

WHEREAS, pursuant to section 95.3 of the Professional Code, the Secretary of the Order sent a draft of the Regulation to every member of the Order at least 30 days before it was made by the Bureau;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 29 January 2003 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

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

WHEREAS it is expedient to approve the Regulation without amendment;

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

THAT the Regulation to amend the Code of ethics of certified management accountants, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of certified management accountants*

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

1. The Code of ethics of certified management accountants is amended by the insertion, after section 36, of the following:

“**36.1.** In addition to the cases provided in section 36, the member may communicate information 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 severe bodily injury to a person or an identifiable group of persons.

* The Code of ethics of certified management accountants approved by Order in Council 672-90 dated 16 May 1990 (1990, *G.O.* 2, 1447) was last amended by the regulation approved by Order in Council 1087-2000 dated 13 September 2000 (2000, *G.O.* 2, 4590). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2003, updated to 1 March 2003.

However, the member may communicate the information only to the person or group of persons exposed to the danger, their representative or persons who can come to their aid.

The member may communicate only the information necessary for the purpose indicated for such communication.

36.2. The member who, in application of section 36.1, communicates information protected by professional secrecy in order to prevent an act of violence must:

(1) warn without delay the person or persons exposed to danger, their representative or persons able to come to their aid;

(2) as soon as possible, record the following details in the client’s file:

(a) the reasons for the decision to communicate the information, including the identity and contact information of the person who motivated the communication;

(b) the content of the communication, including identity and contact information of the person or persons to whom it was made.”

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

5887

Gouvernement du Québec

O.C. 830-2003, 20 August 2003

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

Land surveyors — Code of ethics — Amendment

Regulation to amend the Code of ethics of land surveyors

WHEREAS, under the first paragraph of 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, the professional’s clients and the profession, particularly the duty to discharge professional obligations with integrity;

WHEREAS, under the second paragraph of that section of the Professional Code, the code of ethics must include provisions stating the terms and conditions according to which a professional may communicate the information pursuant to the third paragraph of section 60.4;

WHEREAS the Bureau of the Ordre des arpenteurs-géomètres du Québec made the Regulation to amend the Code of ethics of land surveyors;

WHEREAS, pursuant to section 95.3 of the Professional Code, the Secretary of the Order sent a draft of the Regulation to every member of the Order at least 30 days before it was made by the Bureau;

WHEREAS, in accordance with the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation was published in Part 2 of the *Gazette officielle du Québec* of 19 February 2003 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

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

WHEREAS it is expedient to approve the Regulation without amendment;

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

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

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of land surveyors*

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

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*.

5888

* 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, 2003, updated to 1 March 2003.