

## Regulations and Other Acts

Gouvernement du Québec

### O.C. 358-97, 19 March 1997

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), amended by section 75 of Chapter 40 of the Statutes of 1994, the General Council of the Barreau du Québec must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, his clients and his profession, and containing, *inter alia*, provisions determining which acts are derogatory to the dignity of the profession;

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

WHEREAS that Regulation was amended by the Regulations approved by Orders in Council 1380-91 dated 9 October 1991, 535-93 dated 7 April 1993 and 1690-93 dated 1 December 1993;

WHEREAS under the above-mentioned section, the General Council made the Regulation to amend the Code of ethics of advocates;

WHEREAS under section 95.3 of the Professional Code, amended by section 84 of Chapter 40 of the Statutes of 1994, the executive director of the Bar has sent a draft of it to every member of the Bar at least 30 days before its adoption by the General Council;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 27 December 1995 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following the date of that publication;

WHEREAS in accordance with section 95 of the Professional Code, amended by section 83 of Chapter 40 of

the Statutes of 1994, the Office des professions du Québec has made its recommendations;

WHEREAS it is expedient to approve that Regulation with amendments;

IT IS ORDERED, therefore, upon 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, attached to this Order in Council, be approved.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Code of ethics of advocates

Professional Code  
(R.S.Q., c. C-26, s. 87; 1994, c. 40, s. 75)

**1.** The Code of ethics of advocates (R.R.Q., 1981, c. B-1, r. 1), amended by the Regulations approved by Orders in Council 1380-91 dated 9 October 1991, 535-93 dated 7 April 1993 and 1690-93 dated 1 December 1993, is further amended by substituting the following for section 2.06:

“**2.06.** The advocate must serve justice and support the authority of the courts. The advocate may not act in a manner which is detrimental to the administration of justice.”.

**2.** The Code is amended by substituting the following for section 2.09:

“**2.09.** In accordance to section 2.06, the advocate may not in particular make a public statement which is liable to prejudice a case pending before a court.”.

**3.** The Code is amended by adding the following paragraphs after paragraph *x* of section 4.02.01:

“y) sexually harassing any person in the course of the practice of his profession;

z) intimidating, taking reprisals or threatening to take reprisals against any person who:

i. has reported derogatory behaviour or conduct or intends to do so;

ii. has taken part or cooperated in an inquiry into derogatory behaviour or conduct or intends to do so.».

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

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Gouvernement du Québec

**O.C. 359-97, 19 March 1997**

An Act respecting the civil aspects of international and interprovincial child abduction (R.S.Q., c. A-23.01)

Application of the Act respecting the civil aspects of international and interprovincial child abduction to Venezuela

WHEREAS under section 41 of the Act respecting the civil aspects of international and interprovincial child abduction (R.S.Q., c. A-23.01), the Government, upon the recommendation of the Minister of Justice and, as the case may be, of the Minister responsible for Canadian Intergovernmental Affairs or the Minister of International Affairs, shall designate by order published in the *Gazette officielle du Québec* any State, province or territory in which it considers that Québec residents may benefit from measures similar to those set out in that Act;

WHEREAS under that same section, the order shall indicate the date of the taking of effect of the Act for each State, province or territory designated in it;

WHEREAS Venezuela has signed and ratified the Convention on the Civil Aspects of International Child Abduction on 16 October 1996 and that Convention came into force for that State on 1 January 1997;

WHEREAS the Government considers that Québec residents may benefit, in that State and from that date, from measures similar to those set out in the Act respecting the civil aspects of international and interprovincial child abduction;

IT IS ORDERED, therefore, upon the recommendation of the Minister of Justice and of the Minister of International Affairs:

THAT Venezuela be designated as a State in which the Act respecting the civil aspects of international and interprovincial child abduction applies and that the Act take effect, in respect of that State, on 1 January 1997.

MICHEL CARPENTIER,  
*Clerk of the Conseil exécutif*

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Gouvernement du Québec

**O.C. 374-97, 19 March 1997**

An Act respecting occupational health and safety (R.S.Q., c. S-2.1)

**Regulatory provisions respecting occupational health and safety**  
— **Amendments**

Regulation to amend various regulatory provisions respecting occupational health and safety

WHEREAS under subparagraphs 1, 2, 7 to 14, 19, 41 and 42 of the first paragraph of section 223 of the Act respecting occupational health and safety (R.S.Q., c. S-2.1), the Commission de la santé et de la sécurité du travail may make regulations on the matters mentioned therein;

WHEREAS under the second paragraph of 223 of that Act, the content of the regulations may vary according to the categories of persons, workers, employers, workplaces, establishments or construction sites to which they apply;

WHEREAS under the third paragraph of section 223 of that Act, a regulation may refer to an approval, certification or homologation of the Bureau de normalisation du Québec or of another standardizing body;

WHEREAS in accordance with section 224 of that Act and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft regulation entitled "Regulation to amend various regulatory provisions respecting occupational health and safety" was published in Part 2 of the *Gazette officielle du Québec* of 18 September 1996, with a notice that at the expiry of 60 days following that notice, it would be adopted by the Commission with or without amendment and submitted to the Government for approval;

WHEREAS the Commission adopted, with amendments, the Regulation to amend various regulatory provisions respecting occupational health and safety, at its meeting of 19 December 1996;