

du Développement durable, de l'Environnement et des Parcs, Édifice Marie-Guyart, 8^e étage, boîte 42, 675, boulevard René-Lévesque Est, Québec (Québec) G1R 5V7; telephone: 418 521-3885, extension 4852; fax: 418 528-0990; e-mail: didier.bicchi@mddep.gouv.qc.ca

Any person wishing to comment on the draft Regulation may submit written comments to Didier Bicchi at the above address, within the 60-day period.

LINE BEAUCHAMP,
*Minister of Sustainable Development,
Environment and Parks*

Regulation to prohibit the sale of certain dishwashing detergents

Environment Quality Act
(R.S.Q., c. Q-2, s. 31, 1st par., subpars. *a*, *c*, *d*
and *l*, s. 46, pars. *c* and *f* and s. 109.1)

1. This Regulation applies to dishwashing detergents for domestic use.

2. In this Regulation, “phosphorus” means elemental phosphorus.

3. As of 1 January 2010, no dishwashing detergent may be offered for sale, sold, distributed or otherwise made available to consumers if

(1) it contains 0.5% or more phosphorus by weight; or

(2) the package does not indicate the percentage by weight of the phosphorus content of the product.

The phosphorus content is determined by a laboratory accredited by the Minister of Sustainable Development, Environment and Parks under section 118.6 of the Environment Quality Act (R.S.Q., c. Q-2) or, if the detergent is manufactured outside Québec, by a laboratory certified by a competent authority.

4. Every person who commits an offence against this Regulation is liable,

(1) in the case of a natural person, to a fine of \$2,000 to \$20,000 for a first offence and \$4,000 to \$40,000 for any subsequent offence; and

(2) in the case of a legal person, to a fine of \$6,000 to \$120,000 for a first offence and \$12,000 to \$240,000 for any subsequent offence.

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

8411

Draft Regulation

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

Advocates

— Issuance of special permits

Notice is hereby given, pursuant to sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the “Regulation respecting the issuance of special permits of the Barreau du Québec” adopted by the General Council of the Barreau du Québec, 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 main objective of this Regulation, adopted under paragraph *r* of section 94 of the Professional Code (R.S.Q., c. C-26), is to allow the Barreau du Québec to issue special permits, namely : a special Canadian legal advisor permit, a special corporate legal advisor permit and a special foreign legal consultant permit. This Regulation also provides the purpose of the issuance of those special permits; the conditions under which it can be issued; the title, the abbreviations and the initial that the holder of a special permit must use, the activities the holder of a special permit may engage in his practice and finally, the general provisions under which the holder of a special permit can practice.

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

For more information, you may contact Ms. Sylvie Champagne, Secretary of the Barreau du Québec, 445, boulevard Saint-Laurent, Montréal (Québec) H2Y 3T8; telephone number : 514 954-3400, ext. 3103 or 1 800 361-8495; fax number : 514 954-3477; email address: schampagne@barreau.qc.ca

Please send any comments you may have before the expiration's delay of 45 days to the chairman 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.

JEAN PAUL DUTRISAC,
*Chairman of the Office des
professions du Québec*

Regulation respecting the issuance of special permits of the Barreau du Québec

Professional Code
(R.S.Q., c. C-26, s. 94, par. r)

DIVISION I PURPOSE

1. This Regulation is made in order to facilitate the mobility of advocates and forms part of the liberalization of the trade in services provided for in various domestic and international agreements, namely:

- (1) the Agreement on Internal Trade;
- (2) the North American Free Trade Agreement;
- (3) the General Agreement on Trade in Services; and
- (4) the National Mobility Agreement.

It allows the Barreau du Québec to meet the needs of the new socio-economic reality in Québec and foster the professional integration of advocates trained outside Québec, while protecting the public and acknowledging the unique nature of Québec civil law.

DIVISION II GENERAL PROVISIONS

2. An application for the issuance of a special permit must be submitted in writing to the Executive Committee on the prescribed form, together with the required documents.

3. The Executive Committee may, under the conditions set forth in this Regulation and on the report of the Examining Committee prepared in accordance with Subdivision 1 of Division V of the Act respecting the Barreau du Québec (R.S.Q., c. B-1), issue one of the following special permits to a person legally authorized to practise law outside Québec:

- (1) Canadian legal advisor;
- (2) corporate legal advisor; or
- (3) foreign legal consultant.

The Executive Committee must allow the applicant to submit written observations before refusing to issue a special permit.

The Executive Committee's decision refusing the issuance of a special permit must be rendered in writing.

4. Upon the authorization of the Executive Committee and on the report of the Examining Committee prepared in accordance with Subdivision 1 of Division V of the Act respecting the Barreau du Québec (R.S.Q., c. B-1), the Executive Director shall issue a special permit to the applicant.

5. The holder of a special permit must immediately give written notice to the Executive Director as soon as he ceases to be legally authorized to practise law outside Québec.

6. In order to engage in an activity provided for in Division III, IV or V, the holder of a special permit must hold and maintain an authorization to practise law outside Québec as contemplated in this Division.

7. For purposes of the application of this Regulation, when a State comprises several territorial units with separate legislative jurisdictions, each territory is considered to be a State.

DIVISION III CANADIAN LEGAL ADVISOR

8. A member of the bar of another Canadian province or territory who applies for a special Canadian legal advisor permit must complete the prescribed form and send it to the Executive Committee together with the following documents:

(1) a certificate issued by an authorized officer attesting that the applicant is legally authorized to practise law outside Québec and stating that the applicant's professional status is in good standing; and

(2) a declaration by the applicant that he undertakes to act within the limits of the activities authorized by section 10.

9. The holder of a special Canadian legal advisor permit must have his name followed by the title “Canadian legal advisor” as well as by a reference to the Canadian province or territory where he is legally authorized to practise law.

He may include the word “Me” or “Mtre” before his name.

10. Subject to being entered on the Roll of the Order, the holder of a special Canadian legal advisor permit may engage in the following activities on behalf of another person:

(1) give legal advice and consultations on legal matters involving the law of the Canadian province or territory where he is legally authorized to practise law or involving matters under federal jurisdiction;

(2) prepare and draw up a notice, motion, proceeding or other similar document intended for use in a case before the courts, but only with respect to matters under federal jurisdiction;

(3) give legal advice and consultations on legal matters involving public international law; and

(4) plead or act before any tribunal, but only with respect to matters under federal jurisdiction.

DIVISION IV CORPORATE LEGAL ADVISOR

11. A member of a bar located outside Canada who applies for a special corporate legal advisor permit must complete the prescribed form and send it to the Executive Committee together with the following documents:

(1) a certificate issued by an authorized officer attesting that the applicant is legally authorized to practise law outside Canada and stating that the applicant’s professional status is in good standing;

(2) a declaration setting forth all the functions he holds or intends to hold within an enterprise, other than a law partnership or a multidisciplinary joint-stock company, having its head office, a branch or a subsidiary in Québec; and

(3) a declaration by the applicant that he undertakes to act, for the exclusive account of his employer or the employer’s subsidiaries, within the limits of the activities authorized by section 13.

12. The holder of a special corporate legal advisor permit must have his name followed by the title “corporate legal advisor” as well as by a reference to the State where he is legally authorized to practise law.

He may include the word “Me” or “Mtre” before his name.

13. Subject to being entered on the Roll of the Order, the holder of a special corporate legal advisor permit may engage in the activities described in subsection (1) of section 128 of the Act respecting the Barreau du Québec exclusively for the account of his employer or the employer’s subsidiaries.

DIVISION V FOREIGN LEGAL CONSULTANT

14. A member of a bar located outside Canada who applies for a special foreign legal consultant permit must complete the prescribed form and send it to the Executive Committee together with the following documents:

(1) a certificate issued by an authorized officer attesting that the applicant has legally practised law for a period of at least three years;

(2) proof that advocates from Québec have the possibility of obtaining the issuance of a permit similar to the special foreign legal advisor permit in the State where the applicant is legally authorized to practise law; and

(3) a declaration by the applicant that he undertakes to act within the limits of the activities authorized by section 16.

15. The holder of a special foreign legal consultant permit must have his name followed by the title “foreign legal consultant” as well as by a reference to the State where he is legally authorized to practise law.

He may include the word “Me” or “Mtre” before his name.

16. Subject to being entered on the Roll of the Order, the holder of a special foreign legal consultant permit may engage in the following activities on behalf of another person:

(1) give legal advice and consultations on legal matters involving the law of the State where he is legally authorized to practise law; and

(2) give legal advice and consultations on legal matters involving public international law.

17. This Regulation shall 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)

Nurses

— Code of ethics
— Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulation Act (R.S.Q., c. R-18.1), that the “Regulation to amend the Code of ethics of nurses”, adopted by the Bureau of the Ordre des infirmières et infirmiers du Québec, may be submitted to the Government, which may approve it, with or without amendment, following the expiry of a period of 45 days from the publication of this notice.

According to the Ordre des infirmières et infirmiers du Québec, the purpose of this draft regulation is to adapt certain ethical rules to the sale of vaccines by nurses, as permitted by the Regulation respecting the terms and conditions for the sale of medication.

This regulation has no impact on businesses, including small and medium-sized businesses.

Further information may be obtained by contacting Hélène d’Anjou, Attorney, Ordre des infirmières et infirmiers du Québec, 4200, boulevard Dorchester Ouest, Montréal, Québec, H3Z 1V4; telephone: 514 935-2501 or 1-800-363-6048; fax: 514 935-3147.

Persons having comments to make are asked 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) G1R 5Z3. These comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting professions; they may also be submitted

to the professional order which has adopted this Regulation and to the persons, departments and agencies concerned.

JEAN PAUL DUTRISAC,
*Chairman of the Office des
professions du Québec*

Regulation to amend the Code of ethics of nurses*

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

1. The Code of Ethics of Nurses is hereby amended by adding the following paragraph to the end of section 52:

“The provisions set out in this division apply to the sale, by a nurse, of a vaccine that she or he administers as part of a vaccination operation under the Public Health Act (R.S.Q., c. S-2.2) and that she or he has acquired in accordance with the Regulation respecting the terms and conditions for the sale of medications, approved by Order in Council No. 712-98 dated May 27, 1998.”

2. Section 55 of the Code is amended by adding the following sentence at the end: “In particular, she or he must indicate, in the statement of fees, the selling price of a vaccine covered under the last paragraph of section 52.”

3. Section 78 of the Code is amended by adding the following paragraph at the end:

“3° where it concerns a vaccine covered under the last paragraph of section 52;”

4. This regulation comes into force fifteen days following its publication in the *Gazette officielle du Québec*.

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* The sole amendments to the Code of Ethics of Nurses, approved by Order in Council No. 1513-2002 of December 18, 2002 (2003, *G.O.* 2, 98), were made by regulation approved by Order in Council No. 579-2005 of June 15, 2005 (2005, *G.O.* 2, 2961).