

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 Regulation respecting the specialties within the medical profession, additional terms and conditions for the issue of specialist's certificates by the Collège des médecins du Québec and fixing standards of equivalence for certain of those terms and conditions, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the specialties within the medical profession, additional terms and conditions for the issue of specialist's certificates by the Collège des médecins du Québec and fixing standards of equivalence for certain of those terms and conditions*

Professional Code
(R.S.Q., c. C-26, s. 94, pars. *e* and *i*)

1. The Regulation respecting the specialties within the medical profession, additional terms and conditions for the issue of specialist's certificates by the Collège des médecins du Québec and fixing standards of equivalence for certain of those terms and conditions is amended, in paragraph 2 of Schedule I to the French text, by substituting

- (1) "Anesthésiologie" for the title;
- (2) the word "anesthésiologie" for "anesthésie-réanimation" in the first line of clause *c*;
- (3) the word "anesthésiologie" for "anesthésie" in the third line of clause *c*.

2. 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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* The Regulation respecting the specialties within the medical profession, additional terms and conditions for the issue of specialist's certificates by the Collège des médecins du Québec and fixing standards of equivalence for certain of those terms and conditions was approved by Order in Council 144-2000 dated 16 February 2000 (2000, *G.O.* 2, p. 933) and has never been amended.

Gouvernement du Québec

O.C. 1510-2001, 12 December 2001

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

Ingénieurs
— Other terms and conditions for permits to be issued by the Ordre

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

WHEREAS, under paragraph *i* of section 94 of the Professional Code (R.S.Q., c. C-26) the Bureau of a professional order may, by regulation, determine the other terms and conditions for issuing permits, in particular the obligation to serve the periods of professional training and to pass the professional examinations;

WHEREAS the Bureau de l'Ordre des ingénieurs du Québec adopted the Regulation respecting the other terms and conditions for permits to be issued by the Ordre des ingénieurs du Québec;

WHEREAS, under sections 10 and 11 of 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 14 February 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 has made its recommendations;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the other terms and conditions for permits to be issued by the Ordre des ingénieurs du Québec, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting other terms and conditions for the issuance of permits by the ordre des ingénieurs du Québec

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

DIVISION I CONDITIONS FOR THE ISSUANCE OF PERMITS

§1. Junior Engineer's Permit

1. The Bureau of the Ordre shall issue a junior engineer's permit to persons who meet all of the following conditions:

(1) they have sent an application to the secretary of the Ordre and have enclosed:

(a) a certified copy of their birth certificate;

(b) a recent passport-size photograph (5 cm x 7 cm) certified under the person's signature as being of himself;

(2) they have demonstrated that they hold a degree recognized by the government under the first paragraph of section 184 of the Professional Code as giving access to an engineer's permit or a degree deemed equivalent by the Bureau, or they have training deemed equivalent by the Bureau under subparagraph *g* of the first paragraph of section 86 of the Professional Code;

(3) they have paid all fees and dues relating to the issuance of the junior engineer's permit that are required under subparagraph 8 of section 86.0.1 of the Professional Code.

2. Holders of a junior engineer's permit may not obtain a seal.

3. Provided that they are entered on the roll, holders of a junior engineer's permit may use the title of "Junior Engineer" in English or "ingénieur junior" in French.

They may use the abbreviation "Jr. Eng." in English or "ing. jr" in French.

They may not in any way:

(1) claim to be an engineer;

(2) use the title of "engineer" or its abbreviation "Eng." without it being preceded by the word "Junior" or its abbreviation "Jr.", or use a title, designation, abbreviation or initials which could imply that they are engineers;

(3) allow themselves to be advertised or designated by the title "Engineer" or its abbreviation "Eng." without it being preceded by the word "Junior" or its abbreviation "Jr.", or by a title, abbreviation or initials which could imply that they are engineers.

4. The junior engineer's permit shall be valid until it is replaced by an engineer's permit issued in accordance with section 40 of the Professional Code and section 5.

§2. Engineer's Permit

5. The Bureau of the Ordre shall issue an engineer's permit to persons who also meet the following conditions, in addition to the conditions stated in section 1:

(1) they have acquired engineering experience in accordance with Division II;

(2) they have successfully completed the sponsorship activities in accordance with Division III, as applicable;

(3) they have passed the professional examination in accordance with Division IV;

(4) they have demonstrated that they have appropriate knowledge of the official language of Québec for practising the profession of engineer in accordance with the provisions of the Charter of the French Language (R.S.Q., c. C-11);

(5) they have paid all fees and dues relating to the issuance of the engineer's permit required under subparagraph 8 of section 86.0.1 of the Professional Code.

DIVISION II ENGINEERING EXPERIENCE

§1. Objectives and Calculation

6. Engineering experience is usually acquired as a junior engineer during a training period whose general objective is familiarization with the various aspects of engineering in order to attain the level of professional autonomy required to practise the profession. Such experience is acquired by performing the activities described in section 7.

7. A total of at least 36 months' engineering experience shall be acquired, consecutively or otherwise, at least 12 months of which shall be in Canada to ensure a good knowledge of local Canadian conditions, notably with regard to legislation, standards, economy, climate, resources and technology. Such engineering experience shall be certified in accordance with section 21.

Furthermore, the engineering experience shall have given the candidate or junior engineer the opportunity :

(1) to carry out on a regular basis activities related to the subject matter covered in the program leading to the degree he holds ; and

(2) to solve problems requiring the application of engineering sciences in at least one of the following areas: research, development, design, production, construction, installation, maintenance and technical sales and marketing ; and

(3) to participate in :

(a) applying the financial, economic, regulatory and legal aspects of an engineer's work ;

(b) managing and leading a technical team ; or

(c) solving industrial or environmental technical problems ; and

(4) to progress to more complex problem-solving activities and take on increasing responsibilities.

8. Candidates or junior engineers shall not perform professional activities reserved by law for engineers except under the immediate control and supervision of an engineer.

9. In order to be recognized, the engineering experience must have been acquired :

(1) after the end of a program of studies leading to a degree recognized by the government as giving access to an engineer's permit ; or

(2) after the end of a program of studies leading to a degree deemed equivalent by the Bureau ; or

(3) after the end of a program of studies leading to an engineering degree, if the candidate passes the confirmatory examinations prescribed by the committee of examiners ; or

(4) after the candidate passes the qualifying examinations prescribed by the committee of examiners, as applicable.

10. Notwithstanding section 9 hereof, a person shall receive an engineering experience credit equal to the period of relevant engineering experience acquired during the second half of a program of study :

(1) leading to a degree recognized by the government as giving access to an engineer's permit ; or

(2) leading to a degree deemed equivalent by the Bureau.

Such engineering experience credit may not exceed four months.

11. Holders of post-graduate degrees may receive an engineering experience credit if the research component is dominant. Post-graduate degrees are considered as follows :

1) A Master's in engineering equals a maximum credit of 12 months' experience ; in order to receive such credit, holders must submit a final transcript of their marks along with the title and an abstract of their thesis ;

2) A PhD in engineering equals a maximum credit of 24 months' experience ; in order to receive such credit, holders must submit proof of successful completion along with the title and an abstract of their dissertation.

Holders of both degrees will not have more than 24 months of experience recognized.

12. Junior engineers who successfully complete the sponsorship activities in accordance with Division III hereof receive eight months' engineering experience credit.

13. Holders of a degree awarded upon completion of a cooperative program of the universities of Sherbrooke, Waterloo or Ottawa who were admitted to the program before January 1, 1990 are entitled to an engineering experience credit equal to 2.5 months for each successfully completed training period, up to a maximum of 10 months.

14. Holders of a Bachelor's degree in technology from the École de technologie supérieure are entitled to an engineering experience credit equal to one-third of the relevant time worked between the date they obtained their Bachelor's degree in technology and the time they meet the academic qualifications otherwise required of them. Such engineering experience credit may not exceed 12 months.

15. Persons entitled to an engineering experience credit under sections 13 or 14 hereof are not entitled to a credit under section 10.

16. Obtaining engineering experience credits under sections 10, 11, 12, 13 or 14 does not exempt candidates and junior engineers from the obligation of obtaining 12 months' engineering experience in Canada.

§2. Evaluation

17. The Bureau shall appoint from among the members of the Ordre an evaluator of engineering experience, and determine his duties and functions.

18. To be recognized by the evaluator, relevant engineering experience acquired in Québec shall be contemporaneous with the application for recognition thereof.

Such experience may not be more than six months prior to:

(1) the date of entry on the roll as a junior engineer; or

(2) the date of the meeting of the committee of examiners during which the confirmatory examinations were prescribed.

19. To be recognized by the evaluator, relevant engineering experience acquired outside Québec shall be contemporaneous with the application for recognition thereof.

Such experience may not be more than five years prior to:

(1) the date of entry on the roll as a junior engineer; or

(2) the date of the meeting of the committee of examiners during which the confirmatory examinations were prescribed.

20. Junior engineers with a degree recognized by the government as giving access to an engineer's permit or a degree awarded upon completion of a program of study accredited by the Canadian Council of Professional Engineers, and who put forward experience acquired outside Canada, are considered to have acquired experience equivalent to experience in Canada when all the following conditions are met:

(1) the experience was acquired while employed by a company of which the head office or head office of the parent company is in Canada;

(2) the experience was acquired under the immediate control and supervision of a member of a Canadian association of professional engineers having full rights to practise;

(3) the junior engineer demonstrates to the evaluator of experience a good knowledge of local Canadian conditions, notably with regard to legislation, standards, economy, climate, resources and technology.

21. After each work period during which they have acquired engineering experience, candidates or junior engineers shall have such period certified by the following persons, who complete and sign the certification form provided by the Ordre or a similar document:

(1) their immediate superior and, if this person is an engineer, another engineer who is personally familiar with the work they have performed; or

(2) their immediate superior and, if this person is not an engineer, two engineers who are personally familiar with the work they have performed.

The aforementioned certification form shall comprise in particular the following parts:

(a) an identification of the candidate or junior engineer and the person certifying the work period;

(b) a description of the work experience; and

(c) an evaluation of the work experience by the person certifying it.

Completed certification forms are then sent to the Ordre for inclusion in the candidate's or junior engineer's files.

22. When they have completed the total period of 36 months, including experience credits, junior engineers send a written request to the evaluator to recognize their engineering experience, attaching any certification forms which have not yet been sent to the Ordre.

23. Where there is unwarranted delay by the engineer contemplated in section 21 in providing the certification form as requested by a candidate or junior engineer, or refusal to provide it, the matter may be referred to the evaluator, who shall take the appropriate measures to obtain such form.

24. If a candidate or a junior engineer is unable to provide a certification form as required under section 21, he shall give the evaluator a written account of the reasons and circumstances preventing him from doing so. The evaluator shall indicate to him what other means of proof he may use in place of the certification form, notably a statement from his employer or his clients or other persons familiar with the work performed, a certificate from a Canadian association of professional engineers, or an inspection of his work carried out by a person designated by the evaluator.

25. After examining the experience certification forms or the other means mentioned in section 24, the evalua-

tor recognizes the experience acquired by the junior engineer in accordance with this Division, and issues a certificate to this effect.

26. When the evaluator intends to refuse to recognize the engineering experience, he shall notify the junior engineer in writing of the reasons for his refusal and inform him of his right to be heard.

Junior engineers may avail themselves of this right provided that they apply in writing to the evaluator within 30 days of the mailing date of the notification. The evaluator shall conduct the hearing within 60 days following the date of receipt of the application. For this purpose, the evaluator shall summon the junior engineer by means of a written notice sent by registered mail at least 10 days before the date of the hearing. The evaluator shall render a decision in writing within 30 days.

If the evaluator refuses to issue a certificate of engineering experience, he shall give reasons for his decision and indicate what steps the junior engineer must take to remedy the situation.

DIVISION III SPONSORSHIP

§1. Objectives

27. Only junior engineers may register for sponsorships. Junior engineers who successfully complete a sponsorship shall receive credit for eight months' experience, as stipulated in section 12.

28. By pairing a junior engineer with a sponsoring engineer, sponsorship seeks to achieve the following objectives:

(1) to facilitate the junior engineer's integration into the practice of the profession by informing him of the rights and obligations inherent in the status of an engineer;

(2) to foster in the junior engineer the fundamental values of the profession: proficiency, responsibility, ethical conduct and social commitment.

§2. Performance and Evaluation

29. The Bureau shall appoint a sponsorship evaluator and determine his duties and functions.

30. Engineers who meet the following requirements may act as sponsors:

(1) they have been entered on the roll of the Ordre as engineers for at least five years;

(2) preferably, they practise in the same branch of engineering or sector of activity as the junior engineer; and

(3) no sanctions have been imposed on them by a disciplinary committee or the Professional Tribunal.

Engineers who do not meet one of the foregoing conditions may apply to the sponsorship evaluator for authorization to act as a sponsor.

The sponsorship evaluator may refuse to permit an engineer who meets the foregoing conditions to act as a sponsor after giving him an opportunity to be heard.

31. It is the junior engineer's responsibility to choose a sponsor. He shall then inform the sponsorship evaluator of the sponsor's name, membership no. and address. The sponsorship evaluator shall confirm or decline the choice of a sponsor as soon as possible.

If the junior engineer is unable to find a sponsor, the Ordre may assist him.

32. Sponsorship consists of a series of six meetings of at least 75 minutes each between the junior engineer and the sponsor, in order to discuss the subjects specified in section 28.

Such meetings shall be held at least three months apart.

33. Each of the six meetings shall be recorded on a follow-up form signed by the junior engineer and the sponsor and sent to the sponsorship evaluator within 15 days following the date of the meeting.

34. After progressively examining the follow-up forms, the evaluator shall decide based on the objectives stipulated in section 28 and the requirements of sections 31 through 33 whether the junior engineer has successfully performed his sponsorship activities and, if such is the case, shall issue a certificate indicating that the junior engineer has acquired eight months' engineering credit.

35. If the sponsorship evaluator intends to refuse to issue the certificate, he shall notify the junior engineer in writing of the reasons for his refusal and inform him of his right to be heard; the evaluator may also render such a decision at any time during the sponsorship if he deems that the sponsorship activities cannot be performed in accordance with the requirements of this Division.

Junior engineers may avail themselves of the right to be heard provided that they apply in writing to the sponsorship evaluator within 30 days of the mailing date of the notification. The sponsorship evaluator shall conduct the hearing within 60 days following the date of receipt of the application. For this purpose, the sponsorship evaluator shall summon the junior engineer by means of a written notice sent by registered mail at least 10 days before the date of the hearing. The sponsorship evaluator shall render a decision in writing within 30 days.

36. Refusal to issue a certificate means that the junior engineer is not entitled to engineering experience credit for this activity.

DIVISION IV PROFESSIONAL EXAMINATION

§1. Objectives

37. Only junior engineers may register for the professional examination; candidates may as an exception be permitted to do so when they are in the process of completing the confirmatory examinations prescribed by the committee of examiners.

38. The professional examination shall last three hours and consist of the following three parts which are designed to determine whether the junior engineer:

(1) is familiar with the laws of Québec pertaining to professionals, i.e., the Professional Code, the Engineers Act and the regulations thereunder applicable to engineers;

(2) is familiar with the principles of professional practice, the fundamentals of ethics and professionalism, the role and responsibilities of the engineer in society, the social impact of technology, sustainable development, environmental protection and the necessity of maintaining his proficiency; and

(3) has basic legal knowledge in the areas of civil liability and contract law, the law of intellectual property, general commercial law, labour law, construction law, environmental law and the law of occupational health and safety.

39. Members in good standing of a Canadian association of professional engineers shall be exempted from the parts of the professional examination contemplated in paragraphs 2 and 3 of section 38 provided that they fulfil one of the following conditions:

(1) they have passed a professional examination pertaining to the subjects indicated in those paragraphs;

(2) they have been entered on the roll of that association for at least five years and are still practising the engineering profession.

§2. Terms and Conditions

40. The Bureau shall appoint an examination director to be in charge of organizing and administering the professional examination, and determine his duties and functions.

41. Examination sessions shall be held at the times and places determined by resolution of the Bureau.

42. Registration forms for the examination must be submitted to the examination director at least 60 days before the date set for the examination.

43. To pass the examination, junior engineers must obtain a grade of at least 60% in each of the parts of the examination listed in paragraphs 1 to 3 of section 38. Otherwise, they shall be obliged to retake each part of the examination.

The examination director shall correct the examinations as soon as possible and inform each junior engineer in writing of his grade.

44. A junior engineer may apply in writing to the examination director to have his examination paper reviewed within 30 days after receiving notice that he has failed.

The examination director shall review the examination paper as soon as possible and notify the junior engineer of the results.

DIVISION V TRANSITIONAL AND FINAL PROVISIONS

45. Persons with a degree granted before March 24, 1994 and recognized by the government under the first paragraph of section 184 of the Professional Code may apply for a permit and be entered on the roll as junior engineers. To be entered on the roll as engineers, they must show, in accordance with section 21, that they have practised the profession continuously for two years.

46. This Regulation replaces the Regulation respecting other terms and conditions for permits to be issued by the Ordre des ingénieurs du Québec approved by order in council 287-94 of February 23, 1994.

47. Nothing in this Regulation shall affect the rights of a person who, at the time it comes into force:

(1) is entered on the roll as an engineer-in-training ;

(2) has been prescribed confirmatory or qualifying examinations by the committee of examiners and whose file is open.

48. This Regulation comes into force 90 days following its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

O.C. 1517-2001, 12 December 2001

An Act respecting income support, employment assistance and social solidarity
(R.S.Q., c. S-32.001)

Income support — Amendments

Regulation to amend the Regulation respecting income support

WHEREAS, in accordance with the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001), the Government made the Regulation respecting income support by Order in Council 1011-99 dated 1 September 1999;

WHEREAS it is expedient to amend the Regulation ;

WHEREAS, under section 32 of the Act to amend the Act respecting income support, employment assistance and social solidarity and other legislative provisions (2001, c. 44), the first Regulation made pursuant to the provisions of that Act and those of sections 335 to 338 of the Act to amend the taxation Act and other legislative provisions (1999, c. 83) is not subject to the publication requirement provided for in section 11 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS, under that section, such a regulation comes into force on the date of its publication in the *Gazette officielle du Québec* or on any other later date fixed therein, notwithstanding section 17 of that Act;

WHEREAS it is expedient to make the Regulation ;

IT IS ORDERED, therefore, upon the recommendation of the Minister of State for Labour, Employment and Social Solidarity and the Minister of Employment and Social Solidarity :

THAT the Regulation to amend the Regulation respecting income support, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting income support*

An Act respecting income support, employment assistance and social solidarity
(R.S.Q., c. S-32.001, s. 156, par. 2, s. 158, 1st par., subpars. 1, 2, 4 to 12 and 2nd par., s. 160 and 2001, c. 44, s. 32)

1. The following is substituted for section 6 of the Regulation respecting income support :

“6. For the purposes of subparagraph 3 of the first paragraph of section 15 of the Act respecting income support, employment assistance and social solidarity, attending an educational institution means, for an adult :

(1) studying full time in vocational training at the secondary level ;

(2) studying at the postsecondary level :

(a) on a full-time basis ;

(b) for more than two courses or for courses giving entitlement to more than six credits or units per term ;

(c) for one course giving entitlement to credits or units corresponding to a total of more than six periods or hours of instruction per week, including laboratories and supervised practical work ; or

(d) registered for his master’s thesis or doctoral dissertation at the graduate level of university for more than 6 credits per term.

2. Section 156 is amended by substituting the words “the designated dependent child” for the words “his dependent children” in the first paragraph.

* The Regulation respecting income support, made by Order in Council 1011-99 dated 1 September 1999 (1999, *G.O.* 2, 2881), was last amended by the Regulations made by Orders in Council 1163-2001 dated 26 September 2001 (2001, *G.O.* 2, 5758) and 1464-2001 dated 5 December 2001 (2001, *G.O.* 2, 6425). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2001, updated to 1 September 2001.