

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

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

a. every director or officer of the Firm, if the Firm is a joint-stock company;

b. every partner of the Firm who is a member of the Barreau du Québec or a professional order governed by the Professional Code or who is a person listed in Schedule A, if the Firm is a limited liability partnership; and

c. every shareholder having the right to vote in the Firm, if the Firm is a joint-stock company;

(8) it shall provide the following documents:

(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 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 shares of the Firm are held (1) by members of Barreau du Québec, by persons governed by the Professional Code or by persons listed in Schedule A; (2) by legal persons, trusts or any other firm whose voting rights or units are held entirely by one or more of the persons referred to in clause (1) of this paragraph; or (3) at the same time by persons referred to in clauses (1) and (2) of this paragraph;

(9) it shall pay the fees fixed by resolution of the General Council.

The Firm agrees that upon a breach of the undertakings so given in favour of the Bar, the Bar may, in addition to common law remedies, take appropriate remedial measures to ensure the protection of the public, as the circumstances require, including, without limitation, suspending or terminating the effect of this notice with respect to any advocate mentioned in section 1 and publishing an announcement warning the public as regards services which are rendered within the Firm and constitute the practice of the profession of advocate.

6. In accordance with section 8 of the Regulation, the Firm mandates the following person(s) to act as its representative:

M^e _____

Member no.: _____

The Firm mandates the following person to act as the replacement of the representative:

Me _____

Member no.: _____

The Firm is giving these undertakings 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 business operated by the Firm. It recognizes the legal capacity of the Barreau du Québec to enter into a contract with it as evidenced in this duly given and accepted notice and it renounces the right to contest the validity of any provision of this contract before the courts.

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

Name of the Firm

Per: (name and title
of the representative)

Witness

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Draft Regulation

Professional Code
(R.S.Q., c. C-26; 2001, c. 78)

Bailiffs

— Code of ethics

— 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 Code of ethics of bailiffs, made by the Bureau of the Chambre des huissiers de justice du Québec, may be submitted to the Government for approval, with or without amendment, upon the expiry of 45 days following this publication.

The purpose of the Regulation is to amend the Code of ethics of bailiffs to introduce provisions stating the terms and conditions according to which a professional may communicate information that is protected by professional secrecy so as to prevent an act of violence.

These provisions are required by the Act to amend various legislative provisions as regards the disclosure of confidential information to protect individuals (2001, c. 78). That Act permits the lifting of professional secrecy to prevent an act of violence, including a suicide, where the professional has grounds to believe that there is an imminent danger of death or serious bodily injury to a person or an identifiable group of persons. However, the communication must be limited to such information as is necessary to achieve the purposes for which the information is communicated, and the information may only be communicated to a person exposed to the danger, to that person's representative, or to the persons who can come to that person's aid.

The Order expects the proposed amendments to have no impact on businesses, including small and medium-sized businesses.

Further information may be obtained by contacting Ronald Dubé, Secretary and Director General of the Chambre des huissiers de justice du Québec, 1100, boulevard Crémazie Est, bureau 215, Montréal (Québec) H2P 2X2; telephone: (514) 721-1100; fax: (514) 721-7878.

Any person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. Comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be communicated to the professional order that made the Regulation, as well as to the interested persons, departments and bodies.

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

Regulation to amend the Code of ethics of bailiffs*

Professional Code
(R.S.Q., c. C-26, s. 87; 2001, c. 78, s. 6)

1. The Code of ethics of bailiffs is amended by inserting the following section after section 23:

“**23.1.** A bailiff who, pursuant to the third paragraph of section 60.4 of the Professional Code, communicates information that is protected by professional secrecy to prevent an act of violence must

(1) communicate immediately the information that becomes known to the bailiff to the person exposed to the danger or that person's representative, or to the persons who can come to that person's aid;

(2) record the particulars regarding the communication of the information protected by professional secrecy in a file created for that purpose, notably:

(a) the date, time and mode of communication of the information;

(b) the reasons supporting the decision to communicate the information, including the name of the person who caused the bailiff to communicate the information; and

(c) the nature of the communication, including the name of the person or persons to whom the information was given; and

(3) send the syndic, as soon as possible, a notice regarding the communication that includes the particulars identified in paragraph 2.”.

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 Code of ethics of bailiffs, approved by Order in Council 550-2002 dated 7 May 2002 (2002, G.O. 2, 2504), has not been amended since its approval.