

“1.12. The following diplomas awarded by the educational institutions designated below give access to the permits listed below, issued by the Ordre des orthophonistes et audiologistes du Québec:

(1) speech therapist’s permit:

(a) Maîtrise professionnelle en orthophonie (M.P.O.) from Université de Montréal;

(b) Master of Science (Applied) in Communication Sciences and Disorders; Speech-Language Pathology Specialization from McGill University;

(c) Maîtrise en orthophonie (M.Sc.) from Université Laval;

(d) Maîtrise en orthophonie (M.Sc.) from the Université du Québec à Trois-Rivières;

(2) audiologist’s permit:

(a) Maîtrise professionnelle en audiologie (M.P.A.) from Université de Montréal.”

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

2348

Draft Regulation

Code of ethics and conduct of the Members of the National Assembly
(chapter C-23.1)

Executive Powers Act
(chapter E-18)

Office staff of ministers — Rules of conduct

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the “Regulation respecting the rules of conduct applicable to the office staff of ministers”, of which the text appears below, may be enacted by the Ethics Commissioner 45 days after this publication.

The draft regulation, adopted by the Ethics Commissioner under section 11.7 of the Executive Powers Act, sets out rules of conduct applicable to the office staff of ministers. The draft regulation defines, among other things, the scope of the term “office staff”. It requires that such staff adhere

to the values of the National Assembly and be guided by those values in the exercise of their functions. The rules of conduct proposed in the regulation deal with conflicts of interest, gifts and benefits, disclosure of interests and post-term conduct. With regard to conflicts of interest, office staff must make sure not to place themselves in situations where there is a conflict between their private interests and the duties of their position and must not act, attempt to act or refrain from acting so as to further their private interests. They must not influence or attempt to influence another person’s decision; communicate information that is not available to the public; or be party to a contract with the Government or a department or public body. The regulation also sets out criteria concerning gifts and benefits that must be followed to avoid conflicts of interest. The regulation requires chiefs of staff to disclose their private interests, and sets out post-term rules as well as mechanisms for applying and enforcing them. The Ethics Commissioner, as the person responsible for carrying out the regulation, may issue written advisory opinions, containing reasons, to office staff members, and may conduct inquiries to determine whether an office staff member has violated the rules of conduct.

Requests for further information should be addressed to Jacques Saint-Laurent, Ethics Commissioner, 800 place D’Youville, 4^e étage, bureau 4.02, Québec (Québec), G1R 3P4, telephone: 418-643-1277, fax: 418-643-1318, e-mail: info@ced-qc.ca

Anyone wishing to submit comments on this subject must send them, before the expiry of the 45 days referred to above, to the following address: Ethics Commissioner, 800 place d’Youville, 4^e étage, bureau 4.02, Québec (Québec), G1R 3P4.

JACQUES SAINT-LAURENT,
Ethics Commissioner

Regulation respecting the rules of conduct applicable to the office staff of ministers

Code of ethics and conduct of the Members of the National Assembly
(chapter C-23.1, section 123)

Executive Powers Act
(chapter E-18, section 11.7)

CHAPITRE I APPLICATION

1. The purpose of this regulation is to set out rules of conduct for the office staff of ministers.

2. The regulation applies to the executive secretary and other office staff, including electoral division staff and regional staff, if applicable, appointed by a minister in accordance with section 11.5 of the Executive Powers Act (chapter E-18).

The rules of conduct for the office staff of the House officers of the National Assembly and the staff of the Members are adopted by the Office of the National Assembly, in accordance with section 124.3 of the Act respecting the National Assembly (chapter A-23.1).

3. For the purposes of this regulation, “public body” and “family member” have the meanings given in section 5 of the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1).

The “Ethics Commissioner” is the Ethics Commissioner appointed under section 62 of the Code.

CHAPTER II VALUES AND ETHICAL PRINCIPLES

4. Office staff adhere to the values of the National Assembly stated in section 6 of the Code.

5. Office staff recognize that these values must guide them in carrying out the duties of their position and in determining the rules of conduct applicable to them, and be taken into account in interpreting this regulation. They strive for consistency between their actions and the values of the National Assembly, even when their actions do not in themselves contravene the applicable rules of conduct.

CHAPTER III RULES OF CONDUCT

DIVISION I CONFLICT OF INTEREST

6. In the exercise of their functions, office staff may not

(1) place themselves in a situation where there is a conflict between their private interests and the duties of their position;

(2) act, attempt to act, or refrain from acting, so as to further their private interests or those of a family member, or to improperly further another person’s private interests; or

(3) use their position to influence or attempt to influence another person’s decision so as to further their private interests or those of a family member, or to improperly further another person’s private interests.

7. Office staff may not use, communicate or attempt to use or communicate information obtained in or in connection with the carrying out of the duties of their position that is not generally available to the public so as to further their or another person’s private interests.

8. Office staff may not, directly or indirectly, be party to a contract with the Government or a department or public body.

However, they may

(1) have interests in an enterprise that is party to such a contract, provided that the extent of the interests and the circumstances in which the contract is entered into make collusion or undue influence unlikely;

(2) receive a loan, a reimbursement, a grant, an indemnity or any other benefit from the Government or a department or public body under any Act, regulation or program; and

(3) hold securities issued by the Government or a public body on the same terms as are applicable to all.

9. Office staff who find themselves in a conflict of interest must put an end to the situation immediately.

As long as the situation remains unresolved, the staff member concerned may not discuss, even privately, any file that may be seen, however remotely, as being related to the interest in question, and must not exert or attempt to exert, directly or indirectly, any influence with regard to such a file.

10. An office staff member who simultaneously holds another position must avoid any conflict between the duties of the two positions.

DIVISION II GIFTS AND BENEFITS

11. Office staff must not solicit, elicit, accept or receive any benefit, whether for themselves or for another person, in exchange for intervening or taking a certain position on any issue they may be called upon to intervene or take a position on as part of their duties.

12. Office staff must refuse or, at the first opportunity, return to the donor or deliver to the Ethics Commissioner any gift, hospitality or other benefit, whatever its value, that may impair their independence of judgment in carrying out the duties of their position, or that may compromise their integrity or that of the office for which they work.

13. Office staff who have received, directly or indirectly, a gift, hospitality or other benefit that has a value of more than \$200 and choose not to return it to the donor or deliver it to the Ethics Commissioner must, within 30 days, file with the Ethics Commissioner a disclosure statement containing an accurate description of the gift, hospitality or other benefit received and specifying the name of the donor and the date on which and circumstances under which it was received.

14. For the purposes of section 13, the repeated receipt of gifts, hospitality and other benefits from the same source must be taken into account.

For the purposes of section 13, the \$200 is computed over a 12-month period.

15. Section 13 does not apply to gifts, hospitality or other benefits received by an office staff member in the context of a purely personal relationship.

16. Things received by the Ethics Commissioner under this Division are disposed of in accordance with section 34 of the Code.

DIVISION III

USE OF STATE PROPERTY AND SERVICES

17. Office staff use State property, including property leased by the State and services made available to them by the State, for activities related to the carrying out of the duties of their position.

DIVISION IV

DISCLOSURE STATEMENT

18. This division applies to executive secretaries.

19. Within 60 days after the notice of their appointment, and annually on or before the date set by the Ethics Commissioner, executive secretaries must file with the Ethics Commissioner a disclosure statement that

(1) gives the name of any enterprise, association or body, whether non-profit or for-profit, in which they or a family member have an interest, including shares, stocks, pecuniary benefits, claims, priorities or hypothecs;

(2) states the nature of any professional, commercial or industrial position, office or activity engaged in by them or a family member since the previous disclosure statement was made or since their appointment as executive secretary, and states the name of the enterprise, association or body, whether non-profit or for-profit, on whose behalf the position, office or activity was engaged in, or the fact that it was engaged in on their or the family member's own account;

(3) describes any other fact, situation or event of a personal, professional or philanthropic nature that could place them in a conflict of interest situation or be reasonably perceived as doing so;

(4) gives any other information requested by the Ethics Commissioner.

An executive secretary who has no information to provide under subparagraphs 1 to 3 must fill out a statement to that effect and file it with the Ethics Commissioner.

20. Executive secretaries must inform the Ethics Commissioner in writing of any material change in the information required in their disclosure statement within 60 days after the change occurs.

21. After reviewing a disclosure statement filed under section 19, the Ethics Commissioner may request a meeting with the executive secretary concerned to ensure that adequate disclosure has been made and to discuss the executive secretary's obligations under this regulation.

DIVISION V

POST-TERM RULES

22. This division does not apply to support staff.

23. Former office staff must conduct themselves so as not to obtain undue benefit from their prior position.

24. Former office staff must not disclose confidential information obtained in or in connection with the carrying out of the duties of their former position, and must not give advice to any person based on information not available to the public, obtained in or in connection with the carrying out of those duties.

25. Office staff who acted in connection with a proceeding, negotiation or other transaction may not act for or on behalf of anyone else in the same proceeding, negotiation or other transaction after leaving their position.

26. Office staff may not, in the year after they leave their position,

(1) accept any appointment to a board of directors or as a member of any body, agency, enterprise or other entity that is not a State entity within the meaning of section 56 of the Code and with which they had official, direct and significant dealings in the year preceding their leaving the position, or accept employment, a position or any other post within such a body, agency, enterprise or entity; or

(2) intervene on behalf of anyone else with any department or other State entity within the meaning of section 56 of the Code and with which they had official, direct and significant dealings in the year prior to their leaving the position.

CHAPTER IV ADMINISTRATION AND ENFORCEMENT

DIVISION I ETHICS COMMISSIONER

27. The Ethics Commissioner is responsible for the administration of this regulation.

28. In exercising the duties of office, the Ethics Commissioner focuses on information and prevention and maintains high standards of confidentiality, objectivity and impartiality.

In all interventions and more particularly in determining the rules of conduct applicable to the office staff of ministers, the Ethics Commissioner takes into account their adherence to the values of the National Assembly.

29. The Ethics Commissioner retains authority in respect of former office staff for a period of one year after they have left their position. Even after the expiry of that period, the Ethics Commissioner may continue an inquiry that had already begun.

30. The Ethics Commissioner must retain all documents relating to a office staff member for a period of 12 months after he or she has left the position of office staff member. The documents are then to be destroyed unless an inquiry under this regulation is in progress or has been suspended or a charge has been laid against the office staff member, and the documents may be relevant.

DIVISION II ADVISORY OPINIONS OF THE ETHICS COMMISSIONER

31. In response to a request in writing from an office staff member on any matter respecting his or her obligations under this regulation, the Ethics Commissioner provides him or her with a written advisory opinion containing reasons and any recommendations the Ethics Commissioner considers appropriate.

The advisory opinion is confidential and may only be made public by the person who requested it or with that person's written consent, subject to the Ethics Commissioner's power to conduct an inquiry and report on the facts alleged in or discovered in connection with the person's request.

32. An act or omission by an office staff member is deemed not to be a breach of this regulation if he or she had previously requested an advisory opinion from the Ethics Commissioner and the advisory opinion concluded that the act or omission did not contravene this regulation, so long as the facts relevant to the request were fully and accurately presented to the Ethics Commissioner.

33. The Ethics Commissioner may publish guidelines for office staff regarding the application of this regulation, provided that no personal information is included.

DIVISION III INQUIRY AND REPORT

34. In response to a written request from the Premier or the Minister concerned, or on the Ethics Commissioner's own initiative, and after giving the office staff member concerned reasonable written notice, the Ethics Commissioner may conduct an inquiry to determine whether the office staff member has violated the rules of conduct set out in this regulation.

35. After receiving a request for an inquiry to determine whether there has been a violation of the rules of conduct set out in this regulation, the Ethics Commissioner informs the office staff member concerned.

36. If the Ethics Commissioner considers it necessary, the Ethics Commissioner may specially authorize a person to conduct an inquiry.

37. The Ethics Commissioner and any person specially authorized by the Ethics Commissioner have, for the purposes of an inquiry and in accordance with section 93 of the Code, the powers and immunity conferred on commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

38. The Ethics Commissioner may make agreements with other persons such as the Auditor General and the Lobbyists Commissioner for the conduct of joint inquiries, each under the legislative provisions that person administers.

39. If, after a verification, the Ethics Commissioner is of the opinion that there are no grounds for a request for an inquiry, the Ethics Commissioner terminates the inquiry process and records that fact in the report on the matter.

40. The Ethics Commissioner must conduct inquiries in private and with due dispatch. The Ethics Commissioner must allow the office staff member concerned to present a full and complete defence, including an opportunity to submit observations and, if the office staff member so

requests, to be heard, including on the question of whether he or she has violated the rules of conduct set out in this regulation.

The Ethics Commissioner must not comment publicly on a verification or inquiry but may confirm that a request for a verification or an inquiry has been received or that a verification or inquiry is under way or has been completed. The Ethics Commissioner may also state why, after a verification, the Ethics Commissioner decided not to conduct an inquiry.

41. The Ethics Commissioner's inquiry report is sent to the office staff member concerned, the Minister concerned and the Premier. If applicable, the Ethics Commissioner informs the person who submitted the inquiry request of the Ethics Commissioner's findings.

42. The Ethics Commissioner may include in the report any guidelines for the general interpretation of the rules of conduct set out in this regulation.

CHAPTER V COMING INTO FORCE

43. Executive secretaries who are employed as such on the day of the coming into force of this regulation must, within the following 60 days, file with the Ethics Commissioner the disclosure statement described in section 19.

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

2351

Draft Regulation

Supplemental Pension Plans Act
(chapter R-15.1)

Kruger Inc. —Funding of certain pension plans

Notice is hereby given, in accordance with sections 10 and 11 of the Regulation Act (R.S.Q., c. R-18.1), that the draft Regulation respecting the funding of certain Kruger Inc. pension plans, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The main purpose of the draft Regulation is to exempt certain Kruger Inc., Papiers de Publication Kruger Inc. and Kruger Wayagamack Inc. pension plans from the

application of provisions of the Supplemental Pension Plans Act and prescribe special rules allowing for the extended funding of actuarial deficiencies of those pension plans. The special funding rules apply to employer contributions to be paid in relation with such deficits for 2013 through 2019; other measures in the Regulation could be applied until the end of 2024. Note that the required contributions for these pension plans for 2010 through 2012 are governed by a preceding regulation that was published in the *Gazette officielle du Québec* on 4 April 2012.

Further information may be obtained by contacting Mr. Guillaume Barrette, Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, Québec (Québec) G1V 4T3 (telephone: 418 657-8714 extension 3384; fax 418 659-8983; email: guillaume.barrette@rrq.gouv.qc.ca).

Any person wishing to comment on the draft Regulation is asked to send their comments in writing before the expiry of the 45-day period mentioned above to Mr. Denys Jean, President and Chief Executive Officer of the Régie des rentes du Québec, Place de la Cité, 2600, boulevard Laurier, 5^e étage, Québec (Québec) G1V 4T3. Comments will be forwarded by the Régie to the Minister of Employment and Social Solidarity, who is responsible for the administration of the Supplemental Pension Plans Act.

AGNÈS MALTAIS,
*Minister of Employment
and Social Solidarity*

Regulation respecting the funding of certain Kruger Inc. pension plans

Supplemental Pension Plans Act
(chapter R-15.1, s. 2, 2nd and 3rd pars.)

DIVISION I APPLICATION

1. This Regulation applies to the pension plans referred to in the appendix as well as every pension plan to which the Supplemental Pension Plans Act (R.S.Q., c. R-15.1) applies and whose liabilities include obligations arising from a pension plan referred to in the appendix for service completed prior to 1 January 2010.

2. As of 31 December 2012, a pension plan whose liabilities include obligations other than those arising from a pension plan referred to in the appendix for service completed prior to 1 January 2010 is comprised of two components.