

Gouvernement du Québec

O.C. 3-2024, 17 January 2024

Professional Code
(chapter C-26)

Engineers Act
(chapter I-9)

Professional technologist — Professional activities that may be engaged in by a professional technologist whose competency is in an engineering technology

Regulation respecting the professional activities that may be engaged in by a professional technologist whose competency is in an engineering technology

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 as well as the terms and conditions on which such persons may engage in such activities; unless it is for the purpose of authorizing persons registered in a program giving access to a permit issued by the order or serving a period of professional training, the board of directors must, before adopting a regulation under that paragraph, consult any order whose members engage in a professional activity described in the regulation;

WHEREAS, under section 10 of the Engineer's Act (chapter I-9), the Board of Directors of the Ordre des ingénieurs du Québec must make a regulation pursuant to subparagraph *h* of the first paragraph of section 94 of the Professional Code to determine, from among the professional activities reserved to engineers, those that may be engaged in by professional technologists whose competency is in an engineering technology;

WHEREAS, in accordance with subparagraph *h* of the first paragraph of section 94 of the Professional Code, the Board of Directors of the Ordre des ingénieurs du Québec consulted the Ordre des technologues professionnels du Québec before making the Regulation respecting the professional activities that may be engaged in by a professional technologist whose competency is in an engineering technology on 22 September 2021;

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 a professional order must be transmitted to the Office 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 Regulation respecting the professional activities that may be engaged in by a professional technologist whose competency is in an engineering technology was published as a draft in Part 2 of the *Gazette officielle du Québec* of 10 November 2021 with a notice that it could be examined by the Office and 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 10 November 2023 and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Regulation respecting the professional activities that may be engaged in by a professional technologist whose competency is in an engineering technology, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation respecting the professional activities that may be engaged in by a professional technologist whose competency is in an engineering technology

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

Engineers Act
(chapter I-9, s. 10)

DIVISION I GENERAL

1. The purpose of this Regulation is to determine, among the professional activities that are reserved to engineers, those that, in accordance with the conditions set out herein, may be engaged in by a professional technologist whose competency is in an engineering technology, hereinafter called “professional technologist”.

DIVISION II**PROFESSIONAL ACTIVITIES ENGAGED IN ACCORDING TO A SUPERVISION, INSPECTION OR TEST PLAN**

2. A professional technologist may engage in a professional activity referred to in this Division when the following conditions are met:

(1) the professional activity and the supervision, inspection or test plan relate to the same individual work;

(2) the supervision, inspection or test plan is signed and sealed by an engineer.

3. A professional technologist may, according to the requirements, parameters, standards and specifications indicated in a supervision plan, engage in the following professional activities:

(1) carry out a count of quantities;

(2) carry out a quality control test on a material;

(3) prepare, modify, sign and seal a list of deficiencies;

(4) certify the compliance of a shop or plant drawing that was prepared according to the requirements, parameters, standards and specifications indicated in the plans and specifications of the work, when preparing that certification does not require that a calculation based on engineering principles be carried out.

4. A professional technologist may, according to the requirements, parameters, standards and specifications indicated in an inspection plan, the purpose of which is the maintenance or preservation of the assets of the work, prepare, modify, sign and seal a list of defects or deteriorations relating to one of the following works:

(1) a structural component or a mechanical, electrical or thermal system of a building other than a very high-risk industrial occupancy;

(2) a road work and its dependencies, except an engineering work other than a retaining wall or culvert;

(3) a work to which a document referred to in section 9 relates.

5. A professional technologist may, according to the requirements, parameters, standards and specifications indicated in a test plan, carry out a test based on engineering principles, as well as prepare, modify, sign and seal a report related to that test.

6. A document prepared, modified, signed or sealed by a professional technologist under this Division must make reference to the monitoring, inspection or test plan.

7. A professional technologist must report back to the engineer who, as the case may be, is responsible for supervising or inspecting the work, or for conducting tests where the professional technologist has noted non-compliance with the supervision, inspection or test plan, or an unforeseen element that may result in a modification of the original design of the work.

DIVISION III**PROFESSIONAL ACTIVITIES ENGAGED IN ACCORDING TO PLANS AND SPECIFICATIONS**

8. A professional technologist may engage in a professional activity referred to in section 9 when the following conditions are met:

(1) the professional activity and the plans and specifications, as well as any written opinion relate to the same individual work;

(2) all the requirements, parameters, standards and specifications according to which the professional activity is engaged in are indicated in the plans and specifications or in a written opinion;

(3) the plans and specifications, as well as, where applicable, the written opinion indicate that they can be used for the purpose of carrying out an activity referred to in section 9 and are signed and sealed by an engineer;

(4) the professional activity does not relate to one of the following works:

(a) a protection device that ensures the safety of industrial equipment;

(b) a nuclear facility or prescribed equipment within the meaning of the Nuclear Safety and Control Act (S.C. 1997, c. 9);

(c) work installed in a very high-risk industrial occupancy within the meaning of the Construction Code (chapter B-1.1, r. 2) or in a hazardous location within the meaning of the Canadian Electrical Code, Part I, as incorporated in the Construction Code.

9. A professional technologist may, according to the requirements, parameters, standards, and specifications indicated in the plans and specifications, prepare, modify, sign and seal the following documents:

(1) a wiring schematic of a control, instrumentation or regulation device for an industrial-scale process or a mechanical, thermal or electrical system of a building;

(2) a component layout schematic of a control or regulation panel that is part of an industrial-scale process or a mechanical, thermal or electrical system of a building;

(3) a pipe, tubing, installation, assembly, connection or localization schematic of a pipe installation that is intended to contain one of the following substances:

(a) an inflammable gas or liquid with a gauge pressure of 689 kPa or less;

(b) a non-flammable gas with a gauge pressure of 1,720 kPa or less;

(c) a non-flammable liquid with a gauge pressure of 50,000 kPa or less;

(4) a connection and control schematic for an electric motor with a capacity of 38 kW or less, the electrical voltage of which is 600 V or less between phases and whose electric power supply has been provided for in the plans and specifications and designed specifically for that work;

(5) a localization or power supply schematic of a lighting device with an electrical voltage of 347 V or less or of one of its devices;

(6) a calculation to determine the required number and positioning of lighting devices with an electrical voltage of 347 V or less;

(7) a localization or installation schematic of a grounding, bonding, an electrical cable tray, instrumentation or communication of electrical equipment or a lightning conductor;

(8) a localization or installation schematic or a shop drawing of plumbing, heating, cooling, ventilation, refrigeration or regulation equipment.

Subparagraph 3 of the first paragraph does not apply to pipe installations or to fire prevention systems in care and detention occupancies.

10. A document prepared, modified, signed or sealed by a professional technologist under this Division may not be produced before the plans and specifications according to which that document was prepared or modified, and must make reference to those plans and specifications, as well as, where applicable, the written opinion.

DIVISION IV **PROFESSIONAL ACTIVITIES ENGAGED IN** **INDEPENDENTLY**

11. A professional technologist may prepare, modify, sign and seal the following documents:

(1) a distribution plan of an electrical installation within the meaning of the Construction Code (chapter B-1.1, r. 2) that meets the following conditions:

(a) it is powered only by a public sector electricity distributor;

(b) it is not located in a care or detention occupancy or a very high-risk industrial occupancy;

(c) its electric power demand is 120 kVA or less;

(d) its phase-to-neutral voltage is 120 V or less;

(2) a load calculation relating to an electrical installation referred to in paragraph 1;

(3) a wiring or component layout schematic of a control or regulation panel when the following conditions are met:

(a) the phase-to-neutral voltage of the panel is 120 V or less;

(b) the schematic is for the assembly of the panel by a manufacturer that is accredited by a certification body recognized by the Régie du bâtiment du Québec;

(4) a maintenance manual for a control or regulation panel produced by its manufacturer, where the latter is accredited by a certification body recognized by the Régie du bâtiment du Québec and the condition set out in subparagraph *a* of paragraph 3 is met;

(5) a marking plan for a public road on which the maximum authorized speed limit is 70 km/h or less, other than a temporary marking plan in a work zone.

12. A professional technologist may supervise work relating to a structural component or a mechanical, electrical or thermal system of one of the following buildings:

(1) an agricultural establishment, other than a silo or livestock waste storage facility;

(2) a building, other than an industrial occupancy, governed by Part 9 of the National Building Code, as incorporated in the Construction Code (chapter B-1.1, r. 2).

A professional technologist may exercise the activity referred to in the first paragraph where the following conditions are met:

(1) the plans and specifications must be specific to the work carried out and pertain to the execution of that work;

(2) the plans and specifications are signed and sealed, as the case may be, by an engineer or a professional technologist authorized to sign and seal them under this Regulation.

The certificate of compliance of the work produced by the professional technologist must refer to the plans and specifications.

Where the professional technologist notes that an unforeseen element may result in a modification of the original design of the work, the professional technologist must inform the engineer or the professional technologist who signed and sealed the plans and specifications.

13. A professional technologist may inspect, for the purposes of maintenance or the preservation of the asset, a structural component and a mechanical, electrical or thermal system of a building referred to in section 12, as well as prepare, modify, sign and seal a report related to that inspection.

DIVISION V FINAL

14. 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. 4-2024, 17 January 2024

Professional Code
(chapter C-26)

Professional activities that may be engaged in by a clinical perfusionist — Amendment

Regulation to amend the Regulation respecting the professional activities that may be engaged in by a clinical perfusionist

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; unless it is for the purpose of authorizing persons registered in a program giving access to a permit issued by the order or serving a period of professional training, the board of directors must, before adopting a regulation under that paragraph, consult any order whose members engage in a professional activity described in the regulation;

WHEREAS, in accordance with subparagraph *h* of the first paragraph of section 94 of the Code, the board of directors of the Collège des médecins du Québec consulted the Ordre des infirmières et infirmiers du Québec and the Ordre professionnel des inhalothérapeutes du Québec before adopting, on 16 June 2023, the Regulation to amend the Regulation respecting the professional activities that may be engaged in by a clinical perfusionist;

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 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 to amend the Regulation respecting the professional activities that may be engaged in by a clinical perfusionist was published in Part 2 of the *Gazette officielle du Québec* of 6 September 2023, 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;