

Regulation respecting the compensation procedure of the Ordre des podiatres 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 a podiatrist of funds or property for purposes other than those for which they were entrusted to the podiatrist under a regulation of the Ordre des podiatres du Québec made under section 89 of the Professional Code (chapter C-26).

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

The committee is composed of at least 3 members, including 1 elected director and 1 director 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 or property have been used by a podiatrist for purposes other than those for which they were entrusted to the podiatrist;

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

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

(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 of section 3 are met.

5. The secretary of the Order sends every admissible claim to the committee and the podiatrist within 15 days following the date on which the claim becomes admissible.

6. The secretary of the Order informs the podiatrist 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 compensation.

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) \$2,000 for a claimant in respect of a podiatrist;

(2) \$6,000 for all the claimants in respect of a podiatrist; and

(3) \$20,000 for all the claimants.

Where all the claims filed for the period covering the fiscal year of the Order exceeds \$20,000, the amount paid to each claimant is paid in proportion of each claim.

9. Where the claimant is in a vulnerable situation, in particular because of age, physical or psychological state or social condition, the committee may, exceptionally and 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*.

105936

Gouvernement du Québec

O.C. 1456-2022, 3 August 2022

Professional Code
(chapter C-26)

**Forest engineers
— Professional activities that may be engaged
in by persons other than forest engineers**

Regulation respecting the professional activities that may be engaged in by persons other than forest engineers

WHEREAS, under subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter 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, and the terms and conditions on which such persons may engage in such activities;

WHEREAS, pursuant to section 95 of the Professional Code, 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 a professional 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 (chapter R-18.1), the draft Regulation respecting the professional activities that may be engaged in by persons other than forest engineers was published in Part 2 of the *Gazette officielle du Québec* of 16 March 2022 with a notice that it could be examined by the Office then submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 17 June 2022 then 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 Higher Education:

THAT the Regulation respecting the professional activities that may be engaged in by persons other than forest engineers, attached to this Order in Council, be approved.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation respecting the professional activities that may be engaged in by persons other than forest engineers

Professional Code
(chapter C-26, s. 94, 1st par. subpar. *h*)

1. The purpose of this Regulation is to determine, among the professional activities that may be engaged in by forest engineers, those that, pursuant to the terms and conditions set out in the Regulation, may be engaged in by candidates for the practice of the profession.

2. For the purposes of this Regulation, a candidate for the practice of the profession is a person who holds a diploma giving access to the permit issued by the Ordre des ingénieurs forestiers du Québec or who is registered in a program of study leading to that diploma, or a person who was granted a diploma equivalence or a training equivalence pursuant to a regulation of the Order under paragraphs *c* and *c.1* of section 93 of the Professional Code (chapter C-26).

3. Candidates for the practice of the profession may, as part of the period of professional training provided for by regulation of the Order under subparagraph *i* of the first paragraph of section 94 of the Professional Code (chapter C-26), engage in the professional activities that may be engaged in by forest engineers provided that they engage in those professional activities under the immediate supervision of a training supervisor.

However, candidates for the practice of the profession are not authorized to sign the plans, reports, specifications and other technical documents that result from engaging in those professional activities.

4. The following regulatory standards are applicable, with the necessary modifications, to the candidates for the practice of the profession referred to in this Regulation:

(1) the regulatory standards set out in the Code of ethics of forest engineers (chapter I-10, r. 5);

(2) the regulatory standards set out in the Règlement sur la tenue des dossiers et des cabinets de consultation et sur la cessation d'exercice des ingénieurs forestiers (chapter I-10, r. 13.1).

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

105937