

Draft Regulations

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Labour Code
(R.S.Q., c. C-27)

Commission des relations du travail — Code of ethics

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Code of ethics of commissioners of the Commission des relations du travail, appearing below and for which the president of the Commission des relations du travail has been consulted, may be made by the Government with or without amendment on the expiry of 45 days following this publication.

The Code of ethics that applies to the commissioners of the Commission des relations du travail sets out the rules of conduct and the duties of commissioners towards the public, the parties, their witnesses and the persons representing them. It describes the conduct that is derogatory to the honour, dignity or integrity of the commissioners and specifies the activities or situations that are incompatible with their office and the functions that they may perform without charge.

To date, study of the matter has shown no financial impact on the public or enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Myriam Bédard, Commission des relations du travail, 900, boulevard René-Lévesque Est, 5^e étage, Québec (Québec) G1R 6C9; telephone: 418 643-1549; fax: 418 644-5562.

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 Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

LAURENT LESSARD,
Minister of Labour

Code of ethics of commissioners of the Commission des relations du travail

Labour Code
(R.S.Q., c. C-27, ss. 137.33 and 137.34)

DIVISION I GENERAL

- 1.** The purpose of this Code is to ensure and promote public trust in the integrity and impartiality of the Commission des relations du travail by favouring high standards of conduct for its commissioners.
- 2.** Commissioners must render justice within the framework of the applicable rules of law.

DIVISION II RULES OF CONDUCT AND DUTIES OF COMMISSIONERS

- 3.** Commissioners must perform their duties with care, dignity and integrity, keeping in mind that accessibility and promptness are important values of the Commission.
- 4.** Commissioners must take the measures required to maintain and upgrade the knowledge and skills necessary to perform their duties.
- 5.** Commissioners must make themselves available to discharge their duties conscientiously and diligently.
- 6.** Commissioners must be overtly objective and impartial.
- 7.** Commissioners must act in a respectful and courteous manner towards persons appearing before them, without any discrimination, while exercising the authority necessary for the proper conduct of the hearing.
- 8.** Commissioners must perform their duties with complete independence, free of any interference.
- 9.** Commissioners must uphold the integrity of their office and defend its independence in the best interests of justice.

10. Commissioners are bound by discretion regarding any matter brought to their knowledge in the performance of their duties and must refrain from disclosing any information of a confidential nature.

11. Commissioners are bound by deliberative secrecy.

12. Commissions must act with reserve and prudence in public.

DIVISION III SITUATIONS AND ACTIVITIES INCOMPATIBLE WITH THE PERFORMANCE OF DUTIES

13. Commissioners must be politically neutral and not engage in any activity or partisan political participation at the federal, provincial, municipal or school level.

14. Commissioners must refrain from pursuing an activity or placing themselves in a situation likely to undermine the dignity of their office or discredit the Commission.

15. Commissioners must refrain from becoming involved in any cause or participating in any lobby whose objectives or activities are related to matters that come within the jurisdiction of the Commission.

16. The following are incompatible with the performance of a commissioner's duties:

(1) soliciting or collecting donations, except in the case of community, school, religious or family activities that do not compromise other duties imposed by this Code, or associating the status of commissioner to those activities; and

(2) taking part in charities or organizations likely to be involved in matters before the Commission.

DIVISION IV ACTIVITIES PERMITTED

17. Full-time commissioners may exercise functions in relation to their professional competence without charge insofar as the functions do not compromise their impartiality or the effective performance of their duties. They must so inform the president.

DIVISION V PART-TIME COMMISSIONERS

18. Part-time commissioners may not act as the attorney or representative of a party before the Commission or a body whose decisions may be contested before or revised by the Commission. In addition, part-time

commissioners may not give legal advice in fields within the jurisdiction of the Commission, insofar as their impartiality or the effective performance of their duties could be compromised.

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

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

Advocates

- Accounting and trust accounts of lawyers
- Amendments

Notice is hereby given, pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the "By-law to amend the By-law respecting accounting and trust accounts of lawyers" adopted by the General Council of the Barreau du Québec at its meeting of September 27, 2006, may be submitted to the Government, who may approve it with or without amendment at the expiration of 45 days from the date of publication hereof.

The purpose of the amendment is to limit and provide a framework for client cash transactions by lawyers.

According to the Barreau, the Regulation has no impact on business enterprises, including SMEs.

For more information, you may contact Ms. Claire Moffet, advocate at the Research and Legislation Department of the Barreau du Québec, 445, boulevard Saint-Laurent, Montréal (Québec) H2Y 3T8; telephone number: 514 954-3499, ext. 3163; fax number: 514 954-3463.

Please send any comments you may have before the said expiration of 45 days to the President of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. The Office will forward them to the Minister responsible for the application of the laws respecting the professions and may also submit them to the professional order that adopted the Regulation and to the interested persons, ministries, and agencies.

GAÉTAN LEMOYNE,
*President of the Office des
professions du Québec*