

Gouvernement du Québec

O.C. 361-2008, 16 April 2008

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

**Technologues en radiologie
— Standards for diploma or training equivalence
for the issue of a permit
— Amendments**

Regulation to amend the Regulation respecting the standards for diploma or training equivalence for the issue of a permit by the Ordre des technologues en radiologie du Québec

WHEREAS, under paragraph *c* of section 93 of the Professional Code (R.S.Q., c. C-26), the Bureau of an order must, by regulation, prescribe standards for equivalence of diplomas issued by educational establishments situated outside Québec, for the purposes of issuing a permit or specialist's certificate, and standards of equivalence of the training of a person who does not hold a diploma required for such purposes;

WHEREAS, under paragraph *c.1* of section 93 of the Professional Code, the Bureau must, by regulation, determine a procedure for recognizing an equivalence, standards for which are to be established in a regulation under paragraph *c* of that section, providing that a decision must be reviewed by persons other than those who made it and, for that purpose, provide that the Bureau's power to decide an application or review a decision may be delegated to a committee established under paragraph 2 of section 86.0.1 of the Code;

WHEREAS the Bureau of the Ordre des technologues en radiologie du Québec made the Regulation to amend the Regulation respecting the standards for diploma or training equivalence for the issue of a permit by the Ordre des technologues en radiologie du Québec;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 3 October 2007, with a notice

that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS no comments were received by the Office des professions du Québec following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office des professions du Québec has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Regulation respecting the standards for diploma or training equivalence for the issue of a permit by the Ordre des technologues en radiologie du Québec, the text of which is attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting the standards for diploma or
training equivalence for the issue of a
permit by the Ordre des technologues en
radiologie du Québec ***

Professional Code
(R.S.Q., c. C-26, s. 93, pars. *c* and *c.1*)

1. The Regulation respecting the standards for diploma or training equivalence for the issue of a permit by the Ordre des technologues en radiologie du Québec is amended by replacing section 2 by the following:

“2. In this Regulation,

(1) “diploma equivalence” means recognition that a diploma issued by an educational institution outside Québec certifies that the candidate's level of knowledge

* The Regulation respecting the standards for diploma or training equivalence for the issue of a permit by the Ordre des technologues en radiologie du Québec, approved by Order in Council 523-2005 dated 1 June 2005 (2005, *G.O.* 2, 1873), has not been amended since its approval.

and skills is equivalent to the level attained by the holder of a diploma recognized by a regulation of the Government, made under the first paragraph of section 184 of the Professional Code (R.S.Q., c. C-26), that gives access to the permit issued by the Order;

(2) “training equivalence” means recognition that a candidate’s training has enabled the candidate to attain a level of knowledge and skills equivalent to the level attained by the holder of a diploma determined by a regulation of the Government, made under the first paragraph of section 184 of the Code, that gives access to the permit issued by the Order.”.

2. Section 5 is amended by replacing “the Bureau shall take all the following factors into consideration” in the second paragraph by “the following factors must be taken into account”.

3. Sections 8 to 10 are replaced by the following:

“**8.** The secretary of the Order must send the documents referred to in section 6 to a committee formed by the Bureau pursuant to paragraph 2 of section 86.0.1 of the Code which is to examine and decide equivalence applications. The committee is composed of persons who are not members of the Bureau.

In order to make a decision, the committee may require the candidate to come to an interview, to pass an examination, to complete a training period, or to meet any combination of those requirements.

9. The committee may make one of the following decisions:

- (1) grant the candidate’s diploma or training equivalence;
- (2) grant the candidate’s training equivalence in part; or
- (3) refuse to grant the candidate’s diploma or training equivalence.

Within 15 days of the decision, the committee is to send the decision to the candidate in writing by registered mail.

If the committee refuses to grant the equivalence applied for or grants the training equivalence in part, it must, at the same time, inform the candidate in writing of any programs of study, bridging programs, training periods or examinations which if successfully completed within the allotted time would enable the candidate to be granted the training equivalence. The committee must

also inform the candidate of the candidate’s right to apply for a review of the decision in accordance with section 10.

10. A candidate who is informed of the committee’s decision to refuse to grant the equivalence or to grant it in part may apply to the Bureau of the Order for a review.

The candidate may apply to the secretary in writing for a review within 30 days of receiving the decision.

The Bureau must examine the application for review at the first regular meeting following its receipt. It must, before making a decision, allow the candidate to make submissions at the meeting.

For that purpose, the secretary must inform the candidate of the date, time and place of the meeting where the application will be examined, by means of a written notice sent by registered mail at least 15 days before the date set for the meeting.

A candidate who wishes to make submissions in person at the meeting must notify the secretary at least 5 days before the date scheduled for the meeting. The candidate may, however, send written submissions to the secretary at any time before the date scheduled for the meeting.

The decision of the Bureau is final and must be sent to the candidate by registered mail within 30 days following the date of the meeting.”.

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

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

**Optometry
— Practice of the profession of within a partnership or a company**

Regulation respecting the practice of the profession of optometry within a partnership or a company

WHEREAS, under paragraph *p* of section 94 of the Professional Code (R.S.Q., c. C-26), the Ordre des optométristes du Québec may make a regulation