

## Regulations and other Acts

Gouvernement du Québec

**O.C. 1102-2020, 21 October 2020**

Professional Code  
(chapter C-26)

### Lawyers — Code of Professional Conduct of Lawyers — Amendment

Regulation to amend the Code of Professional Conduct of Lawyers

WHEREAS, under section 87 of the Professional Code (chapter 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, his clients and his profession, particularly the duty to discharge his professional obligations with integrity;

WHEREAS, in accordance with section 95.3 of the Professional Code, a draft of the Regulation to amend the Code of Professional Conduct of Lawyers was sent to every member of the Barreau du Québec at least 30 days before its adoption by the board of directors of the Barreau du Québec on 12 December 2019;

WHEREAS, according to section 95 of the Professional Code, subject to sections 95.0.1 and 95.2 of the Code, 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 (chapter R-18.1), a draft Regulation to amend the Code of Professional Conduct of Lawyers was published in Part 2 of the *Gazette officielle du Québec* dated 4 March 2020, with a notice that it could be examined by the Office then submitted to the Government, which may approve it, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 25 May 2020 and then submitted it to the Government with its recommendation;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Higher Education:

THAT the Regulation to amend the Code of Professional Conduct of Lawyers, attached to this Order in Council, be approved.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Code of Professional Conduct of Lawyers

Professional Code  
(chapter C-26, s. 87)

**1.** The Code of Professional Conduct of Lawyers (chapter B-1, r. 3.1) is amended in section 3 by inserting “the Professional Code (chapter C-26) or a person referred to in” after “and one other professional referred to in” in paragraph 2.

**2.** The following is inserted after section 4:

“**4.1.** When engaging in his professional activities, a lawyer refrains from any discrimination based on a ground mentioned in section 10 of the Charter of human rights and freedoms (chapter C-12) or from any form of harassment.”

**3.** The following is inserted after section 14:

“**14.1.** A lawyer must not under any circumstances participate in an act involving collusion, corruption, malfeasance, breach of trust or influence peddling.”

**4.** Section 21 is amended by adding the following paragraph at the end:

“For the purposes of the first paragraph, the knowledge and skills related to information technologies used within the scope of the lawyer’s professional activities are part of the knowledge and skills that a lawyer develops and keeps up to date.”

**5.** Section 37 is replaced by the following:

“37. A lawyer is honest and candid when communicating with clients or advising them.”

**6.** Section 88 is amended

(1) by striking out the first paragraph;

(2) by replacing the portion before subparagraph 1 of the second paragraph by the following:

“When the prohibition from acting provided for in section 87 applies, a lawyer from the same firm as the lawyer subject to that prohibition may act in a matter against the former client of that lawyer if that former client consents or if doing so is in the interests of justice, having regard to the following factors, in particular:”;

(3) by replacing “second” in the third paragraph by “first”.

**7.** Section 134 is amended by inserting “integrity,” after “his honesty,” in paragraph 6.

**8.** Section 139 is amended by replacing “under the Courts of Justice Act (chapter T-16) and the office of municipal judge” in paragraph 1 by “in the judiciary”.

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

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Gouvernement du Québec

**O.C. 1111-2020, 21 October 2020**

An Act respecting collective agreement decrees (chapter D-2)

**Automotive services industry  
– Drummond and Mauricie regions  
—Amendment**

Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions

WHEREAS, under section 2 of the Act respecting collective agreement decrees (chapter D-2), the Government may order that a collective agreement respecting any trade, industry, commerce or occupation is to also bind all the employees and professional employers in Québec or in a stated region of Québec, within the scope determined in such decree;

WHEREAS the Government made the Decree respecting the automotive services industry in the Drummond and the Mauricie regions (chapter D-2, r. 8);

WHEREAS, under the first paragraph of section 6.1 of the Act respecting collective agreement decrees, sections 4 to 6 apply to an application for amendment;

WHEREAS, under the first paragraph of section 4 of the Act, the contracting parties sent an application to amend the Decree to the Minister of Labour, Employment and Social Solidarity;

WHEREAS, under the first paragraph of section 6 of the Act, at the expiry of the time specified in the notice provided for in section 5 of the Act, the Minister may recommend that the Government issue a decree ordering the extension of the agreement, with such changes as are deemed expedient;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) and the first paragraph of section 5 of the Act respecting collective agreement decrees, a draft Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions was published in Part 2 of the *Gazette officielle du Québec* of 2 July 2020 and in a French language newspaper and an English language newspaper, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 7 of the Act respecting collective agreement decrees, despite section 17 of the Regulations Act, a decree comes into force on the day of its publication in the *Gazette officielle du Québec* or on any later date fixed therein;

WHEREAS it is expedient to make the Decree with amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Decree to amend the Decree respecting the automotive services industry in the Drummond and the Mauricie regions, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

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