

(e) the declaration of registration of the joint-stock company and any update; and

(f) the names and home addresses of the company's principal officers;

(2) if the member of the Order carries on professional activities within a limited liability partnership,

(a) the declaration of registration of the partnership and any update;

(b) the partnership contract and amendments;

(c) the complete and up-to-date register of the partners;

(d) where applicable, the complete and up-to-date register of the directors; and

(e) the names and home addresses of the partnership's principal officers.

CHAPTER IV INCOME

14. Where a member of the Order carries on professional activities within a joint-stock company, the income derived from the professional services rendered within and on behalf of the company belongs to the company, unless it has been agreed otherwise.

The determination, billing and payment of fees is subject to the conditions set out in the Code of ethics of members of the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec and the member of the Order is personally responsible for seeing to their application.

CHAPTER V TRANSITIONAL AND FINAL

15. A member of the Order who carries on professional activities within a joint-stock company constituted for the purposes of the professional activities before the date of coming into force of this Regulation must comply with this Regulation not later than one year following that date.

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

8679

Gouvernement du Québec

O.C. 401-2008, 23 April 2008

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

Conseillers et conseillères d'orientation et psychoéducateurs et psychoéducatrices — Equivalence standards for the issue of permits — Amendments

Regulation to amend the Regulation respecting equivalence standards for the issue of permits by the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec

WHEREAS, under paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26), the Bureau of an order must, by regulation, prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit or specialist's certificate, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes;

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 *c* of that section, 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 the Bureau of the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec made the Regulation to amend the Regulation respecting equivalence standards for the issue of permits by the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices 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 of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and to 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 6 June 2007 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS no comments were received by the Office des professions du Québec following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

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 equivalence standards for the issue of permits by the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec, the text of which is attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting equivalence standards for the issue of permits by the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec*

Professional Code
(R.S.Q., c. C-26, s. 93, pars. c and c.1)

1. Section 1 of the Regulation respecting equivalence standards for the issue of permits by the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec is amended by striking out “the Bureau of” wherever it appears in the second paragraph.

2. Section 5 is amended by replacing “the Bureau shall take into account all the following factors” in the second paragraph by “the following factors must be taken into account”.

3. Sections 9 to 12 are replaced by the following:

“**9.** The secretary must send the documents referred to in section 7 to a committee formed by the Bureau, pursuant to paragraph 2 of section 86.0.1 of the Professional Code, to study applications for a diploma or training equivalence and decide to recognize the diploma or training equivalence. The committee is composed of persons who are not members of the administrative committee.

In order to make its decision, the committee may require the applicant to pass an examination or to successfully complete a training period, or both.

10. Within 90 days following the date on which the documents were sent by the secretary, the committee must decide, in accordance with this Regulation, whether or not to recognize the diploma or training equivalence.

11. The committee must give the candidate written notice of its decision within 15 days following the date of the decision.

If the committee refuses to recognize the equivalence applied for, it must at the same time inform the candidate in writing of the programs of study, training sessions or examinations that could be successfully completed within the allotted time, taking into account the candidate's current level of knowledge, for the equivalence to be granted.

12. A candidate who is informed of the committee's decision not to recognize the equivalence applied for may apply to the administrative committee for review, provided that the candidate applies to the secretary in writing within 30 days after receiving the decision.

The administrative committee must examine the application at the first regular meeting following the date on which the application is received. Before making a decision, the committee must inform the candidate of the date of the meeting and of the candidate's right to make submissions at the meeting.

A candidate who wishes to make submissions in person at the meeting must notify the secretary at least 5 days before the date scheduled for the meeting. The candidate may, however, send written submissions to the secretary at any time before the date scheduled for the meeting.

* The Regulation respecting equivalence standards for the issue of permits by the Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec, approved by Order in Council 540-2005 dated 8 June 2005 (2005, *G.O.* 2, 1967) has not been amended since it was approved.

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

4. 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. 402-2008, 23 April 2008

Professional Code
(R.S.Q., c. C26)

Inhalothérapeutes **— Standards for diploma or training equivalence** **for the issuance of a permit** **— Amendments**

Regulation to amend the Regulation respecting the standards for diploma or training equivalence for the issuance of a permit by the Ordre professionnel des inhalothérapeutes du Québec

WHEREAS, under paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must, by regulation, prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit or specialist’s certificate, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes;

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 *c* of that section, 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 the Bureau of the Ordre professionnel des inhalothérapeutes du Québec made the Regulation to amend the Regulation respecting the standards for diploma or training equivalence for the issuance of a permit by the Ordre professionnel des inhalothérapeutes 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. R18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 3 October 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 standards for diploma or training equivalence for the issuance of a permit by the Ordre professionnel des inhalothérapeutes du Québec, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation **respecting the standards for diploma or** **training equivalence for the issuance of a** **permit by the Ordre professionnel des** **inhalothérapeutes du Québec***

Professional Code
(R.S.Q., c. C-26, s. 93, pars. *c* and *c.1*)

1. The Regulation respecting the standards for diploma or training equivalence for the issuance of a permit by the Ordre professionnel des inhalothérapeutes du Québec is amended by the deletion, in paragraph 1° and 2° of section 2, of the words “the Bureau of”.

* The Regulation respecting the standards for diploma or training equivalence for the issuance of a permit by the Ordre professionnel des inhalothérapeutes du Québec was approved by Order in Council no. 1332-2000 dated November 15, 2000 (2000, *G.O.* 2, 7025). The regulation has not been amended since.