

(8) by replacing “of ordering an interim release” in the sixth dash of paragraph 2 by “of making a release order”, and by striking out “on an undertaking or a recognizance”;

(9) by striking out the seventh dash of paragraph 2;

(10) by replacing the tenth dash of paragraph 2 by the following:

“confirming or cancelling appearance notices and undertakings, and issuing a summons if necessary (section 508 of the Criminal Code);”;

(11) by adding “and declarations of a person named as a surety” after “informations” in the eleventh dash of paragraph 2 and by striking out “, undertakings and recognizances”;

(12) by replacing “of ordering an interim release” in the sixteenth dash of paragraph 2 by “of making a release order”, and by striking out “on an undertaking or a recognizance”;

(13) by striking out the seventeenth dash of paragraph 2;

(14) by striking out “and search warrants” in the eighteenth dash of paragraph 2;

(15) by replacing the twenty-fourth dash of paragraph 2 by the following:

“confirming or cancelling appearance notices and undertakings, and issuing a summons if necessary (section 508 of the Criminal Code);”.

2. This Regulation comes into force on 18 December 2019.

104090

Draft Regulation

Professional Code
(chapter C-26)

Architects

— Compensation procedure of the Ordre des architectes du Québec

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the compensation procedure of the Ordre des architectes du Québec, made by the board of directors of the Ordre des architectes du Québec and

appearing below, may be examined by the Office des professions du Québec then submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to compensate a claimant in accordance with the compensation procedure of the Order following the use by an architect of funds for purposes other than those for which they were entrusted to the architect, in the practice of the profession.

The draft Regulation has no impact on the public and on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Jean-Pierre Dumont, Director General and Secretary, Ordre des architectes du Québec, 420, rue McGill, bureau 200, Montréal (Québec) H2Y 2G1; telephone: 514 937-6168 or 1 800 599-6168; email: jp Dumont@oaq.com.

Any person wishing to comment is requested to submit comments within the 45-day period to Guylaine Couture, Secretary, Office des professions du Québec, 800, place D’Youville, 10^e étage, Québec (Québec) G1R 5Z3, email: secretariat@opq.gouv.qc.ca. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order that made the Regulation as well as to interested persons, departments and bodies.

GUYLAINE COUTURE,
Secretary of the Office des professions du Québec

Regulation respecting the compensation procedure of the Ordre des architectes du Québec

Professional Code
(chapter C-26, s. 89.1)

1. A claimant may be compensated in accordance with this procedure following the use by an architect of funds for purposes other than those for which they were entrusted to the architect under a regulation of the Ordre des architectes du Québec made under section 89 of the Professional Code (chapter C-26).

2. The board of directors forms a committee charged with examining claims and decide claims.

The committee is composed of at least 3 members, one of whom is designated from among the elected directors of the board of directors and a member designated from among the directors appointed to the board of directors.

3. To be admissible, a claim must

(1) be sent in writing to the Order within 12 months of the claimant becoming aware that the funds have been used by the architect for purposes other than those for which they were entrusted to the architect;

(2) be accompanied by proof of the steps taken with the architect to recover the funds;

(3) state the facts in support of the claim and be accompanied by all relevant documents;

(4) indicate the amount claimed.

The period referred to in subparagraph 1 of the first paragraph may be extended by the committee if the claimant shows that, for a reason beyond the claimant's control, the claimant was unable to file the claim within that period.

4. A request made to the Order with regard to facts likely to give rise to a claim is deemed to be a claim if the request is filed within the period referred to in subparagraph 1 of the first paragraph of section 3.

The claim becomes admissible where the conditions set out in subparagraphs 2 to 4 of the first paragraph are met.

5. The secretary of the Order sends every admissible claim to the committee within 15 days following the date on which the claim becomes admissible.**6.** The secretary of the Order informs the architect and the claimant of the date of the meeting during which the claim will be examined and of their right to make representations.**7.** The committee decides whether it is expedient to accept a claim in whole or in part. Where applicable, it fixes the indemnity.

The substantiated decision is final.

8. The maximum amount that may be paid for the period covering the fiscal year of the Order is

(1) \$5,000 for a claimant in respect of an architect;

(2) \$25,000 for all the claimants in respect of an architect;

(3) \$50,000 for all the claimants.

Where all the claims filed for the period covering the fiscal year of the Order exceeds \$50,000, the amount paid to each claimant is paid in proportion to the amount of each claim.

9. In exceptional circumstances, the committee may, after having obtained the approval of the board of directors, pay an amount greater than those provided for in section 8.**10.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

104084