

1994, chapter 40

AN ACT TO AMEND THE PROFESSIONAL CODE AND OTHER ACTS RESPECTING THE PROFESSIONS

Bill 140

Introduced by Mr Jacques Chagnon, Minister responsible for the administration of legislation respecting the professions

Introduced 11 November 1993

Passage in principle 10 December 1993

Passage 16 June 1994

Assented to 17 June 1994

Coming into force: on the date or dates fixed by the Government; however, the provisions of section 436 will come into force on the date of the coming into force of section 37.1 of the Pharmacy Act

– 15 October 1994: ss. 1-199, 201-207, 208 (par. 1), 209-211, 213-237, 239-243, 245-277, 279-293, 295-342, 344, 346-405, 407-435, 437-470
G.O., 1994, Part 2, pp. 4101, 4102

Acts amended:

Agrologists Act (R.S.Q., chapter A-12)

Architects Act (R.S.Q., chapter A-21)

Land Surveyors Act (R.S.Q., chapter A-23)

Hearing-aid Acousticians Act (R.S.Q., chapter A-33)

Act respecting the Barreau du Québec (R.S.Q., chapter B-1)

Professional Chemists Act (R.S.Q., chapter C-15)

Chiropractic Act (R.S.Q., chapter C-16)

Professional Code (R.S.Q., chapter C-26)

Chartered Accountants Act (R.S.Q., chapter C-48)

Dental Act (R.S.Q., chapter D-3)

Denturologists Act (R.S.Q., chapter D-4)

Nurses Act (R.S.Q., chapter I-8)

(Cont'd on next page)

Acts amended (Cont'd):

Engineers Act (R.S.Q., chapter I-9)
Forest Engineers Act (R.S.Q., chapter I-10)
Veterinary Surgeons Act (R.S.Q., chapter M-8)
Medical Act (R.S.Q., chapter M-9)
Notarial Act (R.S.Q., chapter N-2)
Dispensing Opticians Act (R.S.Q., chapter O-6)
Optometry Act (R.S.Q., chapter O-7)
Pharmacy Act (R.S.Q., chapter P-10)
Podiatry Act (R.S.Q., chapter P-12)
Radiology Technicians Act (R.S.Q., chapter T-5)



CHAPTER 40

An Act to amend the Professional Code and other Acts respecting the professions

[Assented to 17 June 1994]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. C-26, s. 1,
am.

1. Section 1 of the Professional Code (R.S.Q., chapter C-26) is amended

(1) by replacing paragraph *a* by the following paragraph:

“order” or
“profes-
sional order”

“(a) “order” or “professional order”: any professional order listed in Schedule I to this Code or constituted in accordance with this Code;”;

(2) by replacing the word “corporation” in paragraph *b* by the word “order”;

(3) by replacing the words “a corporation” in the first and in the second lines of paragraph *c* by the words “an order”, and by replacing, in the French text, the words “cette dernière” in the third line of that paragraph by the words “ce dernier”;

(4) by replacing the word “corporation” in the sixth and in the seventh lines of paragraph *f* by the word “order”;

(5) by replacing the word “corporation” in the fifth line of paragraph *g* by the word “order”;

(6) by replacing the words “a corporation” in the first line of paragraph *h* by the words “an order”.

c. C-26, s. 2,
am.

2. Section 2 of the said Code is amended by replacing the word “corporations” in the second line by the words “orders and to their members”.

c. C-26, s. 4,
am.

3. Section 4 of the said Code is amended

(1) by inserting the words “domiciled in Québec” after the word “members” in the first line of the first paragraph, and by striking out the second sentence of that paragraph;

(2) by inserting, after the first paragraph, the following paragraphs:

Members

“Four of the members, including the chairman and the vice-chairman, must be professionals. Three among their number, including the chairman or the vice-chairman, shall be chosen from a list of at least five names furnished to the Government by the Interprofessional Council.

Members

The fifth member shall be a non-professional. He shall be selected on the basis of his interest for the protection of the public that must be ensured by the professional orders.”

c. C-26, s. 6,
am.

4. Section 6 of the said Code is amended by striking out the first paragraph.

c. C-26, s. 8,
am.

5. Section 8 of the said Code is amended by replacing the words “its regulations” in the second and third lines of the first paragraph by the words “the rules governing the conduct of its affairs”.

c. C-26, s. 9,
am.

6. Section 9 of the said Code is amended by replacing the words “by reason of absence or illness” in the first line by the words “, by reason of absence or illness or for any other cause,”.

c. C-26,
s. 12, am.

7. Section 12 of the said Code is amended

(1) by replacing the word “corporation” in the first line of the first paragraph by the word “order”, and by adding, at the end of that paragraph, the following sentence: “For that purpose, the Office may, in particular, in collaboration with each order, monitor the operation of the various mechanisms established within the order pursuant to this Code and, where applicable, the Act constituting the professional order.”;

(2) by replacing the second paragraph by the following paragraph:

Functions of
Office

“It shall, where it considers it expedient, suggest the establishment of new orders or the amalgamation or dissolution of existing orders and amendments to this Code and the Acts, letters patent, regulations and by-laws governing them; it shall endeavour

to bring the orders to work together to find solutions to the common problems they encounter, by reason, in particular, of the relatedness of the activities exercised by their members; it shall suggest ways to ensure the best possible training for professionals.”;

(3) by replacing the third paragraph by the following paragraph:

“The Office must, in particular,

Duties of
Office

(1) ensure that the Bureau of each order adopts every regulation or by-law which it is required to adopt under this Code or, as the case may be, under the Act constituting the professional order;

(2) recommend that the Government adopt, by regulation, any regulation or by-law which the Bureau is required to adopt under this Code or, as the case may be, under the Act constituting the professional order, if the Bureau fails to do so within the time fixed by the Office;

(3) suggest to the Bureau of an order, at any time, the amendments the Office considers necessary to any regulation or by-law adopted by the Bureau which is a regulation or by-law the Bureau is required to adopt under this Code or, as the case may be, under the Act constituting the professional order, even before its publication in draft form in the *Gazette officielle du Québec* where so required, and even after its coming into force;

(4) recommend that the Government adopt, at any time, by regulation, the amendments the Office considers necessary to any regulation or by-law adopted by the Bureau which is a regulation or by-law the Bureau is required to adopt under this Code, or, as the case may be, under the Act constituting the professional order, whether or not the regulation or by-law has been published in draft form in the *Gazette officielle du Québec* where so required, and whether or not it is in force, if the Bureau fails to adopt such amendments within the time fixed by the Office;

(5) inform the order concerned of the comments regarding the regulations or by-laws it has examined;

(6) determine, by regulation and after consultation with the Interprofessional Council:

(a) the standards governing the preparation, content, updating and publication of the roll of members;

(b) the standards governing the preparation and content of the annual report of an order;

(7) advise the Government on any diploma giving access to a permit or specialist's certificate issued by an order, after consultation, in particular, with

(a) the educational institutions and the order concerned;

(b) the Conférence des recteurs et des principaux des universités du Québec in the case of a university-level diploma;

(c) the Fédération des cégeps in the case of a college-level diploma;

(d) the Minister of Education;

(8) inform the public of the rights and recourses provided for in this Code, the Acts constituting the professional orders and the regulations and by-laws under this Code and the said Acts;

(9) draw up and propose to the public and to the professional orders documents to further the exercise of the rights and recourses provided for in this Code, the Acts constituting the professional orders and the regulations and by-laws under this Code and the said Acts, including, in particular, a model form for requests for the holding of an inquiry by the syndic or assistant syndic or for the lodging of a complaint with the committee on discipline against a professional;

(10) report to the Government on any order which shows a deficit or has insufficient income to fulfill its duties and on any order which does not fulfill the duties imposed on it by this Code or, as the case may be, by the Act constituting it as a professional order."

c. C-26,
ss. 12.1-12.3,
added

8. The said Code is amended by inserting, after section 12, the following sections:

Rules

"12.1 The Office may, by regulation, adopt rules governing the conduct of its affairs.

Rules

The Office may also, by regulation and after consultation with the Interprofessional Council, determine rules governing the keeping and use of disciplinary records, rules governing access to those records, rules for protecting such confidential information contained in the records as is determined by the Office and the length of time for which the records must be kept by an order.

Standard

"12.2 The Office may, in a regulation that it is authorized to make under this Code or under an Act constituting the professional

order, make compulsory a standard established by a government or body. It may provide that reference to such a standard includes any subsequent amendment made to it.

Powers

“12.3 The Office may

(1) after consultation with the Interprofessional Council and various socioeconomic groupings, draw up a list of persons for the purposes of the fourth paragraph of section 123.3;

(2) fix, by regulation, the amount of the fees that a person who requests an opinion from the review committee pursuant to section 123.4 may be charged by an order.”

c. C-26,
s. 13,
replaced

9. Section 13 of the said Code is replaced by the following section:

Regulations

“13. Every regulation adopted by the Office under this Code or under an Act constituting a professional order must be submitted to the Government, which may approve it with or without amendment.”

c. C-26,
s. 14,
replaced

10. Section 14 of the said Code is replaced by the following sections:

Inquiry

“14. The Office, after obtaining the authorization of the Minister or at the Minister’s request, may inquire into the affairs of any order which shows a deficit or has insufficient income to fulfill its duties and of any order which does not fulfill the duties imposed on it by this Code or, as the case may be, by the Act constituting it as a professional order.

Request

In its request to the Minister for authorization to conduct an inquiry, the Office shall specify the reasons therefor. It shall also inform the order that it has made such a request, indicating the reasons therefor.

Inquiry

The Office may designate a person to carry out the inquiry on its behalf.

Person car-
rying out
inquiry

“14.1 The person carrying out the inquiry is required to take the oath or make the solemn affirmation contained in Schedule II, and is vested with the powers and immunity conferred on commissioners appointed under the Act respecting public inquiry commissions (R.S.Q., chapter C-37), except the power to impose a term of imprisonment.

Powers **“14.2** The person carrying out the inquiry may enter the head office of the order at any reasonable time and must, on request, produce a certificate attesting his capacity.

Powers He may examine and copy any document or record, require any document or record and demand any information or report needed by him for the purposes of the inquiry.

Prohibition **“14.3** No person may, in any way whatsoever, hinder the person carrying out the inquiry, mislead him by concealment or false declarations, refuse to allow him to examine or copy any document or record which he is entitled to obtain or copy for the purposes of the inquiry, refuse to provide him with such a document or record or refuse to provide him with any information or report required for such purposes.

Prohibition No person may refuse to allow him to examine or copy a document or record, or refuse to provide him with any information, document or record on the ground that it was obtained by the order in the exercise of the duties or powers conferred on it by this Code or, as the case may be, by the Act constituting it as a professional order, or on the ground that it is protected by professional secrecy.

Report **“14.4** The person carrying out an inquiry shall make a written report to the Office, which shall forward a copy to the Minister.

Report The Office shall also forward a copy of the report to the order concerned, which may make the necessary representations within the time fixed by the Office.

Administra-
tion **“14.5** The Government may place under the administration of one or more persons designated by it any order showing a deficit or having insufficient income to fulfill its duties or any order which does not fulfill the duties imposed on it by this Code, or, as the case may be, by the Act constituting it as a professional order, and may fix the terms and conditions of such administration.”

e. C-26,
s. 15, am. **11.** Section 15 of the said Code is amended by replacing the word “corporation” in the first line by the word “order”.

e. C-26,
s. 19,
replaced **12.** Section 19 of the said Code is replaced by the following sections:

Duties **“19.** The Interprofessional Council shall advise the Minister on any matter he refers to it. It shall bring to the Minister’s attention any matter which, in its opinion, requires government action.

Powers

In addition to the functions conferred on it by law, the Council may, in particular, after consulting its members,

(1) examine the problems of a general nature encountered by professional orders and communicate its findings to the orders concerned together with the recommendations it considers appropriate;

(2) propose to the Minister objectives to be pursued, both in the short and the long term, to ensure the protection of the public by the orders, and review such objectives periodically;

(3) suggest to the Minister and to the Office the measures it considers appropriate to enable the Office to perform its supervisory role;

(4) at the request of the Minister or of one or more orders, provide the public with information concerning the professional system, professionals and the duties and powers of the orders;

(5) make suggestions concerning amendments to be made to this Code and other Acts and in particular to the Acts constituting the professional orders, or to the regulations or by-laws made under this Code and such Acts;

(6) invite groups recognized or not as professional orders, whose members are engaged in related activities, to meet to find solutions to their problems;

(7) hear any group wishing to be recognized as a professional order and submit to the Government and to the Office the recommendations it considers appropriate in respect of the recognition of such group;

(8) carry out studies and give its advice on any matter relating to the protection of the public that must be ensured by the orders.

Special committees

In the exercise of its functions, the Council may form special committees to study particular matters and direct them to compile the relevant information and to report to the Council on their observations and recommendations.

Fees

The Council may charge fees for the carrying out of studies or research or for the provision of services.

Advice

“19.1 The Minister may, in particular, submit to the Interprofessional Council, for advice,

(1) any draft amendments to this Code, before they are introduced in the National Assembly, and any draft regulation or by-law under this Code, made by the Government or subject to government approval, and affecting all orders;

(2) any proposal to constitute a new order;

(3) any other matter of general interest to the professional orders.

Advice

The Council shall give its advice within the time fixed by the Minister."

c. C-26,
s. 20, am.

13. Section 20 of the said Code is amended

(1) by replacing the words "corporations; each of the corporations" in the second line of the first paragraph by the words "orders; each order";

(2) by replacing the words "his corporation, which" in the fourth line of the second paragraph by the words "the order of which he is a member, and the order";

(3) by adding, after the third paragraph, the following paragraph:

Chairman

"The chairman of the Council shall direct the activities of the Council and coordinate its work; he shall act as liaison between the Council and the Minister, and between the Council and the Office."

c. C-26,
s. 20.1, added

14. The said Code is amended by inserting, after section 20, the following section:

Rules

"20.1 The Interprofessional Council may, by by-law, adopt rules governing the conduct of its affairs.

Rules

Such rules shall come into force on the fifteenth day following the date of their adoption."

c. C-26,
s. 21, am.

15. Section 21 of the said Code is amended by replacing the word "corporation" in the first line by the word "order".

c. C-26,
Chap. IV,
heading,
replaced

16. The heading of Chapter IV of the said Code is replaced by the following heading:

"PROFESSIONAL ORDERS".

c. C-26,
Chap. IV,
Div. I, head-
ing, replaced

17. The heading of Division I of Chapter IV of the said Code is replaced by the following heading:

“CONSTITUTION OF PROFESSIONAL ORDERS”.

c. C-26,
s. 23, am.

18. Section 23 of the said Code is amended

(1) by replacing the word “corporation” in the first line of the first paragraph by the word “order”;

(2) by replacing, in the French text, the word “elle” in the first line of the second paragraph by the word “il”.

c. C-26,
s. 24, am.

19. Section 24 of the said Code is amended

(1) by replacing the first paragraph by the following paragraph:

Date of con-
stitution

“24. The professional orders mentioned in paragraphs 22 to 38 of Schedule I to this Code are constituted as of 1 February 1974.”;

(2) by replacing the words “corporation shall be incorporated” in the first line of the second paragraph by the words “order shall be constituted”, and by replacing, in the French text, the word “émises” in the second line of the second paragraph by the word “délivrées”.

c. C-26,
s. 25, am.

20. Section 25 of the said Code is amended

(1) by replacing the words “corporation should or should not be incorporated” in the first and second lines of that part of the section which precedes paragraph 1 by the words “order should or should not be constituted”;

(2) by replacing the words “corporation which it is proposed to incorporate” in the second line of paragraph 1 by the words “order which it is proposed to constitute”;

(3) by replacing the word “corporation” in the second line of paragraph 2 by the word “order”;

(4) by replacing the word “corporation” in the third line of paragraph 4 by the word “order”.

c. C-26,
s. 26, am.

21. Section 26 of the said Code is amended by replacing the words “a corporation” in the first line by the words “an order”, and by replacing the word “corporation” in the seventh line by the word “order”.

c. C-26,
s. 27, am.

22. Section 27 of the said Code is amended

(1) by replacing the words “incorporate by letters patent any professional corporation” in the second and third lines of the first paragraph by the words “constitute by letters patent any professional order”;

(2) by replacing, in the French text, the word “émises” in the first line of the second paragraph by the word “délivrées”, and by replacing, in the French text, the word “dans” in the third line of that paragraph by the word “à”;

(3) by inserting, after the second paragraph, the following paragraph:

Letters
patent

“The letters patent constituting a new order shall set out the titles, abbreviations and initials reserved for its members, and a description of the professional activities they may engage in in addition to those otherwise permitted by law. Furthermore, they may provide for such transitional measures as are considered necessary to facilitate the commencement of the order’s activities. These measures may, among other matters, pertain to the regulations applicable to members and the replacement of such regulations, the conditions of admission of persons as initial members of the new order, the composition of the Bureau, the duration of the initial term of office of the directors and the manner in which the president is to be elected.”;

(4) by replacing the third paragraph by the following paragraph:

Publication

“The letters patent constituting a new order shall be published in the *Gazette officielle du Québec* after they are issued, and the order shall be constituted as of such publication.”;

(5) by replacing the words “preceding paragraph” in the third line of the fourth paragraph by the words “fourth paragraph”;

(6) by adding, at the end, the following paragraph:

Effect

“The letters patent constituting a new order shall cease to have effect on the day of the coming into force of the provisions amending this Code for the purpose of introducing into it the titles, abbreviations and initials reserved for the order’s members, a description of the professional activities they may engage in and any other relevant provision. Any transitional measures contained in the letters patent that continue to be useful, however, shall remain in force.”

c. C-26,
s. 27.1, added

23. The said Code is amended by inserting, after section 27, the following section:

Supplemen-
tary letters
patent

“27.1 At any time before the day on which they cease to have effect, the Government may amend the letters patent constituting a new order by issuing supplementary letters patent.

Applicable
provisions

Section 27, adapted as required, applies to the supplementary letters patent.”

c. C-26,
s. 28, am.

24. Section 28 of the said Code is amended by replacing the word “corporation” in the first line by the word “order”, by replacing, in the French text, the words “Elle est investie” in the second line by the words “Il est investi”, and by replacing, in the French text, the word “la” in the fourth line after the word “loi” by the word “le”.

c. C-26,
s. 29, am.

25. Section 29 of the said Code, amended by section 481 of chapter 57 of the statutes of 1992, is again amended

(1) by replacing the word “corporation” in the first line of the first paragraph by the word “order” and by replacing, in the French text, the word “elle” in the third line of the first paragraph by the word “il”;

(2) by replacing, in the French text, the word “Elle” in the first line of the second paragraph by the word “Il”.

c. C-26,
s. 30,
replaced

26. Section 30 of the said Code is replaced by the following section:

Use of
expression

“30. Only the orders to which this Code applies may use the expression “professional order”, any other expression that includes both words or an expression leading to the belief that reference is being made to an order governed by this Code.”

c. C-26,
s. 31, am.

27. Section 31 of the said Code is amended by replacing the words “ “corporation” and “professional corporation” mean a professional corporation” in the first and second lines by the words “ “order” and “professional order” mean a professional order”.

c. C-26,
s. 32, am.

28. Section 32 of the said Code, amended by section 1 of chapter 38 of the statutes of 1993, is again amended

(1) by replacing, in the French text, the word “technicien” in the fourth line by the word “technologue”;

(2) by replacing the word “radiological” in the fourth line by the word “radiology”, and by replacing the words “dental technician” in the same line by the word “denturologist”;

(3) by replacing the word “any” in the fifth line by the words “one of the above titles or any other”;

(4) by replacing the word “corporation” in the seventh line by the word “order”;

(5) by replacing the word “corporation” in the tenth line by the word “order”.

c. C-26,
s. 33, am.

29. Section 33 of the said Code is amended by replacing the words “a corporation” in the first line of the first paragraph by the words “an order”, and by replacing the word “corporation” in the third line of that paragraph by the word “order”.

c. C-26,
s. 34,
replaced

30. Section 34 of the said Code is replaced by the following section:

Professional
acts

“34. Section 32 shall not prevent persons or categories of persons from engaging in professional acts that may be engaged in by the members of a professional order, provided they do so in accordance with the provisions of a regulation under paragraph *h* of section 94.”

c. C-26,
s. 35,
replaced

31. Section 35 of the said Code is replaced by the following section:

Interpreta-
tion

“35. In this division, the words “order” and “professional order” mean a professional order mentioned in paragraphs 22 to 38 of Schedule I or a professional order constituted under section 27. Such professional orders may use the designation “professional order” or “order”.

c. C-26,
s. 36, am.

32. Section 36 of the said Code, amended by section 2 of chapter 38 of the statutes of 1993, is again amended by replacing the words “Corporation professionnelle” wherever they appear in paragraphs *a* to *t* by the words “Ordre professionnel”.

c. C-26,
s. 37, am.

33. Section 37 of the said Code, amended by section 3 of chapter 38 of the statutes of 1993, is again amended

(1) by replacing the word “corporations” in the first line of that part of the section which precedes paragraph *a* by the word “orders”;

(2) by striking out the words “book-keeping and” in the second line of paragraph *b*;

(3) by replacing the word “corporation” in the second line of paragraph *r* by the word “order”;

(4) by replacing the words “Corporation professionnelle” wherever they appear in paragraphs *a* to *t* by the words “Ordre professionnel”.

c. C-26,
s. 38, am.

34. Section 38 of the said Code is amended by replacing the words “a corporation” in the second line by the words “an order”, and by replacing the word “corporation” in the third line by the word “order”.

c. C-26,
s. 39, am.

35. Section 39 of the said Code is amended by replacing the words “a corporation” in the first line of the first paragraph by the words “an order” and by replacing the word “corporation” in the third and in the fourth lines of that paragraph by the word “order”.

c. C-26,
s. 40, am.

36. Section 40 of the said Code is amended by replacing the words “a corporation” in the first line by the words “an order”, and by replacing the word “corporation” in the third line by the word “order”.

c. C-26,
s. 41, am.

37. Section 41 of the said Code is amended by replacing the words “a corporation” in the second line by the words “an order”, by replacing, in the French text, the words “qu’il” in the second line by the words “que le Bureau”, and by replacing the word “corporation” in the fourth line by the word “order”.

c. C-26,
s. 42, am.

38. Section 42 of the said Code is amended

(1) by striking out the words “subparagraph *a* of” in the third line of the first paragraph, and by replacing the word “corporation” in the fifth line of that paragraph by the word “order”;

(2) by replacing the word “corporation” in the fourth line of the second paragraph by the word “order”.

c. C-26,
s. 43, am.

39. Section 43 of the said Code is amended by replacing the words “corporation shall” in the first line by the words “order may”.

c. C-26,
ss. 44-46,
replaced

40. Sections 44, 45 and 46 of the said Code are replaced by the following sections:

Permit

“44. No order may refuse to issue a permit on the ground that the applicant is not a Canadian citizen, if he has been legally admitted to Canada as a permanent resident.

Refusal

“45. The Bureau may refuse to issue a permit to or enter on the roll any applicant who

(1) has been the subject of a decision of a Canadian court finding him guilty of a criminal offence which, in the reasoned opinion of the Bureau, is related to the practice of the profession, unless he has obtained a pardon;

(2) has been the subject of a decision of a foreign court finding him guilty of an offence which, if committed in Canada, could have led to criminal proceedings and which, in the reasoned opinion of the Bureau, is related to the practice of the profession, unless he has obtained a pardon;

(3) has been the subject of a disciplinary decision made in Québec by the committee on discipline of an order, imposing the revocation of a permit;

(4) has been the subject of a disciplinary decision made outside Québec which, if made in Québec, would have had the effect of a revocation of permit imposed by an order's committee on discipline.

Refusal

The Bureau may refuse to enter on the roll any applicant who

(1) is the subject of a disciplinary decision made in Québec by the committee on discipline of an order, imposing a striking off the roll, including a striking off the roll pursuant to section 133;

(2) is the subject of a disciplinary decision made outside Québec which, if made in Québec, would have had the effect of a striking off the roll imposed by an order's committee on discipline, including a striking off the roll pursuant to section 133.

Restriction
or suspension

"45.1 The Bureau may enter an applicant on the roll, but restrict or suspend his right to engage in professional activities, if that applicant

(1) is the subject of a disciplinary decision made in Québec by the committee on discipline of an order, imposing the restriction or suspension of his right to engage in professional activities;

(2) is the subject of a disciplinary decision made outside Québec which, if made in Québec, would have had the effect of a restriction or suspension of the right to engage in professional activities imposed by the committee on discipline of an order;

(3) is or has been, as the case may be, the subject of a decision described in section 45.

Application

"45.2 A person must, in his application for a permit or for entry on the roll, as the case may be, inform the Bureau that he is or has

been the subject of a judicial or disciplinary decision referred to in section 45 or 45.1.

Conditions

“46. Every person who applies therefor to the secretary of an order shall be entered on the roll of the order if he satisfies the following conditions:

- (1) he holds a permit issued by the Bureau of the order;
- (2) within the period fixed, he pays the contributions and other amounts owed by him to the order;
- (3) within the period fixed, where applicable, he furnishes security for his professional liability or pays the amount fixed in accordance with subparagraph *p* of the first paragraph of section 86;
- (4) where applicable, he has paid the costs awarded against him by the committee on discipline or the Professions Tribunal and any fine imposed by either body and owed by him;
- (5) he has completed the formalities and paid the fees for entry on the roll as determined in accordance with paragraph 9 of section 86.01;
- (6) he satisfies the other conditions for entry on the roll prescribed by this Code or by the Act constituting the order.”

c. C-26,
s. 48, am.

41. Section 48 of the said Code is amended by replacing the words “a corporation” in the first line by the words “an order”, and by replacing the word “corporation” in the second line by the word “order”.

c. C-26,
s. 49, am.

42. Section 49 of the said Code is amended by adding, after the fourth paragraph, the following paragraph:

Expert's fees

“The expert’s fees shall be paid by the Bureau in the case of the physician it has designated, by the person contemplated in the case of the physician he or the Bureau, instead of him, as the case may be, has designated, and by the Bureau and the person contemplated, in equal shares, in the case of the third physician.”

c. C-26,
s. 51, am.

43. Section 51 of the said Code is amended by replacing the word “corporation” in the first lines of subparagraphs *a* and *b* of the first paragraph by the word “order”.

c. C-26,
s. 53, am.

44. Section 53 of the said Code is amended

(1) by replacing the words “. The appeal must be lodged within thirty days of the service of the Bureau’s decision, in accordance with the Code of Civil Procedure (chapter C-25), on the person concerned” in the second, third and fourth lines of the first paragraph by the words “in accordance with the provisions of Division VIII of Chapter IV”;

(2) by striking out the second paragraph.

c. C-26,
s. 55, am.

45. Section 55 of the said Code is amended

(1) by replacing the words “a corporation” in the first line of the first paragraph by the words “an order”, and by replacing the word “corporation” in the fourth line of that paragraph by the word “order”;

(2) by replacing the words “a corporation” in the first line of the second paragraph by the words “an order”, and by replacing the word “corporation” in the same line of that paragraph by the word “order”.

c. C-26,
s. 55.1, added

46. The said Code is amended by adding, after section 55, the following section:

Disciplinary
measures

“55.1 The Bureau may, after giving the professional concerned the opportunity to make written representations, strike off the roll, or restrict or suspend the right to engage in professional activities of, any professional who

(1) has been the subject of a decision of a Canadian court finding him guilty of a criminal offence which, in the reasoned opinion of the Bureau, is related to the practice of the profession, unless he has obtained a pardon;

(2) has been the subject of a decision of a foreign court finding him guilty of an offence which, if committed in Canada, could have led to criminal proceedings and which, in the reasoned opinion of the Bureau, is related to the practice of the profession, unless he has obtained a pardon;

(3) has been the subject of a disciplinary decision made in Québec by the committee on discipline of an order, imposing the revocation of a permit;

(4) has been the subject of a disciplinary decision made outside Québec which, if made in Québec, would have had the effect of a revocation of permit imposed by the committee on discipline of an order;

(5) is the subject of a disciplinary decision made in Québec by the committee on discipline of an order, imposing a striking off the roll, including a striking off the roll pursuant to section 133;

(6) is the subject of a disciplinary decision made outside Québec which, if made in Québec, would have had the effect of a striking off the roll imposed by the committee on discipline of an order, including a striking off the roll pursuant to section 133;

(7) is the subject of a disciplinary decision made in Québec by the committee on discipline of an order, imposing the restriction or suspension of his right to engage in professional activities;

(8) is the subject of a disciplinary decision made outside Québec which, if made in Québec, would have had the effect of a restriction or suspension of the right to engage in professional activities imposed by the committee on discipline of an order.

Proof The Bureau may accept a certified copy of the judicial or disciplinary decision referred to in the first paragraph as proof.

Decision The Bureau must make its decision within six months after the day on which it is informed of the decision. The Bureau's decision must be served on the professional immediately in accordance with the Code of Civil Procedure (chapter C-25); the decision may be appealed from to the Professions Tribunal in accordance with the provisions of Division VIII of Chapter IV."

c. C-26,
s. 56, am.

47. Section 56 of the said Code is amended

(1) by replacing the words "a corporation" in the first line of the first paragraph by the words "an order", and by replacing, in the French text, the word "détenteur" in the second line of that paragraph by the word "titulaire";

(2) by striking out the words "of his corporation" in the third line of the second paragraph.

c. C-26,
s. 58,
French text,
am.

48. The French text of section 58 of the said Code is amended by replacing the word "détenteur" in the second line by the word "titulaire".

c. C-26,
ss. 59.1-59.3,
added

49. The said Code is amended by inserting, after section 59, the following sections:

Derogatory
act

"59.1 The fact of a professional taking advantage of his professional relationship with a person to whom he is providing

services, during that relationship, to have sexual relations with that person or to make improper gestures or remarks of a sexual nature, constitutes an act derogatory to the dignity of his profession.

Prohibition

“59.2 No professional may engage in an act derogatory to the honour or dignity of his profession or to the discipline of the members of the order, or practise a profession, carry on a trade, enterprise or business or hold an office or function that is inconsistent with the honour, dignity or practice of his profession.

Judicial or
disciplinary
decision

“59.3 A professional must, within ten days from the day on which he is himself informed, inform the secretary of the order of which he is a member that he is or has been the subject of a judicial or disciplinary decision referred to in section 55.1.”

c. C-26,
s. 60, am.

50. Section 60 of the said Code is amended

(1) by replacing the words “Every professional must inform” in the first line of the first paragraph by the words “A professional shall elect domicile by informing”, and by replacing the word “corporation” in the same line of that paragraph by the word “order”;

(2) by inserting the words “or, if he so chooses, his place of residence” after the word “profession” in the third line of the first paragraph, and by adding, at the end of that paragraph, the words “; the domicile thus elected shall constitute his professional domicile. He must also inform the secretary of all the places where he practises his profession”;

(3) by replacing the words “a corporation the incorporating” in the first line of the third paragraph by the words “an order the constituting”, by replacing the words “the place of practice” in the third line of that paragraph by the words “his professional domicile”, and by replacing the word “corporation” in the fourth line of that paragraph by the word “order”.

c. C-26,
ss. 60.4-60.6,
added

51. The said Code is amended by inserting, after section 60.3, the following sections:

Confidential
information

“60.4 Every professional must preserve the secrecy of all confidential information that becomes known to him in the practice of his profession.

Authoriza-
tion

He may be released from his obligation of professional secrecy only with the authorization of his client or where so ordered by law.

Access to
documents

“60.5 Every professional must respect the right of his client to examine documents concerning him in any record established in his respect, and to obtain a copy of such documents.

Refusal

However, a professional may refuse to allow access to the information contained in such records where their disclosure would be likely to cause serious harm to the client or to a third person.

Corrections

“60.6 Every professional must respect the right of his client to cause to be corrected any information that is inaccurate, incomplete or ambiguous with regard to the purpose for which it was collected, contained in a document concerning him in any record established in his respect.

Deletion

He must also respect the right of his client to cause to be deleted any information that is outdated or not justified by the object of the record, or to prepare written comments and file them in the record.”

c. C-26,
s. 61, am.

52. Section 61 of the said Code is amended

(1) by replacing the words “A corporation” in the first line of the first paragraph by the words “An order”;

(2) by replacing the word “corporation”, wherever it appears in subparagraphs *a* to *d* of the first paragraph, by the word “order”;

(3) by replacing the words and figure “paragraph *a* of section 94” in the first and second lines of subparagraph *b* and in the second line of subparagraph *c* of the first paragraph by the words and figure “paragraph *e* of section 93”;

(4) by striking out the words “Canadian citizens,” in the first line of the second paragraph.

c. C-26,
s. 62, am.

53. Section 62 of the said Code is amended by replacing the word “corporation” wherever it appears by the word “order”.

c. C-26,
s. 63, am.

54. Section 63 of the said Code is amended

(1) by replacing the word “corporation” in the second line of the first paragraph by the word “order”;

(2) by replacing the word “corporation” in the second line of the second paragraph by the word “order”;

(3) by replacing the words “a corporation” in the first line of that part of the third paragraph which precedes subparagraph 1 by the words “an order”;

(4) by replacing the word “; or” in the second line of subparagraph 1 of the third paragraph by the words “or in accordance with the Act constituting the professional order; or”.

c. C-26,
s. 64, am.

55. Section 64 of the said Code is amended by replacing the word “corporation” in the first line of subparagraph *a* of the first paragraph by the word “order”.

c. C-26,
s. 65, am.

56. Section 65 of the said Code is amended

(1) by replacing the first paragraph by the following paragraph:

Delimitation
of regions

“65. To ensure adequate regional representation on the Bureau of the order, the Bureau shall, by regulation, determine the number of regions, delimit them and establish how each such region is to be represented in terms of the number of elected directors on the Bureau of the order. Such regions shall be delimited with reference to the description and map of the boundaries in Schedule I to order in council 2000-87 dated 22 December 1987, concerning the revision of the boundaries of the administrative regions of Québec, as amended.”;

(2) by replacing the words “a corporation” in the first line of the second paragraph by the words “the order” and by replacing the word “Government” in the second line of that paragraph by the word “Bureau”;

(3) by adding, after the second paragraph, the following paragraph:

Representa-
tion

“The regulation may provide, within the Bureau, for representation of the sectors of professional activity of the members of the order and, for that purpose, may determine the activity sectors concerned, fix the number of directors representing them and establish how the sectors are to be represented among the directors.”

c. C-26,
s. 66.1, am.

57. Section 66.1 of the said Code is amended by replacing the word “corporation” in the first line by the word “order”, and by adding, at the end, the following paragraph:

Restriction

“Only those members of the order who have their professional domiciles in a particular region may be candidates in that region.”

c. C-26,
s. 67, am.

58. Section 67 of the said Code is amended by replacing the word “corporation” wherever it appears by the word “order”.

c. C-26,
s. 68, am.

59. Section 68 of the said Code is amended by replacing the words “practise their profession principally in a given region” in the

first and second lines by the words “have their professional domiciles in a particular region”.

c. C-26,
s. 69, am.

60. Section 69 of the said Code is amended

(1) by replacing the words “certified ballot paper” in the second line of paragraph *b* by the words “ballot paper certified by the secretary”;

(2) by striking out, in the French text, the word “se” in the second line of paragraph *c*;

(3) by replacing the word “corporation” wherever it appears by the word “order”.

c. C-26,
s. 71, am.

61. Section 71 of the said Code is amended by replacing the word “corporation” in the first line of the first paragraph by the word “order”.

c. C-26,
s. 72, am.

62. Section 72 of the said Code is amended by replacing the word “corporation” in the second line by the word “order”.

c. C-26,
s. 73, am.

63. Section 73 of the said Code is amended by replacing the word “corporation” in the first line by the word “order”.

c. C-26,
s. 74, am.

64. Section 74 of the said Code is amended by replacing the word “corporation” in the second line of the first paragraph by the word “order”.

c. C-26,
s. 75, am.

65. Section 75 of the said Code is amended

(1) by replacing the words “practise their profession principally” in the first line of the first paragraph by the words “have their professional domiciles”;

(2) by replacing the words “practise his profession principally” in the second line of the second paragraph by the words “have his professional domicile”;

(3) by adding, after the second paragraph, the following paragraph:

Exceptions “The first and second paragraphs do not apply to the elected director who holds the office of president.”

c. C-26,
s. 76, am.

66. Section 76 of the said Code is amended by replacing the word “corporation” in the second line of the first paragraph by the word “order”.

c. C-26,
s. 77, am. **67.** Section 77 of the said Code is amended by replacing the word “corporation” in the second line by the word “order”.

c. C-26,
s. 78, am. **68.** Section 78 of the said Code is amended by replacing the word “corporation” wherever it appears in the first, second and third paragraphs by the word “order”, and by replacing the words “a corporation” in the second line of the fourth paragraph by the words “an order”.

c. C-26,
s. 79, am. **69.** Section 79 of the said Code is amended by replacing the words “practise his profession principally” in the first line of the second paragraph by the words “have his professional domicile”.

c. C-26,
s. 80, am. **70.** Section 80 of the said Code is amended by replacing the word “corporation” in the second and in the fifth lines by the word “order”.

c. C-26,
s. 85, am. **71.** Section 85 of the said Code is amended

(1) by replacing the word “corporation” in the third line by the word “order”;

(2) by adding, at the end, the following paragraphs:

Resolution “The Bureau may adopt a resolution to dismiss a syndic or an assistant or corresponding syndic only if a written notice is sent to him not less than 30 days before the date of the meeting at which the resolution is to be proposed.

Notice The notice calling the syndic or the assistant or corresponding syndic to the meeting shall set out the reasons for the proposed dismissal and inform him of his right to be heard by the Bureau.

Notice The Bureau shall notify the Office of the reasons for the dismissal of the syndic or the assistant or corresponding syndic within 30 days of its decision.”

c. C-26,
s. 86, am. **72.** Section 86 of the said Code is amended

(1) by replacing subparagraphs *a* and *b* of the first paragraph by the following subparagraphs:

“(a) prepare, keep up to date and publish the roll of the members of the order according to the standards prescribed by regulation of the Office adopted pursuant to paragraph *a* of subparagraph 6 of the third paragraph of section 12;

“(b) fix the date, time and place of the annual general meeting of the members of the order;”;

- (2) by striking out subparagraph *c* of the first paragraph;
- (3) by replacing the word “corporation” in the second line of subparagraph *d* of the first paragraph by the word “order”;
- (4) by replacing the word “corporation” in the second line of subparagraph *f* of the first paragraph by the word “order”;
- (5) by adding, at the end of subparagraph *g* of the first paragraph, the words “, and the equivalence of the training of a person who does not hold a diploma, for the same purposes”;
- (6) by striking out subparagraph *h* of the first paragraph;
- (7) by replacing the word “corporation” in the first line of subparagraph *i* of the first paragraph by the word “order”;
- (8) by inserting the word “activities,” after the word “organize” in the first line of subparagraph *j* of the first paragraph, and by replacing the word “corporation” in the second line of that subparagraph by the word “order”;
- (9) by replacing subparagraph *k* of the first paragraph by the following subparagraph:

“(k) fix the amount of the annual assessment and, where applicable, of any additional assessment to be paid by the members or certain classes of members established on the basis of the professional activities in which they engage, and the date before which such assessment must be paid;”;
- (10) by inserting the words “of the order” after the word “members” in that part of subparagraph *l* of the first paragraph which precedes paragraph *i*, and by replacing the word “corporation” in the second line of paragraph *i* by the word “order”;
- (11) by striking out subparagraphs *n* and *o* of the first paragraph;
- (12) by replacing subparagraph *p* of the first paragraph by the following subparagraph:

“(p) establish, pursuant to the regulation made under paragraph *d* of section 93, the amount required to defray the operating cost of the group plan or of the professional liability insurance fund, apportion the prescribed amount among all the members of the order or certain classes of them, and determine when and where that amount must be paid, the whole in accordance with the terms and conditions it determines; for that purpose, the Bureau may, in particular, fix the amount payable by a member on the basis of the risk represented by

the class to which he belongs, with regard to the claims filed under the group plan or the professional liability insurance fund from 23 June 1987 for any fault or negligence committed by that member in the practice of his profession.

Operating
cost

That amount includes premiums, administration costs, contributions to the group plan or professional liability insurance fund and any other expenses inherent in the operation of such a plan.

Administra-
tive commit-
tee

Notwithstanding section 96, the administrative committee is not authorized to exercise the powers provided for in the first paragraph of this subparagraph;”;

(13) by replacing the word “second” in the first line of subparagraph *q* of the first paragraph by the word “third”;

(14) by adding, after subparagraph *r* of the first paragraph, the following subparagraphs:

“(s) impose on its members and the employees of the order the requirement to take an oath or make an affirmation of discretion, and establish the form thereof;

“(t) cooperate, in accordance with the terms and conditions fixed under the second paragraph of section 184, in the development and review of programs of study leading to diplomas giving access to a permit or a specialist’s certificate, the standards that the Bureau must fix by a regulation made under paragraph *c* of section 93 and, where applicable, the other terms and conditions that the Bureau may determine by a regulation made under paragraph *i* of section 94 together with the standards of equivalence applicable to the terms and conditions that the Bureau may fix in that regulation.”;

(15) by replacing the second paragraph by the following paragraph:

Majority
approval

“Every resolution passed by the Bureau under subparagraph *k* of the first paragraph must, to come into force, be approved by a majority of the members of the order who vote on the matter, except in the case of a resolution fixing an increase in assessment that has become necessary to enable the order to satisfy the obligations imposed on it by a regulation of the Office under subparagraph 6 of the third paragraph of section 12 or of the Government under section 184, to pay the expenses due to the indemnity fund, or expenses for the procedure for recognizing the equivalence of diplomas issued outside Québec or the equivalence of training or for the application of the provisions of this Code respecting professional discipline or inspection.”

c. C-26,
s. 86.0.1,
added

73. The said Code is amended by inserting, after section 86, the following section:

Powers

“86.0.1 The Bureau may, in particular, by resolution,

(1) publish any periodical, leaflet or information concerning the activities of the order or its members;

(2) form committees, determine their powers and fix the salary, fees or indemnities of their members;

(3) establish a benevolent fund or a pension plan, in accordance with the Supplemental Pension Plans Act (R.S.Q., chapter R-15.1), for the benefit of the members or employees of the order;

(4) establish and administer a retirement fund for the members of the order and organize group insurance plans on their behalf;

(5) establish and administer a contingency fund, the assets of which are invested in accordance with articles 1339 to 1344 of the Civil Code of Québec, for the benefit of members of the order in need;

(6) establish and administer a fund to promote training, information, the quality of professional services and research;

(7) enter, with any body, into an agreement that complies with the standards established by regulation under paragraph *c* of section 93 and concerning the equivalence of diplomas, or the standards established by regulation under paragraph *i* of section 94 and concerning the equivalence of the terms and conditions determined in the regulation, to facilitate recognition of the equivalence of diplomas issued by educational institutions situated outside Québec for the purpose of issuing a permit or a specialist's certificate, and recognition of the equivalence of the other terms and conditions of issue of permits, specialist's certificates or special authorizations;

(8) prescribe the fees payable by candidates wishing to practise the profession or obtain a specialist's certificate;

(9) determine the formalities and fees relating to entry on the roll and to applications for special authorization;

(10) require any person applying for a permit or for entry on the roll to take the oath or make the solemn affirmation in the form established by the Bureau;

(11) prescribe that fees in the amount fixed by the Office pursuant to paragraph 2 of section 12.3, shall be charged to a person

who requests an opinion from the review committee in accordance with section 123.4;

(12) suggest a tariff of professional fees that the members of the order may apply in respect of the professional services they render.”

c. C-26,
s. 86.1,
replaced

74. Section 86.1 of the said Code is replaced by the following section:

Professional
liability
insurance
fund

“86.1 The Bureau may, by resolution, set up a professional liability insurance fund and administer it in accordance with the Act respecting insurance (chapter A-32).

Condition

The resolution is effective only if the Minister of Finance authorizes the professional order to act as insurer to insure its members in respect of professional liability pursuant to a regulation adopted under paragraph *d* of section 93.

Claims

Where so prescribed by resolution of the Bureau, claims based on the professional liability of former members of the order by reason of professional fault or negligence committed while they were members of the order must be satisfied out of the fund’s equity and according to the limits and the terms and conditions set out in the resolution.

Professional
liability

Nothing in this Code shall prevent a professional order from setting up, acquiring or managing an insurance company to insure its members in respect of professional liability.

Restriction

Notwithstanding section 96, the administrative committee is not authorized to exercise the powers provided for in the first and third paragraphs.”

c. C-26,
s. 87, am.

75. Section 87 of the said Code is amended

(1) by replacing the word “corporation” in the second line of paragraph 3 by the word “order”;

(2) by replacing paragraph 4 by the following paragraph:

“(4) provisions setting out the conditions and procedure applicable to the exercise of the rights of access and correction provided for in sections 60.5 and 60.6, and provisions concerning a professional’s obligation to release documents to his client;”;

(3) by replacing the words “its members” in the second line of paragraph 5 by the words “the members of the order”.

c. C-26,
s. 88, am.

76. Section 88 of the said Code is amended

(1) by replacing the word “corporation” in the second line of the first paragraph by the word “order”;

(2) by adding, after the third paragraph, the following paragraphs:

Regulation

“The regulation may also contain provisions which, when all or part of the account in dispute is maintained or when a reimbursement is granted, enable the council of arbitration to add interest and an indemnity, computed in accordance with articles 1618 and 1619 of the Civil Code of Québec, from the date of the application for conciliation.

Proceedings

The member may not institute proceedings in respect of an account until the time allowed to apply for conciliation has expired. However, the member may institute proceedings before that time has expired, with the authorization of the person indicated by regulation of the Bureau, where there is a risk that recovery of the account will be imperilled unless proceedings are instituted.”

c. C-26,
s. 89, am.

77. Section 89 of the said Code is amended

(1) by replacing the words “a corporation” in the first line of the first paragraph by the words “an order”;

(2) by replacing the words “establish, by regulation,” in the third line of the first paragraph by the words “determine, by regulation, the terms, conditions and standards for receipt, custody and disposition of the sums of money and securities so held, and the terms, conditions and standards relating to the keeping and auditing of trust accounts, books and registers of such members. The regulation shall establish”;

(3) by striking out the words “, by regulation,” in the sixth line of the first paragraph.

c. C-26,
s. 90, am.

78. Section 90 of the said Code is amended by replacing the word “corporation” in the third line by the word “order”.

c. C-26,
s. 91, am.

79. Section 91 of the said Code is amended by replacing the first paragraph by the following paragraphs:

Standards

“91. The Bureau must, by regulation, determine standards concerning the keeping, holding and maintenance by a professional in the practice of his profession of records, books, registers, medications, poisons, products, substances, apparatus and equipment

as well as property entrusted to him by a client, and determine standards concerning the keeping by a professional of a consulting room and other offices.

Regulation

It must also, in the regulation, determine the rules, terms, conditions and formalities for the preservation, use, management, administration, transfer, assignment, provisional custody and destruction of the records, books, registers, medications, poisons, products, substances, apparatus and equipment of a professional, and the rules, terms, conditions and formalities for the preservation, use, management, administration and provisional custody of property entrusted to him by a client, applicable in the event of his death or his being struck off the roll or ceasing to practise, or in the event of his right to practise being restricted or suspended, his permit being revoked or his accepting an office which prevents him from completing the mandates that have been entrusted to him.”

c. C-26,
s. 93, am.

80. Section 93 of the said Code is amended

(1) by replacing the word “corporation” in the first line of paragraph *a* by the word “order”;

(2) by adding, at the end of paragraph *c*, the words “, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes”;

(3) by adding, after paragraph *c*, the following paragraphs:

“(d) impose on the members of the order or certain classes of them, on the basis of the risk they represent, in particular on those who practise for their own account, the obligation to furnish a security, by means of an insurance contract or a surety bond by any other means determined by the regulation, against any liability they may incur owing to fault or negligence in the practice of their profession, or the obligation to join a group plan contract entered into by the order or to contribute to a professional liability insurance fund established for such purposes in accordance with section 86.1;

“(e) fix, in accordance with section 61, the number of directors of the Bureau;

“(f) determine the location of the head office of the order.”

c. C-26,
s. 94, am.

81. Section 94 of the said Code is amended

(1) by replacing paragraph *a* by the following paragraph:

“(a) establish rules for the carrying on of its business, the administration of its property and the remuneration of its elected members, establish rules for the carrying on of the business of the administrative committee and determine the offices within the order whose holders shall not be dismissed except in accordance with section 85;”;

(2) by replacing the words “or sitting of the Bureau or” in the third line of paragraph *b* by the words “of the Bureau or a sitting of the”;

(3) by striking out paragraphs *c*, *d* and *g*;

(4) by replacing paragraph *h* by the following paragraph:

“(h) determine, among the professional acts 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, in particular persons serving a period of professional training determined pursuant to paragraph *i*, and the terms and conditions on which such persons may engage in such acts;”;

(5) by replacing the words “particularly, in relation to professional training and professional examinations” in the second and third lines of paragraph *i* by the words “in particular the obligation to serve the periods of professional training and to pass the professional examinations it determines; the regulation may also fix standards of equivalence applicable to the terms and conditions determined therein”;

(6) by striking out paragraphs *k* and *l*;

(7) by adding, at the end, the following paragraph:

“(m) determine categories of permits on the basis of the professional activities that the members may engage in or the titles they may use, and the conditions and restrictions to which members must submit when engaging in such activities or using such titles.”

c. C-26,
s. 94.1, added

82. The said Code is amended by inserting, after section 94, the following section:

Standard

“94.1 The Bureau may, in a regulation that it is authorized to make under this Code or under an Act constituting the professional order, make compulsory a standard established by a government or body. It may provide that reference to such a standard includes any subsequent amendment made to it.”

c. C-26,
s. 95, am.

83. Section 95 of the said Code is amended

(1) by replacing the word “Every” in the first line of the first paragraph by the words “Subject to sections 95.1 and 95.2, every”, by replacing, in the French text, the words “de ce” in the first line of that paragraph by the words “du présent”, and by replacing the word “corporation” in the second line of that paragraph by the word “order”;

(2) by striking out the second and third paragraphs.

c. C-26,
ss. 95.1-95.4,
added

84. The said Code is amended by inserting, after section 95, the following sections:

Regulations

“95.1 Every regulation adopted by the Bureau under section 65, paragraphs *a*, *b*, *e* and *f* of section 93, or paragraphs *a* and *b* of section 94 shall be transmitted to the Office for deposit and shall come into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the regulation.

Approval

“95.2 A regulation adopted by the Bureau under section 90 or 91, paragraph *d* of section 93, or paragraph *j* of section 94 shall be transmitted for examination to the Office, which may approve it with or without amendment.

Exception

Section 8 of the Regulations Act (R.S.Q., chapter R-18.1) does not apply to a regulation referred to in the first paragraph.

Approval

Where the Office has not approved a regulation transmitted to it under the first paragraph within 90 days of receipt, it must, at the end of that period, inform the Bureau, in writing, that the regulation has not been approved and report to it on the progress of the examination. Until the regulation has been approved, the Office must, every 60 days after the expiry of the 90-day period, inform the Bureau in writing that the regulation has not been approved and report to it on the progress of the examination.

Approval

“95.3 No regulation may be adopted by the Bureau under section 87, 88, 89, 90 or 91, paragraph *d* of section 93 or paragraph *j* of section 94 unless the secretary of the order has sent a draft of it to every member of the order at least 30 days before its adoption by the Bureau.

Copy

“95.4 The secretary of the order shall send a copy of every regulation in force adopted by the Bureau, or adopted by the Government pursuant to section 183, to the members of the order and the appointed directors.”

c. C-26,
s. 96, am.

85. Section 96 of the said Code is amended by replacing the word “corporation’s” in the third line of the first paragraph by the word “order’s”.

c. C-26,
s. 97, am.

86. Section 97 of the said Code is amended by replacing the words “a corporation” in the first line of the first paragraph by the words “an order”.

c. C-26,
s. 100, am.

87. Section 100 of the said Code is amended by adding, after the third paragraph, the following paragraph:

Tie vote

“In the case of a tie vote, the chairman has a casting vote.”

c. C-26,
s. 101, am.

88. Section 101 of the said Code is amended by replacing the word “sitting” in the first line by the word “meeting”.

c. C-26,
s. 102, am.

89. Section 102 of the said Code is amended

(1) by replacing the words “a corporation” in the first line of the first paragraph by the words “an order”;

(2) by replacing the word “corporation” in the second line of the first paragraph by the word “order”;

(3) by replacing the word “corporation” in the first line of the second paragraph by the word “order”.

c. C-26,
s. 103, am.

90. Section 103 of the said Code is amended by replacing the words “a corporation” in the first line by the words “an order”, and by replacing the word “corporation” in the second line by the word “order”.

c. C-26,
s. 104, am.

91. Section 104 of the said Code is amended

(1) by replacing the word “corporation” in the first line of the first paragraph by the word “order”;

(2) by replacing the word “corporation” in the third line of the first paragraph by the word “order”;

(3) by replacing the word “corporation” in the fourth line of the first paragraph by the word “order”;

(4) by replacing the words “requirements for that purpose of the regulations made by the Government” in the fifth and sixth lines of the first paragraph by the words “standards prescribed by regulation of the Office under paragraph *b* of subparagraph 6 of the third paragraph of section 12”;

(5) by replacing the words “the opening of the next session” in the third and fourth lines of the second paragraph by the word “resumption”.

c. C-26,
s. 105, am.

92. Section 105 of the said Code is amended by replacing the words “a corporation” in the first line by the words “an order”.

c. C-26,
s. 106, am.

93. Section 106 of the said Code is amended by replacing the words “a corporation” in the first line by the words “an order”, and by replacing the word “corporation” in the second line by the word “order”.

c. C-26,
s. 107, am.

94. Section 107 of the said Code is amended by replacing the words “a corporation” in the first line by the words “an order”.

c. C-26,
s. 108, am.

95. Section 108 of the said Code is amended by replacing the words “a corporation” by the words “an order”.

c. C-26,
s. 109, am.

96. Section 109 of the said Code is amended

(1) by replacing the word “corporation” in the second line of the first paragraph by the word “order”;

(2) by replacing the words “, with the same quorum, including the chairman or another member of the committee designated by the Bureau” in the fourth and fifth lines of the third paragraph by the words “of three members, including the chairman or another member of the committee designated by the chairman”.

c. C-26,
s. 110, am.

97. Section 110 of the said Code is amended by inserting the words “by reason of absence or illness or for any other cause” after the word “act” in the first line.

c. C-26,
s. 111, am.

98. Section 111 of the said Code is amended by replacing the words “investigator or member of the committee” in the first line by the words “member of the committee, inspector, investigator or expert”.

c. C-26,
s. 112, am.

99. Section 112 of the said Code is amended

(1) by replacing the word “corporation” in the second line of the first paragraph by the word “order”, and by adding, at the end of that paragraph, the words “, and inspect the property entrusted to them by their clients. For that purpose, the Bureau may appoint inspectors to assist the committee; the committee may also act on its own initiative by selecting inspectors from among those whose names appear on a list that may be established by the Bureau”;

(2) by replacing the word “corporation” in the second line of the second paragraph by the word “order”, and by replacing the words “in the exercise of its duties” in the seventh line of that paragraph by the words “in the exercise of its functions or one of its members in the performance of his duties; the committee may also act on its own initiative by selecting investigators from among those whose names appear on a list that may be established by the Bureau”;

(3) by inserting, after the second paragraph, the following paragraph:

Condition “The inspectors and investigators must be members of the order.”;

(4) by adding, after the third paragraph, the following paragraph:

Offence “In addition, the committee shall inform the syndic where it has reasonable grounds to believe that a professional has committed an offence referred to in the second paragraph of section 116.”

c. C-26,
s. 113, am. **100.** Section 113 of the said Code is amended by replacing the words “a corporation” in the second line by the words “an order”, and by replacing the word “corporation” in the same line by the word “order”.

c. C-26,
s. 114, am. **101.** Section 114 of the said Code is amended by replacing the words “an investigator or a member of the professional inspection committee or any expert whose services it has retained,” in the first, second and third lines by the words “a member of the committee, an inspector, an investigator or an expert”, and by replacing the words “an inquiry which he holds” in the fifth line by the words “an inspection or inquiry carried out by him”.

c. C-26,
Chap. IV,
Div. VII,
subdiv. 1,
heading,
replaced **102.** The said Code is amended by replacing the heading of subdivision 1 of Division VII of Chapter IV by the following heading:

“§ 1.— *Committees on discipline, syndics and review committees*”.

c. C-26,
s. 116, am. **103.** Section 116 of the said Code is amended

(1) by replacing the word “corporation” in the first paragraph by the word “order”;

(2) by replacing the word “corporation” in the third line of the second paragraph by the word “order”;

(3) by adding, after the second paragraph, the following paragraph:

Complaints

“The committee shall also be seized of every complaint made against a former member of an order for an offence referred to in the second paragraph that was committed while he was a member of the order. In such a case, every reference to a professional or a member of the order in the provisions of this Code, the Act constituting the order of which he was a member or a regulation under this Code or the said Act shall be a reference to the former member.”

c. C-26,
s. 117, am.

104. Section 117 of the said Code is amended

(1) by inserting the words “; the Government shall fix the duration of the chairman’s term” after the word “practice” in the fourth line of the first paragraph, and by replacing the words “corporation from among the members of the corporation” in the fifth line of that paragraph by the words “order from among the members of the order; the Bureau shall fix the duration of their terms”;

(2) by adding, after the second paragraph, the following paragraph:

Chairman

“Whenever possible, the person appointed by the Government as the chairman of a committee shall also be appointed as the chairman of the committee on discipline of other orders.”

c. C-26,
s. 118,
replaced

105. Section 118 of the said Code is replaced by the following sections:

Substitute
chairmen

“118. After consulting the Barreau du Québec, the Government shall draw up a list of advocates with at least ten years’ practice who could act as substitute chairmen; the Government shall fix the duration of their terms.

Applicable
provisions

The second paragraph of section 117 applies in the choice of the persons whose names may appear on the list.

Prohibition

“118.1 Neither the chairman nor the substitute chairman, once appointed in accordance with section 117 or 138, as the case may be, may act as the attorney of a party in disciplinary proceedings governed by this Code.

Expiry of
terms

“118.2 On the expiry of their terms, the members of the committee shall remain in office until reappointed or replaced by the Government or the Bureau, as the case may be.”

c. C-26,
ss. 119, 120,
replaced

106. Sections 119 and 120 of the said Code are replaced by the following sections:

Replacement

“119. Where a member of the committee is unable to act by reason of absence or illness or for any other cause, he may be replaced by a person who will perform his duties while he is unable to act; the person shall be designated in the same way as the member to be replaced, and his salary, fees or indemnities shall be fixed in the same way as those of the member.

Remaining
members

However, the two remaining members, provided one is the chairman or the substitute chairman, may validly proceed with the hearing and render a decision.

Secretary

“120. The Bureau of every order shall appoint the secretary of the committee on discipline of the order.

Applicable
provisions

The first paragraph of section 119 applies, adapted as required, where the secretary is unable to act by reason of absence or illness or for any other cause.

Duties of
secretary

“120.1 As part of his duties, the secretary shall see to the preparation and keeping of the committee's records and ensure that access to them is available in accordance with section 120.2. He shall keep a hearing roll and ensure that access to it is available in accordance with the said section.

Hearing roll

“120.2 Access to the hearing roll may be had at the head office of the order and the hearing roll must be posted by the secretary of the committee on discipline not less than ten days before the date set for the hearing.

Access to
records

Subject to the second paragraph of section 142, access to a record of the committee may be had at the head office of the order from the date on which the hearing is held.

Access to
roll and
record

Access to the roll and to the record may be had by obtaining a copy or through consultation on the premises during the order's regular office hours. However, a record may be consulted only in the presence of the secretary or a person designated by him.

Fee

“120.3 The person requesting access to the roll or record may be required to pay a reasonable fee, not exceeding the cost of transcription or reproduction or the cost of transmission of copies.”

c. C-26,
s. 121, am.

107. Section 121 of the said Code is amended

(1) by replacing the word “corporation” in the first and second lines by the word “order”;

(2) by adding, at the end, the following paragraphs:

Independence

“The Bureau must take steps to preserve the independence of the syndic and of the assistant and corresponding syndics at all times in the exercise of their functions.

Prohibition

The syndic and the assistant and corresponding syndics may not exercise any other functions arising from the application of the provisions of this Code or the Act constituting the professional order of which they are members.

Expert

Where so authorized by the Bureau, the syndic may retain the services of an expert.”

c. C-26,
s. 122, am.

108. Section 122 of the said Code is amended by adding, at the end of the first paragraph, the following sentence: “They may not refuse to make an inquiry on the sole ground that the request for an inquiry was not made using the form proposed pursuant to subparagraph 9 of the third paragraph of section 12.”

c. C-26,
ss. 122.1,
122.2, added

109. The said Code is amended by inserting, after section 122, the following sections:

Inspection
or inquiry

“122.1 The syndic or assistant syndic shall inform the professional inspection committee if he has reasonable grounds to believe that a professional’s practice of the profession or professional competence should be the subject of an inspection or inquiry, as the case may be, under section 112.

Assistance

“122.2 The person who requests the holding of an inquiry may be assisted by another person at any stage of an inquiry held pursuant to the first and second paragraphs of section 122, in particular as regards the request for the holding of an inquiry and during the procedure described in sections 123 to 123.8, and at any stage in the processing of a complaint lodged with the committee on discipline as a result of such an inquiry.”

c. C-26,
s. 123,
replaced

110. Section 123 of the said Code is replaced by the following sections:

Complaint

“123. The syndic or an assistant syndic shall inform any person who requested the holding of an inquiry, in writing, of his decision to lodge or not to lodge a complaint with the committee on discipline as a result of the request, or of his decision to forward the request to the professional inspection committee.

Request for
opinion

Where the syndic or assistant syndic decides not to lodge such a complaint, he must, at the same time, provide the person with a written explanation of the reasons for his decision and inform him of the possibility of requesting an opinion from the review committee.

Reasons

Where the syndic or assistant syndic forwards the request to the professional inspection committee, he must also, at the same time, provide the person with a written explanation of the reasons for his decision.

Inquiry

“123.1 Where the syndic or assistant syndic has not completed his inquiry within 90 days of receipt of the request for the holding of an inquiry, he must, at the end of that period, inform the person who requested the holding of an inquiry, in writing, that the inquiry has not been completed and report to him on the progress of the inquiry. Until the inquiry has been completed, the syndic or assistant syndic must, every 60 days after the expiry of the 90-day period, inform the person who requested the holding of the inquiry, in writing, that the inquiry has not been completed and report to him on the progress of the inquiry.

Complaint

“123.2 Where a complaint has been lodged with the committee on discipline, the syndic or assistant syndic must, at the request of the person who requested the holding of an inquiry, send or make known to that person the decision of the committee on discipline dismissing the complaint or imposing one or more of the penalties provided for in the first paragraph of section 156. At the same time, the syndic or assistant syndic must inform the person that he is bound by an order, if any, banning the publication or release of information, as indicated in the decision of the committee on discipline.

Review com-
mittee

“123.3 A review committee shall be established within every order.

Function

The function of the committee is to give, on request, to a person who requested the holding of an inquiry, its opinion regarding any decision of the syndic or assistant syndic not to lodge a complaint.

Composition

The committee shall be composed of not more than seven persons appointed by the Bureau of the order.

Composition

At least two of the persons so appointed shall be chosen from among the directors appointed by the Office under section 78, or from among the persons whose names are included on the list that the Office may compile for that purpose.

Sittings

There shall be three persons at the sittings of the committee, including at least one chosen in accordance with the fourth paragraph.

- Sittings** Where the number of persons so permits, the committee may sit in divisions of three persons, including at least one chosen in accordance with the fourth paragraph.
- Request for opinion** **“123.4** Within 30 days of the date of receipt of the decision of the syndic or assistant syndic not to lodge a complaint with the committee on discipline, the person who requested the holding of an inquiry may request an opinion from the review committee.
- Opinion** Within 90 days after the date of receipt of the request for an opinion made under the first paragraph, the review committee shall give its opinion in writing after having taken cognizance of both the record and the documents that the syndic or assistant or corresponding syndic is required to forward to it, and after having heard, where applicable, the syndic, assistant syndic or corresponding syndic and the person who requested the holding of an inquiry.
- Opinion** **“123.5** The review committee may, in the opinion it gives,
- (1) decide that there is no cause to lodge a complaint with the committee on discipline;
 - (2) suggest that the syndic or assistant or corresponding syndic complete his inquiry;
 - (3) suggest that the syndic refer the record to the professional inspection committee;
 - (4) decide that there is cause to lodge a complaint with the committee on discipline and suggest the name of a person who, acting in the capacity of syndic, could lodge the complaint.
- Fees** Where the review committee suggests that the syndic or the assistant or corresponding syndic complete his inquiry, or concludes that there is cause to lodge a complaint with the committee on discipline, the order must reimburse to the person who applied to the syndic for the holding of the inquiry any fees charged to that person pursuant to paragraph 2 of section 12.3.
- Conciliation** **“123.6** Where the syndic considers that the facts put forward to support the request for the holding of an inquiry may be the subject of a settlement, he may, at any time before the complaint against the professional is lodged with the committee on discipline, propose conciliation to the person who requested the holding of the inquiry and to the professional.
- Conciliation** Where the person who requested the holding of the inquiry and the professional consent to conciliation, the syndic shall take all

reasonable steps, having regard to all the circumstances, to attempt to conciliate the parties.

Exceptions

However, the syndic may not propose conciliation where he considers that the facts put forward to support the request for the holding of an inquiry are of such a nature that the protection of the public could be compromised if the professional were to continue to practise his profession. Furthermore, the syndic may not propose conciliation where he considers that the facts put forward to support the request for the holding of an inquiry show that the professional may have engaged in a derogatory act within the meaning of section 59.1.

Settlement

“123.7 Any settlement resulting from conciliation must be recorded in writing, approved by the syndic and signed by the person who requested the holding of an inquiry and by the professional. The request for the holding of an inquiry is thereupon deemed to have been withdrawn.

Proof

“123.8 The answers or statements given or made by the person who requested the holding of the inquiry or by the professional during a conciliation attempt may not be used or admitted as proof against the professional in judicial or quasi-judicial proceedings, except in the case of a hearing before the committee on discipline in relation to an allegation that, with the intention to mislead, the professional gave an answer or made a statement he knew to be false.”

c. C-26,
s. 124, am.

111. Section 124 of the said Code is amended by replacing the words “and corresponding syndics” in the second line by the words “, corresponding syndics and members of the review committee”.

c. C-26,
s. 125, am.

112. Section 125 of the said Code is amended by replacing the words “persons chosen by the chairman in accordance with the second paragraph of section 138” in the second and third lines by the words “substitute chairmen”.

c. C-26,
s. 125.1,
added

113. The said Code is amended by adding, after section 125, the following section:

Report of
activities

“125.1 At the request of the Bureau, the syndic and assistant syndics shall make a written report of their activities.”

c. C-26,
s. 127, am.

114. Section 127 of the said Code is amended by adding, at the end, the following paragraph:

Refusal

“The secretary of the committee on discipline may not refuse to receive a complaint on the sole ground that it was not made using the

form proposed pursuant to subparagraph 9 of the third paragraph of section 12.”

c. C-26,
s. 128, am.

115. Section 128 of the said Code is amended by adding, at the end of the second paragraph, the following sentence: “Such a person may not be prosecuted by reason of acts engaged in in good faith in the exercise of that power.”

c. C-26,
s. 130,
replaced

116. Section 130 of the said Code is replaced by the following section:

Complaint

“130. The complaint may demand the immediate provisional striking off the roll of the respondent

(1) where the respondent is charged with having engaged in a derogatory act referred to in section 59.1;

(2) where the respondent is charged with having appropriated, without entitlement, sums of money or securities held by him on behalf of a client or with having used sums of money or securities for purposes other than those for which they were entrusted to him in the practice of his profession;

(3) where the respondent is charged with having committed an offence of such a nature that the protection of the public could be compromised if the professional were to continue to practise his profession.”

c. C-26,
s. 131, am.

117. Section 131 of the said Code is amended by replacing the words “a person designated by him from the list provided for in section 138 of this Code” in the fourth and fifth lines by the words “the substitute chairman”.

c. C-26,
s. 133, am.

118. Section 133 of the said Code is amended

(1) by replacing the words “; it remains effective until the service of the final decision of the committee, unless the committee decides otherwise” in the third, fourth and fifth lines of the third paragraph by the words “. However, where the order is rendered in the presence of one of the parties, it is deemed to have been served on that party on being so rendered; the secretary shall indicate in the minutes the presence or absence of the parties when the committee renders the order.”;

(2) by adding, after the third paragraph, the following paragraphs:

Order

“The order imposing provisional striking off the roll remains in force until the decision of the committee dismissing the complaint or imposing a penalty, as the case may be, is served, unless the committee decides otherwise. However, where the committee imposes a penalty under subparagraph *b* or *e* of the first paragraph of section 156, the order imposing provisional striking off the roll remains in force until the decision imposing such a penalty becomes executory in accordance with section 158 or, where an appeal from the decision to allow the complaint or impose such a penalty is lodged, until the final decision of the Professions Tribunal becomes executory in accordance with the third paragraph of section 177, unless the tribunal decides otherwise.

Decision

The committee on discipline shall, in a decision imposing provisional striking off the roll, decide whether or not the secretary is to cause a notice thereof to be published in a newspaper having general circulation in the locality where the professional has his professional domicile. If the committee orders the publication of such a notice, it shall, in addition, decide if the expenses incurred for publication are to be paid by the professional or by the order, or apportioned between them.

Notice

The notice shall include the name of the respondent, the place of his professional domicile, the name of the order of which he is a member, his specialty, if any, the date and nature of the facts with which he is charged and the date and a summary of the decision.

Homologation

A decision of the committee on discipline ordering the respondent or the order, or both, to pay the expenses referred to in the fifth paragraph may, if payment is not made voluntarily, be homologated by the Court of Québec, and the decision becomes executory in the same manner as any judgment of that court.”

c. C-26,
s. 134, am.

119. Section 134 of the said Code is amended by replacing the words “corporate seat of the corporation” in the second and third lines of the first paragraph by the words “head office of the order”.

c. C-26,
s. 136,
repealed

120. Section 136 of the said Code is repealed.

c. C-26,
s. 138,
replaced

121. Section 138 of the said Code is replaced by the following section:

Members

“138. There shall be three members at the sittings of the committee, including the chairman or a person designated by him to act as substitute chairman. If the number of members of the committee so permits, the committee may sit in divisions consisting of three members.

Members

Where the committee consists of more than three members, the Bureau shall choose, from among the committee members, the other two members who shall sit with the chairman or the substitute chairman. The Bureau may delegate the power to the secretary of the committee."

c. C-26,
s. 139, am.

122. Section 139 of the said Code is amended by inserting the word "the" before the word "hearing" in the second line.

c. C-26,
s. 141,
replaced

123. Section 141 of the said Code is replaced by the following section:

Hearing

"141. The hearing shall be recorded, unless all the parties dispense with recording."

c. C-26,
s. 142, am.

124. Section 142 of the said Code is amended

(1) by replacing, in the French text, the word "audition" in the first paragraph by the word "audience";

(2) by inserting the words "access to or" after the word "ban" in the third line of the second paragraph;

(3) by inserting the word "access," after the word "banning" in the second line of the third paragraph.

c. C-26,
s. 144,
French text,
am.

125. Section 144 of the said Code is amended, in the French text, by replacing the word "audition" in the first line of the second paragraph by the word "audience".

c. C-26,
s. 145, am.

126. Section 145 of the said Code is amended by inserting, after the first sentence, the following sentence: "It may be so amended to request, in particular, provisional striking off the roll under section 130."

c. C-26,
s. 149, am.

127. Section 149 of the said Code is amended

(1) by replacing the words "before any court of justice" in the third line of the first paragraph by the words "in any judicial or quasi-judicial proceedings. He may not invoke his obligation to protect professional secrecy as a ground for refusing to answer.";

(2) by replacing the word "corporation" in the third line of the second paragraph by the word "order", and by replacing the words "tribunal hearing an appeal under section 162" in the fourth line of that paragraph by the words "Professions Tribunal".

c. C-26,
s. 151,
replaced

128. Section 151 of the said Code is replaced by the following section:

Payment of
costs

“151. The committee may condemn the complainant or the respondent to pay the costs, or it may apportion the costs between them in the proportions it indicates.

Payment of
costs

However, where the complainant is a person who has lodged a complaint under the second paragraph of section 128, the committee may condemn him to pay the costs only if the respondent is acquitted of every charge contained in the complaint and the complaint was clearly unfounded.

Costs

The costs include registration fees, expert's fees and, where the professional is found guilty, the travel and lodging expenses of the members of the committee.

Travel and
lodging
expenses

The travel and lodging expenses of the members of the committee shall be determined by the Government.”

c. C-26,
s. 152, am.

129. Section 152 of the said Code is amended

(1) by replacing the words “against this Code, the act constituting the corporation of which he is a member or the regulations made under this Code or the said act” in the second, third and fourth lines of the first paragraph by the words “referred to in section 116”;

(2) by adding, at the end, the following paragraph:

Decision

“Where there is no provision in this Code, the Act constituting the order of which the respondent is a member or a regulation or by-law under this Code or that Act which applies in the particular circumstances, the committee shall decide to the exclusion of any court

(1) whether the act with which the respondent is charged is derogatory to the honour or dignity of the profession or to the discipline of the members of the order;

(2) whether the profession the respondent practises, or the trade, enterprise or business he carries on, or the office or position he holds, is incompatible with the honour, dignity or practice of the profession.”

c. C-26,
s. 153, am.

130. Section 153 of the said Code is amended by replacing the word “of” in the second line of the second paragraph by the words “of the hearing, including”.

c. C-26,
s. 154, am.

131. Section 154 of the said Code is amended by inserting the words “rendered by a majority of the members. It shall be” after the word “be” in the first line, by inserting the words “who support it” after the word “committee” in the second line and by inserting the words “access to or” after the word “that” in the third line.

c. C-26,
s. 154.1,
added

132. The said Code is amended by inserting, after section 154, the following section:

Decision

“154.1 The committee on discipline shall render its decision within 90 days from the time the matter is taken under advisement.”

c. C-26,
s. 155,
repealed
c. C-26,
s. 156, am.

133. Section 155 of the said Code is repealed.

134. Section 156 of the said Code is amended

(1) by replacing the words “against this Code, the act constituting the corporation of which he is a member or the regulations made under this Code or the said act” in the second and third lines of the first paragraph by the words “referred to in section 116”;

(2) by replacing the words and figure “at least \$500” in subparagraph *c* of the first paragraph by the words and figures “not less than \$600 nor more than \$6 000”;

(3) by inserting, after subparagraph *d* of the first paragraph, the following subparagraph:

“(d.1) the obligation to transmit a document or the information contained in any document, and the obligation to complete, delete, update or rectify any document or information;”;

(4) by inserting, after the first paragraph, the following paragraph:

Penalty

“The committee on discipline shall impose at least provisional striking off the roll and a fine in accordance with subparagraphs *b* and *c* of the first paragraph on a professional found guilty of having engaged in a derogatory act referred to in section 59.1. The committee shall impose at least provisional striking off the roll in accordance with subparagraph *b* of the first paragraph on a professional found guilty of having appropriated, without entitlement, sums of money or securities held by him on behalf of a client or of having used sums of money or securities for purposes other than those for which they were entrusted to him in the practice of his profession.”;

(5) by replacing the third paragraph by the following paragraphs:

Penalty “The decision of the committee on discipline imposing one or more of such penalties may include terms and conditions. Where there is more than one penalty, it may also prescribe that the penalties apply consecutively.

Decisions The committee on discipline shall, on rendering a decision imposing temporary striking off the roll or a temporary restriction or suspension of a professional’s right to engage in professional activities, decide whether or not the secretary is to cause a notice thereof to be published in a newspaper having general circulation in the locality where the professional has his professional domicile. If the committee orders the publication of such a notice, it shall, in addition, decide if the expenses incurred for publication are to be paid by the professional or by the order, or apportioned between them.

Notice The notice shall include the name of the professional found guilty, the place of his professional domicile, the name of the order of which he is a member, his specialty, if any, the date and nature of the offence committed by him and the date and a summary of the decision.”;

(6) by replacing the words “respondent to costs or” in the second line of the fourth paragraph by the words “professional to costs,” and by replacing the word “respondent” in the same line of that paragraph by the words “professional or ordering him or the order, or both, to pay the expenses referred to in the fifth paragraph”.

c. C-26,
s. 157, am.

135. Section 157 of the said Code is amended by inserting the words “and, where applicable, ordering publication of the notice required under the fifth paragraph of section 156,” after the words “may be,” in the second line of the first paragraph.

c. C-26,
s. 158, am.

136. Section 158 of the said Code is amended

(1) by inserting the words “the first paragraph of” after the word “in” in the second line of the first paragraph;

(2) by inserting, after the first paragraph, the following paragraphs:

Decision “However, a decision of the committee on discipline imposing permanent striking off the roll, the revocation of a permit or specialist’s certificate or a permanent restriction or suspension of a professional’s right to engage in professional activities shall be executory upon being served on the respondent.

Decision A decision of the committee on discipline under the fifth paragraph of section 156 shall be executory upon the expiry of the time

limit for appeal or, if an appeal is lodged from a decision imposing temporary striking off the roll or a temporary restriction or suspension of a professional's right to engage in professional activities pursuant to the first paragraph of section 156, upon service of the final decision of the Professions Tribunal imposing such a penalty.”;

(3) by replacing the second paragraph by the following paragraph:

Exception “The committee may order that a decision under the first or third paragraph be executory at a time other than that referred to in those paragraphs.”

c. C-26,
s. 158.1,
added **137.** The said Code is amended by inserting, after section 158, the following section:

Fine **“158.1** The professional must pay to the order of which he is a member the fine imposed on him by the committee on discipline in accordance with subparagraph c of the first paragraph of section 156.

Fine The committee on discipline may recommend to the Bureau that all or part of the fine be remitted by the order to the person

(1) who disbursed sums of money for the purpose of lodging a complaint under the second paragraph of section 128;

(2) who was the victim of a derogatory act referred to in section 59.1, to pay the cost of therapeutic care related to the act.”

c. C-26,
s. 159, am. **138.** Section 159 of the said Code is amended

(1) by replacing the words “the accused” in the first line of the first paragraph by the words “a professional found guilty”, and by replacing the word “corporation” in the third line of that paragraph by the word “order”;

(2) by replacing the second paragraph by the following paragraph:

Homologation “Within ten days of dismissal of an appeal or expiry of the time limit for appeal if none is lodged, the order may pay the amount fixed by the committee out of the indemnity fund and may then recover such amount from the offending professional, by causing the committee's decision to be homologated by the Superior Court or the Court of Québec having jurisdiction, according to the amount involved, in the judicial district in which the professional has his professional domicile. Once homologated, the committee's decision becomes executory in the same manner as any judgment of the court that homologated it.”;

(3) by replacing the word “corporation” in the second and in the fourth lines of the third paragraph by the word “order”;

(4) by replacing the word “corporation” in the first line of the fourth paragraph by the word “order”.

c. C-26,
s. 160, am.

139. Section 160 of the said Code is amended

(1) by replacing the word “corporation” in the second line by the word “order”;

(2) by adding, at the end, the following paragraph:

Reintegration

“A decision of the committee on discipline may also recommend that a professional found guilty of having engaged in a derogatory act referred to in section 59.1 be required to submit to a program with a view to facilitating his reintegration into the practice of his profession.”

c. C-26,
s. 161.1,
added

140. The said Code is amended by inserting, after section 161, the following section:

Correction

“161.1 The committee on discipline may correct a decision it has rendered where the decision contains an error in writing, a mistake in calculation or any other clerical error.

Correction

The decision may be corrected by the committee of its own initiative, as long as execution of the decision has not commenced. Unless an appeal has been lodged, a correction may be effected at any time on the motion of one of the parties, served on the other parties in accordance with the Code of Civil Procedure.”

c. C-26,
s. 162, am.

141. Section 162 of the said Code is amended by replacing the words “absent or unable to act” in the fourth line by the words “unable to act by reason of absence or illness or for any other cause”.

c. C-26,
s. 163, am.

142. Section 163 of the said Code is amended by replacing the second paragraph by the following paragraphs:

Motions

“However, any motion for leave to appeal and motions preliminary or incidental to the hearing of the appeal shall be heard by the chairman of the tribunal or a judge designated by him. The judge who hears the motion may refer it to three judges, except where it is a motion referred to in the second paragraph of section 171 or made pursuant to the second paragraph of section 172.

“Tribunal”

In subparagraph 2 of the first paragraph of section 164 and in the third, fourth and sixth paragraphs of that section, and in sections 166

and 169, the term “tribunal” means a judge sitting alone, or three judges where the judge sitting alone has referred a motion to them pursuant to the second paragraph.

“tribunal” In the third paragraph of section 165, section 168, the first paragraph of section 172 and sections 173, 174, 176 and 177.1, the term “tribunal” includes a judge sitting alone pursuant to the second paragraph.”

c. C-26,
s. 164, am.

143. Section 164 of the said Code is amended

(1) by inserting, after subparagraph 1 of the first paragraph, the following subparagraph:

“(1.1) a decision of the committee on discipline ordering publication of the notice referred to in the fifth paragraph of section 133 or the fifth paragraph of section 156, by the professional, and from a decision ordering payment of the expenses incurred for publication of the notice in accordance with those paragraphs, by the professional or, upon a resolution of the Bureau of the order, by the syndic;”;

(2) by replacing the second, third and fourth paragraphs by the following paragraphs:

Appeal

“Every appeal from a decision referred to in subparagraph 1 or 1.1 of the first paragraph shall be brought by way of a motion served on the parties and on the secretary of the committee on discipline in accordance with the Code of Civil Procedure. The motion, which must contain a detailed statement of the grounds for appeal, must be filed at the office of the Court of Québec in the judicial district where the respondent in first instance has his professional domicile, within 30 days of the service of the decision. However, no appeal from a decision allowing a complaint may be brought later than thirty days after the date of service of the decision imposing a penalty.

Application

Leave to appeal from a decision referred to in subparagraph 2 of the first paragraph is applied for to the tribunal by way of a motion served on the parties and on the secretary of the committee on discipline in accordance with the Code of Civil Procedure. The motion for leave to appeal, which must contain a detailed statement of the grounds for appeal, must be filed at the office of the Court of Québec in the judicial district where the respondent in first instance has his professional domicile within 30 days of the date of the decision being appealed from.

Record

Within 30 days of receipt of the notice of appeal or the decision of the tribunal granting leave to appeal, the secretary of the

committee on discipline shall send the original and three copies of the record to the clerk of the Court of Québec and one copy to each of the parties.”;

(3) by replacing the words “depositions if they have” in the second line of the fifth paragraph by the words “hearing if it has”;

(4) by replacing that part of the sixth paragraph which precedes subparagraph *a* by the following:

Powers

“The tribunal may”;

(5) by striking out the word “three” in the second line of subparagraph *b* of the sixth paragraph.

c. C-26,
s. 165, am.

144. Section 165 of the said Code is amended by striking out the words “to which the appeal is referred” in the first line of the first paragraph and by replacing the words “immunities of” in the second line of that paragraph by the words “immunity conferred upon”.

c. C-26,
s. 166, am.

145. Section 166 of the said Code is amended by replacing the second paragraph by the following paragraph:

Orders and
decisions

“However, the following orders and decisions shall be executory notwithstanding an appeal, unless the tribunal orders otherwise:

(1) an order for provisional striking off the roll under section 133;

(2) an order prohibiting access to or publication or release of information under section 142;

(3) a decision imposing permanent striking off the roll, revocation of a permit or specialist’s certificate or a permanent restriction or suspension of a professional’s right to engage in professional activities under any of subparagraphs *b*, *e*, *f* and *g* of the first paragraph of section 156;

(4) a decision imposing provisional striking off the roll pursuant to the second paragraph of section 156.”

c. C-26,
s. 167, am.

146. Section 167 of the said Code is amended by replacing the first paragraph by the following paragraph:

Factum

“**167.** Within 30 days of receipt of his copy of the record, the appellant must file at the office of the Court of Québec the original and three copies of a factum setting out his claims, and give a copy thereof to each of the other parties. Within 30 days of receipt of their

copies of the factum, the other parties must file the original and three copies of their own factums at the office of the court, and give a copy thereof to the appellant.”

c. C-26,
s. 168, am.

147. Section 168 of the said Code is amended by striking out the word “additional” in the first line.

c. C-26,
s. 169, am.

148. Section 169 of the said Code is amended by replacing the word “additional” in the second line of the first paragraph by the words “new and indispensable”.

c. C-26,
s. 171,
replaced

149. Section 171 of the said Code is replaced by the following section:

Date of
appeal

“171. The chairman of the tribunal or a judge designated by him shall fix the date for hearing the appeal.

Hearing and
decision by
preference

Upon a motion from one of the parties, served on the other parties, the chairman or the judge designated by him may decide that the appeal will be heard and decided by preference.”

c. C-26,
s. 172, am.

150. Section 172 of the said Code is amended

(1) by replacing the words “at the chief place of” in the first line of the first paragraph by the word “in”, and by replacing the words “principally practises his profession” in the second line of that paragraph by the words “has his professional domicile”;

(2) by replacing, in the French text, the words “qu’il désigne” in the first line of the second paragraph by the words “que désigne le président”, and by replacing the words “at the chief place of” in the second and third lines of that paragraph by the word “in”.

c. C-26,
s. 173,
French text,
am.

151. Section 173 of the said Code is amended, in the French text, by replacing the word “audition” in the first paragraph by the word “audience”.

c. C-26,
s. 174,
French text,
am.

152. Section 174 of the said Code is amended, in the French text, by replacing the word “audition” in the second line by the word “audience”.

c. C-26,
s. 175, am.

153. Section 175 of the said Code is amended

(1) by adding, at the end of the first paragraph, the following sentence: “It may, in particular, substitute any other penalty

prescribed by the first paragraph of section 156 for a penalty imposed by the committee on discipline if, in its opinion, that penalty should have been imposed in first instance.”;

(2) by adding, at the end of the second paragraph, the following sentence: “However, where the complainant in first instance is a person who lodged a complaint under the second paragraph of section 128, the tribunal may condemn him to pay the costs only if it has acquitted the professional of all the charges contained in the complaint and the complaint was clearly unfounded.”;

(3) by adding, after the second paragraph, the following paragraph:

Penalties

“If the tribunal finds the respondent guilty after the committee on discipline had acquitted him, it may impose one or more of the penalties prescribed by the first paragraph of section 156, after having given the parties the opportunity to be heard on the subject of the penalties. The tribunal may also decide to return the record to the committee on discipline so that the committee may impose one or more of the penalties prescribed by the said section.”

c. C-26,
s. 176, am.

154. Section 176 of the said Code is amended by replacing the word “The” in the first line by the word “Every”.

c. C-26,
s. 177.1, am.

155. Section 177.1 of the said Code is amended

(1) by replacing the first paragraph by the following paragraphs:

Correction

“177.1 The tribunal may correct a decision it has rendered where the decision contains an error in writing, a mistake in calculation or any other clerical error.

Correction

The decision may be corrected by the tribunal of its own initiative, as long as execution of the decision has not commenced. A correction may be effected at any time on the motion of one of the parties, served on the other parties in accordance with the Code of Civil Procedure.”;

(2) by striking out subparagraph 3 of the second paragraph.

c. C-26,
s. 178,
repealed

156. Section 178 of the said Code is repealed.

c. C-26,
s. 179, am.

157. Section 179 of the said Code is amended by adding, at the end, the words “within 45 days of the day on which it is rendered”.

c. C-26,
s. 180, am.

158. Section 180 of the said Code is amended

(1) by replacing the word “corporation” in the second line of the first paragraph by the word “order”;

(2) by replacing the words “struck off the roll” in the second and third lines of the first paragraph by the words “provisionally, temporarily or permanently struck off the roll”;

(3) by replacing the words “tribunal correcting or revising such a decision. The notice shall contain the name of the guilty professional, his principal place of practice and the address thereof, the name of the corporation” in the seventh, eighth and ninth lines of the first paragraph by the words “committee on discipline correcting such a decision or the tribunal correcting or revising such a decision. The notice shall contain the name of the professional, the place of his professional domicile, the name of the order”;

(4) by inserting the words “of the facts with which he is charged, in the case of provisional striking off, or” after the word “date” in the tenth line of the first paragraph;

(5) by inserting the words “where the professional has been permanently struck off or where he has had his right to practise permanently restricted or suspended or his permit or specialist’s certificate revoked,” after the word “addition,” in the first line of the second paragraph, and by replacing the words “principally practised his profession, unless he is exempted therefrom by the committee” in the third and fourth lines of that paragraph by the words “had his professional domicile”.

c. C-26,
s. 180.1,
repealed

159. Section 180.1 of the said Code is repealed.

c. C-26,
s. 180.2, am.

160. Section 180.2 of the said Code is amended by replacing the words and figures “the first paragraphs of sections 180 and 180.1” in the first and second lines by the words and figure “the first paragraph of section 180”, and by replacing the word “corporation” in the third line by the word “order”.

c. C-26,
s. 181, am.

161. Section 181 of the said Code is amended by replacing the word “corporation” in the second line of the first paragraph by the word “order”.

c. C-26,
s. 182,
replaced

162. Section 182 of the said Code is replaced by the following section:

Publication

182. The Office shall publish annually a compendium containing certain decisions rendered in accordance with this division,

subject to any order banning the publication or release of information or documents issued by the committee on discipline or the Professions Tribunal under sections 142 and 173, respectively.

Publication

However, every decision published must include the name of the order concerned.”

c. C-26,
ss. 182.1-
182.10, added

163. The said Code is amended by inserting, after section 182, the following division:

“DIVISION VIII

“APPEAL FROM CERTAIN DECISIONS OTHER THAN DISCIPLINARY DECISIONS

“§ 1. — *Appeal to the Professions Tribunal*

Decisions

“182.1 This division applies to appeals to the Professions Tribunal from the following decisions:

(1) a decision of the Bureau under section 51, the second paragraph of section 52 or section 55.1 of this Code;

(2) a decision of the Executive Committee under section 48 of the Act respecting the Barreau du Québec (chapter B-1) or under subsection 5 of section 70 of that Act;

(3) a decision of the Bureau under the third paragraph of section 20 of the Medical Act (chapter M-9).

Applicable provisions

The first paragraph of section 163 and sections 165, 168, 169, 170, 171, 173, 174, 176 and the third paragraph of section 177.1 apply to appeals from decisions referred to in the first paragraph.

Motions

Every motion preliminary or incidental to the hearing of the appeal shall be heard by the chairman of the tribunal or a judge designated by him. The judge hearing the motion may refer it to three judges, except in the case of a motion made under the second paragraph of section 171 or pursuant to the third paragraph of section 182.5.

“tribunal”

In section 169, the seventh paragraph of section 182.2 and section 182.3, the term “tribunal” means a judge sitting alone, or three judges where the judge sitting alone has referred the motion to them pursuant to the third paragraph.

“tribunal”

In the third paragraph of section 165, sections 168, 173, 174 and 176, the third paragraph of section 177.1, the first paragraph of section

182.5 and section 182.8, the term “tribunal” includes a judge sitting alone pursuant to the third paragraph.

Motion

“182.2 Every appeal from a decision referred to in the first paragraph of section 182.1 shall be brought by way of a motion served on the secretary of the Bureau or of the Executive Committee, as the case may be, in accordance with the Code of Civil Procedure. The motion, which must contain a detailed statement of the grounds for appeal, must be filed at the office of the Court of Québec in the judicial district where the appellant has his professional domicile, within 30 days of the service of the decision. Where the appellant is not a member of the order, the motion must be filed within the same period at the office of the Court of Québec in the judicial district in which the appellant has his domicile.

Record

Within 30 days of receipt of the notice of appeal, the secretary of the Bureau or of the Executive Committee, as the case may be, shall send the original and three copies of the record to the clerk of the Court of Québec and a copy to each of the parties.

Record

The record relating to an appeal from a decision made under section 51 of this Code shall include, in particular, the decision ordering the medical examination, the medical examination report, the decision made under that section and the motion for appeal. The record relating to an appeal from a decision made under the second paragraph of section 52 of this Code shall include, in particular, the decision restricting or suspending the right to practise the profession or striking the professional off the roll, the written application for reinstatement of the full right to practise or for entry on the roll, the medical examination report, the decision made under that section and the motion for appeal.

Record

The record relating to an appeal from a decision made under section 55.1 of this Code shall include, in particular, the decision made under that section, the judicial or disciplinary decision referred to in that section, the reasoned opinion of the Bureau that the offence committed is related to the practice of the profession, and the motion for appeal.

Record

The record relating to an appeal from a decision under section 48 of the Act respecting the Barreau du Québec shall include, in particular, the decision of the committee, the record and decision of the Executive Committee and the motion for appeal. The record relating to an appeal from a decision under subsection 5 of section 70 of the Act respecting the Barreau du Québec shall include, in particular, the record and decision of the Executive Committee and the motion for appeal.

Record	The record relating to an appeal from a decision referred to in the third paragraph of section 20 of the Medical Act shall include, in particular, the record and decision of the Bureau and the motion for appeal.
Powers	<p>The tribunal may</p> <p>(1) on a motion of the secretary of the Bureau or of the Executive Committee, as the case may be, extend the period provided for in the second paragraph;</p> <p>(2) on a motion of one of the parties, allow that certain elements of the record not be reproduced in the copies which must be sent in accordance with the second paragraph.</p>
Suspension	“182.3 The appeal shall suspend execution of the decision, except where the tribunal orders provisional execution.
Decision	However, a decision refusing entry on the roll, a decision rendered pursuant to subparagraph 1 or 2 of the first paragraph of section 55.1 or a decision rendered under section 48 of the Act respecting the Barreau du Québec shall be executory notwithstanding the appeal, unless the tribunal orders otherwise.
Factum	“182.4 Within 30 days of receipt of his copy of the record, the appellant must file at the office of the Court of Québec the original and three copies of a factum setting out his claims, and give a copy to the other party. Within 30 days of receipt of his copy of the factum, the other party must file the original and three copies of his own factum at the office of the court and give a copy to the appellant.
Dismissal	If the appellant does not file his factum within the period fixed, the appeal may be dismissed; if the other party is in default, the tribunal may refuse to hear him.
Sittings	“182.5 The tribunal shall sit in the judicial district where the appellant has his professional domicile.
Sittings	Where the appellant is not a member of the order, the tribunal shall sit in the judicial district where the appellant has his domicile.
Sittings	The chairman of the tribunal or a judge designated by him may decide, with the consent of the parties, that the appeal is to be held in the judicial district of Québec or Montréal.
Powers	“182.6 The tribunal may confirm, alter or quash any decision submitted to it and render the decision it considers should have been rendered in first instance.

- Powers** The tribunal has the power to order either of the parties to pay the costs, or to apportion such costs between them.
- Service** “**182.7** Within ten days of the final decision of the tribunal, the clerk of the Court of Québec in the judicial district where the tribunal held its sittings shall cause the decision to be served on the appellant and on the secretary of the Bureau or of the Executive Committee, as the case may be, in accordance with the Code of Civil Procedure.
- Presumption** However, where the decision is rendered in the presence of one of the parties, it is deemed to be served on that party in accordance with the first paragraph on being so rendered.
- Final decision** The final decision of the tribunal is executory from its service on the appellant.
- Correction** “**182.8** The tribunal may correct any decision it has rendered where the decision contains an error in writing, a mistake in calculation or any other clerical error.
- Correction** The decision may be corrected by the tribunal of its own initiative, as long as execution of the decision has not commenced. The correction may be effected at any time on the motion of the appellant or the Bureau or the Executive Committee, as the case may be, served in accordance with the Code of Civil Procedure.

“§ 2. — Publicity of decisions

- Notice** “**182.9** The secretary of the order of which a professional who is struck off the roll or whose right to practise is restricted or suspended is a member must send to each of its members a notice of the final decision of the Bureau or the Professions Tribunal, as the case may be, entailing striking off the roll or restriction or suspension and a notice of any decision of the tribunal correcting or revising such a decision. The notice shall contain the name of the professional, the place of his professional domicile, the name of the order of which he is a member, his specialty, if any, and the date and a summary of the decision.
- Final decision** In addition, the secretary of the order must transmit to the Office every final decision of the Bureau or the Professions Tribunal, as the case may be, that entails permanent striking off the roll or permanent restriction or suspension of a professional’s right to practise and, where applicable, any decision of the tribunal correcting or revising such a decision.
- Publication** The notices referred to in the first paragraph may be published or inserted in an official or regular publication of the order sent to each

of its members. If published, a notice must be laid out in a box not less than two columns wide, under the title “NOTICE OF STRIKING OFF THE ROLL OR RESTRICTION AND SUSPENSION OF THE RIGHT TO PRACTISE”.

Notice

“182.10 The secretary of the order referred to in subparagraph *c* of the first paragraph of section 20 of the Medical Act must send to each of the persons entered in the register referred to in that subparagraph a notice of the final decision of the Bureau or the Professions Tribunal, as the case may be, entailing the suspension or cancellation of the registration of a person in that register or the refusal to renew the registration and a notice of any decision of the tribunal correcting or revising such a decision. The notice must include the name of the person, the place and address where he principally practised acupuncture and the date and a summary of the decision.

Final decision

In addition, the secretary of the order must send to the Office every final decision of the Bureau or the Professions Tribunal, as the case may be, entailing the suspension or cancellation of a registration or the refusal to renew a registration and any decision of the tribunal correcting or revising such a decision.

Publication

A notice referred to in the first paragraph may be published or inserted in an official or regular publication that the order sends to the persons entered in the register. If a notice is published, it must be laid out in a box not less than two columns wide, under the title “NOTICE OF SUSPENSION, CANCELLATION OR NON-RENEWAL OF ENTRY ON THE REGISTER OF ACUPUNCTURISTS”.

c. C-26,
ss. 183, 184,
replaced

164. Sections 183 and 184 of the said Code are replaced by the following sections:

Regulations

“183. The Government may, by regulation and after having received the recommendation of the Office pursuant to subparagraph 2 or 4 of the third paragraph of section 12, adopt a regulation or amendments to a regulation that the Bureau fails to adopt.

List of titles

“183.1 The Government may, by regulation, establish a list of titles, abbreviations of titles or initials which, when used by a person or attributed to himself by a person who is not a member of the professional order indicated in the regulation, may lead to the belief that the person is a member of that order or that the person practises a professional activity reserved for members of that order.

List of words

The Government may also, by regulation, establish a list of words or expressions which, when associated with the name of a person who

is not a member of the professional order indicated in the regulation, may lead to the belief that the person is a member of that order or that the person practises a professional activity reserved for members of that order.

Diplomas **“184.** After obtaining the advice of the Office in accordance with subparagraph 7 of the third paragraph of section 12, and of the order concerned, the Government may, by regulation, determine the diplomas issued by the educational institutions it indicates which give access to a permit or specialist’s certificate.

Terms and
conditions of
cooperation The Government may also, by regulation and after having consulted the Office and the persons or bodies referred to in subparagraph 7 of the third paragraph of section 12, fix the terms and conditions of cooperation between the order concerned and the authorities of the educational institutions in Québec referred to in a regulation under the first paragraph, in particular in the development and review of the programs of study leading to a diploma giving access to a permit or specialist’s certificate, the standards that the Bureau is required to establish by regulation under paragraph *c* of section 93 and, where applicable, the other terms and conditions that the Bureau may determine by regulation under paragraph *i* of section 94, and the standards of equivalence of such terms and conditions that the Bureau may determine under the regulation.

Standard **“184.1** The Government may, in a regulation that it is empowered to make under this Code or under an Act constituting a professional order, make compulsory a standard established by a government or body. It may provide that reference to such a standard includes any subsequent amendment made to it.

Rules of
practice **“184.2** The Professions Tribunal may adopt the rules of practice it considers necessary to ensure proper compliance with sections 162 to 177.1 and 182.1 to 182.8 of this Code. The rules shall be submitted to the Government, which may approve them with or without amendment.”

c. C-26,
s. 187, am. **165.** Section 187 of the said Code is amended by replacing the word “corporation” in the second line of the first paragraph by the word “order”, and by replacing the words “this corporation” in the third line of that paragraph by the words “the order”.

c. C-26,
s. 188, am. **166.** Section 188 of the said Code is amended by replacing the words “a corporation” in the second line by the words “an order”, and by replacing the figures “\$500” and “\$5 000” in the third line by, respectively, the figures “\$600” and “\$6 000”.

c. C-26,
s. 188.1,
replaced

Offence and
penalty

167. Section 188.1 of the said Code, amended by section 4 of chapter 38 of the statutes of 1993, is replaced by the following section:

“188.1 Every person is guilty of an offence and is liable, for each offence, to the fine prescribed in section 188 who knowingly

(1) without being a member of a professional order, allows himself to be announced or designated by a title, an abbreviation of that title or initials reserved for members of the order, or by a title, an abbreviation or initials that may lead to the belief that he is a member of the order;

(2) announces or designates a person who is not a member of a professional order by a title, an abbreviation of that title or initials reserved for members of the order, or by a title, an abbreviation or initials that may lead to the belief that the person is a member of the order;

(3) through authorization, advice, an order or encouragement, otherwise than by seeking or obtaining professional services from a person who is not a member of a professional order whose members practise an exclusive profession, causes a person who is not a member of the professional order

(a) to engage in professional activities reserved for the members of the order;

(b) to use a title or an abbreviation of that title reserved for the members of the order, or a title or abbreviation that may lead to the belief that the person is a member of the order;

(c) to adopt initials reserved for the members of the order or which may lead to the belief that the person is a member of the order;

(4) through authorization, advice, an order or encouragement, otherwise than by seeking or obtaining professional services from a person who is not a member of a professional order whose members practise a reserved profession, causes a person who is not a member of the professional order

(a) to use a title or an abbreviation of that title reserved for the members of the order, or a title or abbreviation that may lead to the belief that the person is a member of the order;

(b) to adopt initials reserved for the members of the order or which may lead to the belief that the person is a member of the order.

Offence and
penalty

Every person is guilty of an offence and is liable, for each offence, to the fine prescribed in section 188 who, without being an order to which this Code applies, uses the expression “professional order” or another expression containing those two words or an expression that may lead to the belief that it refers to an order governed by this Code, and in particular the expression “professional corporation”.

c. C-26,
ss. 188.1.1,
188.1.2,
added

168. The said Code is amended by inserting, after section 188.1, the following sections:

Offence and
penalty

“188.1.1 Every person is guilty of an offence and is liable, for each offence, to the fine prescribed in section 188 who, without being a member of a professional order indicated in a regulation made pursuant to section 183.1, uses titles or abbreviations, attributes initials to himself or associates his name with a word or expression appearing on the list established by the said regulation.

Offence and
penalty

“188.1.2 Every person is guilty of an offence and is liable, for each offence, to the fine prescribed in section 188 who knowingly

(1) without being a member of a professional order indicated in a regulation made pursuant to section 183.1, allows himself to be announced or designated by a title, an abbreviation, initials, a word or an expression appearing on the list established by the said regulation;

(2) announces or designates a person who is not a member of a professional order indicated in a regulation made pursuant to section 183.1 by a title, an abbreviation, initials, a word or an expression appearing on the list established by the said regulation;

(3) through authorization, advice, an order or encouragement, otherwise than by seeking or obtaining professional services for a person who is not a member of a professional order, causes a person who is not a member of a professional order indicated in a regulation made pursuant to section 183.1 to use a title or an abbreviation or to attribute initials to himself or to associate his name with a word or expression appearing on the list established by the said regulation.”

c. C-26,
s. 188.3, am.

169. Section 188.3 of the said Code is amended by inserting the figure “, 188.1.2” after the figure “188.1” in the first line.

c. C-26,
s. 189,
replaced

170. Section 189 of the said Code, replaced by section 171 of chapter 61 of the statutes of 1992, is again replaced by the following section:

Penal pro-
ceedings

“189. A professional order may, on a resolution of its Bureau or administrative committee and in accordance with article 10 of the Code of Penal Procedure (chapter C-25.1), institute penal proceedings for the unlawful practice of the profession that its members are authorized to practise, unauthorized use of a title reserved for its members, or, as the case may be, an offence under the Act constituting the order.

Penal pro-
ceedings

Penal proceedings for the unlawful practice of a profession that may be practised by the members of an order constituted under an Act, in relation to an act that is part of the practise of that profession, may also be instituted in accordance with the first paragraph by the order whose members are, under that Act or a regulation made under it, authorized to perform that act.

Penal pro-
ceedings

Penal proceedings for the unlawful practice of a profession that may be practised by the members of an order constituted under an Act, in relation to a professional activity that is part of both the practice of that profession and an activity described in section 37, may also be instituted in accordance with the first paragraph by the order whose members are, pursuant to the said section, authorized to practise that professional activity.

Penal pro-
ceedings

Penal proceedings for the unlawful practice of a profession instituted under the second or the third paragraph may be so instituted only against a person who is not a member of a professional order.

Information

A professional order that institutes penal proceedings for the unlawful practice of a profession under the second or the third paragraph shall inform every order whose members are, pursuant to their constituting Acts, authorized to practise that profession.”

c. C-26,
s. 190, am.

171. Section 190 of the said Code, replaced by section 172 of chapter 61 of the statutes of 1992, is amended by replacing the word “corporation” in the second line by the word “order”.

c. C-26,
s. 190.1,
added

172. The said Code is amended by inserting, after section 190, the following section:

Search

“190.1 No search may be carried out in the name of a professional order unless authorized by a warrant. Only the secretary of the order, a syndic or assistant or corresponding syndic, or an inspector or investigator of the professional inspection committee may, if specifically designated by name in each case by resolution of the Bureau or the administrative committee, apply, in the name of the order, for a search warrant.”

c. C-26,
s. 191, am.

173. Section 191 of the said Code is amended

(1) by inserting the figures “, 188.1.1, 188.1.2” after the figure “188.1” in the second line of the first paragraph and by replacing the words “from its Bureau, the interested corporation” in the third line of that paragraph by the words “of the Bureau or the administrative committee of the interested order, the interested order”;

(2) by replacing the word “corporation” in the first line of the third paragraph by the word “order”.

c. C-26,
s. 192, am.

174. Section 192 of the said Code is amended

(1) by replacing the first paragraph by the following paragraph:

Powers

“192. The following may, in the performance of their duties, examine a record kept by a professional, require the production of any document and make a copy of such record or document:

(1) a professional inspection committee or a member, inspector, investigator or expert of such a committee;

(2) a syndic, an assistant or corresponding syndic or an expert retained by the syndic;

(3) a review committee referred to in section 123.3 or a member of such committee;

(4) a committee on discipline or a member of such committee;

(5) the Professions Tribunal or one of its judges;

(6) any committee of inquiry established by a Bureau or a member of such committee;

(7) an administrator designated by the Government under section 14.5.”;

(2) by adding, at the end of the second paragraph, the words “and may not invoke his obligation to ensure professional secrecy as a reason for refusing to allow it”.

c. C-26,
s. 193,
replaced

175. Section 193 of the said Code is replaced by the following section:

Immunity

“193. The following persons or bodies cannot be prosecuted by reason of acts engaged in in good faith in the performance of their duties or functions:

(1) a professional inspection committee or a member, inspector, investigator, expert or the secretary of such committee;

(2) a syndic, an assistant or corresponding syndic or an expert retained by the syndic;

(3) a review committee referred to in section 123.3 or a member of such committee;

(4) a committee on discipline or a member or the secretary of such committee;

(5) the Professions Tribunal or a judge thereof;

(6) the Bureau, a member of the Bureau or the secretary of the order;

(7) a committee of inquiry established by a Bureau or a member of such committee;

(8) the Office or a member of the Office;

(9) an administrator designated by the Government under section 14.5.”

c. C-26,
s. 194, am.

176. Section 194 of the said Code is amended by inserting the words “or bodies” after the word “persons” in the third line.

c. C-26,
s. 195, am.

177. Section 195 of the said Code is amended by inserting the words “or bodies” after the word “persons” in the second line.

c. C-26,
s. 197, am.

178. Section 197 of the said Code is amended

(1) by replacing the words “exclusive professions” in the third line by the words “professional orders”;

(2) by adding, at the end, the following paragraph:

Application
of certain
sections

“However, the Minister of Justice is entrusted with the application of sections 162 to 177.1, 182.1 to 182.8 and 184.2.”

c. C-26,
s. 198, am.

179. Section 198 of the said Code is amended

(1) by replacing the words “a corporation” in the second line by the words “an order”, and by replacing, in the French text, the words “des membres de cette corporation” in the third line by the words “de membres de cet ordre”;

(2) by adding, at the end, the following paragraph:

Operation of
mechanisms
and Acts

“The Minister may also, at the time he considers appropriate and according to the terms and conditions he fixes, convene the Interprofessional Council, the Office and the professional orders in order to assess the operation of the various mechanisms set up pursuant to this Code and, as the case may be, the constituting Acts of the professional orders.”

c. C-26,
s. 198.1,
added

180. The said Code is amended by inserting, after section 198, the following section:

Report

“198.1 The Minister must, at the expiry of a period of not more than five years from the date of coming into force of section 123.3 and every five years thereafter, present a report to the Government on the implementation of the provisions relating to the review committee constituted under section 123.3.

Tabling

The report shall be tabled within the fifteen following days before the National Assembly if it is in session or, if not, shall be deposited with the Assembly’s President.”

c. C-26,
Sched. I, am.

181. Schedule I to the said Code, amended by section 5 of chapter 38 of the statutes of 1993, is again amended

(1) by replacing the word “techniciens” in paragraph 15 by the word “technologues”;

(2) by replacing the expression “Corporation professionnelle” in paragraphs 1 to 41 by the expression “Ordre professionnel”.

c. C-26,
Sched. II,
am.

182. Schedule II to the said Code is amended by replacing the figure “11” in the parenthesis by the figures “11, 14.1”.

AGROLOGISTS ACT

c. A-12, s. 2,
am.

183. Section 2 of the Agrologists Act (R.S.Q., chapter A-12) is amended by replacing the words “corporation called the “Corporation professionnelle des agronomes du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des agronomes du Québec” or the”.

c. A-12, s. 7,
French text,
am.

184. Section 7 of the said Act is amended, in the French text, by replacing the word “assemblée” in the second line of the second paragraph by the word “réunion”.

c. A-12,
s. 10, am.

185. Section 10 of the said Act is amended

(1) by replacing that part of the first paragraph which precedes subparagraph *a* by the following:

Powers

“10. The Bureau may by resolution:”;

(2) by striking out subparagraphs *a* and *c* of the first paragraph;

(3) by striking out the words “or abolish” in the first line of subparagraph *d* of the first paragraph and by replacing, in the French text, the word “leur” in the third line of that subparagraph by the word “leurs”;

(4) by striking out the words “or dissolved on their own initiative” in the second line of subparagraph *e* of the first paragraph;

(5) by replacing the word “sections” in the first line of subparagraph *f* of the first paragraph by the words “a section”, and by replacing the words “, or the placing under trusteeship or the abolition” in the fourth and fifth lines of that subparagraph by the words “or the placing under trusteeship”;

(6) by striking out subparagraphs *g* and *h* of the first paragraph;

(7) by striking out the second paragraph.

c. A-12,
ss. 10.1, 10.2,
added

186. The said Act is amended by inserting, after section 10, the following sections and division:

Regulations

“10.1 The Bureau may, by regulation,

(1) determine how the proceeds of the assessments are to be distributed among the sections;

(2) abolish a section that does not make suitable and beneficial use of its funds; require from the officers of such a section a report on the use of its funds and, if necessary, order an inquiry;

(3) impose the following penalty on a section that fails to make the report required under subparagraph *b* of the first paragraph of section 10 or to submit to the disallowance of a by-law effected under section 22: abolition of the section.

Provisions
applicable

Section 95.1 of the Professional Code applies to a regulation adopted pursuant to the first paragraph.

“DIVISION III.1

“ADMINISTRATIVE COMMITTEE

Ex officio
member

“10.2 Where an administrative committee is constituted under section 96 of the Professional Code, the vice-president of the Order shall be a member *ex officio* of the committee.

Members

For the purposes of section 97 of the said Code, two rather than three members of the committee shall be designated by annual vote of the elected members of the Bureau from among such members.”

c. A-12,
s. 11, am.

187. Section 11 of the said Act is amended

(1) by replacing, in the French text, the words “les règlements” in the second line by the word “règlement”;

(2) by adding, at the end, the following paragraphs:

Territorial
limits

“The territorial limits of the sections shall be determined by referring to the description and the map of the boundaries in Schedule I to order in council 2000-87 dated 22 December 1987, revising the boundaries of the administrative regions of Québec, as amended.

Provisions
applicable

Section 95.1 of the Professional Code applies to the regulation adopted pursuant to the first paragraph.”

c. A-12,
s. 15, am.

188. Section 15 of the said Act is amended by replacing the words “practising their profession principally” in the first line of the fourth paragraph by the words “who have their professional domicile”.

c. A-12,
s. 16,
French text,
am.

189. Section 16 of the said Act is amended, in the French text, by inserting the words “ou, en son absence le vice-président” after the words “, le président” in the second line.

c. A-12,
s. 19,
repealed

190. Section 19 of the said Act is repealed.

c. A-12,
Div. V,
heading, am.

191. The heading of Division V of the said Act is amended by adding the words “AND TEMPORARY PERMIT” after the word “PROFESSION”.

c. A-12,
s. 25,
repealed
c. A-12,
s. 26, am.

192. Section 25 of the said Act is repealed.

193. Section 26 of the said Act is amended by replacing the first paragraph by the following paragraph:

Temporary
permit

“26. The Bureau may issue a temporary permit, on the conditions it determines, to any person who does not fulfil the

conditions for the issue of a permit, provided that the person holds a diploma recognized as valid by the Government or a diploma considered equivalent by the Bureau, or that his training is recognized as equivalent by the Bureau.”

c. A-12,
s. 27,
repealed
c. A-12,
s. 28, am.

194. Section 27 of the said Act is repealed.

195. Section 28 of the said Act is amended by replacing subparagraph *e* of the second paragraph by the following subparagraph:

“(e) by any person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

ARCHITECTS ACT

c. A-21, s. 2,
am.

196. Section 2 of the Architects Act (R.S.Q., chapter A-21) is amended by replacing the words “corporation called “Corporation professionnelle des architectes du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des architectes du Québec” or the”.

c. A-21, s. 4,
am.

197. Section 4 of the said Act is amended by adding the words and figures “adopted pursuant to paragraph *f* of section 93 of the Professional Code” after the word “Bureau” in the second line.

c. A-21,
ss. 6-9,
repealed
c. A-21,
Div. IV,
heading, am.

198. Sections 6, 7, 8 and 9 of the said Act are repealed.

199. The heading of Division IV of the said Act is amended by adding the word “TEMPORARY” before the word “PERMIT”.

c. A-21,
ss. 10, 11,
13, 14,
repealed
c. A-21,
s. 15, am.

200. Sections 10, 11, 13 and 14 of the said Act are repealed.

201. Section 15 of the said Act is amended

(1) by replacing the word “; or” in the second line of subparagraph *e* of the first paragraph by a comma;

(2) by striking out subparagraph *f* of the first paragraph;

(3) by adding, after the second paragraph, the following paragraph:

Acts
reserved for
members

“Nothing in this section shall prevent a person from performing acts reserved for members of the Order, provided he performs them

in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

LAND SURVEYORS ACT

c. A-23, s. 2,
am.

202. Section 2 of the Land Surveyors Act (R.S.Q., chapter A-23) is amended by replacing the words “corporation called “Corporation professionnelle des arpenteurs-géomètres du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des arpenteurs-géomètres du Québec” or the”.

c. A-23, s. 3,
am.

203. Section 3 of the said Act is amended by replacing the word “corporation” in the first line by the word “Order”.

c. A-23, s. 5,
am.

204. Section 5 of the said Act is amended by adding the words and figures “adopted pursuant to paragraph *f* of section 93 of the Professional Code” after the word “Bureau” in the third line.

c. A-23, s. 7,
am.

205. Section 7 of the said Act is amended by striking out the words “who must be Canadian citizens” in the second line.

c. A-23, s. 8,
am.

206. Section 8 of the said Act is amended by replacing the words and figures “, each representing one of the regions bounded in accordance with section 65 of the” in the first and second lines of the first paragraph by the words “in the manner provided for in”.

c. A-23,
ss. 11, 12,
repealed
c. A-23,
s. 13, am.

207. Sections 11 and 12 of the said Act are repealed.

208. Section 13 of the said Act is amended

(1) by striking out paragraphs *b*, *c* and *d*;

(2) by striking out the word “other” in the first line of paragraph *i* and by striking out the words “the second paragraph of” in the second line of paragraph *i*;

(3) by adding, at the end, the following paragraph:

Provisions
applicable

“Section 95.2 of the Professional Code applies to the regulations adopted pursuant to subparagraphs *e*, *f*, *g* and *h* of the first paragraph.”

c. A-23,
s. 14,
repealed

209. Section 14 of the said Act is repealed.

c. A-23,
s. 15, am.

210. Section 15 of the said Act is amended by replacing the word “provided” in the fourth line by the word “prescribed”.

c. A-23,
Div. VI,
VII,
repealed

211. Divisions VI and VII of the said Act, entitled respectively “ADMISSION TO THE PROFESSION” and “REGISTRATION” and comprising sections 20 to 33, are repealed.

c. A-23,
s. 37,
replaced

212. Section 37 of the said Act is replaced by the following section:

Conditions

“37. Any person who, before 1 February 1974, was the holder of a certificate for admission to the study of land surveying authorizing him to become articulated to a master land surveyor is entitled to obtain a permit if he meets the conditions determined by the Bureau under subparagraph *i* of the first paragraph of section 13.”

c. A-23,
s. 38, am.

213. Section 38 of the said Act is amended

(1) by replacing subparagraph *a* of the first paragraph by the following subparagraph:

“(a) meets the condition set out in section 44 of the Professional Code;”;

(2) by replacing the words “of examiners” in the first and second lines of subparagraph *b* of the first paragraph by the words “formed by the Bureau for that purpose”;

(3) by replacing the words “the regulations” in subparagraph *c* of the first paragraph by the word “resolution”.

c. A-23,
ss. 39-41,
repealed
c. A-23,
s. 42, am.

214. Sections 39, 40 and 41 of the said Act are repealed.

215. Section 42 of the said Act is amended

(1) by replacing subparagraph *a* of the second paragraph by the following subparagraph:

“(a) by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code;”;

(2) by replacing the words “Corporation professionnelle” in the fourth line of the third paragraph by the words “Ordre professionnel”.

c. A-23,
s. 44, am.

216. Section 44 of the said Act is amended by replacing the words “periodically repeat such verification” in the second and third lines by the words “repeat such verification at the intervals fixed by the Bureau and” and by striking out the words “for such purposes” in the fourth line.

c. A-23,
s. 60, am.

217. Section 60 of the said Act is amended by replacing the words “the regulations” in paragraph *b* by the word “resolution”.

c. A-23,
s. 62, am.

218. Section 62 of the said Act is amended by replacing the words “according to the tariff of fees adopted in accordance with the Professional Code” in the first and second lines of the first paragraph by the words “determined by resolution of the Bureau”.

c. A-23,
s. 67, am.

219. Section 67 of the said Act is amended by replacing the words “according to the tariff of fees adopted in accordance with the Professional Code” in the first and second lines by the words “determined by resolution of the Bureau”.

c. A-23,
s. 68, am.

220. Section 68 of the said Act is amended by replacing the words “in the regulations” in the second line by the words “by resolution”.

HEARING-AID ACOUSTICIANS ACT

c. A-33, s. 1,
am.

221. Section 1 of the Hearing-aid Acousticians Act (R.S.Q., chapter A-33) is amended by striking out paragraph *d*.

c. A-33, s. 2,
am.

222. Section 2 of the said Act is amended by replacing the words “corporation called “Corporation professionnelle des audioprothésistes du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des audioprothésistes du Québec” or the”.

c. A-33, s. 4,
am.

223. Section 4 of the said Act is amended by adding the words and figures “adopted pursuant to paragraph *f* of section 93 of the Professional Code” after the word “Bureau” in the third line.

c. A-33,
ss. 6, 9, 10,
repealed

224. Sections 6, 9 and 10 of the said Act are repealed.

c. A-33,
s. 13, am.

225. Section 13 of the said Act is amended by replacing the second paragraph by the following paragraph:

Exception

“The provisions of the first paragraph do not apply to acts performed by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

c. A-33,
s. 17,
repealed

226. Section 17 of the said Act is repealed.

ACT RESPECTING THE BARREAU DU QUÉBEC

c. B-1, s. 1,
am.

227. Section 1 of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1) is amended

(1) by replacing the words “Corporation professionnelle” in the first line of paragraph *a* by the words “Ordre professionnel”;

(2) by striking out paragraph *h*;

(3) by striking out the words “, whether provided for in the tariff or not,” in the first and second lines of paragraph *n*.

c. B-1, s. 3,
am.

228. Section 3 of the said Act is amended by replacing the words “corporation named” in the first line by the words “order called the”.

c. B-1, s. 7,
am.

229. Section 7 of the said Act is amended by replacing the words “, at such place as it may fix by by-law” in the first and second lines of subsection 1 by the words “or at any other place determined by by-law of the General Council adopted pursuant to paragraph *f* of section 93 of the Professional Code”.

c. B-1, s. 12,
am.

230. Section 12 of the said Act is amended by adding the words “of the General Council and section 95.1 of the Professional Code shall apply to such by-law” after the word “by-law” in the second paragraph of subsection 1.

c. B-1, s. 15,
am.

231. Section 15 of the said Act is amended

(1) by striking out paragraphs *a*, *d* and *g* of subsection 1;

(2) by striking out the words “, or of those dissolved on their own initiative” in the second and third lines of paragraph *h* of subsection 1;

(3) by striking out paragraphs *i* and *j* of subsection 1;

(4) by replacing the words “, the Committee on applications or, pursuant to section 88, the professional inspection committee” in the second and third lines of paragraph *k* of subsection 1 by the words “or the Committee on applications”;

(5) by adding, after paragraph *l* of subsection 1, the following paragraphs:

“(m) put under trusteeship a section that does not have sufficient funds to subsist or does not use its funds properly or judiciously;

compel the officers of such a section to report upon the employment of its funds and, if necessary, order an investigation;

“(n) impose on a section in default to pay the assessment imposed under paragraph *f* of this subsection the following penalties: forfeiture of the right of representation on the General Council and the putting under trusteeship of the section;

“(o) delegate to the Committee on applications the powers attributed by section 55.1 of the Professional Code to the Bureau.”;

(6) by striking out paragraph *a* of subsection 2;

(7) by striking out the words “put under trusteeship or” in the first line of paragraph *c* of subsection 2;

(8) by replacing the word “sections” in the first line of paragraph *d* of subsection 2 by the words “a section” and by replacing the words “the following penalties: forfeiture of the right of representation on the General Council, putting under trusteeship or abolition” in the second and third lines of that paragraph by the words “the following penalty: abolition”;

(9) by striking out paragraphs *e* and *g* of subsection 2;

(10) by inserting the words “the quality of professional services,” after the word “promote” in the fourth line of paragraph *h* of subsection 2;

(11) by striking out paragraphs *a*, *b* and *f* of subsection 3.

c. B-1, s. 16,
replaced

232. Section 16 of the said Act is replaced by the following section:

Provisions
applicable

“**16.** Section 95.1 of the Professional Code applies to any by-law adopted by the General Council under paragraphs *c*, *d* and *h* of subsection 2 of section 15 and under subsection 3 of that section.”

c. B-1, s. 17,
am.

233. Section 17 of the said Act is amended by replacing the words “made thereunder” in the second line of subsection 1 by the words “adopted thereunder or under the Professional Code”.

c. B-1, s. 18,
am.

234. Section 18 of the said Act is amended by replacing the words “the register established under subparagraph *e*” in the first and second lines by the words “the registers established under subparagraphs *e* and *g*” and by inserting the words “, or mandates given for the eventuality of the mandator’s inability and filed with advocates” after the word “advocates” in the third line.

c. B-1, s. 20,
am.

235. Section 20 of the said Act is amended by replacing the words “third paragraph” in the second line of subsection 2 by the words “third and fourth paragraphs”.

c. B-1,
s. 22.1, am.

236. Section 22.1 of the said Act is amended by striking out the figure “, 121” in the first line of the first paragraph.

c. B-1, s. 23,
am.

237. Section 23 of the said Act is amended by replacing the word “corporation” in the second line of subsection 1 by the word “Order”.

c. B-1, s. 43,
repealed

238. Section 43 of the said Act is repealed.

c. B-1, s. 44,
am.

239. Section 44 of the said Act is amended by striking out the letter “g,” in the second line.

c. B-1, s. 46,
am.

240. Section 46 of the said Act is amended by inserting the words “, the Professional Code” after the word “Act” in the second line.

c. B-1, s. 47,
repealed

241. Section 47 of the said Act is repealed.

c. B-1, s. 48,
am.

242. Section 48 of the said Act is amended

(1) by inserting a comma in the fourth line of the first paragraph of the French text after the word “administratif”, and by adding the words “in accordance with the provisions of Division VIII of Chapter IV of the Professional Code” at the end of the paragraph;

(2) by replacing the second paragraph by the following paragraph:

Service

“The decision of the Executive Committee shall be served on the candidate in accordance with the Code of Civil Procedure (chapter C-25).”

c. B-1, s. 49,
am.

243. Section 49 of the said Act is amended by striking out the second paragraph.

c. B-1, ss. 50,
51, 53, 54,
repealed

244. Sections 50, 51, 53 and 54 of the said Act are repealed.

c. B-1, s. 55,
am.

245. Section 55 of the said Act is amended by striking out the words “for at least three years and has never been condemned to a disciplinary penalty” in the third and fourth lines of paragraph *a* of subsection 1.

c. B-1, s. 56,
am.

246. Section 56 of the said Act is amended

(1) by striking out the words “subparagraph *a* of” in the third line of that part of subsection 1 which precedes subparagraph *a* and the words “, even if not a Canadian citizen,” in the fourth line of that part;

(2) by striking out the words “subparagraph *a* of” in the fourth line of paragraph *a* of subsection 1.

c. B-1, s. 57,
am. **247.** Section 57 of the said Act is amended by striking out the second paragraph.

c. B-1, s. 59,
repealed **248.** Section 59 of the said Act is repealed.

c. B-1, s. 60,
am. **249.** Section 60 of the said Act is amended by replacing the words “prescribed in section 43, section 50 or sections 55 and 57” in the first and second lines of subsection 2 by the words “of admission prescribed in Division V of this Act and in the Professional Code”.

c. B-1,
s. 64.1, added **250.** The said Act is amended by inserting, after section 64, the following section:

Notice **“64.1** (1) The executive director shall forward to all the members of the Bar and to all the persons listed in section 64 a notice of the disbarment or of the revocation of the permit of a member imposed by the Committee on Discipline and having become executory, indicating the nature of the offence that is the subject of the decision.

Notice (2) The director of judicial services of every court-house shall post the notice in a conspicuous place in his office and in the offices of the courts.

Provisions
applicable (3) Subsections 1 and 2 also apply in the case of a disbarment imposed by the Bureau under section 55.1 of the Professional Code.”

c. B-1, s. 65,
am. **251.** Section 65 of the said Act is amended by replacing the words “under subparagraph *o* of the first paragraph of section 86 of the Professional Code (chapter C-26)” in the fifth, sixth and seventh lines of subsection 1 by the words “by the General Council”.

c. B-1, s. 66,
am. **252.** Section 66 of the said Act is amended by replacing the words “under subparagraph *o* of the first paragraph of section 86 of the Professional Code (chapter C-26)” in the third and fourth lines by the words “by the General Council”.

c. B-1, s. 68,
am. **253.** Section 68 of the said Act is amended

(1) by inserting the words “established according to the professional activities carried on” after the words “class of members” in the fourth line of subsection 1;

(2) by replacing the words “under subparagraph *o* of the first paragraph of section 86 of the Professional Code” in the second and third lines of subsection 8 by the words “by the General Council”.

c. B-1,
s. 69.1, added

254. The said Act is amended by inserting, after section 69, the following section:

Disbarment

“69.1 The institution by the court of tutorship or curatorship in respect of an advocate entails disbarment *ipso facto*.

Res judicata
judgment

The prothonotary shall inform the executive director of the judgment as soon as it becomes *res judicata*.

Re-entry on
Roll

Upon termination of the protective supervision, the person may apply for re-entry on the Roll in accordance with section 70.”

c. B-1, s. 70,
am.

255. Section 70 of the said Act is amended

(1) by replacing the words “under subparagraph *o* of the first paragraph of section 86 of the Professional Code (chapter C-26)” in the sixth and seventh lines of subsection 1 by the words “by the General Council”;

(2) by replacing the words “. The provisions of subdivision 5 of Division VII of Chapter IV of the Professional Code, adapted as required, apply to the appeal from the decision” in the second, third and fourth lines of subsection 5 by the words “, in accordance with the provisions of Division VIII of Chapter IV of the Professional Code. The decision of the Executive Committee shall be served on the applicant in accordance with the Code of Civil Procedure (chapter C-25).”

c. B-1, s. 71,
am.

256. Section 71 of the said Act is amended by replacing the words “under subparagraph *o* of the first paragraph of section 86 of the Professional Code (chapter C-26)” in the second and third lines of subsection 3 by the words “by the General Council”.

c. B-1, s. 72,
am.

257. Section 72 of the said Act is amended by replacing the words “under subparagraph *o* of the first paragraph of section 86 of the Professional Code (chapter C-26)” in the second and third lines of the third paragraph by the words “by the General Council”.

c. B-1, s. 75,
am.

258. Section 75 of the said Act is amended

- (1) by striking out subsection 1;
- (2) by striking out the word “also” in the first line of subsection 2;
- (3) by striking out subsection 3.

c. B-1, s. 79,
am.

259. Section 79 of the said Act is amended

- (1) by replacing subsection 2 by the following subsection:

Provisions
applicable

“(2) Sections 135, 143, 144, 146 and 149 of the Professional Code apply to that committee.”;

- (2) by adding, at the end, the following subsection:

Report of
activities

“(3) The committee shall, on request, make a written report of its activities to the Executive Committee.”

c. B-1, s. 80,
repealed

260. Section 80 of the said Act is repealed.

c. B-1,
Div. IX, X,
repealed

261. Divisions IX and X of the said Act, comprising sections 81 to 121, are repealed.

c. B-1,
s. 122, am.

262. Section 122 of the said Act is amended

- (1) by striking out paragraph *a* of subsection 1;

(2) by replacing the words and figures “X, except section 113” in the fourth paragraph of subsection 2 by the words and figures “VII of Chapter IV of the Professional Code, except section 156,”.

c. B-1,
s. 123, am.

263. Section 123 of the said Act is amended by replacing the figure “113” in the fifth line of subsection 1 by the figure and words “156 of the Professional Code”.

c. B-1,
s. 124, am.

264. Section 124 of the said Act is amended by replacing the figure “113” in the seventh line by the figure and words “156 of the Professional Code”.

c. B-1,
s. 125, am.

265. Section 125 of the said Act is amended by striking out the words and figure “subject to the requirements of section 16” in the first and second lines of subsection 2.

c. B-1,
s. 126, am.

266. Section 126 of the said Act is amended

- (1) by striking out subsection 2;

(2) by striking out the words “of such tariffs, or” in the first line of subsection 3.

c. B-1,
s. 128, am.

267. Section 128 of the said Act is amended by adding, after subparagraph 6 of paragraph *a* of subsection 2, the following subparagraph:

“(7) the Bureau de révision en immigration in the case referred to in section 31 of the Act respecting immigration to Québec;”.

c. B-1,
s. 130, am.

268. Section 130 of the said Act is amended by striking out the words and figures “and subject to subsection 2 of section 76” in the second line.

c. B-1,
s. 139.1,
added

269. The said Act is amended by inserting, after section 139, the following section:

Acts
reserved for
members

“139.1 Nothing in this Act shall prevent a person from performing acts reserved for members of the Order, provided he performs them in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

PROFESSIONAL CHEMISTS ACT

c. C-15, s. 1,
am.

270. Section 1 of the Professional Chemists Act (R.S.Q., chapter C-15) is amended

(1) by replacing the word “Corporation” in the first line of paragraph *a* by the word “Order”;

(2) by replacing the word “corporation” in the first line of paragraph *c* by the word “order” and by replacing, in the French text, the word “constituée” in the second line of that paragraph by the word “constitué”.

c. C-15, s. 2,
am.

271. Section 2 of the said Act is amended by replacing the words “corporation known as “Corporation professionnelle des chimistes du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des chimistes du Québec” or the”.

c. C-15, s. 3,
am.

272. Section 3 of the said Act is amended by replacing the word “Corporation” in the first line by the word “Order”.

c. C-15, s. 4,
am.

273. Section 4 of the said Act is amended by replacing the word “corporation” in the first line by the word “Order” and by adding, at

the end, the words “or at any other place determined by regulation of the Bureau adopted pursuant to paragraph *f* of section 93 of the Professional Code”.

c. C-15, s. 5,
am.

274. Section 5 of the said Act is amended by replacing the word “corporation” in that part of the section which precedes paragraph *a* by the word “Order”.

c. C-15, s. 6,
am.

275. Section 6 of the said Act is amended

(1) by replacing the word “corporation” in that part of the section which precedes paragraph *a* by the word “Order”;

(2) by striking out paragraph *b*.

c. C-15, s. 7,
am.

276. Section 7 of the said Act is amended

(1) by replacing the word “corporation” in the first line of the first paragraph by the word “Order”;

(2) by replacing the word “corporations” in the second line of the second paragraph by the word “orders” and by replacing the words “in the absence of such a corporation” in the third and fourth lines of that paragraph by the words “if there are no such orders”.

c. C-15,
ss. 8, 9,
repealed

277. Sections 8 and 9 of the said Act are repealed.

c. C-15,
ss. 10, 11,
repealed
c. C-15,
s. 12, am.

278. Sections 10 and 11 of the said Act are repealed.

279. Section 12 of the said Act is amended by replacing the word “corporation” in the first line by the word “Order”.

c. C-15,
s. 16, am.

280. Section 16 of the said Act is amended by replacing the word “corporation” in the fourth line of subsection 1 by the word “Order”.

c. C-15,
ss. 16.1, 16.2,
added

281. The said Act is amended by inserting, after section 16, the following sections:

Practice of
professional
chemistry

“16.1 Nothing in this Act shall prevent any person who belongs to a class of persons contemplated by a regulation adopted pursuant to the first paragraph of section 7 from performing acts contemplated in paragraph *b* of section 1, provided he performs them under the conditions prescribed in the regulation.

Acts
reserved for
members

“16.2 Nothing in this Act shall prevent a person from performing acts reserved for members of the Order, provided he

performs them in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

c. C-15,
s. 18, am.

282. Section 18 of the said Act is amended by replacing the word “corporation” wherever it appears in paragraphs *a* and *b* by the word “Order”.

CHIROPRACTIC ACT

c. C-16, s. 1,
am.

283. Section 1 of the Chiropractic Act (R.S.Q., chapter C-16) is amended by striking out paragraph *d*.

c. C-16, s. 2,
am.

284. Section 2 of the said Act is amended by replacing the words “corporation called “Corporation professionnelle des chiropraticiens du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des chiropraticiens du Québec” or the”.

c. C-16, ss. 5,
8, 9, repealed

285. Sections 5, 8 and 9 of the said Act are repealed.

c. C-16,
s. 13, am.

286. Section 13 of the said Act is amended by replacing the second paragraph by the following paragraph:

Exception

“The provisions of the first paragraph do not apply to acts performed by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

c. C-16,
s. 15,
repealed

287. Section 15 of the said Act is repealed.

CHARTERED ACCOUNTANTS ACT

c. C-48, s. 1,
am.

288. Section 1 of the Chartered Accountants Act (R.S.Q., chapter C-48) is amended by striking out paragraphs *d* and *e*.

c. C-48, s. 2,
am.

289. Section 2 of the said Act is amended by replacing the words “corporation called “Corporation professionnelle des comptables agréés du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des comptables agréés du Québec” or the”.

c. C-48, s. 4,
am.

290. Section 4 of the said Act is amended by adding the words and figures “adopted pursuant to paragraph *f* of section 93 of the Professional Code” after the word “Bureau” in the second line.

c. C-48,
ss. 8-11,
repealed
c. C-48,
s. 14, am.

291. Sections 8, 9, 10 and 11 of the said Act are repealed.

292. Section 14 of the said Act is amended by replacing the word “corporation” in the third line of the first paragraph by the word “Order”.

c. C-48,
Div. V,
repealed

293. Division V of the said Act, entitled “REGISTRATION” and comprising sections 16 to 18, is repealed.

c. C-48,
ss. 20-23,
repealed
c. C-48,
s. 24, am.

294. Sections 20, 21, 22 and 23 of the said Act are repealed.

295. Section 24 of the said Act is amended by replacing paragraph *a* of the second paragraph by the following paragraph:

“(a) by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code;”.

c. C-48,
s. 25, am.

296. Section 25 of the said Act is amended by replacing the words “is a resident of” in the fourth line by the words “practises in” and by replacing the words “a corporation” in the fifth and sixth lines by the words “an order”.

c. C-48,
s. 28, am.

297. Section 28 of the said Act is amended

(1) by replacing the words “Corporation professionnelle” in the first and second lines of the first paragraph by the words “Ordre professionnel”;

(2) by replacing the word “corporation” in the second line of the second paragraph by the word “order”.

DENTAL ACT

c. D-3, s. 1,
am.

298. Section 1 of the Dental Act (R.S.Q., chapter D-3) is amended by striking out paragraph *e*.

c. D-3, s. 2,
am.

299. Section 2 of the said Act is amended by replacing the words “corporation called “Corporation professionnelle des dentistes du Québec” or” in the second line by the words “professional order called the “Ordre professionnel des dentistes du Québec” or the”.

c. D-3, s. 4,
am.

300. Section 4 of the said Act is amended by adding the words and figures “adopted pursuant to paragraph *f* of section 93 of the Professional Code” after the word “Bureau” in the second line.

c. D-3, s. 6,
am.

301. Section 6 of the said Act is amended by striking out the second paragraph.

c. D-3, s. 7,
am.

302. Section 7 of the said Act is amended by replacing the words and figures “, each representing one of the regions delimited in accordance with section 65 of” in the first and second lines of the first paragraph by the words “in the manner provided for in this Act and in”.

c. D-3, s. 8,
repealed

303. Section 8 of the said Act is repealed.

c. D-3, s. 15,
am.

304. Section 15 of the said Act is amended by striking out paragraphs *b*, *c* and *d*.

c. D-3, s. 19,
am.

305. Section 19 of the said Act is amended

(1) by striking out subparagraph *b* of the first paragraph;

(2) by replacing the word “corporations” in the third line of the second paragraph by the word “orders” and by replacing the words “is no such corporation” in the fourth line of that paragraph by the words “are no such orders”;

(3) by adding, at the end, the following paragraph:

Provisions
applicable

“Section 95.2 of the Professional Code applies to any regulation adopted pursuant to subparagraph *c* of the first paragraph.”

c. D-3,
ss. 20-22,
repealed

306. Sections 20, 21 and 22 of the said Act are repealed.

c. D-3,
Div. IV,
repealed

307. Division IV of the said Act, entitled “REGISTRATION” and comprising sections 23 to 25, is repealed.

c. D-3, s. 29,
repealed

308. Section 29 of the said Act is repealed.

c. D-3, s. 30,
am.

309. Section 30 of the said Act is amended by replacing the words “is not a Canadian citizen and does not fulfil the conditions prescribed in section 29” in the second and third lines by the words “does not fulfil the conditions for issue of the permit”.

c. D-3, s. 31,
am.

310. Section 31 of the said Act is amended by replacing the words and figure “prescribed in section 29” in the second line of the first paragraph by the words “for issue of the permit”.

c. D-3,
ss. 32, 33,
repealed

311. Sections 32 and 33 of the said Act are repealed.

c. D-3, s. 38,
am.

312. Section 38 of the said Act is amended

(1) by replacing subparagraphs *a* and *b* of the second paragraph by the following subparagraphs:

“(a) by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code;

“(b) by a person belonging to a class of persons contemplated in a regulation adopted pursuant to subparagraph *a* of the first paragraph of section 19, provided he performs them under the conditions prescribed in the regulation;”;

(2) by striking out the words and figure “or under section 20” in the third line of subparagraph *c* of the second paragraph.

DENTUROLOGISTS ACT

c. D-4, s. 1, am. **313.** Section 1 of the Denturologists Act (R.S.Q., chapter D-4) is amended by striking out paragraph *d*.

c. D-4, s. 2, am. **314.** Section 2 of the said Act is amended by replacing the words “corporation called “Corporation professionnelle des denturologistes du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des denturologistes du Québec” or the”.

c. D-4, ss. 5, 9, 10, repealed **315.** Sections 5, 9 and 10 of the said Act are repealed.

c. D-4, s. 13, am. **316.** Section 13 of the said Act is amended by replacing the second paragraph by the following paragraph:

Exception “The provisions of the first paragraph do not apply to acts performed by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

NURSES ACT

c. I-8, s. 1, am. **317.** Section 1 of the Nurses Act (R.S.Q., chapter I-8) is amended by striking out paragraph *e*.

c. I-8, s. 2, am. **318.** Section 2 of the said Act is amended by replacing the words “corporation called “Corporation professionnelle des infirmières et infirmiers du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des infirmières et infirmiers du Québec” or the”.

c. I-8, s. 4,
am.

319. Section 4 of the said Act is amended by adding the words and figure “adopted pursuant to paragraph *f* of section 93 of the Professional Code” after the word “Bureau” in the second line.

c. I-8, s. 7,
am.

320. Section 7 of the said Act is amended by replacing the words “Government shall, after consulting the Order and the Office des professions du Québec,” in the first and second lines by the words “Bureau shall, by regulation,”.

c. I-8, s. 9,
am.

321. Section 9 of the said Act is amended by inserting the words “du Québec” after the word “professions” in the third line of the fourth paragraph.

c. I-8, s. 11,
am.

322. Section 11 of the said Act, amended by section 6 of chapter 38 of the statutes of 1993, is again amended

(1) by replacing the word and figure “section 86” in that part of the first paragraph which precedes subparagraph *a* by the words and figures “sections 86 and 86.01”;

(2) by striking out subparagraphs *b*, *c* and *d* of the first paragraph;

(3) by adding, after paragraph ii of subparagraph *g* of the first paragraph, the following paragraphs:

“iii. put under trusteeship a section which does not have sufficient funds to subsist or does not make suitable and beneficial use of its funds;

“iv. impose, on any section which fails to file, within the time fixed by the Bureau, a report required under subparagraph *f* of this paragraph or which fails to submit to the disallowance of a by-law effected under section 31, or impose on a section whose president fails to file, within the time fixed by the Bureau, a report required under paragraph i of this paragraph, the following penalty: placing under trusteeship of the section.”;

(4) by replacing the words “Corporation professionnelle” in the eighth line of the second paragraph by the words “Ordre professionnel”.

c. I-8,
s. 11.1, added

323. The said Act is amended by inserting, after section 11, the following section:

Prohibition

“11.1 It is forbidden to hinder in any way a member of an inquiry committee established pursuant to the second paragraph of section 11 in the performance of his duties, to mislead him by concealment or false declarations or to refuse to furnish him with any

information or document relating to an inquiry which he holds under this Act.

Offence and penalties

Any person who contravenes this section commits an offence and is liable to the penalties prescribed by section 188 of the Professional Code.”

c. I-8, s. 12, am.

324. Section 12 of the said Act is amended by replacing the word “corporations” in the third line of the second paragraph by the word “orders” and by replacing the words “failing such corporation” in the fourth line of that paragraph by the words “if there are no such orders”.

c. I-8, s. 13, repealed

325. Section 13 of the said Act is repealed.

c. I-8, s. 14, am.

326. Section 14 of the said Act is amended

(1) by striking out paragraph *a*;

(2) by replacing paragraphs *c* and *d* by the following paragraphs:

“(c) abolish a section which has insufficient funds to subsist or does not make suitable and beneficial use of its funds;

“(d) impose on any section which fails to file, within the time limit fixed by the Bureau, a report required under subparagraph *f* of the first paragraph of section 11 or which fails to submit to the disallowance of a by-law effected under section 31, or, on a section whose president fails to file, within the time limit fixed by the Bureau, a report required under paragraph *i* of subparagraph *g* of the first paragraph of section 11, the following penalty: abolition of the section;”.

c. I-8, s. 15, replaced

327. Section 15 of the said Act is replaced by the following section:

Provisions applicable

“15. Section 95.1 of the Professional Code applies to the regulation adopted under section 7 and under paragraphs *c*, *d* and *e* of section 14.”

c. I-8, s. 17.1, added

328. The said Act is amended by inserting, after section 17, the following section:

Annual general meeting

“17.1 The annual general meeting shall be held within nine months from the end of the fiscal year of the Order.”

c. I-8, s. 21,
am.

329. Section 21 of the said Act is amended

(1) by replacing the words “the regulations” in the second line by the word “regulation”;

(2) by adding, at the end, the following paragraphs:

Territorial
limits

“The territorial limits of the sections shall be determined by referring to the description and the map of the boundaries in Schedule I to order in council 2000-87 dated 22 December 1987, revising the boundaries of the administrative regions of Québec, as amended.

Provisions
applicable

Section 95.1 of the Professional Code applies to the regulation adopted pursuant to the first paragraph.”

c. I-8,
s. 22.1, am.

330. Section 22.1 of the said Act is amended by replacing the words “practises his profession mainly” in the first line of paragraph 2 and the words “mainly practises his profession” in the fourth line of that paragraph by the words “has his professional domicile”.

c. I-8, s. 23,
am.

331. Section 23 of the said Act is amended by replacing the word “Corporation” in the first and in the second lines by the word “Order”.

c. I-8, s. 28,
am.

332. Section 28 of the said Act is amended by striking out the second paragraph.

c. I-8, s. 38,
am.

333. Section 38 of the said Act is amended

(1) by striking out subparagraph *b* of the first paragraph;

(2) by striking out the words “, this Act and the regulations of the Bureau” in the second line of subparagraph *c* of the first paragraph.

c. I-8, s. 39,
repealed

334. Section 39 of the said Act is repealed.

c. I-8, s. 41,
am.

335. Section 41 of the said Act is amended

(1) by replacing subparagraphs *b* and *c* of the second paragraph by the following subparagraphs:

“(b) by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code;

“(c) by a person belonging to a class of persons contemplated in a regulation adopted pursuant to subparagraph *a* of the first

paragraph of section 12, provided he performs them under the conditions prescribed in the regulation;”;

(2) by replacing the words “section 12 or under section 13” in the second line of subparagraph *d* of the second paragraph by the words “the first paragraph of section 12”.

ENGINEERS ACT

c. I-9, s. 5,
am.

336. Section 5 of the Engineers Act (R.S.Q., chapter I-9), amended by section 7 of chapter 38 of the statutes of 1993, is again amended

(1) by replacing the words “Corporation professionnelle” in the first line of paragraph *b* by the words “Ordre professionnel” and by replacing the word “corporation” in the third line of that paragraph by the word “order”;

(2) by adding, at the end, the following paragraph:

“(l) prevent a person from performing acts reserved for members of the Order, provided he performs them in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

c. I-9, s. 6,
am.

337. Section 6 of the said Act is amended by replacing the words “corporation called “Corporation professionnelle des ingénieurs du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des ingénieurs du Québec” or the”.

c. I-9, s. 8,
am.

338. Section 8 of the said Act is amended by replacing the words “the Bureau” in the second line by the words “regulation of the Bureau adopted pursuant to paragraph *f* of section 93 of the Professional Code”.

c. I-9, s. 9,
am.

339. Section 9 of the said Act is amended by striking out the words “in accordance with the Professional Code” in the first and second lines of the second paragraph, by striking out the words “in the manner provided by the regulations” in the second and third lines of the same paragraph and by adding a comma after the word “Québec” in the fourth line.

c. I-9, s. 10,
am.

340. Section 10 of the said Act is amended by replacing the words “that where he mainly practises his profession” in the second and third lines of the first paragraph by the words “his professional domicile”.

c. I-9, s. 11,
am.

341. Section 11 of the said Act is amended

(1) by striking out subparagraphs *a* to *k* and *m* of the first paragraph;

(2) by striking out the second paragraph.

c. I-9,
Div. IV,
heading,
replaced

342. The heading of Division IV of the said Act is replaced by the following heading:

“RULES RESPECTING ADMISSION”.

c. I-9, ss. 14,
15, repealed

343. Sections 14 and 15 of the said Act are repealed.

c. I-9, s. 16,
am.

344. Section 16 of the said Act is amended by striking out the word “, however” in the first line.

c. I-9, s. 17,
repealed

345. Section 17 of the said Act is repealed.

c. I-9, s. 19,
am.

346. Section 19 of the said Act is amended by striking out the words “domiciled outside Québec” in the second line of subsection 1.

c. I-9, s. 20,
am.

347. Section 20 of the said Act is amended by replacing the words and figure “The Bureau may accept as a member a person who is not a Canadian citizen and does not fulfil the conditions prescribed by section 44 of the Professional Code but is domiciled in Québec, is otherwise” in the first, second and third lines by the words and figure “Notwithstanding section 44 of the Professional Code, the Bureau may accept as a member a person who has not been legally admitted to Canada as a permanent resident but who is”.

c. I-9, s. 22,
am.

348. Section 22 of the said Act is amended

(1) by replacing the word “; or” at the end of the second line of paragraph 5 by a comma;

(2) by striking out paragraph 6.

FOREST ENGINEERS ACT

c. I-10, s. 1,
am.

349. Section 1 of the Forest Engineers Act (R.S.Q., chapter I-10) is amended by replacing the words “corporation called “Corporation professionnelle des ingénieurs forestiers du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des ingénieurs forestiers du Québec” or the”.

c. I-10, s. 2,
am. **350.** Section 2 of the said Act is amended by striking out paragraph 5.

c. I-10,
ss. 6-8,
repealed **351.** Sections 6, 7 and 8 of the said Act are repealed.

c. I-10, s. 9,
am. **352.** Section 9 of the said Act is amended by striking out the first and second paragraphs.

c. I-10, s. 13,
am. **353.** Section 13 of the said Act is amended by striking out the second paragraph.

c. I-10, s. 14,
am. **354.** Section 14 of the said Act is amended by adding, at the end, the following paragraph:

Acts
reserved for
members “Nothing in this Act shall prevent a person from performing acts reserved for members of the Order, provided he performs them in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

VETERINARY SURGEONS ACT

c. M-8, s. 1,
am. **355.** Section 1 of the Veterinary Surgeons Act (R.S.Q., chapter M-8) is amended by striking out paragraph *d*.

c. M-8,
Div. II,
heading,
replaced **356.** The heading of Division II of the said Act is replaced by the following heading:

“THE ORDRE DES MÉDECINS VÉTÉRINAIRES DU QUÉBEC”.

c. M-8, s. 2,
am. **357.** Section 2 of the said Act is amended by replacing the words “corporation called “Corporation professionnelle des médecins vétérinaires du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des médecins vétérinaires du Québec” or the”.

c. M-8, s. 4,
repealed **358.** Section 4 of the said Act is repealed.

c. M-8, s. 6,
repealed **359.** Section 6 of the said Act is repealed.

c. M-8, s. 6.1,
am. **360.** Section 6.1 of the said Act is amended by replacing the second paragraph by the following paragraph:

Provisions
applicable “Section 95.2 of the Professional Code applies to the regulation adopted pursuant to subparagraph 1 of the first paragraph.”

c. M-8,
Div. IV,
heading,
replaced **361.** The heading of Division IV of the said Act is replaced by the following heading:

“PRACTICE OF VETERINARY MEDICINE”.

c. M-8,
ss. 10-20,
repealed

362. Sections 10 to 20 of the said Act are repealed.

c. M-8, head-
ings, struck
off

363. The said Act is amended by striking out, after section 20, the following:

“DIVISION V

“PRACTICE OF VETERINARY MEDICINE”.

c. M-8, s. 21,
repealed

364. Section 21 of the said Act is repealed.

c. M-8, s. 22,
repealed

365. Section 22 of the said Act is repealed.

c. M-8, s. 29,
am.

366. Section 29 of the said Act is amended

(1) by striking out the first paragraph;

(2) by replacing the word “Such” in the first line of the second paragraph by the word “The”;

(3) by replacing the word “regulation” in the first line of the third paragraph by the word “resolution”.

c. M-8,
Div. VI,
renumbered
and replaced

367. Division VI of the said Act is renumbered and replaced as follows:

“DIVISION V

“ILLEGAL PRACTICE OF VETERINARY MEDICINE

Condition

“32. Subject to the rights and privileges expressly granted by law to other professionals, no person may perform an act described in section 7 unless he is a veterinary surgeon.

Exception

The first paragraph does not apply to acts performed

(1) by a person belonging to a class of persons contemplated in a regulation adopted pursuant to subparagraph 3 of the first paragraph of section 6.1, provided he performs them under the conditions prescribed in the regulation;

(2) by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code;

(3) in the course of studying veterinary medicine;

(4) in the course of scientific research.

Penalties

“32.1 Every person who contravenes section 32 is liable, for each offence, to the penalties prescribed in section 188 of the Professional Code.”

c. M-8,
Div. VII,
renumbered

368. Division VII of the said Act is renumbered VI.

MEDICAL ACT

c. M-9, s. 1,
am.

369. Section 1 of the Medical Act (R.S.Q., chapter M-9) is amended by striking out paragraph *e*.

c. M-9, s. 2,
am.

370. Section 2 of the said Act is amended by replacing the words “corporation called the “Corporation professionnelle des médecins du Québec” or” in the second and third lines by the words “professional order called the “Collège des médecins du Québec” or the “Ordre professionnel des médecins du Québec” or the”.

c. M-9, s. 4,
am.

371. Section 4 of the said Act is amended by adding the words and figure “adopted pursuant to paragraph *f* of section 93 of the Professional Code” after the word “Bureau” in the second line.

c. M-9, s. 7,
am.

372. Section 7 of the said Act is amended by replacing the words and figure “, each representing one of the regions described under section 65 of” in the first and second lines of the first paragraph by the words “in the manner provided for in”.

c. M-9, s. 8,
repealed

373. Section 8 of the said Act is repealed.

c. M-9, s. 15,
am.

374. Section 15 of the said Act is amended by striking out paragraphs *b* and *d*.

c. M-9, s. 19,
am.

375. Section 19 of the said Act is amended

(1) by replacing the word “corporations” in the third line of the second paragraph by the word “orders” and by replacing the words “is no such corporation” in the fourth line of that paragraph by the words “are no such orders”;

(2) by adding, at the end, the following paragraph:

Provisions
applicable

“Section 95.2 of the Professional Code applies to the regulation adopted pursuant to subparagraph *d* of the first paragraph.”

c. M-9, s. 20,
am.

376. Section 20 of the said Act is amended by replacing the words and figure “whose decision is final and without appeal. Such

appeal must be lodged within thirty days from the service upon the person concerned, in accordance with the Code of Civil Procedure (chapter C-25), of the Bureau's decision" in the third, fourth, fifth and sixth lines of the third paragraph by the words "in conformity with the provisions of Division VIII of Chapter IV of the Professional Code. The Bureau's decision shall be served on the person concerned in accordance with the Code of Civil Procedure (chapter C-25)".

c. M-9,
ss. 22-24,
repealed

377. Sections 22, 23 and 24 of the said Act are repealed.

c. M-9, s. 33,
am.

378. Section 33 of the said Act is amended

(1) by striking out subparagraphs *b* and *c* of the first paragraph;

(2) by replacing the words "this act and the regulations of the Bureau" in the first and second lines of subparagraph *d* of the first paragraph by the words "the Professional Code".

c. M-9, s. 34,
am.

379. Section 34 of the said Act is amended by striking out the words "is not a Canadian citizen and who" in the second line.

c. M-9, s. 36,
repealed

380. Section 36 of the said Act is repealed.

c. M-9, s. 37,
am.

381. Section 37 of the said Act is amended

(1) by striking out subparagraph *b* of the first paragraph;

(2) by replacing the words "this act and the regulations of the Bureau" in the second line of subparagraph *c* of the first paragraph by the words "the Professional Code".

c. M-9, s. 43,
am.

382. Section 43 of the said Act is amended

(1) by replacing subparagraph *a* of the second paragraph by the following subparagraph:

"(a) by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code;"

(2) by replacing subparagraph *d* of the second paragraph by the following subparagraph:

"(d) by a person belonging to a class of persons contemplated in a regulation adopted pursuant to subparagraph *b* of the first paragraph of section 19, provided he performs them under the conditions prescribed in the regulation;"

(3) by striking out the word and figure “or 22” in the second line of subparagraph *e* of the second paragraph.

NOTARIAL ACT

c. N-2, s. 1,
am.

383. Section 1 of the Notarial Act (R.S.Q., chapter N-2) is amended by striking out paragraph *o*.

c. N-2, s. 7,
am.

384. Section 7 of the said Act is amended by striking out subsection 2.

c. N-2, s. 8,
am.

385. Section 8 of the said Act is amended by replacing the words “the commissions fixed by the tariff” in the third and fourth lines by the word “commissions”.

c. N-2, s. 9.1,
added

386. The said Act is amended by inserting, after section 9, the following section:

Acts
reserved for
members

“9.1 Section 9 shall not prevent a person from performing acts reserved for members of the Order, provided he performs them in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

c. N-2, s. 15,
am.

387. Section 15 of the said Act, amended by section 630 of chapter 57 of the statutes of 1992, is again amended by striking out paragraph *i*.

c. N-2, s. 21,
am.

388. Section 21 of the said Act is amended by striking out subsection 2.

c. N-2, s. 22,
am.

389. Section 22 of the said Act is amended by inserting the words “adopted in accordance with the Professional Code” after the word “regulation” in the third line.

c. N-2, s. 41,
replaced

390. Section 41 of the said Act is replaced by the following section:

Identity

“41. The notary must verify the identity of the parties who sign before him by any reasonable means allowing him to establish their identity.

Identity

When one of the parties signs before a notary other than the officiating notary in accordance with paragraph 2 of section 40, it is incumbent on that other notary to verify the identity of the party concerned.”

c. N-2, s. 71,
am.

391. Section 71 of the said Act is amended by replacing the words “corporation called the “Corporation professionnelle des notaires du Québec” or “Ordre des notaires du Québec” or” in the first, second and third lines by the words “professional order called the “Ordre professionnel des notaires du Québec” or the “Ordre des notaires du Québec” or the”.

c. N-2, s. 72,
am.

392. Section 72 of the said Act is amended by replacing the words “corporate seat in Montréal” in the first and second lines of subsection 1 by the words “head office at the place determined by regulation of the Bureau adopted pursuant to paragraph *f* of section 93 of the Professional Code”.

c. N-2, s. 74,
am.

393. Section 74 of the said Act is amended by replacing the third paragraph by the following paragraph:

“*de jure*
member”

“The outgoing president of the Order is a *de jure* member during the term or terms following his term as president.”

c. N-2, s. 75,
am.

394. Section 75 of the said Act is amended

(1) by replacing the words and figures “subparagraph 4 of the second paragraph of section 93” in the third line of the first paragraph by the words “the Professional Code”;

(2) by replacing the second paragraph by the following paragraph:

Terms of
office

“Their terms of office are fixed by regulation adopted pursuant to the Professional Code. The term of office of the *de jure* member is fixed by regulation of the Bureau.”

c. N-2, s. 78,
am.

395. Section 78 of the said Act is amended by replacing the words and figures “subparagraph 3 of the first paragraph of section 93” in the fourth line of subparagraph vii of paragraph *a* of subsection 2 by the words “the Professional Code”.

c. N-2, s. 81,
am.

396. Section 81 of the said Act is amended by replacing the words and figures “subparagraph 3 of the first paragraph of section 93” in the fifth line of subsection 1 by the words “the Professional Code”.

c. N-2, s. 83,
am.

397. Section 83 of the said Act is amended by striking out the words “the regulations and” in the fifth line of subsection 1.

c. N-2, s. 86,
am.

398. Section 86 of the said Act is amended by striking out the words “, in conformity with the regulations,” in the first and second lines of subsection 2.

c. N-2, s. 93,
am.

399. Section 93 of the said Act is amended

(1) by replacing that part of the first paragraph which precedes subparagraph 1 by the following:

Regulations
of the
Bureau

“93. The Bureau may, by regulation:”;

(2) by striking out subparagraphs 1, 3 and 6 of the first paragraph;

(3) by inserting the words “the quality of professional services,” after the word “promote” in the fourth line of subparagraph 8 of the first paragraph;

(4) by striking out subparagraph 9 of the first paragraph;

(5) by replacing the second paragraph by the following paragraph:

Regulations
of the
Bureau

“The Bureau shall, by regulation, fix the duration of the term of office of the *de jure* member.”

c. N-2, s. 94,
replaced

400. Section 94 of the said Act is replaced by the following section:

Provisions
applicable

“94. Section 95.1 of the Professional Code applies to a regulation adopted pursuant to subparagraphs 4, 5, 8 and 10 of the first paragraph of section 93 and pursuant to the second paragraph of that section.”

c. N-2, s. 95,
repealed

401. Section 95 of the said Act is repealed.

c. N-2, s. 96,
am.

402. Section 96 of the said Act is amended by replacing paragraph *b* by the following paragraphs:

“(b) change the model of the seal and the information that it must bear;

“(c) determine the criteria according to which, upon the recommendation of the Administrative Committee, it may confer the title of honorary notary on a notary, or withdraw such title from him, and prescribe the conditions and modalities of its use and the rights and privileges related thereto.”

c. N-2, s. 97,
am.

403. Section 97 of the said Act is amended

(1) by replacing the words and figures “made under subparagraph 4 of the second paragraph of section 93” in the third and fourth lines of the third paragraph by the words and figure “of the Bureau. Section 95.1 of the Professional Code applies to the regulation.”;

(2) by replacing the words and figures “subparagraph 3 of the first paragraph of section 93” in the fourth line of the fourth paragraph by the words “the Professional Code”;

(3) by replacing the words and figures “subparagraph 3 of the first paragraph of section 93” in the fourth and fifth lines of the sixth paragraph by the words “the Professional Code”.

c. N-2,
s. 104, am.

404. Section 104 of the said Act is amended

(1) by striking out subsection 1;

(2) by replacing the words “the subscription” in the first line of subsection 2 by the words “an assessment”;

(3) by replacing the word “subscription” in the fourth line of subsection 3 by the word “assessment”.

c. N-2,
s. 105, am.

405. Section 105 of the said Act is amended by replacing the word “subscriptions” in the first line of subsection 1 by the word “assessments”.

c. N-2,
Div. VII,
repealed

406. Division VII of the said Act, comprising sections 107 to 118, is repealed.

c. N-2,
s. 136, am.

407. Section 136 of the said Act is amended by inserting the words “adopted in accordance with the Professional Code” after the word “regulation” in the third line.

c. N-2,
s. 161, am.

408. Section 161 of the said Act is amended by adding, at the end, the words “or the regulations”.

DISPENSING OPTICIANS ACT

c. O-6, s. 1,
am.

409. Section 1 of the Dispensing Opticians Act (R.S.Q., chapter O-6) is amended by striking out paragraph *d*.

c. O-6, s. 2,
am.

410. Section 2 of the said Act is amended by replacing the words “corporation called “Corporation professionnelle des opticiens

d'ordonnances du Québec" or" in the second, third and fourth lines by the words "professional order called the "Ordre professionnel des opticiens d'ordonnances du Québec" or the".

c. O-6, s. 4,
am.

411. Section 4 of the said Act is amended by adding the words and figure "adopted pursuant to paragraph *f* of section 93 of the Professional Code" after the word "Bureau" in the second line.

c. O-6, ss. 7,
10, 11,
repealed

412. Sections 7, 10 and 11 of the said Act are repealed.

c. O-6, s. 15,
am.

413. Section 15 of the said Act is amended by replacing subparagraph *d* of the second paragraph by the following subparagraph:

"(d) by any person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code."

OPTOMETRY ACT

c. O-7, s. 1,
am.

414. Section 1 of the Optometry Act (R.S.Q., chapter O-7) is amended by striking out paragraphs *d* and *e*.

c. O-7, s. 2,
am.

415. Section 2 of the said Act is amended by replacing the words "corporation called "Corporation professionnelle des optométristes du Québec" or" in the second and third lines by the words "professional order called the "Ordre professionnel des optométristes du Québec" or the".

c. O-7, s. 4,
am.

416. Section 4 of the said Act is amended by adding the words and figure "adopted pursuant to paragraph *f* of section 93 of the Professional Code" after the word "Bureau" in the second line.

c. O-7, s. 7,
am.

417. Section 7 of the said Act is amended by striking out paragraphs *b* and *c*.

c. O-7, s. 10,
am.

418. Section 10 of the said Act is amended

(1) by striking out subparagraph *b* of the first paragraph;

(2) by replacing the word "corporations" in the third line of the second paragraph by the word "orders" and by replacing the words "is no such corporation" in the fourth line of that paragraph by the words "are no such orders";

(3) by adding, after the second paragraph, the following paragraph:

Provisions
applicable

“Section 95.2 of the Professional Code applies to the regulation adopted pursuant to subparagraph *c* of the first paragraph.”

c. O-7, ss. 11-
13, 15, 18,
19, repealed

419. Sections 11, 12, 13, 15, 18 and 19 of the said Act are repealed.

c. O-7,
s. 19.2, am.

420. Section 19.2 of the said Act is amended by replacing the words and figure “fix, by regulation, in accordance with section 95 of the Professional Code (chapter C-26),” in the first and second lines by the words “, by regulation, fix”.

c. O-7, s. 25,
am.

421. Section 25 of the said Act is amended by replacing the second paragraph by the following paragraphs:

Exception

“The first paragraph does not apply to acts done by a person belonging to a class of persons contemplated in a regulation adopted pursuant to subparagraph *a* of the first paragraph of section 10, provided he does them under the conditions prescribed in the regulation.

Exception

In addition, the first paragraph does not apply to acts done by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

PHARMACY ACT

c. P-10, s. 1,
am.

422. Section 1 of the Pharmacy Act (R.S.Q., chapter P-10), amended by section 1 of chapter 75 of the statutes of 1990, is again amended by striking out paragraph *f*.

c. P-10, s. 2,
am.

423. Section 2 of the said Act is amended by replacing the words “corporation called “Corporation professionnelle des pharmaciens du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des pharmaciens du Québec” or the”.

c. P-10, s. 5,
am.

424. Section 5 of the said Act is amended by replacing the words and figure “each to represent one region described under section 65 of” in the first and second lines of the first paragraph by the words “in the manner provided for in”.

c. P-10, ss. 6,
7, repealed

425. Sections 6 and 7 of the said Act are repealed.

c. P-10, s. 8,
am.

426. Section 8 of the said Act is amended by striking out paragraphs *a* and *c*.

c. P-10, s. 10,
am.

427. Section 10 of the said Act, amended by section 3 of chapter 75 of the statutes of 1990, is again amended

(1) by replacing the word “corporations” in the third line of the second paragraph by the word “orders” and by replacing the words “is no such corporation” in the fourth line of that paragraph by the words “are no such orders”;

(2) by adding, after the second paragraph, the following paragraph:

Provisions
applicable

“Section 95.2 of the Professional Code applies to any regulation adopted pursuant to subparagraphs *d* and *e* of the first paragraph.”

c. P-10, s. 11,
repealed

428. Section 11 of the said Act is repealed.

c. P-10, s. 12,
am.

429. Section 12 of the said Act is amended

(1) by striking out paragraphs *b* and *c*;

(2) by adding, at the end, the following paragraph:

Provisions
applicable

“Section 95.2 of the Professional Code applies to a regulation adopted pursuant to subparagraph *d* of the first paragraph.”

c. P-10, s. 13,
repealed

430. Section 13 of the said Act is repealed.

c. P-10, s. 18,
am.

431. Section 18 of the said Act, amended by section 5 of chapter 75 of the statutes of 1990, is again amended by striking out the words “of the Government” in the seventh and eighth lines of the second paragraph.

c. P-10, s. 19,
am.

432. Section 19 of the said Act is amended

(1) by striking out subparagraph *b* of the first paragraph;

(2) by replacing the words “this act and the regulations of the Bureau” in the first and second lines of subparagraph *c* of the first paragraph by the words “the Professional Code”.

c. P-10, s. 20,
am.

433. Section 20 of the said Act is amended by striking out the first paragraph.

c. P-10, s. 35,
am.

434. Section 35 of the said Act is amended by replacing subparagraphs *a* and *b* of the second paragraph by the following subparagraphs:

“(a) by a person belonging to a class of persons contemplated in a regulation adopted pursuant to subparagraph *a* of the first paragraph of section 10, provided he performs them under the conditions prescribed in the regulation;

“(b) by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

c. P-10, s. 37,
am.

435. Section 37 of the said Act is amended by replacing the words “The Government” in the first line by the words “The Office des professions du Québec”.

c. P-10,
s. 37.1, am.

436. Section 37.1 of the said Act is amended by replacing the words “Corporation professionnelle” in the second and in the third lines by the words “Ordre professionnel”.

PODIATRY ACT

c. P-12, s. 1,
am.

437. Section 1 of the Podiatry Act (R.S.Q., chapter P-12) is amended by striking out paragraph *d*.

c. P-12, s. 2,
am.

438. Section 2 of the said Act is amended by replacing the words “corporation called “Corporation professionnelle des podiatres du Québec” or” in the second and third lines by the words “professional order called the “Ordre professionnel des podiatres du Québec” or the”.

c. P-12, s. 5,
repealed

439. Section 5 of the said Act is repealed.

c. P-12, s. 6,
am.

440. Section 6 of the said Act is amended

(1) by striking out subparagraph *a* of the first paragraph;

(2) by replacing the word “corporations” in the third line of the second paragraph by the word “orders” and by replacing the words “is no such corporation” in the fourth line of that paragraph by the words “are no such orders”;

(3) by replacing the third paragraph by the following paragraph:

Provisions
applicable

“Section 95.2 of the Professional Code applies to a regulation adopted pursuant to subparagraph *c* of the first paragraph.”

c. P-12, ss. 9,
10, repealed

441. Sections 9 and 10 of the said Act are repealed.

c. P-12, s. 16,
am.

442. Section 16 of the said Act is amended by replacing the second paragraph by the following paragraphs:

Exception

“The first paragraph does not apply to acts performed by a person belonging to a class of persons contemplated in a regulation adopted pursuant to subparagraph *b* of the first paragraph of section 6, provided he performs them under the conditions prescribed in the regulation.

Exception

In addition, the first paragraph does not apply to acts performed by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

c. P-12, s. 19,
repealed

443. Section 19 of the said Act is repealed.

RADIOLOGY TECHNICIANS ACT

c. T-5, title,
am.

444. The Radiology Technicians Act (R.S.Q., chapter T-5) is amended by replacing the word “Technicians” in the title of the Act by the word “Technologists”.

c. T-5, s. 1,
am.

445. Section 1 of the said Act is amended

(1) by replacing the word “techniciens” in the first line of paragraph *a* by the word “technologues”;

(2) by replacing the word “technician” in the first line of paragraph *c* by the word “technologist”;

(3) by striking out paragraph *d*.

c. T-5,
Div. II,
heading, am.

446. The heading of Division II of the said Act is amended by replacing the word “TECHNICIENS” by the word “TECHNOLOGUES”.

c. T-5, s. 2,
am.

447. Section 2 of the said Act is amended by replacing the word “technician” in the second line by the word “technologist” and by replacing the words “corporation called the “Corporation professionnelle des techniciens en radiologie du Québec” or “Ordre des techniciens” ” in the second, third and fourth lines by the words “professional order called the “Ordre professionnel des technologues en radiologie du Québec” or the “Ordre des technologues” ”.

c. T-5, s. 4,
am.

448. Section 4 of the said Act is amended by adding the words and figure “adopted pursuant to paragraph *f* of section 93 of the Professional Code” after the word “Bureau” in the second line.

c. T-5, s. 6,
repealed

449. Section 6 of the said Act is repealed.

c. T-5, s. 7,
am.

450. Section 7 of the said Act is amended by replacing the word “technician” in the fourth line by the word “technologist”.

c. T-5, s. 8,
am.

451. Section 8 of the said Act is amended by replacing the word “technician” in the first line of the first paragraph by the word “technologist”.

c. T-5, ss. 9,
10, repealed

452. Sections 9 and 10 of the said Act are repealed.

c. T-5, s. 11,
am.

453. Section 11 of the said Act is amended

(1) by replacing the word “technician” in the first line of the first paragraph by the word “technologist”;

(2) by replacing the word “technicians” in the first line of the second paragraph by the word “technologists”.

c. T-5, s. 12,
am.

454. Section 12 of the said Act is amended

(1) by replacing the word “technician” in the third line of the first paragraph by the word “technologist”;

(2) by replacing the second paragraph by the following paragraph:

Exception

“The first paragraph does not apply to acts performed by a person in accordance with the provisions of a regulation adopted pursuant to paragraph *h* of section 94 of the Professional Code.”

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

Expressions
replaced

455. In every Act, regulation, by-law, order, order in council, proclamation, resolution, letters patent, contract or other document, the expressions “Corporation professionnelle des techniciens en radiologie du Québec” and “Ordre des techniciens en radiologie du Québec” are replaced, respectively, by the expressions “Ordre professionnel des technologues en radiologie du Québec” and “Ordre des technologues en radiologie du Québec”, with the necessary changes.

Authoriza-
tion

456. The Ordre professionnel des technologues en radiologie du Québec is authorized to use, for a period of not more than one year from the date of coming into force of this section, any document or means of identification prepared before that date and containing the title “radiology technician”.

Expressions
replaced

457. In every Act, regulation, by-law, order, order in council, proclamation, resolution, letters patent, contract or other document, the expression “professional corporation” and the word “corporation”, where they refer to a professional order governed by the Professional Code, are replaced by the expression “professional order” and the word “order”, respectively, with the necessary changes.

Authoriza-
tion

458. A professional order is authorized to use, for a period of not more than one year from the date of coming into force of this section, any document or means of identification prepared before that date and containing the expression “professional corporation”.

Provisions
in force

459. The provisions of the regulations, by-laws, rules of practice and resolutions made pursuant to the Professional Code or an Act constituting a professional order shall remain in force until amended, replaced or repealed.

Provisions
applicable

460. The provisions of sections 45 and 45.1 of the Professional Code, enacted by section 40 of this Act, apply in respect of any person who is the subject of a judicial or disciplinary decision referred to in those provisions that was rendered before the date of coming into force of those provisions, even if the application for a permit or for entry on the roll was made before the date of coming into force of those provisions.

Judicial or
disciplinary
decision

Every professional whose permit was issued, or who was entered on the roll after the date of coming into force of the provisions of section 45.2 of the Professional Code, enacted by section 40 of this Act, but whose application for a permit or for entry on the roll was made before that date must, within 90 days from that date, inform the secretary of the order of which he is a member that he is or has been the subject of a judicial or disciplinary decision referred to in the provisions of section 45.2.

Provisions
applicable

461. The provisions of section 46 of the Professional Code, enacted by section 40 of this Act, apply to any person who made an application for entry on the roll before the date of coming into force of those provisions.

Provisions
applicable

462. The provisions of subparagraph 1 of the first paragraph of section 55.1 of the Professional Code, enacted by section 46 of this Act,

(1) apply to every professional who is the subject of a decision of a Canadian court rendered before the date of coming into force of sections 46 and 133 of this Act, finding him guilty of a criminal offence triable by way of indictment only and who, in the reasoned opinion

of the Bureau of the order of which he is a member, has a connection with the practice of the profession, except if the professional has obtained a pardon;

(2) apply to every professional who is the subject of a decision of a Canadian court rendered after the date of coming into force of sections 46 and 133 of this Act, even if the facts which gave rise to the decision occurred before the date of coming into force of those sections, finding him guilty of a criminal offence triable otherwise than by way of indictment only and who, in the reasoned opinion of the Bureau of the order of which he is a member, has a connection with the practice of the profession, except if the professional has obtained a pardon.

Provisions
applicable

The provisions of subparagraph 2 of the first paragraph of the said section 55.1

(1) apply to every professional who is the subject of a decision of a foreign court rendered before the date of coming into force of sections 46 and 133 of this Act, finding him guilty of an offence which, had it been committed in Canada, could have given rise to a criminal prosecution triable by way of indictment only and which, in the reasoned opinion of the Bureau of the order of which he is a member, has a connection with the practice of the profession, except if the professional has obtained a pardon;

(2) apply to every professional who is the subject of a decision of a foreign court rendered after the date of coming into force of sections 46 and 133 of this Act, even if the facts which gave rise to the decision occurred before the date of coming into force of those sections, finding him guilty of an offence which, had it been committed in Canada, could have given rise to a criminal prosecution otherwise than by way of indictment only and which, in the reasoned opinion of the Bureau of the order of which he is a member, has a connection with the practice of the profession, except if the professional has obtained a pardon.

Provisions
applicable

The provisions of subparagraphs 3 to 8 of the first paragraph of the said section 55.1 apply to every professional who is the subject, after the date of coming into force of those provisions, of a decision referred to therein, even if the facts giving rise to the decision occurred before the date of coming into force of those provisions.

Presumption

463. A regulation made by the Bureau of an order and transmitted for examination to the Office des professions du Québec pursuant to section 95 of the Professional Code before the date of coming into force of the provisions of section 95.1 of that Code, enacted

by section 84 of this Act, and which, had it been made after that date, would have been subject to the procedure referred to in the said provisions is, from the date of coming into force of the said provisions, deemed to have been transmitted to the Office for deposit in accordance with the said provisions.

Presumption **464.** A regulation made by the Bureau of an order and transmitted for examination to the Office des professions du Québec pursuant to section 95 of the Professional Code before the date of coming into force of the provisions of section 95.2 of that Code, enacted by section 84 of this Act, and which, had it been made after that date, would have been subject to the procedure referred to in the said provisions is, from the date of coming into force of the said provisions, deemed to have been transmitted to the Office for examination and approval in accordance with the said provisions.

Conditions However, the Office may not approve such a regulation unless a draft thereof has been published in the *Gazette officielle du Québec* or, if it has not been so published, unless it has been sent by the secretary of the order the Bureau of which made it to all the members of the order, together with a notice enjoining them to send their comments, if any, to the Office within 30 days of the date indicated in the notice.

Date of coming into force For the purposes of the provisions of the third paragraph of section 95.2, the date of coming into force of those provisions is the date on which the Office receives the regulation.

Provisions applicable **465.** The provisions of section 95.4 of the Professional Code, enacted by section 84 of this Act, apply to any regulation made by the Bureau before the date of coming into force of those provisions and that is in force on the date of coming into force of those provisions.

Restriction **466.** The provisions of sections 120.1 to 120.3 of the Professional Code, enacted by section 106 of this Act, apply only to hearings held after the date of coming into force of those provisions.

Presumption **467.** Consultations of teaching establishments carried out by the Government pursuant to the provisions of section 184 of the Professional Code, as they read before the coming into force of the provisions of section 164 of this Act are, for the purposes of section 184 of the said Code, enacted by section 164 of this Act, deemed to have been made by the Office des professions du Québec in accordance with the provisions of paragraph *a* of subparagraph 7 of the third paragraph of section 12 of the Professional Code, enacted by section 7 of this Act.

Complaint

468. A complaint brought before the committee on discipline of an order pursuant to the provisions of section 155 of the Professional Code, as they read before the date of coming into force of section 133 of this Act, shall be continued before the committee on discipline of the order.

Decision of
committee
on discipline

469. A decision of the committee on discipline, imposing a penalty referred to in the provisions of the second paragraph of section 158 of the Professional Code, enacted by paragraph 2 of section 136 of this Act which, on the date of coming into force of those provisions, was not executory or the execution of which, on that date, was suspended pursuant to the provisions of the first paragraph of section 166 of the Professional Code, shall become executory from the date of service on the professional concerned of a notice indicating that the decision of which he is the subject is executory.

Provisions
applicable

470. The provisions of subparagraph 2 of the second paragraph of section 166 of the Professional Code, enacted by section 145 of this Act, apply to any decision referred to in the said provisions that is rendered before the date of coming into force of the said provisions and from which an appeal is brought before that date.

Coming into
force

471. The provisions of this Act will come into force on the date or dates fixed by the Government.

Coming into
force

However, the provisions of section 436 will come into force on the date of the coming into force of section 37.1 of the Pharmacy Act.