

2. The code is amended by the insertion of the following after section 40:

“40.1 The respiratory therapist shall ensure that the information he provides to the Order is accurate.”

3. This regulation comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.

8697

Gouvernement du Québec

O.C. 423-2008, 30 April 2008

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

Collège des médecins du Québec
— **Terms and conditions for the issuance of the permit and specialist’s certificates**
— **Amendments**

Regulation amending the Regulation respecting the terms and conditions for the issuance of the permit and specialist’s certificates by the Collège des médecins 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, under paragraph *h* of section 94 of the Professional Code, 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*, and the terms and conditions on which such persons may engage in such activities;

WHEREAS, under paragraph *i* of section 94 of the Professional Code, 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 it determines; the regulation may also fix standards of equivalence applicable to the terms and conditions determined therein;

WHEREAS, the Bureau of the Collège des médecins du Québec made the Regulation amending the Regulation respecting the terms and conditions for the issuance of the permit and specialist’s certificates by the Collège des médecins du Québec;

WHEREAS section 95 of the Professional Code provides that, 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 16 May 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 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 amending the Regulation respecting the terms and conditions for the issuance of the permit and specialist’s certificates by the Collège des médecins du Québec, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation amending the Regulation respecting the terms and conditions for the issuance of the permit and specialist's certificates by the Collège des médecins du Québec*

Professional Code
(R.S.Q., c. C-26, s. 93, sub. c, s. 94, sub. h and i and s. 94.1)

1. The Regulation respecting the terms and conditions for the issuance of the permit and specialist's certificates of the Collège des médecins du Québec is amended to its section 2:

(1) by inserting in subparagraph (1) and after the words "the committee" the following "composed of persons other than the members of the Executive Committee and";

(2) by replacing in subparagraphs (3), (4) and (5), the word "Bureau" by the word "Collège".

2. Section 4 of this Regulation is amended by replacing in the second paragraph the word "Bureau" by the word "committee".

3. Section 11 of this Regulation is amended:

1° by replacing in subparagraph (1) the word "Bureau" by the word "Collège".

2° by replacing subparagraph (2) by the following:

"2° he has been the holder of a restrictive permit for at least twelve months".

4. Section 14 of this Regulation is amended by replacing the word "Bureau" by the word "Collège".

5. Section 21 of this Regulation is amended by replacing the word "Bureau" by the word "committee."

6. Section 24 of this Regulation is amended by deleting subparagraph (2).

7. Section 32 of this Regulation is amended by replacing in subparagraph (1) the word "Bureau" by the word "Collège".

8. Section 33 of this Regulation is amended:

(1) by replacing, in the first paragraph the words "makes a recommendation to the Bureau" by the words "decides whether the candidate must be granted an equivalence or not";

(2) by replacing in the second paragraph the words "recommend to the Bureau to grant" by the word "recognize".

9. Section 41 of this Regulation is amended by replacing the words "provides reasons for its decision to the Bureau" by the words "decides whether the candidate must be granted an equivalence or not".

10. Sections 42 to 44 of this Regulation are replaced by the following:

42. Within 15 days after the date of its decision, the committee so informs the candidate in writing.

When the committee partially or entirely refuses the requested equivalence, it must notify the candidate in writing of the conditions that must be satisfied in order to obtain this equivalence.

43. The candidate informed of the decision of the committee not to grant the requested equivalence or to grant it only partially may ask for this decision to be reviewed on condition that the review is requested in writing to the secretary of the committee within 30 days of receipt of this decision.

The Executive Committee, within 90 days following the receipt of such a request, must examine the request for review. Before reaching a decision, it must allow the candidate to submit observations to this meeting.

For this purpose, the secretary of the committee informs the candidate of the date, place and time of the meeting during which the request will be reviewed by means of written notice sent by registered mail at least 15 days before the meeting is held.

A candidate who wishes to be present to make observations must so inform the secretary of the committee at least 5 days before the date planned for the meeting. The candidate may however send written observations to the secretary of the committee before the date planned for the meeting.

44. The decision of the Executive Committee is final and must be sent to the candidate by registered mail within 30 days after the date of the decision."

* The Regulation respecting the terms and conditions for the issuance of the permit and specialist's certificates by the Collège des médecins du Québec was approved by Order in council No. 339-2006 of April 26, 2006 (2006, G.O. 2, 1435). It has not been amended since.

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

8698

Gouvernement du Québec

O.C. 424-2008, 30 April 2008

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

Medical technologists — Diploma or training equivalence standards for the issue of a permit by the Ordre — Amendments

Regulation to amend the Regulation respecting diploma or training equivalence standards for the issue of a permit by the Ordre professionnel des technologistes médicaux 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 technologistes médicaux du Québec made the Regulation to amend the Regulation respecting diploma or training equivalence standards for the issue of a permit by the Ordre professionnel des technologistes médicaux 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 pro-

fessions 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 16 May 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 diploma or training equivalence standards for the issue of a permit by the Ordre professionnel des technologistes médicaux du Québec, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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

Professional Code
(R.S.Q., c. C-26, s. 93, pars. *c* and *c.1*; 2006, c. 20, s. 4)

1. Section 2 of the Regulation respecting diploma or training equivalence standards for the issue of a permit by the Ordre professionnel des technologistes médicaux du Québec is amended by replacing paragraphs 1 and 2 by the following:

* The Regulation respecting diploma or training equivalence standards for the issue of a permit by the Ordre professionnel des technologistes médicaux du Québec, approved by Order in Council 470-2006 dated 30 May 2006 (2006, G.O. 2, 1724), has not been amended since it was approved.