

Regulations and other Acts

Gouvernement du Québec

O.C. 753-2016, 17 August 2016

An Act respecting the Barreau du Québec
(chapter B-1)

Training, skill and knowledge evaluation, accreditation and discipline of stenographers — Amendment

Regulation to amend the Regulation respecting the training, skill and knowledge evaluation, accreditation and discipline of stenographers

WHEREAS, under subparagraphs 1 and 2 of the first paragraph of section 140.4 of the Act respecting the Barreau du Québec (chapter B-1), the Comité sur la sténographie must, by regulation, establish the rules and the terms and conditions related to the training, skill and knowledge evaluation, accreditation and discipline of stenographers and fix the amount of the fee payable by candidates for the examinations they must take;

WHEREAS, in accordance with the second paragraph of section 140.4, the Comité sur la sténographie made the draft Regulation to amend the Regulation respecting the training, skill and knowledge evaluation, accreditation and discipline of stenographers on 5 February 2015;

WHEREAS, under the third paragraph of section 140.4, the Comité sur la sténographie must transmit its regulations to the Office des professions, which must submit its opinion to the Minister of Justice, and the Government may, on the recommendation of the Minister, approve them with or without amendments;

WHEREAS the Office des professions gave a favourable opinion on the draft Regulation to the Minister of Justice on 5 June 2015;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation was published in Part 2 of the *Gazette officielle du Québec* of 30 December 2015 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Regulation respecting the training, skill and knowledge evaluation, accreditation and discipline of stenographers, attached to this Order in Council, be approved.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the training, skill and knowledge evaluation, accreditation and discipline of stenographers

An Act respecting the Barreau du Québec
(chapter B-1, s. 140.4, 1st par., subpars. 1 and 2)

1. The Regulation respecting the training, skill and knowledge evaluation, accreditation and discipline of stenographers (chapter B-1, r. 13) is amended in Division I by replacing “CERTIFICATE” by “ACCREDITATION” in the title.

2. Section 1 is replaced by the following:

“1. A stenographer accreditation is granted by the Comité sur la sténographie to a candidate who

(1) has passed the examination of the Comité sur la sténographie provided for in Division II or has passed the theoretical test of the examination and holds a legal authorization to practise stenography issued by the competent authority of the province of Alberta, Ontario or Saskatchewan, or a Certificate of Proficiency or Certificate of Achievement of the British Columbia Shorthand Reporters Association;

(2) has not been convicted by a Canadian or foreign court of a criminal offence which, in the opinion of the committee, is related to the practice of stenography, unless the candidate has been granted a pardon;

(3) has paid the assessment prescribed by section 11; and

(4) has taken the oath of office before a judge of the Superior Court.

For a holder who has passed the examination of the *Comité sur la sténographie* referred to in Division II, the accreditation must state, in particular, whether the examination was in French or in English, as well as whether the method used in the stenography examination was stenography, stenotypy or stenomask. The accreditation must state, for the holder of a legal authorization to practise stenography issued by the competent authority of the province of Alberta, Ontario or Saskatchewan, or a Certificate of Proficiency or Certificate of Achievement of the British Columbia Shorthand Reporters Association, the language and the method recognized by the legal authorization or the certificate.

The accreditation is valid for the methods and languages indicated thereon.”

3. Section 2 is replaced by the following:

“2. To be eligible to take the examination, a candidate must

(1) hold a diploma from the *École de sténographie judiciaire du Québec*;

(2) hold a Diploma of College Studies (D.E.C.) or its equivalent, have taken the training leading to the theoretical test of the examination provided for in this Division and hold a stenography training accreditation awarded by an organization recognized by the *Comité sur la sténographie* or have experience considered relevant by the committee.

For the purpose of recognizing the relevant experience, the committee examines the method and language used and the nature and duration of the experience;

(3) hold a legal authorization to practise stenography issued by the competent authority of the province of Alberta, Ontario or Saskatchewan, or a Certificate of Proficiency or Certificate of Achievement of the British Columbia Shorthand Reporters Association; or

(4) hold a stenographer accreditation granted by the *Comité sur la sténographie*.”

4. Section 3 is amended by adding “per test” after “plus taxes” in paragraph 2.

5. Section 7 is replaced by the following:

“7. The examination, in French or in English depending on the choice of the candidate, includes a spelling and grammar test and a stenography test on one of the following methods: stenography, stenotypy or stenomask.

It also includes a theoretical test designed to evaluate mastery of the knowledge of the legal and ethical aspects covered during the training given by the *École de sténographie judiciaire du Québec* or the organization recognized by the committee.”

6. Section 8 is replaced by the following:

“8. To pass the examination, a candidate must obtain a mark of at least 90% on the spelling and grammar test, a mark of at least 80% on the stenography test and a mark of at least 60% on the theoretical test. Candidates must retake any test they fail.

A candidate who meets the condition provided for in paragraph 3 of section 2 is exempted from taking the spelling and grammar test in the language recognized by his or her legal authorization or certificate and the stenography test for the method recognized by his or her legal authorization or certificate.

A candidate who meets the condition provided for in paragraph 4 of section 2 is exempted from taking the theoretical test. In addition, a candidate who meets the same condition and wishes to take the examination for another method only is exempted from taking the spelling and grammar test.”

7. Section 10 is amended by striking out the last sentence.

8. Section 16 is amended

(1) by replacing “certificates” in the first paragraph by “accreditations”; and

(2) by replacing “certificates” in the second paragraph by “accreditations”.

9. Section 30 is replaced by the following:

“30. Stenographers must keep their stenographic notebooks, stenotype notes or tape recordings, depending on the method used to take notes, for a minimum period of 10 years. Transcriptions onto a data retrieval system may not be kept as a substitute for the original notes.”

10. The following is added after section 37:

“37.1. A stenographer must, within 30 days of being entered on the roll, file with the committee a declaration designating a representative who may act in the event that the stenographer is unable to act, so as to enable a person with a legal interest to request notes that have or have not been transcribed. The representative must be a stenographer entered on the roll.

A stenographer who wishes to change representatives must file without delay a declaration designating a new representative and so inform the replaced representative in writing.

A stenographer who wishes to withdraw as a representative must, 30 days before the withdrawal, so inform the stenographer concerned and the committee in writing. The stenographer concerned has 30 days to file with the committee a new declaration designating a new representative.

If a stenographer dies, the designated representative may require any person holding the notes of the stenographer to hand them over to him or her.”

11. Section 39 is amended by striking out the third, fourth and fifth paragraphs.

12. Section 73 is amended by replacing “certificate” in paragraph 4 by “accreditation”.

13. Section 76 is amended by replacing “certificate” by “accreditation”.

14. Schedule I is replaced by the following:

“SCHEDULE I

(s. 3)

OFFICIAL STENOGRAPHY EXAMINATION
REGISTRATION FORMDate of examination: _____

Surname: _____ Given name: _____

Address: _____

City: _____ Postal code: _____

Email: _____

Telephone/Residence: _____ Office: _____

Cellular: _____

Examination: French or English Spelling and grammar test Stenography test Theoretical test on legal and ethical aspectsMethod: Stenography Stenotypy Stenomask

Complete this form in block letters and attach a copy of your act of birth and, as the case may be,

- (1) a copy of your diploma from the École de sténographie judiciaire du Québec;
- (2) a copy of your Diploma of College Studies (D.E.C.) or its equivalent, proof of attendance at the training leading to the theoretical test of the examination provided for in Division II of the Regulation respecting the training, skill and knowledge evaluation, accreditation and discipline of stenographers (chapter B-1, r. 13), and a copy of the stenography training accreditation awarded by an organization recognized by the Comité sur la sténographie;

- (3) a copy of your Diploma of College Studies (D.E.C.) or its equivalent, proof of attendance at the training leading to the theoretical test of the examination provided for in Division II of the Regulation respecting the training, skill and knowledge evaluation, accreditation and discipline of stenographers, and a document indicating relevant experience subject to recognition by the Comité sur la sténographie;
- (4) a copy of your legal authorization to practise stenography issued by the competent authority of the province of Alberta, Ontario or Saskatchewan, or a Certificate of Proficiency or Certificate of Achievement of the British Columbia Shorthand Reporters Association;
- (5) a true copy of the stenographer accreditation granted by the Comité sur la sténographie.

Enclose the sum of \$50 plus taxes (GST and QST) (cheque made payable to the Barreau du Québec) for each test selected.

Send the completed registration to:

Comité sur la sténographie
Barreau du Québec
445, boulevard Saint-Laurent
Montréal, (Québec) H2Y 3T8".

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

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Gouvernement du Québec

O.C. 763-2016, 17 August 2016

Professional Code
(chapter C-26)

Athletic therapist
— **Certain professional activities that may be engaged in by an athletic therapist**
— **Amendment**

Regulation to amend the Regulation respecting certain professional activities that may be engaged in by an athletic therapist

WHEREAS, under paragraph *h* of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may, by regulation, determine,

among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, and the terms and conditions on which such persons may engage in such activities;

WHEREAS, in accordance with that paragraph, the board of directors of the Collège des médecins du Québec consulted the Ordre des ergothérapeutes du Québec, the Ordre des infirmières et infirmiers du Québec, the Ordre des infirmières et infirmiers auxiliaires du Québec, the Ordre professionnel de la physiothérapie du Québec and the Ordre des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec before adopting, on 11 December 2015, the Regulation to amend the Regulation respecting certain professional activities that may be engaged in by an athletic therapist;

WHEREAS, pursuant to section 95 of the Code, subject to sections 95.0.1 and 95.2 of the Code, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional order must be transmitted to the Office des professions