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Part

2

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Laws and Regulations

Volume 136

Summary

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PROVINCE OF QUÉBEC

1st SESSION

37th LEGISLATURE

QUÉBEC, 6 APRIL 2004

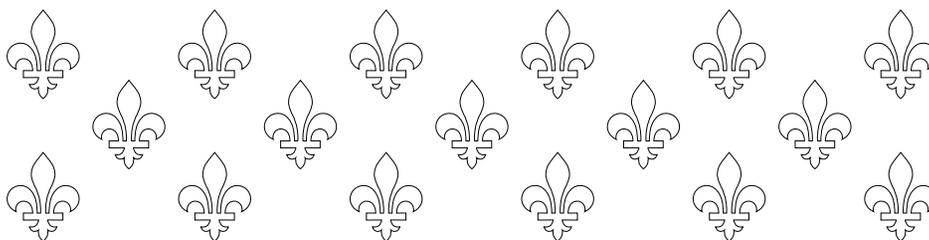
OFFICE OF THE LIEUTENANT-GOVERNOR

Québec, 6 April 2004

This day, at forty minutes past ten o'clock in the morning, Her Excellency the Lieutenant-Governor was pleased to sanction the following bill:

29 An Act to amend the Highway Safety Code and other legislative provisions

To this bill the Royal assent was affixed by Her Excellency the Lieutenant-Governor.



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 43
(2004, chapter 1)

Appropriation Act No. 1, 2004-2005

Introduced 31 March 2004
Passage in principle 31 March 2004
Passage 31 March 2004
Assented to 31 March 2004

Québec Official Publisher
2004

EXPLANATORY NOTES

This bill authorises the Government to pay out of the consolidated revenue fund, for the 2004-2005 fiscal year, a sum not exceeding \$10,595,983,175.00 representing just over 25% of the estimates for each of the portfolios programs listed in the Schedule.

Moreover, the bill establishes to what extent the Conseil du trésor may authorise the transfer of appropriations between programs or portfolios.

Bill 43

APPROPRIATION ACT NO. 1, 2004-2005

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Government may draw out of the consolidated revenue fund a sum not exceeding \$10,595,983,175.00 to defray a part of the Expenditure Budget of Québec tabled in the National Assembly for the 2004-2005 fiscal year. This sum is constituted as follows :

(1) \$9,466,577,125.00, representing 25.0% of the appropriations to be voted for each of the programs appearing in the Expenditure Budget of the Government for the said fiscal year apportioned according to the amounts shown in the Schedule ;

(2) \$16,809,400.00, representing an additional 26.4% of the appropriations to be voted for Program 1, “Greater Montréal Promotion and Development”, of the “Affaires municipales, Sport et Loisir” portfolio ;

(3) \$93,651,100.00, representing an additional 18.6% of the appropriations to be voted for Program 2, “Upgrading Infrastructure and Urban Renewal”, of the “Affaires municipales, Sport et Loisir” portfolio ;

(4) \$297,036,700.00, representing an additional 45.0% of the appropriations to be voted for Program 3, “Compensation in lieu of Taxes and Financial Assistance to Municipalities”, of the “Affaires municipales, Sport et Loisir” portfolio ;

(5) \$15,483,000.00, representing an additional 23.8% of the appropriations to be voted for Program 5, “Development of Sport and Recreation”, of the “Affaires municipales, Sport et Loisir” portfolio ;

(6) \$113,750,000.00, representing an additional 35.9% of the appropriations to be voted for Program 2, “Government Agencies”, of the “Agriculture, Pêcheries et Alimentation” portfolio ;

(7) \$13,000,000.00, representing an additional 3.0% of the appropriations to be voted for Program 2, “Support for Culture, Communications and Government Corporations”, of the “Culture et Communications” portfolio ;

(8) \$263,392,225.00, representing an additional 9.7% of the appropriations to be voted for Program 2, “Financial Assistance Measures”, of the “Emploi, Solidarité sociale et Famille” portfolio;

(9) \$12,173,550.00, representing an additional 5.6% of the appropriations to be voted for Program 3, “Management Support”, of the “Emploi, Solidarité sociale et Famille” portfolio;

(10) \$152,750,875.00, representing an additional 9.2% of the appropriations to be voted for Program 4, “Assistance Measures for Families and Children”, of the “Emploi, Solidarité sociale et Famille” portfolio;

(11) \$35,246,600.00, representing an additional 8.7% of the appropriations to be voted for Program 1, “Management of Natural Resources and Wildlife”, of the “Ressources naturelles, Faune et Parcs” portfolio;

(12) \$116,112,600.00, representing an additional 25.7% of the appropriations to be voted for Program 2, “Sûreté du Québec”, of the “Sécurité publique” portfolio.

2. In the case of programs in respect of which a provision has been made to this effect, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs or portfolios, for the reasons and, if need be, under the conditions described in the Expenditure Budget.

3. Except for the programs covered by section 2, the Conseil du trésor may authorize the transfer of a portion of an appropriation between programs in a given portfolio, provided that such a transfer does not increase or reduce by more than 10% the amount of the appropriation authorized by statute.

4. The special mandate No. 4 – 2003-2004, for the amount of \$7,693,029,085.00, delivered on 25 February 2004 is annulled.

5. This Act comes into force on 31 March 2004.

SCHEDULE

AFFAIRES MUNICIPALES, SPORT ET LOISIR

PROGRAM 1

Greater Montréal Promotion and Development	15,934,000.00
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PROGRAM 2

Upgrading Infrastructure and Urban Renewal	125,626,500.00
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PROGRAM 3

Compensation in lieu of Taxes and Financial Assistance to Municipalities	165,020,400.00
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PROGRAM 4

General Administration	14,055,150.00
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PROGRAM 5

Development of Sport and Recreation	16,277,100.00
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PROGRAM 6

Commission municipale du Québec	781,625.00
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PROGRAM 7

Housing	80,980,550.00
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PROGRAM 8

Régie du logement	3,658,025.00
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422,333,350.00

AGRICULTURE, PÊCHERIES ET ALIMENTATION

PROGRAM 1

Bio-food Company Development, Training and Food Quality	85,055,950.00
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PROGRAM 2

Government Agencies	79,172,500.00
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164,228,450.00

CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

PROGRAM 1

Secretariat of the Conseil du trésor	32,050,725.00
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PROGRAM 2

e-Government	8,585,100.00
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PROGRAM 3

Commission de la fonction publique	826,775.00
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PROGRAM 4

Retirement and Insurance Plans	1,097,175.00
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PROGRAM 5

Contingency Fund	124,639,925.00
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	167,199,700.00
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CONSEIL EXÉCUTIF

PROGRAM 1

Lieutenant-Governor's Office	214,375.00
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PROGRAM 2

Support Services for the Prime Minister and the Conseil exécutif	17,116,100.00
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PROGRAM 3

Canadian Intergovernmental Affairs	3,206,675.00
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PROGRAM 4

Native Affairs	39,250,050.00
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PROGRAM 5

Youth	5,222,300.00
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PROGRAM 6

Reform of Democratic Institutions	318,950.00
	<hr/>
	65,328,450.00

CULTURE ET COMMUNICATIONS

PROGRAM 1

Internal Management, National Institutions and Commission des biens culturels	19,577,125.00
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PROGRAM 2

Support for Culture, Communications and Government Corporations	108,818,475.00
--	----------------

PROGRAM 3

Charter of the French Language	5,518,525.00
	<hr/>
	133,914,125.00

DÉVELOPPEMENT ÉCONOMIQUE ET RÉGIONAL ET RECHERCHE

PROGRAM 1

Department Administration	13,317,050.00
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PROGRAM 2

Regional and Economic Development	118,060,525.00
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PROGRAM 3

Research, Science and Technology	60,060,800.00
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PROGRAM 4

Promotion and Development of Tourism	29,601,650.00
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	221,040,025.00
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ÉDUCATION

PROGRAM 1

Administration and Consulting	36,076,750.00
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PROGRAM 2

Tourism and Hotel Industry Training	4,267,300.00
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PROGRAM 3

Financial Assistance for Education	97,384,525.00
------------------------------------	---------------

PROGRAM 4

Pre-school, Primary and Secondary Education	1,765,223,250.00
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PROGRAM 5

Higher Education	911,629,825.00
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	2,814,581,650.00
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EMPLOI, SOLIDARITÉ SOCIALE ET FAMILLE

PROGRAM 1

Employment Assistance Measures	225,833,600.00
--------------------------------	----------------

PROGRAM 2

Financial Assistance Measures	676,736,375.00
-------------------------------	----------------

PROGRAM 3

Management Support	53,927,850.00
--------------------	---------------

PROGRAM 4

Assistance Measures for Families and Children	413,439,325.00
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	1,369,937,150.00
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ENVIRONNEMENT

PROGRAM 1

Environmental Protection	41,669,150.00
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PROGRAM 2

Bureau d'audiences publiques sur l'environnement	1,306,650.00
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	42,975,800.00
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FINANCES

PROGRAM 1

Department Administration	15,860,050.00
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PROGRAM 2

Budget and Taxation Policy, Economic Analysis and Administration of Government Financial and Accounting Activities	37,105,250.00
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	52,965,300.00

JUSTICE

PROGRAM 1

Judicial Activity	6,317,800.00
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PROGRAM 2

Administration of Justice	79,464,075.00
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PROGRAM 3

Administrative Justice	2,763,650.00
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PROGRAM 4

Assistance to Persons Brought before the Courts	29,637,850.00
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	118,183,375.00
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PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

PROGRAM 1

The Public Protector	2,090,525.00
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PROGRAM 2

The Auditor General	4,778,275.00
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PROGRAM 4

The Lobbyists Commissioner	619,375.00
	<hr/>
	7,488,175.00

RELATIONS AVEC LES CITOYENS ET IMMIGRATION

PROGRAM 1

Citizen Relations and Management of Identity	4,719,800.00
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PROGRAM 2

Immigration, Integration and Regionalization	22,583,525.00
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PROGRAM 3

Advisory and Protection Organizations Reporting to the Minister	6,390,625.00
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PROGRAM 4

Public Curator	10,215,075.00
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PROGRAM 5

Status of Women	1,740,725.00
	<hr/>
	45,649,750.00

RELATIONS INTERNATIONALES

PROGRAM 1

International Affairs	24,645,225.00
	<hr/>
	24,645,225.00

RESSOURCES NATURELLES, FAUNE ET PARCS

PROGRAM 1

Management of Natural Resources and Wildlife	101,003,175.00
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PROGRAM 2

Promotion and Development of Québec's Capital	11,609,100.00
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112,612,275.00

REVENU

PROGRAM 1

Tax Administration	104,750,150.00
	<hr/>
	104,750,150.00

SANTÉ ET SERVICES SOCIAUX

PROGRAM 1

National Operations	69,759,850.00
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PROGRAM 2

Regional Operations	2,885,347,225.00
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PROGRAM 3

Office des personnes handicapées du Québec	11,859,600.00
	<hr/>
	2,966,966,675.00

SÉCURITÉ PUBLIQUE

PROGRAM 1

Security, Prevention and Internal Management	102,642,525.00
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PROGRAM 2

Sûreté du Québec	113,029,250.00
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PROGRAM 3

Organizations Reporting to the Minister	7,162,550.00
	<hr/>
	222,834,325.00

TRANSPORTS

PROGRAM 1

Transportation Infrastructures	282,378,650.00
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PROGRAM 2

Transportation Systems	87,431,525.00
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PROGRAM 3

Administration and Corporate Services	23,455,775.00
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	393,265,950.00
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TRAVAIL

PROGRAM 1

Labour

15,677,225.00

15,677,225.00

9,466,577,125.00

Regulations and other acts

Gouvernement du Québec

O.C. 350-2004, 7 April 2004

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

Advocate

— Practice of the profession within a limited liability partnership or joint-stock company and in multidisciplinary

Regulation respecting the practice of the profession of advocate within a limited liability partnership or joint-stock company and in multidisciplinary

WHEREAS, under paragraph *p* of section 94 of the Professional Code (R.S.Q., c. C-26), the General Council of the Barreau du Québec may make a regulation respecting the practice of the profession of advocate within a partnership or company and, under paragraphs *g* and *h* of section 93 of the Code, it must, by regulation, impose on its members the obligation to furnish and maintain security, on behalf of the partnership or company, against liabilities of the partnership or company arising from fault or negligence in the practice of their profession and fix the conditions and procedure and, as appropriate, any fees applicable to a declaration made to the Order;

WHEREAS the General Council made the Regulation respecting the practice of the profession of advocate within a limited liability partnership or joint-stock company and in multidisciplinary at its meeting of 11 November 2002;

WHEREAS, under section 95.3 of the Professional Code, a draft Regulation was sent to every member of the Order at least 30 days before being made by the General Council;

WHEREAS, under section 95 of the Professional Code, 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 shall 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 respecting the practice of the profession of advocate within a partnership or company and in a multidisciplinary firm was published in Part 2 of the *Gazette officielle du Québec* of 5 February 2003 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Chair of the Office has received no comment following the publication of the Regulation;

WHEREAS the Office has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation respecting the practice of the profession of advocate within a limited liability partnership or joint-stock company and in multidisciplinary, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation respecting the practice of the profession of advocate within a limited liability partnership or joint-stock company and in multidisciplinary

Professional Code
(R.S.Q., c. C-26, s. 93, par. *g* and *h* and s. 94, par. *p*)

DIVISION 1 **GENERAL PROVISIONS**

1. A member of the Barreau du Québec may, subject to the terms, conditions and restrictions established in this Regulation, engage in his professional activities within a joint-stock company or a limited liability partnership within the meaning of Chapter VI.3 of the Professional Code (R.S.Q., c. C-26), alone or with persons:

- (1) governed by the Professional Code ;
- (2) contemplated in Schedule A ; or
- (3) governed by the Professional Code and persons contemplated in Schedule A.

If any term, condition or restriction provided for in this Regulation is no longer satisfied, the member shall, within 15 days after he has been notified of the non-compliance by the executive director, take the necessary measures to comply therewith, failing which the member shall no longer be authorized to practise his profession within that partnership or company.

2. If one of the persons contemplated in section 1 is struck off the roll for a period of more than three months or if that person's professional licence is revoked, that person may not, during the period of striking off the roll or revocation, directly or indirectly hold any voting shares of the company or voting partnership units.

Furthermore, such person may not, during the said period, be a director, officer or representative of the company or partnership.

3. A member may engage in his professional activities within a partnership or company only if the executive director has received the undertaking of the partnership or company provided for in Schedule B with respect to that member.

4. A member shall send to the Barreau du Québec, on the form prescribed by the latter, a declaration stating that he is henceforth engaging in his professional activities within a partnership or company or that he has ceased to engage in his professional activities within such partnership or company, as the case may be ; he shall pay a fee of \$50.00 with respect to such declaration.

The declaration shall be sent within 15 days following the date he starts or ceases to engage in his professional activities within the partnership or company.

5. A member is authorized to engage in his professional activities within a partnership or company if the following conditions are met :

(1) at all times, more than 50% of the voting rights attaching to the company shares or partnership units are held :

(a) by members of the Barreau du Québec, by persons governed by the Professional Code or by persons contemplated in Schedule A ;

(b) by legal persons, trusts or any other firm whose voting rights or voting partnership units are held entirely by one or more of the persons contemplated in subparagraph *a* ; or

(c) at the same time by persons referred to in subparagraphs *a* and *b* ;

(2) the majority of the directors sitting on the board of directors of the company or the majority of the partners or directors appointed by the partners, as the case may be, are persons contemplated in subparagraph *a* of paragraph 1 ;

(3) the board of directors or the internal management board, as the case may be, is comprised, in the majority, of persons contemplated in subparagraph *a* of paragraph 1 and such persons, at all times, constitute the majority of the quorum on such board ;

(4) the conditions set forth in paragraphs 1 to 3 are set forth in the articles or stipulated in the partnership agreement, as the case may be ; and

(5) to his knowledge, no partner, director or officer of the partnership or company and no member or shareholder holding a voting right in the partnership or company has been the subject of :

(a) a decision of a Canadian court, for which he has not obtained a pardon, finding him guilty of a criminal offence which, in the reasoned opinion of the Executive Committee of the Barreau, is related to the practice of the profession or jeopardizes the integrity of the circumstances in which the member engages in his professional activities ; or

(b) a decision of a foreign court, for which he has not obtained a pardon, finding him guilty of a criminal offence which, had it been committed in Canada, could have made him guilty of an offence contemplated in subparagraph *a*.

DIVISION II REPRESENTATIVE

6. When a member engages in his professional activities within a partnership or company, the partnership or company shall designate at least one representative and at most two or, if applicable, one representative and one replacement.

The representative or the replacement, as the case may be, shall be a member of the Barreau du Québec and engage in his professional activities in Québec within the partnership or company.

7. The representative shall be mandated by the partnership or company to provide information and documents and to reply to requests made by the syndic, an inspector, an investigator or another representative of the Barreau du Québec.

The representative shall also be mandated to receive all communications from the Barreau du Québec intended for the company or partnership, including every notice of non-compliance addressed to the partnership or company or to a member.

8. The representative shall, in particular, send to the executive director of the Barreau du Québec, within 15 days following the occurrence thereof, any change to the declarations set forth in the undertaking of the partnership or company or to one of the documents filed in support thereof.

DIVISION III NOTICES

9. When a member who engages in his professional activities other than within a partnership or company forms such a partnership or company or joins such a partnership or company, or when the general partnership within which the member engages in his professional activities is continued as a limited liability partnership, he shall ensure that, within 15 days following such occurrence, the partnership or company within which he henceforth engages in his professional activities publishes a notice in the locality in which the partnership or company has a place of business indicating that the partnership or company has been formed or continued or that the member has joined same.

Such notice shall specify, in general terms, the effects of the change of status on the member's professional liability.

DIVISION IV PROFESSIONAL LIABILITY COVERAGE

10. Each member who engages in his professional activities within a partnership or company shall, in order to be authorized to engage in such activities in accordance with this Regulation, furnish and maintain coverage on behalf of such partnership or company for the professional liability the partnership or company may incur by reason of the fault or negligence of the member in the practice of his profession within the partnership or company, which coverage shall be furnished and maintained by subscribing to the Professional Liability Insurance Fund of the Barreau du Québec.

11. The coverage shall contain the following minimum conditions as regards any and all claims and damages covered thereby:

(1) an undertaking by the insurer to pay on behalf of the partnership or company, over and above the amount of the insurance coverage the member must take out, any amount that the partnership or company may be legally bound to pay to injured third parties on a claim made during a period of coverage and arising from the member's fault or negligence in the practice of his profession within the partnership or company; for purposes of this paragraph, the amount of coverage that a member must furnish shall be at least \$1,000,000 per claim made against him, subject to a limit in the same amount applicable to all claims filed against the member during a coverage period not exceeding 12 months as well as to all claims made against members of a partnership or company with respect to a loss;

(2) an undertaking by the insurer to take up the cause of the partnership or company and defend it in any lawsuit to which the insurance coverage applies and to pay, in addition to the amounts covered by the liability insurance, all costs and expenses of any lawsuit to which the insurance coverage applies, including the costs and expenses of the investigation and defence and interest on the amount of the coverage; and

(3) an amount of at least \$1,000,000 per claim filed against the partnership or company, subject to a limit in the same amount for all claims filed during a coverage period not exceeding 12 months, regardless of the number of members in the partnership or company.

12. This Regulation shall come into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.

SCHEDULE A

(s. 1)

OTHER PERSONS AUTHORIZED TO ENGAGE IN PROFESSIONAL ACTIVITIES WITHIN A PARTNERSHIP OR COMPANY

— Contributor of the Chambre de l'assurance de dommages;

— Contributor of the Chambre de la sécurité financière;

— Member in good standing of a law society constituted outside Québec;

— Patent agent registered with the Commissioner of Patents under the Patent Act (R.S. 1985, c. P-4);

— Member in good standing of the Canadian Institute of Actuaries.

SCHEDULE B

(s. 3)

UNDERTAKING OF THE PARTNERSHIP OR COMPANY**UNDERTAKING BY:**

The partnership or company _____ (name and other registration details), having its head office at _____ and represented by _____ (officer or director), its _____, duly authorized,

hereinafter referred to as the "Firm".

IN FAVOUR OF:

The Barreau du Québec, a legal person established in the public interest and having its head office at 445, boulevard Saint-Laurent, Montréal H2Y 3T8, herein represented by its executive director,

hereinafter referred to as the "Barreau".

Pursuant to the Regulation respecting the practice of the profession of advocate within a limited liability partnership or joint-stock company and in multidisciplinary, the Firm hereby:

(1) confirms that the following member(s) of the Barreau du Québec and the following persons engage in their professional activities within the Firm:

Name, membership or licence number and professional activities:

(2) confirms to the Barreau that it has undertaken in favour of each member engaging in his professional activities within the Firm to provide him with a working environment allowing him to comply with the rules of law applicable to the carrying on of his professional activities, particularly as regards the following:

(a) professional secrecy, the confidentiality of information contained in client files and the preservation thereof;

(b) professional independence;

(c) the prevention of situations of conflict of interests;

(d) activities reserved for advocates;

(e) liability insurance;

(f) professional inspections;

(g) advertising;

(h) billing and trust accounts; and

(i) access by the syndic of the Barreau to this undertaking and, if applicable, to every contract or agreement regarding a member;

(3) undertakes as follows in favour of the Barreau:

(a) it shall ensure that the members who engage in their professional activities within the Firm have a working environment allowing them to comply with any law applicable to the carrying on of their professional activities;

(b) it shall refrain from taking any steps preventing a member from complying with a statute or regulation respecting the practice of a profession or leading a member to violate such law or regulation;

(c) it shall cause the partnership or company as well as all persons comprising same or working therein to take cognizance of the Code of ethics of advocates;

(d) it shall ensure that the partnership or company as well as all persons comprising same or working therein comply, to the fullest extent applicable, with the Professional Code and An Act respecting the Barreau du Québec (R.S.Q., c. B-1) as well as with the regulations adopted thereunder;

(e) within 15 days following the occurrence of any change to the declarations set forth in the undertaking or to one of the documents filed in support thereof, it shall give written notice thereof to the executive director of the Barreau and pay a fee of \$20.00;

(f) it shall inform all persons who form part of the Firm, other than the members who engage in their professional activities within the Firm, of the nature and scope of the obligations imposed upon it by reason of the undertakings entered into with the advocates or pursuant to this undertaking;

(g) in the case of a joint-stock company, it shall cause and ensure that the persons who form part of the Firm and who are its shareholders, directors or officers abide by the same undertakings towards the Barreau as those assumed by the Firm and it shall inform the Barreau of the measures taken in this regard within 15 days following a request to that effect from the Barreau; and

(h) it shall make available to the syndic of the Barreau, if applicable, any information or document (including a copy of the share register, the register of shareholders, the register of directors, every shareholders' agreement, every contract or agreement between the Firm and any other partnership, company or individual concerning the practice of the profession and every contract or agreement between a member and the Firm) that the syndic considers relevant for purposes of carrying out an investigation, and it shall do the same for the authorized representative of the Barreau within the context of a professional inspection;

(4) agrees to provide the following information to the Barreau:

(a) the name of the Firm and all other names used in Québec by the Firm as well as the registration number issued by the Inspector General of Financial Institutions;

(b) the juridical form of the Firm and, if applicable, the date on which the general partnership was continued as a limited liability partnership;

(c) the address of the head office of the Firm and its establishments;

(d) the name and residential address of each person contemplated hereinbelow, the professional order to which he belongs or the name of the organization to which he belongs, and his member or licence number:

- i. every director or officer of the Firm;
- ii. every partner of the Firm, if the Firm is a limited liability partnership; and
- iii. every shareholder of the Firm, if the Firm is a joint-stock company;

(5) agrees to provide the following documents to the Barreau:

(a) a certificate issued by the authority under which the Firm was constituted evidencing that the Firm exists;

(b) if applicable, a certified true copy of the declaration required under the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., c. P-45) stating that the general partnership was continued as a limited liability partnership; and

(c) written confirmation attesting that, at all times, more than 50% of the voting rights attaching to the voting shares or units of the Firm are held in accordance with paragraph 1 of section 5 of the Regulation;

(6) agrees to pay a fee of \$75.00 when filing this undertaking;

(7) agrees that, in the event the undertakings so given in favour of the Barreau are not respected, the Barreau may, in addition to exercising civil recourses, take the appropriate remedial measures to ensure the protection of the public;

(8) gives a mandate to the following persons, in accordance with section 6 of the Regulation:

(a) to act as a representative (at least one and at most two):

Me _____
Member no.: _____

Me _____
Member no.: _____

(b) to act as a replacement (if there is only one representative):

Me _____
Member no.: _____

(9) gives this undertaking in order to facilitate the fulfillment by the Barreau du Québec of its mission to protect the public with respect to advocates practising their profession within the enterprise carried by the Firm.

Signed in _____, on the ____ day
of _____, 20____.

Name of the Firm

Per: (name and title of the representative)

6256

Gouvernement du Québec

O.C. 351-2004, 7 April 2004

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

Advocates

— Code of ethics
— Amendments

Regulation to amend the Code of ethics of advocates

WHEREAS, under section 87 of the Professional Code (R.S.Q., c. C-26), the General Council of the Barreau du Québec must make, by regulation, a code of ethics governing the general and special duties of members of the Order towards the public, clients and profession;

WHEREAS the General Council made a Code of ethics of advocates (R.R.Q., 1981, c. B-1, r.1);

WHEREAS, at its meetings of 18 June 1999, 19 June 2003 and 25 September 2003, the General Council made three regulations under the abovementioned section to amend various provisions of the Code of ethics of advocates;

WHEREAS, under section 95.3 of the Professional Code, drafts of the Regulations were sent to every member of the Order at least 30 days before being made by the General Council;

WHEREAS, under section 95 of the Professional Code, 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 the Regulation to amend the Code of ethics of advocates attached to this Order in Council incorporates the three regulations which, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), were published as draft regulations in Part 2 of the *Gazette officielle du Québec* of 21 July 1999, 3 September 2003 and 5 November 2003, respectively, with a notice that they could be submitted to the Government for approval on the expiry of 45 days following each publication;

WHEREAS no comments were received by the Chair of the Office following the publication of those regulations;

WHEREAS, the Office has examined the Regulation attached to this Order in Council and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

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 Code of ethics of advocates, the text of which is attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of advocates*

Professional Code
(R.S.Q., c. C-26, s. 87)

1. The title of Division I of the Code of ethics of advocates is replaced by the following: “GENERAL PROVISIONS”.

2. The Code is amended by inserting the following sections after the title of Division I:

“**1.00.01.** This Code prescribes, pursuant to section 87 of the Professional Code (R.S.Q., c. C-26), the duties of an advocate, regardless of the context or manner in which he engages in his professional activities or the nature of his contractual relationship with the client.

1.00.02. An advocate shall take reasonable measures to ensure compliance with the Act respecting the Barreau du Québec (R.S.Q., c. B-1), the Professional Code and the regulations adopted thereunder by any person, other than an advocate, who cooperates with him when he engages in his professional activities or by any partnership or joint-stock company within which he engages in his professional activities.”.

* The most recent amendments to the Code of ethics of advocates (R.R.Q., 1981, c. B-1, r.1) were made by the regulation approved by Order in Council 358-97 dated 19 March 1997 (1997, *G.O.* 2, 1843). For prior amendments, see *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, up to date until September 1, 2003.

3. The Code is amended by inserting the following section after the title of Division II:

“**2.00.01.** An advocate shall act with dignity, integrity, honour, respect, moderation and courtesy.”

4. Section 2.01 of the Code is amended:

(1) by inserting the following paragraph at the beginning of that section:

“**2.01.** An advocate shall uphold respect for the law.”;

(2) by replacing the words “The advocate” with the word “He” at the beginning of what has become the second paragraph of that section; and

(3) by replacing the words “and seek” with the words “or seek” in what has become the second paragraph of that section.

5. The Code is amended by inserting the following after section 2.01:

“**2.01.01.** An advocate shall serve justice.

He shall support the authority of the courts. He may not act in a manner which is detrimental to the administration of justice. In particular, he may not make a public statement which may prejudice a case pending before a court.”

6. Section 2.02 of the Code is amended by replacing the words “a mandate” with the words “, for himself or any other person, a contract”.

7. Section 2.03 of the Code is repealed.

8. Section 2.04 of the Code is amended by replacing the words “a client” with the words “the client”.

9. Section 2.05 of the Code is amended by replacing the words “his colleagues” with the words “other advocates”.

10. Section 2.06 of the Code is repealed.

11. Section 2.07 of the Code is amended by replacing the words “his client” with the words “the client”.

12. Section 2.08 of the French text of the Code is amended by deleting the word “être”.

13. Section 2.09 of the Code is repealed.

14. The Code is amended by inserting the following section after the title of Subdivision 1 of Division III:

“**3.00.01.** An advocate owes the client a duty of skill as well as obligations of loyalty, integrity, independence, impartiality, diligence and prudence.”

15. Section 3.01.01 of the Code is amended:

(1) by replacing the words “accepting a mandate” with the words “agreeing to provide professional services”; and

(2) by replacing the words “any mandate” with the words “to provide any professional services”.

16. Section 3.01.02 of the Code is replaced by the following:

“**3.01.02.** An advocate shall at all times acknowledge the client’s right to consult another advocate, a member of another professional order or any other competent person.

If the interests of the client require it, he must, with the authorization of the client, consult another advocate, a member of another professional order or another competent person or recommend to the client that he consult such person.”

17. Section 3.01.03 of the Code is amended by replacing the words “his client” with the words “the client”.

18. Section 3.01.04 of the Code is replaced by the following:

“**3.01.04.** When an advocate foresees that the services for which the client is retaining him may be carried out in whole or in part in their essential aspects by another person, he shall so inform the client.”

19. Section 3.01.05 of the Code is amended by replacing the words “his client” with the words “the client”.

20. Section 3.02.01 of the Code is amended:

(1) by replacing the portion preceding paragraph *a* with the following: “The following acts, among others, are a breach of the obligation to act with integrity:”;

(2) by replacing the words “his client” with the words “the client” in paragraph *c*;

(3) by replacing the words “his client” with the words “the client” and replacing the word “colleagues” with the word “advocates” in paragraph *d*;

(4) by replacing the words “his client” with the words “the client” in paragraph *e*;

(5) by replacing the words “practises his profession in the same law firm as himself” with the words “has an interest in the partnership or joint-stock company in which he engages in his professional activities or is employed by that partnership or joint-stock company” in paragraph *k*;

(6) by replacing the words “his mandate” with the words “the contract for professional services entered into with the client” in paragraph *l*; and

(7) by adding, in the English text, the letters “ing” to the words “withhold” and “conceal” in paragraph *a*, to the word “prevent” in paragraph *b*, to the words “lead” and “attempt” in paragraph *c*, to the word “suppress” in paragraph *e*, to the words “act” and “help” in paragraph *f*, to the words “pay” and “offer” in paragraph *g*, to the word “act” in paragraph *i*, to the words “retain”, “steal”, “conceal”, “falsify” and “destroy” in paragraph *j* and to the words “appear” and “plead” in paragraph *k* and by replacing the word “create” with the word “creating” in paragraph *c*, replacing the word “encourage” with the word “encouraging” in paragraph *d*, replacing the word “advise” with the word “advising” and the word “induce” with the word “inducing” in paragraph *f*, replacing the word “communicate” with the word “communicating” in paragraph *h*, replacing the word “abuse” with the word “abusing” in paragraph *i*, replacing the word “mutilate” with the word “mutilating” in paragraph *j* and replacing the word “refuse” with the word “refusing” in paragraph *l*.

21. Section 3.02.03. of the Code is amended by replacing the word “services” with the words “professional services or, if applicable, the competence or the effectiveness of the services provided by persons who carry on their activities within the same partnership or joint-stock company as him”.

22. Section 3.02.04 of the Code is amended by replacing the words “his client” with the words “the client”.

23. Section 3.02.05 of the Code is repealed.

24. Section 3.02.06 of the Code is replaced by the following:

“3.02.06. When property is entrusted to an advocate by the client, the advocate shall use it with care. He may not lend or use it for purposes other than those for which it was entrusted to him.

An advocate who engages in his professional activities within a partnership or joint-stock company shall take reasonable measures to ensure that the partnership or joint-stock company complies with the requirements prescribed by the first paragraph when property is entrusted to the partnership or joint-stock company in connection with such professional activities.”.

25. Section 3.02.07 of the Code is amended by replacing the words “a client” with the words “the client”.

26. Section 3.02.08 of the Code is amended by replacing the words “a client” with the words “the client”.

27. Section 3.02.09 of the Code is replaced by the following:

“3.02.09. An advocate shall cease to represent the client at the latter’s request or upon the termination of the contract for professional services.”.

28. Section 3.02.10 of the Code is replaced by the following:

“3.02.10. An advocate shall inform the client of any offer of settlement he receives in connection with the professional services rendered by him to the client.”.

29. Section 3.02.11 of the Code is replaced by the following:

“3.02.11. An advocate shall avoid performing or multiplying professional acts without sufficient reason.”.

30. Section 3.03.02 of the Code is amended by replacing the words “his client” with the words “the client” and by inserting the word “professional” before the word “services”.

31. Section 3.03.03 of the Code is amended by replacing the words “his client” with the words “the client”.

32. Section 3.03.04 of the Code is amended by replacing the portion preceding paragraph *a* with the following:

“3.03.04. Unless it is at an inopportune time, an advocate may, for serious reasons, cease representing the client, provided he does everything which is immediately necessary to prevent a loss.

The following shall, in particular, constitute serious reasons:”.

33. Section 3.03.05 of the Code is repealed.

34. Section 3.04.01 of the Code is replaced by the following:

“**3.04.01.** An advocate shall not, in engaging in his professional activities, elude or attempt to elude his personal civil liability towards the client or the liability of the partnership or joint-stock company within which he engages in his professional activities or that of another person who also engages in his activities therein.”.

35. Section 3.05.01 of the Code is amended by replacing the words “a mandate” with the words “to provide his professional services”.

36. Section 3.05.02 of the Code is replaced by the following:

“**3.05.02.** An advocate shall respect the right of the client to choose his advocate.”.

37. Section 3.05.03 of the Code is repealed.

38. Section 3.05.05 of the Code is amended:

(1) by replacing the words “a mandate in” with the words “to engage in his professional activities with respect to” in the portion preceding paragraph *a*;

(2) by replacing paragraph *a* with the following:

“(a) he or a person engaging in professional activities within the same partnership or joint-stock company as him or having an interest therein has carried out judicial or quasi-judicial functions;” and

(3) by replacing the words “municipal or school corporation” with the words “municipality or school board” in paragraph *b*.

39. Section 3.05.06 of the Code is amended:

(1) by replacing the portion preceding paragraph *a* with the following:

“**3.05.06.** An advocate shall not personally act in a dispute if he knows or if it is evident that he will be called upon as witness.

However, he may accept or continue to act if the fact of not doing so is of a nature to cause serious and irreparable harm to the client, or if his testimony only refers to:”; and

(2) by replacing paragraph *c* with the following:

“(c) the nature and value of the professional services he or another person engaging in his activities within the same partnership or joint-stock company have rendered to the client.”.

40. Section 3.05.07 of the Code is replaced by the following:

“**3.05.07.** When an advocate acts as judge for a municipality, neither he nor another person engaging in professional activities within the same partnership or joint-stock company as him or having an interest therein may provide professional services to such municipality or hold employment therein.”.

41. Section 3.05.08 of the Code is replaced by the following:

“**3.05.08.** An advocate who engages in his professional activities in the context of a dispute shall not, in connection therewith, acquire a right of ownership in litigious property.”.

42. Section 3.05.09 of the Code is amended by replacing the words “his client” with the words “the partnership or joint-stock company within which he engages in his professional activities, a person within such partnership or joint-stock company or the client” at the end of paragraph *b*.

43. Section 3.05.12 of the Code is amended by replacing the words “a client” with the words “the client”.

44. Section 3.05.13 of the Code is replaced by the following:

“**3.05.13.** An advocate may not, except for the remuneration to which he is entitled, receive, solicit or acquire any rebate or other benefit relating to the professional services provided to a client.

In addition, he may not pay, offer to pay or agree to pay any rebate, commission or other benefit relating to the professional services provided to a client.”.

45. Section 3.05.14 of the Code is replaced by the following:

3.05.14. An advocate shall not share his fees with a person who is not a member of the Barreau or another professional order or, as the case may be, is not a person contemplated in Schedule A of the Regulation respecting the practice of the profession of advocate within a limited liability partnership or joint-stock company and in multidisciplinary (O.C. 350-2004, 7 April 2004) or with a person that is not a partnership or joint-stock company within which he is authorized to engage in his professional activities pursuant to the said regulation.”.

46. Section 3.05.15 of the Code is repealed.

47. The Code is amended by inserting the following sections after section 3.05.15 :

3.05.16. An advocate who engages in his professional activities within a partnership or joint-stock company shall take reasonable measures to ensure that the partnership or joint-stock company, any person engaging in activities within the partnership or joint-stock company or having an interest therein, a director or an officer refrains from doing one or more of the following :

(1) acquiring a right of ownership in litigious property when providing professional services to the client ;

(2) acting as surety in a matter under the jurisdiction of a court of penal jurisdiction, except where it is justified by his family relationship with the accused ;

(3) borrowing from the client the sums of money collected for the client ; or

(4) collecting interest contrary to section 3.08.07.

3.05.17. If an advocate notices, in his dealings with an individual representing the client, that the respective interests of the client and such individual may differ, he shall inform the individual of his duty of loyalty towards the client.

3.05.18. An advocate shall notify the client of any fact learned by him in the performance of his professional services which, in the advocate’s opinion, may be a breach of the law by the client.

If the client is not a natural person, the advocate shall give such notification to the representative of the client with whom the advocate deals when providing his professional services. If the advocate later becomes aware that the client has not remedied the unlawful situation, he shall notify the appropriate hierarchical authority when the situation involves :

(1) a material breach of securities law or any law for the protection of securityholders or members of a partnership or legal person ; or

(2) a breach of any other law, if it is likely to lead to serious consequences for the client.

3.05.19. An advocate shall not provide professional services to the client respecting a matter or issue which could have a significant effect on the financial statements of the client for a given fiscal year when, for the same period, he or another person engaging in his professional activities within the same partnership or joint-stock company is responsible for an audit or review engagement within the meaning of the Handbook of the Canadian Institute of Chartered Accountants.

Nonetheless, he may provide his professional services in the circumstances contemplated in the first paragraph when he or another person engaging in his professional activities within the same partnership or joint-stock company is responsible for a review engagement, if the following conditions have been met :

(1) the client is a partnership or legal person which has not made a distribution of its securities to the public ; and

(2) the shareholders or members unanimously and knowingly waive the benefit of the rule set forth in the first paragraph.

Similarly, where the client is a natural person, the provisions of the first paragraph do not apply if such natural person knowingly waives the benefit of their application.”.

48. Sections 3.06.01 to 3.06.05 of the Code are replaced by the following :

3.06.01. An advocate shall not use, for his benefit, for the benefit of the partnership or joint-stock company within which he engages in his professional activities or for the benefit of a person other than the client, confidential information obtained while he engages in his professional activities.

3.06.02. An advocate shall not agree to perform professional services if doing so entails or may entail the communication or use of confidential information or documents obtained from another client without the latter’s consent, unless required by law.

3.06.03. An advocate shall take reasonable measures to ensure that any person who cooperates with him or engages in his activities within the partnership or joint-stock company in which the advocate engages in his professional activities maintains the absolute confidentiality of confidences the advocate receives while he practices his profession.

3.06.04. An advocate who employs or retains the services of a person who previously worked elsewhere for another professional or within another partnership or joint-stock company shall take reasonable measures so that such person does not reveal the confidences of clients of such other professional, partnership or joint-stock company.

3.06.05. An advocate shall safeguard his professional independence regardless of the circumstances in which he engages in his professional activities. In particular, he must not let his professional judgment be subject to pressure exerted on him by anyone whomsoever.

3.06.05.01. An advocate shall subordinate to the interests of the client his personal interests, the interests of the partnership or joint-stock company within which he engages in his professional activities or in which he has an interest and the interests of any other person whether or not such person engages in his activities within such partnership or joint-stock company.”.

49. Section 3.06.06 of the Code is amended:

(1) by replacing the words “in which he would be in a” with the word “of” in the first paragraph; and

(2) by deleting the second paragraph.

50. Section 3.06.07 of the Code is amended:

(1) by replacing the word “mandate” with the words “contract for professional services” in paragraph 3; and

(2) by adding the following paragraph at the end:

“In all cases in which an advocate engages in his professional activities within a partnership or joint-stock company, conflict of interest situations shall be assessed with regard to all clients of the partnership or joint-stock company.”.

51. Section 3.06.09 of the Code is replaced by the following:

“3.06.09. Where an advocate who engages in his professional activities within a partnership or joint-stock company is in a conflict of interest, the other advocates shall, to avoid being considered in a conflict of interest themselves, take such reasonable measures as are required to ensure that confidential information or documents pertaining to the file are not revealed.

In the case where professional activities are carried on in a partnership or joint-stock company, an advocate who is in a conflict of interest and the other advocates shall see to it that such measures apply to persons other than the advocates.

In assessing the effectiveness of these measures, the following factors may, in particular, be taken into account:

(1) the size of the partnership or joint-stock company;

(2) the precautions taken to prevent access to the file by the advocate who is in fact in a conflict of interest;

(3) the instructions given as to the protection of confidential information or documents involved in the conflict of interest; and

(4) the isolation of the advocate in a conflict of interest with respect to the person in charge of the file.”.

52. Section 3.06.10 of the Code is amended by replacing the words “his client” with the words “the client”.

53. The Code is amended by inserting the following Subdivision after Subdivision 6 of Division III:

“§6.1. Release of professional secrecy in order to protect persons

3.06.01.01. An advocate may communicate information that is protected by professional secrecy, in order to prevent an act of violence, including a suicide, where he has reasonable cause to believe that there is an imminent danger of death or serious bodily injury to a person or an identifiable group of persons.

However, he may only communicate the information to a person exposed to the danger or that person’s representative, and to the persons who can come to that person’s aid.

3.06.01.02. An advocate who decides to communicate information that is protected by professional secrecy may only communicate such information as is necessary to achieve the purposes for which the information is communicated. He shall, in connection with such communication, mention the following:

(1) his identity and the fact that he is a member of the Barreau du Québec;

(2) that the information he will communicate is protected by professional secrecy;

(3) that he is availing himself of the possibility offered to him at law to set aside professional secrecy in order to prevent an act of violence, because he has reasonable cause to believe that there is an imminent danger of death or serious bodily injury to a person or group of persons;

(4) the nature of the threats or act of violence he intends to prevent;

(5) the identity and, if possible, the contact information for the person or group of persons exposed to the danger; and

(6) the imminence of the danger in question.

3.06.01.03. An advocate who decides to communicate information that is protected by professional secrecy may, if necessary to achieve the purposes of the communication contemplated in section 3.06.01.02, communicate the identity and contact information of the person who prompted him to communicate the information.

3.06.01.04. Where circumstances permit, an advocate may consult the syndic of the Barreau before communicating the information protected by professional secrecy in order to assess the appropriate course of action.

3.06.01.05. An advocate who communicates information protected by professional secrecy in accordance with section 3.06.01.01 shall, for each communication, prepare a written note as soon as possible containing the following:

(1) the date and time of the communication;

(2) the grounds in support of his decision to communicate the information, including the act of violence he intended to prevent, the identity of the person who prompted him to communicate the information as well as the identity of the person or group of persons exposed to the danger; and

(3) the content of the communication, the method of communication used and the identity of the person to whom the communication was made.”.

54. Section 3.07.01 of the Code is amended by replacing the words “his client” with the words “the client”.

55. Section 3.08.02 of the Code is amended:

(1) by inserting the word “professional” before the word “services” in the portion preceding paragraph *a*;

(2) by deleting the word “his” in paragraph *a*; and

(3) by inserting the word “professional” before both occurrences of the word “services” in paragraph *f*.

56. Section 3.08.04 of the Code is replaced by the following:

“**3.08.04.** An advocate shall, before agreeing with the client to provide professional services, ensure that the latter has all useful information regarding the nature and financial terms of the services and obtain his consent thereto, except where he may reasonably assume that the client is already informed thereof.

3.08.04.01. An advocate who practices within a partnership or joint-stock company shall ensure that the fees and costs of professional services rendered by advocates are always indicated separately on every invoice or statement of fees that the partnership or joint-stock company sends the client, except where a lump-sum payment has been agreed upon in writing with the client. However, in the latter case, the statement or invoice shall describe the professional services rendered by the advocate.”.

57. Section 3.08.05 of the Code is replaced by the following:

“**3.08.05.** An advocate shall provide the client with all explanations necessary to the understanding of the invoice or statement of fees and the terms and conditions of payment, except where a written agreement has been entered into with the client to receive a lump-sum payment or where he may reasonably assume that the client is already informed thereof.”.

58. Section 3.08.06 of the Code is amended by replacing the words “a client” with the words “the client”.

59. Section 3.08.07 of the Code is replaced by the following:

“**3.08.07.** Other than legal interest, the only interest an advocate may collect on outstanding accounts is interest upon which he has agreed with the client in writing. The interest thus charged shall be at a reasonable rate.

3.08.07.01. When an advocate engages in his professional activities within a joint-stock company set up for the purpose of such activities, the fees and costs relating to the professional services rendered by him within and on behalf of such joint-stock company shall belong to such joint-stock company, unless it is agreed otherwise.”.

60. Section 3.08.08 of the Code is amended:

(1) by replacing the words “his client” with the words “the client” in the first paragraph; and

(2) by replacing the second paragraph with the following:

“In any matter in which an advocate collects extrajudicial fees, he shall inform the client that judicial fees may be granted by a court and enter into an agreement specifying the manner in which they are to be considered in fixing the cost of the professional services.”.

61. The Code is amended by inserting the following Subdivision after the title of Division IV:

“§1. *General provisions*

4.01.00.01. An advocate who, in addition to his professional activities, engages in activities which do not constitute the practice of the profession of advocate, in particular in connection with a job, an office or the carrying on of an enterprise, shall, regardless of the circumstances, avoid allowing any ambiguity to arise or persist as to the capacity in which he is acting.

4.01.00.02. An advocate shall ensure that none of the activities in which he engages in connection with an office or within an enterprise, and which do not constitute the practice of the profession of advocate, compromise compliance with the rules of professional conduct prescribed by this Code, including honour, dignity and integrity of the profession.”.

62. The Code is amended by replacing the title of Subdivision 1 of Division IV with the following:

“§1.1. *Incompatible situations*”.

63. Section 4.01.01 of the Code is amended by replacing paragraphs *b* and *c* with the following:

“(b) the office of legal stenographer or of police officer;

(c) the office of collection agent.”.

64. The Code is amended by inserting the following after section 4.01.01:

“**4.01.01.01.** An advocate may not engage in professional activities with respect to a file if, in the same file, he or a person who engages in his professional activities within the same partnership or joint-stock company acts as bailiff.”.

65. Section 4.02.01 of the Code is amended:

(1) by replacing “and 58” with “, 58, 59.1 and those determined pursuant to the second paragraph of section 152”;

(2) by replacing paragraph *a* with the following:

“(a) introducing a judicial demand, assuming a defence, delaying a trial or taking any other such measure on the client’s behalf when he knows or when it is evident that such action is only intended to harm another person or to adopt an attitude contrary to the requirements of good faith;”;

(3) by replacing paragraph *d* with the following:

“(d) making or helping the client make a declaration *de facto* or *de jure* knowing it to be false;”;

(4) by replacing paragraphs *f*, *g* and *h* with the following:

“(f) concealing or knowingly omitting to reveal what the law obliges him to reveal or helping the client conceal or omit to reveal what the law obliges the client to reveal;

(g) helping the client to perform an act which he knows to be illegal or fraudulent or providing advice or encouragement inducing the client to perform such an act;

(h) not informing the client when he becomes aware of an impediment to the continuation of his professional services and, in the case of a dispute, also failing to inform the opposite party;”;

(5) by replacing the words “his client” with the words “the client” in paragraph *j*;

(6) by replacing the words “obtain mandates” with the words “induce persons to retain his professional services” in paragraph *m*;

(7) by deleting paragraphs *n*, *o* and *p*;

(8) by replacing paragraphs *q*, *r* and *s* with the following:

“(q) refusing or failing without cause to appear at the office of a syndic of the Barreau, at his request;

(r) communicating with the plaintiff without the prior written permission of a syndic when he is informed of an inquiry into his professional conduct or competence or when he has been served with a complaint against him;

(s) charging the client for interviews, communications or correspondence with a syndic or other representative of the Barreau when the latter asks the advocate for explanations or information respecting the contract for professional services entered into with the client;”;

(9) by deleting paragraph *t*;

(10) by replacing paragraph *u* with the following:

“practising his profession with other persons in a partnership or joint-stock company when he knows that one of the conditions, terms or restrictions pursuant to which he is authorized to so practise his profession has not been respected;”;

(11) by replacing the word “acts” with the word “services” in paragraph *w*.

66. The Code is amended by inserting the following after section 4.02.01:

“**4.02.02.** It is also derogatory to the dignity of the profession of advocate for an advocate who engages in his professional activities within a partnership or joint-stock company:

(1) to fail to take reasonable measures to put an end to, or prevent the repeated performance of, an act derogatory to the dignity of the profession of advocate which has been performed by another person who engages in his professional activities within the said partnership or joint-stock company and which has been brought to his attention for more than 30 days;

(2) to continue to engage in such activities within the said partnership or joint-stock company when the representative of the partnership or joint-stock company before the Barreau, a director, an officer or an employee is still performing his duties therein more than ten days after he has been struck off a roll for more than three months or has had his permit revoked; or

(3) to continue to engage in such activities within the said partnership or joint-stock company when a shareholder or a partner is still directly or indirectly exercising a voting right within such partnership or joint-stock company more than ten days after the effective date on which he was struck off a roll for more than three months or had his permit revoked and has not divested himself of his shares or partnership units within 180 days following the aforementioned effective date.”.

67. The Code is amended by replacing the word “colleagues” with the words “other advocates” in the title of Subdivision 3 of Division IV.

68. The Code is amended by inserting the following sections after the title of Subdivision 3 of Division IV:

“**4.03.00.01.** An advocate shall immediately inform the syndic when he knows of a derogatory act committed by another advocate.

4.03.00.02. An advocate shall immediately inform the executive director when he knows of any impediment whatsoever to the admission of a candidate to the practice of the profession of advocate.”.

69. Section 4.03.01 of the Code is replaced by the following:

“**4.03.01.** An advocate whose participation in a council for the arbitration of accounts, a review committee, a disciplinary committee or a professional inspection committee is requested by the Barreau shall accept that duty unless he has exceptional reasons for refusing it.”.

70. Section 4.03.02 of the Code is replaced by the following:

“**4.03.02.** An advocate shall diligently answer all communications from a syndic of the Barreau, an inspector, an investigator or a member of the professional inspection committee and shall respond using the means of communication they determine.”.

71. Section 4.03.03 of the Code is amended by replacing the words “a colleague’s” with the words “another advocate’s”.

72. Section 4.03.04 of the Code is repealed.

73. Section 4.04.01 of the Code is amended by replacing the words “his colleagues” with the words “other advocates”.

74. Section 5.01 of the Code is replaced by the following:

5.01. No advocate may make a false or misleading representation or allow such representation to be made, whether by statement, conduct or omission or by any other means.”.

75. Section 5.02 of the Code is amended by replacing the word “Un” with “L” in the French text and by inserting the word “professional” before the word “services” in the English version.

76. Section 5.03 of the Code is amended:

(1) by replacing subparagraph 2 of the first paragraph with the following:

“(2) specify the nature and extent of the professional services included in the fees and, where applicable, any other services included therein;”;

(2) by replacing subparagraph 4 of the first paragraph with the following:

“(4) indicate whether other professional services might be required which are not included in the fees;”;
and

(3) by adding the following paragraph at the end:

“However, an advocate may agree with the client on a lower price than that advertised or published.”.

77. Section 5.04 of the Code is amended by replacing “five years” with “12 months”.

78. The Code is amended by inserting the following after section 5.05:

“**5.05.01.** An advocate who engages in his professional activities within a partnership or joint-stock company shall ensure that the advertising of the partnership or joint-stock company or of any other person engaging in activities within the partnership or joint-stock company complies, with regard to advocates, with the rules set out in this Division.”.

79 Section 5.07 of the Code is repealed.

80. Section 6.03 of the Code is replaced by the following:

“**6.03.** Where an advocate uses the graphic symbol of the Barreau in his advertising, he shall not suggest that such advertising emanates from the Barreau.

6.04. An advocate who engages in his professional activities within a partnership or joint-stock company shall ensure that any use of the graphic symbol of the Barreau within the partnership or joint-stock company complies with sections 6.02 and 6.03.

6.05. An advocate shall ensure that a partnership or joint-stock company within which he engages in his professional activities does not use the graphic symbol of the Barreau in connection with its advertising or name unless all the services provided by such partnership or joint-stock company are professional services rendered by advocates.

In the case of a partnership or joint-stock company which provides the professional services of advocates and the services of persons other than advocates with whom the advocate is authorized to engage in his professional activities, the graphic symbol of the Barreau may be used in connection with the name of the partnership or joint-stock company or in its advertising provided the graphic symbol identifying each of the professional orders or organizations to which such persons belong is also used.

Nonetheless, the graphic symbol of the Barreau may always be used in connection with the name of an advocate.”.

81. Section 7.01 of the Code is replaced by the following:

“**7.01.** An advocate must not practice his profession within a partnership or joint-stock company under a name or designation which is misleading, deceptive or contrary to the honour or dignity of the profession or which is a number name.

7.02. An advocate who engages in his professional activities within a partnership or joint-stock company shall take reasonable measures to ensure that every document which is produced within the practice of the profession of advocate and originates from the partnership or joint-stock company is identified with the name of an advocate.”.

82. This Regulation shall come into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.

Gouvernement du Québec

O.C. 356-2004, 7 April 2004

An Act respecting the Ministère de la Sécurité publique (R.S.Q., c. M-19.3)

Terms and conditions respecting the signing of certain deeds, documents and writings of the Ministère de la Sécurité publique

WHEREAS, under section 12 of the Act respecting the Ministère de la Sécurité publique (R.S.Q., c. M-19.3), no deed, document or writing is binding on the Minister or may be attributed to the Minister unless it is signed by the Minister, by the Deputy Minister or by a member of the staff of the department and only, in the case of such a member, to the extent determined by the Government;

WHEREAS, under section 14 of the Act, any document or copy of a document emanating from the department or forming part of its records, signed or certified by a person referred to in section 12, is authentic;

WHEREAS the Terms and conditions respecting the signing of certain deeds, documents and writings of the Ministère de la Sécurité publique were made by Order in Council 1129-99 dated 29 September 1999 and it is expedient to replace them;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Terms and conditions respecting the signing of certain deeds, documents and writings of the Ministère de la Sécurité publique, attached to this Order in Council, be made;

THAT this Order in Council replace Order in Council 1129-99 dated 29 September 1999;

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

SCHEDULE

TERMS AND CONDITIONS RESPECTING THE SIGNING OF CERTAIN DEEDS, DOCUMENTS AND WRITINGS OF THE MINISTÈRE DE LA SÉCURITÉ PUBLIQUE

DIVISION I
GENERAL

1. A member of the staff of the Ministère de la Sécurité publique who holds a permanent position referred to in these Terms and conditions or who is designated on a provisional or temporary basis (ad interim) is authorized to sign alone and with the same authority as the Minister of Public Security the deeds, documents and other writings listed below, subject to the conditions set out in the Financial Administration Act (R.S.Q., c. A-6.001).

DIVISION II
DEPARTMENTAL DEEDS, DOCUMENTS AND WRITINGS

2. The associate Deputy Minister of the Direction générale des services à la gestion is authorized to sign, up to the amounts specified, where applicable,

(1) documents containing a request or commitment in respect of the Société immobilière du Québec; and

(2) supply contracts and professional or auxiliary services contracts up to \$500,000.

3. The director of information technologies and acquisitions of the Direction générale des services à la gestion is authorized to sign supply contracts and professional or auxiliary services contracts up to \$100,000.

4. The head of the Service des ressources financières of the Direction générale des services à la gestion is authorized to sign supply contracts and professional or auxiliary services contracts up to \$25,000.

5. The director of human resources of the Direction générale des services à la gestion is authorized to sign, in connection with the Programme d'aide aux personnes, professional or auxiliary services contracts up to \$25,000.

DIVISION III
SECTORIAL DEEDS, DOCUMENTS
AND WRITINGS

6. An associate deputy minister, a director general and the director of the Laboratoire des sciences judiciaires et de médecine légale are authorized to sign, for the purpose of fulfilling their mandate, up to the amounts specified, where applicable,

- (1) promises and awards of grants;
- (2) \$500,000:
 - (a) supply contracts;
 - (b) professional or auxiliary services contracts; and
- (3) \$25,000, contracts for the administration of immovables.

7. A director and an assistant director general are authorized to sign, for the purpose of fulfilling their mandate, up to the amounts specified, where applicable,

- (1) \$50,000:
 - (a) supply contracts;
 - (b) professional or auxiliary services contracts; and
- (2) \$20,000, contracts for the administration of immovables.

8. A regional director, the head of the Centre national de veille de la sécurité publique, the secretary general of the department, service heads, wardens of houses of detention, a secure custody correctional services director and an evaluation and open custody service director are authorized to sign, for the purpose of fulfilling their mandate, up to the amounts specified, where applicable,

- (1) \$25,000:
 - (a) supply contracts;
 - (b) professional or auxiliary services contracts; and
- (2) \$15,000, contracts for the administration of immovables.

9. At the Direction générale des services correctionnels, the persons holding the positions listed below are authorized to sign, for the purpose of fulfilling their

mandate, supply contracts and professional or auxiliary services contracts related to physical and mental health, wardens, catering, community resources in social rehabilitation and pastoral guidance, and contracts entered into with the funds for the benefit of confined persons, up to the amounts specified, where applicable,

- (1) the associate Deputy Minister;
- (2) \$500,000, an assistant director general and a director;
- (3) \$300,000, a regional director, a warden of a house of detention, a secure custody director and an evaluation and open custody service director.

DIVISION IV
MISCELLANEOUS

10. In an emergency situation, where the safety of persons or property is in jeopardy, the persons holding the positions mentioned in sections 6 to 8 are authorized to sign supply contracts and professional or auxiliary services contracts under paragraph 2 of section 3 of the Regulation respecting supply contracts, construction contracts and service contracts of government departments and public bodies, made by Order in Council 961-2000 dated 16 August 2000.

11. A member of the staff of the department who holds a credit card on behalf of the department is authorized, in the performance of the member's duties and for the purpose of fulfilling the mandate of the administrative unit to which the member is attached, to sign the documents concerning the acquisition of eligible goods or services within the meaning of the agreement entered into with the credit card issuer up to the maximum amount authorized for each transaction.

12. A member of the staff of the department is authorized, in the performance of the member's duties and for the purpose of fulfilling the mandate of the administrative unit to which the member is attached, to sign the documents concerning the acquisitions made through the "Catalogue d'achats publics", up to \$1,000.

13. The authorizations granted under sections 5 to 9, 11 and 12 do not apply to the signing of supply contracts and professional or auxiliary services contracts relating to capital expenditures, projects concerning immovable property and occupancy agreements entered into with the Société immobilière du Québec.

Notice

Election Act
(R.S.Q., c. E-3.3)

Documents issued by the chief electoral officer — Authenticity and delegation of signing authority — Amendments

In accordance with section 550 of the Election Act, the Committee of the National Assembly has approved without modification, on March 31, 2004, the “Regulation to amend the Regulation respecting the authenticity of documents issued by the chief electoral officer and the delegation of signing authority” which had been submitted to it by the chief electoral officer of Québec.

FRANÇOIS CÔTÉ,
*Secretary General of the
National Assembly*

In accordance with the third paragraph of section 550 of the Election Act, the chief electoral officer of Québec hereby publishes the “Regulation to amend the Regulation respecting the authenticity of documents issued by the chief electoral officer and the delegation of signing authority”, which he has drafted in function of sections 550, 500 and 501 of the Election Act which was approved without modification by the Committee on the National Assembly, on March 31, 2004.

The present regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

MARCEL BLANCHET,
*Chief Electoral Officer
of Québec*

Regulation to amend the Regulation respecting the authenticity of documents issued by the chief electoral officer and the delegation of signing authority*

Election Act
(R.S.Q., c. E-3.3, ss. 500, 501 and 550)

1. Section 2 of the Regulation respecting the authenticity of documents issued by the chief electoral officer and the delegation of signing authority is replaced by the following:

“**2.** The definitions in the Regulation respecting contracts of the chief electoral officer, approved by the Office of the National Assembly by Decision 1155-1 dated 15 July 2003 (2003, *G.O.* 2, 2271), apply to this Regulation.”.

2. Section 8.1 is amended in the French text by replacing “directeurs de scrutin” by “directeurs du scrutin”.

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

6250

Notice

Election Act
(R.S.Q., c. E-3.3)

Returning officer — Conditions of exercise

In accordance with section 550 of the Election Act, the Committee of the National Assembly has approved without modification, on March 31, 2004, the “Regulation respecting the conditions of exercise of the duties of returning officer” which had been submitted to it by the chief electoral officer of Québec.

FRANÇOIS CÔTÉ,
*Secretary General of the
National Assembly*

* The Regulation respecting the authenticity of documents issued by the chief electoral officer and the delegation of signing authority, approved by the Committee on the National Assembly on 20 December 2000 (2001, *G.O.* 2, 1182), has been amended once, by the regulation approved by the Committee on the National Assembly on 15 June 2001 (2001, *G.O.* 2, 3537).

In accordance with the third paragraph of section 550 of the Election Act, the chief electoral officer of Québec hereby publishes the “Regulation respecting the conditions of exercise of the duties of returning officer”, which he has drafted in function of sections 550 and 394 of the Election Act which was approved without modification by the Committee on the National Assembly, on March 31, 2004.

The present regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

MARCEL BLANCHET,
Chief Electoral Officer
of Québec

Regulation respecting the conditions of exercise of the duties of returning officer

Election Act
(R.S.Q., c. E-3.3, ss. 507 and 550)

1. A public office holder may not apply for a competition for appointment as a returning officer for two years following the date on which the public office holder’s term ends.

The prohibition applies only if the person held the office of

- (1) Member of the Parliament of Canada;
- (2) Member of the National Assembly;
- (3) member of the council of a municipality;
- (4) warden of a regional county municipality elected in accordance with section 210.29.2 of the Act respecting municipal territorial organization (R.S.Q., c. O-9); or
- (5) member of a school board.

2. A returning officer must

- (1) be a qualified elector at all times;
- (2) be domiciled at all times in the electoral division of appointment or in an adjoining electoral division insofar as the returning officer is capable of satisfactorily exercising his or her duties as if so domiciled;

(3) not be a member of any political party or engage in any partisan work at the federal, provincial, municipal or school board level or hold an elective position at such a level;

(4) be upright and impartial;

(5) have relevant knowledge of the Election Act (R.S.Q., c. E-3.3) and the Referendum Act (R.S.Q., c. C-64.1);

(6) have relevant knowledge of the electoral division for which the returning officer has been appointed;

(7) not exercise identical duties at the federal level;

(8) have knowledge of the French language;

(9) have knowledge of the English language where the number of English-speaking electors so warrants;

(10) abide in all respects by the oath of office made;

(11) cooperate with the chief electoral officer in examining, assessing and trying new voting procedures;

(12) comply with the directives of the chief electoral officer; and

(13) make space available at the returning officer’s domicile for the material and equipment required to exercise his or her duties, according to the conditions determined by the chief electoral officer.

3. A returning officer must also have the following professional skills:

(1) the ability to manage the human, financial and material resources available to the returning officer to achieve the expected results at each stage of the election proceedings;

(2) the ability to ensure the follow-up of the activities ensuing from the election calendar and to monitor achievement of the results determined by the chief electoral officer;

(3) the ability to make decisions, resolve disputes in accordance with the Election Act, election regulations and the directives of the chief electoral officer within very short periods;

(4) the ability to create and maintain a climate of confidence in dealings with the electors, candidates and other intervenors during and outside the electoral events;

(5) the ability to perform quality work within the deadlines fixed by the election calendar;

(6) the ability to use the computer systems and data produced and to have them used; and

(7) the ability to pass on knowledge acquired to other adults.

4. A returning officer must be available as required for

(1) the holding of a general election, by-election or referendum; and

(2) any other assignment that may be required by the chief electoral officer including delimiting polling subdivisions, carrying out preparatory activities for an event referred to in paragraph 1 and training activities, for the period determined by the chief electoral officer.

5. A returning officer who agrees to exercise similar duties at the municipal, school board or other level must first obtain authorization from the chief electoral officer and undertake in writing to be available at all times, immediately and without prior notice, when so required by the chief electoral officer.

6. During an event referred to in section 4, a returning officer must be readily accessible to the chief electoral officer and the members of the executive committee.

In addition, the chief electoral officer may require that a returning officer be present at his or her office at any time during an event referred to in that section.

7. Paragraph 3 of section 2 applies to a returning officer who is a member of the council of a municipality or school board before 6 May 2004 only as of the end of the returning officer's term as a member of the council.

8. This Regulation replaces the Returning Officer (Qualifications) Regulation approved by the Committee on the National Assembly on 23 March 1989 (*G.O.* 2, 5 April 1989, 1569).

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

Notice

Election Act
(R.S.Q., c. E-3.3)

Deputy returning officer, poll clerk, officer assigned to the list of electors and identity verification panel member — Candidates entitled to recommend — Amendment

In accordance with section 550 of the Election Act, the Committee of the National Assembly has approved without modification, on March 31, 2004, the "Regulation to amend the Regulation respecting the determination of the candidates entitled to recommend deputy returning officer, poll clerk, officer assigned to the list of electors and identity verification panel member appointments" which had been submitted to it by the chief electoral officer of Québec.

FRANÇOIS CÔTÉ,
*Secretary General of the
National Assembly*

In accordance with the third paragraph of section 550 of the Election Act, the chief electoral officer of Québec hereby publishes the "Regulation to amend the Regulation respecting the determination of the candidates entitled to recommend deputy returning officer, poll clerk, officer assigned to the list of electors and identity verification panel member appointments", which he has drafted in function of sections 550, 311 and 312.1 of the Election Act which was approved without modification by the Committee on the National Assembly, on March 31, 2004.

The present regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

MARCEL BLANCHET,
*Chief Electoral Officer
of Québec*

Regulation to amend the Regulation respecting the determination of the candidates entitled to recommend deputy returning officer, poll clerk, officer assigned to the list of electors and identity verification panel member appointments*

Election Act
(R.S.Q., c. E-3.3, ss. 311, 312.1 and 550)

1. The title of the Regulation respecting the determination of the candidates entitled to recommend deputy returning officer, poll clerk, officer assigned to the list of electors and identity verification panel member appointments is replaced by the following: “Regulation respecting the determination of the candidates entitled to recommend certain election officers”.

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

6253

Notice

Election Act
(R.S.Q., c. E-3.3)

Nomination — Amendments

In accordance with section 550 of the Election Act, the Committee of the National Assembly has approved without modification, on March 31, 2004, the “Regulation to amend the Nomination Regulation” which had been submitted to it by the chief electoral officer of Québec.

FRANÇOIS CÔTÉ,
*Secretary General of the
National Assembly*

In accordance with the third paragraph of section 550 of the Election Act, the chief electoral officer of Québec hereby publishes the “Regulation to amend the Nomination Regulation”, which he has drafted in function of sections 550, 239 and 241 of the Election Act which was approved without modification by the Committee on the National Assembly, on March 31, 2004.

The present regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

MARCEL BLANCHET,
*Chief Electoral Officer
of Québec*

Regulation to amend the Nomination Regulation*

Election Act
(R.S.Q., c. E-3.3, ss. 239, 241 and 550)

1. Section 3 of the Nomination Regulation is replaced by the following:

“**3.** A person offering to stand as candidate may attach to his nomination papers his Canadian citizenship certificate, Canadian passport, driver’s licence or probationary licence issued in plastic form by the Société de l’assurance automobile du Québec, health insurance card issued by the Régie de l’assurance maladie du Québec or a copy of the order hanging his name, instead of his birth certificate.”.

2. Form 42 is replaced by the form appearing in the Schedule.

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

* The Regulation respecting the determination of the candidates entitled to recommend deputy returning officer, poll clerk, officer assigned to the list of electors and identity verification panel member appointments, approved by the Committee on the National Assembly on 23 March 1989 (1989, *G.O.* 2, 1577), was last amended by the regulation approved by the Committee on the National Assembly on 15 June 2001 (2001, *G.O.* 2, 3562). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

* The Nomination Regulation, approved by the Committee on the National Assembly on 23 March 1989 (1989, *G.O.* 2, 1580), has been amended once, by the regulation approved by the Committee on the National Assembly on 20 December 2000 (2001, *G.O.* 2, 1182).

**APPENDIX
Form 42**



LE DIRECTEUR GÉNÉRAL
DES ÉLECTIONS DU QUÉBEC

DGE-42-VA (04-01)
Election Act
(R.S.Q., c. E-3.3, s. 239)

Nomination paper

Version française disponible sur demande

Identification of candidate

<p>* Given name <input style="width: 90%;" type="text"/></p> <p>* Surname <input style="width: 90%;" type="text"/></p> <p><input type="checkbox"/> Where applicable, I have appended an affidavit to the effect that my ordinary name and surname are those under which I am commonly known in political, professional and social life.</p> <p>* Date of birth <input style="width: 100px;" type="text"/> <small>Year Month Day</small></p> <p>* Occupation _____</p> <p>* Address _____ <small>Number Street Municipality Postal code</small></p> <p>Optional <input style="width: 100px;" type="text"/> <input style="width: 100px;" type="text"/> _____ <small>Home phone no. Office phone no. E-mail</small></p>	<div style="border: 1px solid black; padding: 5px; background-color: #f0f0f0;"> <p>IMPORTANT</p> <p>The opposite given name and surname will be entered on the ballot paper</p> </div>
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Status

<p>* Membership of an authorized party <input style="width: 95%;" type="text"/> <small>(Name of the party as authorized)</small></p> <p><input type="checkbox"/> I am appending hereto a letter from the leader of the authorized party who recognizes me as being a candidate of that party</p> <p>OR</p> <p>* Wish that the particular "Independent" appear on the ballot paper</p> <table style="width: 100%;"> <tr> <td style="width: 20%; vertical-align: middle;"><input type="checkbox"/> Yes in</td> <td style="width: 10%; text-align: center; vertical-align: middle;"> <div style="font-size: 2em;">◀</div> </td> <td style="width: 70%;"> <input type="checkbox"/> French <input type="checkbox"/> English <input type="checkbox"/> French/English <input type="checkbox"/> English/French </td> </tr> <tr> <td colspan="3" style="padding-top: 10px;"><input type="checkbox"/> No</td> </tr> </table>	<input type="checkbox"/> Yes in	<div style="font-size: 2em;">◀</div>	<input type="checkbox"/> French <input type="checkbox"/> English <input type="checkbox"/> French/English <input type="checkbox"/> English/French	<input type="checkbox"/> No		
<input type="checkbox"/> Yes in	<div style="font-size: 2em;">◀</div>	<input type="checkbox"/> French <input type="checkbox"/> English <input type="checkbox"/> French/English <input type="checkbox"/> English/French				
<input type="checkbox"/> No						

Official agent

<p>* Given name <input style="width: 90%;" type="text"/></p> <p>* Surname <input style="width: 90%;" type="text"/></p> <p>* Address _____ <small>Number Street Municipality Postal code</small></p> <p>Optional <input style="width: 100px;" type="text"/> <input style="width: 100px;" type="text"/> _____ <small>Home phone no. Office phone no. E-mail</small></p> <p>* Signature of the official agent _____</p>

Identification of the mandataries

<p>* Given name</p> <p>* Surname</p> <p>* Address</p> <p>Optional</p> <p>* Signature and initials of the mandatory:</p>	<p>_____</p> <p>_____</p> <p>Number Street _____ Municipality _____ Postal code _____</p> <p>_____</p> <p>Home phone no. _____ Office phone no. _____ E-mail _____</p> <p>_____</p>
<p>* Given name</p> <p>* Surname</p> <p>* Address</p> <p>Optional</p> <p>* Signature and initials of the mandatory:</p>	<p>_____</p> <p>_____</p> <p>Number Street _____ Municipality _____ Postal code _____</p> <p>_____</p> <p>Home phone no. _____ Office phone no. _____ E-mail _____</p> <p>_____</p>
<p>* Given name</p> <p>* Surname</p> <p>* Address</p> <p>Optional</p> <p>* Signature and initials of the mandatory:</p>	<p>_____</p> <p>_____</p> <p>Number Street _____ Municipality _____ Postal code _____</p> <p>_____</p> <p>Home phone no. _____ Office phone no. _____ E-mail _____</p> <p>_____</p>
<p>* Given name</p> <p>* Surname</p> <p>* Address</p> <p>Optional</p> <p>* Signature and initials of the mandatory:</p>	<p>_____</p> <p>_____</p> <p>Number Street _____ Municipality _____ Postal code _____</p> <p>_____</p> <p>Home phone no. _____ Office phone no. _____ E-mail _____</p> <p>_____</p>

* Mandatory information

Declaration of the candidate*** I have appended hereto**

my birth certificate

OR one of the following identification documents

- my Québec health-insurance card
- my Certificate of Canadian citizenship
- my Québec driver's licence
- my Canadian passport
- a copy of the Order changing my name

AND

a photograph showing a full face view of me from the shoulders, bareheaded, against a plain light background and printed on single thickness paper measuring approximately 13 cm X 13 cm, in accordance with section 6 of the Nomination Regulation, and signed on the back by 2 electors from the electoral division who know me and attest to my identity.

* I, _____, **submit my candidacy**

in the electoral division of _____,

and state that : 1. I am a qualified elector within the meaning of section 1 of the Election Act;

2. I have not been disqualified within the meaning of section 235 of the Election Act.

*** In witness whereof, I have signed**

at _____, on _____ 20_____.

Candidate's signature

* Mandatory information

Supporting signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of _____.

Given name _____ Surname _____

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for which the signature is collected.

Legal provisions

According to section 245 of the Election Act, the returning officer shall verify if the persons supporting the candidacy are indeed entered on the list of electors for the electoral division.
Penalties (s. 352 (2) (3) of the Election Act) Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:
 1° A fine of \$100 to \$1 000 for a first offence;
 2° A fine of \$200 to \$2 000 for every subsequent offence within five years.

Space reserved for nomination	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS				Number of the list of electors for which the signature is collected		
	No.	Surname (at birth)	Given name	Address (of domicile)		Municipality	Signature
	1						
	2						
	3						
	4						
	5						
	6						
	7						
	8						
	9						
	10						

Supporting Signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of:

Given name	Surname
------------	---------

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for which the signature is collected.

Legal provisions

According to section 245 of the Election Act, the returning officer shall verify if the persons supporting the candidacy are indeed entered on the list of electors for the electoral division.

Penalties (s. 552 (2) (3) of the Election Act) Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:

1° A fine of \$1,000 to \$1,000 for a first offence;

2° A fine of \$200 to \$2,000 for every subsequent offence within five years.

Space reserved for nomination	No.	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS			Initials of the collector of the signatures
		Surname (at birth)	Given name	Address (of domicile) Municipality	
	11				
	12				
	13				
	14				
	15				
	16				
	17				
	18				
	19				
	20				

Supporting signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of:

Given name _____ Surname _____

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for which the signature is collected.

Legal provisions

According to section 245 of the Election Act, the returning officer shall verify if the persons supporting the candidacy are indeed entered on the list of electors for the electoral division.

Penalties (s. 552 (2) (b) of the Election Act) Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:

1° A fine of \$1 000 to \$1 000 for a first offence;

2° A fine of \$200 to \$2 000 for every subsequent offence within five years.

Space for verification	No.	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS			Signature	Initials of the elector who collects the signatures
		Surname (at birth)	Given name	Address (of domicile)		
	21					
	22					
	23					
	24					
	25					
	26					
	27					
	28					
	29					
	30					

Supporting signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of:

Given name	Surname
------------	---------

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for which the signature is collected.

Legal provisions

According to section 245 of the Election Act, the returning officer shall verify if the persons supporting the candidacy are indeed entered on the list of electors for the electoral division.

Penalties (s. 552 (2) (3) of the Election Act) Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:

1° A fine of \$1000 for a first offence;

2° A fine of \$200 to \$2 000 for every subsequent offence within five years.

Space for verification	No.	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS			Signature	Initials of the elector who collected the signatures
		Surname (at birth)	Given name	Address (of domicile) Municipality		
	31					
	32					
	33					
	34					
	35					
	36					
	37					
	38					
	39					
	40					

Supporting Signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of:

Given name	Surname
------------	---------

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for which the signature is collected.

Legal provisions

According to section 245 of the Election Act, the returning officer shall verify if the persons supporting the candidacy are indeed entered on the list of electors for the electoral division.

Penalties (s. 552 (2) (3) of the Election Act) Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:

1° A fine of \$100 to \$1 000 for a first offence;

2° A fine of \$200 to \$2 000 for every subsequent offence within five years.

Space reserved for nomination	No.	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS			Initials of the elector who collected the signatures		
		Surname (at birth)	Given name	Address (of domicile)		Municipality	Signature
	41						
	42						
	43						
	44						
	45						
	46						
	47						
	48						
	49						
	50						

Supporting signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of _____.

Given name _____ Surname _____

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for which the signature is collected.

Legal provisions

According to section 245 of the Election Act, the returning officer shall verify if the persons supporting the candidacy are indeed entered on the list of electors for the electoral division.
Penalties (s. 352 (2) (3) of the Election Act) Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:
 1° A fine of \$100 to \$1 000 for a first offence;
 2° A fine of \$200 to \$2 000 for every subsequent offence within five years.

Space reserved for Verification	No.	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS			Initials of the electors who collect the signatures		
		Surname (at birth)	Given name	Address (of domicile)		Municipality	Signature
	61						
	62						
	63						
	64						
	65						
	66						
	67						
	68						
	69						
	70						

Supporting Signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of _____.

Given name _____ Surname _____

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for the electoral division for which the signature is collected.

Legal provisions

According to section 245 of the Election Act, the returning officer shall verify if the persons supporting the candidacy are indeed entered on the list of electors for the electoral division.
Penalties (s. 552 (2) (3) of the Election Act). Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:
 1° A fine of \$100 to \$1 000 for a first offence;
 2° A fine of \$200 to \$2 000 for every subsequent offence within five years.

Spaces reserved for Verification	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS				Initials of the person who collected the signatures	
	No.	Surname (at birth)	Given name	Address (of domicile)		Municipality
	71					
	72					
	73					
	74					
	75					
	76					
	77					
	78					
	79					
	80					

Supporting Signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of: _____

Given name _____ Surname _____

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for which the signature is collected.

Legal provisions

According to section 245 of the Election Act, the returning officer shall verify if the persons supporting the candidacy are indeed entered on the list of electors for the electoral division.

Penalties (s. 552 (2) (3) of the Election Act) Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:

1° A fine of \$100 to \$1 000 for a first offence;

2° A fine of \$200 to \$2 000 for every subsequent offence within five years.

Space reserved for nomination	No.	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS			Initials of the elector who collects the signatures		
		Surname (at birth)	Given name	Address (of domicile)		Municipality	Signature
	81						
	82						
	83						
	84						
	85						
	86						
	87						
	88						
	89						
	90						

Supporting signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of: _____

Given name _____ Surname _____

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for the electoral division for which the signature is collected.

Legal provisions

According to section 245 of the Election Act, the returning officer shall verify if the persons supporting the candidacy are indeed entered on the list of electors for the electoral division.
Penalties (s. 552 (2) (3) of the Election Act) Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:
 1° A fine of \$100 to \$1 000 for a first offence;
 2° A fine of \$200 to \$2 000 for every subsequent offence within five years.

Spaces reserved for verification	No.	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS			Signature	Initials of the person who collects the signatures
		Surname (at birth)	Given name	Address (of domicile)		
	91					
	92					
	93					
	94					
	95					
	96					
	97					
	98					
	99					
	100					

Supporting signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of: _____

Given name _____ Surname _____

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for the electoral division for which the signature is collected.

Legal provisions

According to section 245 of the Election Act, the returning officer shall verify if the persons supporting the candidacy are indeed entered on the list of electors for the electoral division.

Penalties (s. 552 (2) (3) of the Election Act) Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:

1° A fine of \$100 to \$1 000 for a first offence;

2° A fine of \$200 to \$2 000 for every subsequent offence within five years.

Spaces reserved for Verification	No.	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS			Initials of the person who made the signature		
		Surname (at birth)	Given name	Address (of domicile)		Municipality	Signature
	101						
	102						
	103						
	104						
	105						
	106						
	107						
	108						
	109						
	110						

Supporting signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of: _____

Given name _____ Surname _____

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for which the signature is collected.

Legal provisions

According to section 245 of the Election Act, the returning officer shall verify if the persons supporting the candidacy are indeed entered on the list of electors for the electoral division.

Penalties (s. 552 (2) (3) of the Election Act) Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:

1° A fine of \$100 to \$1 000 for a first offence;

2° A fine of \$200 to \$2 000 for every subsequent offence within five years.

Space reserved for Verification	No.	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS			Signature	Initials of the person who collects the signatures
		Surname (in block)	Given name	Address (of domicile)		
	111					
	112					
	113					
	114					
	115					
	116					
	117					
	118					
	119					
	120					

Supporting Signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of _____.

Given name _____ Surname _____

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for the electoral division for which the signature is collected.

Legal provisions

According to section 245 of the Election Act, the returning officer shall verify if the persons supporting the candidacy are indeed entered on the list of electors for the electoral division.

Penalties (s. 552 (2) of the Election Act) Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:

1° A fine of \$100 to \$1 000 for a first offence;

2° A fine of \$200 to \$2 000 for every subsequent offence within five years.

Space reserved for nomination	No.	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS			Initials of the elector who collects the signatures		
		Surname (at birth)	Given name	Address (of domicile)		Municipality	Signature
	131						
	132						
	133						
	134						
	135						
	136						
	137						
	138						
	139						
	140						

Supporting signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of:

Given name _____ Surname _____

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for which the signature is collected.

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Penalties (s. 552 (2) (3) of the Election Act) Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:

1° A fine of \$100 to \$1 000 for a first offence;

2° A fine of \$200 to \$2 000 for every subsequent offence within five years.

Spaces reserved for Verification	No.	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS			Initials of the person who collected the signatures.		
		Surname (in block)	Given name	Address (of domicile)		Municipality	Signature
	141						
	142						
	143						
	144						
	145						
	146						
	147						
	148						
	149						
	150						

Supporting signatures

We, the undersigned, electors entered on the list of electors of the electoral division of _____, hereby support the candidacy of: _____

Given name _____ Surname _____

for the election of a Member of the National Assembly for said electoral division.

The elector who supports a nomination paper must be entered on the list of electors for the electoral division for which the signature is collected.

Legal provisions

According to section 245 of the Election Act, the returning officer shall verify if the persons supporting the candidacy are indeed entered on the list of electors for the electoral division.

Penalties (s. 552 (2) (3) of the Election Act) Every person who supports a nomination paper, when he is not an elector whose name is entered on the list of electors for the electoral division for which the nomination paper is filed and every person who uses the signature of others as support on a nomination paper is liable to:

1° A fine of \$100 to \$1 000 for a first offence;

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Spaces reserved for Verification	No.	WRITE LEGIBLY AND IN BLOCK LETTERS YOUR SURNAME, GIVEN NAME AND ADDRESS AS THEY ARE ENTERED ON THE LIST OF ELECTORS			Initials of the person who collected the signatures		
		Surname (in birth)	Given name	Address (of domicile)		Municipality	Signature
	151						
	152						
	153						
	154						
	155						
	156						
	157						
	158						
	159						
	160						

Oath of the person who collects the supporting signatures

Candidate

I,

state under oath that the _____ persons whose names appear opposite my initials on the nomination paper affixed their signature in my presence, that I know them and that to my knowledge they are electors of the electoral division.

Signature of the candidate

Stated under oath before me, at _____,
on _____ 20_____. _____
Signature of the returning officer

Mandatory

I,

state under oath that the _____ persons whose names appear opposite my initials on the nomination paper affixed their signature in my presence, that I know them and that to my knowledge they are electors of the electoral division.

Signature of the mandatory

Stated under oath before me, at _____,
on _____ 20_____. _____
Signature of the returning officer

Mandatory

I,

state under oath that the _____ persons whose names appear opposite my initials on the nomination paper affixed their signature in my presence, that I know them and that to my knowledge they are electors of the electoral division.

Signature of the mandatory

Stated under oath before me, at _____,
on _____ 20_____. _____
Signature of the returning officer

Mandatory

I,

state under oath that the _____ persons whose names appear opposite my initials on the nomination paper affixed their signature in my presence, that I know them and that to my knowledge they are electors of the electoral division.

Signature of the mandatory

Stated under oath before me, at _____,
on _____ 20_____. _____
Signature of the returning officer

Mandatory

I,

state under oath that the _____ persons whose names appear opposite my initials on the nomination paper affixed their signature in my presence, that I know them and that to my knowledge they are electors of the electoral division.

Signature of the mandatory

Stated under oath before me, at _____,
on _____ 20_____. _____
Signature of the returning officer

Receipt

I, _____, returning officer, have received this nomination paper. All of the required documents are appended hereto. Subject to the verification of the entry on the list of electors of the electors supporting this nomination paper, in all appearances it meets the requirements of the Election Act.

On _____ 20 ____ .

Signature of the returning officer

Notice of conformity

I certify that at least one hundred electors supporting this nomination paper are indeed entered on the list of electors for the electoral division and that this nomination paper meets the requirements of the Election Act.

On _____ 20 ____ , at _____ o'clock.

Signature of the returning officer

Notice

Election Act
(R.S.Q., c. E-3.3)

Voting

— Amendments

In accordance with section 550 of the Election Act, the Committee of the National Assembly has approved without modification, on March 31, 2004, the “Regulation to amend the Voting Regulation” which had been submitted to it by the chief electoral officer of Québec.

FRANÇOIS CÔTÉ,
*Secretary General of the
National Assembly*

In accordance with the third paragraph of section 550 of the Election Act, the chief electoral officer of Québec hereby publishes the “Regulation to amend the Voting Regulation”, which he has drafted in function of sections 550, 331, 338 to 340, 348 and 350 of the Election Act which was approved without modification by the Committee on the National Assembly, on March 31, 2004.

The present regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

MARCEL BLANCHET,
*Chief Electoral Officer
of Québec*

Regulation to amend the Voting Regulation*

Election Act
(R.S.Q., c. E-3.3, ss. 340 and 550)

1. Section 9 of the Voting Regulation is replaced by the following:

“**9.** The returning officer or his assistant shall issue an authorization to vote in Form 50, attached hereto, to any elector whose name does not appear on the list of electors used at the polling station but appears on the revised list of electors in the possession of the returning

officer, whose name was the subject of an entry or correction duly accepted by the board of revisors, or who has left his domicile to ensure his safety or the safety of his children and who wishes to avail himself of the provisions of section 3 of the Election Act. In the latter case, the domiciliary address of the elector shall not appear.”.

2. Form 50 is replaced by the following:

“FORM 50

Election Act
(R.S.Q., c. E-3.3, s. 340)

AUTHORIZATION TO VOTE

Electoral Division:	Polling Subdivision:
---------------------	----------------------

I attest that the revised list of electors for the said polling subdivision of the electoral division contains the following entry:

I attest that the following name was the subject of an entry or correction duly accepted by the appropriate board of revisors:

I attest that the following elector has left his domicile to ensure his safety or the safety of his children and has availed himself of the provisions of section 3 of the Election Act:

Name

Domiciliary address

_____, _____
Sex Date of birth

Signed at _____,
this _____, 20 _____.

Returning Officer

OR

Assistant Returning Officer”.

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

* The Voting Regulation, approved by the Committee on the National Assembly on 23 March 1989 (1989, *G.O.* 2, 1580), was last amended by the regulation approved by the Committee on the National Assembly on 15 June 2001 (2001, *G.O.* 2, 3537). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 September 2003.

Notice

An Act respecting the conservation and development
of wildlife
(R.S.Q., c. C-61.1)

Notice is given, by the present, that the “Decision concerning Fishing and Hunting Areas Regulation” for which the text appears below, is adopted by the Société de la faune et des parcs du Québec by resolution n° 04-90 dated March 25, 2004 in conformity with section 84.1 of the Act respecting the conservation and development of wildlife.

HERVÉ BOLDUC,
Secretary

Decision 04-90

Decision of the Société de la faune et des parcs du Québec dated March 25, 2004

An Act respecting the conservation and development
of wildlife
(R.S.Q., c. C-61.1, a. 84.1 and 84.3)

CONCERNING Fishing and Hunting Areas Regulation*

THE SOCIÉTÉ DE LA FAUNE ET DES PARCS DU QUÉBEC
HAS DECIDED THE FOLLOWING :

1. The Fishing and Hunting Areas Regulation is amended:

1° by replacing the schedules II, XV, XVIII, XIX, XXI and XXII by the schedules attached hereto;

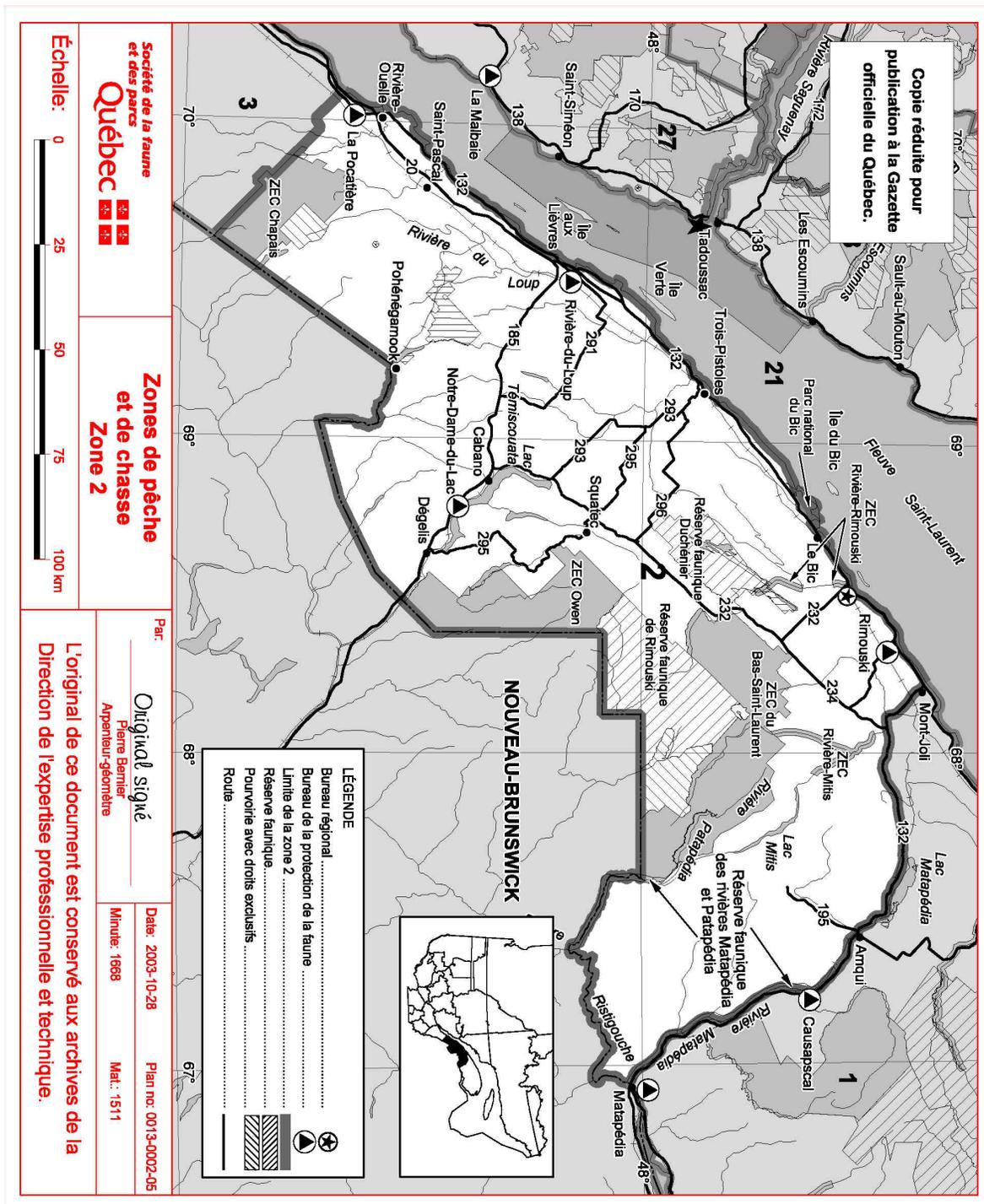
2° by adding the schedules XXVI, XXVII, XXVIII and XXIX attached hereto at the end.

2. This decision shall take effect on the date of its publication in the *Gazette officielle du Québec*.

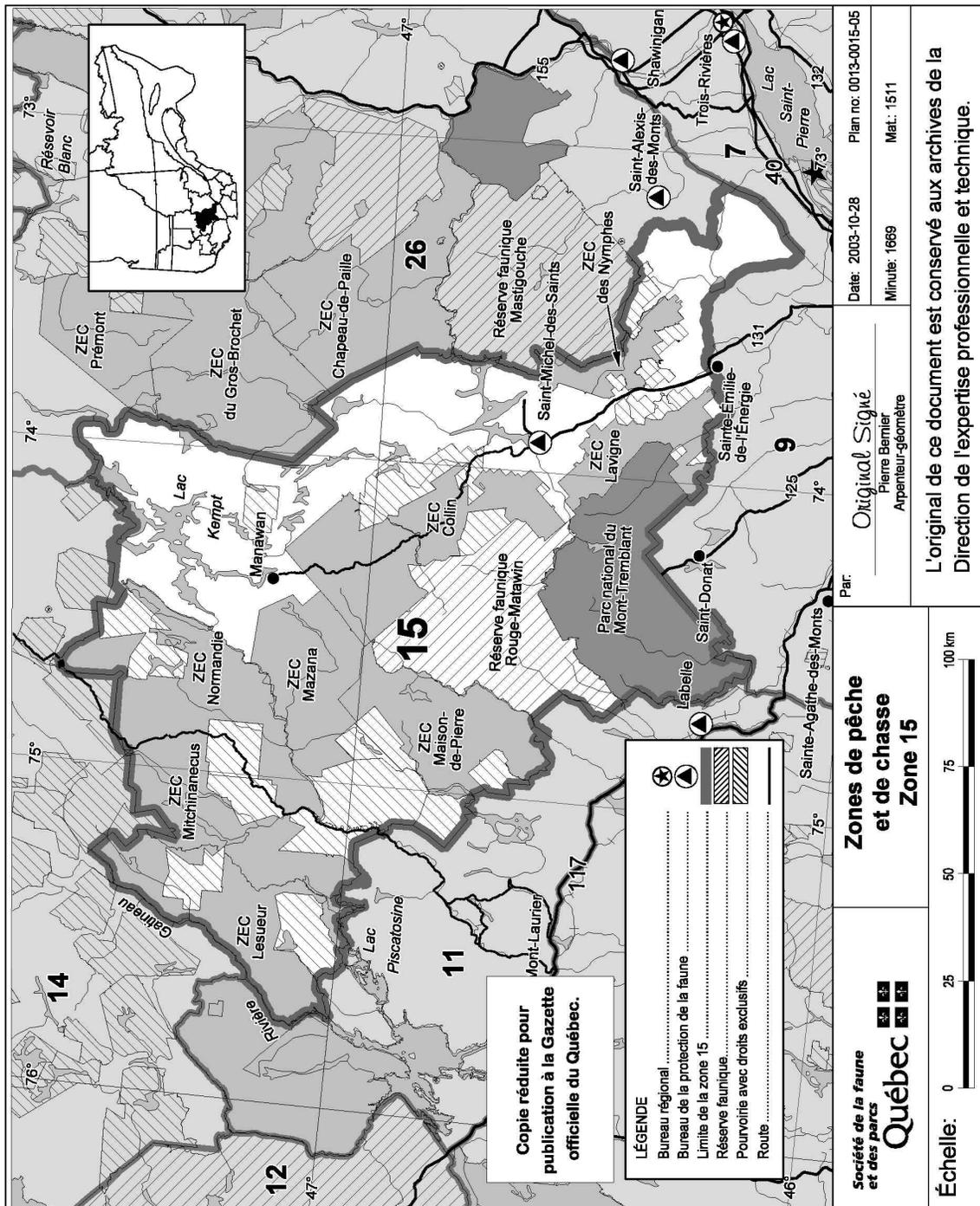
HERVÉ BOLDUC,
*Secretary of the Société de la faune
et des parcs du Québec*

* The Fishing and Hunting Areas Regulation made by Order in Council 27-90 dated 10 January 1990 (1990, *G.O.* 2, 317), was last amended by the Decision of the Société de la faune et des parcs du Québec 00-19 dated 25 May 2000 (2000, *G.O.* 2, 2538). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 March 2003.

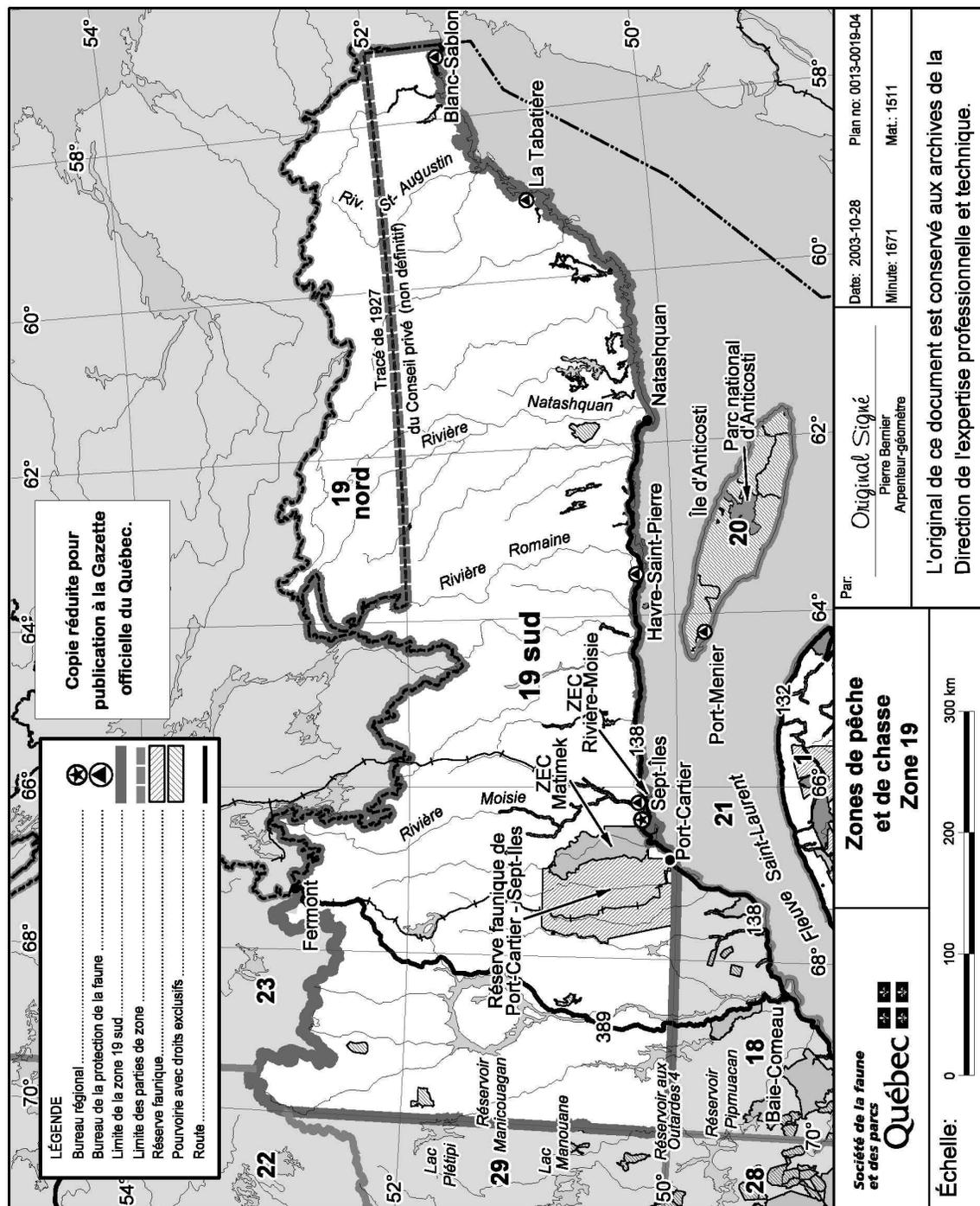
SCHEDULE II



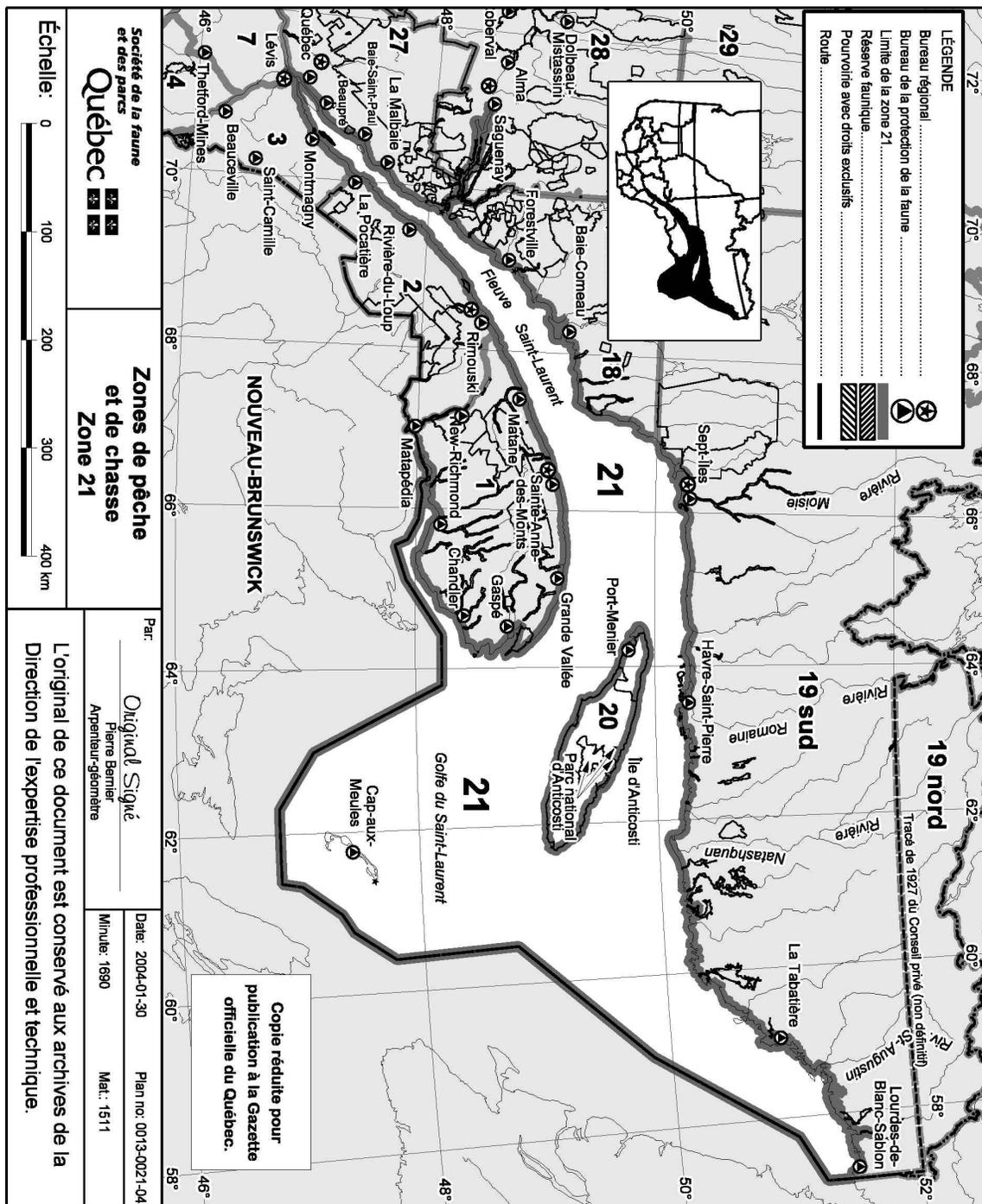
SCHEDULE XV



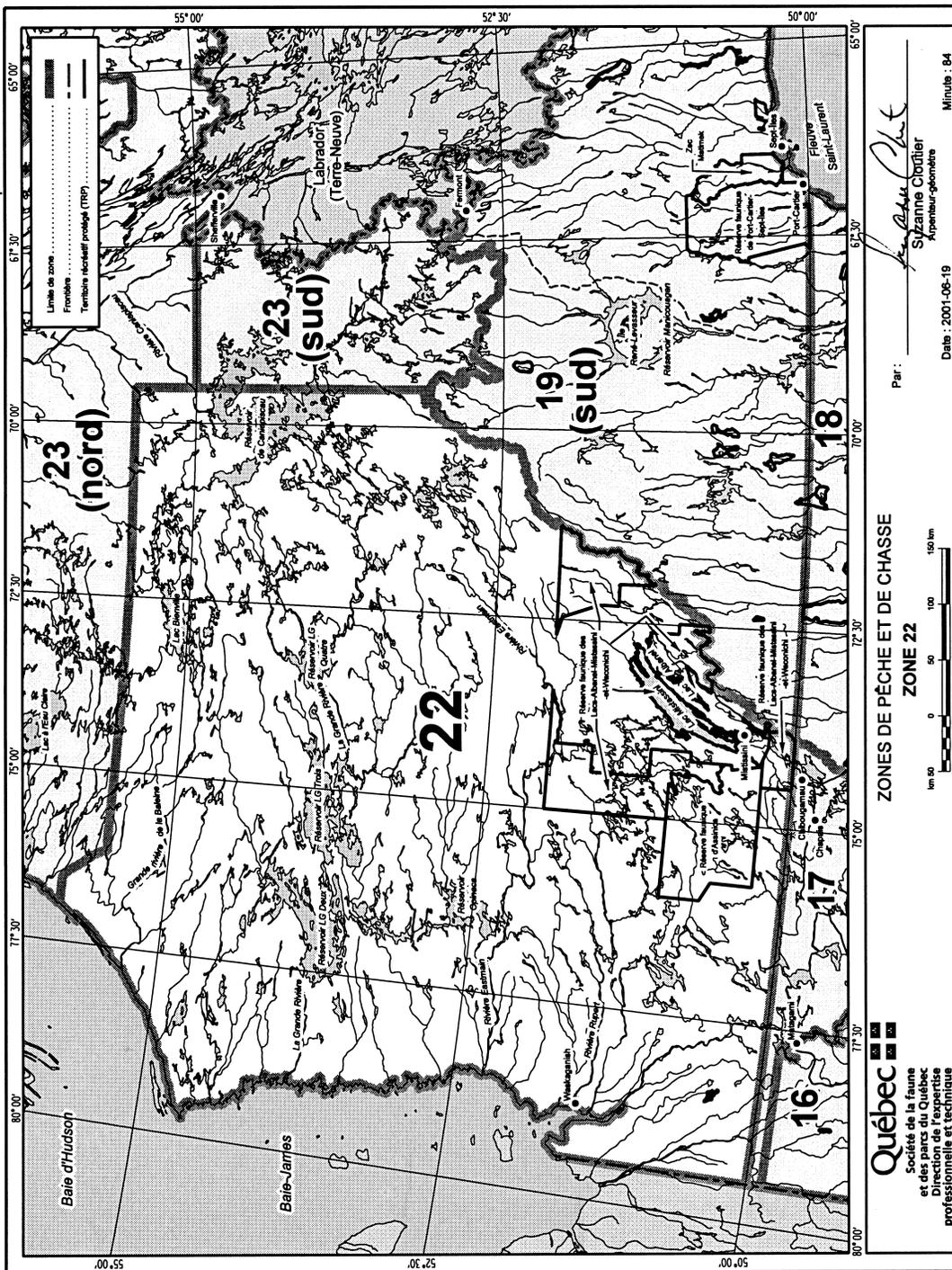
SCHEDULE XIX



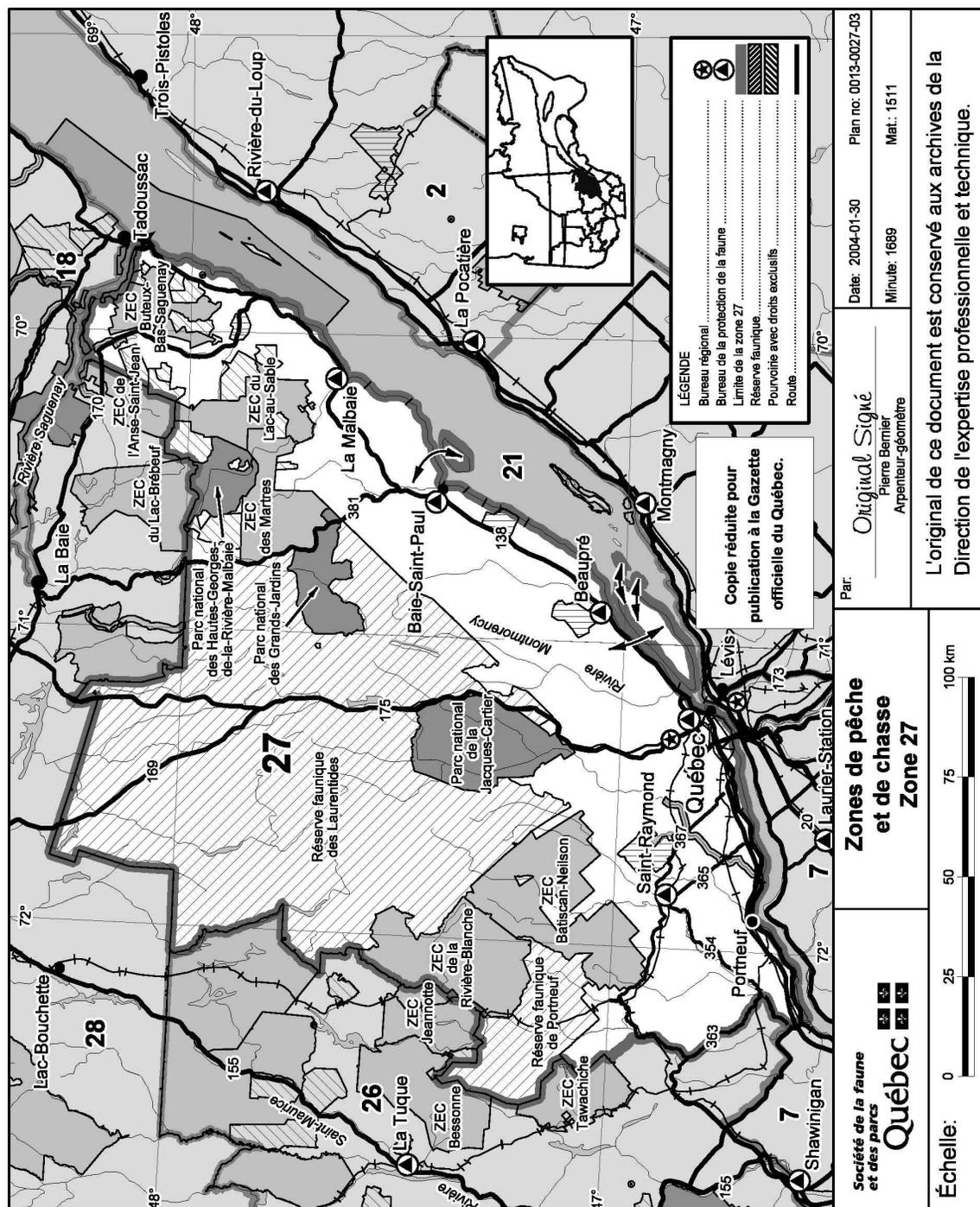
SCHEDULE XXI



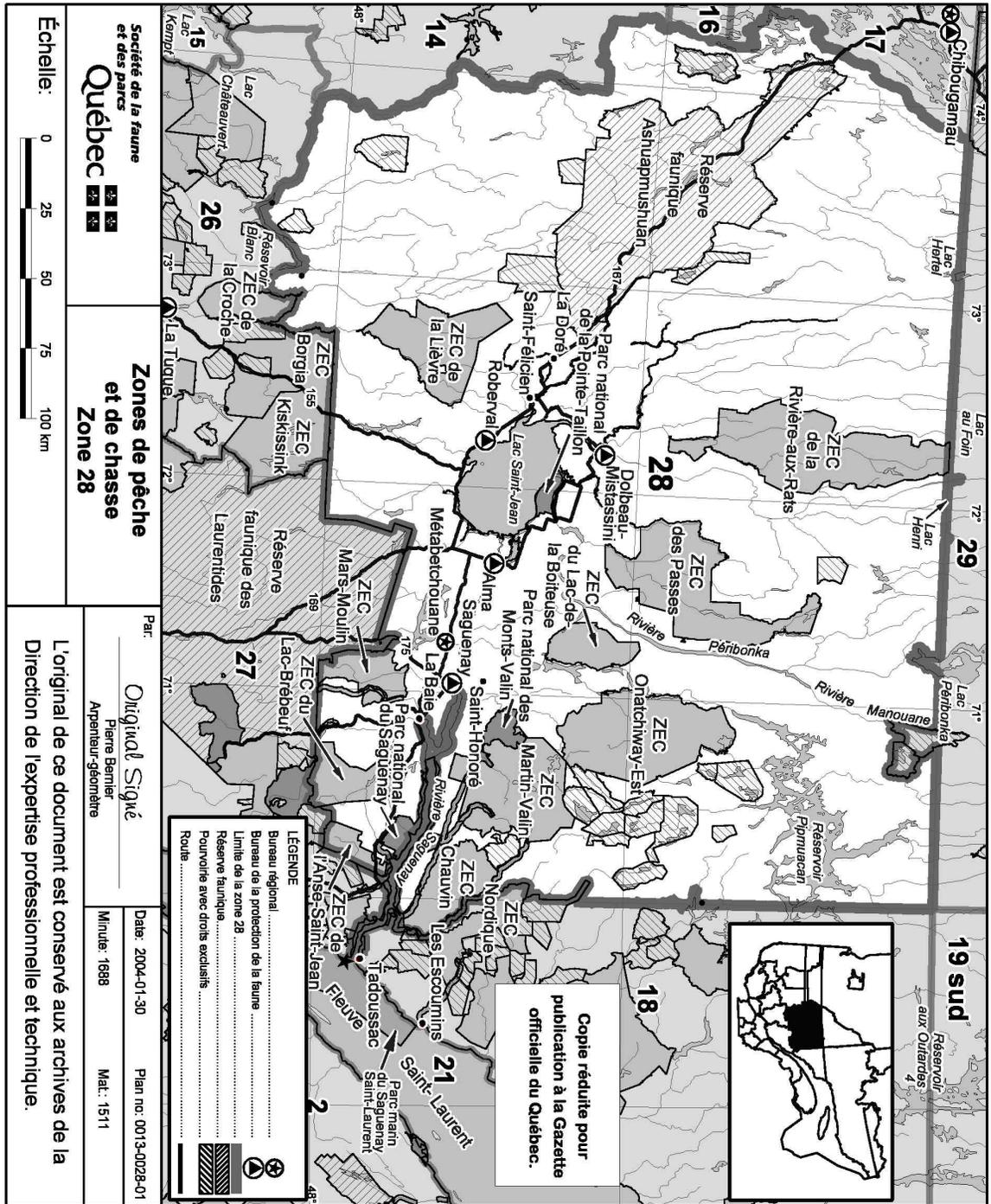
SCHEDULE XXII



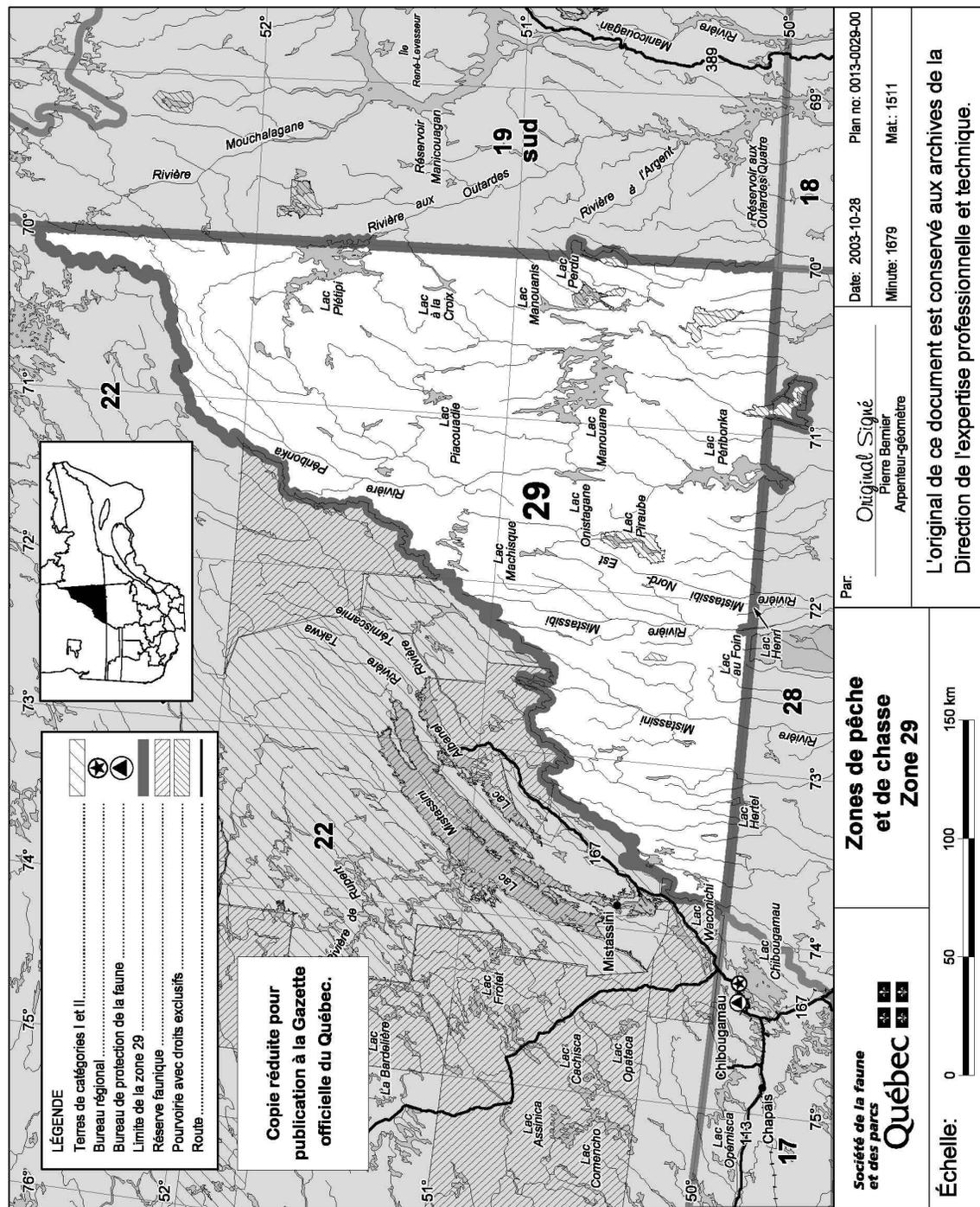
SCHEDULE XXVII



SCHEDULE XXVIII



SCHEDULE XXIX



M.O., 2004

**Order of the Minister of Justice and Attorney
General dated 3 March 2004**

Courts of Justice Act
(R.S.Q., c. T-16)

Place of sittings of the Court of Québec in the judicial district of Abitibi

WHEREAS, under the first paragraph of section 138 of the Courts of Justice Act (R.S.Q., c. T-16), the Court of Québec shall sit at the chief-place of the judicial district, at the place fixed by order of the Minister of Justice;

WHEREAS, under the second paragraph of that section, the Minister of Justice may, by order, direct that, in addition to the chief-place of the judicial district, the Court shall sit at such place as the Minister may determine and notice of such order shall be published in the *Gazette officielle du Québec*;

WHEREAS, in the judicial district of Abitibi, the chief-place is established at Ville d'Amos;

WHEREAS, for better administration of justice in the judicial district of Abitibi, it is expedient to authorize the Court of Québec to also sit at Oujé-Bougoumou;

THE MINISTER OF JUSTICE ORDERS:

THAT pursuant to the second paragraph of section 138 of the Courts of Justice Act (R.S.Q., c. T-16), the Court of Québec is authorized to also sit, in addition to the chief-place and places already authorized, at Oujé-Bougoumou;

THAT this Order be published in the *Gazette officielle du Québec*.

Québec, 3 March 2004

MARC BELLEMARE,
Minister of Justice

6249

**Decision varying the Québec Fishery
Regulations, 1990 SOR/90-214 dated
March 29, 1990**

Pursuant to subsection 4(1) of the Québec Fishery Regulations, 1990, SOR/90-214 dated March 29, 1990, the Société de la faune et des parcs du Québec may vary close times, fishing quotas or limits on the size or weight of fish applicable to sport fishing that are fixed in respect of an area under these Regulations so that the variation applies in respect of that area or any portion of that area;

Pursuant to section 1 of the Règlement sur l'application du Règlement de pêche du Québec (1990) par la Société de la faune et des parcs du Québec, adopted by resolution n° 01-35 of March 28, 2001 of the board of directors of the Société, the Director of Wildlife Territories and Regulations of the Société may, pursuant to section 4 of the Québec Fishery Regulations, 1990, vary close times, fishing quotas or limits on the size or weight of fish applicable to sport fishing that are fixed in respect of an area under these Regulations so that the variation applies in respect of that area or any portion of that area;

Consequently, I render the following decision varying close times and fishing quotas which comes into force on the day of its publication in the *Gazette officielle du Québec*.

The Société de la faune et des parcs du Québec give notice of it to the persons affected or likely to be affected by publishing the brochure Sportfishing in Québec – Main regulations, and by publishing a notice in the *Gazette officielle du Québec*.

Québec, 1 April 2004

NICOLE PERREAULT,
*Director of Wildlife Territories
and Regulations*

**Decision varying the Québec Fishery
Regulations, 1990**

1. The heading of Schedule XV of Québec Fishery Regulations, 1990 is replaced by the following:

SCHEDULE XV
SPORT FISHING IN AREAS 15, 26 AND 27
EXCEPTING CHARLEVOIX SECTOR

2. Part I of Schedule XV to the said Regulations is replaced by the following:

PART I

Close Times and Fishing Quotas for Certain Species of Fish in Areas 15, 26 and 27 Waters, Excepting Waters in Charlevoix Sector and Waters in Parts II, IV and VI and, in the Case of Close Times, Waters in Parts III and V

Item	Column I Territory	Column II Species	Column III Fishing Quota	Column IV Close Time
1.	Area 15	(a) Bass	(a) 6 in all	(a) From December 1 to Thursday June 15 or the one closest to that date
		(b) Pike	(b) 6 in all	(b) From December 1 to the Thursday before the third Friday in May
		(c) Pickerel	(c) 6 in all	(c) From December 1 to the Thursday before the third Friday in May
		(d) Sturgeon	(d) 1 in all	(d) From November 1 to June 14
		(e) Muskellunge	(e) 2	(e) From December 1 to Thursday June 15 or the one closest to that date
		(f) Char	(f) 15 in all	(f) From the second Monday in September to the Thursday before the fourth Friday in April
		(g) Atlantic tomcod	(g) n/a	(g) From April 1 to December 25
		(h) Landlocked salmon	(h) 3	(h) From the second Monday in September to the Thursday before the fourth Friday in April
		(i) Anadromous Atlantic salmon	(i) 1	(i) From September 1 to May 31
		(j) Lake trout	(j) 2 in all	(j) From the Tuesday following the first Monday in September to June 30
		(k) Trout	(k) 5 in all	(k) From the second Monday in September to the Thursday before the fourth Friday in April
(l) Other species	(l) n/a	(l) From December 1 to the Thursday before the fourth Friday in April		
2.	Area 26	(a) Bass	(a) 6 in all	(a) From December 1 to Thursday June 15 or the one closest to that date
		(b) Pike	(b) 6 in all	(b) From December 1 to the Thursday before the third Friday in May
		(c) Pickerel	(c) 6 in all	(c) From December 1 to the Thursday before the third Friday in May
		(d) Sturgeon	(d) 1 in all	(d) From November 1 to June 14
		(e) Muskellunge	(e) 2	(e) From December 1 to Thursday June 15 or the one closest to that date
		(f) Char	(f) 15 in all	(f) From the second Monday in September to the Thursday before the fourth Friday in April
		(g) Atlantic tomcod	(g) n/a	(g) From April 1 to December 25
		(h) Landlocked salmon	(h) 3	(h) From the second Monday in September to the Thursday before the fourth Friday in April
		(i) Anadromous Atlantic salmon	(i) 1	(i) From September 1 to May 31

Item	Column I Territory	Column II Species	Column III Fishing Quota	Column IV Close Time
		(j) Lake trout	(j) 2 in all	(j) From the Tuesday following the first Monday in September to June 30
		(k) Trout	(k) 5 in all	(k) From the second Monday in September to the Thursday before the fourth Friday in April
		(l) Other species	(l) n/a	(l) From December 1 to the Thursday before the fourth Friday in April
3.	Area 27 excepting waters in Charlevoix Sector	(a) Bass	(a) 6 in all	(a) From December 1 to Thursday June 15 or the one closest to that date
		(b) Pike	(b) 6 in all	(b) From December 1 to the Thursday before the third Friday in May
		(c) Pickerel	(c) 6 in all	(c) From December 1 to the Thursday before the third Friday in May
		(d) Sturgeon	(d) 1 in all	(d) From November 1 to June 14
		(e) Muskellunge	(e) 2	(e) From December 1 to Thursday June 15 or the one closest to that date
		(f) Char	(f) 15 in all	(f) From the second Monday in September to the Thursday before the fourth Friday in April
		(g) Atlantic tomcod	(g) n/a	(g) From April 1 to December 25
		(h) Landlocked salmon	(h) 3	(h) From the second Monday in September to the Thursday before the fourth Friday in April
		(i) Anadromous Atlantic salmon	(i) 1	(i) From September 1 to May 31
		(j) Lake trout	(j) 2 in all	(j) From the Tuesday following the first Monday in September to June 30
		(k) Trout	(k) 5 in all	(k) From the second Monday in September to the Thursday before the fourth Friday in April
		(l) Other species	(l) n/a	(l) From December 1 to the Thursday before the fourth Friday in April

3. In column III of items 1, 10, 12, 15 and 27 and in columns III and IV of item 26 of Part II of Schedule XV of the Regulations any reference to “Same as Part I, Area 15” is replaced with a reference to “Same as Part I, Area 27”.

4. In column IV of items 28.1, 29, 117.1, 118 and 169 of Part III of Schedule XV of the Regulations any reference to “Same as Part I, Area 15” is replaced with a reference to “Same as Part I, Area 26”.

5. In column III of items 1 and 2 of Part IV of Schedule XV of the Regulations any reference to “Same as Part I, Area 15” is replaced with a reference to “Same as Part I, Area 27”.

6. In column III of items 1, 6, 9, 13, 15, 16, 19, 21 to 23, 26, 29, 32, 35, 37, 38, 40, 42, 44, 45 and 48 of Part VI of Schedule XV of the Regulations any reference to “Same as Part I, Area 15” is replaced with a reference to “Same as Part I, Area 26”.

7. In columns III and IV of item 47.1 of Part VI of Schedule XV of the Regulations any reference to “Same as Part I, Area 15” is replaced with a reference to “Same as Part I, Area 27”.

8. Columns I and II of paragraph 3b of Part I of Schedule XVI of the Regulations are varied as follows:

Item	Column I Species	Column II Fishing Quota
3.	(b) Nelson lake (48°59'07"N., 74°27'17"W.) and Ventadour lake (49°01'21"N, 74°23'56"W.)	(b) 8 in all

9. The heading of Schedule XVIII of the Regulations is replaced by the following:

SCHEDULE XVIII
SPORT FISHING IN AREAS 18 AND 28 AND
CHARLEVOIX SECTOR IN AREA 27

10. Part I of Schedule XVIII of the Regulations is replaced by the following:

PART I

Close Times and Fishing Quotas for Certain Species of Fish in Areas 18 and 28 and Charlevoix Sector Waters, Excepting Waters in Parts II, IV and VI and, in the Case of Close Times, Waters in Parts III and V

Item	Column I Territory	Column II Species	Column III Fishing Quota	Column IV Close Time
1.	Area 18	(a) Pike	(a) 10 in all	(a) From December 1 to the Thursday before the fourth Friday in May
		(b) Pickerel	(b) 6 in all	(b) From December 1 to the Thursday before the fourth Friday in May
		(c) Char	(c) 20 in all	(c) From the second Monday in September to the Thursday before the fourth Friday in April
		(d) Landlocked salmon	(d) 2	(d) From the Tuesday following the first Monday in September to the Thursday before the fourth Friday in April
		(e) Anadromous Atlantic salmon	(e) 1	(e) From September 1 to May 31
		(f) Lake trout	(f) 2 in all	(f) From the second Monday in September to the Thursday before the fourth Friday in April
		(g) Trout	(g) 5 in all	(g) From the Tuesday following the first Monday in September to the Thursday before the fourth Friday in April
		(h) Other species	(h) n/a	(h) From December 1 to the Thursday before the fourth Friday in April

Item	Column I Territory	Column II Species	Column III Fishing Quota	Column IV Close Time
2.	Area 28	(a) Pike	(a) 10 in all	(a) From December 1 to the Thursday before the fourth Friday in May
		(b) Pickerel	(b) 6 in all	(b) From December 1 to the Thursday before the fourth Friday in May
		(c) Char	(c) 20 in all	(c) From the second Monday in September to the Thursday before the fourth Friday in April
		(d) Landlocked salmon	(d) 2	(d) From the Tuesday following the first Monday in September to the Thursday before the fourth Friday in April
		(e) Anadromous Atlantic salmon	(e) 1	(e) From September 1 to May 31
		(f) Lake trout	(f) 2 in all	(f) From the second Monday in September to the Thursday before the fourth Friday in April
		(g) Trout	(g) 5 in all	(g) From the Tuesday following the first Monday in September to the Thursday before the fourth Friday in April
		(h) Other species	(h) n/a	(h) From December 1 to the Thursday before the fourth Friday in April
3.	Charlevoix Sector	(a) Bass	(a) 6 in all	(a) From December 1 to Thursday June 15 or the one closest to that date
		(b) Pike	(b) 6 in all	(b) From December 1 to the Thursday before the third Friday in May
		(c) Pickerel	(c) 6 in all	(c) From December 1 to the Thursday before the third Friday in May
		(d) Sturgeon	(d) 1 in all	(d) From November 1 to June 14
		(e) Muskellunge	(e) 2	(e) From December 1 to Thursday June 15 or the one closest to that date
		(f) Char	(f) 15 in all	(f) From the second Monday in September to the Thursday before the fourth Friday in April
		(g) Atlantic tomcod	(g) n/a	(g) From April 1 to December 25
		(h) Landlocked salmon	(h) 3	(h) From the second Monday in September to the Thursday before the fourth Friday in April
		(i) Anadromous Atlantic salmon	(i) 1	(i) From September 1 to May 31
		(j) Lake trout	(j) 2 in all	(j) From the Tuesday following the first Monday in September to June 30
		(k) Trout	(k) 5 in all	(k) From the second Monday in September to the Thursday before the fourth Friday in April
		(l) Other species	(l) n/a	(l) From December 1 to the Thursday before the fourth Friday in April

11. In column III of items 1, 4, 9 to 11, 13, 14 and 17 to 19 of Part II of Schedule XVIII of the Regulations any reference to “Same as Part I, Area 18” is replaced with a reference to “Same as Part I, Area 28”.

12. In column III of items 3, 8 and 15 of Part II of Schedule XVIII of the Regulations any reference to “Same as Part I, Area 18” is replaced with a reference to “Same as Charlevoix Sector, Part I, item 3”.

13. In column IV of items 11, 23, 27, 30, 44, 45, 46, 51, 62, 63, 67, 70, 72, 92, 146, 154, 158, 160, 161, 163, 187, 188, 196, 208, 231, 234 and 240 of Part III of Schedule XVIII of the Regulations any reference to “Same as Part I, Area 18” is replaced with a reference to “Same as Part I, Area 28”.

14. Item 222.8 of Part III of Schedule XVIII of the Regulations is revoked.

15. In column III of items 9 and 14 to 17 of Part IV of Schedule XVIII of the Regulations any reference to “Same as Part I, Area 18” is replaced with a reference to “Same as Part I, Area 28”.

16. In columns III and IV of items 1 to 6 of Part VI of Schedule XVIII of the Regulations any reference to “Same as Part I, Area 18” is replaced with a reference to “Same as Part I, Area 28”.

17. The heading of Schedule XIX of the Regulations is replaced by the following :

SCHEDULE XIX
SPORT FISHING IN AREAS 19 AND 29

18. Part I of Schedule XIX of the Regulations is replaced by the following :

PART I

Close Times and Fishing Quotas for Certain Species of Fish in Areas 19 and 29 Waters, Excepting Waters in Parts II and IV and, in the Case of Close Times, Waters in Part III

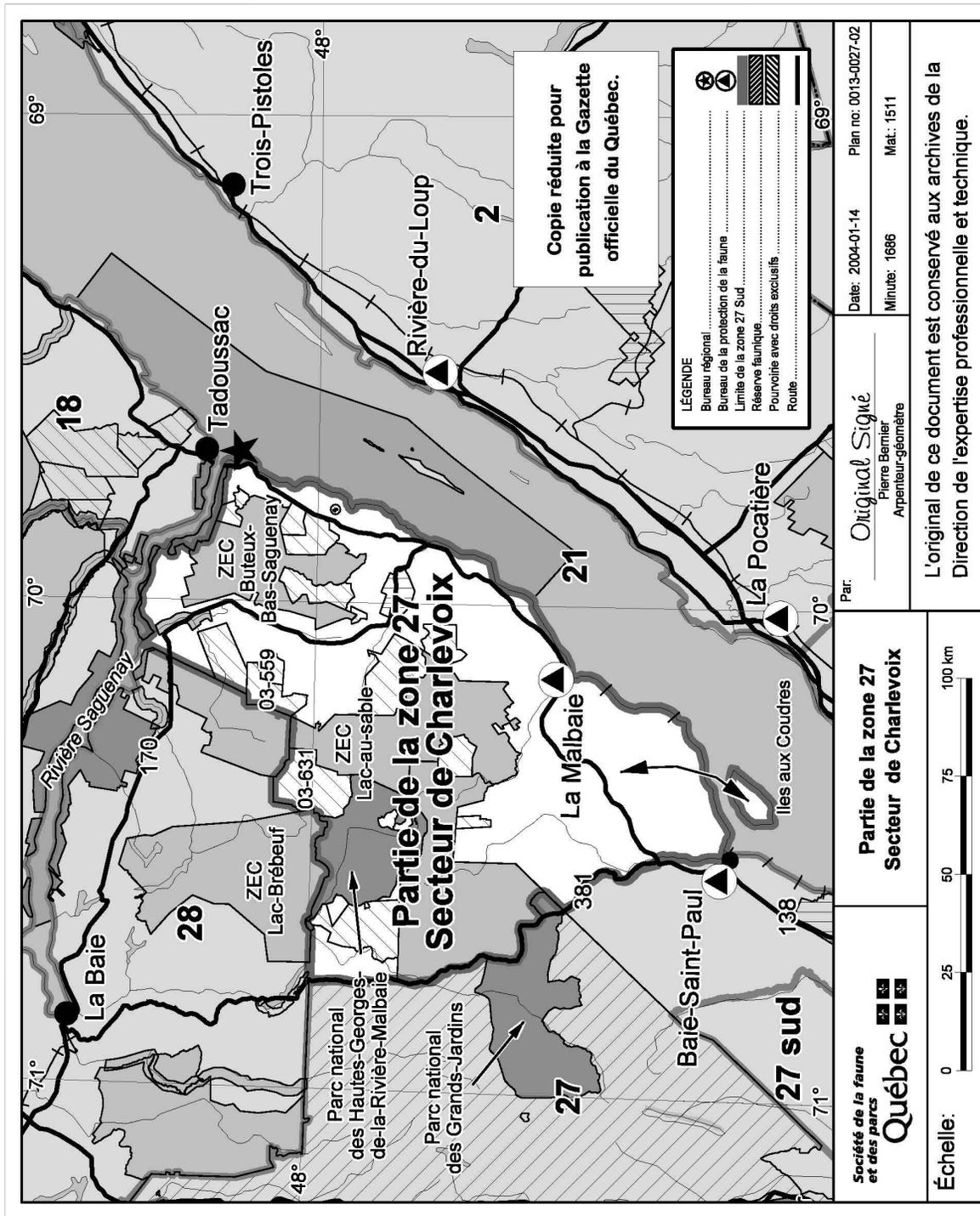
Item	Column I Territory	Column II Species	Column III Fishing Quota	Column IV Close Time
1.	Northern part of Area 19	All species	0	From April 1 to March 31
2.	Southern part of Area 19	(a) Pike	(a) 10 in all	(a) From December 1 to the Thursday before the fourth Friday in May
		(b) Pickerel	(b) 8 in all	(b) From December 1 to the Thursday before the fourth Friday in May
		(c) Char	(c) 20 in all	(c) From the second Monday in September to the Thursday before the fourth Friday in April
		(d) Landlocked salmon	(d) 6	(d) From the second Monday in September to the Thursday before the fourth Friday in April
		(e) Anadromous Atlantic salmon	(e) 1	(e) From September 1 to May 31
		(f) Lake trout	(f) 3 in all	(f) From the second Monday in September to the Thursday before the fourth Friday in April
		(g) Other species	(g) n/a	(g) From December 1 to the Thursday before the fourth Friday in April

Item	Column I Territory	Column II Species	Column III Fishing Quota	Column IV Close Time
3.	Area 29	(a) Pike	(a) 10 in all	(a) From December 1 to the Thursday before the fourth Friday in May
		(b) Pickerel	(b) 8 in all	(b) From December 1 to the Thursday before the fourth Friday in May
		(c) Char	(c) 20 in all	(c) From the second Monday in September to the Thursday before the fourth Friday in April
		(d) Landlocked salmon	(d) 6	(d) From the second Monday in September to the Thursday before the fourth Friday in April
		(e) Anadromous Atlantic salmon	(e) 1	(e) From September 1 to May 31
		(f) Lake trout	(f) 3 in all	(f) From the second Monday in September to the Thursday before the fourth Friday in April
		(g) Other species	(g) n/a	(g) From December 1 to the Thursday before the fourth Friday in April

19. Part III of Schedule XIX of the Regulations is amended by adding the following item:

Item	Column I Name and Position	Column II Territory	Column III Species	Column IV Close Time
36.3.1	All the water bodies of the Outfitter whose reference number is 02-566 excepting Perdu lake		All species	From the second Monday in September to November 30 and from April 16 to the Thursday before the fourth Friday in April

20. The part of Area 27, whose boundaries are shown on the map appended to the present decision, is designated by the name of “Charlevoix Sector”.



Draft Regulations

Draft Regulation

Court Bailiffs Act
(R.S.Q., c. H-4.1)

Tariff of fees and transportation expenses of bailiffs — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Tariff of fees and transportation expenses of bailiffs, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to amend the tariff of bailiffs in order for a direct reference to be made to Directive 7-74 of the Conseil du trésor concerning the Règles sur les frais de déplacement des personnes engagées à honoraires.

Further information may be obtained by contacting Anne Richard, Direction générale des services de justice, 1200, route de l'Église, 7^e étage, Sainte-Foy (Québec) G1V 4M1, telephone: (418) 644-7700, extension 20191; fax: (418) 644-9968.

Any interested person having comments to make on the matter is asked to send them in writing to the Minister of Justice, 1200, route de l'Église, 9^e étage, Sainte-Foy (Québec) G1V 4M1.

MARC BELLEMARE,
Minister of Justice

Regulation to amend the Tariff of fees and transportation expenses of bailiffs*

Court Bailiffs Act
(R.S.Q., c. H-4.1, s. 13)

1. Paragraph *b* of section 20 of Schedule 1 to the Tariff of fees and transportation expenses of bailiffs is replaced by the following:

“(b) transportation expenses are equal to double the amount prescribed per kilometre travelled as compensation for the use of a personal automobile under the Règles sur les frais de déplacement des personnes engagées à honoraires (CT 170100 dated 14 May 1989).”.

2. 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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* The Tariff of fees and transportation expenses of bailiffs (R.R.Q., 1981, c. H-4, r.3) was last amended by Order in Council 693-2003 dated 25 June 2003 (2003, *G.O.* 2, 2149). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, updated to 1 September 2003.

Parliamentary Committees

Committee on transportation and the environment

General consultation

Bill 44, An Act to amend the Act respecting the Ministère de l'Environnement, the Environment Quality Act and other legislative provisions

The Committee on transportation and the environment has been instructed to hold public hearings beginning on 14 September 2004 in pursuance of a general consultation on Bill 44, An Act to amend the Act respecting the Ministère de l'Environnement, the Environment Quality Act and other legislative provisions.

Individuals and organizations who wish to express their views on this matter must submit a brief to the above Committee. The Committee will select the individuals and organizations it wishes to hear from among those who have submitted a brief.

Briefs must be received by the Committees secretariat not later than 24 August 2004. Every brief must be accompanied by a concise summary of its contents, and both documents must be submitted in 25 copies printed on letter-size paper. Those who wish to have their brief forwarded to the press gallery must provide an additional 20 copies. You may also add an electronic version of your brief by e-mailing it to the Clerk of the Committee. However, this does not exempt you from producing a written version.

Briefs, correspondence, and requests for information should be addressed to: Mr. François Arsenault, lawyer, Clerk of the Committee on transportation and the environment, Édifice Pamphile-LeMay, 1035, rue des Parlementaires, 3^e étage, Québec (Québec) G1A 1A3.

Telephone: (418) 643-2722; facsimile: (418) 643-0248
E-mail: cte@assnat.qc.ca

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Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

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