

Regulations and other Acts

Gouvernement du Québec

O.C. 1023-2012, 7 November 2012

Professional Code
(chapter C-26)

Office des professions du Québec — Contribution of each member of a professional order for the 2013-2014 fiscal year

Amount of the contribution of each member of a professional order for the 2013-2014 fiscal year of the Office des professions du Québec

WHEREAS, under the first paragraph of section 196.2 of the Professional Code (R.S.Q., c. C-26), the expenditures incurred by the Office des professions du Québec in a fiscal year are to be payable by the members of the professional orders;

WHEREAS, under the second paragraph of section 196.2 of the Code, the members of the orders are required to pay, for each fiscal year of the Office, a contribution determined by the Government;

WHEREAS, under the third paragraph of section 196.2 of the Code, each fiscal year, the surplus of the Office for the preceding fiscal year is added to, or its deficit for the preceding year is deducted from, the expenditures determined by the Office in its budget estimates for the following fiscal year;

WHEREAS any surplus or deficit expected by the Office for a fiscal year may also be taken into account;

WHEREAS the resulting amount under the third paragraph of section 196.2 of the Code is then divided by the number of members in all the orders on 31 March of the calendar year in progress; the quotient is the amount of the annual contribution of each member;

WHEREAS, under the first paragraph of section 196.8 of the Professional Code, every person or group and every department or other government body are to pay the charge determined by regulation of the Government after consultation with the Office and the Interprofessional Council in respect of any request they submit to the Office or of any act that must be performed by the Office in the exercise of its functions;

WHEREAS, under the second paragraph of section 196.8 of the Code, the charges collected during a fiscal year are taken into account in establishing the contribution computed under section 196.2 of the Code;

WHEREAS, under subparagraph 4 of the first paragraph of section 19.1 of the Code, the Minister of Justice has submitted to the Interprofessional Council, for advice, the amount of the contribution of each member of an order for the 2013-2014 fiscal year;

WHEREAS it is expedient to set the amount of the contribution of each member of an order;

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

THAT the amount of the contribution of each member of a professional order for the 2013-2014 fiscal year of the Office des professions du Québec be set at \$23.35.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 1024-2012, 7 November 2012

Professional Code
(chapter C-26)

Guidance counsellors — Certain professional activities that may be engaged in by persons other than guidance counsellors

Regulation respecting certain professional activities that may be engaged in by persons other than guidance counsellors

WHEREAS, under paragraph *h* of section 94 of the Professional Code (R.S.Q., c. C-26), the board of directors 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* of that section, and the terms and conditions on which such persons may engage in such activities;

WHEREAS the board of directors of the Ordre des conseillers et conseillères d'orientation du Québec made the Regulation respecting certain professional activities that may be engaged in by persons other than guidance counsellors;

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 such an 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 respecting certain professional activities that may be engaged in by persons other than guidance counsellors was published in Part 2 of the *Gazette officielle du Québec* of 9 May 2012 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 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 respecting certain professional activities that may be engaged in by persons other than guidance counsellors, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting certain professional activities that may be engaged in by persons other than guidance counsellors

Professional Code
(chapter C-26, s. 94, par. *h*)

1. Among the professional activities that may be engaged in by guidance counsellors, the activities required for the completion of a program of studies in guidance counselling may be engaged in by a student registered in a program of studies leading to a diploma giving access to the permit issued by the Ordre des conseillers et conseillères d'orientation du Québec, on the condition that the student engages in the activities under the supervision of a guidance counsellor.

2. A person who must complete a training period or training for the purposes of the recognition of an equivalence in accordance with the Règlement sur les normes d'équivalence pour la délivrance d'un permis de l'Ordre des conseillers et conseillères d'orientation et des psychoéducateurs et psychoéducatrices du Québec (c. C-26, r. 74) may, among the professional activities that may be engaged in by guidance counsellors, engage in the activities required for the completion of the training period or training that would enable the person to be granted an equivalence, on the condition that the person engages in the activities under the supervision of a guidance counsellor.

3. The guidance counsellor referred to in sections 1 and 2 must meet the following conditions:

(1) have practised the profession for 3 years in the last 5 years;

(2) not have been temporarily or permanently struck off the roll, not have been the subject of a restriction or suspension of the right to engage in professional activities imposed by the disciplinary council of the Order or by the Professions Tribunal; and

(3) not have been the subject of a decision by the board of directors of the Order imposing a refresher training period or course, a restriction or suspension of the right to engage in professional activities or the striking off the roll of the Order, in the 5 years preceding the date on which the guidance counsellor or other professional must act as a training supervisor.

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