

chapter A-12, r. 15

Regulation respecting refresher training periods for agrologists

Agrologists Act
(chapter A-12, s. 3).

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

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DIVISION I

GENERAL PROVISIONS

1.01. In this Regulation, unless the context indicates otherwise,

- (a) “Order” means the Ordre des agronomes du Québec;
- (b) “training period” means a refresher training period contemplated by this Regulation;
- (c) “trainee agrologist” means an agrologist required to serve a training period;

(d) “tutor” means an agrologist responsible for verifying whether a training period or part of a training period is in conformity with the objectives and the terms and conditions determined by the board of directors.

R.R.Q., 1981, c. A-12, r. 14, s. 1.01.

1.02. The Interpretation Act (chapter I-16) applies to this Regulation.

R.R.Q., 1981, c. A-12, r. 14, s. 1.02.

DIVISION II

TRAINING PERIOD

2.01. The board of directors may, if it considers that the level of competence of a member is lower than the requirements for protection of the public, oblige an agrologist to serve a training period where:

(a) his name is entered on the roll more than 3 years after he has obtained his permit or more than 3 years after the date on which he was entitled to the issuance of such permit;

(b) his name is re-entered on the roll after failing to be entered thereon for more than 3 years;

(c) his name is re-entered on the roll after having been struck off for more than 3 years;

(d) a recommendation to that effect by the professional inspection committee or the disciplinary council is made in his regard, pursuant to section 113 or 160 of the Professional Code (chapter C-26);

(e) he has served a training period considered, in virtue of section 2.10, not to be in conformity with the objectives and the terms and conditions determined by the board of directors.

R.R.Q., 1981, c. A-12, r. 14, s. 2.01; O.C. 693-91, s. 1.

2.02. A training period may not be imposed more than 120 days from the time when an agrologist is liable to be required to serve it.

R.R.Q., 1981, c. A-12, r. 14, s. 2.02.

2.03. A training period may, in particular, consist of one or more of the following activities:

(a) a practical training period;

(b) studies;

(c) courses;

(d) research work.

R.R.Q., 1981, c. A-12, r. 14, s. 2.03.

2.04. A training period may not exceed 1,000 hours, nor extend over a period of more than 12 consecutive months.

R.R.Q., 1981, c. A-12, r. 14, s. 2.04.

2.05. The board of director's decision to require an agrologist to serve a training period must specify the objectives, the duration and the terms and conditions of that training period.

R.R.Q., 1981, c. A-12, r. 14, s. 2.05.

2.06. The board of directors shall determine the place where and the time when the training period must be held and, where necessary, designate one or several tutors.

R.R.Q., 1981, c. A-12, r. 14, s. 2.06.

2.07. A tutor shall submit a report to the board of directors within 10 days after completion of his mandate stating, with supporting grounds, whether the trainee agrologist acted, while under his supervision, in conformity with the objectives and the terms and conditions determined by the board of directors.

R.R.Q., 1981, c. A-12, r. 14, s. 2.07.

2.08. The trainee agrologist or his tutor may be required to submit additional reports to the board of directors on the dates determined by the latter.

R.R.Q., 1981, c. A-12, r. 14, s. 2.08.

2.09. The tutor must also send the trainee agrologist a copy of the report at the same time that he submits that report to the board of directors pursuant to section 2.07 or 2.08.

R.R.Q., 1981, c. A-12, r. 14, s. 2.09.

2.10. After study of each of the reports required in virtue of sections 2.07 and 2.08, the board of directors shall decide, within 20 days following receipt of such reports, whether the training period is in conformity with the objectives and the terms and conditions it has determined.

R.R.Q., 1981, c. A-12, r. 14, s. 2.10.

DIVISION III

LIMITATION OF PROFESSIONAL ACTIVITIES

3.01. The board of directors may, if it so considers necessary for the protection of the public, limit the trainee agrologist's right to practise during all or part of a training period, particularly in any of the following ways:

(a) by determining when or where he is authorized or not authorized to practise;

(b) by determining the professional acts which he is or is not authorized to perform;

(c) by requiring that the professional acts that he is authorized to perform, or certain of them, be performed under the supervision of one or several agrologists.

R.R.Q., 1981, c. A-12, r. 14, s. 3.01.

3.02. The board of director's decision to limit a trainee agrologist's right to practise must be communicated to his employer.

R.R.Q., 1981, c. A-12, r. 14, s. 3.02.

DIVISION IV

DECISION OF THE BOARD OF DIRECTORS

4.01. Before prescribing a training period or limiting a trainee agrologist's right to practise, the board of directors must give the agrologist concerned the opportunity to be heard. To that end, the board of directors must give a written notice of at least 5 days of the date of the hearing to the agrologist, sending it to his last address known to the secretary.

R.R.Q., 1981, c. A-12, r. 14, s. 4.01.

4.02. The reasons for a decision imposing a training period, limiting a trainee agrologist's right to practise, or ruling on the validity of a completed training period, must be given in writing and sent to the agrologist. It may be served or notified by registered mail in accordance with the Code of Civil Procedure (chapter C-25.01).

R.R.Q., 1981, c. A-12, r. 14, s. 4.02; I.N. 2016-01-01 (NCCP).

4.03. The board of director's decision imposing a training period or limiting a trainee agrologist's right to practise shall take effect 30 days after being sent to or served on the latter.

R.R.Q., 1981, c. A-12, r. 14, s. 4.03.

4.04. During a training period the board of directors may, following a request thereto by the trainee agrologist giving his reasons therefor and communicated to his tutor, alter the duration and requirements of the training period and the conditions of limitation of the trainee agrologist's right to practise.

R.R.Q., 1981, c. A-12, r. 14, s. 4.04.

4.05. An agrologist is required to comply with every decision of the board of directors rendered in accordance with this Regulation.

R.R.Q., 1981, c. A-12, r. 14, s. 4.05.

UPDATES

R.R.Q., 1981, c. A-12, r. 14

O.C. 693-91, 1991 G.O. 2, 1755

S.Q. 2008, c. 11, s. 212