

Gouvernement du Québec

O.C. 1012-2003, 24 September 2003

An Act respecting the Agence nationale d'encadrement du secteur financier
(2002, c. 45)

Agence nationale d'encadrement du secteur financier

— Regulation under section 746 of the act

Regulation under section 746 of the Act respecting the Agence nationale d'encadrement du secteur financier

WHEREAS the Act respecting the Agence nationale d'encadrement du secteur financier (2002, c. 45), amended by chapter 70 of the Statutes of 2002, was assented to on 11 December 2002;

WHEREAS, under the first paragraph of section 746 of the Act, the Government may, by regulation made before 11 December 2004, adopt any other transitional provision or measure that is expedient for the carrying out of the Act;

WHEREAS, under the second paragraph of that section, a regulation made under the first paragraph shall not be subject to the publication requirement provided for in section 8 of the Regulations Act (R.S.Q., c. R-18.1) and shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any later date indicated therein, and the regulation may also, if it provides therefor, apply from any date not prior to 11 December 2002;

WHEREAS it is expedient to make a regulation under section 746 to adopt certain transitional provisions and other expedient measures for the carrying out of the Act respecting the Agence nationale d'encadrement du secteur financier;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance :

THAT the Regulation under section 746 of the Act respecting the Agence nationale d'encadrement du secteur financier, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation under section 746 of the Act respecting the Agence nationale d'encadrement du secteur financier

An Act respecting the Agence nationale d'encadrement du secteur financier
(2002, c. 45, s. 746)

1. Despite sections 2 and 6 of the Act respecting the Inspector General of Financial Institutions (R.S.Q., c. I-11.1) and section 21 of the Act respecting the Agence nationale d'encadrement du secteur financier (2002, c. 45), amended by chapter 70 of the Statutes of 2002, the president and director general of the Agence nationale d'encadrement du secteur financier shall act as Inspector General of Financial Institutions until the date of coming into force of section 7 of the Act respecting the Agence nationale d'encadrement du secteur financier.

2. Under section 154 of the Act, the Minister may entrust the Bureau de transition with any mandate pertaining to the establishment of the Bureau de décision et de révision en valeurs mobilières.

Within that mandate, the Bureau de transition may exercise the functions and powers provided for in sections 146, 147 and 152. Those sections then apply with the necessary modifications.

3. This Regulation comes into force on 24 September 2003.

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Gouvernement du Québec

O.C. 1023-2003, 24 September 2003

Professional Code
(R.S.Q., c. C-26; 2002, c. 33)

Denturologists

— Professional activities that may be engaged in by persons other than denturologists

Regulation respecting professional activities that may be engaged in by persons other than denturologists

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), amended by section 5 of chapter 33 of the Statutes of 2002, the Bureau of a professional order may, by regulation, determine, among the professional activities that may be

engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, in particular persons serving a period of professional training determined pursuant to paragraph *i* of that section, and the terms and conditions on which such persons may engage in such activities ;

WHEREAS the Bureau of the Ordre des denturologistes du Québec adopted the Regulation respecting professional acts that may be performed by persons other than denturologists ;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), that draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 2 April 2003 with a notice that it could be submitted to the Government for approval on 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 with amendments ;

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

THAT the Regulation respecting professional activities that may be engaged in by persons other than denturologists, the text of which is attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting professional activities that may be engaged in by persons other than denturologists

Professional Code
(R.S.Q., c. C-26, s. 94, par. *h* ; 2002, c. 33, s. 5)

1. The purpose of this Regulation is to determine, among the activities that may be engaged in by denturologists, those that may be engaged in by the following persons, on the conditions and terms set out therein :

(1) a student in denturology, namely any person registered in a program of study leading to a diploma giving access to the permit of the Ordre des denturologistes du Québec ; and

(2) a person eligible by equivalence, namely any person who is completing a program of study or a period of training determined by the Bureau of the Order for the purpose of having an equivalence recognized pursuant to the Regulation respecting the standards for diploma or training equivalence for the issuing of a permit by the Ordre professionnel des denturologistes du Québec, approved by Order in Council 1025-2002 dated 4 September 2002.

2. A student in denturology may engage in, among the professional activities that may be engaged in by denturologists, those that are required in the course of the program of study, if the student

(1) engages in the activities in the teaching establishment offering the program of study or in a training environment recognized by the establishment ; and

(2) engages in the activities under the supervision of a teacher of the teaching establishment or, where the activities are engaged in during a period of training, under the direct and immediate supervision of a training supervisor.

3. A person eligible by equivalence may engage in all the professional activities that may be engaged in by a denturologist, for all the duration and for the purposes of the person's program of study or period of training, if the person

(1) engages in the activities in the teaching establishment offering the program of study or in a training environment ; and

(2) engages in the activities under the supervision of a teacher of the educational teaching establishment or, where the activities are engaged in during the period of training determined by the Bureau of the Order, under the direct and immediate supervision of a training supervisor.

4. The training supervisor referred to in paragraph 2 of sections 2 and 3 must have been a member of the Ordre des denturologistes du Québec for at least five years and not have been the subject of any disciplinary penalty during the five years preceding the period of training.

5. The student in denturology or the person eligible by equivalence shall, before beginning the period of training, inform the Order of the name of the training supervisor and the training supervisor's place of practice.

6. 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. 1024-2003, 24 September 2003

Optometry Act
(R.S.Q., c. O-7)

Optometrist

— Standards for the issue and holding of the permit authorizing to administer and prescribe medications for therapeutic purposes and provide eye care

Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and provide eye care

WHEREAS, under the second paragraph of section 19.2 of the Optometry Act (R.S.Q., c. O-7), the Bureau of the Ordre des optométristes du Québec shall, by regulation, fix the standards for the issue and holding of a permit authorizing an optometrist to administer and prescribe medication to a patient for therapeutic purposes and to provide eye care to the patient;

WHEREAS the Bureau of the Ordre des optométristes du Québec made the Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and provide eye care;

WHEREAS, pursuant to section 95 of the Professional Code (R.S.Q., c. C-26), subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order shall be transmitted to the Office des professions du Québec du Québec for examination and shall be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 2 April 2003, with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and provide eye care, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and provide eye care

Optometry Act
(R.S.Q., c. O-7, s. 19.2)

DIVISION I STANDARDS FOR THE ISSUE OF THE PERMIT

1. The permit authorizing an optometrist to administer and prescribe medications for therapeutic purposes and provide eye care shall be issued to a member of the Ordre des optométristes du Québec who:

(1) has submitted his application in writing to the secretary of the Order in the form of Schedule 1;

(2) has paid the fees fixed by the Bureau of the Order for the issue of the permit;

(3) holds a permit authorizing him to administer medications for eye examination purposes, pursuant to the Regulation respecting the standards for the issue and holding of the permit authorizing an optometrist to administer medications, approved by Order in Council No. 1452-95, dated November 8, 1995;

(4) has successfully completed a training period, during the 4 years preceding the year of the application, under a training program offered by an educational institution that issues a diploma meeting the requirements for the permit issued by the Ordre des optométristes du Québec or another training program considered equivalent by the Bureau; such training shall comprise a minimum of 100 hours of theoretical and clinical courses in eye health and the pharmacological treatment of certain ocular pathologies.