

## Draft Regulations

### Draft Regulation

Financial Administration Act  
(R.S.Q., c. A-6.001)

#### Rounding off of adjusted fees

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 rounding off of adjusted fees, appearing below, may be made by the Minister of Finance on the expiry of 45 days following this publication.

The draft Regulation determines the rules to be followed to round off the fees adjusted under sections 83.3 and 83.4 of the Financial Administration Act. It also provides for the postponement of the adjustment applicable for a given year to fees lower than \$5.00.

Further information on the draft Regulation may be obtained by contacting Richard Masse, Director, Direction de l'analyse, de la prévision des dépenses et de la tarification, Ministère des Finances, 12, rue Saint-Louis, étage B, Québec (Québec) G1R 5L3; telephone: 418 644-7946; fax: 418 646-6217; e-mail: richard.masse@finances.gouv.qc.ca

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to the Minister of Finance, 12, rue Saint-Louis, 1<sup>er</sup> étage, Québec (Québec) G1R 5L3.

RAYMOND BACHAND,  
*Minister of Finance*

### Regulation respecting the rounding off of adjusted fees

Financial Administration Act  
(R.S.Q., c. A-6.001, s. 83.5, 2nd par.; 2010, c. 20, s. 51)

**1.** The fees adjusted in accordance with section 83.3 or 83.4 of the Financial Administration Act (R.S.Q., c. A-6.001) are rounded off in the manner prescribed in the subparagraph below that applies depending on the result of the adjustment:

(1) if the result is less than \$10, it is rounded to the nearest multiple of \$0.05;

(2) if the result is equal to or greater than \$10 but less than \$25, it is rounded to the nearest multiple of \$0.10;

(3) if the result is equal to or greater than \$25, but less than \$100, it is rounded to the nearest multiple of \$0.25;

(4) if the result is equal to or greater than \$100, it is rounded to the nearest multiple of \$1.00.

The result of an adjustment that is equidistant from two multiples must be rounded to the higher of the two.

**2.** The adjustment of a fee less than \$5.00 is postponed to the year in which the total of the adjustment rates applicable to each of the years for which adjustment is postponed will increase the fee by \$0.05.

**3.** 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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### Draft Regulation

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

#### Chartered accountants — Code of Ethics — Amendments

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 to amend the Code of Ethics of Chartered Accountants, which has been adopted by the Board of Directors 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 main purpose of this Regulation is to amend the Code of Ethics of Chartered Accountants in order to replace the independence rules included therein with a dynamic reference to the independence rules contained in the Harmonized Rules of Professional Conduct of the Canadian CA profession's Public Trust Committee of the Canadian Institute of Chartered Accountants.

The draft Regulation also amends a number of provisions in the Code of Ethics to ensure that the terminology contained therein is consistent with that included in the International Financial Reporting Standards and the Canadian Auditing Standards. The draft Regulation also provides a transitional rule respecting the application of the new independence standards for members who perform audit engagements for reporting issuers.

The Order advises that the Regulation will have no impact on enterprises, including SMEs.

Further information may be obtained by contacting M<sup>re</sup> Christiane Brizard of the Ordre des comptables agréés du Québec, 680, rue Sherbrooke Ouest, 18<sup>e</sup> étage, Montréal (Québec) H3A 2S3; telephone: 514 288-3256 or 1 800 363-4688; fax: 514 843-8375.

Any interested person having comments to make is asked to send them, before the expiry of the 45-day period, to the President of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. These comments may also be forwarded by the Office 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 to amend the Code of Ethics of Chartered Accountants\*

Professional Code  
(R.S.Q., c. C-26, s. 87)

**1.** Section 1 of the Code of Ethics of Chartered Accountants of Quebec is amended:

(1) by inserting the words “that are not intended solely for internal management purposes,” after the words “compilation engagements” in subsection (1) of the third paragraph;

(2) by replacing subsection (2) of the third paragraph with the following:

“(2) public accountancy services, other than compilation engagements that are not intended solely for internal management purposes, and other assurance services within the meaning of the Canadian Institute of Chartered Accountants Handbook;”.

**2.** Section 11 of the Code is amended as follows:

(1) by inserting the following words after “Professional Code”: “and those that may be determined pursuant to the second paragraph of section 152 of the Professional Code”;

(2) by inserting the following words in subsection (2) after “company”: “within which he practices his profession”;

(3) by replacing subsection (3) with the following:

“(3) is in one of the situations contemplated in subsection (2) and fails to inform the Ordre without delay;”.

**3.** Section 19 of the Code is amended as follows:

(1) by replacing, in the first paragraph, the words “, rules, and guidance and guidelines” with “or rules”;

(2) by replacing, in the second paragraph, the words “result in a fair presentation in accordance with generally accepted accounting principles” with “comply with the standards or rules contemplated in the first paragraph”;

(3) by removing the third paragraph.

**4.** Section 19.1 of the Code is amended as follows:

(1) by replacing, in the first paragraph, the words “presented fairly in accordance with generally accepted accounting principles” with “in accordance with the standards or rules contemplated in section 19”;

(2) by replacing, in the second paragraph, the words “presented fairly” with “in accordance with these standards or rules”;

(3) by removing, in the fourth paragraph, the words “under the standards, rules, and guidance and guidelines set out”.

**5.** Section 19.2 of the Code is amended as follows:

(1) by replacing, in the first paragraph, the words “generally accepted accounting principles” with “the standards or rules contemplated in section 19”, and the words “presented fairly in accordance with these principles” with “in accordance with these standards or rules”;

\* The most recent amendments to the Code of Ethics of Chartered Accountants, approved by Order in Council 58-2003 of January 22, 2003 (2003, *G.O.* 2, 861), were made by the Regulation approved by Order in Council 712-2005 of August 3, 2005 (2005, *G.O.* 2, 3341) and by section 212 of Chapter 11 of the 2008 Statutes of Quebec. For prior amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2010, updated to April 1, 2010.

(2) by replacing, in the second paragraph, the words “presented fairly” with “in accordance with these standards or rules”.

**6.** Section 19.3 of the Code is replaced by the following:

“**19.3.** A member who prepares or approves, in whole or in part, financial statements intended solely for an enterprise’s internal management purposes is dispensed from having to satisfy the obligations set out in sections 19 and 19.2.”.

**7.** Section 22.1 of the Code is replaced by the following:

“**22.1.** A member who is responsible for issuing a report or an opinion in the practice of public accountancy, other than compilation engagement reports that are not intended solely for internal management purposes, shall include his name or permit number on such report or opinion.”.

**8.** Section 24 in the French version of the Code is amended by replacing, after the word “société”, the word “de” by the word “dans”.

**9.** Sections 25.1 and 25.2 of the Code are revoked.

**10.** Section 34 of the Code is replaced by the following:

“**34.** A member shall not sign, prepare, produce or even associate his name with any letter, attestation, opinion, report, statement, representation, financial statement or other document, which he knows, or should know, contains false or misleading information, out of complacency or without ensuring that such documents are in compliance with good practices or current scientific knowledge.”.

**11.** Subdivision 1 of Chapter I, Division II.1 of the Code, including section 36.3, and Subdivision 2 of this Division, including sections 36.5 and 36.6, are revoked.

**12.** Section 36.4 of the Code is amended by the addition of the following paragraph at the end of the section:

“The member shall comply with the independence standards provided for in Rule 204 of the Harmonized Rules of Professional Conduct adopted on April 13, 2010 by the Public Trust Committee of the Canadian Institute of Chartered Accountants and any subsequent

amendments thereto. These standards are disclosed in a publication sent by the Ordre to all its members and in an electronic document available to all on the Ordre’s website.”.

**13.** Subdivision 3 of Chapter 1, Division II.1 of the Code, including sections 36.7 to 36.11, is revoked.

**14.** Section 60.1 of the Code is amended by the addition of the following sentence at the end of the section: “The member may not communicate with the plaintiff without the prior written permission of the Syndic or Assistant Syndic.”.

**15.** Section 61 of the Code is replaced by the following:

“**61.** In all circumstances, a member shall ensure the accuracy and integrity of the information he provides to the Ordre. The member shall, at all times, honour his commitments to the Ordre in respect of the supervision of the practice of the profession.”.

**16.** Section 62 of the Code is amended as follows:

(1) by replacing the first paragraph with the following:

“Before practicing the profession in a new place of business or joining a partnership, joint-stock company or organization that offers professional services to the public, or before undertaking to practice public accountancy, a member shall notify the Ordre in writing and indicate the name of the partnership, joint-stock company or organization within which the member will be practicing.”;

(2) by removing the words “the Secretary of” from the second paragraph.

**17.** Section 75 of the Code is amended as follows:

(1) by replacing, in the first paragraph, the words “an official mark of the Canadian Institute of Chartered Accountants” by “a certification mark of the Canadian Institute of Chartered Accountants and an official mark of the Ordre”;

(2) by replacing the second paragraph with the following:

“A member who uses the graphic symbol of the Ordre in advertisements shall ensure that it complies with the one approved by the Ordre.”;

(3) by adding, in the third paragraph after the words “does not comply with”, the words “the conditions for using these marks and”.

**18.** A member who performs an audit engagement, has primary responsibility for the engagement or is on the engagement team or a team within a network partnership or joint-stock company, for a client that is a mutual fund or a reporting issuer not subject to the definition of “listed enterprise” set out in section 36.3 as approved by Order in Council 779-2004 of August 10, 2004, is in compliance with the independence rule contemplated in section 36.4, as amended by section 12, if the member complies with the requirements of sections 36.4 to 36.11 as approved by Order in Council 779-2004 during the period that covers the client’s two subsequent fiscal years beginning on or after (*insert date of coming into force of the regulation*).

A member who acts as the engagement quality control reviewer on an audit engagement for a client referred to in the first paragraph, during the period specified in the first paragraph, is in compliance with the independence rule set out in section 36.4, as amended by section 12, if the member respects paragraph 4 of section 36.9 as approved by the 2004 Order in Council.

A member who is responsible for decision-making on auditing, accounting and reporting matters that affect the performance of the audit engagement for a client referred to in the first paragraph, or who maintains regular contact with the audit committee or management of this client or who provides, during the period of the audit engagement, more than ten hours of assurance services in connection with the annual financial statements or the interim financial information of the client, or who is responsible for an audit engagement for a subsidiary of the client, is in compliance with, for the period specified in the first paragraph, the independence rule contemplated in section 36.4, as amended by section 12, if the member complies with paragraph 5 of section 36.9, as approved by the 2004 Order in Council.

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

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## Draft Regulation

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

### Psychologists — Practice within a partnership or a joint-stock company

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 practice of the profession of psychologist within a partnership or a joint-stock company, made by the Ordre des psychologues du Québec, may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation contains specific provisions to set the terms and conditions authorizing the carrying on of professional activities by psychologists within a limited liability partnership or a joint-stock company in accordance with Chapter VI.3 of the Professional Code (R.S.Q., c. C-26), in particular as regards the management of the partnership or joint-stock company and the holding of shares or units.

In accordance with Chapter VI.3 of the Professional Code, the conditions proposed include the obligation to subscribe liability insurance for the partnership or joint-stock company to cover faults or negligence on the part of the psychologists in carrying on their professional activities within the partnership or joint-stock company. The psychologists must also provide the Order with the required information on the partnership or joint-stock company and keep it up-to-date.

The Ordre des psychologues du Québec foresees no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Édith Lorquet, legal adviser at the Ordre des psychologues du Québec, 1100, avenue Beaumont, bureau 520, Ville Mont-Royal (Québec) H3P 3H5; telephone: 514 738-1881 or 1 800 363-2644; fax: 514 738-8838.

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<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be sent by the Office to the Minister of Justice; they may also be sent to the professional order that made the Regulation and to interested persons, departments and bodies.

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