

CHAPTER IV FINAL

36. This Regulation replaces the Regulation respecting criteria and procedures for selecting persons fit for the post of coroner (chapter R-0.2, r. 2).

37. This Regulation comes into force on 1 November 2022.

105955

Gouvernement du Québec

O.C. 1474-2022, 3 August 2022

Act concerning mainly the appointment and the terms of office of coroners and of the Chief Coroner (2020, chapter 20)

Coroners Act
(chapter R-0.2)

Training of coroners

Regulation respecting the training of coroners

WHEREAS the Act concerning mainly the appointment and the terms of office of coroners and of the Chief Coroner (2020, chapter 20) was assented to on 22 October 2020;

WHEREAS, under Order in Council 1472-2022 dated 3 August 2022, the date of coming into force of the Act concerning mainly the appointment and the terms of office of coroners and of the Chief Coroner is set for 1 November 2022;

WHEREAS, under section 1 of the Act, the title of the Act respecting the determination of the causes and circumstances of death (chapter R-02) is replaced by the Coroners Act;

WHEREAS, under section 163.4 of that Act, enacted by section 37 of the Act concerning mainly the appointment and the terms of office of coroners and of the Chief Coroner, the Government is to determine, by regulation, basic training criteria and continuing education requirements;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the training of coroners was published in Part 2 of the *Gazette officielle du Québec* of 13 April 2022 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation respecting the training of coroners, attached to this Order in Council, be made.

YVES OUELLET
Clerk of the Conseil exécutif

Regulation respecting the training of coroners

Act concerning mainly the appointment and the terms of office of coroners and of the Chief Coroner (2020, chapter 20, s. 37)

Coroners Act
(chapter R-0.2 (2020, chapter 20, s. 1), s. 163.4)

CHAPTER I BASIC TRAINING PROGRAM

1. The objectives of the basic training program are the acquisition and development of the skills and knowledge required to perform the duties of a coroner. The program covers, in particular,

- (1) the methods and tools for conducting an investigation;
- (2) the relevant medical and legal notions;
- (3) the rules of conduct and ethics that a coroner must comply with and the personal skills that a coroner must have;
- (4) computer tools; and
- (5) the organization, operation, activities and relations of the Bureau du coroner.

The basic training program comprises initial training required to perform the duties of a coroner, as well as additional training consisting in particular of practical studies that must take place after a coroner begins performing the duties, at the time determined by the Chief Coroner.

2. The basic training program lasts not less than 60 hours.

3. A coroner who is appointed for the first time, including the Chief Coroner, must participate in the basic training program and complete it within 18 months after the date of appointment.

4. When required by the quality of the performance of a coroner's duties, the Chief Coroner may require that a coroner appointed more than 2 years after the end of the last mandate participate in all or part of the basic training program. The Chief Coroner determines the parts of the training that the coroner must participate in and the time for completing them.

CHAPTER II

MANDATORY CONTINUING EDUCATION

DIVISION I

CONTINUING EDUCATION ACTIVITIES

5. The objectives of continuing education activities include enabling coroners to acquire, maintain, update, improve and expand skills and knowledge related to the performance of the duties of a coroner.

6. Subject to section 11, the following activities, where they meet the objectives provided for in section 5, are continuing education activities:

(1) participating in courses, seminars, symposiums or conferences offered or organized by the Chief Coroner or at the request of the Chief Coroner, by a professional order, a university or college level educational institution or another organization;

(2) participating in structured education activities offered in the workplace;

(3) preparing to act as an instructor or speaker;

(4) writing and publishing articles or books;

(5) participating in a mentoring activity as a mentor, up to a maximum of 10 hours.

DIVISION II

CONTINUING EDUCATION REQUIREMENTS

7. Coroners, including the Chief Coroner, must participate in at least 30 hours of continuing education per 2-year reference period; the reference period begins on 1 April of every odd-numbered year.

8. The Chief Coroner may, for a given reference period, determine the continuing training activities in which all or some coroners must participate, in particular because of

a legislative or regulatory reform or if the Chief Coroner considers that a deficiency is affecting the quality of the performance of the coroner's duties.

DIVISION III

RECOGNITION AND MONITORING OF CONTINUING EDUCATION

9. All coroners must provide the Chief Coroner with a continuing education declaration, not later than 30 April following the end of the reference period, using the form prescribed for that purpose. The declaration must indicate the continuing education activities participated in during the reference period, specifying for each activity the date on which it took place, the name and contact information of the organization that provided it, and the number of hours completed. If a coroner declares an education activity that was participated in as part of mandatory continuing education as an advocate, a nurse, an engineer, a physician, a notary or a pharmacist, as the case may be, the coroner must also specify how the education activity has met the objectives provided for in section 5.

A coroner who has obtained an exemption under Division IV must indicate it in the declaration.

The Chief Coroner may require that a coroner provide any other document or information making it possible to verify whether the coroner has met the requirements with regard to continuing education.

10. For a period of 2 years after submitting a continuing education declaration, the coroner must keep the supporting documents making it possible for the Chief Coroner to verify whether the coroner meets the requirements with regard to continuing education.

11. The Chief Coroner may refuse to recognize part or all of a continuing education activity if the Chief Coroner is of the opinion that the activity does not meet the objectives provided for in section 5. In such a case, the Chief Coroner must first send a notice of intention to the coroner and inform the coroner of the right to submit written observations within 15 days of the date of notification. The Chief Coroner notifies the decision to the coroner within 30 days of the date of notification of the notice or the date of receipt of the written observations, whichever time limit expires last.

For the purposes of the first paragraph, the Chief Coroner considers in particular the following elements:

(1) the relation between the activity and the performance of the duties of a coroner;

- (2) the experience and skills of the trainer;
- (3) the content and relevance of the activity;
- (4) the curricular framework in which the activity is carried out;
- (5) the quality of the documents;
- (6) the existence of a participation certificate or an assessment, as the case may be.

DIVISION IV EDUCATION EXEMPTION

12. A coroner who has participated in the basic training program is exempted from the continuing education requirement for the reference period during which the coroner participated in the program. If the program is carried out over more than 1 reference period, the exemption only applies to the first reference period.

13. A coroner may be exempted, in whole or in part, from the requirement to participate in continuing education activities if the coroner temporarily ceases to perform duties because of illness, accident, pregnancy, maternity, paternity or parental leave, leave to act as a caregiver within the meaning of the Act respecting labour standards (chapter N-1.1), or exceptional circumstances.

A coroner having been suspended in accordance with the Coroners Act, or having had the right to engage in professional activities suspended or restricted by a disciplinary council, the professional order of which the coroner is a member or the Professions Tribunal does not constitute an exceptional circumstance.

14. A coroner who wishes to obtain an exemption in accordance with section 13 must submit a written application to the Chief Coroner and provide

- (1) the grounds in support of the application;
- (2) the duration of the exemption sought; and
- (3) a doctor's note or any other supporting document attesting that the coroner has ceased to hold the office.

15. If the Chief Coroner grants the exemption, the Chief Coroner sets its duration, terms and conditions.

If the Chief Coroner intends to refuse the exemption, the Chief Coroner sends a notice to the coroner and informs the coroner of the right to submit written observations within 15 days following the date of notification.

The Chief Coroner notifies the decision to the coroner within 30 days of the date of notification of the notice or the date of receipt of the written observations, whichever time limit expires last.

16. The coroner must notify the Chief Coroner as soon as the ground for exemption no longer applies.

The Chief Coroner then determines the number of hours of continuing education that the coroner must complete and any applicable terms and conditions. In such a case, the Chief Coroner sends a notice of intention to the coroner and informs the coroner of the right to submit written observations within 15 days of the date of notification.

The Chief Coroner notifies the decision to the coroner within 30 days of the date of notification of the notice or the date of receipt of the written observations, whichever time limit expires last.

CHAPTER III FAILURE TO COMPLY WITH AN EDUCATION REQUIREMENT

17. The Chief Coroner notifies a notice to comply with the continuing education requirements to coroners who fail to participate in the basic training or to submit the continuing education declaration or the supporting documents referred to in sections 10 and 14.

The notice indicates the nature of the failure, the time granted to the coroner to remedy the failure and submit evidence thereof, and the consequences that the coroner may face should the coroner fail to remedy the failure.

CHAPTER IV TRANSITIONAL AND FINAL

18. For the purposes of continuing education requirements, the first reference period begins on 1 April 2025.

19. This Regulation comes into force two years after the date of its publication in the *Gazette officielle du Québec*.

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