

Regulation to amend the Code of ethics of land surveyors*

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

1. The Code of ethics of land surveyors 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 section 3.06.02, a land surveyor may communicate information that is protected by professional secrecy to prevent an act of violence, including a suicide, where the land surveyor 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 land surveyor 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 land surveyor may only communicate such information as is necessary to achieve the purposes for which the information is communicated.

3.06.01.02. A land surveyor 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) enter the following particulars in the client’s record as soon as possible:

(a) the reasons supporting the decision to communicate the information, including the name of the person who caused the land surveyor to communicate the information and the name of the person or group of persons exposed to a danger; and

(b) the content of the communication, the mode of communication, and the name of the person to whom the information was given; and

(3) send the syndic a notice regarding the communication that includes the particulars identified in paragraph 2.”.

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

5596

Draft Regulation

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

Medical technologists — Code of ethics — Amendment

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 technologistes médicaux du Québec, made by the Bureau of the Ordre professionnel des technologistes médicaux 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 the Regulation is to amend the Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec to introduce provisions stating the terms and conditions according to which a professional may communicate information that is protected by professional secrecy so as 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, where 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 Code of ethics of land surveyors (R.R.Q., 1981, c. A-23, r. 4) was last amended by the Regulation approved by Order in Council 1398-2001 dated 21 November 2001 (2001, G.O. 2, 6148). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 September 2002.

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

Further information may be obtained by contacting Alain Collette, Director General and Secretary of the Ordre professionnel des technologistes médicaux du Québec, 1150, boulevard Saint-Joseph Est, bureau 300, Montréal (Québec) H2J 1L5; telephone: (514) 527-9811 or 1 800 567-7763; fax: (514) 527-7314; E-mail: optmq@qc.aira.com

Any 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^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 communicated to the professional order that made the Regulation, as well as to the interested persons, departments and bodies.

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

Regulation to amend the Code of ethics of members of the Ordre professionnel des technologistes médicaux du Québec*

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

1. The Code of Ethics of members of the Ordre professionnel des technologistes médicaux du Québec is amended by inserting the following division after division IX:

“DIVISION IX.1

PROVISION TO RELEASE THE OBLIGATION OF PROFESSIONAL SECRECY IN ORDER TO PROTECT INDIVIDUALS

26.1 The medical technologist may communicate information that is protected by professional secrecy in order to prevent an act of violence, including suicide, where there is reasonable cause to believe that there is an imminent danger of death or serious bodily harm to a person or an identifiable group of persons.

The medical technologist may only communicate the information to the person or persons exposed to the danger or their representative, and to the persons who can come to their aid. The medical technologist may only communicate such information as is necessary to achieve the purposes for which the information is communicated.

26.2 The medical technologist who is unsure of the degree of imminence of the danger or of what to do relatively to the communication may consult another member of the Order, a member of another professional order or any other competent person, as long as this consultation does not prejudicially slow down the communication process.

26.3 The medical technologist must enter the following in the client's file as soon as possible:

(1) the reasons that support the decision to communicate the information;

(2) the elements of the communication, including the name of the person or persons who received the communication and the date and time of the communication.”

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

5604

* The Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec, approved by Order in Council 1014-98 dated 5 August 1998 (1998, *G.O.*, 2, 3672), has not been amended since its approval.