

The fact that a member has been struck off the role or suspended or that the member's right to practice has been restricted by the committee on discipline, the Professions Tribunal or the Bureau does not make it impossible for the member to take part.

The duration of an exemption may not exceed 12 months, but it may be renewed.

13. A member may obtain an exemption under section 12 by applying in writing to the Order, stating the grounds justifying the exemption and including a medical report or any other proof showing that it is impossible for the member to take part in any activity.

14. As soon as the situation making it impossible for a member referred to in the first paragraph of section 12 to take part in any activity, and for which the member has obtained an exemption, ceases, the member must notify the Order in writing and complete the obligations prescribed by this Regulation on the conditions determined by the Order.

DIVISION V PENALTIES

15. The Order shall forward a notice to any member who fails to respect an obligation pertaining to continuing education, stating the obligation that the member has failed to respect, the time period within which the member may correct the failure, and the penalty to which the member is liable.

This time period may not be below 30 days or above 60 days, and begins to run from the date on which the notice is received.

Continuing education hours completed after such a failure may only apply to the reference period during which the failure occurred.

16. The Order shall send a final notice to any member who has not corrected a failure within the time period prescribed by the Order, requiring the member to comply within an additional time period of 15 days from the date on which the final notice is received.

17. When a member does not correct a failure within the time period prescribed pursuant to section 16, the Order shall suspend the member's public accountancy permit and inform the member of the suspension in writing.

18. The public accountancy permit shall remain suspended until the member concerned provides the Order with proof that he or she has met the requirements set out in the notice referred to in section 16, and until the suspension has been lifted by the Order.

SECTION VI FINAL PROVISION

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

8943

Draft Regulation

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

Certified management accountants — Public accountancy 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 public accountancy permit of the Ordre des comptables en management accrédités du Québec", adopted by the Bureau of the Ordre des comptables en management accrédités du Québec, may be submitted to the Government for approval on the expiry of 45 days following this publication. The Government may approve the Regulation with or without amendment.

The object of the Regulation is to set standards for the issue and holding of a public accountancy permit applicable to the members of the Ordre des comptables en management accrédités du Québec.

According to the Ordre des comptables en management accrédités du Québec, the Regulation will allow businesses, including small and medium-sized businesses, to engage the services of a certified management accountant holding a public accountancy permit to audit their financial statements.

Further information may be obtained by contacting M^e Julie de Gongre at the Ordre des comptables en management accrédités du Québec, 715, rue du Square-Victoria, 3^e étage, Montréal (Québec) H2Y 2H7; phone: 514 849-1155 or 1 800 263-5390; fax: 514 849-9674; E-mail: j.degongre@cma-quebec.org

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. These comments will be forwarded by the Office to the minister responsible for the administration of legislation respecting the professions. They may also be forwarded to the professional order that adopted the regulation, as well as to the persons, departments and agencies concerned.

JEAN PAUL DUTRISAC,
*Chair of the Office des
professions du Québec*

Regulation respecting the public accountancy permit of the Ordre des comptables en management accrédités du Québec

Professional Code
(R.S.Q., c. C-26, s. 187.10.2; 2007, c. 42, s. 3)

DIVISION I PUBLIC ACCOUNTANCY PERMIT

§1. General

1. The Bureau of the Ordre des comptables en management accrédités shall issue a public accountancy permit to a certified management accountant who:

(1) has successfully completed the post-certification public accountancy program of the Order or a program recognized as equivalent by the committee set up by the Bureau;

(2) has met the requirements of the training period in public accountancy or of a training period recognized as equivalent by the committee set up by the Bureau; and

(3) has passed the public accountancy examination of the Order or an examination recognized as equivalent by the committee set up by the Bureau.

2. A certified management accountant must meet the conditions set out in paragraphs 1, 2 and 3 of section 1 within five years from the date of obtaining authorization to start a training period in public accountancy, the date of first applying to take the public accountancy examination, or the date of obtaining an equivalence under paragraph 1, 2 or 3 of section 1, whichever is earliest.

§2. Post-certification public accountancy program

3. The post-certification program established by the Order shall consist of a training program at the university Master's level that is designed to provide certified management accountants with knowledge in the field of financial accounting, taxation and assurance to allow them to assimilate them and master their interrelations. The program shall also target the development of the skills needed to practice public accountancy.

§3. Training period in public accountancy

4. The training period in public accountancy shall enable certified management accountants to practice public accountancy in a structured environment in way that promotes the integrated use of the skills needed for the profession.

In addition, the training period shall facilitate the attainment of the following:

(1) the application and development of the theoretical knowledge of the post-certification public accountancy program and professional training;

(2) the practice and development of decision-making, leadership and administrative skills;

(3) the development of integrity and independent thinking;

(4) the development of the ability to identify and respond to clients' needs and critical situations;

(5) the improvement of interpersonal and professional skills.

5. The professional training period of a duration of 24 months shall consist of not less than 1250 hours of professional services rendered in the field of public accountancy, as follows:

(1) 625 hours in the audit of financial statements;

(2) 625 hours in the review of financial statements.

6. The training period shall be supervised by a training employer recognized by the Bureau on the basis of defined criteria that attest to the training employer's ability to instruct, guide, supervise and assess certified management accountants.

The training employer must be a certified management accountant who has practiced public accountancy for at least 5 years and has never been subject to a penalty imposed by the committee on discipline of the Order or by the Professions Tribunal.

7. The training period must be authorized by the Order. It may begin as soon as the certified management accountant has obtained authorization.

Any change to a training period project must be authorized by the Order.

8. Within 30 days from the date on which the training period ends, the certified management accountant must send to the Order a report completed and signed by the training employer. The report must specify whether or not the certified management accountant has attained the objectives set out in section 4, acquired the skills needed to practice public accountancy, and completed the hours required for the training period.

The report on the training period must be countersigned by the certified management accountant who completed the training period.

9. The Order shall study the report on the training period of the certified management accountant and make its recommendation to the committee set up by the Bureau.

At the first meeting of the committee following the date of receipt of the Order's recommendation, the committee shall decide whether or not the candidate has met the training period requirements and, within 30 days of that decision, inform the certified management accountant in writing whether the requirements have been met.

Where a candidate has not met the training period requirements, the committee shall inform the certified management accountant of the elements that must be completed in order to meet the requirements.

§4. Public accountancy examination

10. The public accountancy examination in the fields of financial accounting, taxation and assurance shall determine the degree to which certified management accountants have mastered and assimilated the knowledge acquired during the post-certification public accountancy program, as well as their ability to evaluate, analyse, handle, and synthesize information and effectively communicate that information.

Certified management accountants may sit for the examination if they:

(1) show that they have successfully completed the post-certification public accountancy program or a program recognized as equivalent by the committee set up by the Bureau; and

(2) have completed an application for the public accountancy examination.

11. Each year, the Bureau of the Order shall set the dates for the public accountancy examination and shall determine where the examination will be held.

12. The pass mark for the public accountancy examination is 60%. Certified management accountants who fail to obtain the pass mark must retake the public accountancy examination. They are entitled to retake the examination twice.

13. A certified management accountant wishing to have the mark obtained on an examination reviewed shall apply to the committee set up by the Bureau in writing within 21 days after the results are released.

The committee has 60 days from the date of receipt of the application for review to make its decision. The mark given after the review is final.

14. Registering for the public accountancy examination under false pretences or through the submission of false documents, and copying or participating in copying during the examination, shall entail failure.

DIVISION II **PROCEDURE FOR THE RECOGNITION OF** **AN EQUIVALENCE**

15. A certified management accountant wishing to obtain an equivalence under paragraph 1, 2 or 3 of section 1 must apply to the secretary of the Order and submit any relevant documents.

Documents written in a language other than French or English must be accompanied by a translation into either English or French.

16. The secretary shall forward an application for an equivalence from a certified management accountant to the committee set up by the Bureau.

17. The certified management accountant shall receive, by registered mail, a copy of the committee's decision within 30 days of the date of the decision.

18. A certified management accountant who is informed of a decision by the committee not to recognize an equivalence may request a review by the administrative committee by submitting an application in writing to the secretary of the Order within 30 days of receiving the decision. The application may include written representations to the administrative committee.

The administrative committee shall be made up of persons who are not members of the committee set up by the Bureau.

The administrative committee shall have 60 days from the date of receipt of the application for review to make its decision.

19. The administrative committee's decision is final and shall be sent to the certified management accountant by registered mail within 30 days of the date of the decision.

DIVISION III CONDITION FOR HOLDING A PUBLIC ACCOUNTANCY PERMIT

20. Certified management accountants who hold a public accountancy permit must send proof to the Order, no later than 1 January each year, that they have insurance for any liability they may incur as a result of faults or negligence committed in the practice of public accountancy.

DIVISION IV TRANSITIONAL AND FINAL PROVISION

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

8942

Draft Regulation

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

Chartered Accountants — Mandatory continuing education for Quebec chartered accountants who practice public accountancy

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 mandatory continuing education for Quebec chartered accountants who practice public accountancy, which has been adopted by the Bureau of the Ordre des comptables agréés du Québec, may be submitted to the government, which may approve it with or without amendment upon the expiry of 45 days following this publication.

The purpose of this Regulation is to set out the continuing education activities in which chartered accountants who practice public accountancy are required to take part, the penalties resulting from a failure to take part in the activities and, where applicable, the cases in which a member may be exempted.

According to the Ordre des comptables agréés du Québec, this Regulation has no impact on enterprises, including SMEs.

Further information may be obtained by contacting M^{me} Christiane Brizard of the Ordre des comptables agréés du Québec, 680, rue Sherbrooke ouest, 18^e étage, Montréal, Quebec H3A 2S3; telephone: 514 288 3256 or 1 800 363 4688; fax: 514 843 8375; e-mail: www.ocaq.qc.ca

Any interested person having comments to make is asked to send them, 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. These comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions. They may also be forwarded to the professional order that adopted the regulation, as well as to the persons, departments and agencies concerned.

JEAN PAUL DUTRISAC,
*Chair of the Office des
professions du Québec*
