

Regulations and other acts

Gouvernement du Québec

O.C. 1067-2000, 5 September 2000

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

Social workers
— **Code of ethics**
— **Amendments**

Regulation to amend the Code of ethics of social workers

WHEREAS under section 87 of the Professional Code (R.S.Q., c. C-26), the Bureau 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 under that same section, such code of ethics must contain, *inter alia*:

(1) provisions determining which acts are derogatory to the dignity of the profession;

(2) provisions setting out the conditions and procedure applicable to the exercise of the rights of access and correction provided for in sections 60.5 and 60.6 of the Code, and provisions concerning a professional's obligation to release documents to his client;

WHEREAS the Bureau of the Ordre professionnel des travailleurs sociaux du Québec made amendments to the Code of ethics of social workers pertaining to those provisions;

WHEREAS under section 95.3 of the Professional Code, a draft regulation has been sent to every member of the order at least 30 days before its adoption by the Bureau;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c.R-18.1), that Regulation was published as a draft in Part 2 of the *Gazette officielle du Québec* of 3 November 1999 with a notice that it could be submitted to the Government for approval upon the expiry of 45 days following that publication;

WHEREAS in accordance with section 95 of the Professional Code, the Office des professions du Québec made its recommendations;

WHEREAS it is expedient to approve that Regulation with amendments;

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

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

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of social workers*

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

1. The Code of ethics of social workers is amended by substituting the following for Subdivision 7 of Division III:

“§7. *Accessibility and corrections to records and release of documents*

3.07.01. In addition to the particular rules prescribed by law, a social worker shall promptly follow up, no later than 30 days after its receipt, on any request made by his client whose purpose is:

(1) to examine documents that concern him in any record established in his respect;

(2) to obtain a copy of the documents that concern him in any record established in his respect.

* The Code of ethics of social workers (R.R.Q., 1981, c. C-26, r. 180) was only amended once by the Regulation approved by Order in Council 1367-94 dated 7 September 1994 (1994, *G.O.* 2, 4155).

3.07.02. A social worker who grants a request referred to in section 3.07.01 shall allow his client access to documents, free of charge, in his presence or in the presence of a person he has authorized. However, a social worker who receives a request referred to in paragraph 2 of section 3.07.01 may charge reasonable fees not exceeding the cost for reproducing or transcribing documents or the cost for forwarding a copy.

A social worker charging such fees shall, before proceeding with the reproduction, transcription or forwarding of the information, inform his client of the approximate amount he will have to pay. The social worker has a right to withhold documents until the fees are paid.

3.07.03. A social worker who, pursuant to the second paragraph of section 60.5 of the Professional Code, refuses to allow his client access to the information contained in a record established in his respect shall specify to the client, in writing, the reasons for his refusal.

3.07.04. In addition to the particular rules prescribed by law, a social worker shall promptly follow up, no later than 30 days after its receipt, on any request made by his client whose purpose is:

(1) to cause to be corrected any information that is inaccurate, incomplete or ambiguous with regard to the purpose for which it was collected, contained in a document concerning him in any record established in his respect;

(2) to cause to be deleted any information that is outdated or not justified by the object of the record established in his respect;

(3) to file in the record established in his respect the written comments that he prepared.

3.07.05. A social worker who grants a request referred to in section 3.07.04 shall issue to his client, free of charge, a copy of the document or part of the document so that his client may see for himself that the information was corrected or deleted or, as the case may be, an attestation that the written comments prepared by his client were filed in the record.

Upon written request from his client, a social worker shall forward free of charge a copy of that information or, as the case may be, of that attestation to any person from whom the social worker received the information and to any person to whom the information was provided.

3.07.06. A social worker shall promptly follow up on any written request made by his client, whose purpose is to take back a document or object entrusted to him by his client.

A social worker shall indicate in his client's record, where applicable, the reasons in support of his client's request.

3.07.07. A social worker may require that a request referred to in section 3.07.01, 3.07.04 or 3.07.06 be made at his place of business during his regular working hours.”.

2. Section 4.01.01 is amended by substituting the following for that part preceding paragraph a:

“In addition to those referred to in sections 59 and 59.1 of the Professional Code and what may be determined pursuant to subparagraph 1 of the second paragraph of section 152 of the Code, the following acts are derogatory to the honour and dignity of the profession:”.

3. 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. 1073-2000, 5 September 2000

An Act respecting the Ministère des Ressources naturelles
(R.S.Q., c. M-25.2)

Signing of certain deeds, documents and writings — Amendments

Regulation to amend the Regulation respecting the signing of certain deeds, documents and writings of the Ministère des Ressources naturelles

WHEREAS under section 8 of the Act respecting the Ministère des Ressources naturelles (R.S.Q., c. M-25.2), the Government may determine by regulation published in the *Gazette officielle du Québec* the deeds, documents or writings that bind the department or may be attributed to the Minister, once they have been signed by members of the personnel of the department;

WHEREAS under the same section, the Government may, upon the conditions it fixes, allow the required signature to be affixed by means of an automatic device to such documents as it determines;