

3.07.03. For the purpose of the application of sections 3.07.01 and 3.07.02, the access by a patient to documents contained in any record made in his regard by a dentist is free of charge. Nevertheless, expenses not exceeding the cost of their transcription, reproduction, transmission, as well as, the normal administrative charges can be requested from the patient. A dentist who intends to request payment of expenses in accordance with this section must inform the patient of the approximate amount before dealing with the request.

3.07.04. A dentist who in the application of the second paragraph of section 60.5 of the Professional Code refuses to allow access to information contained in a record made in his regard must divulge to his patient in writing the reasons for his refusal which would likely cause serious harm to the patient or a third person.

3.07.05. In addition to the specific rules prescribed by law, a dentist must follow-up with diligence and no later than thirty 30 days of its receipt, any request made by his patient where the purpose is:

(1) to have corrected in a document that concerns him and that is included in any record made in his regard, information that is inaccurate, incomplete or ambiguous with regard to the purpose for which it was collected;

(2) to have deleted any outdated or not justified information by the object of the record made in his regard;

(3) to put into a record made in his regard the written comments that he made.

3.07.06. A dentist who acquiesces to a request referred to in section 3.07.05 must provide his patient, at no cost, a copy of the document or the part of the document that allows his patient to see that the information has been corrected or deleted or, according to the case, a testimony that the written comments that his patient made have been put in the record.

3.07.07. With a written request from his patient, a dentist must send a copy at no cost to his patient, of the corrected information or a testimony that the information has been deleted or, according to the case, that the written comments have been put in the record of any person that a dentist received information from for the object of correction, deletion or comments, as well as, any person to whom the information was communicated to.

3.07.08. A dentist must, with diligence, give to a patient, who requests the same from him, any document that the latter entrusted to him.”.

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

4784

Draft Regulation

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

Medical technologists — Issue of the permit — Replacement

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation respecting the issue of a permit of medical technologist in cytopathology, adopted by the Bureau of the Ordre des technologistes médicaux du Québec, may be submitted to the Government, which may approve it with or without amendment upon the expiry of 45 days following this publication.

According to the Order, the Regulation is intended to establish a permit category for the professional activities of members who work in cytopathology and who have the required training to do so, that is an attestation of college studies in cytotechnology.

This Regulation will have an important impact on citizens since it will establish controls for qualifications of medical technologists in cytopathology and will provide information on their academic training.

According to the Order, the Regulation will better regulate the practice of medical technologists in cytopathology by prescribing rules for the issue of permits.

Further information may be obtained by contacting Alain Collette, Director General and Secretary of the Ordre professionnel des technologistes médicaux du Québec, 1150, boul. Saint-Joseph Est, bureau 300, Montréal (Québec), H2J 1L5, telephone numbers: (514) 527-9811, 1-800-361-2996; fax number: (514) 527-7314.

Any person having comments to make is asked to send them, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3. Comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional order that made the Regulation, as well as to interested persons, departments and bodies.

JEAN-K. SAMSON,
Chair of the Office des professions du Québec

Regulation respecting the issue of a permit of medical technologist in cytopathology

Professional Code
(R.S.Q., c. C-26, s. 94, pars. *i* and *m*)

1. The category “permit of medical technologist in cytopathology” is hereby established.

2. A medical technologist may not engage in the professional activities described in paragraph *q* of section 37 of the Professional Code (R.S.Q., c. C-26) in the field of cytopathology unless he holds a permit of the category referred to in section 1. Notwithstanding the foregoing, any medical technologist may engage in professional activities in that field provided that the acts performed are related to the pre-analytical stage.

3. To obtain a permit of medical technologist in cytopathology, a medical technologist shall hold an attestation of college studies in cytotechnology issued by the general and vocational colleges of Sainte-Foy or Rosemont.

4. A person who meets the following conditions on the date of coming into force of this Regulation may also obtain a permit of medical technologist in cytopathology:

(1) the person holds a diploma of college studies issued by the Ministère de l'Éducation following studies completed at the general and vocational colleges of Dawson, Sainte-Foy or Rosemont, a cytotechnology certificate issued by Université de Montréal, Université Laval or McGill University, or the Canadian cytology certification issued by the Canadian Society for Medical Laboratory Science; and

(2) the person applies for a permit, in the form prescribed by the Bureau of the Ordre professionnel des technologistes médicaux du Québec, within one year of the date of coming into force of this Regulation.

Such persons may only engage in the professional activities described in paragraph *q* of section 37 of the Professional Code in the field of cytopathology, unless they have successfully completed the training periods included in the programs of study leading to diplomas giving access to the permits of the Order.

5. The Regulation respecting the other terms and conditions for issuing permits of the Ordre professionnel des technologistes médicaux du Québec, approved by Order in Council 3049-82 dated 21 December 1982, is revoked.

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

4783

Draft Regulation

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

Notaries — Ethics

Notice is hereby given in accordance with sections 10 and 11 of the *Regulations Act* (R.S.Q., c. R-18.1) that the *Code of ethics of notaries*, which has been adopted by the Bureau of the Chambre des notaires du Québec and the text of which appears below, may be submitted to the government, which may approve it with or without amendment upon the expiry of 45 days following this publication.

According to the Chambre des notaires du Québec, this draft is a complete revision of the current code, rendered necessary as a result of the adoption of the *Notaries Act* (2000, c. 44). Certain provisions of the *Notarial Act* (R.S.Q., c. N-2) that have not been repeated in the new Act have been included in the Code of ethics. The Chambre has also taken this opportunity to align the Code with the major trends of the profession.

The principle amendments are as follows:

— certain rules are clarified and improved, including those regarding duties and obligations towards the client, conflict of interest, and the setting and payment of fees;

— almost all incompatibility preventing a notary from holding another professional title has disappeared. The only remaining incompatibility is with the profession of advocate;