

## Draft Regulations

### Draft Regulation

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

#### Chemists

- 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 chemists, made by the Bureau of the Ordre des chimistes 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 chemists 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 Order expects the proposed amendments to have no impact on businesses, including small and medium-sized businesses.

Further information may be obtained by contacting Martial Boivin, Chair, Director General and Secretary of the Ordre des chimistes du Québec, 300, rue Léo-Pariseau, bureau 1010, Place-du-Parc, Montréal (Québec) H2X 4B3; telephone: (514) 844-3644; fax: (514) 844-9601, E-mail: information@ocq.qc.ca

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<sup>e</sup> 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 of the Office des  
professions du Québec*

### Regulation to amend the Code of ethics of chemists\*

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

**1.** The Code of ethics of chemists is amended by inserting the following sections after section 52:

“**52.1.** A chemist may communicate information that is protected by professional secrecy to prevent an act of violence, including a suicide, where the chemist 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.

**52.2.** In the cases referred to in section 52.1, the chemist 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 chemist may only communicate such information as is necessary to achieve the purposes for which the information is communicated, in particular the identity of the person in danger, the identity and contact information of the person who made the threats, their nature and the circumstances in which they were made.

\* The Code of ethics of chemists, approved by Order in Council 27-2001 dated 17 January 2001 (2001, G.O. 2, 1017), has not been amended since its approval.

Where information is so communicated by a chemist, the chemist shall enter the following information in the client's record:

- (1) the date and time of the communication;
- (2) the identity of the person exposed to the danger or of the group of persons exposed to the danger;
- (3) the identity of the person to whom the information was communicated, specifying, as the case may be, that it was to the person exposed to the danger, to that person's representative or to the persons that can come to that person's aid;
- (4) the act of violence that the chemist intended to prevent;
- (5) the danger identified by the chemist; and
- (6) the information communicated.

The chemist shall also send that information to the bureau of the syndic without delay.”.

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