

DIVISION VI FINAL

12. This Regulation replaces the Regulation respecting the professional activities that may be engaged in by respiratory therapy externs (chapter C-26, r. 163) and the Regulation respecting the professional activities that may be engaged in by persons other than respiratory therapists (chapter C-26, r. 164).

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

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Gouvernement du Québec

O.C. 1129-2012, 28 November 2012

Professional Code
(chapter C-26)

Technologistes médicaux
— Code of ethics of the members of the
Ordre professionnel des technologistes médicaux
du Québec
— Amendment

Regulation to amend the Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec

WHEREAS, under section 87 of the Professional Code (chapter C-26), the board of directors of a professional order must make, by regulation, a code of ethics governing the general and special duties of the professional towards the public, clients and the profession, particularly the duty to discharge professional obligations with integrity;

WHEREAS the board of directors of the Ordre professionnel des technologistes médicaux du Québec made the Regulation to amend the Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec;

WHEREAS, in accordance with section 95.3 of the Professional Code, a draft of the Regulation was sent to every member of the Order at least 30 days before being made by the board of directors;

WHEREAS, pursuant to section 95 of the Professional Code and subject to sections 95.0.1 and 95.2, every regulation made by the board of directors of a professional order under the Code or an Act constituting a professional

order must be transmitted to the Office des professions du Québec for examination and be submitted, with the recommendation of the Office, to the Government which may approve it with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec was published in Part 2 of the *Gazette officielle du Québec* of 11 July 2012 with a notice that it could be submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS the Office has examined the Regulation and submitted it to the Government with its recommendation;

WHEREAS it is expedient to approve the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec, attached to this Order in Council, be approved.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec

Professional Code
(chapter C-26, s. 87)

1. The Code of ethics of the members of the Ordre professionnel des technologistes médicaux du Québec (chapter C-26, r. 243) is amended by replacing section 1 by the following:

“**1.** This Code determines, pursuant to section 87 of the Professional Code (chapter C-26), the duties and obligations to be discharged by every member of the Ordre professionnel des technologistes médicaux du Québec.”

2. Section 2 is amended by replacing “and integrity” by “, integrity and based on the interest of his or her clients.”

3. Section 4 is amended by adding the following sentence: “If the interest of the client so requires, the medical technologist must consult another member of the Order, a member of another professional order or any other competent person, or refer the client to one of those persons.”

4. The heading of Division VII is replaced by the following: “INFORMATION, CHOICE AND CONSENT OF THE CLIENT”.

5. Section 22 is amended by replacing “his client’s right” by “the right of the client or the client’s legal representative” and by adding the following sentence: “The medical technologist must not, by any means, interfere with the client’s freedom of choice.”.

6. Section 23 is replaced by the following:

“**23.** A medical technologist must, except in an emergency, obtain free and enlightened consent from the client or the client’s legal representative before undertaking any action.”.

7. Section 24 is amended by inserting “or the client’s legal representative” after “client”.

8. The following section is inserted after section 24:

“**24.1.** A medical technologist must declare in writing, to the service head or the director of the laboratory or, where there is no service head or director of the laboratory, to a person designated by them, any incident, accident or non-compliant process that could be detrimental to the adequate conduct of the analysis, accuracy of the result, diagnosis, therapeutic follow-up and health of the client.”.

9. Section 25 is amended by adding the following paragraphs:

“(5) failing to notify the Order or allowing that activities reserved for medical technologists are carried out by a person who is not authorized to practise the profession;

(6) failing to notify the Order of the incompetence of a medical technologist or the practice of the profession in a detrimental manner;

(7) communicating with the complainant without the prior written permission from the syndic or assistant syndic, where the medical technologist is informed of an inquiry into his or her professional conduct or competence or where the medical technologist has received notice of a complaint against him or her;

(8) intimidating a person or taking reprisals or threatening to take reprisals against any person who

(a) has reported derogatory behaviour or conduct or intends to do so; or

(b) has taken part or cooperated in an inquiry into derogatory conduct or behaviour or intends to do so.”.

10. Section 26 is amended

(1) by replacing paragraph 3 by the following:

“(3) may consider that the medical technologist is released from professional secrecy with the written or express authorization of the client or where so ordered or expressly authorized by law;”;

(2) by adding the following paragraph:

“(4) must refrain from using his or her position to have access to information irrelevant to the practice of the profession in the record of clients.”.

11. The heading of Division X is replaced by the following: “ACCESSIBILITY AND RECTIFICATION OF RECORDS”.

12. Section 47 is amended by adding “by the Order or any other authority offering training recognized by the Order” at the end.

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

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Gouvernement du Québec

O.C. 1161-2012, 5 December 2012

Civil Code of Québec
(C.C.Q.)

Code of Civil Procedure
(chapter C-25)

Courts of Justice Act
(chapter T-16)

Tariff of Court Costs in Civil Matters and Court Office Fees
— **Amendment**

Regulation to amend the Tariff of Court Costs in Civil Matters and Court Office Fees

WHEREAS, under section 224 of the Courts of Justice Act (chapter T-16), the Government is to fix the tariff of court costs and court office fees;

WHEREAS, in accordance with that provision, the Government made the Tariff of Court Costs in Civil Matters and Court Office Fees (chapter T-16, r. 9);