

***ARISTA PROVINCIAL COMPETITION***

# ***GENERAL REGULATIONS***

**2018**



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## I. COMPETITION DESCRIPTION

The ARISTA Provincial Competition (hereinafter the "Competition") is an annual event organized by the Junior Chamber of Commerce of Montreal (hereinafter the "**JCCM**") that wishes to acknowledge the talent and success of young business people working in all spheres of economic activity throughout the province of Québec.

## II. CATEGORIES

ARISTA consists of the nine (9) following categories:

### Reference date

December 31<sup>st</sup> of the year prior to the ARISTA Gala of the Competition's current edition.

### Quebec Young Executive

The candidate must assume an executive position, that is to say performing tasks that include supervising personnel or managing an area of activity, within an Enterprise or an Organisation and on the Reference date.

### Quebec Young Professional

The candidate must, for the majority of their professional activities, practice their profession and be a member in good standing of a Québec recognized professional order governing the practice of this profession or be a member of a professional association supervising the practice of this profession on the Reference date.

### Quebec Young Self-employed individual

The candidate must work by themselves, either directly or through an Enterprise of which they are the sole shareholder or shareholder with Related persons, in the course of the year prior to the Reference date. They must conduct business with one or more Enterprises or Organisations. They must not have employees and must not have had employees in the course of the year prior to the Reference date.

### Quebec Young Transferee

The candidate must (i) have acquired an Enterprise or taken over the management as a Partner, Director General (DG), President or Chief Executive Officer (CEO) of an existing Enterprise or Organisation, must (ii) hold a voting position or exercise de facto control in the Enterprise and (iii) exercise a significant influence over the operations and strategic directions of the Enterprise. The acquisition or the takeover of an Enterprise by a current employee, an external individual or a member of the same family are accepted. The change of administration must have occurred at least one (1) year prior to the Reference date.

### Quebec Young Entrepreneur: start-up

The candidate must have (i) established an Enterprise, must (ii) hold a voting position or exercise de facto control in the Enterprise and (iii) exercise a significant influence over the operations and the strategic directions of the Enterprise. The candidate's Enterprise must have been in operation **for at least six (6) months** prior to the Reference date. The candidate's Enterprise must show innovation and **strong potential for development**. Note: If their Enterprise has been in operation **for more than two (2) years**, the candidate can register as Young Entrepreneur: growing enterprise, **if significant results were achieved**.

### **Quebec Young Entrepreneur: growing enterprise**

The candidate must have (i) established the Enterprise, must (ii) hold a voting position or exercise de facto control in the Enterprise and (iii) exercise a significant influence over the operations and the strategic directions of the Enterprise. The candidate's Enterprise must have been in operation **for at least two (2) years** prior to the Reference date and must show **significant results** with regards to revenue development and value creation (e.g. number of employees, income, profit, economic benefits, visibility for Montréal and the province of Québec, etc.).

### **Quebec Young Cultural Entrepreneur**

The candidate must have (i) established or acquired a **non-profit Organisation**, must (ii) hold a voting position or exercise de facto control in the Organisation and must (iii) exercise a significant influence over the operations and the strategic directions of the Organisation. The Organisation must (iv) operate in the cultural field and must pursue a **professionally artistic mission: visual arts, cinema, video arts, digital arts, performing arts (dance, theater, circus arts), multidisciplinary arts, aboriginal arts, architecture, music and literature**. The candidate's Organisation must (v) have been in operation for at least one (1) year prior to the Reference date.

### **Quebec Young International Leader**

The candidate must (i) be primarily and directly responsible for initiatives beyond Québec's borders (**rest of Canada and/or internationally**) that must (ii) have been underway for at least 6 months prior to the Reference date. For example, initiatives can be: the export of goods and services, business acquisitions, the creation of a new division or the practice of their profession. The initiative must have a positive effect on Québec's economic development and its influence in the rest of Canada and internationally. The candidate must work for an Enterprise or an Organisation with a business address located in Québec.

### **Quebec Young Leader: social responsibility**

In the course of their employment, the candidate (i) has carried out, has managed or has directly contributed to the implementation of a project or initiative that has made a positive contribution on social, economic and/or environmental levels. The project or initiative must (ii) offer a solution to one of the three (3) pillars of **sustainability** (society, economy, environment). The project or initiative must (iii) have been implemented prior to the Reference date. The Enterprise or Organisation the candidate works for does not necessarily have to focus on sustainability as a main vocation or mission. Any activity outside of their job scope (association, board of directors, etc.), paid or voluntary, does not apply to the present category.

## **III. ELIGIBILITY REQUIREMENTS**

3.1 The candidate must (i) be a Canadian citizen or (ii) a permanent resident on the Reference date and must (iii) have their main residence in Québec. In the case of the Young International Leader category, the candidate must be a Canadian citizen.

3.2 The candidate must be between **eighteen (18)** and **forty (40)** years of age on the Reference date.

3.3 A previous laureate of the ARISTA Provincial Competition cannot resubmit their candidacy.

3.4 A person who submitted their candidacy three (3) times in the same category cannot resubmit their candidacy in this category.

3.5 A person who has already been a finalist in the Competition cannot resubmit their candidacy in the same category.

3.6 A person working for the Title Sponsor of the Competition or for one of its Subsidiaries cannot submit their candidacy for the edition their employer serves for as Title Sponsor. Furthermore, a person working for an Enterprise sponsoring a category or the Jury prize, or working for one of its subsidiaries, cannot submit their candidacy for this exact category or the Jury prize for the edition in question.

3.7 A person cannot submit their candidacy for more than one (1) category.

3.8 A person cannot submit their candidacy if they are or were in the past five months prior to the Reference date, a member of the organizing committee, of a pre-selection committee, of the jury, of the JCCM board of directors, of the JCCM executive committee, of the JCCM General Management or of the board of governors.

3.9 The JCCM organizing committee or board of directors reserves the right to reject any candidacy on the grounds that the candidate finds themselves in a situation of real or perceived conflict of interest.

3.10 To be eligible for registration, each candidate must consent to the JCCM investigating their personal record or their Enterprise's activities in order to validate the information submitted by the candidate. For this purpose, the candidate must therefore consent to the use of personal information.

3.11 Upon the organizing committee's request, the finalist must provide an original copy or a certified true copy of documents attesting the authenticity of diplomas, distinctions and other mentioned achievements. Otherwise, the organizing committee reserves the right to reject their candidacy.

#### **IV. REGISTRATION AND REFERENCE MODALITIES**

4.1 Any person complying with the requirements set out in section III can submit their candidacy by returning to the JCCM the **application form available on the website of the Competition ([www.arista.jccm.org](http://www.arista.jccm.org))**, on such forms and in such manner as the JCCM prescribed. The duly completed application form, along with the supporting documents, must be forwarded to the JCCM on or prior to the last day of the application period, which is publicly disclosed by the JCCM. The closing date of applications can be postponed by the JCCM at its sole discretion.

4.2 Any person can propose a potential candidate via a "reference form", completed on such forms and in such manner as the JCCM prescribed and forwarded to the JCCM fifteen (15) working days prior to the closing date of applications, at the latest.

#### **V. EVALUATION OF CANDIDATES AND SELECTION OF FINALISTS**

5.1 Following an appeal to JCCM members made through the means deemed the most appropriate by the JCCM, and following a call for applications made by the organizing committee and at the sole discretion of the JCCM, several pre-selection committees are formed in order to proceed with the evaluation of candidates in all categories. Each committee consists of at least five (5) members designated by the organizing committee according to requested profiles. The application submission to serve on a pre-selection committee does not guarantee a seat on one of the committees. In each pre-selection committee, a member is chosen as moderator of this committee by the organizing committee.

5.2 To preserve the JCCM's independence and the integrity of the selection process, the organizing committee's members of the Competition cannot exercise voting rights and may only attend as observers during meetings of one or more pre-selection committees.

5.3 Pre-selection committees must ensure compliance with the eligibility requirements set out herein, and the eligibility of the candidate within the category they submit their candidacy to. In case the information provided by a candidate leads the pre-selection committee to conclude the ineligibility of the candidate within the category, the pre-selection committee can, with the consent of the project manager for ARISTA recruitment and the candidate, transfer the candidacy in the appropriate category or, with the consent of the head of the Competition committee or their representative, it can reject the candidacy.

5.4 For all nine (9) categories, the pre-selection committees evaluate the candidate on the basis of the information provided in the application form and the supporting documents using the following criteria:

- their leadership;
- their achievements;
- their vision and perseverance
- their spirit of innovation
- their level of involvement.

5.5 Using an evaluation grid previously established by the organizing committee, each member of the pre-selection committee assigns a mark to the candidate in accordance with the criteria set out herein.

5.6 Candidates' files, including the evaluation grids filled out by the members of the pre-selection committee, are handed to the organizing committee on grounds of confidentiality.

5.7 Evaluation grids support the pre-selection committees' reasoning. As a tool, the grids help to clarify the candidates' profiles and select the finalists of each category, if necessary.

5.8 There cannot be more than three (3) finalists per category. In the event of a tie during the vote carried out in conformity with clause 5.6 set out herein, the head of the Competition committee casts an additional vote in order to select a maximum of three (3) candidates.

5.9 Following the selection of the finalists, all candidates' files, including the evaluation grids, are handed to the General Management of the JCCM.

5.10 For each candidate who granted their consent, the JCCM will investigate their personal record or their Enterprise's activities in order to validate the information provided by the candidate. Any false or misleading statement or situation that could tarnish the reputation of the Competition and the JCCM in any way may result in the automatic disqualification of the candidate, and this at the sole discretion of the JCCM.

## **VI. EVALUATION OF FINALISTS AND SELECTION OF LAUREATES**

6.1 The organizing committee forms a jury in charge of selecting the laureate in each of the nine (9) categories. This jury consists of at least five (5) members designated by the organizing committee. A member of a pre-selection committee cannot serve on the jury during the same edition. A member of the jury is designated president by their peers.

6.2 Each finalist has to be interviewed by the jury at the time and place specified by the organizing committee. Three (3) members constitute the quorum required for those interviews. A finalist who cannot meet with the jury is considered withdrawn from the Competition.

6.3 The jury evaluates each finalist on the basis of their interview, their application form and the supporting documents, and the information collected through an investigation conducted in conformity with clause 5.10, set out herein.

6.4 Using the evaluation grid previously established by the organizing committee, each jury member assigns a mark to the finalist in accordance with the criteria set out herein.

6.5 Finalists' files, including the evaluation grids filled out by the jury members, are handed to the organizing committee on grounds of confidentiality.

6.6 Evaluation grids support the jury's reasoning. As a tool, the grids help to clarify the candidates' profiles and select the finalists of each category, if necessary.

6.7 There cannot be more than one (1) laureate by category. In the event of a tie during the vote carried out in conformity with clause 6.6 set out herein, the president of the jury can cast an additional vote in order to select only one (1) laureate.

6.8 Following the selection of laureates, all finalists' files, including the evaluation grids, are immediately handed to the General Management of the JCCM.

## **VII. ANNOUNCEMENT OF LAUREATES**

The laureates will be revealed during the ARISTA Gala of the Competition's current edition.

## **VIII. CONFIDENTIALITY**

8.1 Members of the organizing committee, of the pre-selection committees, of the jury and any other person who has examined any document about a candidate must respect the confidentiality of the information they obtained, either verbal or written, in the course of the Competition.

8.2 The candidates' files, including finalists and laureates, and all the material used during the deliberation will be destroyed following the ARISTA Gala, and therefore, impossible for candidates to consult.

## **IX. GENERALITIES**

9.1 Any decision that has been voted on by a pre-selection committee or the jury and that has found favour with more than fifty percent (50%) of members eligible to vote is presumed to be duly adopted by this committee or the jury, as the case may be. In the event of a tie during the vote carried out by a pre-selection committee or the jury, the head of the Competition committee and the president of the jury will cast additional votes, as the case may be. Any decision adopted by a pre-selection committee or the jury is final and without appeal.

9.2 Any member of a pre-selection committee or of the jury must disclose any actual or potential conflict of interest with a candidate. In any case, this member may not in any way participate in the evaluation of this candidate or in a decision that could affect this candidate. Therefore, only the marks assigned by other members of one or several pre-selection committees or the jury are considered in evaluating the candidate.

9.3 Pre-selection committees or the jury can reject any candidacy on the grounds that the information provided in the application form or the supporting documents is false or misleading according to the pre-selection committee or the jury.

9.4 Except during the official interview as part of the Competition, at no time can candidates promote their candidacy to members of the pre-selection committees or the jury.

9.5 Members of the jury cannot communicate directly with a candidate, except where the current regulations permit.

9.6 The current regulations can only be modified by a resolution of the JCCM board of directors. To lighten the text of the present document, the singular "they" and its inflective forms have been used as gender-neutral pronouns.



## ANNEXES

### **Annex I: Definitions**

#### **Reference date**

December 31<sup>st</sup> of the year prior to the ARISTA Gala of the Competition's current edition.

#### **Employee**

A person working under the direction or control of another person, the employer, for remuneration. The employees working for a franchisee are not considered employees of the franchisor.

#### **Enterprise**

A corporation with a place of business located in Québec, whose main purpose is the carrying on of an organized economic activity, whether commercial in nature or not, consisting of providing a service, of producing, administering or alienating property.

#### **Title sponsor**

An Enterprise designated as Title sponsor of the Competition; meaning its legal name is included in the Competition's name. This concept does not include the Enterprise's Subsidiaries.

#### **Corporate sponsor**

An Enterprise serving as a partner of the Competition. This concept does not include the Enterprise's Subsidiaries.

#### **Enterprise operating**

An Enterprise is considered in operation when it has been carrying on and still carries on the same organized economic activity or activities, under one or several legal names.

#### **Subsidiary**

An Enterprise controlled by the Corporate sponsor or the Enterprise controlling the Corporate sponsor.

#### **Recognized professional order**

A professional order listed in Schedule I of the Professional Code (C.Q.L.R. c. C-26). See Annex IV of the present regulations.

#### **Organisation**

A public or para-public body, particularly the federal government, the provincial government, their ministries; a municipal or school body, a health or social service establishment, an agency, an authority, a Commission or Crown corporation, or any other Organisation carrying out governmental functions, and finally, any community or non-profit Organisation recognized as such by a federal or provincial law.

#### **Related person**

A Related person within the meaning of the Income Tax Act (R.S.C. 1985, c. 1 (5<sup>th</sup> Supp.)).

#### **Socially responsible**

Is considered Socially responsible any practice or initiative integrating social, environmental and economic issues within the daily management of the Enterprise or Organisation.

**Annex II:        *Application form***

*The application form is available on the website.*

**Annex III:       *Evaluation grid***

*The evaluation grid is available on the website.*

**Annex IV:        *Recognized professional orders***

LIST OF RECOGNIZED PROFESSIONAL ORDERS<sup>1</sup>

1. The Ordre professionnel des avocats du Québec;
2. The Ordre professionnel des notaires du Québec;
3. The Ordre professionnel des médecins du Québec;
4. The Ordre professionnel des dentistes du Québec;
5. The Ordre professionnel des pharmaciens du Québec;
6. The Ordre professionnel des optométristes du Québec;
7. The Ordre professionnel des médecins vétérinaires du Québec;
8. The Ordre professionnel des agronomes du Québec;
9. The Ordre professionnel des architectes du Québec;
10. The Ordre professionnel des ingénieurs du Québec;
11. The Ordre professionnel des arpenteurs-géomètres du Québec;
12. The Ordre professionnel des ingénieurs forestiers du Québec;
13. The Ordre professionnel des chimistes du Québec;
14. The Ordre professionnel des technologues en imagerie médicale, en radio-oncologie et en électrophysiologie médicale du Québec;
15. The Ordre professionnel des denturologistes du Québec;
16. The Ordre professionnel des opticiens d'ordonnances du Québec;
17. The Ordre professionnel des chiropraticiens du Québec;
18. The Ordre professionnel des audioprothésistes du Québec;
19. The Ordre professionnel des podiatres du Québec;
20. The Ordre professionnel des infirmières et infirmiers du Québec;
21. The Ordre professionnel des acupuncteurs du Québec;
22. The Ordre professionnel des huissiers de justice du Québec;
23. The Ordre professionnel des sages-femmes du Québec;
24. The Ordre professionnel des géologues du Québec;
25. The Ordre professionnel des comptables professionnels agréés du Québec;
26. The Ordre professionnel des diététistes du Québec;
27. The Ordre professionnel des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec;
28. The Ordre professionnel des psychologues du Québec;
29. The Ordre professionnel des conseillers en ressources humaines et en relations industrielles agréés du Québec;
30. The Ordre professionnel des conseillers et conseillères d'orientation du Québec;
31. The Ordre professionnel des urbanistes du Québec;
32. The Ordre professionnel des administrateurs agréés du Québec;
33. The Ordre professionnel des évaluateurs agréés du Québec;
34. The Ordre professionnel des hygiénistes dentaires du Québec;
35. The Ordre professionnel des techniciens et techniciennes dentaires du Québec;

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<sup>1</sup>As listed in Schedule I of the Professional Code (C.Q.L.R. c. C-26). Updated on October 1<sup>st</sup> 2016.

36. The Ordre professionnel des orthophonistes et audiologistes du Québec;
37. The Ordre professionnel de la physiothérapie du Québec;
38. The Ordre professionnel des ergothérapeutes du Québec;
39. The Ordre professionnel des infirmières et infirmiers auxiliaires du Québec;
40. The Ordre professionnel des technologistes médicaux du Québec;
41. The Ordre professionnel des technologues professionnels du Québec;
42. The Ordre professionnel des inhalothérapeutes du Québec;
43. The Ordre professionnel des traducteurs, terminologues et interprètes agréés du Québec;
44. The Ordre professionnel des sexologues du Québec;
45. The Ordre professionnel des criminologues du Québec;
46. The Ordre professionnel des psychoéducateurs et psychoéducatrices du Québec.

## **Annex V: Reputation risk management policy**

### A - Disclosure obligation

Via the application form, the candidate must disclose any personal information or any information about the Enterprise they own, administrate or manage that could tarnish the reputation of the Competition, the organizers, the candidates and the laureates, such as:

- having been involved in legal proceedings, other than traffic violations, that could lead to charges, conviction or the granting of an injunction;
- having been convicted of a criminal offense for which they did not obtain pardon;
- having been ordered by the civil court to pay damages, in a case related to their field of activity;
- having been adjudicated a bankrupt or having made an assignment for property in favour of creditors and not obtaining discharge from bankruptcy;
- having been sanctioned and/or struck off by a professional order, a regulatory authority or a professional association.

### B - Identification, evaluation and decision-making

1. The organizing committee (hereinafter "the committee") respects the following risk management policy:

1.1 In cases the candidate discloses having been convicted of a criminal offense for which they did not obtain pardon, having been adjudicated a bankrupt or having made an assignment for property in favour of creditors or having been sanctioned and/or struck off by a professional order, a regulatory authority or a professional association, the organizing committee automatically rejects their candidacy without any recommendation to the executive committee.

1.2 Afterwards, the committee identifies candidacies presenting a risk (candidates disclosing a reputational risk in the provided field of the application form).

1.3 The committee evaluates the candidacies presenting a risk:

1.3.1 The committee contacts the candidate and obtains the information deemed necessary for decision-making, as required.

1.3.2 The committee evaluates if the candidates may pose an actual risk to the notoriety, the image, the prestige and the reputation of the Competition, and to the organizers, the candidates and the laureates.

1.3.3 In case the risk level justifies a potential recommendation for rejection, the committee meets the candidate to obtain additional information, as required.

1.3.4 In case rejection is recommended and/or unanimity cannot be reached, the organizing committee prepares and submits an executive summary to the executive committee, including:

- the risk factors related to the candidacy;
- the justified recommendation of the organizing committee.

2. If so, the executive committee decides if the candidacy must be rejected.

3. In case of rejection, the organizing committee informs the candidate in writing and as soon as possible of the reasons behind the rejection of their candidacy.