

Gouvernement du Québec

O.C. 831-2003, 20 August 2003

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

Psychologists
— Code of ethics
— Amendment

Regulation to amend the Code of ethics of psychologists

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 psychologues du Québec made the Regulation to amend the Code of ethics of psychologists;

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 5 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 with amendments;

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 psychologists, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of psychologists *

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

1. The Code of ethics of psychologists is amended by inserting the following sections after section 39:

“**39.1.** In addition to the cases provided for in section 39, a psychologist may communicate information that is protected by professional secrecy to prevent an act of violence, including a suicide, where the psychologist 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 psychologist may only communicate the information 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 psychologist may only communicate such information as is necessary to achieve the purposes for which the information is communicated.

39.2. A psychologist who, pursuant to section 39.1, communicates information protected by professional secrecy to prevent an act of violence must enter the following particulars in the client's record:

(1) the reasons supporting the decision to communicate the information and the other available means that did not enable the psychologist to prevent the act of violence; and

(2) the circumstances of the communication, the information that was communicated, and the name of the person or persons 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*.

5889

* The Code de déontologie des psychologues, approved by Décret 3048-82 dated 20 December 1982 (1983, *G.O.* 2, 94), was replaced by a decision dated 18 February 1983 (1983, *G.O.* 2, 1951) and has not been amended since.