

an officer or an employee continues to perform duties more than 10 days after being struck off the roll for more than 3 months or having his or her permit revoked; and

(3) to continue to practise within the partnership or joint-stock company when a shareholder or partner has been struck off the roll for more than 3 months or has had his or her permit revoked except if, within 10 days after the date on which the penalty becomes enforceable, the partner or shareholder divests his or her voting shares or places them in the hands of a trustee.”.

10. Section 50 is replaced by the following:

“**50.** Unless a respiratory therapist is able to substantiate them, a respiratory therapist may not make claims to possess special qualities or skills or make representations, in particular as to

(1) the respiratory therapist’s level of competence or the scope or effectiveness of his or her services; or

(2) the level of competence or scope or effectiveness of the services of other members of the Order or persons with whom the respiratory therapist practises within a partnership or joint-stock company.”.

11. The following is inserted after section 57:

“**57.1.** A respiratory therapist must ensure that the partnership or joint-stock company within which the respiratory therapist practises does not use the graphic symbol of the Order in relation to its advertising or its name unless all services provided by the partnership or joint-stock company are professional respiratory therapy services.

In the case of a partnership or joint-stock company within which professional respiratory therapy services and other professional services are provided, the graphic symbol of the Order may be used in relation to the name or in the advertising of the partnership or joint-stock company on the condition that the graphic symbol identifying each of the professional orders or bodies to which those persons belong is also used.

The graphic symbol of the Order may, however, always be used in relation to the name of a respiratory therapist.

DIVISION VI

NAME OF THE PARTNERSHIP OR JOINT-STOCK COMPANY

57.2. A respiratory therapist may not practise within a partnership or joint-stock company under a name or designation that is misleading, deceptive or contrary to the honour or dignity of the profession, or that has a numbered name.”.

12. 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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Gouvernement du Québec

O.C. 1127-2012, 28 November 2012

Professional Code
(chapter C-26)

Occupational therapists — Professional activities that may be engaged in by persons other than occupational therapists

Regulation respecting professional activities that may be engaged in by persons other than occupational therapists

WHEREAS, under paragraph h of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may make a regulation to 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 and the terms and conditions on which such persons may engage in such activities;

WHEREAS the board of directors of the Ordre des ergothérapeutes du Québec made the Regulation respecting professional activities that may be engaged in by persons other than occupational therapists;

WHEREAS, pursuant to section 95 of the Code and subject to sections 95.0.1 and 95.2, every regulation made by the board of directors of a professional order under the Code 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 (chapter R-18.1), a draft of the Regulation respecting professional activities that may be engaged in by persons other than occupational therapists was published in Part 2 of the *Gazette officielle du Québec* of 11 July 2012 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 with amendments;

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

That the Regulation respecting professional activities that may be engaged in by persons other than occupational therapists, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting professional activities that may be engaged in by persons other than occupational therapists

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

1. Students registered in an occupational therapy educational program may engage in, among the professional activities that may be engaged in by occupational therapists, those that are required to complete the program, provided that the students engage in the activities under the supervision of an occupational therapist and that the program leads to

(1) a diploma giving access to the permit issued by the Ordre des ergothérapeutes du Québec;

(2) a diploma in occupational therapy issued by a Canadian university outside Québec; or

(3) a diploma in occupational therapy issued by an educational institution outside Canada that has entered into an agreement on the terms and conditions of admission of a student from outside Canada with an educational institution whose educational program leads to a diploma giving access to the permit issued by the Order.

2. A person referred to in the third paragraph of section 7 or the second paragraph of section 8 of the Règlement sur les normes d'équivalence aux fins de la délivrance d'un permis par l'Ordre des ergothérapeutes du Québec (chapter C-26, r. 116.1) may engage in, among the professional activities that may be engaged in by occupational therapists, those that are required to complete the training that would enable the person to be granted an equivalence.

The activities must be engaged in

(1) in an environment appropriate to the person's training needs and approved by the Order; and

(2) under the supervision of an occupational therapist who

(a) practises clinical activities and has pertinent professional experience;

(b) has not been the subject of any penalty imposed by the disciplinary committee of the Order or by the Professions Tribunal in the last five years preceding acceptance as a supervisor; and

(c) has not been required to serve a refresher training period, whose right to practise has not been limited or suspended, has not been struck off the roll, and whose permit has not been revoked in the last five years preceding acceptance as a supervisor.

3. The persons referred to in sections 1 and 2 must engage in those activities in compliance with the rules applicable to occupational therapists, including those relating to ethics as well as the keeping of records and consulting rooms.

4. This Regulation replaces the Regulation respecting professional activities that may be engaged in by persons other than occupational therapists (chapter C-26, r. 107).

5. 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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Gouvernement du Québec

O.C. 1128-2012, 28 November 2012

Professional Code
(chapter C-26)

Respiratory therapist — Professional activities that may be engaged in by persons other than respiratory therapists

Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists

WHEREAS, under paragraph *h* of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may make a regulation to determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in