

Gouvernement du Québec

**O.C. 940-2013, 11 September 2013**

Real Estate Brokerage Act  
(chapter C-73.2)

**Organisme d'autoréglementation du courtage  
immobilier du Québec**  
— Disciplinary proceedings  
— Amendment

Regulation to amend the Regulation respecting disciplinary proceedings of the Organisme d'autoréglementation du courtage immobilier du Québec

WHEREAS the section 5 of the Real Estate Brokerage Act (chapter C-73.2) provides that a broker's licence is issued to applicants who meet the requirements set out in this Act;

WHEREAS section 90 of the Act provide that a syndic decision review committee is appointed within the Organisme d'autoréglementation du courtage immobilier du Québec ("the Organization") and the review committee's operating rules, including those applicable to its decision-making process, are set out in the Organization's regulations;

WHEREAS paragraph 1 of section 95 of the Act provides that the discipline committee's operating rules including those applicable to the filing and hearing of complaints and those applicable to its decision-making process, such as the imposition of provisional measures are set out in the Organization's regulations;

WHEREAS, on 25 January 2013, the Organization made the Regulation to amend the Regulation respecting disciplinary proceedings of the Organisme d'autoréglementation du courtage immobilier du Québec;

WHEREAS section 130 of the Act provides that all regulations of the Organization, except internal by-laws, must be submitted to the Government for approval with or without amendments;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting disciplinary proceedings of the Organisme d'autoréglementation du courtage immobilier du Québec was published in Part 2 of the *Gazette officielle du Québec* of 29 May 2013 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance and the Economy:

THAT the Regulation to amend the Regulation respecting disciplinary proceedings of the Organisme d'autoréglementation du courtage immobilier du Québec, attached to this Order in Council, be approved.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

**Regulation to amend the Regulation  
respecting disciplinary proceedings  
of the Organisme d'autoréglementation  
du courtage immobilier du Québec**

Real Estate Brokerage Act  
(chapter C-73.2, ss. 90 and 95)

**1.** The Regulation respecting disciplinary proceedings of the Organisme d'autoréglementation du courtage immobilier du Québec (chapter C-73.2, r. 6) is amended by replacing section 10 by the following:

"**10.** The review committee may make a ruling even if the syndic or the person who requested a review does not attend the scheduled meeting or has not presented written observations or produced the necessary documents to complete the file. The committee's ruling, made by a majority of members, must be recorded in writing, and signed by the concurring committee members."

**2.** Section 17 is amended by replacing the second paragraph by the following:

"If, after the discipline committee has determined guilt, the chair or vice-chair is absent or unable to act, or is the subject of an appointment and does not avail himself or herself of the possibility to continue to perform duties under the first paragraph, another division must be formed promptly to hear the parties in relation to the penalty and impose it within 90 days after the hearing. Interlocutory decisions rendered before the formation of that division remain valid."

**3.** Section 21 is amended by adding the following second paragraph:

"Every function of the secretary may be performed by an assistant secretary."

**4.** 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. 941-2013, 11 September 2013

Professional Code  
(chapter C-26)

### Sexologues

#### — Constitution by letters patent of the Ordre professionnel des sexologues du Québec

Constitution by letters patent of the Ordre professionnel des sexologues du Québec

WHEREAS, under section 27 of the Professional Code (chapter C-26), the Government, after consultation with the Office des professions du Québec and the Québec Interprofessional Council, may constitute by letters patent any professional order which groups the persons to whom it deems it necessary, for the protection of the public, to grant a reserved title;

WHEREAS the Office and the Interprofessional Council have been consulted;

WHEREAS, under the second paragraph of section 27 of the Professional Code, no letters patent may be issued less than 60 days after the publication by the Minister of Justice of the draft letters patent in the *Gazette officielle du Québec*, with a notice that the draft will be considered by the Government upon the expiry of 60 days following such publication;

WHEREAS draft letters patent constituting the Ordre professionnel des sexologues du Québec were published in Part 2 of the *Gazette officielle du Québec* of 20 March 2013;

WHEREAS the draft letters patent were considered by the Government;

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

THAT the letters patent attached to this Order in Council be issued.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

## Letters patent constituting the Ordre professionnel des sexologues du Québec

Professional Code  
(chapter C-26, s. 27)

### DIVISION I GENERAL

**1.** A professional order is constituted by these letters patent, under the name «Ordre professionnel des sexologues du Québec» or «Ordre des sexologues du Québec».

**2.** Sexologists may engage in the following professional activities, in addition to those otherwise permitted by law: assess the sexual behaviour and development of a person, determine, recommend and carry on interventions and treatment in order to foster a better sexual balance in the person in interaction with the person's environment.

The reserved professional activities that sexologists may engage in in the activities referred to in the first paragraph are the following:

(1) assess sexual disorders, provided a training certificate has been issued to them by the Ordre professionnel des sexologues du Québec pursuant to a regulation under paragraph *o* of section 94 of the Professional Code (chapter C-26);

(2) assess a person suffering from a mental or neuro-psychological disorder attested by the diagnosis or assessment of an authorized professional;

(3) assess an adolescent further to a decision of a tribunal made under the Youth Criminal Justice Act (S.C. 2002, c. 1).

The practice of the profession of sexologist also includes disseminating information, promoting health and preventing suicide, illness, accidents and social problems among individuals and within families and communities to the extent that such activities are related to their professional activities.

Sexologists may practise psychotherapy and use the title of psychotherapist in accordance with Chapter VI.1 of the Professional Code.

**3.** The following title is reserved for sexologists: "sexologist".

**4.** The permit that may be issued by the Ordre professionnel des sexologues du Québec is the sexologist's permit.