

4. The By-law concerning special rules respecting certain contracts entered into by the Société québécoise d'assainissement des eaux⁴ is revoked.

5. The Regulation respecting contracts of the Corporation d'hébergement du Québec⁵ is revoked.

6. The Regulation respecting building construction by institutions, regional councils and the Corporation d'hébergement du Québec⁶ is revoked.

7. The Regulation respecting construction contracts for immovables of school boards⁷ is revoked.

8. The Regulation respecting contracts for the construction of immovables of general and vocational colleges⁸ is revoked.

9. This Regulation comes into force on 1 October 2008.

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⁴ The By-law concerning special rules respecting certain contracts entered into by the Société québécoise d'assainissement des eaux, approved by Order in Council 1229-94 dated 17 August 1994 (1994, *G.O.* 2, 3815), has not been amended since it was made.

⁵ The Regulation respecting contracts of the Corporation d'hébergement du Québec, approved by Order in Council 972-2001 dated 23 August 2001 (2001, *G.O.* 2, 4866), has not been amended since it was made.

⁶ The Regulation respecting building construction by institutions, regional councils and the Corporation d'hébergement du Québec, approved by Conseil du trésor Decision T.B. 148183 dated 10 January 1984 (1984, *G.O.* 2, 1271), was last amended by the regulation made by Minister's Order 1996-04 dated 5 September 1996 (1996, *G.O.* 2, 4006). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 March 2008.

⁷ The Regulation respecting construction contracts for immovables of school boards, made by Order in Council 1015-90 dated 11 July 1990 (1990, *G.O.* 2, 1964), was last amended by the regulation made by Order in Council 332-99 dated 31 March 1999 (1999, *G.O.* 2, 729). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 March 2008.

⁸ The Regulation respecting contracts for the construction of immovables of general and vocational colleges, made by Order in Council 1072-94 dated 13 July 1994 (1994, *G.O.* 2, 2965), has not been amended since it was made.

Gouvernement du Québec

O.C. 538-2008, 28 May 2008

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

Barreau du Québec
— Issuance of special permits

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

WHEREAS, under paragraph *r* of section 94 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order may make a regulation to establish special permits and that contains the reasons justifying the issue of a special permit, the conditions for the issue of the permit, the title, abbreviation and initials its holder may use, the activities the holder may engage in and the conditions the holder must meet to engage in those activities;

WHEREAS the General Council of the Barreau du Québec made the Regulation respecting the issuance of special permits of the Barreau du Québec;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.1 and 95.2 of the Code, every regulation made by the Bureau under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 12 December 2007 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office has examined the Regulation and made its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation respecting the issuance of special permits of the Barreau du Québec, attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

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) a special Canadian legal advisor permit;
- (2) a special corporate legal advisor permit; or

- (3) a special foreign legal consultant permit.

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. 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.

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. 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 SPECIAL CANADIAN LEGAL ADVISOR PERMIT

7. 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 of good standing issued by an authorized officer from this province or territory attesting that the applicant is legally authorized to practise law outside Québec and stating that the applicant is not subject to a disbarment nor a suspension or a limitation of its right to practice law; and

(2) a declaration by the applicant that he undertakes to act within the limits of the activities authorized by section 9.

8. The holder of a special Canadian legal advisor permit must have his name followed by:

(1) the title "Canadian legal advisor" or the initials "c.l.a."; and

(2) 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.

9. 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 SPECIAL CORPORATE LEGAL ADVISOR PERMIT

10. A member of a State 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 of good standing issued by an authorized officer from this State bar attesting that the applicant is legally authorized to practise law outside Québec and stating that the applicant is not subject to a disbarment nor a suspension or a limitation of its right to practice law; and

(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 12.

11. The holder of a special corporate legal advisor permit must have his name followed by:

(1) the title "corporate legal advisor" or the initials "corp.l.a."; and

(2) a reference to the State where he is legally authorized to practise law.

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

12. 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 SPECIAL FOREIGN LEGAL CONSULTANT PERMIT

13. A member of a State 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 of good standing issued by an authorized officer from this State bar attesting that the applicant has legally practised law for a period of at least three years and attesting that the applicant is legally authorized to practise law outside Québec and stating that the applicant is not subject to a disbarment nor a suspension or a limitation of its right to practice law; and

(2) a declaration by the applicant that he undertakes to act within the limits of the activities authorized by section 15.

14. The holder of a special foreign legal consultant permit must have his name followed by:

(1) the title "foreign legal consultant" or the initials "f.l.c."; and

(2) a reference to the State where he is legally authorized to practise law.

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

15. 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.

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

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Gouvernement du Québec

O.C. 539-2008, 28 May 2008

Veterinary Surgeons Act
(R.S.Q., c. M-8)

Pharmacy Act
(R.S.Q., c. P-10)

**Terms and conditions for the sale of medications
— Amendment**

Regulation to amend the Regulation respecting the terms and conditions for the sale of medications

WHEREAS, under section 9 of the Veterinary Surgeons Act (R.S.Q., c. M-8), the Office des professions du Québec prepares periodically, by regulation, after consultation with the Conseil du médicament, the Ordre des médecins vétérinaires du Québec and the Ordre des pharmaciens du Québec, a list of the medications which may be sold only on prescription of a veterinary surgeon;

WHEREAS, under section 37.1 of the Pharmacy Act (R.S.Q., c. P-10), the Office des professions du Québec, after consultation with the Conseil du médicament, the Ordre professionnel des médecins du Québec, the Ordre professionnel des médecins vétérinaires du Québec and the Ordre des pharmaciens du Québec, may, by regulation, establish categories of medications and determine, for each category, if need be, by whom and subject to what terms and conditions the medications may be sold; the rules may vary for the same medication according to whether it is intended for human or animal consumption;

WHEREAS, under those sections, the Office des professions du Québec made the Regulation respecting the terms and conditions for the sale of medications, approved by Order in Council 712-98 dated 27 May 1998;

WHEREAS the Office carried out the required consultations;

WHEREAS the Office made the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications at its sitting of 19 September 2007;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 24 October 2007 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS no comments were received by the Chair of the Office following that publication;

WHEREAS, in accordance with section 13 of the Professional Code (R.S.Q., c. C-26), the Office is submitting the Regulation to the Government for approval;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for the administration of legislation respecting the professions:

THAT the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications, the text of which is attached to this Order in Council, be approved.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting the terms and conditions for
the sale of medications ***

Veterinary Surgeons Act
(R.S.Q., c. M-8, s. 9)

Pharmacy Act
(R.S.Q., c. P-10, s. 37.1)

1. The Regulation respecting the terms and conditions for the sale of medications is amended by inserting the following specification in Schedule II after “Ubiquinone”: “Dosage forms for oral use containing 10 mg or more”.

* The Regulation respecting the terms and conditions for the sale of medications, approved by Order in Council 712-98 dated 27 May 1998 (1998, *G.O.* 2, 2149), was last amended by the regulation approved by Order in Council 672-2007 dated 14 August 2007 (2007, *G.O.* 2, 2457). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2008, updated to 1 March 2008.