

Draft Regulations

Draft Regulation

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

Development of wildlife — Scale of fees and duties — 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 Regulation respecting the scale of fees and duties related to the development of wildlife, attached hereto, may be made by the Government upon the expiry of 45 days following this publication.

The draft Regulation proposes an amendment to ensure consistency with the Regulation to amend the Regulation respecting wildlife sanctuaries which established two fishing sectors in the Rivière-Sainte-Anne Wildlife Sanctuary.

Any interested 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 Minister for Forests, Wildlife and Parks, 5700, 4^e Avenue Ouest, bureau A-308, Charlesbourg (Québec) G1H 6R1.

SAM HAMAD, <i>Minister of Natural Resources, Wildlife and Parks</i>	PIERRE CORBEIL, <i>Minister for Forests, Wildlife and Parks</i>
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Regulation to amend the Regulation respecting the scale of fees and duties related to the development of wildlife*

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 121, par. 1)

1. Schedule V to the Regulation respecting the scale of fees and duties related to the development of wildlife is amended by inserting the following in Column II of section 8 above “resident”:

* The Regulation respecting the scale of fees and duties related to the development of wildlife, made by Order in Council 1291-91 dated 18 September 1991 (1991, *G.O.* 2, 3908) was last amended by the regulation made by Order in Council 1239-2002 dated 16 October 2002 (2002, *G.O.* 2, 5639). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 March 2003.

“Sector 2

The territory shown on the plan under the heading “Sector 2” in Schedule VII.1 to the Regulation respecting wildlife sanctuaries.”.

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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Draft Regulation

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

Chartered accountants — Code of Ethics — Amendments

Notice is hereby given in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Bureau of the Ordre des comptables agréés du Québec has adopted the Regulation to amend the Code of Ethics of Chartered Accountants.

This Regulation, the text of which appears below, will be examined by the Office des professions du Québec pursuant to section 95 of the Professional Code. It will then be submitted, with the recommendation of the Office, to the government which may approve it with or without amendment upon the expiry of 45 days following this publication.

The purpose of this Regulation is to amend the Code of Ethics of Chartered Accountants to include provisions setting out the terms and conditions under which a professional may release information that is protected by professional secrecy in order to prevent an act of violence.

These provisions are required to satisfy the requirements of the Act to amend various legislative provisions as regards the disclosure of confidential information to protect individuals (2001, c. 78). This Act effectively lifts the obligation of professional secrecy in order to prevent an act of violence, including a suicide, where the professional has reason 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 the person or persons who are exposed to the danger, to their representative or to persons who can come to their aid.

Amendments were also made to address a number of recommendations from the report of the Commission des droits de la personne et des droits de la jeunesse on the exploitation of the elderly to include an express provision precluding reprisals against a person who requested the holding of an inquiry into the professional conduct or competence of a member.

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 M^c Christiane Brizard, lawyer, Director of Legal Affairs, Ordre des comptables agréés du Québec, 680, rue Sherbrooke Ouest, 18^e étage, Montréal (Québec) H3A 2S3.

Any interested person having comments to make on this Regulation is requested to send them, before the expiry of the 45-day period mentioned above, 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 that has adopted the Regulation, i.e. the Ordre des comptables agréés du Québec, as well as to the interested persons, departments and bodies.

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

Regulation to amend the Code of Ethics of Chartered Accountants*

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

1. The Code of Ethics of Chartered Accountants is amended by adding the following sentence at the end of section 48: “In addition, the member is released from his obligation of professional secrecy in the case and in accordance with the terms and conditions set out in section 48.1.”.

2. The said Code is amended by adding the following after section 48:

“**48.1** A member who, pursuant to the third paragraph of section 60.4 of the Professional Code, communicates information protected by professional secrecy in order to prevent an act of violence shall:

(1) communicate the information without delay;

(2) use a method of communication that ensures the confidentiality of the information under the circumstances;

(3) record the following information in the client's file as soon as possible:

(a) the purpose of the communication;

(b) the date on which the information was released;

(c) the method of communication used;

(d) the name of the person or persons to whom the information was communicated;

(e) the reasons for deciding to communicate the information to such person or persons.”.

3. The said Code is amended by adding the following after section 60:

“**60.1** A member who is informed that an inquiry is being held or who has been served notice of a complaint into his professional conduct or competence shall not directly or indirectly harass, intimidate or threaten the person who requested the holding of the inquiry, or any other person involved in the events relating to the inquiry or complaint.”.

* The Code of Ethics of Chartered Accountants, approved by Order of Council 58-2003 dated 22 January 2003 (2003, G.O. 2, 968), has not been amended since its approval.

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

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Draft Regulation

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

Notaries

— Diplomas giving access to permits — 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 Regulation respecting the diplomas issued by designated teaching establishments which give access to permits or specialist's certificates of professional orders, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to amend section 1.18 to update the list of diplomas that give access to the permit issued by the Chambre des notaires du Québec.

The first amendment proposed concerns the Baccalauréat en droit awarded by the Université du Québec à Montréal that the Chambre des notaires proposes to add to the list of diplomas giving access to the permit of the Order as a consequence of changes made to the program since the fall of 2001.

Another proposed amendment is further to the consultation held pursuant to subparagraph 7 of the third paragraph of section 12 of the Professional Code (R.S.Q., c. C-26). That consultation has shown that the persons who meet the requirements of the program leading to the Diplôme de droit notarial from the Université de Montréal are able, on certain conditions, pursue their studies at the level of the Maîtrise en droit (option notariat) at the Université de Montréal. Those persons will not obtain the diploma in notarial law, even though they meet the requirements, but will be awarded the above-mentioned master's degree. Accordingly, the Maîtrise en droit (option notariat) from the Université de Montréal is to be designated as a diploma giving access to the permit issued by the Chambre des notaires.

The draft Regulation also proposes to change the structure of section 1.18 to distinguish between establishments that offer the Diplôme de droit notarial and those that do not.

As regards other technical amendments, the licences awarded by the universities of Sherbrooke and Montréal are to be designated as "baccalauréats", and the Licence en droit of the University of Ottawa is to be a Licence en droit civil.

According to the Order, the amendments will have no impact on businesses, including small and medium-sized businesses.

The draft Regulation will be submitted for an opinion to the Office des professions du Québec and the Order. The opinion received from the Order will be sent to the Minister responsible for the administration of legislation respecting the professions by the Office, along with its own opinion, following the results of its consultation with the teaching establishment and other bodies concerned.

Further information may be obtained by contacting Nathalie Provost, Direction des services juridiques, Chambre des notaires du Québec, Tour de la Bourse, 800, Place-Victoria, bureau 700, case postale 162, Montréal (Québec) H4Z 1L8; telephone: (514) 879-1793 or 1 800 263-1793; fax: (514) 879-1923.

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 sent to the professional order concerned and to interested persons, departments and bodies.

MARC BELLEMARE,
*Minister responsible for the administration
of legislation respecting the professions*
