

**Municipalité régionale de comté de L'Islet**

L'Islet, Saint-Adalbert, Saint-Aubert, Saint-Cyrille-de-Lessard, Saint-Damase-de-L'Islet, Sainte-Félicité, Sainte-Louise, Sainte-Perpétue, Saint-Jean-Port-Joli, Saint-Marcel, Saint-Omer, Saint-Pamphile, Saint-Roch-des-Aulnaies, Tourville.

**Municipalité régionale de comté de La Nouvelle-Beauce**

Saint-Bernard, Frampton, Sainte-Hénédine, Saint-Elzéar, Saint-Lambert-de-Lauzon, Sainte-Marguerite, Sainte-Marie, Saint-Isidore, Saints-Anges, Scott, Vallée-Jonction.

**Municipalité régionale de comté des Etchemins**

Lac-Etchemin, Saint-Benjamin, Saint-Camille-de-Lellis, Saint-Cyprien, Sainte-Aurélié, Sainte-Justine, Saint-Magloire, Sainte-Rose-de-Watford, Sainte-Sabine, Saint-Louis-de-Gonzague, Saint-Luc-de-Bellechasse, Saint-Prosper, Saint-Zacharie.

**Municipalité régionale de comté de Lotbinière**

Laurier-Station, Leclercville, Lotbinière, Notre-Dame-du-Sacré-Coeur-d'Issoudun, Saint-Agapit, Saint-Antoine-de-Tilly, Saint-Apollinaire, Sainte-Agathe-de-Lotbinière, Sainte-Croix, Saint-Édouard-de-Lotbinière, Saint-Flavien, Saint-Gilles, Saint-Janvier-de-Joly, Saint-Narcisse-de-Beaurivage, Dosquet, Saint-Patrice-de-Beaurivage, Saint-Sylvestre, Val-Alain.

**Municipalité régionale de comté de Montmagny**

Berthier-sur-Mer, Cap-Saint-Ignace, Lac-Frontière, Montmagny, Notre-Dame-du-Rosaire, Saint-Antoine-de-l'Isle-aux-Grues, Sainte-Apolline-de-Patton, Sainte-Euphémie-sur-Rivière-du-Sud, Sainte-Lucie-de-Bearegard, Saint-Fabien-de-Panet, Saint-François-de-la-Rivière-du-Sud, Saint-Just-de-Bretenières, Saint-Paul-de-Montminy, Saint-Pierre-de-la-Rivière-du-Sud.

**Municipalité régionale de comté de Robert-Cliche**

Beauceville, Saint-Alfred, Saint-Frédéric, Saint-Joseph-de-Beauce, Saint-Joseph-des-Érables, Saint-Jules, Saint-Odilon-de-Cranbourne, Saint-Séverin, Saint-Victor, Tring-Jonction.”.

**11.** This Decree comes into force on the date of its publication in the *Gazette officielle du Québec*.

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**Draft Regulation**

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

**Dentists**

— Code of ethics  
— Amendments

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 Dentists”, adopted by the Bureau of the Ordre des dentistes du Québec may be submitted to the Government which could approve it with or without amendment, on the expiry of 45 days following this publication.

According to the “Ordre des dentistes du Québec”, the main purpose of the Draft Regulation is to adapt certain rules of ethics to the realities of the practice of the dental profession as provided by the “Regulation respecting the practice of the dental profession within a limited liability partnership or a joint-stock company”.

The Ordre des dentistes du Québec foresees no impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Caroline Daoust, Director General and Secretary, Ordre des dentistes du Québec, 625, boulevard René-Lévesque Ouest, 15<sup>e</sup> étage, Montréal (Québec) H3B 1R2; telephone: 514 875-8511 or 1 800 361-4887; fax: 514 393-9248.

Any interested person having comments to make is asked to send them, 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. The comments will be sent by the Office to the Minister responsible for the administration of legislation respecting the professions; they may also be sent to the professional order which adopted the Regulation and to interested persons, departments and bodies.

GAÉTAN LEMOYNE,  
*Chair of the Office des  
professions du Québec*

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

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

**1.** The Code of ethics of dentists is amended by inserting the following paragraph, after the first paragraph of section 3.02.02:

“Likewise, he shall avoid making any false representation regarding his competence or the effectiveness of his services generally offered by persons who perform their professional activities within a limited liability partnership or a joint-stock company within the meaning of the Civil Code or a limited liability partnership or joint-stock company as referred to in Chapter VI.3 of the Professional Code.”.

**2.** The Code is amended by inserting the following section after section 3.04.01:

“**3.04.02.** The dentist shall exercise appropriate supervision regarding any employee or any other person over whom he has immediate responsibility.

The dentist shall ensure compliance with the Dental Act (R.S.Q., c. D-3), the Professional Code (R.S.Q., c. C-26) and their statutory regulations by persons, employees, shareholders or associates who work with him in the exercising of the profession.

The dentist who carries on his profession within a limited liability partnership or a joint-stock company shall ensure compliance by the foregoing entity with the Dental Act, the Professional Code and their statutory regulations.”.

**3.** Section 3.05.01 of the Code is replaced by the following section:

“**3.05.01.** The dentist shall subordinate his personal interest as well as that of the limited liability partnership or joint-stock company in which he carries on his professional activities or in which he is an interested party, to that of his patient.”.

**4.** Section 3.05.05 of the Code is replaced by the following sections:

“**3.05.05.** Where a partner, shareholder, director, officer or employee of a limited liability partnership or a joint-stock company in which the dentist carries on his professional activities or has interests therein, is in a situation of conflicting interests, upon becoming aware thereof the dentist shall take appropriate measures to ensure that any information or documents pertaining to professional secrecy shall not be disclosed to such partner, shareholder, director, officer or employee.

To determine the effectiveness of such measures, the following factors shall be taken into account:

1° The size of the limited liability partnership or joint-stock company;

2° The precautionary measures taken to prevent access to the dentist’s records by the person in a situation of conflicting interests;

3° The instructions given regarding the protection of the confidential information or documents jeopardized by this situation of conflicting interests;

4° The relative isolation of the person in the situation of conflicting interests.

**3.05.06.** The dentist shall refrain from:

1° Unduly seeking or obtaining profit from the prescribing of apparatus, examinations, medication or treatments;

2° Granting in the carrying on of his profession any advantage, commission or rebate to any person whomsoever;

3° Accepting, in his capacity as a dentist or by using his title of dentist, any commission, rebate or material advantage other than customary expressions of thankfulness and gifts modest in value.

**3.05.07.** The dentist shall only share his fees with a person with whom he is authorized to carry on his professional activities under the Regulation respecting the practice of the dental profession within a limited liability partnership or a joint-stock company adopted by order-in-council number (*enter herein the number and date of the order-in-council adoption of this regulation by the government*).

\* The last amendments to the Code of Ethics of Dentists (R.R.Q., 1981, c. D-3, r.4) were made under the Regulation approved by Order of Council number 580-2005 on June 15th, 2005 (2005, G.O. 2, 2058). For prior amendments, see the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2006, updated September 1st, 2006.

Where a dentist carries on his professional activities within a limited liability partnership or a joint-stock company, the income resulting from the professional services that he has rendered within the foregoing entity and on the behalf thereof, then belongs to this limited liability partnership or joint-stock company, unless otherwise agreed upon.

**3.05.08.** The dentist shall not participate in any agreement whereby the nature and the extent of the professional expenditures may influence the quality of his practice.

In like manner, the dentist shall not participate in any agreement with another dental health care professional whereby the nature and the extent of the professional expenditures of the latter may influence the quality of his practice

Any agreement entered into by a dentist for the use of an immovable or a location for the carrying on of his professional activities shall be fully documented in writing and shall include a statement certifying that the obligations issuing therefrom respect the provisions of this Code as well as a clause authorizing the disclosure of this agreement to the Ordre des dentistes upon request.”

**5.** The Code is amended by inserting the following section after section 3.06.07:

“**3.06.08.** The dentist shall ensure that any person for whom he is liable in the carrying on of his profession shall not disclose to any third party the confidential information of which such person may be aware.”

**6.** The Code is amended by inserting the following section after section 3.09.11:

“**3.09.12.** The dentist who carries on his professional activities within a limited liability partnership or a joint-stock company shall not allow such entity by any means whatsoever to propagate false, deceitful, incomplete or misleading advertising.”

Articles 3.09.01 to 3.09.11 shall apply *mutadis mutandi* to the dentist who carries on his professional activities within a limited liability partnership or a joint-stock company.”

**7.** The Code is amended by inserting the following section after section 3.10.03:

“**3.10.04.** Where the dentist uses the graphic symbol of the Order for advertising purposes, he shall ensure that such advertising is not to be understood as advertising for the Order, nor that it engages the Order.”

**8.** The Code is amended by inserting the following subparagraphs after section 4.02.01:

“x) carrying on his professional activities within a limited liability partnership or a joint-stock company or having interests in such an entity with a person who, to the dentist’s knowledge, performs acts that prejudice the dignity of the dental profession;

y) carrying on his professional activities within a limited liability partnership or a joint-stock company, or having interests in such an entity, when a partner, shareholder, director, officer, or employee of such limited liability partnership or joint-stock company has been struck off the roll for more than 3 months or whose permit has been revoked, except insofar as the partner, shareholder, director, officer, or employee:

i. ceases to act in the performance of his duties as a director or officer within the limited liability partnership or joint-stock company within ten (10) days of the date on which the mandatory striking off or revocation of permit has become effective;

ii. ceases, if applicable, to attend any meeting of shareholders and to exercise his right to vote within ten (10) days of the date on which the mandatory striking off or revocation of permit has become effective;

iii. disposes of his voting shares or turns them over to a trustee within ten (10) days of the date on which the mandatory striking off or revocation of permit has become effective.”

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

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## Draft Regulation

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

### Dentists

#### — Practice of the dental profession within a limited liability partnership or a joint-stock company

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 respecting the practice of the dental profession within a limited liability partnership or a joint-stock company”, made by the Bureau of the Ordre