

Draft Regulations

Draft Regulation

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

Barreau du Québec — Code of ethics of advocates — Amendments

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), notice is hereby given that the “Regulation amending the Code of Ethics of Advocates”, which Regulation was adopted by the General Council of the Barreau du Québec, will be submitted to the Government which may approve it, with or without any amendments, upon the expiry of 45 days from this publication.

In the opinion of the Barreau du Québec, this Regulation is intended to clarify the advocate duty to inform his client of the judicial fees he may collect upon the performance of a mandate.

This regulation seeks in fact to follow principles established by the council of arbitration of accounts of advocates and provides that the advocate should conclude an agreement setting forth the manner in which judicial fees will be taken into account in the determination of the cost of the services.

Additional information may be obtained by contacting M^e Annie Chapados, advocate with the Service de recherche et de législation of the Barreau du Québec, at the Maison du Barreau, 445, boulevard Saint-Laurent, Montréal (Québec) H2Y 3T8, telephone number: (514) 954-3469; telecopier number: (514) 954-3463; Email: achapados@barreau.qc.ca.

All persons wishing to provide comments are requested to send such comments, prior to the expiry of the 45-day deadline, to the Chairman of the Office des professions du Québec, 800, place D’Youville, 10^e étage, Québec (Québec) G1R 5Z3. These comments will be forwarded by the Office to the minister responsible for the administration of legislation respecting the professions; they may also be forwarded to the professional order which adopted the regulation as well as to interested persons, departments or agencies.

JEAN-K. SAMSON,
*Chairman of the Office des
professions du Québec*

Regulation amending the Code of ethics of advocates*

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

1. The Code of Ethics of Advocates is amended by deleting the words “and extrajudicial” in paragraph *h* of section 3.08.02.

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

“**3.08.04** The advocate must inform his client of the approximate and foreseeable cost of his services; moreover, if applicable, he must inform his client of the judicial fees he may collect upon the performance of a mandate and conclude an agreement setting forth the manner in which such fees will be taken into account in determining the cost of his services.”

3. Section 3.08.08 of the Code is amended by deleting the second paragraph thereof.

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

2980

* The Code of Ethics of Advocates (R.R.Q., 1981, c. B-1, r. 1) was last amended by the Regulation made by Order in Council 358-97 dated 19 March 1997 (1997, *G.O.* 2, 1419). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 1999, updated to 1 March 1999.