

Despite the foregoing, if an equivalence application was the subject of a decision by the Bureau pursuant to section 7 of the replaced Regulation and the time allowed for review has not expired or the Bureau has not reviewed the application, a member of the Bureau cannot be a member of the review committee.

12. 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. 542-2008, 28 May 2008

Pharmacy Act
(R.S.Q., c. P-10)

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

Pharmaciens

— The terms and conditions for the issue of permits by the Ordre

— Amendments

Regulation to amend the Regulation respecting the terms and conditions for the issue of permits by the Ordre des pharmaciens 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; the regulation may also fix standards of equivalence applicable to the terms and conditions determined therein;

WHEREAS, under paragraph *c.1* of section 93 of the Professional Code, the Bureau must, by regulation, determine a procedure for recognizing an equivalence, standards for which are to be established in a regulation under paragraph *i* of section 94, providing that a decision must be reviewed by persons other than those who made it and, for that purpose, provide that the Bureau's power to decide an application or review a decision may be delegated to a committee established under paragraph 2 of section 86.0.1 of the Code;

WHEREAS, under subparagraph *b* of the first paragraph of section 10 of the Pharmacy Act (R.S.Q., c. P-10), in addition to the duties provided in sections 87 to 93 of the Professional Code, the Bureau must, by regulation, determine the other conditions and formalities applicable to the issue of a registration certificate to a student in pharmacy, together with the causes for and the conditions and formalities applicable to the revocation of such a certificate;

WHEREAS the Bureau of the Ordre des pharmaciens du Québec made the Regulation to amend the Regulation respecting the terms and conditions for the issue of permits by the Ordre des pharmaciens du Québec;

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

WHEREAS, in accordance with sections 10 and 11 of 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 14 February 2007 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 has 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 to amend the Regulation respecting the terms and conditions for the issue of permits by the Ordre des pharmaciens du Québec, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the terms and conditions for the issue of permits by the Ordre des pharmaciens du Québec*

Pharmacy Act
(R.S.Q., c. P-10, s. 10, 1st par., subpar. *b*)

Professional code
(R.S.Q., c. C-26, s. 93, par. *c.1* and s. 94, par. *i*)

1. The Regulation respecting the terms and conditions for the issue of permits by the Ordre des pharmaciens du Québec is amended

(1) by replacing “recognized as equivalent by the Bureau under subparagraph *g* of the first paragraph of section 86 of the Code” in paragraph 1 of section 1 by “or training recognized as equivalent by the Order”;

(2) by inserting “, where applicable” in paragraph 2 of section 1 after “certificate”;

(3) by inserting “or has been granted an equivalence by the Order under Division II.1” in paragraph 3 of section 1 after “internship”.

2. Section 2 is amended by replacing “recognized as equivalent by the Bureau under subparagraph *g* of the first paragraph of section 86 of the Code” in subparagraph *b* of paragraph 1 by “or training recognized as equivalent by the Order”.

3. Section 7 is amended by replacing “Bureau” by “secretary of the Order”.

4. Sections 8 to 10 are replaced by the following:

8. The secretary of the Order must forward the internship report and the evaluation report to a committee formed by the Bureau pursuant to paragraph 2 of section 86.0.1 of the Professional Code.

The committee must determine if the trainee has satisfied the requirements of the internship within 60 days following the date of receipt of the documents.

9. The committee must inform the trainee of its decision in writing within 30 days of the decision.

If the trainee does not satisfy the requirements of the internship, the committee must also inform the trainee in writing of any elements to be completed and the procedure to be followed to satisfy the requirements.

10. A trainee who is informed of the committee’s decision to the effect that the trainee has not satisfied the requirements of the internship may apply for review of the decision by a review committee. The review committee is formed by the Bureau pursuant to paragraph 2 of section 86.0.1 of the Professional Code. A member of the committee referred to in section 8 cannot sit on the review committee.

The trainee must make the review application to the secretary of the Order in writing within 30 days of receiving the decision.

The review committee has 60 days from the date of receipt of the review application to make its decision.

The secretary must inform the trainee of the date of the meeting at which the review application will be examined, by means of a notice sent by registered or certified mail at least 15 days before the date set for the meeting.

The trainee may send the secretary written submissions for the review committee at any time before the day set for the examination of the review application.

The decision of the review committee is final and must be sent to the trainee in writing by registered or certified mail within 30 days following the date of the meeting.”.

5. The following is added after section 10:

“DIVISION II.1 INTERNSHIP EQUIVALENCE STANDARDS

10.1. A person is granted the internship equivalence provided for in Division II if the person demonstrates having a level of knowledge and skills equivalent to the level attained by a person who has satisfied that condition.

In assessing the equivalence, the following factors are taken into particular account:

(1) the nature and duration of the person’s work experience;

(2) the fact that the person holds one or more diplomas awarded in Québec or elsewhere;

* The Regulation respecting the terms and conditions for the issue of permits by the Ordre des pharmaciens du Québec, approved by Order in Council 231-93 dated 24 February 1993 (1993, *G.O.* 2, 959), has not been amended since its approval.

- (3) the nature and content of courses taken;
- (4) the nature and content of internships and other training activities; and
- (5) the total number of years of schooling.

10.2. A person who wishes to have an internship equivalence under section 10.1 recognized must make an application as provided in Division II, with the necessary modifications.

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

6. Section 12 is amended by replacing “recognized as equivalent by the Bureau under subparagraph *g* of the first paragraph of section 86 of the Code” in the second paragraph by “or training recognized as equivalent by the Order”.

7. A decision made by the Bureau on an internship evaluation pursuant to section 8 of the Regulation respecting the terms and conditions for the issue of permits by the Ordre des pharmaciens du Québec, approved by Order in Council 231-93 dated 24 February 1993, for which the time allowed for review has not expired or the Bureau has not conducted a review must be heard by a review committee formed by the Bureau pursuant to paragraph 2 of section 86.0.1 of the Professional Code on which no member of the Bureau sits.

8. 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. 544-2008, 28 May 2008

Environment Quality Act
(R.S.Q., c. Q-2)

**Dishwashing detergents
— Prohibition of sale**

Regulation to prohibit the sale of certain dishwashing detergents

WHEREAS subparagraphs *a*, *c*, *d*, *h* and *l* of the first paragraph of section 31, paragraphs *c* and *f* of section 46 and section 109.1 of the Environment Quality Act

(R.S.Q., c. Q-2) empower the Government to make regulations on the matters set forth therein;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and section 124 of the Environment Quality Act, a draft of the Regulation to prohibit the sale of certain dishwashing detergents, attached to this Order in Council, was published in Part 2 of the *Gazette officielle du Québec* of 12 December 2007 with a notice that it could be made by the Government on the expiry of 60 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments, considering the comments received following that publication in the *Gazette officielle du Québec*;

IT IS ORDERED, therefore, on the recommendation of the Minister of Sustainable Development, Environment and Parks:

THAT the Regulation to prohibit the sale of certain dishwashing detergents, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to prohibit the sale of certain dishwashing detergents

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. *a*, *c*, *d*, *h* and *l*, s. 46, pars. *c* and *f* and s. 109.1)

1. This Regulation applies to dishwashing detergents for domestic use.

2. In this Regulation, “phosphorus” means elemental phosphorus.

3. As of 1 July 2010, no dishwashing detergent may be offered for sale, sold, distributed or otherwise made available to consumers if

(1) it contains 0.5% or more phosphorus by weight; or

(2) the package does not indicate the percentage by weight of the phosphorus content of the product.

The phosphorus content indicated on the package is determined by a laboratory accredited by the Minister of Sustainable Development, Environment and Parks under section 118.6 of the Environment Quality Act (R.S.Q.,