

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors 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 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 to amend the Regulation respecting professional acts that persons other than midwives may engage in on certain terms and conditions was published in Part 2 of the *Gazette officielle du Québec* of 4 August 2010 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting professional acts that persons other than midwives may engage in on certain terms and conditions, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### **Regulation to amend the Regulation respecting professional acts that persons other than midwives may engage in on certain terms and conditions\***

Professional Code  
(R.S.Q., c. C-26, s. 94, par. h)

**1.** The Regulation respecting professional acts that persons other than midwives may engage in on certain terms and conditions is amended in section 2 by inserting “and listed in the Order’s student register” after “midwifery program”.

\* The Regulation respecting professional acts that persons other than midwives may engage in on certain terms and conditions, made by Order in Council 1467-2002 dated 11 December 2002 (2002, *G.O.* 2, 6544), has never been amended.

**2.** Section 3 is amended by adding “The person must be listed in the Order’s student register.” at the end.

**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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### **M.O., 2011**

#### **Order of the Minister of Education, Recreation and Sports dated 31 January 2011**

An Act respecting safety in sports  
(R.S.Q., c. S-3.1)

CONCERNING the Approval of the By-law to amend the By-law respecting qualifications for recreational underwater diving

THE MINISTER OF EDUCATION, RECREATION AND SPORTS,

CONSIDERING the Minister’s Order M.O. 1999 dated 1 June 1999 (1999, *G.O.* 2, 1692) which designated the Fédération québécoise des activités subaquatiques to exercise the powers provided for in the first paragraph of section 46.15 of the Act respecting safety in sports (R.S.Q., c. S-3.1), that is, to make by-laws determining standards with respect to, among other things, the qualification of the persons who practise and teach the sport;

CONSIDERING the second paragraph of section 46.15 of the Act, which provides that a by-law under the first paragraph must, to take effect, be approved by the Minister;

CONSIDERING the publication of a draft By-law to amend the By-law respecting qualifications for recreational underwater diving in Part 2 of the *Gazette officielle du Québec* of 9 June 2010, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), with a notice that it could be made by the Federation on the expiry of 45 days following that publication;

CONSIDERING that, on 23 November 2010, the Federation made the By-law to amend the By-law respecting qualifications for recreational underwater diving, which amends the published draft to take the comments received into account;

CONSIDERING that it is expedient to approve the By-law;

## ORDERS AS FOLLOWS:

The By-law to amend the By-law respecting qualifications for recreational underwater diving, attached to this Minister's Order, is hereby approved.

Québec, 31 January 2011

LINE BEAUCHAMP,  
*Minister of Education,  
Recreation and Sports*

### **By-law to amend the By-law respecting qualifications for recreational underwater diving\***

An Act respecting safety in sports  
(R.S.Q., c. S-3.1, s. 46.15)

**1.** The By-law respecting qualifications for recreational underwater diving is amended in section 1 by replacing “have markers allowing the diver to find his bearings” by “allow the diver to orient himself or herself visually” in subparagraph *c* of paragraph 1.

**2.** Section 2 is amended by replacing “provided that a Class C diver holding a Divemaster certificate referred to in paragraph 9 of Schedule 1 accompanies him” by “provided that a Class D or a Class C diver holding a Divemaster or an Assistant Instructor certificate referred to in paragraph 9 of Schedule 1 accompanies the diver”.

**3.** Section 3 is replaced by the following sections:

**“3.** The levels of qualification for teaching are Class D diver and Class A, B or C instructor.

**3.1.** The holder of a Class D diver certificate may

(1) make recreational underwater dives using compressed breathing gas in the same conditions as a Class C diver; and

(2) in accordance with the standards set by the holder's diving association listed in Schedule 7, assist an instructor in his or her duties of teaching diving, among others, during practical tests required to obtain diver qualification.

The activities referred to in subparagraph 2 may be carried out by a Class D diver only with students who are already under the responsibility of an instructor and under the instructor's direct supervision. A diver is not authorized to assess a student or to be responsible for a group of students.

**3.2.** The holder of an instructor certificate may

(1) make recreational underwater dives using compressed breathing gas in the same conditions as a Class C diver;

(2) teach the programs for which the instructor is qualified according to the standards set by the instructor's diving association listed in Schedule 7;

(3) teach persons seeking a Class A, B or C diver certificate; and

(4) teach persons seeking a Class D diver certificate.

In addition, a Class B instructor may teach persons seeking a Class A instructor certificate, and a Class C instructor may teach persons seeking a Class A, B or C instructor certificate.”.

**4.** Section 5 is replaced by the following:

**“5.** Examinations to qualify for a Class D diver certificate must focus on the contents listed in Schedule 4.1.

For a Class A, B or C instructor certificate, the examinations must focus on the contents listed in Schedules 5, 6 and 6.1 respectively.”.

**5.** Section 7 is revoked.

**6.** Section 8 is amended

(1) by inserting the following before the first paragraph:

“A diver certificate is valid for 3 years. It may be renewed for the same period.”;

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

“For the purposes of subparagraph 2 of the first paragraph, the refresher course must include a theoretical review and a practical review in open water of the content of the examination referred to in Schedules 2, 3 or 4, as the case may be.”.

**7.** Section 9 is replaced by the following:

\* The By-law respecting qualifications for recreational underwater diving, approved by Minister's Order M.O. 2002-01 dated 5 February 2002 (2002, *G.O.* 2, 1538), was last amended by Minister's Order M.O. 2003-01 dated 31 March 2003 (2003, *G.O.* 2, 1361A).

“9. Class D diver and instructor certificates are valid for 1 year. They may be renewed for the same period.

A Class D diver certificate is renewed if the person who applies to have it renewed

(1) is a divemaster or assistant instructor, or equivalent, member in good standing of a diving instructor association listed in Schedule 7; and

(2) proves that, during the 3 years preceding the expiry of the certificate, he or she took part in at least one improvement workshop of at least 4 hours focusing on one or more of the topics listed in Schedule 4.1.

The instructor certificate is renewed if the person who applies to have it renewed

(1) is an instructor member in good standing of a diving instructor association listed in Schedule 7; and

(2) proves that, during the period of validity of the certificate, he or she took part in at least one improvement workshop of at least 4 hours focusing on one or more of the topics listed in Schedules 5, 6 and 6.1.”

**8.** Sections 10, 11 and 14 are revoked.

**9.** Sections 12 and 13 are replaced by the following:

“**12.** An attestation of equivalency as a Class A, B or C diver is granted to the holder of a certificate referred to in Schedules 8 to 10 that has been awarded outside Québec if the holder can prove, by means of his or her diver’s log, that he or she has made an underwater dive requiring him or her to wear a full diving suit, including hood and gloves, and using compressed breathing gas.

**13.** An attestation of equivalency of Class D diver or instructor is granted if the person who applies for it

(1) states in writing that he or she has, during the previous 12 months, made a dive in water requiring him or her to wear a full diving suit, including hood and gloves, and using compressed breathing gas;

(2) proves, in the case of an application for equivalency of Class D diver, that he or she holds a certificate referred to in Schedule 10.1 that has been awarded outside Québec;

(3) proves, in the case of an application for equivalency of Class A, B or C instructor, that he or she holds a certificate referred to in Schedule 11, 12 or 13, as the case may be, that has been awarded outside Québec, and that he or she supervised at least 3 underwater dives,

other than the dive referred to in paragraph 1, requiring him or her to wear a full diving suit, including hood and gloves.”

**10.** Sections 16 and 17 are replaced by the following:

“**16.** The fees relating to the qualification of a diver are

(1) \$10 to take a theoretical examination administered directly by the designated organization;

(2) \$20 to take a practical examination administered directly by the designated organization;

(3) \$15 for the award of a certificate;

(4) \$15 for the renewal of a certificate;

(5) \$5 for the replacement of a certificate;

(6) \$5 for the issue or renewal of a diver attestation of equivalency.

**17.** The fees relating to the qualification of a Class D diver and instructor are

(1) \$10 to take a theoretical examination administered directly by the designated organization;

(2) \$20 to take a practical examination administered directly by the designated organization;

(3) \$25 for the award of a certificate;

(4) \$25 for the renewal of a certificate;

(5) \$5 for the replacement of a certificate;

(6) \$25 for the issue or renewal of an attestation of equivalency as a Class D diver or instructor.

**17.1.** For the purposes of this By-law, the abbreviations listed below refer to the following organizations:

ACUC American and Canadian Underwater Certifications

CMAS-Québec or AMCQ *Association des moniteurs de la Confédération mondiale des activités subaquatiques du Québec*

ANDI American Nitrox Divers International

BSAC British Sub-Aqua Club

CMAS	<i>Confédération Mondiale des Activités Subaquatiques</i> (World Underwater Federation)	(2) The holder of a Class A, B or C diver certificate of qualification who also holds a certificate awarded by an association listed in Schedule 7 recognizing the holder's qualifications to ice dive, such as CMAS-Québec "Plongeur sous glace" certificate or PADI "Ice Diver" certificate, may ice dive;
CSAC	<i>Certification sub-aquatique continentale</i>	
DSAT	Diving Science and Technology	
FIAS	Federazione Italiana Attivita' Subacquee (Italian Underwater Activities Federation)	(3) The holder of a Class B diver certificate of qualification who also holds a certificate awarded by an association listed in Schedule 7 recognizing the holder's qualifications to make a deep dive, such as PADI "Deep Diver" certificate or CSAC "Spécialiste en plongée profonde" certificate, may dive to a maximum depth of 40 metres while observing no-decompression limits;
GUE	Global Underwater Explorers	
HSA	Handicapped Scuba Association	
IANTD	International Association of Nitrox and Technical Divers	(4) The holder of a Class B or C diver certificate of qualification who also holds a certificate awarded by an association listed in Schedule 7 recognizing the holder's qualifications to wreck dive, such as PDIC or SDI/TDI "Wreck Diver" certificates, may make that type of dive;
IDEA	International Diving Educators Association	
NACD	National Association for Cave Diving	(5) The holder of a Class B or C diver certificate of qualification who also holds a certificate awarded by an association listed in Schedule 7 recognizing the holder's qualifications to dive in a cave or a cavern, such as GUE "Cave 1 Diver" certificate or NAUI "Cave and Cavern Diver" certificate, may make that type of dive;
NASDS	National Association of Scuba Diving Schools	
NAUI	National Association of Underwater Instructors	
NSS-CDS	National Speleological Society – Cave Diving Section	(6) The holder of a Class A, B or C diver certificate of qualification who also holds a certificate awarded by an association listed in Schedule 7 recognizing the holder's qualifications to dive using enriched air, such as CMAS "Basic Nitrox Diver" certificate or SSI "Nitrox Diver" certificate, may dive using a nitrox type compressed breathing gas mixture;
PADI	Professional Association of Diving Instructors	
PDIC	Professional Diving Instructors Corporation	(7) The holder of a Class B or C diver certificate of qualification who also holds a certificate awarded by an association listed in Schedule 7 recognizing the holder's qualifications to technical dive, such as NAUI "Decompression Techniques Diver" certificate or IANTD "Advanced Deep Air Diver" certificate, may dive to the maximum depth according to the particular requirements in the certificate;
SDI	Scuba Diving International	
SDI/TDI	Scuba Diving International / Technical Diving International	
SDS	Silent Diving Systems	
SSI	Scuba Schools International	(8) The holder of a Class C diver certificate of qualification who also holds a certificate awarded by an association listed in Schedule 7 recognizing the holder's qualifications to dive using a trimix type gas mixture, such as DSAT "Tec Trimix Diver Course" certificate or IANTD "Open Water Rebreather Diver" or "Advanced EANx Diver" certificate, may dive to the maximum depth according to the particular requirements in the certificate using a trimix type compressed breathing gas mixture;
YMCA	Young Men's Christian Association".	

**11.** Paragraphs 1 to 9 of Schedule 1 are replaced by the following:

“(1) The holder of a Class A diver certificate of qualification who also holds a certificate awarded by an association listed in Schedule 7 recognizing the holder's qualifications to dive at night, such as ACUC or YMCA "Night Diver" certificates, may dive at night;

(9) The holder of a Class C diver certificate who also holds a certificate awarded by an association listed in Schedule 7 recognizing the holder's qualifications as a Class D instructor or diver, such as ACUC "Divemaster" or "Assistant instructor" certificate or CMAS-Québec "Assistant moniteur" certificate, may accompany a Class A diver to allow the diver to make an underwater dive in the same conditions as a Class B diver;

(10) The holder of a Class A, B or C diver certificate who also holds a certificate awarded by an association listed in Schedule 7 recognizing the holder's qualifications to make a current dive may dive in current conditions while observing the limits applicable to the diver's certificate."

**12.** Schedule 3 is amended in the heading "PRACTICAL EXAMINATION IN OPEN WATER" by replacing

(1) the text following "deep diving" at the end of the first dash by "(up to 30 metres/100 feet) and limited visibility diving";

(2) the text of the second dash by the following:

"Ability to plan a night dive and a limited visibility dive, and to observe the safety requirements applicable to these dives."

**13.** Schedule 4 is amended in the heading "PRACTICAL EXAMINATION IN OPEN WATER" by replacing

(1) the text following "deep diving" at the end of the first dash by "(between 30 and 40 metres/100 and 130 feet) and limited visibility diving";

(2) "plongée bouteille" in the second dash of the French text by "plongée en scaphandre autonome";

(3) "18" in the sixth dash by "30".

**14.** The following is inserted after Schedule 4:

#### "SCHEDULE 4.1

(ss. 5 and 9)

#### CONTENT OF EXAMINATIONS — CLASS D DIVER

##### THEORETICAL EXAMINATION

— Content listed in Schedule 4 under the heading "Theoretical examination".

— Basic educational principles and the psychology of teaching.

— Ability to explain the structure, by-laws and services of the designated organization.

— Ability to explain the principles of planning and organizing a dive, the operation of clubs and other group activities.

— Safety requirements during swimming pool and open water lessons.

— Water supervision techniques specific to diving.

— Rescue techniques to assist a swimmer or a diver in difficulty and the first aid to be given.

##### PRACTICAL EXAMINATION IN SWIMMING POOL

— Scuba self-rescue skills and techniques and efficient and correct use of rescue techniques to assist or rescue a diver simulating distress.

##### PRACTICAL EXAMINATION IN SWIMMING POOL OR IN OPEN WATER

— Ability to correctly and efficiently display all of the diving skills listed in Schedule 2 under the heading "Practical examination in open water".

— Ability to appropriately simulate first aid that must be given to a swimmer or a diver in the following conditions: unconsciousness, near-drowning, pulmonary barotraumas, perforation of the tympanic membrane, cold shock, marine animal bites and stings, injury to the vertebral column, decompression sickness.

##### PRACTICAL EXAMINATION IN OPEN WATER

— Ability to correctly and efficiently display all of the diving skills listed in Schedules 2, 3 and 4 under the heading "Practical examination in open water".

— Organizing a dive, evaluating a site and outlining a diving plan, checking diving equipment, installing a dive flag to mark out a site and making a check-up dive.

— Demonstrate the complete rescue of a diver, wearing a scuba system, over a distance of 100 metres, assist a diver simulating distress and tow a diver in difficulty to shore.

— Demonstrate the complete rescue of an unconscious submerged diver (assistance to a diver until the diver is out of water)."

**15.** The French text is amended by replacing "plongée bouteille" wherever it appears by "plongée en scaphandre autonome".

**16.** The following is inserted after Schedule 6:

**“SCHEDULE 6.1**

(ss. 5 and 9)

**CONTENT OF EXAMINATIONS — CLASS C INSTRUCTOR**

**THEORETICAL EXAMINATION**

— State and explain the selection and evaluation criteria and the administrative procedures for the qualification of Class A, Band C instructors.

— State and explain the ethical, legal and financial responsibilities of an instructor.

— State and explain the principles and psychology of teaching at the instructor training level.

— Explain the structure and by-laws of the designated organization and the services it provides.

— Describe the instructor evaluation techniques in a classroom, in a swimming pool and in open water.

— Describe the evaluation techniques of rescue at the instructor level.

— Describe supervision techniques in instructor courses.

**PRACTICAL EXAMINATION**

— Demonstrate maintenance of the skills required of a Class A and B instructor, as listed in Schedules 5 and 6 under the headings “Practical examination in classroom”, “Practical examination in swimming pool”, “Practical examination in swimming pool or in open water” and “Practical examination in open water”.

— Ability to evaluate the instruction given by instructors in a classroom, in a swimming pool and in open water, and to solve problems that may arise.

— Ability to supervise underwater diving instructors.”.

**17.** Schedule 7 is amended by inserting “Confédération Mondiale des Activités Subaquatiques (CMAS) (World Underwater Federation)”, “Diving Science and Technology (DSAT)” and “Handicapped Scuba Association (HAS)” in alphabetical order in the list of associations.

**18.** Schedule 8 is amended

(1) by replacing the reference in parentheses “(s. 10)” by “(s. 12)”;

(2) by inserting the following paragraph after the title “CLASS A DIVER EQUIVALENCIES”:

“The certificates recognized as equivalent are those awarded by an association listed in Schedule 7 attesting that the holder has the knowledge and skills required to be a diver, including the following certificates:”;

(3) by striking out the periods between the letters of the listed abbreviations in the French text.

**19.** Schedule 9 is amended

(1) by replacing the reference in parentheses “(s. la)” by “(s. 12)”;

(2) by inserting the following paragraph after the title “CLASS B DIVER EQUIVALENCIES”:

“The certificates recognized as equivalent are those awarded by an association listed in Schedule 7 attesting that the holder has intermediary or advanced level qualifications as a diver, including the following certificates:”;

(3) by striking out the periods between the letters of the listed abbreviations in the French text.

**20.** Schedule 10 is replaced by the following:

**“SCHEDULE 10**

(s. 12)

**CLASS C DIVER EQUIVALENCIES**

The certificates recognized as equivalent are those awarded by an association listed in Schedule 7 attesting that their holder has a superior level of qualification as a diver, including the following certificates:

- ACUC – Master Diver
- ACUC – Divemaster
- ACUC – Teaching Assistant
- ACUC – Open Water Assistant Instructor
- CMAS-Québec – *Plongeur supérieure*
- CMAS-Québec – *Chef de plongée*
- CMAS-Québec – *Plongeur 3 étoiles*
- CMAS – *Plongeur 3 étoiles*
- CSAC – *Maître plongeur*
- CSAC – *Chef de plongée*
- FIAS – Brevetto Ara Estensione
- FIAS – Brevetto Allievo Istruttore Federale
- GUE – Cave 1 Course
- GUE – Tech 1 Course
- GUE – Rebreather 1 Course
- IANTD – Divemaster
- IANTD – Technical Diver

- IANTD – Technical Diver Supervisor
- IDEA – Advanced Open Water Diver II
- IDEA – Divemaster
- IDEA – Basic Instructor
- NASDS – Master Diver
- NAUI – Master Scuba Diver
- NAUI – Divemaster
- NAUI – Assistant Instructor
- PADI – Master Scuba Diver
- PADI – Divemaster
- PADI – Assistant Instructor
- PDIC – Dive Supervisor
- PDIC – Assistant Instructor
- SDI/TDI – Divemaster
- SDI/TDI – Assistant Instructor
- SDI/TDI – Technical Diver
- SSI – Master Diver
- SSI – Dive Control Specialist
- SSI – Associate Instructor
- YMCA – Divemaster
- YMCA – Assistant Instructor”.

**21.** The following is inserted after Schedule 10:

**“SCHEDULE 10.1**  
(s. 13)

**CLASS D DIVER EQUIVALENCIES**

The certificates recognized as equivalent are those awarded by an association listed in Schedule 7 attesting that their holder has the qualifications required to assist an instructor in training and accompanying student divers, including the following certificates:

- ACUC – Divemaster
- ACUC – Teaching Assistant
- ACUC – Open Water Assistant Instructor
- CMAS-Québec – *Assistant moniteur*
- CMAS-Québec – *Chef de plongée*
- CMAS-Québec – *Plongeur 4 étoiles*
- CSAC – *Chef de plongée*
- FIAS – Brevetto Allievo Istruttore Federale
- IANTD – Divemaster
- IANTD – Technical Diver Supervisor
- IDEA – Divemaster
- IDEA – Basic Instructor
- NAUI – Divemaster
- NAUI – Assistant Instructor
- PADI – Divemaster
- PADI – Assistant Instructor
- PDIC – Dive Supervisor
- PDIC – Assistant Instructor
- SDI/TDI – Divemaster
- SDI/TDI – Assistant Instructor
- YMCA – Divemaster
- YMCA – Assistant Instructor

**22.** Schedules 11, 12 and 13 are replaced by the following:

**“SCHEDULE 11**  
(s. 13)

**CLASS A INSTRUCTOR EQUIVALENCIES**

The certificates recognized as equivalent are those awarded by an association listed in Schedule 7 attesting that their holder has the basic qualifications required to teach diving, including the following certificates:

- ACUC – Open Water Instructor
- ACUC – Specialty Instructor
- CMAS-Québec – *Moniteur*
- CMAS – *Moniteur 1 étoile*
- CSAC – *Moniteur national*
- FIAS – Brevetto Istruttore Federale ARA
- GUE – Recreational Instructor
- GUE – Technical 1 Instructor
- GUE – Technical 2 Instructor
- GUE – Technical 3 Instructor
- GUE – Cave 1 Instructor
- GUE – Cave 2 Instructor
- GUE – Cave 3 Instructor
- GUE – Rebreather 1 Instructor
- GUE – Rebreather 2 Instructor
- IANTD – Technical Instructor
- IDEA – Instructor
- NAUI – Instructor
- PADI – Open Water Scuba Instructor
- PADI – Specialty Instructor
- PADI – Master Instructor
- PDIC – Instructor
- PDIC – Specialty Instructor
- SDI/TDI – SDI Instructor
- SDI/TDI – TDI Instructor
- SSI – Open Water Instructor
- SSI – Specialty Instructor
- SSI – Advanced Open Water Instructor
- SSI – Master Instructor
- YMCA – Scuba Instructor

**SCHEDULE 12**  
(s. 13)

**CLASS B INSTRUCTOR EQUIVALENCIES**

The certificates recognized as equivalent are those awarded by an association listed in Schedule 7 attesting that their holder has intermediary or advanced level qualifications to teach diving, including the following certificates:

- ACUC – Instructor Trainer
- CMAS-Québec – *Moniteur national*
- CMAS – *Moniteur 2 étoiles*
- CSAC – *Moniteur formateur*
- FIAS – Brevetto Maestro Istruttore
- IANTD – Technical Instructor Trainer  
(of the class concerned)
- NAUI – Instructor Trainer
- PADI – IDC Staff
- PDIC – Instructor Trainer
- SSI – Instructor Trainer
- SDI/TDI – SDI Instructor Trainer
- SDI/TDI – TDI Instructor Trainer  
(of the class concerned)
- YMCA – Institute Director

### SCHEDULE 13

(s. 13)

#### CLASS C INSTRUCTOR EQUIVALENCIES

The certificates recognized as equivalent are those awarded by an association listed in Schedule 7 attesting that their holder has a superior expertise to teach diving or train diving instructors, including the following certificates:

- ACUC – Instructor Trainer Evaluator
- CMAS-Québec – *Moniteur fédéré*
- CMAS – *Moniteur 3 étoiles*
- CSAC – *Directeur de cours*
- FIAS – Brevetto Maestro Istruttore
- IANTD – Technical Instructor Trainer  
(of the class concerned)
- NAUI – Course Director
- PADI – Course Director
- SDI/TDI – SDI Instructor Trainer
- YMCA – Institute Director”

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