

Draft Regulation

An Act respecting financial assistance for education expenses
(R.S.Q., c. A-13.3; 2002, c. 13)

Education expenses — Financial assistance

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 financial assistance for education expenses, the text of which appears below, may be made by the Government on the expiry of 45 days following this publication.

The purpose of the draft Regulation is to allow for amounts received as bursaries under programs to promote the establishment of persons in the regions to no longer be taken into account in computing financial assistance for education expenses. Its purpose is also to increase the maximum amount of gross monthly income a person may receive to be considered as a borrower in a precarious financial situation.

Further information may be obtained by contacting Louis Tremblay, Aide financière aux études, 1035, rue De La Chevrotière, 20^e étage, Québec (Québec) G1R 5A5; telephone: (418) 646-9291.

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 of Education, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

Québec, 11 July 2003

PIERRE REID,
Minister of Education

Regulation to amend the Regulation respecting financial assistance for education expenses*

An Act respecting financial assistance for education expenses
(R.S.Q., c. A-13.3, s. 57; 2002, c. 13, s. 8)

1. Section 7 of the Regulation respecting financial assistance for education expenses is amended by adding “or amounts granted by a department or body of the Government of Québec under a program to promote the establishment of persons in the regions and providing for the obligation to repay such amounts in case of the failure to comply with an undertaking” at the end of paragraph 2.

2. Section 69 is amended by replacing “\$1 125” in the first paragraph by “\$1 175”.

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

5898

Draft Regulation

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

Advocates — 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 Regulation to amend the Code of ethics of advocates, the wording whereof was adopted by the General Council of the Barreau du Québec and which is reproduced hereinbelow, will be examined by the Office des professions in accordance with section 95 of the Professional Code (R.S.Q., c. C-26). Thereafter, it will be submitted, with the recommendation of the Office, to the Government, which may approve it with or without amendment, upon the expiry of a period of 45 days following the present publication.

* The Regulation respecting financial assistance for education expenses, made by Order in Council 844-90 dated 20 June 1990 (1990, *G.O.* 2, 1685), was last amended by the regulation made by Order in Council 870-2002 dated 23 July 2002 (2002, *G.O.* 2, 4295). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 March 2003.

According to the Barreau du Québec, the primary purpose of the Regulation is to harmonize the Code of ethics with the new situations related to the practice by advocates of their profession within joint-stock companies or limited liability partnerships and in multidisciplinary. To this end, it expands the scope of an advocate's duties as regards liability, professional secrecy and conflicts of interest. It also adapts the provisions of the Code relating to the use of the Bar's graphic symbol and to the firm name of law firms to the new structures available for the practise of the profession. And it further sets out a new rule regarding partnership or company names.

According to the Barreau du Québec, the Regulation seeks to clarify or update certain rules prescribed by the Code in order to facilitate the application thereof and provide better protection for the public. For instance, amendments are brought to provisions:

1. Relating to the duties and obligations of advocates towards their clients, in particular in order to clarify an advocate's duty to notify his client of any fact of which he is aware which, in the advocate's opinion, is a breach of law likely to give rise to serious consequences for the client;

2. Stipulating the conditions under which an advocate may terminate his relationship with a client;

3. Dealing with situations of incompatibility between the practise of the profession of advocate and the practise of another profession or the operation of an enterprise.

The Regulation takes the provisions of the Civil Code of Québec into account.

The Regulation does not have any effect on enterprises.

Additional information may be obtained by contacting M^e Dominique Launay, lawyer, Service de recherche et de législation, Barreau du Québec, 445, boulevard Saint-Laurent, Montreal (Québec) H2Y 3T8, telephone: (514) 954-3400, extension 3145, or 1 800 361-8495, e-mail: dlaunay@barreau.qc.ca

All interested 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 having adopted the Regulation as well as to interested persons, departments or bodies.

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

Regulation to amend the Code of ethics of advocates*

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

1. The title of Division I of the Code of ethics of advocates is replaced by the following: "GENERAL PROVISIONS".

2. The Code is amended by inserting the following sections after the title of Division I:

"**1.00.01.** This Code prescribes the rules of professional conduct which govern the conduct of an advocate when he engages in his professional activities.

These rules apply to an advocate who offers his services to the public and who practises alone or within a partnership or company constituted to engage in professional activities in accordance with the Regulation respecting the practice of the profession of advocate within a partnership or company and in multidisciplinary, approved by Order in Council (*indicate the number and date of the order in council*). They also apply to an advocate who engages in his professional activities exclusively for one client within the scope of an employment contract.

1.00.02. In this Code, unless the context indicates otherwise, the following terms mean:

"partnership or company": a general partnership, a limited liability partnership or a joint-stock company; and

* The most recent amendments to the Code of ethics of advocates (R.R.Q., 1981, c. B-1, r.1) were made by the regulation approved by Order in Council 358-97 dated 19 March 1997 (1997, G.O. 2, 1419). For prior amendments, see *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, up to date until 1 March 2003.

“organization”: an institution or a legal person established in the public interest as well as a legal person established for a private interest other than a joint-stock company or any other form of association of persons.

1.00.03. An advocate who engages in his professional activities within a partnership or company in accordance with the Regulation respecting the practice of the profession of advocate within a partnership or company and in multidisciplinary shall take reasonable measures to ensure compliance with the rules set forth in this Code by the partnership or company and, if applicable, by any person, other than an advocate, who works within the said partnership or company, performs the duties of a director therein or holds an interest therein.”

3. The Code is amended by replacing the title of Division II with the following: “GENERAL DUTIES AND OBLIGATIONS”.

4. The Code is amended by inserting the following section after the title of Division II:

“**2.00.01.** In carrying out any professional duty or activity, an advocate must act with dignity, integrity, honour, respect, moderation and courtesy.”

5. Section 2.03. of the Code is repealed.

6. The Code is amended by inserting the following section after the title of Subdivision 1 of Division III:

“**3.00.01.** An advocate owes his client a duty of skill as well as the obligations of loyalty, independence, impartiality, diligence and prudence.”

7. Section 3.01.01. of the Code is amended by replacing the words “accepting a mandate” with the words “agreeing to provide a service” and by replacing the words “any mandate” with the words “to provide a service”.

8. Section 3.01.04. of the Code is replaced by the following:

“**3.01.04.** When an advocate foresees that the services for which his client is retaining him may be carried out in whole or in part in its essential aspects by another person, he must so inform his client.

If the interests of his client require it, he must, with the authorization of the client, consult a member of another professional order or another competent person or recommend to his client that he consult such person.”

9. The Code is amended by inserting the following section after the title of Subdivision 2 of Division III:

“**3.02.00.01.** The advocate must carry out his professional duties with integrity.”

10. Section 3.02.01. of the Code is amended:

1. by replacing the introductory paragraph with the following: “An advocate representing a client commits a breach of the obligation to act with integrity if he performs any of the following acts, *inter alia*:”;

2. by replacing the words “practises his profession in the same law firm” with the words “has an interest in the same partnership or company” in paragraph *k*; and

3. by adding a letter “s” to the words “withhold” and “conceal” in paragraph *a*, to the word “prevent” in paragraph *b*, to the words “lead”, “attempt” and “create” in paragraph *c*, to the word “encourage” in paragraph *d*, to the words “act”, “advise”, “help” and “induce” in paragraph *f*, to the words “pay” and “offer” in paragraph *g*, to the word “communicate” in paragraph *h*, to the words “act” and “abuse” in paragraph *i*, to the words “retain”, “steal”, “conceal”, “mutilate” and “destroy” in paragraph *j*, to the words “appear” and “plead” in paragraph *k* and to the word “refuse” in paragraph *l*, by adding the letters “es” to the word “suppress” in paragraph *e* and by replacing the word “falsify” in paragraph *j* with the word “falsifies”.

11. Section 3.02.03. of the Code is amended by adding the following at the end: “or, if applicable, the competence or efficiency of the services generally provided by the persons who engage in their activities within the same partnership or company as the one in which he does”.

12. Section 3.02.05. of the Code is amended by replacing the words “the mandate entrusted to him by the latter” with the words “performance of the services for which the latter is retaining the advocate”.

13. Section 3.02.06. of the Code is replaced by the following:

“**3.02.06.** When property is entrusted to an advocate by a client, the advocate must use it with care. He may not lend or use it for purposes other than those for which it was entrusted to him.”

14. Section 3.02.10. of the Code is amended by replacing the words “the mandate conferred upon him by the latter” with the words “a dispute for which the latter is retaining his services”.

15. Section 3.02.11. of the Code is replaced by the following:

“**3.02.11.** The advocate must avoid making or multiplying, without sufficient reason, professional acts.”.

16. The Code is amended by inserting the following sections after section 3.02.11.:

“**3.02.11.01.** If an advocate’s client is a company, partnership or organization, the advocate must, if in dealing with the individual representing the client he notices that the respective interests of the client and of this individual may differ, inform the individual of his duty of loyalty towards the client.

3.02.11.02. An advocate must notify the client of any fact noted by him in the performance of his duties which, in the advocate’s opinion, is a breach of law likely to give rise to serious consequences for the client.

An advocate shall give such notification to the client or, if the client is a client contemplated in section 3.02.11.01., to the individual who represents the client and with whom the advocate usually deals. In the latter case, if the situation is not remedied following the notification or if it seems likely that the notification will not result in the competent authorities remedying the situation, the advocate shall give notification of the fact noted by him to the appropriate superior hierarchical authority in light of the seriousness of the breach.”.

17. Section 3.03.05. of the Code is replaced by the following:

“**3.03.05.** Unless it is at an inopportune moment, an advocate may, for serious reasons, unilaterally terminate his relationship with a client, provided he does everything that is immediately necessary to prevent a loss.”.

18. Section 3.04.01. of the Code is amended by adding the following words at the end: “or the liability of the partnership or company within which he practises his profession”.

19. Section 3.05.03. of the Code is repealed.

20. Section 3.05.05. of the Code is amended by replacing paragraph *a* with the following:

“(a) a person with an interest in the partnership or company within which he engages in his professional activities, a member of this partnership or company or he himself has carried out judicial or quasi-judicial functions;”.

21. Section 3.05.07. of the Code is replaced by the following:

“**3.05.07.** When an advocate acts as judge with a municipality, that advocate or a person with an interest in the partnership or company within which he engages in his professional activities may not provide legal services to such municipality or hold employment therein.”.

22. Section 3.05.08. of the Code is replaced by the following:

“**3.05.08.** The advocate must not acquire a right of ownership on litigious property during a mandate that a client has entrusted to him or to another person within the partnership, company or organization in which he engages in his professional activities.”.

23. Section 3.05.13. of the Code is replaced by the following:

“**3.05.13.** An advocate must, before beginning or continuing to provide services, inform the client of all benefits he or the partnership or company within which he practises his profession receives in the form of fees, commissions, rebates, discounts, or otherwise, in addition to the remuneration to which he is entitled.

Similarly, he must inform the client of all benefits he or the partnership or company within which he engages in his activities gives to a person because of the fact that the client is using the advocate’s services.”.

24. Section 3.05.14. of the Code is replaced by the following:

“**3.05.14.** The advocate shall refrain from sharing his fees with any person with whom he is not authorized to practice his profession.”.

25. Section 3.05.15. of the Code is repealed.

26. Section 3.06.01. of the Code is replaced by the following:

“**3.06.01.** An advocate must comply with the obligation of confidentiality with respect to all information gathered while he engages in his professional activities. Furthermore, the advocate must take reasonable measures so that every person who cooperates with him or engages in his activities within the partnership, corporation or organization in which the advocate engages in his professional activities complies with this obligation of confidentiality.

3.06.01.01. An advocate must protect his client's right to professional secrecy.

Furthermore, the advocate must take reasonable measures so that every person who cooperates with him or engages in his activities within the partnership, corporation or organization in which the advocate engages in his professional activities complies with this obligation.

3.06.01.02. An advocate may not use, for his benefit or for the benefit of a person other than his client, confidential information obtained while he engages in his professional activities, unless the client in question consents thereto."

27. Section 3.06.02. of the Code is amended by replacing the words "accept a mandate or continue the execution thereof if it entails" with the words "agree to perform services or continue the performance thereof if they entail".

28. Sections 3.06.03. and 3.06.04. of the Code are repealed.

29. Section 3.06.05. of the Code is replaced by the following:

"**3.06.05.** An advocate shall safeguard his professional independence regardless of the circumstances in which he engages in his professional activities. In particular, he must not let his professional judgment be subject to pressure exerted on him by anyone whomsoever.

3.06.05.01. An advocate must subordinate his personal interests or the interests of the partnership or company within which he engages in his professional activities or in which he has an interest to the interests of the client."

30. Section 3.06.06. of the Code is amended by deleting the second paragraph.

31. Section 3.06.07. of the Code is amended by adding the following paragraph at the end:

"In all cases in which an advocate engages in his professional activities within a partnership or company, conflict of interest situations must be assessed with regard to all clients of the partnership or company."

32. Section 3.06.09. of the Code is replaced by the following:

"**3.06.09.** Where an advocate who engages in his professional activities within a partnership or company is in a conflict of interest, the other advocates shall, to avoid being considered in a conflict of interest themselves, take reasonable measures to ensure that confidential information or documents pertaining to the file are not revealed. In the case of a multidisciplinary firm, the advocate who is in a conflict of interest and the other advocates shall see to it that such measures apply to persons other than the advocates.

In assessing the effectiveness of these measures, the following factors may, in particular, be taken into account:

(1) the size of the partnership or company;

(2) the precautions taken to prevent access to the file by the advocate who is in fact in a conflict of interest;

(3) the instructions given as to the protection of confidential information or documents involved in the conflict of interest;

(4) the relative isolation of the advocate in a conflict of interest with respect to the person in charge of the file."

33. Section 3.06.10. of the Code is replaced by the following:

"**3.06.10.** An advocate may, even at an inopportune moment, withdraw from a file because of a conflict of interest. In such a case, he shall take the necessary conservatory measures to spare his client serious and foreseeable prejudice."

34. Section 3.07.01. of the Code is amended by replacing the words "allow his client" with the words "respect his client's right".

35. Section 3.08.02. of the Code is amended by deleting the word "his" in paragraph *a*.

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

"**3.08.04.** The advocate must, before agreeing with a client to provide professional services, be assured that the latter has all useful information regarding the nature of the services and their approximate cost, except where he may reasonably assume that the client is already informed thereof.

3.08.04.01. An advocate who engages in his professional activities in a multidisciplinary partnership or company must ensure that the fees and costs of services rendered by advocates are always indicated separately on every invoice or statement of fees that the partnership or company sends to a client, except where a lump-sum payment has been agreed upon in writing with the client. However, in the latter case, the statement or invoice must describe the legal services rendered.”.

37. Section 3.08.05. of the Code is replaced by the following :

“**3.08.05.** The advocate must provide his client with all the explanations necessary to the understanding of the invoice or statement of fees and the terms and conditions of payment, except where he has concluded a written agreement with the client to receive a lump-sum payment or where he may reasonably assume that the client is already informed thereof.”.

38. Section 3.08.07. of the Code is amended by replacing the first sentence with the following: “The only interest an advocate may collect on outstanding accounts, in addition to interest calculated at the legal rate, is interest upon which he has agreed with his client in writing.”.

39. Section 3.08.08. of the Code is repealed.

40. The title of Subdivision 1 of Division IV of the Code is replaced by the following: “Incompatible situations”.

41. The Code is amended by inserting the following sections after the title of Subdivision 1 of Division IV :

“**4.01.00.01.** An advocate who, in addition to his profession, engages in activities which do not constitute the practice of the profession of advocate, in particular in connection with a job, an office or the operation of an enterprise, shall, regardless of the circumstances, avoid creating any ambiguity as to the capacity in which he is acting.

The advocate shall ensure that those of his activities which do not constitute the practice of the profession of advocate do not compromise compliance with the rules of professional conduct prescribed by this Code.

4.01.00.02. An advocate shall not, directly or indirectly, hold an office or operate an enterprise which is incompatible with the practice of the profession of advocate.

An advocate who engages in his professional activities in a partnership or company shall, as soon as he learns that another person engaged in activities within the said partnership or company holds an office or operates an enterprise which is incompatible with the practice of the profession of advocate, diligently take reasonable measures to remedy the situation.”.

42. Section 4.01.01. of the Code is amended by replacing paragraphs *b* and *c* with the following :

“(b) the office of legal stenographer or of police officer ;

(c) the office of collection agent.”.

43. The Code is amended by inserting the following after section 4.01.01. :

“**4.01.01.01.** An activity which does not constitute the practice of the profession of advocate and is performed in connection with an office or enterprise, in a manner that does not comply with the rules prescribed in this Code, is also incompatible with the practice of the profession of advocate.

In particular, the following are incompatible, when held or carried out with respect to a client, in addition to engaging in legal activities for the same client :

(1) the office of bailiff in the same file ; and

(2) a mission to certify or apply an auditing practice.”.

44. Section 4.02.01. of the Code is amended :

(1) by replacing “and 58” by “, 58, 59.1 and 59.2” in the introductory paragraph ;

(2) by replacing paragraph *a* with the following :

“(a) introducing a judicial demand, assuming a defence, delaying a trial or taking any other such measure on his client’s behalf when he knows or when it is evident that such action is only intended to harm another person or adopting an attitude contrary to the requirements of good faith” ;

(3) by replacing paragraph *h* with the following :

“(h) not informing his client when he becomes aware of an impediment to the continuation of his services and, in the case of a dispute, also failing to inform the opposite party” ;

(4) by replacing the words “obtain mandates” with the words “induce persons to retain his services” in paragraph *m*; and

(5) by deleting paragraphs *n*, *o*, *p*, *t*, *u* and *x*.

45. The Code is amended by inserting the following after section 4.02.01.:

“**4.02.02.** It is also derogatory to the dignity of the profession of advocate for an advocate to engage in his professional activities or have an interest in a partnership or company where:

(1) acts derogatory to the honour or dignity of the profession of advocate which have been performed by a person within the said partnership or company have been brought to his attention for more than 30 days without the advocate having taken any reasonable measures to remedy the situation; or

(2) the representative of the partnership or company before the Bar within the meaning of the Regulation respecting the practice of the profession of advocate within a partnership or company and in multidisciplinary, a partner, a person holding voting shares, a director, a senior executive or an employee has been struck off a roll for more than three months or has had his permit revoked.

Clause (2) of the first paragraph shall not apply if the person who has been struck off the roll or whose permit has been revoked terminates the situation having given rise to the derogatory act in the manner and within the time limit set forth hereinafter or within such additional time limit as the General Council may determine:

(1) if the person is a representative, director, senior executive or employee of the partnership or company, he ceases to occupy this position within 10 days after the effective date of the striking off or revocation;

(2) if he holds voting shares in the partnership or company or is a partner thereof, he ceases, within the same time limit, to directly or indirectly exercise his rights as a shareholder or partner and divests himself of the shares or partnership units within 180 days following the aforementioned effective date.”.

46. The Code is amended by inserting the following sections after the title of Subdivision 3 of Division IV:

“**4.03.00.01.** An advocate shall immediately inform the syndic of a derogatory act committed to his personal knowledge by a colleague.

4.03.00.02. An advocate shall immediately inform the executive director of the Bar when he knows of any impediment whatsoever to the admission of a candidate to the Bar.”.

47. Section 4.03.02. of the Code is amended by replacing the word “correspondence” with the word “communications”.

48. Section 4.03.04. of the Code is repealed.

49. Section 5.01. of the Code is replaced by the following:

“**5.01.** No advocate may make a false or misleading representation or allow such representation to be made, whether by statement, conduct or omission.”.

50. Section 5.03. of the Code is amended by inserting the following after the first paragraph:

“If the advocate engages in his professional activities within a multidisciplinary partnership or company, the advertising must contain a separate description of the legal services included in the fees.”.

51. Section 5.04. of the Code is amended by replacing “5 years” with “12 months”.

52. The Code is amended by inserting the following after section 5.05.:

“**5.05.01.** An advocate who engages in his professional activities within a partnership or company shall take reasonable measures to ensure that the advertising of the partnership or company or of any other person engaging in activities within the partnership or company complies, as regards advocates, with the rules prescribed in this section.”.

53. Section 5.06. of the Code is repealed.

54. The Code is amended by inserting the following after section 6.03.:

“**6.04.** An advocate who engages in his professional activities within a partnership or company shall ensure that any use of the graphic symbol of the Bar within the partnership or company complies with sections 6.02 and 6.03.

6.05. Only a partnership or company all of whose services offered to clients are offered by advocates may use the graphic symbol of the Bar in connection with its name or in its advertising.

An advocate who engages in his professional activities within a partnership or company all of whose services offered to clients are not offered by advocates shall take reasonable measures to ensure that the graphic symbol of the Bar is not used in connection with the name of the partnership or company or in its advertising.

Nonetheless, this section shall not prevent the use of the graphic symbol of the Bar in connection with the name of an advocate.”.

55. Section 7.01. of the Code is replaced by the following:

“**7.01.** An advocate must not practice his profession within a partnership or company under a name or designation which is misleading, deceptive or contrary to the honour or dignity of the profession or which is a number name.

7.02. An advocate who engages in his professional activities within a partnership or company shall take reasonable measures to ensure that every document which is produced within the practice of the profession of advocate and originates from the partnership or company is identified with the name of an advocate.”.

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

5902

Draft Regulation

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

Physicians

— Practice of the profession within a partnership or a joint stock company

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 Collège des médecins du Québec adopted the Regulation respecting the practice of the medical profession within a partnership or a joint stock company.

The Regulation, the text of which is attached below, will be examined by the Office des professions du Québec pursuant to section 95 of the Professional Code (R.S.Q., c. C-26). 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 main purpose of this regulation is to set out the terms, conditions and restrictions under which members of the Collège may practise their profession within a joint stock company or limited liability partnership.

This new regulation contains specific provisions respecting the management of the partnership or company and the holding of partnership or company shares.

According to Chapter VI.3 of the Professional Code, the conditions also include the obligation to take out insurance to cover the partnership’s or company’s liability arising from fault or negligence on the part of members in the practice of the profession within such partnership or company. Furthermore, members will be required to provide the Collège, and to keep up to date, information concerning the partnership or company as well as the partners, directors and shareholders as the case may be.

This Regulation will have no impact on enterprises.

Further information may be obtained by contacting M^e Christian Gauvin, Director of the Judicial Services Division, Collège des médecins du Québec, 2170, boulevard René-Lévesque Ouest, Montréal (Québec) H3H 2T8; tel.: 1 888 633-3246 or (514) 933-4441; fax: (514) 933-3112.

Any interested person having comments to make is requested to send them, before the expiry of the 45-day period, to the Chairman of the Office des professions du Québec, 800, place D’Youville, 10^e étage, Québec (Québec) GIR 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, as well as to the persons, departments and agencies concerned.

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

Regulation respecting the practice of the medical profession within a company

Professional Code
(R.S.Q., c. C-26, s. 93, subpar. g and h, s. 94, subpar. p)

1. A physician is authorized to practise his profession within a limited liability partnership or a joint-stock company for the purposes of carrying out his professional activities if the following conditions are met: