

## Regulations and other Acts

Gouvernement du Québec

**O.C. 947-2010**, 10 November 2010

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

### **Psychoéducateurs et psychoéducatrices — Constitution by letters patent of the Ordre**

Constitution by letters patent of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec

WHEREAS, under Order in Council 1037-2000 dated 30 August 2000, concerning the integration of psychoeducators into the Ordre professionnel des conseillers et conseillères d'orientation du Québec, psychoeducators were integrated into that Order;

WHEREAS, under Order in Council 946-2010 dated 10 November 2010, concerning the withdrawal of psychoeducators from the Ordre professionnel des conseillers et conseillères d'orientation du Québec, psychoeducators were withdrawn from that Order;

WHEREAS, under section 27 of the Professional Code (R.S.Q., c. C-26), the Government, after consultation with the Office des professions du Québec and the Québec Interprofessional Council, may constitute by letters patent any professional order which groups the persons to whom it deems it necessary, for the protection of the public, to grant a reserved title;

WHEREAS the Office and the Interprofessional Council have been consulted;

WHEREAS, under the second paragraph of section 27 of the Code, no letters patent may be issued less than 60 days after the publication by the Minister of Justice of the draft letters patent in the *Gazette officielle du Québec*, with a notice that the draft will be considered by the Government upon the expiry of 60 days following such publication;

WHEREAS draft letters patent constituting the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec were published in Part 2 of the *Gazette officielle du Québec* of 7 July 2010;

WHEREAS the Government has considered the draft letters patent;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the letters patent, attached to this Order in Council, be issued.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### **Letters patent of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec**

Professional Code  
(R.S.Q., c. C-26, s. 27)

#### **DIVISION I GENERAL**

**1.** A professional order is constituted by these letters patent, under the name “Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec” or “Ordre des psychoéducateurs et psychoéducatrices du Québec”, composed of psychoeducators holding a psychoeducator’s permit at the time of their withdrawal from the Ordre professionnel des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec.

**2.** Psychoeducators may engage in the following professional activities, in addition to those otherwise permitted by law: providing psychoeducation services to groups and individuals experiencing or likely to experience adjustment difficulties, in particular by evaluating psychosocial adjustment and adjustment skills, intervening for the purpose of helping persons restore equilibrium in their environment by means of an approach focusing on prevention or reeducation.

**3.** The following title is reserved for psychoeducators: “psychoeducator”.

The following abbreviations are reserved for psychoeducators: “ps. éd.” and “Ps.Ed.”.

**4.** The permit that may be issued by the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec is the psychoeducator’s permit.

## DIVISION II TRANSITIONAL

**5.** On the date on which the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec is constituted, the board of directors of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec is composed of the president and the following 15 directors, for the following terms:

— the president of the Ordre professionnel des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec, holding a psychoeducator's permit, in office at the time of the withdrawal, who becomes the president of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec, for a term ending in 2013, on the date the president elected in 2013 takes office, as set by the regulation made pursuant to paragraph *b* of section 93 of the Professional Code (R.S.Q., c. C-26);

— 10 directors of the board of directors of the Ordre professionnel des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec, holding a psychoeducator's permit, in office at the time of the withdrawal, namely:

– 1 director representing the regions of Bas-Saint-Laurent, Gaspésie—Îles-de-la-Madeleine, Saguenay—Lac-Saint-Jean and Côte-Nord;

– 1 director representing the regions of La Capitale-Nationale and Chaudière-Appalaches;

– 1 director representing the regions of Mauricie and Centre-du-Québec;

– 2 directors representing the regions of Estrie and Montérégie;

– 2 directors representing the region of Montréal;

– 2 directors representing the regions of Laval, Lanaudière and Laurentides;

– 1 director representing the regions of Outaouais, Abitibi-Témiscamingue and Nord-du-Québec;

The directors whose term with the Ordre professionnel des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec ends first are appointed to the board of directors of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec for a term ending in 2012 and the other directors are appointed for a term ending in 2013, on the date the directors elected in 2012 and 2013 respectively take office, as set by a regulation made pursuant to paragraph *b* of section 93 of the Professional Code;

— 2 new directors chosen by an election by secret ballot of the members of the board of directors of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec, who are not appointed by the Office des professions du Québec, from among the holders of a psychoeducator's permit of the Ordre professionnel des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec including one who has, at the time of the withdrawal, his or her professional domicile in the region of Montérégie and the other in the region of Montréal;

— 2 of the 4 directors appointed by the Office des professions du Québec under section 78 of the Professional Code to the board of directors of the Ordre professionnel des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec, in office at the time of the withdrawal and designated by the Office, including one for a term ending in 2012 and the other for a term ending in 2013, on the date the directors elected in 2012 and 2013 respectively take office, as set by the regulation made pursuant to paragraph *b* of section 93 of the Professional Code;

— a new director appointed by the Office des professions du Québec under section 78 of the Professional Code, for a term ending in 2012, on the date the directors elected in 2012 take office, as set by the regulation made pursuant to paragraph *b* of section 93 of the Professional Code.

**6.** On the date of constitution of the Order, the secretary of the Ordre professionnel des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec in office at the time of the withdrawal becomes the secretary of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec, until re-appointment or replacement by the board of directors of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec.

**7.** On the date of constitution of the Order, the syndic of the Ordre professionnel des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec, holding the psychoeducator's permit designated by the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec, becomes the syndic of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec for the remaining part of the syndic's term, until re-appointment or replacement by the board of directors of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec.

**8.** On the date of constitution of the Order, the annual contribution fixed by the board of directors of the Ordre professionnel des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec for the fiscal year from 1 April 2011 to 31 March 2012

constitutes, until the end of that fiscal year, the annual contribution payable by members of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec.

**9.** On the date of constitution of the Order, the following regulations apply to members of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec, with the necessary modifications:

(1) by replacing “Ordre professionnel des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec” by “Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec” and the words “Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec” by “Ordre des psychoéducateurs et psychoéducatrices du Québec”, wherever they appear in the following regulations:

(a) Code of ethics of the members of the Ordre professionnel des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec, approved by Order in Council 384-2006 dated 10 May 2006;

(b) Regulation respecting the conciliation and arbitration procedure for the accounts of members of the Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec, approved by Order in Council 752-2005 dated 17 August 2005;

(c) Règlement sur le comité d’inspection professionnelle de l’Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec, approved by the Office des professions du Québec on 6 February 2002;

(d) Règlement sur les dossiers, les cabinets de consultation et autres bureaux et la cessation d’exercice des membres de l’Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec, approved by the Office des professions du Québec on 21 April 2004;

(e) Règlement sur les affaires du Conseil d’administration, le comité exécutif et les assemblées générales de l’Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec, filed with the Office des professions du Québec on 23 January 2003;

(f) 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;

(g) Règlement sur l’assurance de la responsabilité professionnelle des membres de l’Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec, approved by the Office des professions du Québec on 19 December 2001;

(h) Règlement sur les stages et les cours de perfectionnement des membres de l’Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec, approved by the Office des professions du Québec on 24 August 2006;

(i) Regulation respecting the practice of members of the Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec within a partnership or a joint-stock company, approved by Order in Council 400-2008 dated 23 April 2008;

(j) Regulation respecting the committee on training of guidance counsellors and psychoeducators, made by Order in Council 128-2004 dated 18 February 2004;

(k) Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders, made by Order in Council 1139-83 dated 1 June 1983;

(2) in the Règlement sur le comité d’inspection professionnelle de l’Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec,

(a) by striking out “, soit celle du titulaire du permis de conseiller d’orientation et celle du titulaire du permis de psychoéducateur” in the first paragraph of section 1;

(b) by striking out “, pour le titulaire d’un permis de conseiller d’orientation, le matériel psychométrique et, pour le titulaire d’un permis de psychoéducateur,” in the second paragraph of section 1;

(c) by replacing “dix” by “cinq” in section 2;

(3) in the Règlement sur les dossiers, les cabinets de consultation et autres bureaux et la cessation d’exercice des membres de l’Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec, by striking out “titulaire d’un permis de la même catégorie que le sien” in sections 16 and 22 and in the first paragraphs of sections 27 and 34;

(4) in the Règlement sur les affaires du Conseil d’administration, le comité exécutif et les assemblées générales de l’Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec,

(a) by replacing “25” by “16” and “24” by “15” in section 1;

(b) by replacing “des deux professions” par “de la profession” in the first paragraph of section 15;

(c) by striking out “représentant le secteur d’activité professionnelle autre que celui du président et de deux conseillers représentant chacune des catégories de permis” in the first paragraph of section 18;

(d) by replacing “50” by “30” in section 28;

(5) in 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,

(a) by striking out “a guidance counsellor’s permit or” in the first paragraph of section 1 and the words “guidance counsellor’s permit or” wherever they appear in the second paragraph;

(b) by striking out the heading of subdivision 1 of Division II, section 2 and the heading of subdivision 2 of Division II;

(c) by replacing “sections 2 and 3” in section 4 by “section 3”;

(d) by striking out “in the profession of guidance counsellor or” in section 4;

(e) by striking out the heading of subdivision 1 of Division III;

(f) by striking out “a guidance counsellor’s permit or”, “guidance counsellor or”, “the profession of guidance counsellor or” and “, as the case may be” in section 5;

(g) by striking out the heading of subdivision 2 of Division III;

(6) in the Règlement sur les stages et les cours de perfectionnement des membres de l’Ordre des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec, by striking out “de conseiller d’orientation ou” in paragraph 3 of section 1 and paragraph 1 of section 4;

(7) in the Regulation respecting the committee on training of guidance counsellors and psychoeducators,

(a) by striking out “guidance counsellors and” in the title;

(b) by striking out the second and third paragraphs of section 1;

(c) by striking out “guidance counsellors and” in the first paragraph of section 2 and by replacing “professions of guidance counsellor and psychoeducator” in the second paragraph by “profession of psychoeducator”;

(d) by replacing “10” in the first paragraph of section 3 by “5”;

(e) by striking out “for each division” in the second, third and fourth paragraphs of section 3;

(f) by striking out “by division” in section 9;

(g) by striking out section 13;

(8) in the Regulation respecting the diplomas issued by designated educational institutions which give access to permits or specialist’s certificates of professional orders, by replacing “1.23” by “1.23.1” and by striking out paragraph 1 and “(2) a psychoeducator’s permit.”.

Those regulations, with the above-mentioned modifications, cease to apply to members of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec on the date of coming into force of a regulation made by the board of directors of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec or by the Government, pursuant to the corresponding provisions of the Professional Code.

**10.** A person who, at the time of the constitution of the Order, holds a psychoeducator’s permit of the Ordre professionnel des conseillers et conseillères d’orientation et des psychoéducateurs et psychoéducatrices du Québec becomes the holder of the permit of the Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec.

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