

THE PRACTICE OF A PROFESSION GOVERNED BY A PROFESSIONAL ORDER

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THE LEGAL AND REGULATORY FRAMEWORK IN QUÉBEC

To practise a profession in Québec or to hold a professional title governed by the Professional Code a person must hold a permit and be a member in good standing of the professional order responsible for that profession.

The Professional Code defines Québec's professional system. In order to ensure the protection of the public, this law regulates the practice of several professions and specifies the conditions of professional practice. It gives the *Office des professions du Québec* a general coordinative and supervisory mandate. In addition, it delegates to each professional order the task of surveilling the practice of its particular profession. This control is particularly exercised when a permit is to be delivered or when entry on the order's role is to be made.

The 46 professional orders have real autonomy in fulfilling their mandate of protecting the public. Each has its own administrative practices. However, the Professional Code provides a framework within which these orders must operate. Before key regulations are adopted by the different orders, they must be approved by the Québec government or by the *Office des professions du Québec*, depending on the particular case. The regulations hence promulgated have force of law.

Practical advice

There are several laws and regulations governing the Québec professional system. You would be well advised to familiarize yourself with all legal documentation pertaining to the professional order you wish to join.

EXCLUSIVE PROFESSIONS AND PROFESSIONS WITH RESERVED TITLES

The Professional Code defines two types of professions: those with an exclusive right to practise and those with a reserved title. All members of professional orders have a reserved title. Additionally, however, some have the exclusive right to perform certain acts or engage in reserved activities.

Practice of an exclusive profession

In the case of an exclusive profession, only members of the order can engage in the profession's activities and make use of the title allowed them by law. The 28 exclusive professions are each the object of a particular law that defines, among other things, the professional activities strictly reserved for the members of the order.

Exclusive professions

For more information, consult the site of the professional order that governs the profession you wish to practise.

<u>Acupuncturist</u>	<u>Dispensing optician</u>	<u>Notary</u>
<u>Advocate</u>	<u>Engineer</u>	<u>Nurse</u>
<u>Agrologist</u>	<u>Forest engineer</u>	<u>Optometrist</u>
<u>Architect</u>	<u>Geologist</u>	<u>Pharmacist</u>
<u>Bailiff</u>	<u>Hearing-aid acoustician</u>	<u>Physician</u>
<u>Chartered professional accountant</u>	<u>Land surveyor</u>	<u>Podiatrist</u>
<u>Chemist</u>	<u>Medical electro-physiology technologist</u>	<u>Radiation oncology technologist</u>
<u>Chiropractor</u>	<u>Medical imaging technologist – radiodiagnostics</u>	<u>Veterinary surgeon</u>
<u>Dentist</u>	<u>Medical imaging technologist – nuclear medicine</u>	
<u>Denturologist</u>	<u>Midwife</u>	

Reserved titles

With the exception of certain professions in the health sector, order members of a profession with a reserved title are not exclusively entitled to engage in their professional activities. However, the obligation of being a member of the concerned order – which confers the right to use a particular

professional title – is often one of the hiring conditions for individuals who are expected to carry out the duties relative to a profession with a reserved title. There are 26 professions with reserved titles. Of these professions, 16 of them are responsible for reserved activities that can only be performed by the members of the order.

Professions with reserved titles

For more information, consult the site of the professional order that governs the profession you wish to practise.

<u>Audiologist*</u>	<u>Dental technician</u>	<u>Professional technologist</u>
<u>Certified human resources or industrial relations consultant</u>	<u>Dietician*</u>	<u>Psychoeducator*</u>
<u>Certified interpreter</u>	<u>Guidance counsellor*</u>	<u>Psychologist*</u>
<u>Certified terminologist</u>	<u>Marital and family therapist*</u>	<u>Respiratory therapist*</u>
<u>Certified translator</u>	<u>Medical technologist*</u>	<u>Sexologist*</u>
<u>Chartered administrator</u>	<u>Nursing assistant*</u>	<u>Social worker*</u>
<u>Chartered appraiser</u>	<u>Occupational therapist*</u>	<u>Speech therapist*</u>
<u>Criminologist*</u>	<u>Physical rehabilitation therapist*</u>	<u>Town planner</u>
<u>Dental hygienist</u>	<u>Physiotherapist*</u>	

* Some activities are reserved for professions marked with an asterisk.

THE RIGHT TO PRACTISE A PROFESSION

In order to obtain the right to practise a profession or to use a professional title, an individual must meet two specific conditions. First, the candidate must obtain a permit from the concerned order. Once in possession of said permit, the candidate must be entered on the roll of the order – in other words, the candidate must become a member of the order.

CONDITIONS FOR OBTAINING A PERMIT

To obtain a permit, the candidate must:

- > meet the educational requirements (hold a Québec diploma, as provided for by regulation, or have a diploma or training recognized as being equivalent to the Québec diploma);
- > meet other conditions, which vary according to the order in question (training period, exam, additional training or experience);
- > have knowledge of the French language appropriate to the practice of his profession.

Generally speaking, it is not necessary to be a Canadian citizen or to reside permanently in Canada in order to secure a permit. Furthermore, an order cannot refuse to issue a permit for reasons of race, colour, sex, religion, national extraction, culture or social origin. However, an order is entitled to refuse a permit to a candidate with a disciplinary or criminal record.

Practical advice

If you anticipate exercising a governed profession, you would be well advised to contact the concerned professional order **before your departure**. You will thus find out about the admission requirements and be able to begin the steps you will need to take in order to obtain your permit and become a member of the order. In some cases, you may even be able to begin the admission process.

Moreover, certain immigration procedures may even require that you contact the professional order in question. Should this be the case, you will be notified by your immigration counsellor.



Useful information

In October 2008, an [Entente en matière de reconnaissance mutuelle des qualifications professionnelles](#) (PDF, 577 Ko) was signed between France and Québec. This agreement has since led to the signing of several Mutual Recognition Arrangements (MRAs) for occupational qualifications for several regulated professions and trades.

The MRAs seek to accelerate and simplify recognition of equivalence leading to a permit to practise for individuals qualified to practise this profession in France and holding one of the training certificates recognized under the MRA. For more information on the conditions for obtaining a permit to practise under an MRA, visit the [Ministère de l'Immigration, de la Diversité et de l'Inclusion](#) website.

Diploma and training equivalence

An immigrant must obtain recognition of diplomas and training received abroad. In keeping with regulatory criteria approved by the government, each order has the power to recognize or deny the equivalence of diplomas or training obtained abroad.

To be recognized as equivalent, diplomas or training received abroad must correspond to the educational requirements imposed on individuals who have studied in Québec. This equivalence relates to the subject matters of the actual courses taken, the hours of study per subject, the total hours of study and relevant work experience. In Québec, course value translates into "units" at the collegial level and "credits" at the university level. For example, a bachelor's degree is generally made up of 90 credits, obtained after three years of full-time university study.

In order for their diplomas or training to be recognized, candidates may be asked by the order to successfully complete a curriculum, an internship or an exam. These are generally considered as part of the normal training required for the concerned profession.

For certain disciplines, access to a curriculum or an internship can be difficult. Since the educational network is mainly designed with full-time students in mind, institutions are sometimes hesitant to accept part-time students. This is especially true in disciplines where a limited number of students are accepted.

The standards of equivalence, as well as the administrative steps required for obtaining equivalence are among the regulations provided for in the Professional Code. The candidate is provided with all regulations pertaining to the standards of equivalence upon submitting an application for equivalence to the targeted professional order. These regulations are also available on the Website of the *Publications du Québec*.

Required documents

All applications submitted to a professional order to obtain recognition of equivalence must be accompanied by the following documents:

- > diplomas, certificates of study or any other academic certification;
- > course transcripts;
- > a description of courses and internships completed;
- > employment certification;
- > work experience certification;
- > internship or continued training certification;
- > permit to practise a profession, where applicable.

The documents provided must be the original documents or certified true copies. Candidates must provide a translation of documents written in a language other than French or English. In some cases, the order may request a sworn statement from the translator.

Practical advice

Presenting a file that meets the regulatory requirements is essential for having diplomas and training recognized. Prior to departure, make sure you have all of the required documents (original or certified true copies of the original documents). If you do not provide the appropriate documents, this may delay or even prevent your file from being processed.

Other particular conditions for obtaining a permit

Besides the diplomas and training required to obtain the permit, a professional order may set other requisites: internship, additional training or a professional exam. The candidate must meet these additional requirements in order to obtain a permit.

It should be noted that these additional requirements are the same for all candidates, whether they received their training in Québec or abroad. By regulation, some orders provide standards of equivalence for these additional admission requirements.

Knowledge of the French language

The Charter of the French Language deems appropriate knowledge of the French language a condition for obtaining a permit. Individuals having completed three years of secondary or post-secondary education in French are recognized as having sufficient knowledge of the French language appropriate to the practice of their profession.

If the candidate's records do not show appropriate knowledge of the French language, the candidate must obtain certification from the *Office québécois de la langue française* (OQLF). To do so, the candidate must pass an OQLF exam which serves to evaluate knowledge of the French language, on the basis of four specific criteria: written comprehension, oral comprehension, written expression and oral expression. In order to receive certification, the candidate must obtain a passing grade for each of the four criteria. The exam, held in Montréal, is free of charge.

A professional order cannot issue a regular permit to a candidate who does not meet the legal requirements bearing on the appropriate knowledge of the French language. However, in certain cases, the candidate may be awarded a temporary permit, if he or she is qualified to practise a given profession. This temporary permit may be renewed up to three times with the authorization of the OQLF. For each renewal, the candidate must take the OQLF exams in compliance with OQLF regulations. At the end of this period, the candidate must successfully pass the OQLF exam in order to receive a regular permit and be allowed to hold the title or practise the profession.



Practical advice

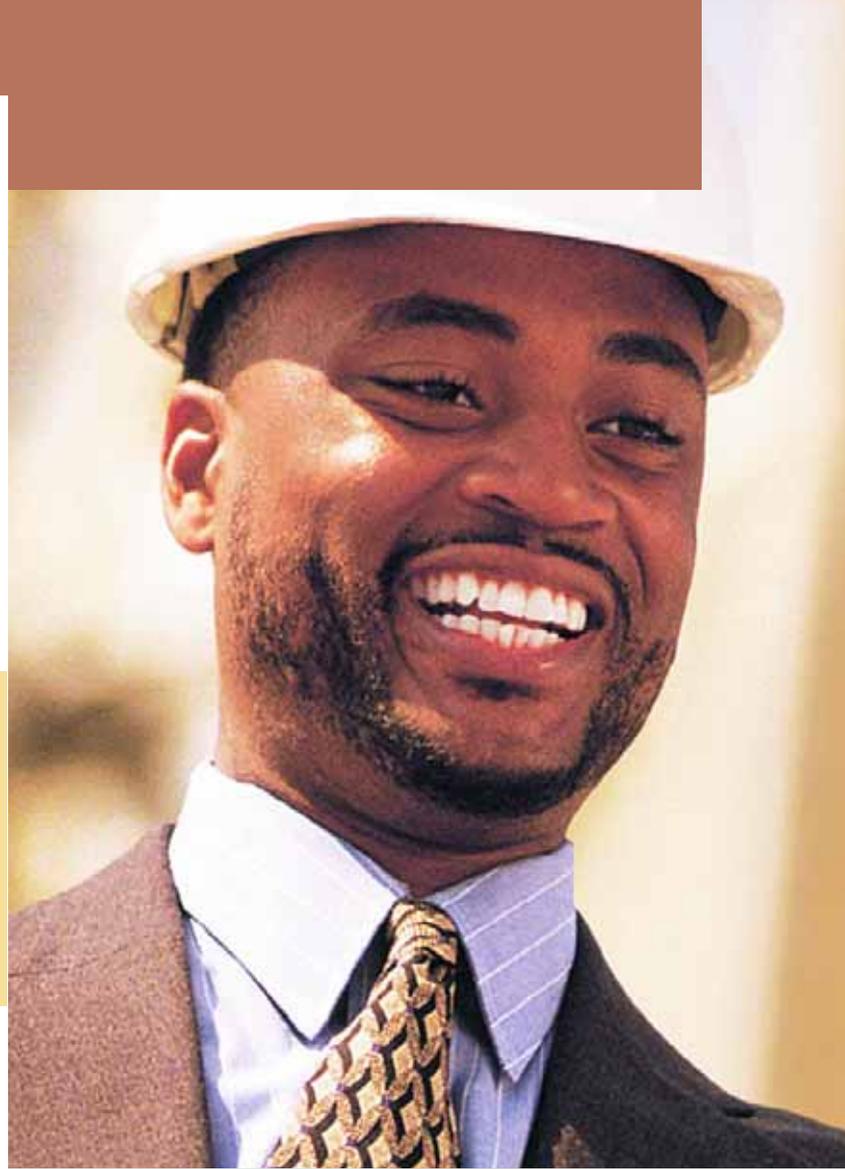
To find out about the conditions for practising a profession governed by a professional order, consult the information on the procedures for obtaining a permit to practise on the site of the professional order that governs the profession you wish to practise.

REVIEW MECHANISMS

Regulations pertaining to the recognition of equivalence specify that in the case of a refusal or a disagreement, a candidate may request to be heard by the professional order. Following this, the order may review its decision. Once rendered the final decision may not be appealed. Some orders also provide for review mechanisms that can be applied at various stages of the admission process (internship, exam, etc.).

Useful information

The *Commissaire aux plaintes en matière de reconnaissance des compétences professionnelles* is responsible for receiving and examining any complaints from an individual against a professional order regarding the mechanism for recognition of professional qualifications in effect in the professional order.



Useful information

Costs for obtaining a permit and be entered on the roll of a particular order are sometimes quite substantial. They vary from a few hundred dollars to several thousand dollars, depending on the circumstances and the specific order. These costs include fees for processing the applicant's file for equivalence, examinations, issuing of the permit, order membership, etc. If applicable, costs for any required training or internship will also apply.

Procedures for admission to a professional order are sometimes long and complex. Over and above the order's file processing times, you should also take into consideration, as the case may be, the availability and duration of the courses or internships you are required to follow, as well as the frequency with which exams are administered by the order and the *Office québécois de la langue française*. Other administrative steps, such as, for example, securing additional required supporting documents, may also result in delays.

BECOMING A MEMBER OF A PROFESSIONAL ORDER

Once the permit is obtained, the candidate must be admitted to the order to be granted the right to use a professional title and practise the activities related to it. The Professional Code refers to this as "entry on the order's roll".

To be entered on the roll of the order, the applicant must:

- > follow the required procedures and pay the related fees;
- > pay the annual dues and other amounts owed to the order;
- > provide liability insurance coverage, if applicable;
- > meet other prescribed conditions: have no disciplinary or criminal record, undergo a medical examination (required in exceptional cases), etc.



FOR FURTHER INFORMATION

Information on immigration and integration procedures, as well as on the *Évaluation comparative des études effectuées hors du Québec* (comparative evaluation for studies done outside Québec)

- > Ministère de l'Immigration, de la Diversité et de l'Inclusion
www.immigration-quebec.gouv.qc.ca

Information on the Québec professional system and the Professional Code

- > Office des professions du Québec
www.opq.gouv.qc.ca
- > Conseil interprofessionnel du Québec
www.professions-quebec.org

Information on certification and exams for evaluating knowledge of the French language

- > Office québécois de la langue française
www.oqlf.gouv.qc.ca

Laws and regulations

- > Les Publications du Québec
www.publicationsduquebec.gouv.qc.ca

Information on the job market in Québec

- > Emploi-Québec
emploi.quebec.gouv.qc.ca
- > Ministère des Finances
www.finances.gouv.qc.ca

Produced by the ministère de l'Immigration, de la Diversité et de l'Inclusion in collaboration with Office des professions du Québec.

Note

The information in this document was current as of **May 2016**. It was obtained from various sources and in no way replaces laws, political statements or official programs.