2) to obtain a copy of the documents that concern him in any record established in his respect.

3.07.03. A land surveyor who grants a request referred to in section 3.07.02 shall allow his client access to documents, free of charge. However, a land surveyor who receives a request referred to in paragraph 2 of section 3.07.02 may charge reasonable fees not exceeding the cost for reproducing or transcribing documents or the cost for forwarding a copy.

A land surveyor charging such fees shall, before proceeding with the reproduction, transcription or forwarding of the documents, inform his client of the approximate amount he will have to pay.

3.07.04. A land surveyor who, pursuant to the second paragraph of section 60.5 of the Professional Code, refuses to allow his client access to the information contained in a record established in his respect shall specify to the client, in writing, that the disclosure would be likely to cause serious harm to the client or to a third party.

3.07.05. In addition to the particular rules prescribed by law, a land surveyor shall promptly follow up, no later than 30 days after its receipt, on any request made by his client whose purpose is:

(1) to cause to be corrected any information that is inaccurate, incomplete or ambiguous with regard to the purpose for which it was collected, contained in a document concerning him in any record established in his respect;

(2) to cause to be deleted any information that is outdated or not justified by the object of the record established in his respect;

(3) to file in the record established in his respect the written comments that he prepared.

3.07.06. A land surveyor who grants a request referred to in section 3.07.05 shall issue to his client, free of charge, a copy of the document or part of the document so that his client may see for himself that the information was corrected or deleted or, as the case may be, an attestation that the written comments prepared by his client were filed in the record.

* The Code of ethics of land surveyors (R.R.Q., 1981, c. A-23, r. 4) was amended once by the Regulation made by Order in Council 1415-92 dated 23 September 1992 (1992, G.O. 2, 4511).

3.07.07. Upon written request by his client, a land surveyor shall forward a copy, free of charge for the client, of corrected information or an attestation that the information was deleted or, as the case may be, that written comments were filed in the record of any person from whom the land surveyor received the information that was subject to the correction, deletion or comments and of any person to whom the information was provided.

3.07.08. A land surveyor shall promptly follow up on any written request made by his client, whose purpose is to take back a document entrusted to him by his client.

A land surveyor shall indicate in his client's record, where applicable, the reasons in support of his client's request."

2. The words "the president, the vice-president or a person designated by the president" are substituted for the words "the administrative committee" in paragraph i of section 4.01.01.

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

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Gouvernement du Québec

O.C. 1400-2001, 21 November 2001

An Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (R.S.Q., c. M-15.001)

An Act respecting the Ministère du Revenu (R.S.Q., c. M-31)

An Act respecting the Québec Pension Plan (R.S.Q., c. R-9)

Agreement on Social Security between the Gouvernement du Québec and the Government of the Eastern Republic of Uruguay — Approval — Implementation

Approval of the Agreement on Social Security between the Gouvernement du Québec and the Government of the Eastern Republic of Uruguay and the Regulation respecting the implementation of that Agreement

WHEREAS Décret 905-2001 dated 31 July 2001 authorized the Minister of International Relations to sign alone the Agreement on Social Security between the Gouvernement du Québec and the Government of the Eastern Republic of Uruguay;

WHEREAS the Agreement was entered into on 16 October 2001 in Québec;

WHEREAS the purpose of the Agreement is to coordinate the pension plan of Québec and the pension plan of Uruguay in order to mitigate the disadvantages caused by the migration of persons;

WHEREAS, under paragraph 3 of section 5 of the Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (R.S.Q., c. M-15.001), in the exercise of his functions the Minister of Social Solidarity may, in particular, enter into agreements in accordance with the law, with a government other than the Gouvernement du Québec, a department of such a government, an international organization, or a body under the authority of such a government or organization;

WHEREAS, under section 10 of that Act, notwithstanding any other legislative or regulatory provision, where an agreement in the area of income security and social benefits under paragraph 3 of section 5 of that Act extends the coverage of an Act or a regulation to a person defined in the agreement, the Government may, by regulation, enact the measures required to implement the agreement in order to give effect to the agreement;

WHEREAS the Government may, by regulation made under section 96 of the Act respecting the Ministère du Revenu (R.S.Q., c. M-31), give effect to international fiscal agreements entered into under section 9 of that Act;

WHEREAS, under section 215 of the Act respecting the Québec Pension Plan (R.S.Q., c. R-9), the Government may make regulations respecting the manner in which the act shall apply to any case affected by an agreement entered into with another country;

WHEREAS, under section 19 of the Act respecting the Ministère des Relations internationales (R.S.Q., c. M-25.1.1), the Minister of International Relations shall see to the negotiation and implementation of international agreements and shall administer the programs created under such agreements;

WHEREAS, under that section, the Agreement constitutes an international agreement;