

## Draft Regulations

### Draft Regulation

Professional Code  
(R.S.Q., c. C-26; 2001, c. 78)

#### Social workers — Code of ethics — Amendments

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 to amend the Code of ethics of the members of the Ordre professionnel des travailleurs sociaux du Québec, adopted by the Bureau of the Ordre professionnel des travailleurs sociaux du Québec, may be submitted to the Government for approval, with or without amendment, upon the expiry of 45 days following this publication.

The purpose of this Regulation is to amend the Code of ethics of the members of the Ordre professionnel des travailleurs sociaux du Québec to introduce provisions stating the terms and conditions according to which a professional may communicate information that is protected by professional secrecy to prevent an act of violence.

These provisions are required by the Act to amend various legislative provisions as regards the disclosure of confidential information to protect individuals (2001, c. 78). That Act permits the lifting of professional secrecy to prevent an act of violence, including a suicide, when the professional has grounds to believe that there is an imminent danger of death or serious bodily injury to a person or an identifiable group of persons. However, the communication must be limited to such information as is necessary to achieve the purposes for which the information is communicated, and the information may only be communicated to a person exposed to the danger, to that person's representative, or to the persons who can come to that person's aid.

The Order expects the proposed amendments to have no impact on businesses, in particular on small and medium-sized businesses.

Further information may be obtained by contacting Mtre Richard Silver, Acting Secretary of the Ordre professionnel des travailleurs sociaux du Québec, 5757, avenue Decelles, bureau 335, Montréal (Québec) H3S 2C3; telephone: (514) 731-3925 or 1 800 731-9420; fax: (514) 731-6785.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be communicated to the professional order that adopted the Regulation as well as to the interested persons, departments, bodies or agencies.

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

### Regulation to amend the Code of ethics of the members of the Ordre professionnel des travailleurs sociaux du Québec\*

Professional Code  
(R.S.Q., c. C-26, s. 87; 2001, c. 78, s. 6)

1. The Code of ethics of the members of the Ordre professionnel des travailleurs sociaux du Québec is amended by inserting the following subdivision after subdivision 6 of Division III:

“§6.1. *Lifting of professional secrecy to protect individuals*

**3.06.01.01.** In addition to the cases provided for in the second paragraph of section 3.06.01, a member may communicate information that is protected by professional secrecy to prevent an act of violence, including a suicide, where the member has reasonable cause to believe that there is an imminent danger of death or serious bodily injury to a person or an identifiable group of persons.

However, the member may only communicate the information to a person exposed to the danger or that person's representative, or to the persons who can come to that person's aid.

\* The Code of ethics of the members of the Ordre professionnel des travailleurs sociaux du Québec (R.R.Q., 1981, c. C-26, r.180) was last amended by the Regulation approved by Order in Council 1067-2000 dated 5 September 2000 (2000, G.O. 2, 4567). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 September 2002.

The member may only communicate such information as is necessary to achieve the purposes for which the information is communicated.

**3.06.01.02.** A member who, pursuant to section 3.06.01.01, communicates information protected by professional secrecy to prevent an act of violence must

(1) communicate the information immediately;

(2) use the most effective means to communicate the information in the circumstances; and

(3) record in the client's file as soon as possible

(a) the reasons supporting the decision to communicate the information, as well as the name of the person who caused the member to communicate the information and the name of the person or group of persons exposed to a danger; and

(b) the particulars of the communication, including the date and time and content of the communication, the mode of communication, and the name of the person to whom the information was given.”

**2.** 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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## Draft Regulation

An Act respecting collective agreement decrees (R.S.Q., c. D-2)

### Removal of solid waste — Montréal — Amendments

Notice is hereby given that the Minister of State for Human Resources and Labour and Minister of Labour has received an application to amend the Decree respecting solid waste removal in the Montréal region (R.R.Q., 1981, c. D-2, r.29) from the contracting parties governed by the Decree and that in accordance with section 5 of the

Act respecting collective agreement decrees (R.S.Q., c. D-2) and sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Decree to amend the Decree respecting solid waste removal in the Montréal region, a copy of which appears below, may be made by the Government at the expiry of the 45-day period following this publication.

The purpose of this Draft Regulation is essentially to update wage rates that have remained unchanged since 1999 and to amend the exception concerning the obligation of the employer to pay a premium to the social security plan administered by the Comité paritaire des boueurs de la région de Montréal.

The consultation period will clarify the impact of the amendments being sought. According to the 2001 Annual Report of the Comité paritaire des boueurs de la région de Montréal, this Decree governs 300 employers, 12 artisans and 1 339 employees.

Further information may be obtained by contacting Ms. Danièle Pion, Direction des politiques, de la construction et des décrets, ministère du Travail, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1, telephone: (418) 643-4198, Fax: (418) 644-6969, e-mail: danièle.pion@travail.gouv.qc.ca.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1R 5S1.

ROGER LECOURT,  
*Deputy Minister of Labour*

## Decree to amend the Decree respecting solid waste removal in the Montréal region\*

An Act respecting collective agreement decrees (R.S.Q., c. D-2, s. 2 and 6.1)

**1.** The Decree respecting solid waste removal in the Montréal region is amended by substituting the following for section 6.01:

\* The last amendments to the Decree respecting solid waste removal in the Montréal region (R.R.Q., 1981, c. D-2, r.29) were made by the Regulation made under Order in Council No. 1282-2002 dated 30 October 2002 (2002, G.O. 2, 7729). For previous amendments, see the *Tableau des modifications et Index sommaire* Éditeur officiel du Québec, 2002, updated to 1 September 2002.