

## Draft Regulations

### Draft Regulation

An Act respecting administrative justice  
(R.S.Q., c. J-3)

#### Administrative Tribunal of Québec — Code of ethics applicable to members

Notice is hereby given, in accordance with section 10 and 11 of the Regulation Act (R.S.Q., c. R-18.1), that the Code of ethics applicable to the members of the Administrative Tribunal of Québec adopted by the Conseil de la justice administrative after consultation with the president, vice-presidents and members of the Administrative Tribunal of Québec, the text of which appears below, may be approved by the Government upon the expiry of 45 days following this publication.

The proposed code of ethics specifies the rules of conduct and the duties of the members of the Administrative Tribunal of Québec towards the public, the parties, their witnesses and the persons who represent them. It determines activities and situation that are incompatible with their office and the duties they may perform gratuitously.

Further information may be obtained by contacting Ms. Michèle Juteau at the Conseil de la justice administrative, 575, rue Saint-Amable, RC-01, Québec (Québec) G1R 2G4; tel.: (418) 644-6279 or 1 888 848-2581.

Any person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the chairman of the Conseil de la justice administrative, 575, rue Saint-Amable, RC-01, Québec (Québec) G1R 2G4.

LAURENT MCCUTCHEON,  
*Chairman of the Conseil de la justice administrative*

### Code of ethics applicable to the members of the Administrative Tribunal of Québec

An Act respecting administrative justice  
(R.S.Q., c. J-3, ss. 180 and 181)

#### DIVISION 1 PRELIMINARY

1. The purpose of this Code is to set out the rules of conduct and the duties of the members of the Administrative Tribunal of Québec with a view to sustain the public trust in the impartial and independent execution of their functions.
2. The members shall administer justice within the framework of the law.

#### DIVISION 2 RULES OF CONDUCT AND DUTIES

3. The member shall perform his office with honour, dignity and integrity; he shall avoid any conduct likely to bring it discredit.
4. The member shall perform his functions in full independence, without any interference.
5. The member shall be, and be seen to be, impartial and objective.
6. The member shall act in a considerate, respectful and courteous manner towards persons appearing before him, while exercising the authority required for the good conduct of the hearing.
7. The member shall perform his duties using appropriate behaviour towards all without discrimination.
8. The member shall act with reservedness in public.
9. The member shall uphold the integrity of his office and shall defend the independence thereof in the best interest of justice.

10. The member shall take the measures required to maintain his professional competence.

11. The member shall respect the secrecy of deliberation.

12. The member is bound to confidentiality regarding any matter brought to his knowledge in the performance of his functions; he shall avoid disclosing any confidential information.

### **DIVISION 3** INCOMPATIBLE SITUATIONS AND ACTIVITIES

13. The member shall refrain from engaging in any activity or placing himself in any situation which could affect the dignity of his office or discredit the Tribunal.

14. The member shall refrain from engaging in any activity or placing himself in any situation which could compromise the effective performance of his functions or could be a recurrent reason for recusation.

15. The member shall refrain from becoming involved in any cause or participating in any lobby whose objectives or activities are related to matters which come within the jurisdiction of the Tribunal.

16. The member shall not collect any donations, except in the case of restricted activities of a community, school, religious or family nature and shall refrain from associating his status to fund-raising activities.

17. The member shall not engage in any activity or political party participation at the federal, provincial, municipal or school level.

18. The part-time member may not act on behalf of a party before the Tribunal or before a body whose decisions may be contested before the Tribunal.

### **DIVISION 4** DUTIES PERFORMED GRATUITOUSLY

19. The full-time member may gratuitously perform duties coming within his professional competence insofar as they do not compromise his impartiality or the ability to usefully carry out his functions.

### **DIVISION 5** COMING INTO FORCE

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

## **Draft Regulation**

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

### **Building Materials** — Amendments

Notice is hereby given that the Minister of State for Labour and Employment and Minister of Labour has received an application to amend the Decree respecting the building materials industry (R.R.Q., 1981, c. D-2, r. 34) from the contracting parties governed by the decree and that, in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2) and sections 10 and 12 of the Regulations Act (R.S.Q., c. R-18.1), the Decree to amend the Decree respecting the building materials industry, a copy of which is attached hereto, may be made by the Government at the expiry of the 30 days following this publication.

In accordance with section 12 of the Regulations Act, this draft regulation may be made in less than 45 days as provided for in section 11 of that Act due to the urgency of the following situation:

– the amendment decree attached to this draft regulation must come into force not later than 30 April 2001, expiry date of Part II of the Decree respecting the building materials industry; as that date may not be met if the period for publication provided for in section 11 of the Regulations Act is applied.

The purpose of this draft regulation is to update certain working conditions that have remained unchanged since 22 December 1999.

To that end, it proposes to change the list of the names of the contracting parties due to the expiry of Part I of the decree on 23 December 2000. The draft regulation also proposes to increase wages in Part II of the Decree by 3.5% on the coming into force of the decree, by 2.5% on 1 May 2001 and by 2% on 1 May 2002 and 2003. It also proposes to grant a third day of absence to the employee who has more than one year of continuous service, without a reduction in wages, by reason of the death or funeral of his spouse, his child, or the child of his spouse or his father or mother. Finally, the draft regulation proposes to extend the term of the Decree until 30 April 2004, by an automatic renewal clause.

This draft regulation is currently the object of a study and the consultation period will serve to clarify the impact of the amendments being sought. According to the 2000 annual report of the Comité conjoint des matériaux de construction, this part of the decree governs 11 employers and 89 employees.