



CIRCULAR 033-21
February 22, 2021

REPRESENTATION AT DISCIPLINARY PROCEEDINGS

The Regulatory Division of the Bourse de Montréal Inc. (the “Bourse”) wishes to remind Participants and any person who may be called upon to appear before the Disciplinary Committee that they may be represented by the lawyer of his or her choice, pursuant to article [4.255\(b\)](#) of the Rules of the Montréal Exchange.

However, as the Disciplinary Committee is constituted and sits in Quebec, due consideration must be given to certain specific conditions.

Section 128(2) of the *Act respecting the Barreau du Québec, CQLR, c. B-1* provides that only members in good standing of the Barreau du Québec may “plead or act” before a “tribunal,” within the meanings of the *Act respecting the Barreau du Québec*.

Under Section 1 of this same Act, a “court”¹ is defined as “any organization sitting in Québec and there exercising a judicial or quasi-judicial function,” including disciplinary boards or committees that sit as quasi-judicial organizations.

Under the circumstances, it would be necessary for lawyers who are members of foreign bars to obtain the authorization of the Barreau du Québec to act at a hearing before the Disciplinary Committee.

For more information, contact Mtre Adam Allouba, Chief Legal Officer of the Bourse de Montréal, at the following email address: adam.allouba@tmx.com.

Adam Allouba
Chief Legal Officer, MX
Legal, Risk and Government Relations

¹ Section 128(2) of the *Act respecting the Barreau du Québec* uses the term “tribunal” in both the English and French versions. However, in the definitions at section 1 of that act, the English equivalent of the French term “tribunal” is the word “court.”