

## Regulations and other Acts

Gouvernement du Québec

**O.C. 785-2010**, 15 September 2010

Private Security Act  
(R.S.Q., c. S-3.5)

### Standards of conduct of agent licence holders carrying on a private security activity

Regulation respecting standards of conduct of agent licence holders carrying on a private security activity

WHEREAS paragraph 6 of section 107 of the Private Security Act (R.S.Q., c. S-3.5) provides that the Bureau de la sécurité privée must make regulations determining the standards of conduct to be followed by agent licence holders in the exercise of their functions;

WHEREAS the second paragraph of section 109 of the Act provides that a regulation made under paragraph 6 of section 107 must be submitted to the Government, which may approve it with or without amendments;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation respecting standards of conduct of agent licence holders carrying on a private security activity was published in Part 2 of the *Gazette officielle du Québec* of 28 April 2010 with a notice that it could be approved by the Government, with or without amendments, on the expiry of 45 days following that publication;

WHEREAS the Bureau de la sécurité privée made the Regulation respecting standards of conduct of agent licence holders carrying on a private security activity by resolution on 30 June 2010;

WHEREAS it is expedient to approve the Regulation without amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation respecting standards of conduct of agent licence holders carrying on a private security activity, attached to this Order in Council, be approved.

GÉRARD BIBEAU,  
*Clerk of the Conseil exécutif*

### Regulation respecting standards of conduct of agent licence holders carrying on a private security activity

Private Security Act  
(R.S.Q., c. S-3.5, s. 107, par. 6)

**1.** Agent licence holders must conduct themselves so as to preserve the trust required by the exercise of their functions

In the exercise of their functions, they may not

- (1) use obscene, blasphemous or offensive language;
- (2) commit injurious acts or use injurious language based on race, colour, sex, pregnancy, sexual orientation, civil status, age, religion, political convictions, language, ethnic or national origin, social condition, a handicap or the use of any means to palliate a handicap;
- (3) be disrespectful or impolite toward a person; or
- (4) use or be under the influence of alcoholic beverages, hallucinogens, anaesthetics, narcotics, drugs or any other substance causing reduced or disturbed faculties or intoxication.

**2.** Agent licence holders must present their licence when requested to identify themselves and bear any identification mark prescribed by a regulation made under subparagraph 2 of the first paragraph of section 111 of the Private Security Act (R.S.Q., c. S-3.5).

**3.** Agent licence holders must avoid any form of abuse of authority in their relations with any person.

In their relations, they must not:

- (1) use greater force than is necessary to accomplish what is required or permitted;
- (2) make threats, intimidate or harass;
- (3) knowingly make a false accusation against a person; or
- (4) detain any person who is not under arrest or that they are not authorized to detain.

**4.** Agent licence holders must provide all reasonable assistance to the Bureau de la sécurité privée and to a peace officer and cooperate with them so they can exercise their functions.

To that end, they must not

(1) prevent or contribute to preventing justice from taking its course; or

(2) conceal or fail to pass on evidence or information in order to benefit or harm any person.

**5.** Agent licence holders may not carry on a private security activity with or for a person or group of persons who operates an enterprise offering a private security activity, unless that person or group of persons holds an agency licence of the class relevant to the activity offered.

**6.** Agent licence holders must act with competence and professionalism. They must carry on the private security activities that are assigned to them and exercise all related functions by showing the highest degree of integrity, competence, vigilance, diligence and care that one is reasonably entitled to expect from an agent licence holder.

In the exercise of their functions, they must not

(1) be negligent or careless;

(2) present themselves as having the authority, status or powers of a peace officer;

(3) suggest that they have the capacity, level of training, skills or experience they have not; or

(4) carry on a private security activity for which they do not hold a licence of the corresponding class.

**7.** Agent licence holders must exercise their functions with dignity and loyalty and avoid any situation of conflict of interest.

To that end, they must not

(1) resort to or take part in fraudulent or illegal practises;

(2) accept money or another consideration in the exercise of their functions, other than what is allocated to them for that purpose; or

(3) grant, solicit or accept an undue favour or advantage for themselves or another person.

**8.** Agent licence holders are bound by discretion regarding matters of which they have knowledge in the exercise of their functions and must, at all times, respect the confidential nature of the information thus received. They may not use that information for their own benefit or the benefit of a third party.

**9.** Agent licence holders authorized to carry a firearm in the exercise of their functions under the Firearms Act (S.C. 1995, c. 39) must use it with caution and judgment.

To that end, they must not

(1) show, manipulate or point his or her firearm without justification; or

(2) neglect to take the measures necessary to prevent that his or her firearm be used by any other person.

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

1040

## Notice

An Act respecting industrial accidents and occupational diseases  
(R.S.Q., c. A-3.001)

### Applicable percentages for the purposes of levying the assessment on employers personally liable for the payment of benefits for 2011

Notice is hereby given that the Commission de la santé et de la sécurité du travail, at its meeting of 16 September 2010, adopted the Regulation respecting the applicable percentages for the purposes of levying the assessment on employers personally liable for the payment of benefits for 2011.

In accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft regulation was published on page 1551 in the *Gazette officielle du Québec* of 30 June 2010 with a notice that it would be adopted by the Commission, with or without amendments, upon the expiry of 45 days following the publication of that notice.

LUC MEUNIER,  
*Chairman of the board  
and chief executive officer  
of the Commission de la santé  
et de la sécurité du travail*