

Regulation to amend the Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of the Société d'habitation du Québec

An Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8, s. 3.6)

1. The Regulation respecting the consideration to be paid by municipal housing bureaus and other non-profit organizations for the use of the immovables of the Société d'habitation du Québec (R.R.Q., c. S-8, r. 5) is amended in its title by striking out “municipal”.

2. Section 1 is amended

(1) by striking out “municipal”;

(2) by adding the following paragraph:

“An additional amount, equal to the difference between the amounts used to finance the capital expenditures of that immovable and the part of the loan referred to in the first paragraph that was used to finance the capital expenditures, is also payable by the housing bureau or non-profit organization. That amount is established by taking into account the amortization period of the loan related to those expenditures, plus interest.”.

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

1901

Gouvernement du Québec

O.C. 58-2012, 1 February 2012

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

Notaries

— Code of ethics
— Amendment

Regulation to amend the Code of ethics of notaries

WHEREAS, under section 87 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional

towards the public, clients and the profession, particularly the duty to discharge professional obligations with integrity;

WHEREAS the board of directors of the Chambre des notaires du Québec made the Regulation to amend the Code of ethics of notaries;

WHEREAS, under section 95.3 of the Professional Code, a draft of the Regulation was sent to every member of the Order at least 30 days before being made by the board of directors;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2, every regulation made by the board of directors of a professional order 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 to amend the Code of ethics of notaries was published in Part 2 of the *Gazette officielle du Québec* of 27 July 2011 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 submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Code of ethics of notaries, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of notaries

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

1. The Code of ethics of notaries (c. N-3, r. 2) is amended by the replacement of section 26 with the following:

“26. A notary must cease to render professional services where he has serious cause, in particular, where

(1) there is a loss of confidence between the notary and the client;

(2) his professional independence could be called into question;

(3) he is induced to perform illegal or fraudulent acts;

(4) he has reasonable grounds to suspect that he is assisting or may assist in the commission of an illegal or fraudulent act.”.

2. This regulation comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.

1902

Gouvernement du Québec

O.C. 59-2012, 1 February 2012

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

Notaires

— **Compensation fund of the Chambre**

Regulation respecting the compensation fund of the Chambre des notaires du Québec

WHEREAS, under section 89.1 of the Professional Code (R.S.Q., c. C-26), the board of directors of a professional order authorizing the members of the order to hold funds or property must determine by regulation the compensation procedure and, if appropriate, conditions for the setting up of a compensation fund and rules for the administration and investment of the sums making up the fund;

WHEREAS the Regulation respecting trust accounting by notaries made by the board of directors of the Chambre des notaires du Québec pursuant to section 89 of the Professional Code authorizes its members to hold funds or property;

WHEREAS the board of directors made the Regulation respecting the compensation fund of the Chambre des notaires du Québec;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2, every regulation made by the board of directors of a professional order 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 respecting the compensation fund of the Chambre des notaires du Québec was published in Part 2 of the *Gazette officielle du Québec* of 27 July 2011 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 of Justice:

THAT the Regulation respecting the compensation fund of the Chambre des notaires du Québec, attached to this Order in Council, be approved.

GILLES PAQUIN,
Clerk of the Conseil exécutif

Regulation respecting the compensation fund of the Chambre des notaires du Québec

Professional Code
(R.S.Q., c. C-26, s. 89.1)

DIVISION I GENERAL

§1. Compensation Fund

1. The Board of Directors of the Chambre des notaires du Québec shall establish a compensation fund to compensate a claimant, subject to section 18, for the use of moneys or property by a notary for purposes other than those for which they were entrusted to him in the practice of his profession pursuant to a contract for services.