

(c) the subject 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*.

5892

Gouvernement du Québec

O.C. 835-2003, 20 August 2003

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

Hygiénistes dentaires
— **Code of ethics of the members of the Ordre**
— **Amendment**

Regulation to amend the Code of ethics of members of the Ordre des hygiénistes dentaires du Québec

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 hygiénistes dentaires du Québec made the Regulation to amend the Code of ethics of members of the Ordre hygiénistes dentaires du Québec;

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 12 March 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 members of the Ordre des hygiénistes dentaires du Québec, attached to this Order in Council, be approved.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of members of the Ordre des hygiénistes dentaires du Québec*

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

1. The Code of ethics of members of the Ordre des hygiénistes dentaires du Québec is amended by inserting the following subdivision after subdivision 6 of Division II:

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

32.1. In addition to the cases provided for in section 28, a dental hygienist may communicate information that is protected by professional secrecy to prevent an act of violence, including a suicide, where the dental hygienist 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 dental hygienist 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 dental hygienist may only communicate such information as is necessary to achieve the purposes for which the information is communicated.

* The Code of ethics of members of the Ordre des hygiénistes dentaires du Québec, approved by Order in Council 686-97 dated 21 May 1997 (1997, *G.O.* 2, 2260), has not been amended since its approval.

If the interest of the person or persons exposed to the danger so requires, the dental hygienist shall consult a colleague, a member of another professional order, or any other qualified person, provided the consultation will not prejudicially delay the communication of the information.

32.2. A dental hygienist who, pursuant to section 32.1, communicates information protected by professional secrecy to prevent an act of violence shall

(1) enter the following particulars in the client's record, in a sealed envelope :

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

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

(2) within five days of the communication, send the syndic a notice regarding the communication that includes the reasons supporting the decision to communicate the information and the date and time it was communicated.”.

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

5893

Gouvernement du Québec

O.C. 836-2003, 20 August 2003

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

Bailiffs

— **Code of ethics**
— **Amendment**

Regulation to amend the Code of ethics of bailiffs

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 Chambre des huissiers de justice du Québec made the Regulation to amend the Code of ethics of bailiffs ;

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

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of bailiffs*

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

1. The Code of ethics of bailiffs is amended by inserting the following section after section 23 :

“**23.1.** A bailiff who, pursuant to the third paragraph of section 60.4 of the Professional Code, communicates information that is protected by professional secrecy to prevent an act of violence must

* The Code of ethics of bailiffs, approved by Order in Council 550-2002 dated 7 May 2002 (2002, *G.O.* 2, 2504), has not been amended since its approval.