

Draft Regulation

Pesticides Act
(R.S.Q., c. P-9.3)

Pesticides Management Code — Amendments

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 to amend the Pesticides Management Code, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes a number of consequential amendments and necessary adjustments to the regulation under the Pesticides Act to give effect to the new Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by the Government under section 2.1 of the Environment Quality Act (R.S.Q., c. Q-2). The new Policy, adopted by Order in Council 468-2005 dated 18 May 2005, replaces the former policy adopted by Décret 103-96 dated 24 January 1996 (1996, *G.O.* 2, 1263).

Further information on the draft of the Regulation to amend the Pesticides Management Code may be obtained by contacting Luc Proulx, Direction des politiques de l'eau, Ministère du Développement durable, de l'Environnement et des Parcs, Édifice Marie-Guyart, 8^e étage, boîte 42, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: (418) 521-3885, extension 4863; fax: (418) 644-2003; e-mail: luc.proulx@menv.gouv.qc.ca

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Sustainable Development, Environment and Parks, Édifice Marie-Guyart, 30^e étage, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7.

THOMAS J. MULCAIR,
*Minister of Sustainable Development,
Environment and Parks*

Regulation to amend the Pesticides Management Code*

Pesticides Act
(R.S.Q., c. P-9.3, ss. 101, 104, 105, 107 and 109,
pars. 11.1 to 13)

1. The Pesticides Management Code is amended by replacing “normal high water mark as defined in the Politique de protection des rives, du littoral et des plaines inondables made by Décret 103-96 dated 24 January 1996” in the second paragraph of section 1 by “natural high-water mark as defined in the Protection Policy for Lakeshores, Riverbanks, Littoral Zones and Floodplains adopted by Order in Council 468-2005 dated 18 May 2005”.

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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Draft Regulation

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

Acupuncturists — Standards for equivalence of diplomas or training 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 Regulation respecting the standards for equivalence of diplomas and training for the issue of a permit by the Ordre des acupuncteurs du Québec, made by the Bureau of the Ordre des acupuncteurs du Québec, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the Regulation is to prescribe, under paragraph c of section 93 of the Professional Code, the standards for equivalence of diplomas awarded by educational institutions outside Québec, so as to have a permit issued by the Ordre des acupuncteurs du Québec, as well as standards for equivalence of the training of persons who do not hold a diploma required for such purposes.

* The Pesticides Management Code, made by Order in Council 331-2003 dated 5 March 2003 (2003, *G.O.* 2, 1255), was last amended by Order in Council 464-2004 dated 31 March 2003 (2003, *G.O.* 2, 1367).

The Order is of the opinion that those amendments will have no impact on enterprises, including small and medium-sized businesses.

Further information on the proposed regulation may be obtained by contacting François Houle, Director General and Secretary, Ordre des acupuncteurs du Québec, 1001, boulevard De Maisonneuve Est, bureau 585, Montréal (Québec) H2L 4P9; telephone : (514) 523-2882; fax : (514) 523-9669.

Any 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 Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister responsible for legislation respecting the professions; they may also be forwarded to the professional order that made the Regulation as well as to interested persons, departments and bodies.

GAÉTAN LEMOYNE,
*Chair of the Office des
professions du Québec*

Regulation respecting the standards for equivalence of diplomas or training for the issue of a permit by the Ordre des acupuncteurs du Québec

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

DIVISION I GENERAL

1. The secretary of the Ordre des acupuncteurs du Québec must forward a copy of this Regulation to a candidate who, for the purpose of obtaining a permit from the Order, applies to have a diploma issued by an educational institution outside Québec or training recognized as equivalent.

2. In this Regulation:

(1) “diploma equivalence” means recognition by the Bureau of the Order, in accordance with subparagraph g of the first paragraph of section 86 of the Professional Code (R.S.Q., c. C-26), that a diploma awarded by an educational institution outside Québec certifies that the candidate’s level of knowledge and skills is equivalent to the level attained by the holder of a diploma, recognized by a regulation of the Government made under the first paragraph of section 184 of the Code, giving access to the permit issued by the Order;

(2) “training equivalence” means recognition by the Bureau of the Order, in accordance with subparagraph g of the first paragraph of section 86 of the Code, that a candidate’s training has enabled the candidate to attain a level of knowledge and skills equivalent to the level attained by the holder of a diploma, recognized by a regulation of the Government made under the first paragraph of section 184 of the Code, giving access to the permit issued by the Order.

DIVISION II STANDARDS FOR A DIPLOMA EQUIVALENCE

3. A candidate is granted a diploma equivalence if the diploma was obtained on completion of studies equivalent to at least 2,640 hours of study at the college level, including 1,980 hours of training specific to the field of acupuncture, apportioned as follows:

(1) at least 510 hours in subjects dealing with anatomy, surface anatomy, physiology, pathology, microbiology, hygiene and asepsis, first aid and clinical assessment;

(2) at least 885 theory and laboratory hours in subjects dealing with the clinical assessment of the energetic state of a person according to the traditional oriental method, including:

(a) at least 240 hours on the basic theories of the traditional oriental method including thought processes, concepts, vocabulary, functioning, physiology and etiopathology;

(b) at least 150 hours on the meridians and acupuncture points, including the fundamentals of palpation;

(c) at least 90 hours in instrument handling techniques;

(d) at least 285 hours on clinical assessment of the energetic state of a person according to the traditional oriental method;

(e) at least 45 hours in communication and support assistance; and

(f) at least 75 hours in treatment methods and semiology;

(3) at least 90 hours on the aspects of practising acupuncture in Québec and on managing an acupuncture office; and

(4) at least 480 hours of clinical training.

4. Despite section 3, where the diploma in respect of which an application for equivalence has been filed was issued 3 years or more before the application and the knowledge to which the candidate attests no longer corresponds to the knowledge currently being taught, having regard to the developments in the profession, the candidate is granted a training equivalence pursuant to section 5 if the candidate has attained the required level of knowledge and skills since being awarded the diploma.

DIVISION III STANDARDS FOR TRAINING EQUIVALENCE

5. A candidate is granted a training equivalence if the candidate demonstrates a level of knowledge and skills equivalent to the level of the holder of a diploma, recognized by a regulation of the Government made under section 184 of the Code, giving access to the permit issued by the Order.

In assessing the training equivalence of a candidate, the Bureau must take into account the following factors:

- (1) total years of education;
- (2) diplomas obtained in relevant or related fields;
- (3) the type of courses taken, course content and marks obtained;
- (4) training periods and other learning activities completed; and
- (5) the type and length of relevant clinical experience.

DIVISION IV DIPLOMA OR TRAINING EQUIVALENCE RECOGNITION PROCEDURE

6. A candidate wishing to have a diploma or training equivalence recognized must provide the secretary with the following documents, together with the fees for the examination of the application required under paragraph 8 of section 86.0.1 of the Code:

- (1) a certified true copy of all diplomas held;
- (2) his or her academic record, with a detailed description of the courses taken, the number of hours for each course and the marks obtained;
- (3) where applicable, a document attesting to relevant clinical experience; and

(4) where applicable, a document attesting to participation in training periods and other training activities.

Documents written in a language other than French or English that are submitted in support of an application for equivalence must be accompanied by a French or English translation certified by the translator.

7. A committee set up for the purpose by the Bureau is to examine the applications for diploma or training equivalence and make the appropriate recommendations to the Bureau.

8. At its first meeting following receipt of a recommendation referred to in section 9, the Bureau must decide whether to:

- (1) recognize the candidate's diploma or training equivalence;
- (2) recognize the candidate's training equivalence in part; or
- (3) refuse to recognize the candidate's diploma or training equivalence.

The Bureau must inform the candidate of its decision by registered mail within 30 days of its decision.

If the Bureau refuses to recognize the diploma or training equivalence or recognizes the training equivalence in part, the Bureau must at the same time inform the candidate in writing of any programs of study, additional training, training periods or examinations that the candidate could successfully complete within the time it specifies to enable the candidate to be granted a training equivalence.

9. A candidate who is informed of the Bureau's decision to refuse to recognize the diploma or training equivalence applied for or to recognize the training equivalence in part may apply to the Bureau for a review, provided the candidate applies to the secretary in writing within 30 days of receiving the decision.

The Bureau must examine the application for review at the first regular meeting following its receipt and, before disposing of the application, allow the candidate to present observations.

A candidate who wishes to present observations must inform the secretary at least five days before the date set for the meeting. The candidate may, however, submit written observations at any time before the date set for the meeting.

The decision of the Bureau is final and must be sent to the candidate by registered mail within 30 days of the date on which it is made.

10. 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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