

Draft Regulation

Professional Code
(chapter C-26)

Performance of the activities described in sections 39.7 and 39.8 of the Professional Code — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the performance of the activities described in sections 39.7 and 39.8 of the Professional Code, made by the board of directors of the Office des professions du Québec and appearing below, is published as a draft and may be submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation amends one of the conditions of performance of the activities described in sections 39.7 and 39.8 of the Professional Code and provides for an additional transitional provision.

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

Further information on the draft Regulation may be obtained by contacting Marie-Christine Corriveau, advisor, professional practice, Direction de la veille et des orientations, Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3; telephone: 418 643-6912, extension 316, or 1 800 643-6912; email: marie-christine.corriveau@opq.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Julie Adam, Acting 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 may be forwarded by the Office to the Minister Responsible for Government Administration and Chair of the Conseil du trésor, and may also be sent to interested persons, departments and bodies.

JULIE ADAM
*Acting Secretary,
Office des professions du Québec*

Regulation to amend the Regulation respecting the performance of the activities described in sections 39.7 and 39.8 of the Professional Code

Professional Code
(chapter C-26, s. 39.9)

1. The Regulation respecting the performance of the activities described in sections 39.7 and 39.8 of the Professional Code (chapter C-26, r. 3.1) is amended in section 5 by replacing subparagraph *a* of paragraph 2 by the following:

“(a) specifically for the activities described in section 39.7 of the Professional Code and for the administration of insulin by subcutaneous route and of any other medication by enteral route, the person is supervised, when the person is performing each of those activities for the first time and until the person masters the skills required to perform them, by an authorized professional of the institution or entity where they are performed;”.

2. The following is inserted after section 8:

“**8.1.** A person referred to in section 4 may, until 31 March 2024, perform the activities described in sections 39.7 and 39.8 of the Professional Code (chapter C-26), without meeting the condition of training provided for in subparagraph *a* of paragraph 1 of section 5.”.

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

106238

Draft Regulation

Professional Code
(chapter C-26)

Optometrists — Standards for the issue and holding of permits authorizing an optometrist to administer and prescribe medications and provide eye care — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the standards for the issue and holding of permits authorizing an optometrist to administer and prescribe medications

and provide eye care, made by the board of directors of the Ordre des optométristes du Québec and appearing below, is published as a draft and may be examined by the Office des professions du Québec then submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The Regulation replaces the standards for the holding of permits to take into account the initial training of optometrists and the current reality of the practice of the profession. The Regulation provides that every optometrist must, for each reference period, provide a statement indicating whether or not the optometrist has engaged in the activities authorized by each permit. The Regulation also provides that only optometrists who state that they have not engaged in the authorized activities must successfully complete the refresher program provided for in the Regulation within the time prescribed. Failing this, the optometrist's permit or permits will be suspended.

The proposed amendments to sections 2 to 4 strike out provisions that are no longer current.

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

Further information on the Regulation may be obtained by contacting Marco Laverdière, Director General and Secretary, Ordre des optométristes du Québec, 1265, rue Berri, bureau 505, Montréal (Québec) H2L 4X4; telephone: 514 499-0524 or 1 888 499-0524; email: m.laverdiere@ooq.org.

Any person wishing to comment on the Regulation is requested to submit written comments within the 45-day period to Julie Adam, Acting 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 may be forwarded by the Office to the Minister Responsible for Government Administration and Chair of the Conseil du trésor and may also be sent to the Ordre des optométristes du Québec and to interested persons, departments and bodies.

JULIE ADAM
*Acting Secretary,
Office des professions du Québec*

Regulation to amend the Regulation respecting the standards for the issue and holding of permits authorizing an optometrist to administer and prescribe medications and provide eye care

Optometry Act
(chapter O-7, s. 19.2)

1. The Regulation respecting the standards for the issue and holding of permits authorizing an optometrist to administer and prescribe medications and provide eye care (chapter O-7, r. 14.1) is amended by replacing Division II, which comprises sections 4 to 12, by the following:

“DIVISION II STANDARDS FOR HOLDING A PERMIT

4. An optometrist who holds one of the permits referred to in section 1 must send to the Order, in the manner and form established by the Order, not later than the 30th day following the end of each full reference period where the optometrist is entered on the roll, a declaration indicating whether the optometrist carried out the activities authorized by each permit during that period.

An optometrist who has not carried out those activities must, during the subsequent reference period, successfully complete the refresher program approved by the board of directors and provided for in section 5.

In this Division, “reference period” means any 3-year period starting on the date determined by the board of directors.

5. The refresher program must include 30 hours of theoretical or clinical training related to the subject areas referred to in section 3.

6. An optometrist who is in the situation described in the second paragraph of section 4 and who is re-entered on the roll 12 months or less before the end of the reference period during which the optometrist must successfully complete the refresher program has an additional period of 12 months to do so.

7. The Order notifies a notice to the optometrist who fails to comply with this Division. The notice indicates

(1) the nature of the optometrist's failure;

(2) the 6-month period that the optometrist has from the date of the notification of the notice to remedy the failure and provide proof thereof;

(3) the sanction to which the optometrist is subject if the optometrist does not remedy the failure within the time prescribed.

8. Where the optometrist does not remedy the failure within the period prescribed by section 7, the board of directors, after giving the optometrist an opportunity to submit written observations, suspends the permit referred to in section 1 that is held by the optometrist.

The Order notifies a notice of suspension to the optometrist and informs the optometrist that the optometrist is subject to the revocation of the permit if the optometrist does not remedy the failure before the end of the reference period during which the permit is suspended. The suspension is in force from the time it is notified.

9. At the end of the reference period during which the permit referred to in section 1 is suspended, the board of directors revokes the permit of the optometrist who has not remedied the failure indicated in the notice provided for in section 7. The Order notifies a notice of revocation to the optometrist.

10. An optometrist whose permit has been revoked must again meet the conditions set out in Division I for the issue of the permit.”

2. Section 14 is amended by striking out the second paragraph.

3. Section 15 is amended by striking out the second and third paragraphs.

4. Section 16 is revoked.

5. This Regulation comes into force on 1 April 2024.

106239

Draft Regulation

Courts of Justice Act
(chapter T-16)

Act respecting municipal courts
(chapter C-72.01)

Selection procedure of candidates for the office of judge of the Court of Québec, municipal court judge and presiding justice of the peace — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the selection procedure of candidates for the office of judge of the Court of Québec, municipal court judge and presiding justice of the peace, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation updates the Regulation respecting the selection procedure of candidates for the office of judge of the Court of Québec, judge of a municipal court and presiding justice of the peace (chapter T-16, r. 4.1) owing to the changes made by the Act to improve justice efficiency and accessibility, in particular by promoting mediation and arbitration and by simplifying civil procedure in the Court of Québec (2023, chapter 3), which provides that the judges of the courts of justice who are appointed by the Government may be appointed from among notaries having at least ten years’ practice. The draft Regulation also makes other amendments to optimize the selection procedure. It revises the composition of the selection committee established to appoint a person to the office of judge to allow the Minister of Justice to appoint to the committee, in certain cases, a person working in an organization assisting persons who are victims of criminal offences.

Further information on the draft Regulation may be obtained by contacting the Secrétariat à la sélection des candidats à la fonction de juge, Ministère de la Justice, édifice Louis-Philippe-Pigeon, 1200, route de l’Église, 9^e étage, Québec (Québec) G1V 4M1; email: secretariatjuges@justice.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the secretary of the Secrétariat à la sélection des candidats à la fonction de juge at the above address.

SIMON JOLIN-BARRETTE
Minister of Justice