



Part 2

LAWS AND REGULATIONS

14 February 2024 / Volume 156

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Part 2 – LAWS AND REGULATIONS

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Part 2 shall contain:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
- (4) regulations made by courts of justice and quasi-judicial tribunals;
- (5) drafts of the texts referred to in paragraphs (3) and (4) whose publication in the *Gazette officielle du Québec* is required by law before they are made, adopted or issued by the competent authority or before they are approved by the Government, a minister, a group of ministers or a government body; and
- (6) any other document published in the French Edition of Part 2, where the Government orders that the document also be published in English.

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Coming into force of Acts

Gouvernement du Québec

O.C. 105-2024, 31 January 2024

Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project
— Coming into force of part of section 21

COMING INTO FORCE of part of section 21 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project

WHEREAS, pursuant to paragraph 3 of section 86 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project (2023, chapter 13), the provisions of the Act come into force on 6 June 2023 except, in particular, section 21 insofar as it enacts articles 542.1 to 542.18 of the Civil Code, which comes into force on 6 June 2025 or on an earlier date to be set by the Government;

WHEREAS it is expedient to set 6 March 2024 as the date of coming into force of section 21 of the Act insofar as it enacts the first paragraph of article 542.1 of the Civil Code, to the extent that it concerns the power of the Government to determine, by regulation, the information concerning the profile of the third person who contributed to the procreation of a person born of procreation involving the contribution of a third person provided for in the first paragraph of article 542.1 of the Code;

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

THAT 6 March 2024 be set as the date of coming into force of section 21 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project (2023, chapter 13) insofar as it enacts the first paragraph of article 542.1 of the Civil Code, to the extent that it concerns the power of the Government to determine, by regulation, the information concerning the profile of

the third person who contributed to the procreation of a person born of procreation involving the contribution of a third person provided for in the first paragraph of article 542.1 of the Code.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

106687

Gouvernement du Québec

O.C. 116-2024, 31 January 2024

Act respecting the implementation of certain provisions of the Budget Speech of 22 March 2022 and amending other legislative provisions
— Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act respecting the implementation of certain provisions of the Budget Speech of 22 March 2022 and amending other legislative provisions

WHEREAS, under paragraph 2 of section 63 of the Act respecting the implementation of certain provisions of the Budget Speech of 22 March 2022 and amending other legislative provisions (2023, chapter 10) the provisions of sections 52 to 55 of the Act come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set 1 February 2024 as the date of coming into force of the provisions of section 52 of the Act;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Relations with the First Nations and the Inuit and the Minister of Health:

THAT 1 February 2024 be set as the date of coming into force of the provisions of section 52 of the Act respecting the implementation of certain provisions of the Budget Speech of 22 March 2022 and amending other legislative provisions (2023, chapter 10).

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

106690

Regulations and other Acts

Gouvernement du Québec

O.C. 87-2024, 31 January 2024

Professional Code
(chapter C-26)

Professional activities that may be engaged in by persons other than speech therapists and audiologists

Regulation respecting the professional activities that may be engaged in by persons other than speech therapists and audiologists

WHEREAS, under subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation and the terms and conditions on which such persons may engage in such activities and, unless it is for the purpose of authorizing persons registered in a program giving access to a permit issued by the order or serving a period of professional training to engage in a professional activity, the board of directors must, before adopting a regulation under that paragraph, consult any order whose members engage in a professional activity described in the regulation;

WHEREAS, in accordance with that subparagraph, the board of directors of the Ordre des orthophonistes et audiologistes du Québec consulted the Collège des médecins du Québec, the Ordre des audioprothésistes du Québec, the Ordre des conseillers et conseillères d'orientation du Québec, the Ordre des ergothérapeutes du Québec, the Ordre des infirmières et infirmiers du Québec, the Ordre professionnel de la physiothérapie du Québec, the Ordre des psychoéducateurs et psychoéducatrices du Québec, the Ordre des psychologues du Québec and the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec before making, on 28 April and 22 June 2023, the Regulation respecting the professional activities that may be engaged in by persons other than speech therapists and audiologists;

WHEREAS, pursuant to section 95 of the Professional Code, subject to sections 95.0.1 and 95.2 of the Code, 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), the Regulation respecting the professional activities that may be engaged in by persons other than speech therapists and audiologists was published as a draft in Part 2 of the *Gazette officielle du Québec* of 6 September 2023 with a notice that it could be examined by the Office then submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Professional Code, the Office examined the Regulation on 14 December 2023 and then 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 Responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Regulation respecting the professional activities that may be engaged in by persons other than speech therapists and audiologists, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation respecting the professional activities that may be engaged in by persons other than speech therapists and audiologists

Professional Code
(chapter C-26, s. 94, 1st par., subpar. *h*)

DIVISION I GENERAL

1. The purpose of this Regulation is to determine, among the professional activities that may be engaged in by speech therapists and audiologists, those that, in accordance with the terms and conditions it determines, may be engaged in by

(1) a person who is enrolled in a program of studies leading to a diploma giving access to any of the permits issued by the Ordre des orthophonistes et audiologistes du Québec;

(2) a person who is enrolled in a program of studies leading to a Master's degree in speech therapy or audiology issued by a university outside Québec and who completes a clinical practicum in Québec as part of that program of studies;

(3) a person who undergoes training, completes a clinical practicum or successfully passes an examination as part of the procedure for recognizing a diploma equivalence or training equivalence provided for by the Règlement sur les normes d'équivalence aux fins de la délivrance d'un permis par l'Ordre des orthophonistes et audiologistes du Québec (chapter C-26, r. 188.1);

(4) a person who undergoes training or completes a clinical practicum as part of the procedure for recognizing professional competence provided for by the Règlement sur la délivrance d'un permis de l'Ordre des orthophonistes et audiologistes du Québec pour donner effet à l'arrangement conclu par l'Ordre en vertu de l'Entente entre le Québec et la France en matière de reconnaissance mutuelle des qualifications professionnelles (chapter C-26, r. 186.1).

DIVISION II

TERMS AND CONDITIONS FOR ENGAGING IN THE ACTIVITIES

2. The persons engaging in professional activities under this Regulation must engage in those activities in compliance with the standards applicable to speech therapists and audiologists, including those relating to ethics and those relating to the keeping of records and the operation of offices.

3. A person referred to in section 1 may engage in the professional activities that may be engaged in by speech therapists and audiologists provided

(1) the person is duly listed in the register kept for that purpose by the Order;

(2) the person engages in the professional activities as part of a program of studies, training, a clinical practicum or an examination referred to in section 1; and

(3) the person engages in the professional activities under the supervision of a speech therapist or an audiologist who is responsible for the person.

4. The speech therapist or audiologist who acts as a supervisor pursuant to section 3 must

(1) engage in professional activities relevant to the field of practice covered by the program of studies, training, clinical practicum or examination;

(2) be duly registered on a list kept for that purpose by the Order; and

(3) have not been the subject, within the 5 years preceding the supervision,

(a) of a decision by the disciplinary council or the Professions Tribunal imposing a penalty;

(b) of a decision by the board of directors imposing a clinical practicum or a refresher course, a restriction or a suspension of the right to engage in professional activities, a striking off the roll or a revocation of permit.

DIVISION III

FINAL

5. This Regulation replaces the Regulation respecting the professional activities that may be engaged in by persons other than speech therapists and audiologists (chapter C-26, r. 178).

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

106680

Gouvernement du Québec

O.C. 88-2024, 31 January 2024

Professional Code
(chapter C-26)

Certain professional activities that may be engaged in by persons other than sexologists and by sexologists

Regulation respecting certain professional activities that may be engaged in by persons other than sexologists and by sexologists

WHEREAS, pursuant to subparagraph *h* of the first paragraph of section 94 of the Professional Code (chapter C-26), the board of directors of a professional order may, by regulation, determine, among the professional activities that may be engaged in by members of the order, those that may be engaged in by the persons or categories of persons indicated in the regulation, and the terms and conditions on which such persons may engage in such activities and, unless it is for the

purpose of authorizing persons registered in a program giving access to a permit issued by the order or serving a period of professional training to engage in a professional activity, the board of directors must, before adopting a regulation under that paragraph, consult any order whose members engage in a professional activity described in the regulation;

WHEREAS, in accordance with that subparagraph, the board of directors of the Ordre professionnel des sexologues du Québec, after consultation with the Collège des médecins du Québec, the Ordre des conseillers et conseillères d'orientation du Québec, the Ordre professionnel des criminologues du Québec, the Ordre des ergothérapeutes du Québec, the Ordre des infirmières et infirmiers du Québec, the Ordre des orthophonistes et audiologistes du Québec, the Ordre des psychoéducateurs et psychoéducatrices du Québec, the Ordre des psychologues du Québec and the Ordre des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec, adopted, on 9 September 2023, the Regulation respecting certain professional activities that may be engaged in by persons other than sexologists and by sexologists;

WHEREAS, pursuant to section 95 of the Professional Code, subject to sections 95.0.1 and 95.2 of that Code, every regulation made by the board of directors under the Code or an Act constituting a professional order must be transmitted to the Office des professions du Québec for examination and then 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), the draft Regulation respecting certain professional activities that may be engaged in by persons other than sexologists and by sexologists was published in Part 2 of the *Gazette officielle du Québec* dated 11 October 2023 with a notice stating that it would be examined by the Office and submitted to the Government for approval, with or without amendment, on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 95 of the Code, the Office examined the draft Regulation on 14 December 2023 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 Responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Regulation respecting certain professional activities that may be engaged in by persons other than sexologists and by sexologists, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation respecting certain professional activities that may be engaged in by persons other than sexologists and by sexologists

Professional Code
(chapter C-26, s. 94, 1st par., subpar. *h*)

DIVISION I PERSONS OTHER THAN SEXOLOGISTS

1. Among the professional activities that may be engaged in by sexologists, the activities required for the completion of a program of studies in sexology that leads to a diploma giving access to the permit issued by the Ordre professionnel des sexologues du Québec may be engaged in by a person registered in a program, on the condition that the person engages in the activities

(1) under the supervision of a person who meets the criteria of recognition provided for in section 3; and

(2) in keeping with the regulatory standards that apply to sexologists relating to ethics, the keeping of records, consulting rooms and other offices.

2. A person who must complete a training or a training period for the purposes of the recognition of an equivalence in accordance with the Règlement sur les normes d'équivalence de diplôme et de formation aux fins de la délivrance d'un permis de l'Ordre professionnel des sexologues du Québec (chapter C-26, r. 222.2.0001) may, among the professional activities that may be engaged in by sexologists, engage in the activities required for the completion of the training or training period, on the condition that the person engages in the activities

(1) under the supervision of a person who meets the criteria of recognition provided for in section 3; and

(2) in keeping with the regulatory standards that apply to sexologists relating to ethics, the keeping of records, consulting rooms and other offices.

3. The supervisor must be a sexologist and have a minimum of 5 years of practical experience in the field of practice covered by the program of studies, the training or the training period. In addition, the supervisor must not have been the subject, in the 5 years preceding the supervision, of a decision under section 55 of the Professional Code (chapter C-26) requiring the person to complete a period of refresher training or a refresher course, or of a decision by the Order, the disciplinary council of the Order or the Professions Tribunal imposing the striking off the roll, or restriction or suspension of the right to engage in professional activities.

Despite the foregoing, where a person registered in a program of studies in sexology assesses sexual disorders, the criteria of recognition as a supervisor are those provided for in Schedule II to the Règlement sur une activité de formation des sexologues pour l'évaluation des troubles sexuels (chapter C-26, r. 221.1.001).

4. On request, the supervisor sends to the Order the contact information of the person he or she is supervising and the terms and conditions that apply to the supervisor.

DIVISION II SEXOLOGISTS

5. Within the scope of the training provided for in the Règlement sur une activité de formation des sexologues pour l'évaluation des troubles sexuels (chapter C-26, r. 221.1.001), a sexologist may assess sexual disorders under the supervision of a person who meets the criteria of recognition provided for in Schedule II to the Regulation to the extent that the performance of that activity is required in order for them to complete the training.

DIVISION III FINAL

6. This Regulation replaces the Regulation respecting certain professional activities that may be engaged in by persons other than sexologists (chapter C-26, r. 222.1.01).

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

106681

Gouvernement du Québec

O.C. 89-2024, 31 January 2024

Pharmacy Act
(chapter P-10)

Terms and conditions for the sale of medications — Amendment

Regulation to amend the Regulation respecting the terms and conditions for the sale of medications

WHEREAS, pursuant to section 37.1 of the Pharmacy Act (chapter P-10), the Office des professions du Québec, after consultation with the Institut national d'excellence en santé et en services sociaux, the Collège des médecins du Québec, the Ordre des médecins vétérinaires du Québec and the Ordre des pharmaciens du Québec, may, by regulation, establish categories of medications and determine, for each category, if need be, by whom and subject to what terms and conditions the medications may be sold;

WHEREAS the Office, on 22 September 2023, after the required consultations, adopted the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft Regulation to amend the Regulation respecting the terms and conditions for the sale of medications was published in Part 2 of the *Gazette officielle du Québec* dated 4 October 2023, with a notice stating that it could be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following publication;

WHEREAS, pursuant to section 13 of the Professional Code (chapter C-26), every regulation adopted by the Office under the Code or under an Act constituting a professional order must be submitted to the Government, which may approve it with or without amendment;

WHEREAS it is expedient to approve the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister Responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications, attached to this order in council, be approved.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the terms and conditions for the sale of medications

Pharmacy Act
(chapter P-10, s. 37.1)

1. Schedule III of the Regulation respecting the terms and conditions for the sale of medications (chapter P-10, r. 12), amended by section 2 of the Regulation to amend the Regulation respecting the terms and conditions for the sale of medications, approved by Order in Council 1343-2023 of 6 September 2023, is further amended by inserting the following substance and specification after the substance “DYCLONINE AND ITS SALTS”:

“ELECTROLYTES” and “Dosage forms for colon cleansing and irrigation”.

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

106682

Gouvernement du Québec

O.C. 97-2024, 31 January 2024

Act respecting parental insurance
(chapter A-29.011)

Regulation — Amendment

Regulation to amend the Regulation under the Act respecting parental insurance

WHEREAS, under the third paragraph of section 7 of the Act respecting parental insurance (chapter A-29.011), payment of maternity benefits or exclusive benefits for the person, in connection with pregnancy or delivery, may also end after the expiry of the 20-week period, but may not exceed the 52nd week after the week of delivery if, in the cases and for the time determined by regulation of the Conseil de gestion, the benefit period is extended;

WHEREAS, under the second paragraph of section 8 of the Act, in the event of a termination of pregnancy occurring after the nineteenth week of pregnancy, payment of the benefits may end after the expiry of the 20-week period, but may not exceed the 52nd week after the week in which the termination of pregnancy occurs if, in the cases and for the time determined by regulation of the Conseil de gestion, the benefit period is extended;

WHEREAS, under the third paragraph of section 12.2 of the Act, as enacted by section 39 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project (2023, chapter 13), payment of the exclusive benefits for the woman or the person who has agreed to give birth to a child in the context of a surrogacy project may end after the expiry of the 20-week period, but may not exceed the 52nd week after the week of delivery or the week in which the termination of pregnancy occurs if, in the cases and for the time determined by regulation of the Conseil de gestion, the benefit period is extended;

WHEREAS, under the first paragraph of section 13 of the Act respecting parental insurance, no benefits under the parental insurance plan shall be granted unless an application is filed, except where an exemption is provided for in a regulation of the Conseil de gestion;

WHEREAS, under the second paragraph of section 16 of the Act, the Conseil de gestion may determine by regulation the conditions on which weeks of benefits are to be shared if there is no agreement between the parents;

WHEREAS, under the second paragraph of section 17.1 of the Act, the Conseil de gestion may, by regulation, determine the conditions governing how the parental insurance plan is to be applied when one of the parents is not resident in Québec at the time an application for benefits under that plan, the employment insurance plan or a plan established by another province or a territory is filed;

WHEREAS, under section 19 of the Act, the benefits may, on the conditions prescribed in a regulation of the Conseil de gestion, be increased, up to the limit fixed in the regulation, where the income is below the threshold determined in the regulation, and the regulation must establish, in particular, the constituents of the income taken into account;

WHEREAS, under the second paragraph of section 20 of the Act, the qualifying period may, for the purpose of determining a person’s entitlement to benefits, be extended on the conditions prescribed in a regulation of the Conseil de gestion; an extended qualifying period may not however exceed 104 weeks;

WHEREAS, under the second paragraph of section 23 of the Act, as amended by section 46 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project, the benefit period may not exceed the 78th week following the week of birth or the week of the arrival of the child into the care of one of

the parents for the purpose of the adoption, unless it is extended in accordance with the regulations of the Conseil de gestion;

WHEREAS, under the third paragraph of section 23 of the Act, as enacted by section 46 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project, in the case of a surrogacy project, unless it is extended in accordance with the regulations of the Conseil de gestion, the benefit period for the parents who are parties to the parental project involving surrogacy may not exceed the 78th week following the week in which the child is entrusted to one of the parents;

WHEREAS, under the third paragraph of section 23 of the Act respecting parental insurance, where the filiation of the child born in the context of a surrogacy project is established in accordance with the rules of filiation by acknowledgement or by blood, the benefit period for the woman or the person who gave birth to the child may not exceed the 78th week following, as applicable, the week of the child's birth if the child was not entrusted to the parents who are parties to the parental project involving surrogacy or, if the child was entrusted to them, the week in which they subsequently entrust the child to the woman or the person who gave birth to the child, unless the benefit period is extended in accordance with the regulations of the Conseil de gestion;

WHEREAS, under the fourth paragraph of section 23 of the Act respecting parental insurance, the circumstances in which the benefit period may be extended or end shall be fixed in a regulation of the Conseil de gestion, but a benefit period may not, once extended, exceed 104 weeks;

WHEREAS, under subparagraph 1 of the first paragraph of section 88 of the Act, in addition to its other regulatory powers under the Act, the Conseil de gestion may make regulations determining the procedure and time limits for making an application to the Minister and an application on behalf of a person who is deceased or unable to manage his or her affairs;

WHEREAS the Conseil de gestion, by resolution dated 14 September 2023, adopted the Regulation to amend the Regulation under the Act respecting parental insurance;

WHEREAS, under the second paragraph of section 88 of the Act respecting parental insurance, the regulations of the Conseil de gestion require the approval of the Government, which may approve them with or without amendment;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the Regulation to amend the Regulation under the Act respecting parental insurance was published as a draft in Part 2 of the *Gazette officielle du Québec* of 1 November 2023 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to approve the Regulation with amendments;

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

THAT the Regulation to amend the Regulation under the Act respecting parental insurance, attached to this Order in Council, be approved.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation under the Act respecting parental insurance

Act respecting parental insurance
(chapter A-29.011, s. 7, 3rd par., s. 8, 2nd par., s. 12.2, 3rd par., s. 13, 1st par., s. 16, 2nd par., s. 17.1, 2nd par., s. 19, 20, 2nd par., s. 23, 2nd, 3rd and 4th pars. and s. 88, 1st par., subpar. 1; 2023, chapter 13, ss. 39 and 46)

1. The Regulation under the Act respecting parental insurance (chapter A-29.011, r. 2) is amended in section 10 by striking out “the net family” after “information on”.

2. Section 14 is amended by replacing “maternity benefits, paternity benefits, exclusive parental or adoption benefits of the deceased parent” in paragraph 2 by “exclusive benefits of the deceased parent provided for in sections 7, 9, 10.1, subparagraph 1 of the first paragraph of section 11, section 11.1, subparagraph 1 of the first paragraph of section 12.4 and section 12.5 of the Act”.

3. Section 15 is amended by replacing “welcome and support benefits relating to an adoption” in the second paragraph by “benefits provided for in sections 12.1 and 12.8 of the Act”.

4. Section 16 is amended by replacing “welcome and support benefits relating to an adoption” in the third paragraph by “benefits provided for in sections 12.1 and 12.8 of the Act”.

5. Section 17 is amended by replacing “sections 10 and 11” in the second paragraph by “section 10, subparagraph 2 of the first paragraph of section 11, and subparagraph 2 of the first paragraph of section 12.4”.

6. Section 26 is amended by replacing “second” by “fourth” wherever it appears.

7. Section 31.1.1 is amended by replacing “second” by “fourth”.

8. Section 33 is amended by striking out “sections 7 to 11, 15 or 17 of” in paragraph 2.

9. Section 33.1 is amended

(1) by striking out “maternity” wherever it appears;

(2) by replacing “, father’s or mother’s spouse” in paragraph 2 of the first paragraph by “or one of their parents, father’s or mother’s spouse or one of their parents.”.

10. Section 33.2 is amended by striking out “maternity” wherever it appears.

11. The following is added after section 33.2:

“**33.3.** For the purposes of the third paragraph of section 12.2 of the Act, the benefit period may be extended if the person who so requests is in one of the situations referred to in subparagraphs 1 to 3 of the first paragraph of section 33.1.

The benefit period is extended by the number of full weeks that the situation lasts, subject to the third paragraph of section 12.2 of the Act.

If a person is again in the situation referred to in the first paragraph during the extension of the benefit period, the benefit period is extended by the number of weeks that the situation lasts, subject to the third paragraph of section 12.2 of the Act.”.

12. Section 34 is amended

(1) by replacing the portion before subparagraph 1 of the first paragraph by the following:

“For the purposes of the second, third and fourth paragraphs of section 23 of the Act, the period during which the benefits provided for in sections 9 to 11.3, 12.1 and 12.3 to 12.8 of the Act may be paid is extended if the person is in one of the following situations:”;

(2) by replacing “, father’s or mother’s spouse” in subparagraph 3 of the first paragraph by “or one of their parents, father’s or mother’s spouse or one of their parents”;

(3) by replacing “third” in the second paragraph by “fourth”;

(4) by replacing “third” in the third paragraph by “fourth”.

13. Section 35 is amended by inserting “, the first paragraph of section 33.3” after “section 33.2”.

14. Sections 2 to 8 and 11 to 13, insofar as they concern benefits relating to a surrogacy project, apply only to a birth resulting from a surrogacy project occurring as of 6 March 2024, unless it is shown that the pregnancy began after 5 June 2023.

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

106684

Gouvernement du Québec

O.C. 102-2024, 31 January 2024

Educational Childcare Act
(chapter S-4.1.1)

Educational Childcare
— **Amendment**

Regulation to amend the Educational Childcare Regulation

WHEREAS, under subparagraph 13.1 of the first paragraph of section 106 of the Educational Childcare Act (chapter S-4.1.1), the Government may, by regulation, for part or all of Québec, set the ratio of staff to qualified staff present during the provision of childcare services to be respected by an educational childcare provider;

WHEREAS, under subparagraph 31 of the first paragraph of section 106 of the Act, the Government may, by regulation, for part or all of Québec, specify which provisions of a regulation give rise to the imposition of an administrative penalty, and specify, or give the calculation methods to be used to determine, the amount of the penalty;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Educational Childcare Regulation was

published in Part 2 of the *Gazette officielle du Québec* of 1 November 2023 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Educational Childcare Regulation, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Educational Childcare Regulation

Educational Childcare Act
(chapter S-4.1.1, s. 106, 1st par., subpars. 13.1 and 31)

1. The Educational Childcare Regulation (chapter S-4.1.1, r. 2) is amended in section 23

(1) by replacing the first paragraph by the following:

“A permit holder must ensure that at least 2 childcare staff members out of 3 are qualified and present each day with the children while childcare is being provided, subject to section 23.1.1.”;

(2) by replacing “If” in the second paragraph by “In all circumstances, if”.

2. Sections 23.1 and 23.2 are replaced by the following:

“**23.1.** Under the conditions and in the circumstances provided for herein, a permit holder is exempted from ensuring compliance with the ratio referred to in the first paragraph of section 23 and must ensure that the minimum number of qualified childcare staff members present each day with the children while childcare is being provided respects the ratio of

(1) at least 1 childcare staff member out of 2, until 31 March 2027;

(2) at least 1 childcare staff member out of 3,

(a) until 5 years have elapsed since the initial issuance of the permit;

(b) until 5 years have elapsed since the permit was modified to increase, by 8 or more, the maximum number of children that may be provided with childcare in the permit holder’s facility;

(c) until 5 years have elapsed since a first subsidy agreement was entered into by the Minister and the holder of a day care centre permit, provided that the agreement was entered into after 31 October 2023;

(d) while childcare is being provided during the first and last business hour of the permit holder’s core hours.”.

3. Section 123.1 is amended by replacing “23 to 23.2” in the first paragraph by “23, 23.1”.

4. This Regulation comes into force on 1 March 2024.

106685

Gouvernement du Québec

O.C. 104-2024, 31 January 2024

Transfer of the surplus accumulated by the Public Contracts Fund and date on which certain provisions of the Act to ensure mainly the recovery of amounts improperly paid as a result of fraud or fraudulent tactics in connection with public contracts cease to have effect

WHEREAS the Act to ensure mainly the recovery of amounts improperly paid as a result of fraud or fraudulent tactics in connection with public contracts (chapter R-2.2.0.0.3) provides for exceptional measures for the reimbursement and recovery of amounts improperly paid as a result of fraud or fraudulent tactics in the course of the tendering, awarding or management of public contracts;

WHEREAS under section 25 of the Act, the Public Contracts Fund is established at the Ministère de la Justice and is dedicated to financing activities carried out by the Minister for the purposes of the Act;

WHEREAS under section 28 of the Act, any surplus accumulated by the Fund is transferred to the general fund on the dates and to the extent determined by the Government;

Whereas under section 49 of the Act, Chapter V ceases to have effect on the date to be set by the Government;

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

THAT the totality of the surplus accumulated by the Public Contracts Fund be transferred to the general fund on 31 March 2024;

THAT 31 March 2024 be set as the date on which Chapter V of the Act to ensure mainly the recovery of amounts improperly paid as a result of fraud or fraudulent tactics in connection with public contracts (chapter R-2.2.0.0.3) ceases to have effect.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

106686

Gouvernement du Québec

O.C. 106-2024, 31 January 2024

Civil Code of Québec

Code of Civil Procedure
(chapter C-25.01)

Information on the profile of a person who has contributed to the procreation of a child in the context of a parental project

Regulation respecting information on the profile of a person who has contributed to the procreation of a child in the context of a parental project

WHEREAS, under the second paragraph of article 541.13 of the Civil Code, as made by section 20 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project (2023, chapter 13), the agreement also contains the information determined by government regulation concerning the profile of the woman or the person who has agreed to give birth to the child and of any other party to the agreement who intends to provide their reproductive material;

WHEREAS, under the first paragraph of article 541.32 of the Civil Code, as made by section 20 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project, once the prior authorization has been obtained, the surrogacy agreement, accompanied by the information concerning the profile of the woman or the person who has agreed to give birth to the child

and the documents determined by government regulation, must, before being signed, be submitted to the Minister of Health and Social Services for authorization;

WHEREAS, under the first paragraph of article 542.1 of the Civil Code, as made by section 21 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project, a person born of procreation involving the contribution of a third person, including one under 14 years of age who has obtained the approval of their father and mother, of their parents or of their tutor, has the right to obtain, from the authority designated by law and among the information contained in the register referred to in article 542.10 of the Code, the name of the third person, the information concerning the third person's profile determined by government regulation and, unless a contact veto bars its disclosure, the information making contact with the third person possible;

WHEREAS, under article 431.0.3 of the Code of Civil Procedure (chapter C-25.01), to be admissible, an application relating to the filiation of a child born of a parental project involving surrogacy in which all the parties are domiciled in Québec must be filed together with the information determined by government regulation concerning the profile of the woman or the person who gave birth to the child and of any other party to the surrogacy agreement who provides their reproductive material;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting information on the profile of a person who has contributed to the procreation of a child in the context of a parental project was published in Part 2 of the *Gazette officielle du Québec* of 1 November 2023 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation respecting information on the profile of a person who has contributed to the procreation of a child in the context of a parental project, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation respecting information on the profile of a person who has contributed to the procreation of a child in the context of a parental project

Civil Code of Québec
(Civil Code, art. 541.13, 2nd par., art. 541.32, 1st par., and art. 542.1, 1st par.; 2023, chapter 13, arts. 20 and 21)

Code of Civil Procedure
(chapter C-25.01, art. 431.0.3)

1. This Regulation determines the information on the profile of the following persons:

(1) the person who provided their reproductive material in the context of a parental project involving the use of the reproductive material of a third person;

(2) in the context of a parental project involving surrogacy:

(a) the woman or person who agreed to give birth to the child; and

(b) the party to the surrogacy agreement, other than the woman or person who agreed to give birth to the child, who provided their reproductive material.

2. The profile of a person who has contributed to the procreation of a child includes

(1) the following general information:

(a) the third person's age;

(b) the third person's ethnic origin;

(c) the third person's civil status;

(d) the third person's level of education and, where applicable, their diplomas and the subject studied; and

(e) the third person's occupation, where applicable;

(2) the following information relating to physical characteristics:

(a) the third person's height;

(b) the third person's skin colour;

(c) the third person's eye colour; and

(d) the third person's hair colour and texture;

(3) information relating to the third person's personality traits, special skills, preferences and hobbies, where applicable.

3. This Regulation comes into force on 6 March 2024. However, in respect of a woman or person who agreed to give birth to a child and who is domiciled outside Québec, the Regulation applies as of the date of coming into force of section 20 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project (2023, chapter 13), insofar as it enacts the provisions of article 541.32 of the Civil Code.

106688

Gouvernement du Québec

O.C. 242-2024, 7 February 2024

Civil Code of Québec

Parental projects involving surrogacy in which the parties to the agreement are domiciled in Québec

Regulation respecting parental projects involving surrogacy in which the parties to the agreement are domiciled in Québec

WHEREAS, under the first paragraph of article 541.3 of the Civil Code, as made by section 20 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project (2023, chapter 13), the contribution made to the parental project by the woman or the person who has agreed to give birth to a child must be gratuitous, they are, however, entitled, in accordance with the standards determined by government regulation, to the reimbursement or payment of certain expenses and to compensation, where applicable, for loss of work income resulting from that contribution;

WHEREAS, under the fourth paragraph of article 541.9 of the Civil Code, as made by section 20 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project, a government regulation may determine, among other things, the content of the document stating the consent of the woman or the person who gave birth to the child;

WHEREAS, under the third paragraph of article 541.13 of the Civil Code, as made by section 20 of the Act to reform family law with regard to filiation and to protect

children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project, a government regulation may provide for any other standard relating to the content of the surrogacy agreement or the deposit, in a trust account of the notary who executes the agreement, of an amount to allow the performance of the obligations of the person alone or the spouses who formed the parental project;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting parental projects involving surrogacy in which the parties to the agreement are domiciled in Québec was published in Part 2 of the *Gazette officielle du Québec* of 1 November 2023 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation respecting parental projects involving surrogacy in which the parties to the agreement are domiciled in Québec, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation respecting parental projects involving surrogacy in which the parties to the agreement are domiciled in Québec

Civil Code of Québec
(Civil Code, art. 541.3, 1st par., art. 541.9, 4th par. and art. 541.13, 3rd par.; 2023, chapter 13, s. 20)

CHAPTER I GENERAL

DIVISION I REIMBURSEMENT OR PAYMENT OF CERTAIN EXPENSES AND PAYMENT OF COMPENSATION FOR LOSS OF WORK INCOME

1. The following expenses must be reimbursed to the woman or the person who has agreed to give birth to a child in consideration of their contribution to a parental project involving surrogacy, or paid to the third person who has provided the service or product:

(1) expenses incurred to obtain any product or service provided by a professional who is a member of a professional order and who, in the practice of their profession, is authorized by law to assess the physical condition of a person, provide or contribute to pregnancy care, conduct or contribute to conducting deliveries, and provide postnatal care and other health care;

(2) expenses incurred to obtain any drug or device within the meaning of section 2 of the Food and Drugs Act (R.S.C., 1985, c. F-27);

(3) expenses relating to the delivery, other than the expenses referred to in subparagraphs 1 and 2;

(4) fees and disbursements incurred for any legal service, including fees and disbursements incurred to administer amounts deposited in a trust account, where applicable.

In addition, the following expenses must be paid for that reason:

(1) expenses relating to an assisted procreation activity within the meaning of paragraph 1 of section 2 of the Act respecting clinical and research activities relating to assisted procreation (chapter A-5.01), payable to the centre for assisted procreation;

(2) the fees and expenses relating to the information meeting on the psychosocial implications of the surrogacy project and of the ethical issues it involves, payable to the professional who is a member of a professional order designated by the Minister of Justice in accordance with article 541.11 of the Civil Code;

(3) the charges for the transportation of an in vitro embryo or gametes, including expenses associated with the transportation, payable to any person who incurred them, except the woman or the person who has agreed to give birth to the child.

2. If the parties to the surrogacy agreement so agree, the following expenses may be reimbursed to the woman or the person who has agreed to give birth to a child in consideration of their contribution to a parental project involving surrogacy, or paid to the third person who has provided the service or product:

(1) expenses incurred to obtain any product or service prescribed in writing by a professional who is a member of a professional order and who, in the practice of their profession, is authorized by law to assess the physical condition of a person, provide pregnancy care, conduct deliveries, and provide postnatal care and other health care, as well as expenses associated with obtaining a prescription, where applicable;

(2) fees and disbursements incurred for professional consultation services, except those referred to in paragraph 1 of this section and in subparagraph 4 of the first paragraph of section 1;

(3) expenses relating to the services of a doula;

(4) expenses relating to obtaining or confirming medical records or other documents;

(5) expenses relating to prenatal exercise classes;

(6) expenses relating to maternity clothes or clothes required by the pregnancy;

(7) grocery expenses relating to the pregnancy, excluding expenses incurred for non-food items;

(8) travel expenses, in particular transportation charges and parking, meal and lodging expenses;

(9) expenses incurred to care for a dependent or a companion animal;

(10) telecommunications expenses relating to communications between the woman or the person who has agreed to give birth to the child and the person alone or the spouses who formed the parental project, or relating to the pregnancy or the delivery;

(11) expenses relating to health insurance, life insurance, disability insurance or travel insurance.

3. The maximum amount of the transportation charges provided for in subparagraph 3 of the second paragraph of section 1 and in paragraph 8 of section 2 that must be paid or may be reimbursed or paid for the use of an automobile, except an automobile used by a transportation service that provides a receipt, corresponds, for the year during which transportation took place, to the aggregate of the amounts that would be determined for that year under section 133.2.1R1 of the Regulation respecting the Taxation Act (chapter I-3, r. 1) if that section applied to such payment or reimbursement.

4. The woman or the person who has agreed to give birth to the child in the context of a parental project involving surrogacy is entitled to the payment of a financial contribution as compensation for loss of work income resulting from their contribution to the project due to a medical appointment in connection with the pregnancy or a period of work stoppage, where a physician attests that the woman or the person attended such a medical appointment or that, by reason of the pregnancy, the work of the woman or the person may involve a risk to their health or to that of the child to be born.

5. The expenses referred to in sections 1 and 2 are reimbursed or paid by the person alone or the spouses who formed the parental project or, where applicable, through the intermediary of a professional who is a member of a professional order and who holds the amounts in a trust account, except where those expenses are covered and reimbursed or paid by a public or private plan, in which case only the amount that has not been reimbursed or paid by the plan may be reimbursed or paid. The same applies to the compensation for loss of work income referred to in section 4.

6. A claim for the reimbursement of the expenses provided for in the first paragraph of section 1 and in section 2 is admissible only on receipt of the following documents by the person alone or the spouses who formed the parental project:

(1) a declaration by the woman or the person who has agreed to give birth to the child in the context of the parental project, dated and signed by the woman or the person, containing

(a) the name and address of the woman or the person;

(b) for each expense concerned,

i. its nature;

ii. the amount incurred and, if less than the amount incurred, the amount requested for reimbursement;

iii. the date on which it was incurred; and

iv. a statement indicating that the amount requested has not been paid or reimbursed to them, in whole or in part, by any other source;

(c) in the case of transportation expenses incurred for the use of an automobile, except an automobile used by a transportation service that provides a receipt, the following additional information:

i. the addresses of the points of departure and destination; and

ii. the number of kilometres travelled between those two points;

(d) a statement indicating that all the expenses have been incurred by reason of their contribution to the parental project;

(e) a statement indicating that all the information contained in the declaration is accurate and complete to the best of their knowledge;

(2) where applicable, a copy of the written prescription referred to in paragraph 1 of section 2 relating to a product or service concerned by the claim for reimbursement;

(3) all receipts relating to the expenses requested for reimbursement, indicating the date on which the expenses were incurred and, where the amount requested has otherwise been paid or has otherwise been reimbursed in part to the woman or person by a public or private plan, all supporting documents proving the amount that remains to be reimbursed.

7. A claim for the payment of a compensation for loss of work income provided for in section 4 is admissible only on receipt by the person alone or the spouses who formed the parental project of the following documents:

(1) a declaration by the woman or the person who has agreed to give birth to the child in the context of the parental project, dated and signed by the woman or the person, containing

(a) the name and address of the woman or the person;

(b) the date of the medical appointment in connection with the pregnancy or the beginning and end dates of the period during which the woman or the person cannot work for the reason certified by a physician;

(c) the amount of the compensation requested;

(d) a statement indicating that the woman or the person has not received compensation for the loss of work income, in whole or in part, from any other source; and

(e) a statement indicating that all the information contained in the declaration is accurate and complete to the best of their knowledge;

(2) the supporting documents corroborating the work income that the woman or the person would have earned had they not been absent due to a medical appointment in connection with the pregnancy or the period of work stoppage or, where applicable, the supporting documents corroborating the amount for which they have not been compensated, in whole or in part, by a public or private plan;

(3) a copy of the attestation by a physician that the woman or the person attended a medical appointment in connection with the pregnancy or that, by reason of the pregnancy, the work of the woman or the person may involve a risk to their health or to that of the child to be born.

8. The person alone or the spouses who formed the parental project or, where applicable, the professional who is a member of a professional order and who holds the amounts in a trust account, who reimburse the expenses or pay the compensation referred to in the declaration made in accordance with paragraph 1 of section 6 or section 7 must indicate in the declaration, as applicable, the amount reimbursed for each listed expense or the amount of the compensation paid, as well as the date of the reimbursement or payment, and sign the declaration.

When the woman or the person who has agreed to give birth to the child receives the reimbursement or compensation from the person alone or the spouses who formed the parental project, the woman or the person who has agreed to give birth to the child must give acquittance for the amount by signing the declaration.

9. The person alone or the spouses who formed a parental project involving surrogacy must prepare, for each reimbursement or payment made or compensation paid, a file containing all documents received for the purpose of the reimbursement, payment or compensation, and they must keep that file for 6 years following the date of the reimbursement, payment or compensation.

DIVISION II

CONSENT OF THE WOMAN OR THE PERSON WHO GAVE BIRTH TO THE CHILD IN THE CONTEXT OF A PARENTAL PROJECT INVOLVING SURROGACY

10. A notarial act or a private writing stating the consent of the woman or the person who gave birth to the child in the context of a parental project involving surrogacy, referred to in article 541.9 of the Civil Code, must contain a declaration that the woman or the person

(1) understands that they are the child's parent;

(2) understands that the child's filiation may be established with regard to the person alone or the spouses who formed the parental project only if the woman or the person consents to it;

(3) understands that their consent makes it possible to deem that the child's filiation is established as of the child's birth with regard to the person alone or the spouses who formed the parental project;

(4) understands that their bond of filiation with the child is thereby dissolved and deemed never to have existed; and

(5) gave free and enlightened consent.

11. If the consent of the woman or the person who gave birth to the child is given by a private writing before two witnesses, the writing must contain the name, capacity and address of the woman or the person as well as those of the witnesses.

The writing must also contain a declaration by the witnesses that they have no interest in the surrogacy project.

CHAPTER II SPECIAL PROVISIONS CONCERNING PARENTAL PROJECTS FOR THE LEGAL ESTABLISHMENT OF FILIATION

DIVISION I CONTENT OF THE SURROGACY AGREEMENT

12. A surrogacy agreement must contain an attestation from the parties that they were informed of the following rules and acknowledge that they apply to them notwithstanding any stipulation to the contrary:

(1) that the woman or the person who has agreed to give birth to the child in the context of the parental project involving surrogacy

(a) may, at any time before the child's birth, unilaterally terminate the agreement in accordance with article 541.8 of the Civil Code;

(b) must, for the parental project to be carried to completion, consent to their bond of filiation with regard to the child being deemed never to have existed and to the establishment of a bond of filiation with regard to the person alone or both spouses who formed the parental project, not later than 30 days from the birth of the child, but not before 7 days have elapsed since the birth;

(c) may not be remunerated for their involvement in the project and may only obtain the reimbursement or payment of the expenses and the payment of a compensation for loss of work income, in accordance with the rules set out in Division I of Chapter I;

(2) that the person alone or the spouses who formed the parental project

(a) may not unilaterally terminate the agreement;

(b) may not claim from the woman or the person who has agreed to give birth to the child reimbursement of the amounts they paid under the first paragraph of article 541.3 of the Civil Code for the sole reason that the project was not carried to completion;

(c) may not, in the event that the woman or the person who gave birth to the child gives their consent after the child's birth, refuse the filiation of the child being established with regard to them in accordance with the rules of the Civil Code, regardless of the circumstances;

(3) that, subject to the consent of the woman or the person who gave birth to the child, the filiation is established with regard to the person alone or both spouses who formed the parental project despite their death, their inability to act or their disappearance;

(4) that the parental project comprises all children born of it and it must not entail their being dissociated;

(5) that the information contained in the agreement is confidential, except where the communication of that information is permitted by law.

The surrogacy agreement also contains an attestation from the parties that they have been domiciled in Québec for at least one year prior to entering into the surrogacy agreement.

13. A surrogacy agreement must contain a declaration by the woman or the person who has agreed to give birth to the child in the context of a parental project involving surrogacy attesting that the woman or the person

(1) understands the risks associated with pregnancy;

(2) knows that the person alone or the spouses who formed the parental project are not liable for those risks;

(3) is 21 years of age or over;

(4) undertakes, in the event that the person alone or the spouses who formed the parental project are deceased or unable to act, to ensure that the director of youth protection is informed so that the child can be entrusted to the director, in accordance with article 541.14 of the Civil Code;

(5) where applicable, renounces the reimbursement or payment of the expenses or the payment of a compensation for loss of work income and, where applicable, the grounds for the renunciation.

DIVISION II DISBURSEMENT AND REMITTANCE OF THE AMOUNT HELD IN A TRUST ACCOUNT BY THE NOTARY

14. On receipt of an application for reimbursement made in accordance with section 6 or an application for payment made in accordance with section 7 by the woman or the person who has agreed to give birth to a child,

the person alone or the spouses who formed the parental project involving surrogacy must indicate, in the declaration made in accordance with paragraph 1 of section 6 or section 7, as applicable, the amount to be reimbursed for each expense requested or the amount of the compensation to be paid by the notary. The person alone or the spouses must then sign the declaration and transmit the completed application to the notary.

If the amounts requested by the woman or the person are accepted in whole by the person alone or the spouses, the application complies with the agreement and the evidence in support of the application is satisfactory, the notary disburses the amounts requested from the notary's trust account, remits them to the woman or the person, and completes the declaration in accordance with section 8.

If the amounts requested by the woman or the person are refused, in whole or in part, by the person alone or the spouses, but the application nonetheless complies with the agreement and the evidence in support of the application is satisfactory, the notary disburses the amounts requested from the notary's trust account in order to remit them to the woman or the person despite any provision to the contrary under the *Règlement sur la comptabilité en fidéicommiss des notaires* (chapter N-3, r. 5.2). The notary informs the person alone or the spouses thereof and completes the declaration in accordance with section 8. Despite the foregoing, if the application does not comply with the agreement or the evidence in support of the application is unsatisfactory, the notary informs the parties and retains the amount in dispute until the notary is informed of an agreement between the parties or a final decision by the court.

If the amounts requested by the woman or the person are accepted, in whole or in part, by the person alone or the spouses, but the application does not comply with the agreement or the evidence in support of the application is unsatisfactory, the notary informs the parties and retains the amount concerned until the agreement is modified or satisfactory evidence is received.

15. On receipt of an application for payment transmitted by the person alone or the spouses who formed the parental project involving surrogacy, and on receipt of the supporting documents, the notary disburses the amounts requested from the notary's trust account in order to remit them to either the person or the spouses so they can pay the third person who has provided the service or product, or directly to the third person who has provided the service or product.

If the person alone or the spouses fail to make such an application to the notary, the woman or the person who has agreed to give birth to the child may make the application

to the notary who, if the application complies with the agreement and the evidence in support of the application is satisfactory, disburses the amounts from the notary's trust account, remits them directly to the person who has provided the service or product, and informs the person alone or the spouses. Despite the foregoing, if the application does not comply with the agreement or the evidence in support of the application is unsatisfactory, the notary informs the parties and retains the amount in dispute until the notary is informed of an agreement or a final decision by the court.

16. On receipt of a declaration by the parties that all the expenses have been paid or reimbursed and, where applicable, that all financial contributions have been paid, the notary, where applicable, disburses the residue of the amount held by the person in order to remit it to the person alone or the spouses who formed the parental project.

CHAPTER III FINAL

17. This Regulation comes into force on 6 March 2024.
106693

Gouvernement du Québec

O.C. 245-2024, 7 February 2024

Health Insurance Act
(chapter A-29)

Regulation — Amendment

CONCERNING the Regulation to amend the Regulation respecting the application of the Health Insurance Act

WHEREAS, under subparagraph *c.2* of the first paragraph of section 69 of Health Insurance Act (chapter A-29), the Government may, after consultation with the Régie de l'assurance maladie du Québec or upon its recommendation, in addition to the regulatory powers conferred upon it by that Act, make regulations to determine in what cases and under what conditions assisted procreation services must be considered as insured services for the purposes of subparagraph *e* of the first paragraph of section 3 of that Act, in particular by setting the age of insured persons who may receive such services;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft regulation to amend the Regulation respecting the application of the Health Insurance Act was published in Part 2 of the *Gazette*

officielle du Québec on 1 November 2023, with notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the Régie de l'assurance maladie du Québec recommends the enactment of the Regulation;

WHEREAS it is expedient to make that Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting the application of the Health Insurance Act, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Health Insurance Act

Health Insurance Act
(chapter A-29, s. 69, 1st para., subpara. c.2)

1. The definition of “assisted procreation project” set out in section 34.3 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) is amended by replacing “using, if needed,” by “resorting to, if needed, a woman or person who is not party to the project to give birth to these children, or”.

2. Section 34.4 of the Regulation is amended:

(1) by replacing subparagraph *c* of the first paragraph by the following:

“(c) in the case of spouses, either is in one of the following situations:

- i. infertile;
- ii. unable to reproduce;
- iii. at high risk of conceiving a child with a monogenic hereditary disease or an inherited chromosomal disorder resulting in a serious, severely debilitating or fatal disease or abnormality for which there is no treatment available to neutralize its serious, disabling or fatal nature;”;

(2) by inserting, after the first paragraph, the following:

“For the purposes of subparagraph *a* of the first paragraph, a person with respect to whom the cost of the insured health services they receive or may receive is assumed otherwise than under the Health Insurance Act due to the fact that they are resident in Québec and in active service in the Canadian Armed Forces is considered an insured person.”;

(3) by replacing, in the second paragraph, “Every person party to the assisted procreation project must declare, using the form provided by the Board, that he or she meets” by “The person alone or spouses party to the assisted procreation project must declare, using the form provided by the Board, that they meet”.

3. Section 34.5 of the Regulation is amended:

(1) by replacing “by providing reproductive material free of charge” by “by agreeing to give birth to a child or by providing reproductive material free of charge if that person has not undergone voluntary surgical sterilization or had reanastomosis of the uterine tubes or the vas deferens, as the case may be, within the meaning of paragraphs *b* and *c* of section 34.2”;

(2) by adding, at the end, the following paragraph:

“In addition, when a woman or person contributes to the assisted procreation project by agreeing to give birth to a child, services are provided only if no other woman or person simultaneously contributes to the project by agreeing to give birth to a child resulting from the project.”.

4. Section 34.6 of the Regulation is amended:

(1) by replacing, in subparagraph *a*, “18 years of age or over and” by “or the person is”;

(2) by inserting after “woman” in subparagraph *b*, “or the person”;

(3) by replacing subparagraph *c* by the following:

“(c) the person alone or spouses party to the assisted procreation project must be 18 years of age or over at the time the first service is provided in the course of the assisted procreation project;

(d) the person who contributes to the assisted procreation project by providing reproductive material free of charge is 18 years of age or over at the time the first service is provided in relation to its contribution.”;

(4) by adding, at the end, the following paragraph:

“In the case of a woman or person who contributes to the assisted procreation project without being a party to it by agreeing to give birth to the child, the services are considered insured only if she is at least 21 years of age and meets the conditions relating to the maximum age set out in subparagraphs (a) and (b) of the first paragraph.”

5. Section 34.8 of the Regulation is amended:

(1) by replacing “to retrieve eggs;” by “for a single egg retrieval procedure;” in subparagraph *c* of the first paragraph;

(2) by adding, at the end of the first paragraph, the following subparagraph:

“(h) embryo biopsy and preimplantation genetic testing for all embryos obtained from an IVF cycle.”;

(3) by replacing in the second paragraph “two ovulatory cycles if no egg is obtained at the end of the first ovulatory cycle” by “a second ovulatory cycle if, during the first cycle, the number of follicles is insufficient and egg retrieval has not taken place”;

(4) by adding, at the end, the following paragraph:

“The services referred to in subparagraph *h* of the first paragraph are considered to be insured only if the embryos were created using the reproductive material of a member of the assisted procreation project who is at high risk of conceiving a child with a monogenic hereditary disease or an inherited chromosomal disorder resulting in a serious, disabling or fatal disease or abnormality, whether the condition starts in childhood or adulthood, and for which there is no treatment available to neutralize its serious, disabling or fatal nature. They are not considered insured services if they are intended to:

(a) detect embryos that are carriers of recessive diseases or abnormalities when only one parent is a carrier of the disease or abnormality;

(b) detect an embryo with susceptibility genes for multifactorial diseases;

(c) select an embryo in order to make it a donor of tissues or stem cells only;

(d) select the sex of a child, except in the case of an x-linked disease or abnormality;

(e) voluntarily produce a child with disabilities.”

6. The Regulation is amended by inserting, after section 34.9, the following:

“**34.9.1.** Assisted procreation services required for ovarian stimulation by injectable agent other than artificial insemination or IVF are considered insured services.”

7. Section 34.10 of the Regulation is amended by replacing “34.9” by “34.9.1”.

8. This Regulation comes into force on 6 March 2024.
106695

M.O., 2024-01

Ministerial Order 2024-01 of the Minister of Finance dated 23 January 2024

Credit Assessment Agents Act
(chapter A-8.2)

Insurers Act
(chapter A-32.1)

Act respecting financial services cooperatives
(chapter C-67.3)

Act respecting the distribution of financial products and services
(chapter D-9.2)

Deposit Institutions and Deposit Protection Act
(chapter I-13.2.2)

Derivatives Act
(chapter I-14.01)

Trust Companies and Savings Companies Act
(chapter S-29.02)

Securities Act
(chapter V-1.1)

REGULATION respecting complaint processing and dispute resolution in the financial sector

CONSIDERING that section 38 of the Credit Assessment Agents Act (chapter A-8.2) provides that the Autorité des marchés financiers may, by regulation, determine the policy that credit assessment agents must adhere to under subparagraph 3 of the second paragraph of section 35 of the Act or components of such a policy;

CONSIDERING that section 66 of that Act provides that in addition to the other regulations it may make under the Act, the Autorité des marchés financiers may, by regulation, determine the standards that apply to credit assessment agents as regards their commercial practices and management practices;

CONSIDERING that section 73 of that Act provides that a regulation made under the Act may specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and that the regulation may define the conditions for applying the penalty and set forth the amounts or the methods for determining them. The amounts may vary according to the seriousness of the failure to comply, without exceeding the maximum amounts provided for in section 72 of the Act;

CONSIDERING that paragraph 1 of section 485 of the Insurers Act (chapter A-32.1) provides that in addition to other regulations that it may make under the Act, the Autorité des marchés financiers may, by regulation, determine the standards applicable to authorized insurers in relation to their commercial practices and their management practices;

CONSIDERING that section 496 of that Act provides in particular that the Autorité des marchés financiers may, in a regulation made under the Act, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and that the regulation may define the conditions for applying the penalty and set forth the amounts or the methods for determining them. The amounts may vary according to the seriousness of the failure to comply, without exceeding the maximum amounts provided for in section 494 of the Act;

CONSIDERING that section 601.1 of the Act respecting financial services cooperatives (chapter C-67.3) provides that the Autorité des marchés financiers may, by regulation, determine the standards applicable to financial services cooperatives in relation to their business and management practices;

CONSIDERING that section 601.9 of that Act provides in particular that the Autorité des marchés financiers may, in a regulation made under the Act, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and that the regulation may define the conditions for applying the penalty and set forth the amounts or the methods for determining them. The amounts may vary according to the seriousness of the failure to comply, without exceeding the maximum amounts provided for in section 601.7 of the Act;

CONSIDERING that section 216.1 of the Act respecting the distribution of financial products and services (chapter D-9.2) provides that the Autorité des marchés financiers

may, by regulation, determine the policy that firms must follow pursuant to section 103 of the Act, the policy that independent representatives must follow pursuant to the first paragraph of section 146 and section 103 of the Act and the policy that independent partnerships must follow pursuant to the second paragraph of section 146 and section 103 of the Act or elements of such policies;

CONSIDERING that paragraphs 8, 11, 12 and 13.1 of section 223 of that Act provide that the Autorité des marchés financiers may determine, for each sector, respectively by regulation, the rules relating to the keeping of records and the register of commissions, the nature, form and content of the books and other registers to be kept by firms, independent representatives and independent partnerships, the rules relating to the use, conservation and destruction of the records, books and registers to be kept by firms, independent representatives and independent partnerships and other rules relating to the activities of a firm, an independent representative or an independent partnership;

CONSIDERING that paragraph *u* of section 43 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) provides that in addition to the regulatory powers assigned to it by the Act, the Autorité des marchés financiers may make regulations for determining the standards applicable to authorized deposit institutions in relation to their commercial practices and their management practices;

CONSIDERING that section 45.9 of that Act provides in particular that the Autorité des marchés financiers may, in a regulation made under the Act, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and that the regulation may define the conditions for applying the penalty and set forth the amounts or the methods for determining them. The amounts may vary according to the seriousness of the failure to comply, without exceeding the maximum amounts provided for in section 45.7 of the Act;

CONSIDERING that paragraphs 13, 16, 19.1 and 29 of section 175 of the Derivatives Act (chapter I-14.01) provide that Autorité des marchés financiers may, respectively, by regulation, establish the management rules that dealers, advisers and representatives must comply with in order to safeguard their clients' interests, determine categories of registration, the conditions to be met by applicants for registration, the duration of registration and the rules governing the activities of dealers and advisers and their representatives, determine the policy that dealers and advisers must adopt under section 74 of the Act, or elements of that policy, and conditionally or unconditionally exempt a group of persons, derivatives or transactions from any or all of the obligations or requirements under the Act;

CONSIDERING that section 277 of the Trust Companies and Savings Companies Act (chapter S-29.02) provides that in addition to other regulations that it may make under the Act, the Autorité des marchés financiers may, by regulation, determine the standards applicable to authorized trust companies in relation to their commercial and management practices;

CONSIDERING that section 286 of that Act provides in particular that the Autorité des marchés financiers may, in a regulation made under the Act, specify that a failure to comply with the regulation may give rise to a monetary administrative penalty and that the regulation may define the conditions for applying the penalty and set forth the amounts or the methods for determining them. The amounts may vary according to the seriousness of the failure to comply, without exceeding the maximum amounts provided for in section 284 of the Act;

CONSIDERING that paragraphs 8, 11, 26 and 27.0.4 of section 331.1 of the Securities Act (chapter V-1.1) provide that the Autorité des marchés financiers may, respectively, by regulation, prescribe the information concerning securities or securities transactions that must be transmitted to the Autorité des marchés financiers, self-regulatory organizations, security holders, investors, clients or the general public, and establish the management rules, including governance rules, to be complied with by a registrant in order to safeguard the interests of clients, exempt a category of persons, securities or transactions from some or all of the requirements of the Act or the regulations, with or without conditions, establish categories of registration, the conditions to be met by applicants, the duration of registration and the rules governing the activities of registrants and determine the policy that dealers and advisers must adopt under section 168.1.1 of the Act, or elements of that policy;

CONSIDERING that section 67 of the Credit Assessment Agents Act, section 486 of the Insurers Act and section 278 of the Trust Companies and Savings Companies Act provide in particular that a regulation made under each of those Acts by the Autorité des marchés financiers is approved by the Minister of Finance with or without amendment, that such a regulation may not be submitted for approval before 30 days have elapsed since its publication as a draft in the bulletin de l'Autorité des marchés financiers and that it comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in it;

CONSIDERING that section 217 of the Act respecting the distribution of financial products and services and section 45 of the Deposit Institutions and Deposit Protection Act provide in particular that a regulation made by the Autorité des marchés financiers under each of those Acts, except, respectively, those made under section 115.2, paragraph 2 of section 203 and any of sections 225, 226,

228, 274.1 and 278 of the Act respecting the distribution of financial products and services and those made under paragraph 1.1 of section 43 of the Deposit Institutions and Deposit Protection Act, must be submitted for approval to the Minister of Finance, who may approve it with or without amendment, that such a regulation may not be submitted for approval before the expiry of 30 days after its publication as a draft in the bulletin of the Autorité des marchés financiers and that it comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date determined in the regulation;

CONSIDERING that section 601.2 of the Act respecting financial services cooperatives, section 175 of the Derivatives Act and section 331.2 of the Securities Act provide in particular that a regulation made by the Autorité des marchés financiers under, respectively, section 601.1 of the Act respecting financial services cooperatives, section 175 of the Derivatives Act and section 331.1 of the Securities Act is approved by the Minister of Finance with or without amendment, that such a regulation may not be submitted for approval before 30 days have elapsed since its publication as a draft in the bulletin of the Autorité des marchés financiers and that it comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date specified in it;

CONSIDERING that a draft of the Regulation respecting complaint processing and dispute resolution in the financial sector was published for an initial consultation in the bulletin of the Autorité des marchés financiers, volume 18, no. 36 of 9 September 2021;

CONSIDERING that a draft of the Regulation respecting complaint processing and dispute resolution in the financial sector was published for a second consultation in the bulletin of the Autorité des marchés financiers, volume 19, no. 48 of 8 December 2022;

CONSIDERING that the Autorité des marchés financiers made, on 14 November 2023, by decision no. 2023-PDG-0054, the Regulation respecting complaint processing and dispute resolution in the financial sector;

CONSIDERING that it is expedient to approve the Regulation without amendment;

THEREFORE, the Minister of Finance hereby approves, without amendment, the Regulation respecting complaint processing and dispute resolution in the financial sector, the text of which is appended to this Ministerial Order.

23 January 2024

ERIC GIRARD
Minister of Finance

Regulation respecting complaint processing and dispute resolution in the financial sector

Credit Assessment Agents Act
(chapter A-8.2, ss. 38, 66 and 73)

Insurers Act
(chapter A-32.1, s. 485, par. 1, and s. 496)

Act respecting financial services cooperatives
(chapter C-67.3, ss. 601.1 and 601.9)

Act respecting the distribution of financial products and services
(chapter D-9.2, ss. 216.1, 223, pars. 8, 11, 12 and 13.1)

Deposit Institutions and Deposit Protection Act
(chapter I-13.2.2, s. 43, par. *u*, and s. 45.9)

Derivatives Act
(chapter I-14.01, s. 75, pars. 13, 16, 19.1 and 29)

Trust Companies and Savings Companies Act
(chapter S-29.02, ss. 277 and 286)

Securities Act
(chapter V-1.1, s. 331.1, pars. 8, 11, 26 and 27.0.4)

CHAPTER I PURPOSE, SCOPE AND INTERPRETATION

1. The purpose of this Regulation is to ensure the fair processing of consumer complaints in the financial sector. It sets out elements that must be included in the complaint processing and dispute resolution policy adopted under subparagraph 3 of the second paragraph of section 35 of the Credit Assessment Agents Act (chapter A-8.2), subparagraph 2 of the second paragraph of section 50 of the Insurers Act (chapter A-32.1), subparagraph 2 of the second paragraph of section 66.1 of the Act respecting financial services cooperatives (chapter C-67.3), subparagraph 1 of the first paragraph of section 103 of the Act respecting the distribution of financial products and services (chapter D-9.2), subparagraph 2 of the second paragraph of section 28.11 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2), subparagraph 1 of the first paragraph of section 74 of the Derivatives Act (chapter I-14.01), subparagraph 2 of the second paragraph of section 34 of the Trust Companies and Savings Companies Act (chapter S-29.02) or subparagraph 1 of the first paragraph of section 168.1.1 of the Securities Act (chapter V-1.1), as the case may be.

This Regulation also sets out the rules governing complaint processing activities and practices.

2. This Regulation applies, with the necessary modifications, to persons and partnerships registered as firms, independent partnerships or independent representatives under the Act respecting the distribution of financial products and services and to persons registered as dealers or advisers under the Derivatives Act or the Securities Act.

Except for the provisions of Chapter II, it also applies to credit assessment agents designated under the Credit Assessment Agents Act, insurers authorized under the Insurers Act, financial services cooperatives within the meaning of the Act respecting financial services cooperatives, deposit institutions authorized under the Deposit Institutions and Deposit Protection Act, and trust companies authorized under the Trust Companies and Savings Companies Act.

3. For the purposes of this Regulation, “complaint” means any reproach or dissatisfaction in respect of a service or product offered by a financial institution or a financial intermediary where the reproach or dissatisfaction is communicated by a person who is a member of the clientele of the financial institution or financial intermediary and a final response is expected.

It also means any reproach or dissatisfaction in respect of a practice of a credit assessment agent where the reproach or dissatisfaction is communicated by any person concerned by a record that the credit assessment agent holds.

A final response is expected when the complainant’s communication explicitly or implicitly implies that action must be taken to address the complaint.

The following are not considered complaints:

- (1) a request made for information or materials in respect of an offered product or service;
- (2) a request for access or rectification made in accordance with the Act respecting the protection of personal information in the private sector (chapter P-39.1);
- (3) a claim for an indemnity or any other insurance claim;
- (4) a request for correction of a clerical error or mistake in calculation; and
- (5) communication of a comment or feedback.

Despite subparagraph 4 of the fourth paragraph, any request for correction of a clerical error or mistake in calculation for which further action must be taken to address the consequences of the error or mistake for the person

making the request or, in the case of a financial institution or financial intermediary, for any other person who is a member of its clientele or, in the case of a credit assessment agent, for any other person concerned by a record that the assessment agent holds constitutes a complaint.

4. For the purposes of this Regulation,

“financial institution” means an insurer authorized under the Insurers Act, a financial services cooperative within the meaning of the Act respecting financial services cooperatives, a deposit institution authorized under the Deposit Institutions and Deposit Protection Act, and a trust company authorized under the Trust Companies and Savings Companies Act;

“financial intermediary” means a person or partnership registered as a firm, independent partnership or independent representative under the Act respecting the distribution of financial products and services and a person registered as a dealer or adviser under the Derivatives Act or the Securities Act.

CHAPTER II COMPLAINT PROCESSING AND DISPUTE RESOLUTION POLICY

5. A financial intermediary must adopt a complaint processing and dispute resolution policy that details how the complaints that it receives are processed, including how they are received, assigned, and analyzed and how final responses and offers to resolve them are provided to complainants.

In addition, it must require that the processing of complaints:

(1) be conducted in an objective manner and take into account the interests of the complainant; and

(2) be kept simple and free of charge for the complainant.

6. The complaint processing and dispute resolution policy must set out the measures taken by the financial intermediary to ensure that the policy is implemented, disseminated and applied across the organization, including appointing a person to the role of complaints officer with the necessary authority and competence to perform the role.

7. The complaint processing and dispute resolution policy must set out the measures taken by the financial intermediary to properly assist the complainant during the processing of the complaint and to update the complainant, in a timely manner, on the status of the complaint.

8. The complaint processing and dispute resolution policy must set out the measures for assigning complaints to staff responsible for processing complaints who are under the functional supervision of the complaints officer and have the necessary competence to process the complaints that are assigned to them.

It must also set out the measures for the assignment by the financial intermediary of the complaints referred to in Division IV of Chapter III to other staff with the necessary competence to process them when such complaints are not assigned to staff who are under the functional supervision of the complaints officer.

Furthermore, it must set out the measures taken by the financial intermediary to ensure anytime access to information essential for the processing of complaints received by the staff referred to in the previous paragraphs.

9. The complaint processing and dispute resolution policy must provide for periodic reporting to the financial intermediary’s officers on the following elements:

(1) the number of complaints received and processed and the causes common to the complaints;

(2) the outcomes of the complaint process;

(3) issues related to the implementation and dissemination of, and compliance with, the policy; and

(4) issues identified when ascertaining the causes common to the complaints that are processed.

10. The complaint processing and dispute resolution policy must set out the measures taken by the financial intermediary to develop a comprehensive view of the complaints received, particularly in order to identify the causes common to, and address the issues raised by, such complaints.

CHAPTER III COMPLAINT PROCESSING RULES AND PRACTICES

DIVISION I GENERAL PROVISIONS

11. A financial institution, a financial intermediary or a credit assessment agent must draft any disclosure documents relating to complaint processing and dispute resolution in a form that is clear, readable, specific and not misleading so as to highlight the key elements required for informed decision making and not cause confusion or misunderstanding.

Furthermore, the financial institution, the financial intermediary or the credit assessment agent must ensure that staff use clear and plain language in any interactions with complainants.

12. A financial institution, a financial intermediary or a credit assessment agent must take the necessary actions to understand what is being communicated to it and, in doing so, must, when necessary, provide assistance to the originators of such communications in filing their complaints.

13. When a financial institution, a financial intermediary or a credit assessment agent determines, in conducting its analysis, that a complaint it has received may have repercussions on other persons who are part of its clientele, it must take the necessary actions to address the complaint.

14. A financial institution, a financial intermediary or a credit assessment agent must process any complaint it receives in a diligent manner.

To do so, it must, in particular:

(1) properly document the processing of the complaint and establish a complaint record in accordance with section 18;

(2) enter the complaint in the complaints register and update the register based on the information set out in section 20;

(3) send the complainant, in the manner set out in section 22, the acknowledgement of receipt referred to in section 21;

(4) provide the complainant with a final response referred to in section 24 as soon as possible but not later than on the 60th day following receipt of the complaint; and

(5) despite subparagraph 4 and where warranted by exceptional circumstances or circumstances beyond its control, provide the complainant with a final response referred to in section 24, in writing, as soon as possible but not later than on the 90th day following receipt of the complaint.

15. If, upon completing its analysis, a financial institution, a financial intermediary or a credit assessment agent presents a complainant with an offer to resolve the complaint, it must give the complainant a reasonable amount of time to assess and respond to the offer.

The amount of time given must provide the complainant with sufficient opportunity to seek advice for the purpose of making an informed decision.

If an agreement is reached with the complainant, the financial institution, the financial intermediary or the credit assessment agent must give effect to the offer not later than on the 30th day following acceptance of the offer or, where the interest of the complainant warrants it, within any other time period agreed upon with the complainant.

16. A financial institution, a financial intermediary or a credit assessment agent must, after it has provided a complainant with a final response referred to in section 24 or the information referred to in section 27 and until no other actions are required in respect of the complaint, continue to manage any further exchanges with the complainant to, in particular, allow the complainant to submit new relevant facts, if any, and answer the complainant's questions.

17. If a financial institution, a financial intermediary or a credit assessment agent notes that a complaint involves more than one institution, intermediary or agent, it must notify the complainant, explaining the extent to which the complaint involves such institutions, intermediaries or agents. It must also inform the complainant of the complainant's right to file a complaint in respect of those institutions, intermediaries or agents and provide the complainant with any information held by it, if any, that would allow the complainant to communicate with them.

DIVISION II COMPLAINT RECORDS AND COMPLAINTS REGISTER

18. The complaint record that a financial institution, a financial intermediary or a credit assessment agent must open for any complaint received by it must contain the following documents and information:

(1) the complaint;

(2) a copy of the acknowledgement of receipt referred to in section 21 sent to the complainant;

(3) any document or information used in analyzing the complaint;

(4) if applicable, a copy of any document or information sent or provided for the purposes of sections 15 to 17;

(5) if applicable, a copy of the written notice referred to in section 23;

(6) if applicable, a copy of the written notice referred to in section 28;

(7) a copy of the final response provided to the complainant; and

(8) any exchanges, or a summary of the exchanges, with the complainant.

The complaint record must be kept up to date and be established so that the documents and information it contains are in a specific format that is comprehensible to any person who is allowed access to it.

19. The financial institution, the financial intermediary or the credit assessment agent must keep the complaint record for the same retention period as for any information relating to the complainant.

20. The financial institution, the financial intermediary or the credit assessment agent must enter any complaints it receives in its complaints register without delay.

The information enabling it to act on the elements of the complaint processing and dispute resolution policy set out in sections 9 and 10 or in the equivalent expectations established by the Authority in its Sound Commercial Practices Guideline or its Guideline applicable to credit assessment agents must be entered in the complaints register as soon as it is available to the financial institution, the financial intermediary or the credit assessment agent.

DIVISION III COMMUNICATIONS TO THE COMPLAINANT

21. For the purposes of this Regulation, the acknowledgement of receipt of a complaint will constitute the notice stating the date of registration of the complaint to be sent to the complainant under section 39 of the Credit Assessment Agents Act, section 53 of the Insurers Act, section 131.2 of the Act respecting financial services cooperatives, section 103.2 of the Act respecting the distribution of financial products and services, section 28.14 of the Deposit Institutions and Deposit Protection Act, section 76 of the Derivatives Act, section 37 of the Trust Companies and Savings Companies Act, and section 168.1.3 of the Securities Act, as the case may be.

22. The acknowledgement of receipt must be sent in written form to the complainant and, in addition to stating the complainant's right to request to have the complaint record examined by the Authority or, if applicable, a federation, include the following information:

(1) the complaint record identification code;

(2) the date on which the complaint was received by the financial institution, the financial intermediary or the credit assessment agent, if different than the date on which the complaint was registered;

(3) the means by which the complainant may obtain information about the processing of the complaint;

(4) the expected timeframe for processing the complaint and the date before which the final response must be provided to the complainant; and

(5) a hypertext link providing access to the summary of the complaint processing and dispute resolution policy, or a copy of such summary.

The first paragraph does not apply to the processing of the complaints referred to in Division IV of this chapter.

23. For the purposes of subparagraph 5 of the second paragraph of section 14, a financial institution, a financial intermediary or a credit assessment agent must send to a complainant as soon as possible, but not later than on the 60th day following receipt of the complaint, a written notice containing the following information:

(1) the circumstances warranting the application of subparagraph 5 of the second paragraph of section 14;

(2) the date by which a final response must be communicated to the complainant; and

(3) a statement of the complainant's right to request to have the complaint record examined by the Authority or, if applicable, by a federation, as well as an explanation of how to make such a request.

24. A financial institution, a financial intermediary or a credit assessment agent must be detailed in the final response referred to in subparagraph 4 or 5 of the second paragraph of section 14, which must include, among other elements, the following information:

(1) a statement to the effect that it is a final response;

(2) a summary of the complaint received;

(3) the conclusion of the analysis, including the reasons for the conclusion, and the outcome of the complaint process;

(4) a statement of the complainant's right to request to have the complaint record examined by the Authority or, if applicable, by a federation, as well as an explanation of how to make such a request;

(5) if an offer to resolve the complaint is presented to the complainant, the timeframe within which the complainant may accept the offer; and

(6) the business contact information and signature of the person who processed the complaint.

DIVISION IV **PROCESS FOR CERTAIN COMPLAINTS**

25. This section applies to the processing of complaints for which the information referred to in section 27 may be provided within 20 days following receipt of the complaint if the complaint is resolved to the satisfaction of the complainant.

For the purposes of the first paragraph, a complaint is resolved to the satisfaction of the complainant where an offer is presented to and accepted by the complainant or, if no offer is presented to the complainant, the complainant accepts the outcome of the complaint process.

26. A financial institution or a credit assessment agent may assign the complaints referred to in this division to other staff with the necessary competence to process them where such complaints have not been assigned to staff who are under the functional supervision of the complaints officer.

27. Despite subparagraph 4 of the second paragraph of section 14 and section 24, a financial institution, a financial intermediary or a credit assessment agent may, upon completing its analysis of a complaint, provide to the complainant, verbally or in writing:

(1) the conclusion of the analysis, with the reasons for the conclusion, and the outcome of the complaint process; and

(2) if an offer to resolve the complaint is presented to the complainant, the timeframe within which the complainant may accept the offer.

28. Where a complaint cannot be resolved to the satisfaction of the complainant, the financial institution, the financial intermediary or the credit assessment agent must send the complainant, not later than on the 20th day following receipt of the complaint, a written notice containing the information referred to in subparagraphs 1 to 5 of the first paragraph of section 22.

29. Despite subparagraph 2 of the first paragraph of section 18, a financial institution, a financial intermediary or a credit assessment agent may enter in the complaint record a document summarizing the elements provided to the complainant pursuant to the sections enumerated in section 21, if applicable, and section 27.

CHAPTER IV **SUMMARY OF THE COMPLAINT PROCESSING AND DISPUTE RESOLUTION POLICY**

30. A financial institution's, a financial intermediary's or a credit assessment agent's summary of its complaint processing and dispute resolution policy must include:

(1) a description of the procedure for filing a complaint and the complainant's right to obtain assistance in filing the complaint;

(2) a description of the various steps in the complaint process;

(3) a statement to the effect that a complaint may be validly filed with it using the complaint form available on the Authority's website, together with a reference or link to the form;

(4) the means of obtaining information regarding the processing of complaints;

(5) the complaint processing time specified in subparagraph 4 of the second paragraph of section 14;

(6) if applicable, the complaint processing time specified in subparagraph 5 of the second paragraph of section 14 and the circumstances normally warranting its application; and

(7) a statement of the complainant's right to request to have the complaint record examined by the Authority or, if applicable, a federation, as well as an explanation of how to make such a request.

31. A financial institution's, a financial intermediary's or a credit assessment agent's summary of its complaint processing and dispute resolution policy must, when posted on its website, be displayed in a place that can be easily identified by any person who is part of its clientele or, in the case of a credit assessment agent, by any person concerned by a record that it holds.

CHAPTER V **SENDING A COMPLAINT RECORD TO THE AUTORITÉ DES MARCHÉS FINANCIERS FOR EXAMINATION**

32. A financial institution, a financial intermediary or a credit assessment agent must, within 15 days following receipt of a request from a complainant to have the complaint record examined by the Authority, send the complaint record, as established under section 16, to the Authority, in accordance with the terms and conditions specified on the Authority's website.

In addition, the financial institution, the financial intermediary or the credit assessment agent must provide, not later than on the 10th day after the Authority requests it, the name and business contact information of the person officially designated to respond to the Authority.

CHAPTER VI PROHIBITIONS

33. A financial institution, a financial intermediary or a credit assessment agent may not:

(1) when it presents the complainant with an offer to resolve the complaint, attach a condition to the offer that:

(a) prevents the complainant from exercising the right to request to have the complaint record examined by the Authority or, where applicable, its federation;

(b) requires the complainant to withdraw any other complaint that the complainant has filed; or

(c) prevents a complainant from communicating with the Authority, a self-regulatory organization recognized under section 59 of the Act respecting the regulation of the financial sector (chapter E-6.1) or the *Chambre de la sécurité financière* or the *Chambre de l'assurance de dommages*, established under section 284 of the Act respecting the distribution of financial products and services.

(2) in any representation or communication intended for the public, use in referring to its complaint processing department or the persons assigned to it the term “ombudsman” or any other qualifier of the same nature that suggests that such persons are not acting on behalf of the financial institution, the financial intermediary or the credit assessment agent.

CHAPTER VII MONETARY ADMINISTRATIVE PENALTIES

34. A monetary administrative penalty in the amount of \$1,000 may be imposed on a financial institution or a credit assessment agent that:

(1) in contravention of the first paragraph of section 18, fails to establish a complaint record containing the documents and information referred to in that paragraph;

(2) in contravention of the second paragraph of section 18, fails to keep the complaint record up to date;

(3) in contravention of the first paragraph of section 22, fails to send the complainant an acknowledgement of receipt or sends an acknowledgement of receipt that does not include the information set out in that section;

(4) in contravention of section 23, fails to provide the complainant with a written notice or provides the complainant with a written notice that does not include the information set out in that section;

(5) in contravention of section 23, fails to provide the complainant with the notice referred to in that section not later than on the 60th day following receipt of the complaint;

(6) in contravention of section 24, provides the complainant with a final response that does not include the detailed information set out in that section;

(7) in contravention of section 28, fails to provide the complainant with a written notice or provides the complainant with a written notice that does not include the information set out in that section;

(8) in contravention of section 28, fails to provide the complainant with the notice referred to in that section not later than on the 20th day following receipt of the complaint;

(9) in contravention of section 29, fails to enter in the complaint record a document summarizing the elements provided to the complainant pursuant to the sections indicated in section 21, if applicable, and pursuant to section 27;

(10) in contravention of section 30, disseminates a summary of the complaint processing and dispute resolution policy summary that does not include the information referred to in that section; or

(11) in contravention of the second paragraph of section 32, fails to provide to the Authority, not later than on the 10th day after the Authority requests it, the name and business contact information of the person officially designated to respond to the Authority.

35. A monetary administrative penalty in the amount of \$2,500 may be imposed on a financial institution or a credit assessment agent that:

(1) in contravention of the third paragraph of section 15, fails, where a complainant accepts an offer to resolve the complaint, to give effect to the agreement no later than on the 30th day following acceptance of the offer or within any other timeframe agreed upon by the complainant and the financial institution or the credit assessment agent; or

(2) in contravention of section 19, fails to keep a complaint record for the same retention period as for any information relating to the complainant.

A monetary administrative penalty in the same amount may also be imposed on a financial institution or a credit assessment agent that, in contravention of the first paragraph of section 32, fails to send the complaint record, as established under section 18, to the Authority in accordance with the terms and conditions specified on the Authority's website or within 15 days of receiving a request from the complainant to have the complaint record examined by the Authority.

36. A monetary administrative penalty in the amount of \$5,000 may be imposed on a financial institution or a credit assessment agent that:

(1) in contravention of subparagraph a of paragraph 1 of section 33, attaches a condition to its offer that prevents the complainant from exercising the right to have the complaint record examined by the Authority or, where applicable, its federation;

(2) in contravention of subparagraph b of paragraph 1 of section 33, attaches a condition to its offer that requires the complainant to withdraw any other complaint that the complainant has filed;

(3) in contravention of subparagraph c of paragraph 1 of section 33, attaches a condition to its offer that prevents the complainant from communicating with the Authority, a recognized self-regulatory organization, the Chambre de sécurité financière or the Chambre de l'assurance de dommages; or

(4) in contravention of paragraph 2 of section 33, uses in referring to its complaint processing department or the persons assigned to it, in any representation or communication intended for the public, the term "ombudsman" or any other qualifier of the same nature that suggests that such persons are not acting on behalf of the financial institution or credit assessment agent.

A monetary administrative penalty in the same amount may also be imposed on a financial institution or a credit assessment agent that, in contravention of subparagraph 4 or 5 of the second paragraph of section 14, fails to provide a final response to the complainant.

CHAPTER VIII GENERAL AND FINAL PROVISIONS

37. An investment dealer or a mutual fund dealer that is a member of the Canadian Investment Regulatory Organization is exempt from the application of this Regulation for its activities in Québec as an investment dealer or a mutual fund dealer where it is subject to equivalent rules of this organization and where these

rules have been approved by the Authority in accordance with section 74 of the Act respecting the regulation of the financial sector.

38. This Regulation will come into force on 1 July 2025.

106670

M.O., 2024

Order AM-2024-5161 of the Minister of Justice dated 30 January 2024

Civil Code

Regulation respecting the conduct of the mandatory information meeting in the context of certain parental projects involving surrogacy

THE MINISTER OF JUSTICE,

CONSIDERING the third paragraph of article 541.11 and article 541.29 of the Civil Code, as made by section 20 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project (2023, chapter 13), according to which the Minister of Justice determines, by regulation, any standard relating to the conduct of the information meeting;

CONSIDERING that, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting the conduct of the mandatory information meeting in the context of certain parental projects involving surrogacy was published in Part 2 of the *Gazette officielle du Québec* of 1 November 2023 with a notice that it could be made on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation without amendment;

ORDERS AS FOLLOWS:

THAT the Regulation respecting the conduct of the mandatory information meeting in the context of certain parental projects involving surrogacy, attached to this Order, be made.

Québec, 30 January 2024

SIMON JOLIN-BARRETTE
Minister of Justice

Regulation respecting the conduct of the mandatory information meeting in the context of certain parental projects involving surrogacy

Civil Code of Québec

(Civil Code, arts. 541.11 and 541.29, chapter 13, art. 20)

1. This Regulation determines the standards relating to the conduct of the information meeting on the psychosocial implications of a parental project involving surrogacy and the ethical issues it involves. Pursuant to articles 541.11 and 541.29 of the Civil Code, the conduct of the meeting is mandatory in the context of parental projects involving surrogacy that allow for the legal establishment of the child's filiation and in the context of parental projects involving surrogacy in which the woman or the person who has agreed to give birth to the child is domiciled outside Québec.

2. Regarding the psychosocial implications of a parental project involving surrogacy, the information meeting must address

(1) the reasons leading a person alone or spouses to form a parental project and a woman or a person to contribute to such a project by agreeing to give birth to the child;

(2) the elements to consider in matching the person alone or the spouses who formed the parental project with the woman or the person who has agreed to give birth to the child;

(3) the relations between the person alone or the spouses who formed a parental project and the woman or the person who has agreed to give birth to the child at each stage of the process;

(4) the emotional attachment that the woman or the person who has agreed to give birth to the child may experience both during the pregnancy and after giving birth;

(5) the role of the woman or the person who has agreed to give birth to the child, the perception of that role, in particular by third persons, and the recognition of that woman or that person's contribution;

(6) the expectations and concerns of the person alone or the spouses who formed the parental project and of the woman or the person who has agreed to give birth to the child;

(7) the various grieving processes that may be experienced by the person alone or the spouses who formed a parental project and of the woman or the person who has agreed to give birth to the child;

(8) the pressure that may be experienced or felt by the person alone or the spouses who formed the parental project and by the woman or the person who has agreed to give birth to the child;

(9) the disclosure by the person alone or the spouses of the parental project involving surrogacy or by the woman or the person of having agreed to contribute to such a project to their family and friends, as well as any impact that such a project may have on the latter.

3. Regarding the ethical issues associated with a parental project involving surrogacy, the information meeting must address

(1) autonomous decision-making by the woman or the person who has agreed to give birth to the child at each stage of the process;

(2) the importance of the free and informed consent of the woman or the person who has agreed to give birth to the child at each stage of the process;

(3) the importance of the free and informed consent of the person alone or the spouses who formed the parental project before committing to such a project;

(4) the child's right to know their origins;

(5) the importance for the woman or the person who has agreed to give birth to the child to contribute gratuitously to the parental project and the issues relating to socioeconomic inequalities between that woman or that person and the person alone or the spouses who formed the parental project.

4. For a parental project involving surrogacy in which the woman or the person who has agreed to give birth to the child is domiciled outside Québec, the information meeting on the psychosocial implications of such a parental project must also address

(1) the cultural and linguistic differences that the person alone or the spouses who formed the parental project may be confronted with and the impact of those differences on relations;

(2) the impact that geographical distance may have on the relations between the person alone or the spouses who formed the parental project and the woman or the person who has agreed to give birth to the child.

5. The information meeting must have a minimum duration of 3 hours.

6. This Regulation comes into force on 6 March 2024, except section 4 of this Regulation, which comes into force on the date of coming into force of section 20 of the Act to reform family law with regard to filiation and to protect children born as a result of sexual assault and the victims of that assault as well as the rights of surrogates and of children born of a surrogacy project, insofar as it enacts article 541.29 of the Civil Code, and sections 1 to 3 and 5 of this Regulation, which apply to a parental project involving surrogacy in which the woman or the person who has agreed to give birth to the child is, as of that date, domiciled outside Québec.

106679

M.O., 2024

Order 5165 of the Minister of Justice dated 31 January 2024

Code of Civil Procedure
(chapter C-25.01)

Pilot project to amend certain rules of the Code of Civil Procedure or by making new rules to facilitate proceedings and applications between provinces or between a province and a designated jurisdiction for support orders under the Divorce Act

THE MINISTER OF JUSTICE,

CONSIDERING article 28 of the Code of Civil Procedure (chapter C-25.01), which allows the Minister of Justice to modify a rule of procedure, or introduce a new one for the purposes of a pilot project not exceeding three years, after considering the effects of the project on the rights of individuals and obtaining the agreement of the Chief Justice of Québec or the Chief Justice of the Superior Court or the Chief Judge of the Court of Québec, according to their jurisdiction, and after consulting the Barreau du Québec and, if applicable, the Chambre des notaires du Québec or the Chambre des huissiers de justice du Québec;

CONSIDERING the publication of a draft Regulation respecting the Pilot project to amend certain rules of the Code of Civil Procedure or by making new rules to facilitate proceedings and applications between provinces or between a province and a designated jurisdiction for support orders under the Divorce Act in Part 2 of the *Gazette officielle du Québec* of 15 November 2023, in accordance

with sections 10 and 11 of the Regulations Act (chapter R-18.1), with a notice that it could be made by the Minister on the expiry of 45 days following that publication;

CONSIDERING the expiry of the 45-day period;

CONSIDERING the agreement of the Chief Justice of the Superior Court;

CONSIDERING the opinion of the Barreau du Québec;

CONSIDERING the positive effects of the Pilot project on the rights of individuals;

CONSIDERING the comments received during the consultation;

CONSIDERING that it is expedient to make the Regulation;

ORDERS AS FOLLOWS:

THAT the Regulation entitled Pilot project to amend certain rules of the Code of Civil Procedure or by making new rules to facilitate proceedings and applications between provinces or between a province and a designated jurisdiction for support orders under the Divorce Act, attached to this Order, be made.

Québec, 31 January 2024

SIMON JOLIN-BARRETTE
Minister of Justice

Pilot project to amend certain rules of the Code of Civil Procedure or by making new rules to facilitate proceedings or applications between provinces or between a province and a designated jurisdiction for support orders under the Divorce Act

Code of Civil Procedure
(chapter C-25.01, art. 28)

CHAPTER I GENERAL

1. This Regulation applies to a proceeding or application between provinces or between a province and a designated jurisdiction to obtain, vary, rescind or suspend a support order made under sections 18 to 19.1 of the Divorce Act (R.S.C. 1985, c. 3 (2nd Supp.)). It also applies to a procedure related to such a proceeding or application.

Any such proceeding or application instituted in Québec and any procedure related thereto are deemed to be family matters within the meaning of the Code of Civil Procedure (chapter C-25.01).

2. This Regulation applies in all judicial districts.

3. A rule set out in this Regulation overrides any provision to the contrary in the Code of Civil Procedure.

The following provisions of the Code are not applicable to a proceeding or application referred to in section 1 that is submitted in Québec:

- (1) the third paragraph of article 1;
- (2) articles 17 and 20;
- (3) articles 99 to 104;
- (4) article 107;
- (5) articles 145 to 152;
- (6) articles 161 to 165;
- (7) the third paragraph of article 170;
- (8) articles 171 to 183;
- (9) articles 206 to 208;
- (10) article 210;
- (11) articles 212 to 230;
- (12) articles 246 to 320;
- (13) article 336;
- (14) articles 339 to 344;
- (15) articles 391 to 408;
- (16) article 410;
- (17) the second paragraph of article 411;
- (18) articles 412 to 443;
- (19) articles 445, 448 and 449;
- (20) articles 451 to 456.1;
- (21) articles 458 to 488;
- (22) articles 490 and 492;

(23) articles 494 to 655;

(24) articles 778 to 836;

(25) Schedule I.

Similarly, section 26.1 of the Regulation of the Superior Court of Québec in family matters (chapter C-25.01, r. 0.2.4) is not applicable to a proceeding or application referred to in section 1 that is submitted in Québec.

4. For the purposes of article 45 of the Code of Civil Procedure, if the Québec respondent has no domicile in Québec but is habitually resident there within the meaning of the Divorce Act, that residence is deemed to be the domicile of the Québec respondent for the purposes of that article.

5. Where, under the Divorce Act, evidence or submissions may be presented by affidavit, article 105 of the Code of Civil Procedure is applicable to the affidavit provided that the examination of the person who swore the oath may be conducted in writing or by any technological means.

6. Child support payable by a parent in relation to any application or proceeding referred to in section 1 is determined in accordance with the Federal Child Support Guidelines.

CHAPTER II APPLICATION PROCEDURE

7. An application for a support order filed under paragraph a of subsection 1 of section 18.1 of the Divorce Act by a Québec applicant is submitted by means of the form prescribed by the designated authority of the Canadian province or territory in which the respondent resides. The application is sent to the Minister of Justice, who forwards it to the designated authority in the Canadian province or territory concerned.

An application for a support order filed under paragraph a of subsection 1 of section 18.1 of the Divorce Act by an applicant who resides in another Canadian province or territory is submitted by means of the form attached in the schedule and the documents that must be produced with it.

8. The response of the Québec respondent to an application for a support order under paragraph a of subsection 1 of section 18.1 of the Divorce Act is submitted by means of the form attached in the schedule and the documents that must be produced with it. Within 30 days after service of the application, the response is filed with the office of the Superior Court and a copy is forwarded to the Minister of Justice.

If the respondent fails to produce a response within the specified time, the order is rendered by default.

9. An application for a support order filed under paragraph a of subsection 1 of section 19 of the Divorce Act by an applicant who resides in a designated jurisdiction within the meaning of section 18 of that Act is submitted by means of the form attached in the schedule and the documents that must be produced with it.

The response of the Québec respondent is submitted by means of the form attached in the schedule and the documents that must be produced with it. Within 30 days after service of the application, the response is filed with the office of the Superior Court and a copy is forwarded to the Minister of Justice.

If the respondent fails to produce a response within the specified time, the order is rendered by default.

10. On receipt of an application under section 7 or 9, the clerk of the Superior Court records the application in the registers of the Court and, where applicable, opens and assigns an identification number to the case record.

11. If, under subsection 13 of section 18.1 of the Divorce Act, the Superior Court of Québec requires further evidence from an applicant who resides in another Canadian province or territory, it asks the Minister of Justice to communicate with the designated authority in the province or territory in which the applicant resides.

Similarly, if the court of another Canadian province or territory requires further evidence from a Québec applicant, the designated authority in the other province or territory asks the Minister of Justice to communicate with that applicant.

12. If, under subsection 11 of section 19 of the Divorce Act, the Superior Court requires further evidence from an applicant who resides in a designated jurisdiction within the meaning of section 18 of that Act, it asks the Minister of Justice to communicate with the applicant or the responsible authority in the designated jurisdiction.

13. The clerk of the Superior Court serves the Québec respondent, in accordance with articles 116 to 120 of the Code of Civil Procedure, any application for a support order that concerns the respondent and that is filed by an applicant who resides in another Canadian province or territory or in a designated jurisdiction within the meaning of section 18 of the Divorce Act.

The application is accompanied by the documents it contains and by a notice that explains the manner in which the respondent must respond to the application and sets out the respondent's obligation, where applicable, to provide documents or information.

CHAPTER III CONDUCT OF THE PROCEEDING

14. The provisions of the Code of Civil Procedure that are applicable to applications for a support order referred to in section 18.1 or 19 of the Divorce Act are adapted so that any reference to the case protocol referred to in articles 148 to 152 are removed.

15. Where the Superior Court convenes a case management conference under articles 153 to 156 of the Code of Civil Procedure in respect of an application for a support order referred to in section 18.1 or 19 of the Divorce Act submitted by an applicant who resides in another Canadian province or territory or in a designated jurisdiction within the meaning of section 18 of that Act, the court clerk calls the Minister of Justice to the conference.

Articles 153 to 156 are applicable taking into account the participation of the Minister.

16. When the court clerk sets down the case for trial and judgment, the court clerk notifies a notice of the scheduled trial date, unless a trial date was set by the Superior Court under article 154 of the Code of Civil Procedure, to the Québec respondent, the Québec respondent's attorney, where applicable, and to the Minister of Justice. The Court notice is presumed to have been received if the notification is recorded in the court register.

The fact that a party did not receive the notice is not grounds for postponing the trial if its lawyer received it.

If the Québec respondent fails to attend the trial, the order is rendered by default.

CHAPTER IV DISCONTINUANCE

17. Discontinuance by an applicant who resides in another Canadian province or territory or in a designated jurisdiction within the meaning of section 18 of the Divorce Act is made by means of the form attached in the schedule and the documents that must be produced with it.

Discontinuance terminates the proceeding as soon as the Minister of Justice files the form with the office of the Superior Court. The discontinuance is notified to the other parties by the court clerk.

Discontinuance restores matters to their former state.

CHAPTER V ORDER

18. The order of the Superior Court under section 18.1 or 19 of the Divorce Act pertains to support only.

19. A decision referred to in section 19.1 or an order referred to in section 20 of the Divorce Act is enforceable as soon as it is filed with the office of the Superior Court. The court clerk forwards the order to the Québec parties and to the Minister of Justice.

The filing under the first paragraph constitutes the registration prescribed by section 19.1 or 20 of the Divorce Act.

The enforcement of a decision or order referred to in the first paragraph is carried out by the Agence du revenu du Québec under the Act to facilitate the payment of support (chapter P-2.2).

CHAPTER VI FINAL

20. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* and ceases to have effect on (*insert the date occurring 2 years after the date of coming into force of this Regulation*).

Schedule I
(second paragraph of section 7 and first paragraph of section 9)



APPLICATION FOR A SUPPORT ORDER
(sections 18.1 and 19 of the Divorce Act)

Reserved for administrative use by the Ministère de la Justice

Reference number of the file of the requesting designated authority:

PART 1— IDENTIFICATION OF THE APPLICANT			
Names		Given names	Date of birth YYYY/MM/DD
Telephone number (residence) () -	Cell phone number () -	Telephone number (work) () - Extension:	
Email address		Language of correspondence <input type="checkbox"/> French <input type="checkbox"/> English	
Residential address (civic number, street, apartment number, town or city, province, state, country)			Postal code/ZIP code
Mailing address if different (civic number, street, apartment number, town or city, province, state, country)			Postal code/ZIP code
<input type="checkbox"/> I request that my personal information not be disclosed to the other parties because of spousal or family violence.			

PART 2— IDENTIFICATION OF THE RESPONDENT			
Names		Given names	Date of birth YYYY/MM/DD

SECTION 2.1— INFORMATION (IF KNOWN) CONCERNING THE RESPONDENT			
Telephone number (home) () -	Cell phone number () -	Telephone number (work) () - Extension:	
Email address		Social Insurance Number	
Home address in Québec (civic number, street, apartment number, town or city)			Postal code

PART 3 – IDENTIFICATION OF THE IMPLEADED PARTIES (CHILDREN OF FULL AGE)

Identify, if applicable, the impleaded parties (children of full age) concerned by this application and provide their contact information, if known:

Names		Given names	Date of birth YYYY/MM/DD
Telephone number (home) () -	Cell phone number () -	Email address	
Home address (civic number, street, apartment number, town or city, province, state, country)			Postal code/ZIP code

Add a child of full age (+)

PART 4– INFORMATION ON THE DIVORCE

Date of marriage YYYY/MM/DD	Date of divorce YYYY/MM/DD	Canadian province or territory in which the judgment of divorce was rendered
<input type="checkbox"/> A copy of the Canadian judgment of divorce is enclosed with this application		

SECTION 4.1– SUPPORT ORDERS RENDERED PRIOR TO THIS APPLICATION

<input type="checkbox"/> Judicial <input type="checkbox"/> Administrative	Date of decision YYYY/MM/DD	Reference number of the decision
--	--------------------------------	----------------------------------

Add a support order (+)

SECTION 4.2– COLLECTION FILE FOR SUPPORT ORDERS RENDERED PRIOR TO THIS APPLICATION

File number	Canadian province or territory/State/Country
Arrears	
421- Indicate the total amount of arrears: \$ as of: YYYY/MM/DD	
422- Indicate the amount of the <input type="checkbox"/> monthly or <input type="checkbox"/> yearly payments ordered by the Court: \$	

SECTION 4.3– PARENTING ORDERS

Date of decision AAAA / MM / JJ	Reference number of the decision
------------------------------------	----------------------------------

Add a parenting order (+)

PART 5— NATURE OF THE APPLICATION: IDENTIFICATION OF THE PERSONS FOR WHOM A SUPPORT ORDER IS BEING SOUGHT

Indicate the persons for whom you are seeking a support order by checking the appropriate box or boxes:

- 510- The former spouse identified in Part 1: complete **Part 6**
- 520- The minor children identified in Part 7 and the children of full age identified in Part 3: complete **Part 7**
- 530- The minor children identified in Part 7: complete **Part 7**
- 540- The children of full age identified in Part 3: complete **Part 7**

ATTENTION: This application may not be made for the purpose of establishing or modifying a parenting order or an order for child custody.

PART 6— SUPPORT ORDER FOR A FORMER SPOUSE

601- Indicate the amount of support claimed as a former spouse: \$

602- Specify whether that amount is claimed monthly or yearly

603- Indicate the date on which payment of that support is to begin: YYYY/MM/DD

PART 7— CHILD SUPPORT ORDER

If the child support order (this application) is for

710- **minor children and children of full age**, complete **Section 7.1** and go to Part 8

720- **minor children** only, complete **Section 7.2** and go to Part 8

730- **children of full age** only, complete **Section 7.3** and go to Part 8

SECTION 7.1— SUPPORT ORDER FOR MINOR CHILDREN AND CHILDREN OF FULL AGE

711- Indicate the amount of support claimed for minor children and children of full age under the *Federal Child Support Guidelines*: \$

712- Specify whether that amount is claimed monthly or yearly

713- Indicate the amount of special or extraordinary expenses claimed for minor children and children of full age (enclose the supporting documents – see line 912 of Part 9): \$

714- Indicate the date on which the payment of support and of the amount corresponding to special or extraordinary expenses for minor children and children of full age is to begin: YYYY/MM/DD

715- Identify the minor children concerned by this application for a support order:

Names	Given names	Date of birth YYYY/MM/DD

Obligation of support resulting from: a bond of filiation standing in place of a parent

Add a minor child (+)

716- Identify the children of full age concerned by this application for a support order by their given names:

Given names:

Add a child of full age (+)

SECTION 7.2— SUPPORT ORDER FOR MINOR CHILDREN

721- Indicate the amount of support claimed for minor children under the *Federal Child Support Guidelines*: \$

722- Specify whether that amount is claimed monthly or yearly

723- Indicate the amount of special or extraordinary expenses claimed for minor children (enclose the supporting documents – see line 912 of Part 9): \$

724- Indicate the date on which the payment of support and of the amount corresponding to special or extraordinary expenses for minor children is to begin: YYYY/MM/DD

725- Identify the minor children concerned by this application for a support order:

Names	Given names	Date of birth YYYY/MM/DD
Obligation of support resulting from: <input type="checkbox"/> a bond of filiation <input type="checkbox"/> standing in place of a parent		

Add a minor child (+)

SECTION 7.3— SUPPORT ORDER FOR CHILDREN OF FULL AGE

731- Indicate the amount of support claimed for children of full age under the *Federal Child Support Guidelines*: \$

732- Specify whether that amount is claimed monthly or yearly

733- Indicate the amount of special or extraordinary expenses claimed for children of full age (enclose the supporting documents – see line 912 of Part 9): \$

734- Indicate the date on which the payment of support and of the amount corresponding to special or extraordinary expenses for children of full age is to begin: YYYY/MM/DD

735- Identify the children of full age concerned by this application for a support order by their given names:

Given names:

Add a child of full age (+)

PART 8— GOVERNMENT DEPARTMENT OR BODY

A government department or body may request to be informed of this application or to take part in it (if permitted under the applicable rules of law). Check the appropriate box or boxes.

801- I receive or have received income assistance or social assistance.

802- The respondent receives, may receive or has received income assistance or social assistance.

PART 9— DOCUMENTS ENCLOSED TO COMPLETE THE APPLICATION

- | | |
|--|--|
| <input type="checkbox"/> 901- Canadian judgment of divorce
<input type="checkbox"/> 902- Judgment of separation from bed and board
<input type="checkbox"/> 903- Support orders (all prior decisions)
<input type="checkbox"/> 904- Statements of account or statements of arrears
<input type="checkbox"/> 905- Parenting orders
<input type="checkbox"/> 906- Act or certificate of birth
<input type="checkbox"/> 907- Certificate or judgment of adoption
<input type="checkbox"/> 908- Proof of registration at a secondary or post-secondary educational institution
<input type="checkbox"/> 909- Statement required under article 444 of the Code of Civil Procedure of Québec | <input type="checkbox"/> 910- Form III (section 22 of the Regulation of the Superior Court of Québec in family matters)
<input type="checkbox"/> 911- Documents required under section 21 of the <i>Federal Child Support Guidelines</i> concerning income
<input type="checkbox"/> 912- Explanations and supporting documents relating to special or extraordinary expenses
<input type="checkbox"/> 913- Notice concerning other orders or cases (section 16 of the Regulation of the Superior Court of Québec in family matters)
<input type="checkbox"/> 914- Other relevant evidence (specify): |
|--|--|

PART 10— ADDITIONAL INFORMATION

Check the box to add a page

PART 11— DECLARATION BY THE APPLICANT

I certify that the above information is accurate and complete and I sign:

Town or city	Date YYYY/MM/DD	Signature
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APPLICATION TO VARY, RESCIND OR SUSPEND A SUPPORT ORDER
(SECTIONS 18.1 AND 19 OF THE DIVORCE ACT)

Reserved for administrative use by the Ministère de la Justice

Reference number of the file of the requesting designated authority:

PART 1– IDENTIFICATION OF THE APPLICANT				
Names		Given names		Date of birth YYYY/MM/DD
Telephone number (residence) () -	Cell phone number () -	Telephone number (work) () - Extension:		
Email address		Language of correspondence <input type="checkbox"/> French <input type="checkbox"/> English		
Residential address (<i>civic number, street, apartment number, town or city, province, state, country</i>)				Postal code/ZIP code
Mailing address if different (<i>civic number, street, apartment number, town or city, province, state, country</i>)				Postal code/ZIP code
<input type="checkbox"/> I request that my personal information not be disclosed to the other parties because of spousal or family violence.				

PART 2– IDENTIFICATION OF THE RESPONDENT			
Names		Given names	Date of birth YYYY/MM/DD

SECTION 2.1– INFORMATION (IF KNOWN) CONCERNING THE RESPONDENT			
Telephone number (residence) () -	Cell phone number () -	Telephone number (work) () - Extension:	
Email address			Social Insurance Number
Residential address in Québec (<i>civic number, street, apartment number, town or city</i>)			Postal code

PART 3 – IDENTIFICATION OF THE IMPEADED PARTIES (CHILDREN OF FULL AGE)

Identify, if applicable, the impleaded parties (children of full age) concerned by this application and provide their contact information, if known:

Names		Given names	Date of birth YYYY/MM/DD
Telephone number (residence) () -	Cell phone number () -	Email address	
Residential address (civic number, street, apartment number, town or city, province, state, country)			Postal code/ZIP code

Add a child of full age (+)

PART 4 – INFORMATION ON THE DIVORCE

Date of marriage YYYY/MM/DD	Date of divorce YYYY/MM/DD	Canadian province or territory in which the judgment of divorce was rendered
Indicate your situation with respect to the support order in question:		
<input type="checkbox"/> 401- I am a former spouse who receives support for myself <input type="checkbox"/> 402- I am a former spouse who receives support for my children <input type="checkbox"/> 403- I am a former spouse who pays support for my former spouse or for my children		
<input type="checkbox"/> A copy of the Canadian judgment of divorce is enclosed with this application		

SECTION 4.1 – SUPPORT ORDERS RENDERED AS PART OF DIVORCE PROCEEDINGS

<input type="checkbox"/> Judicial <input type="checkbox"/> Administrative	Date of decision YYYY/MM/DD	Reference number of the decision
--	--------------------------------	----------------------------------

Add a support order (+)

SECTION 4.2 – COLLECTION FILE FOR SUPPORT ORDERS RENDERED AS PART OF DIVORCE PROCEEDINGS

File number	Canadian province or territory/State/Country
Arrears	
421- Indicate the total amount of arrears: \$ as of: YYYY/MM/DD	
422- Indicate the amount of the <input type="checkbox"/> monthly or <input type="checkbox"/> yearly payments ordered by the Court: \$	

SECTION 4.3 – PARENTING ORDERS

Date of decision YYYY/MM/DD	Reference number of the decision
--------------------------------	----------------------------------

Add a parenting order (+)

PART 5— CHANGES THAT OCCURRED SINCE A SUPPORT ORDER WAS RENDERED OR VARIED

Indicate, by checking the appropriate box or boxes, the changes that occurred since a support order was rendered or varied and that justify this APPLICATION according to the persons concerned (sections 5.1 and 5.2):

SECTION 5.1— CHANGES THAT OCCURRED WITH RESPECT TO THE CHILDREN

- 511- Changes in the situation of minor children who receive support
Specify:
- 512- Changes in the situation of children of full age who receive support
Specify:
- 513- Changes to the agreements concerning the care of the child
(for example, an agreement on parenting time)
Specify:
- 514- Other. Specify:

SECTION 5.2- CHANGES THAT OCCURRED WITH RESPECT TO THE FORMER SPOUSES

- 521- Changes in the income of the former spouse who pays support
- 522- Changes in the income of the former spouse who receives support
- 523- Changes in the situation of the former spouse who receives support
Specify:

PART 6— NATURE OF THE APPLICATION

Indicate the nature of your APPLICATION by checking the appropriate box or boxes:

- 601- I am seeking the **VARIATION** of a support order: complete **Part 7**
- 602- I am seeking the **RESCISSION** of a support order: complete **Part 8**
- 603- I am seeking the **SUSPENSION** of a support order: complete **Part 9**

PART 7— APPLICATION TO VARY A SUPPORT ORDER

If you checked box “601- I am seeking the **VARIATION** of a support order” in Part 6, indicate the persons concerned by your application to vary a support order by checking the appropriate box or boxes:

- 710- I am seeking the variation of a support order for minor children and children of full age:
complete **Section 7.1**
- 720- I am seeking the variation of a support order for minor children: complete **Section 7.2**
- 730- I am seeking the variation of a support order for children of full age: complete **Section 7.3**
- 740- I am seeking the variation of a support order for a former spouse: complete **Section 7.4**

SECTION 7.1- VARIATION OF A SUPPORT ORDER FOR MINOR CHILDREN AND CHILDREN OF FULL AGE**Support**

- 711- I ask that the amount of support paid for minor children and children of full age under the *Federal Child Support Guidelines* be reduced by \$ **OR**

712- I ask that the amount of support paid for minor children and children of full age under the *Federal Child Support Guidelines* be increased by \$

SECTION 7.1- VARIATION OF A SUPPORT ORDER FOR MINOR CHILDREN AND CHILDREN OF FULL AGE (continued)

713- This application brings the total amount of the support for minor children and children of full age to \$, paid monthly or yearly as of: YYYY/MM/DD

714- Identify the minor children concerned by this application to vary the amount paid as support:

Names	Given names	Date of birth YYYY/MM/DD

Obligation of support resulting from: a bond of filiation standing in place of a parent

Add a minor child (+)

715- Identify the children of full age concerned by this application to vary the amount paid as support by their given names:

Given names:

Add a child of full age (+)

Special or extraordinary expenses

716- I ask that the amount paid as special or extraordinary expenses for minor children and children of full age be reduced by \$ **OR**

717- I ask that the amount paid as special or extraordinary expenses for minor children and children of full age be increased by \$

718- This application brings the total amount of special or extraordinary expenses for minor children and children of full age to \$ as of: YYYY/MM/DD

719- Identify the minor children concerned by this application to vary the amount paid as special or extraordinary expenses:

Names	Given names	Date of birth YYYY/MM/DD

Obligation of support resulting from: a bond of filiation standing in place of a parent

Add a minor child (+)

719.1- Identify the children of full age concerned by this application to vary the amount paid as special or extraordinary expenses by their given names:

Given names:

Add a child of full age (+)

SECTION 7.2- VARIATION OF A SUPPORT ORDER FOR MINOR CHILDREN**Support**

721- I ask that the amount of support paid for minor children under the *Federal Child Support Guidelines* be reduced by \$ OR

722- I ask that the amount of support paid for minor children under the *Federal Child Support Guidelines* be increased by \$

723- This application brings the total amount of the support for minor children to \$, paid monthly or yearly as of: YYYY/MM/DD

724- Identify the minor children concerned by this application to vary the amount paid as support:

Names	Given names	Date of birth YYYY/MM/DD

Obligation of support resulting from: a bond of filiation standing in place of a parent

Add a minor child (+)

Special or extraordinary expenses

725- I ask that the amount paid as special or extraordinary expenses for minor children be reduced by \$ OR

726- I ask that the amount paid as special or extraordinary expenses for minor children be increased by \$

727- This application brings the total amount of special or extraordinary expenses for minor children to \$ as of: YYYY/MM/DD

728- Identify the minor children concerned by this application to vary the amount paid as special or extraordinary expenses:

Names	Given names	Date of birth YYYY/MM/DD

Obligation of support resulting from: a bond of filiation standing in place of a parent

Add a minor child (+)

SECTION 7.3- VARIATION OF A SUPPORT ORDER FOR CHILDREN OF FULL AGE**Support**

731- I ask that the amount of support paid for children of full age under the *Federal Child Support Guidelines* be reduced by \$ OR

732- I ask that the amount of support paid for children of full age under the *Federal Child Support Guidelines* be increased by \$

733- This application brings the total amount of the support for children of full age to \$, paid monthly or yearly as of: YYYY/MM/DD

734- Identify the children of full age concerned by this application to vary the amount paid as support by their given names:

Given names:

Add a child of full age (+)

SECTION 7.3- VARIATION OF A SUPPORT ORDER FOR CHILDREN OF FULL AGE (continued)**Special or extraordinary expenses**

- 735- I ask that the amount paid as special or extraordinary expenses for children of full age be reduced by \$ OR
- 736- I ask that the amount paid as special or extraordinary expenses for children of full age be increased by \$
- 737- This application brings the total amount of special or extraordinary expenses for children of full age to \$ as of: YYYY/MM/DD
- 738- Identify the children of full age concerned by this application to vary the amount paid as special or extraordinary expenses by their given names:

Given names:

Add a child of full age (+)

SECTION 7.4- VARIATION OF A SUPPORT ORDER FOR A FORMER SPOUSE

- 741- I ask that the amount of support paid for a former spouse be reduced by \$ OR
- 742- I ask that the amount of support paid for a former spouse be increased by \$
- 743- This application brings the total amount of support paid for a former spouse to \$, paid monthly or yearly as of: YYYY/MM/DD

PART 8— APPLICATION TO RESCIND A SUPPORT ORDER

If you checked box “602- I am seeking the RESCISSION of a support order” in Part 6 of this application, indicate the support orders concerned by your application to rescind by checking the appropriate box or boxes:

- 810- I am seeking the rescission of a support order for minor children and children of full age: complete Section 8.1
- 820- I am seeking the rescission of a support order for minor children: complete Section 8.2
- 830- I am seeking the rescission of a support order for children of full age: complete Section 8.3
- 840- I am seeking the rescission of a support order for a former spouse: complete Section 8.4

SECTION 8.1- RESCISSION OF A SUPPORT ORDER FOR MINOR CHILDREN AND CHILDREN OF FULL AGE

811- I am seeking the rescission of a support order for minor children and children of full age as of: YYYY/MM/DD

812- Identify the minor children concerned by the application to rescind:

Names	Given names	Date of birth YYYY/MM/DD

Obligation of support resulting from: a bond of filiation standing in place of a parent

Add a minor child (+)

813- Identify the children of full age concerned by the application to rescind by their given names:

Given names:

Add a child of full age (+)

SECTION 8.2- RESCISSION OF A SUPPORT ORDER FOR MINOR CHILDREN

821- I am seeking the rescission of a support order for minor children as of: YYYY/MM/DD

822- Identify the minor children concerned by the application to rescind:

Names	Given names	Date of birth YYYY/MM/DD

Obligation of support resulting from: a bond of filiation standing in place of a parent

Add a minor child (+)

SECTION 8.3- RESCISSION OF A SUPPORT ORDER FOR CHILDREN OF FULL AGE

831- I am seeking the rescission of a support order for children of full age as of: YYYY/MM/DD

832- Identify the children of full age concerned by the application to rescind by their given names:

Given names:

Add a child of full age (+)

SECTION 8.4- RESCISSION OF A SUPPORT ORDER FOR A FORMER SPOUSE

841- I am seeking the rescission of a support order for a former spouse as of: YYYY/MM/DD

PART 9— APPLICATION TO SUSPEND A SUPPORT ORDER

If you checked box “603- I am seeking the **SUSPENSION** of a support order” in Part 6 of this application, indicate the support orders concerned by your application to suspend by checking the appropriate box or boxes:

- 910- I am seeking the suspension of a support order for minor children and children of full age: complete [Section 9.1](#)
- 920- I am seeking the suspension of a support order for minor children: complete [Section 9.2](#)
- 930- I am seeking the suspension of a support order for children of full age: complete [Section 9.3](#)
- 940- I am seeking the suspension of a support order for a former spouse: complete [Section 9.4](#)

SECTION 9.1- SUSPENSION OF A SUPPORT ORDER FOR MINOR CHILDREN AND CHILDREN OF FULL AGE

911- I am seeking the suspension of a support order for minor children and children of full age for a period of _____ months as of: YYYY/MM/DD

912- Identify the minor children concerned by the application to suspend:

Names	Given names	Date of birth YYYY/MM/DD
Obligation of support resulting from: <input type="checkbox"/> a bond of filiation <input type="checkbox"/> standing in place of a parent		

Add a minor child (+)

913- Identify the children of full age concerned by the application to suspend by their given names:
Given names:

Add a child of full age (+)

SECTION 9.2- SUSPENSION OF A SUPPORT ORDER FOR MINOR CHILDREN		
921- I am seeking the suspension of a support order for minor children for a period of _____ months as of: YYYY/MM/DD		
922- Identify the minor children concerned by the application to suspend:		
Names	Given names	Date of birth YYYY/MM/DD
Obligation of support resulting from: <input type="checkbox"/> a bond of filiation <input type="checkbox"/> standing in place of a parent		

Add a minor child (+)

SECTION 9.3- SUSPENSION OF A SUPPORT ORDER FOR CHILDREN OF FULL AGE		
931- I am seeking the suspension of a support order for children of full age for a period of _____ months as of: of: YYYY/MM/DD		
932- Identify the children of full age concerned by the application to suspend by their given names:		
Given names:		

Add a child of full age (+)

SECTION 9.4- SUSPENSION OF A SUPPORT ORDER FOR A FORMER SPOUSE		
941- I am seeking the suspension of a support order for a former spouse for a period of _____ months as of: YYYY/MM/DD		

PART 10- GOVERNMENT DEPARTMENT OR BODY		
A government department or body may request to be informed of this application or to take part in it (if permitted under the applicable rules of law). Check the appropriate box or boxes.		
<input type="checkbox"/> 1 001- I receive or have received income assistance or social assistance.		
<input type="checkbox"/> 1 002- The respondent receives, may receive or has received income assistance or social assistance.		

PART 11– DOCUMENTS ENCLOSED TO COMPLETE THE APPLICATION

- | | |
|--|--|
| <input type="checkbox"/> 1 101- Canadian judgment of divorce | <input type="checkbox"/> 1 110- Form III (section 22 of the Regulation of the Superior Court of Québec in family matters) |
| <input type="checkbox"/> 1 102- Judgment of separation from bed and board | <input type="checkbox"/> 1 111- Documents required under section 21 of the <i>Federal Child Support Guidelines</i> concerning income |
| <input type="checkbox"/> 1 103- Support orders (all prior decisions) | <input type="checkbox"/> 1 112- Explanations and supporting documents relating to special or extraordinary expenses |
| <input type="checkbox"/> 1 104- Statements of account or statements of arrears | <input type="checkbox"/> 1 113- Notice concerning other orders or cases (section 16 of the Regulation of the Superior Court of Québec in family matters) |
| <input type="checkbox"/> 1 105- Parenting orders | <input type="checkbox"/> 1 114- Other relevant evidence (specify): |
| <input type="checkbox"/> 1 106- Act or certificate of birth | |
| <input type="checkbox"/> 1 107- Certificate or judgment of adoption | |
| <input type="checkbox"/> 1 108- Proof of registration at a secondary or post-secondary educational institution | |
| <input type="checkbox"/> 1 109- Statement required under article 444 of the Code of Civil Procedure of Québec | |

PART 12– ADDITIONAL INFORMATION

<input type="checkbox"/> Check the box to add a page

PART 13– DECLARATION BY THE APPLICANT

I certify that the above information is accurate and complete and I sign:

Town or city	Date YYYY/MM/DD	Signature
--------------	--------------------	-----------

Schedule II

(second paragraph of section 8 and second paragraph of section 9)


**RESPONSE OF THE RESPONDENT TO THE APPLICATION TO OBTAIN, VARY, RESCIND OR
SUSPEND A SUPPORT ORDER
(SECTIONS 18.1 AND 19 OF THE DIVORCE ACT)**
Reserved for administrative use by the Ministère de la Justice

Name of the applicant in the record of the court

Name of the respondent in the record of the court

PART 1 – IDENTIFICATION OF THE PARTY WHO FILED THE RESPONSE FORM

This response is filed by:

- 1 100- Respondent (***do not complete PART 4***)
- Indicate your situation with respect to the order for support in question:
- 1 101- I am the creditor of support for a minor child granted under the *Federal Child Support Guidelines*
- 1 102- I am the creditor of support for a former spouse
- 1 103- I am the debtor of support for a former spouse or for children
- 1 200- Person, public body or department who has the legal right to participate in this response
(***do not complete PART 2***)

PART 2 – IDENTIFICATION OF THE RESPONDENT

Names		Given names	Date of birth YYYY/MM/DD
Check the box corresponding to the family relationship between you and the applicant:			
<input type="checkbox"/> 2 001- I am the former spouse of the applicant			
<input type="checkbox"/> 2 002- I am a child of the applicant			
Telephone number (residence) () -	Cell phone number () -	Telephone number (work) () -	Extension:
Email address		Language of correspondence <input type="checkbox"/> French <input type="checkbox"/> English	
Residential address (<i>civic number, street, apartment number, town or city, province, state, country</i>)			Postal code/ZIP code
Mailing address if different (<i>civic number, street, apartment number, town or city, province, state, country</i>)			Postal code/ZIP code
<input type="checkbox"/> I request that my personal information not be disclosed to the other parties because of spousal or family violence			
PART 3 – IDENTIFICATION OF THE APPLICANT			
Names		Given names	Date of birth YYYY/MM/DD

PART 4 – IDENTIFICATION OF THE PERSON, PUBLIC BODY OR DEPARTMENT	
Name	Relationship with the respondent
Address (civic number, street, office number, town or city, province, state, country)	Postal code/ZIP code
Email address	Telephone () -

PART 5 – IDENTIFICATION OF THE ATTORNEY (if represented by an attorney)	
Name and given name of the attorney	
Name of the attorney's law firm	
Address (civic number, street, office number, town or city, province, state, country)	Postal code/ZIP code
Email address	Telephone () -

PART 6 – IDENTIFICATION OF THE NATURE OF THE APPLICATION FILED BY THE APPLICANT	
Check the box that corresponds to the application filed by the applicant and to which you are responding using this form:	
<input type="checkbox"/> 6 100- The applicant filed an application for support (sections 18.1 and 19 of the Divorce Act): 6101- If you consent to the application for a support order, you must complete parts 7 and 10 of this form 6102- If you reject the application for a support order, you must complete Part 11 of this form	
OR	
<input type="checkbox"/> 6 200- The applicant filed an application to vary, rescind or suspend a support order (sections 18.1 and 19 of the Divorce Act) If you checked the box in line 6200, you must indicate whether the application seeks to vary, rescind or suspend a support order by checking the appropriate box or boxes:	
<input type="checkbox"/> 6 210- The application seeks to vary a support order: 6 211- If you consent to the application to vary a support order, you must complete parts 7 and 10 of this form 6 212- If you reject the application to vary a support order, you must complete Part 11 of this form	

PART 6 – IDENTIFICATION OF THE NATURE OF THE APPLICATION FILED BY THE APPLICANT (continued)

If you checked the box in line 6200, you must indicate whether the application seeks to vary, rescind or suspend a support order by checking the appropriate box or boxes:

- 6 220- The application seeks to **rescind** a support order:

6 221- If you **consent** to the application to rescind a support order, you must complete **parts 8 and 10** of this form

6 222- If you **reject** the application to rescind a support order, you must complete **Part 11** of this form

- 6 230- The application seeks to **suspend** a support order:

6 231- If you **consent** to the application to suspend a support order, you must complete **parts 9 and 10** of this form

6 232- If you **reject** the application to suspend a support order, you must complete **Part 11** of this form

PART 7 – CONSENT TO THE APPLICATION TO OBTAIN OR VARY A SUPPORT ORDER

Indicate the persons for whom the applicant has filed an application for a support order or an application to vary a support order by checking the appropriate box or boxes:

- 7100- Minor children and children of full age**

The applicant has filed an application for a support order for **minor children and children of full age** or an application to vary such an order: complete **Section 7.1**

- 7200- Minor children**

The applicant has filed an application for a support order for **minor children** or an application to vary such an order: complete **Section 7.2**

- 7300- Children of full age**

The applicant has filed an application for a support order for **children of full age** or an application to vary such an order: complete **Section 7.3**

- 7400- Former spouse**

The applicant has filed an application for a support order for a **former spouse** or an application to vary such an order: complete **Section 7.4**

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your response.*

SECTION 7.1- CONSENT TO THE APPLICATION TO OBTAIN OR VARY A SUPPORT ORDER FOR MINOR CHILDREN AND CHILDREN OF FULL AGE

Support

- 7101- I consent to the amount of the support for minor children and children of full age as follows:
- 7102- Amount indicated in the APPLICATION concerning the support for minor children and children of full age

OR

- 7103- Other amount to which I consent: \$ paid monthly or annually

Special or extraordinary expenses

- 7104- I consent to the amount of the special or extraordinary expenses for minor children and children of full age as follows:
- 7105- Amount indicated in the APPLICATION concerning the special or extraordinary expenses for minor children and children of full age

OR

- 7106- Other amount to which I consent: \$ paid monthly or annually

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your RESPONSE.*

SECTION 7.2- CONSENT TO THE APPLICATION TO OBTAIN OR VARY A SUPPORT ORDER FOR MINOR CHILDREN

Support

- 7201- I consent to the amount of the support for minor children as follows:
- 7202- Amount indicated in the APPLICATION concerning the support for minor children

OR

- 7203- Other amount to which I consent: \$ paid monthly or annually

Special or extraordinary expenses

- 7204- I consent to the amount of the special or extraordinary expenses for minor children as follows:
- 7205- Amount indicated in the APPLICATION concerning the special or extraordinary expenses for minor children

OR

- 7206- Other amount to which I consent: \$ paid monthly or annually

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your RESPONSE.*

SECTION 7.3- CONSENT TO THE APPLICATION TO OBTAIN OR VARY A SUPPORT ORDER FOR CHILDREN OF FULL AGE**Support**

- 7301- I consent to the amount of the support for children of full age as follows:
- 7302- Amount indicated in the APPLICATION concerning the support for children of full age

OR

- 7303- Other amount to which I consent: \$ paid monthly or annually

Special or extraordinary expenses

- 7304- I consent to the amount of the special or extraordinary expenses for children of full age as follows:
- 7305- Amount indicated in the APPLICATION concerning the special or extraordinary expenses for children of full age

OR

- 7306- Other amount to which I consent: \$ paid monthly or annually

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your RESPONSE.*

SECTION 7.4- CONSENT TO THE APPLICATION TO OBTAIN OR VARY A SUPPORT ORDER FOR A FORMER SPOUSE

- 7401- I consent to the application to obtain or vary a support order for a former spouse as follows:
- 7402- Amount indicated in the APPLICATION concerning the support for a former spouse

OR

- 7403- Other amount to which I consent: \$ paid monthly or annually

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your RESPONSE.*

PART 8 – CONSENT TO THE APPLICATION TO RESCIND A SUPPORT ORDER

Indicate the persons concerned by the application to rescind a support order filed by the applicant by checking the appropriate box or boxes:

- 810- Minor children and children of full age**
The applicant filed an application to rescind a support order for **minor children and children of full age**: complete **Section 8.1**
- 820- Minor children**
The applicant filed an application to rescind a support order for **minor children**: complete **Section 8.2**
- 830- Children of full age**
The applicant filed an application to rescind a support order for **children of full age**: complete **Section 8.3**

840- Former spouse

The applicant filed an application to rescind a support order for a **former spouse**: complete **Section 8.4**

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your response.*

SECTION 8.1- CONSENT TO THE APPLICATION TO RESCIND A SUPPORT ORDER FOR MINOR CHILDREN AND CHILDREN OF FULL AGE 8101- I consent to the rescission of a support order for minor children and children of full age as follows: 8102- as of the date indicated in the applicant's application**OR** 8103- as of: YYYY/MM/DD

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your response.*

SECTION 8.2- CONSENT TO THE APPLICATION TO RESCIND A SUPPORT ORDER FOR MINOR CHILDREN 8201- I consent to the rescission of a support order for minor children as follows: 8202- as of the date indicated in the applicant's application**OR** 8203- as of: YYYY/MM/DD

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your response.*

SECTION 8.3- CONSENT TO THE APPLICATION TO RESCIND A SUPPORT ORDER FOR CHILDREN OF FULL AGE 8301- I consent to the rescission of a support order for children of full age as follows: 8302- as of the date indicated in the applicant's application**OR** 8303- as of: YYYY/MM/DD

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your response.*

SECTION 8.4- CONSENT TO THE APPLICATION TO RESCIND A SUPPORT ORDER FOR A FORMER SPOUSE 8401- I consent to the rescission of a support order for a former spouse as follows: 8402- as of the date indicated in the applicant's application**OR** 8403- as of: YYYY/MM/DD

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your response.*

PART 9 – CONSENT TO THE APPLICATION TO SUSPEND A SUPPORT ORDER

Indicate the persons for whom the applicant has filed an application to suspend a support order by checking the appropriate box or boxes:

- 9100- Minor children and children of full age**
The applicant filed an application to suspend a support order for **minor children and children of full age**: complete **Section 9.1**
- 9200- Minor children**
The applicant filed an application to suspend a support order for **minor children**: complete **Section 9.2**
- 9300- Children of full age**
The applicant filed an application to suspend a support order for **children of full age**: complete **Section 9.3**
- 9400- Former spouse**
The applicant filed an application to suspend a support order for a **former spouse**: complete **Section 9.4**

*Do not forget to also complete **Part 10** which concerns the documents that must be enclosed in support of your response.*

SECTION 9.1- CONSENT TO THE APPLICATION TO SUSPEND A SUPPORT ORDER FOR MINOR CHILDREN AND CHILDREN OF FULL AGE

- 9101- I consent to the suspension of a support order for minor children and children of full age as follows:
- 9102- for the period and as of the date indicated in the applicant's application
- OR**
- 9103- for the following period of months
- 9104- as of: YYYY/MM/DD

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your response.*

SECTION 9.2- CONSENT TO THE APPLICATION TO SUSPEND A SUPPORT ORDER FOR MINOR CHILDREN

- 9201- I consent to the suspension of a support order for minor children as follows:
- 9202- for the period and as of the date indicated in the applicant's application
- OR**
- 9203- for the following period of months
- 9204- as of: YYYY/MM/DD

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your response.*

SECTION 9.3- CONSENT TO THE APPLICATION TO SUSPEND A SUPPORT ORDER FOR CHILDREN OF FULL AGE

9301- I consent to the suspension of a support order for children of full age as follows:

9302- for the period and as of the date indicated in the applicant's application

OR

9303- for the following period of months

9304- as of: YYYY/MM/DD

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your response.*

SECTION 9.4- CONSENT TO THE APPLICATION TO SUSPEND A SUPPORT ORDER FOR A FORMER SPOUSE

9401- I consent to the suspension of a support order for a former spouse as follows:

9402- as of the date indicated in the applicant's application

OR

9403- as of: YYYY/MM/DD

*Do not forget to complete **Part 10** which concerns the documents that must be enclosed in support of your response.*

PART 10 – DOCUMENTS TO ENCLOSE WITH YOUR CONSENT

To supplement your consent to the APPLICATION, you must enclose with your RESPONSE the documents indicated below, according to whether the applicant's APPLICATION concerns a support order for children or for a former spouse. If the APPLICATION concerns a support order for a former spouse and for children, you need only submit one copy of each requested document. Check the appropriate box or boxes:

Support order for children:

10 001- Statement required under article 444 of the Code of Civil Procedure of Québec

10 002- Documents required under section 21 of the *Federal Child Support Guidelines* concerning income

10 003- Explanations and supporting documents relating to special or extraordinary expenses

10 004- Notice concerning other orders or cases (section 16 of the Regulation of the Superior Court of Québec in family matters)

10 005- Other relevant evidence. Specify:

Support order for a former spouse:

10 006- Statement required under article 444 of the Code of Civil Procedure of Québec

10 007- Form III (section 22 of the Regulation of the Superior Court of Québec in family matters)

10 008- Notice concerning other orders or cases (section 16 of the Regulation of the Superior Court of Québec in family matters)

10 009- Other relevant evidence. Specify:

OR

PART 11 – REJECTION OF THE APPLICATION

11001- I DO NOT CONSENT to the application for the following reasons:

SECTION 11.1 – DOCUMENTS TO ENCLOSE WITH YOUR REJECTION

To supplement your rejection of the APPLICATION, you must enclose with your RESPONSE the documents indicated below, according to whether the applicant's APPLICATION concerns a support order for children or for a former spouse. If the APPLICATION concerns a support order for a former spouse and for children, you need only submit one copy of each requested document. Check the appropriate box or boxes:

Support order for children:

- 11 101- Statement required under article 444 of the Code of Civil Procedure of Québec
- 11 102- Documents required under section 21 of the *Federal Child Support Guidelines* concerning income
- 11 103- Explanations and supporting documents relating to special or extraordinary expenses
- 11 104- Notice concerning other orders or cases (section 16 of the Regulation of the Superior Court of Québec in family matters)
- 11 105- Other relevant evidence. Specify:

Support order for a former spouse:

- 11 106- Statement required under article 444 of the Code of Civil Procedure of Québec
- 11 107- Form III (section 22 of the Regulation of the Superior Court of Québec in family matters)
- 11 108- Notice concerning other orders or cases (section 16 of the Regulation of the Superior Court of Québec in family matters)
- 11 109- Other relevant evidence. Specify:

PART 12 – ADDITIONAL INFORMATION

Check the box to add a page

PART 13 – DECLARATION BY THE APPLICANT

I certify that the above information is accurate and complete and I sign:

Town or city	Date YYYY/MM/DD	Signature
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Schedule III
(first paragraph of section 17)

Discontinuance

(sections 18.1 and 19 of the Divorce Act)

Reserved for administrative use by the Ministère de la Justice

CANADA

Province of Québec

District of _____

File number _____

PART 1 – IDENTIFICATION OF THE APPLICANT

Names	Given names	Date of birth YYYY MM DD
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PART 2 – IDENTIFICATION OF THE RESPONDENT

Names	Given names	Date of birth YYYY MM DD
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PART 3 – DISCONTINUANCE

The applicant discontinues the following application instituted before the Superior Court of Québec:

- 3001-** Application for a support order (sections 18.1 and 19 of the Divorce Act)
- 3002-** Application to vary, rescind or suspend a support order (sections 18.1 and 19 of the Divorce Act)

PART 4 – DECLARATION BY THE APPLICANT

I certify that the above information is accurate and complete and I sign:

Town or city	Date YYYY/MM/DD	Signature
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106697

Draft Regulations

Draft Regulation

Education Act
(chapter I-13.3)

Basic school regulation for preschool, elementary and secondary education — Basic adult general education regulation — Basic vocational training regulation — Amendment

Notice is hereby given, in accordance with sections 10, 12 and 13 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Basic school regulation for preschool, elementary and secondary education for the 2023-2024, 2024-2025 and 2025-2026 school years, the Basic adult general education regulation for the 2023-2024 school year and the Basic vocational training regulation for the 2023-2024 school year, appearing below, may be made by the Government on the expiry of 7 days following this publication.

The draft Regulation proposes amendments to the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) with a view to

—reducing the number of days in the school calendar to be devoted to educational services for the 2023-2024 school year;

—reducing, for students in elementary school and students in the first cycle of secondary school, the number of hours devoted to instructional services in compulsory subjects for the 2023-2024 school year;

—reducing, for students in the second cycle of secondary school, the number of hours devoted to instructional services in compulsory subjects and elective subjects for the 2023-2024 school year;

—deferring the deadline for providing the second term report card for the 2023-2024 school year;

—reducing the number of hours of instructional services to be provided by a school for each of the credits assigned for a program of studies for the 2023-2024 school year;

—reducing the value of the examinations set by the Minister for the 2023-2024 school year; and

—reducing the number of training hours required to obtain a pre-work training certificate for the 2023-2024, 2024-2025, 2025-2026 school years or a training certificate for a semi-skilled trade for the 2023-2024 school year.

The draft Regulation also proposes to reduce the number of hours of instructional services to be provided by an adult education centre for each credit in a program of studies as well as the number of hours of training required by the Basic adult general education regulation (chapter I-13.3, r. 9) to obtain a training certificate in socio-vocational integration of adults for the 2023-2024 school year.

Lastly, the draft Regulation proposes, for the 2023-2024 school year, to reduce the number of hours of instructional services to be provided by a vocational training centre for each credit in a vocational training program under the Basic vocational training regulation (chapter I-13.3, r. 10).

In accordance with sections 12 and 13 of the Regulations Act, the draft Regulation may be made on the expiry of a period shorter than the 45-day period set under section 11 of that Act for reasons of urgency, in the opinion of the Government, arising from the following circumstances:

(1) many students were unable to receive educational services because of the strike days held in November and December 2023;

(2) the learning and examinations planned for the beginning of the second term of the school year could not take place;

(3) the lost days of educational services have a substantial impact on the success of the students, particularly as regards the more vulnerable students;

(4) it is important to devote more instructional time between the students' return to classes and the sending of the second term report card to the parents; and

(5) the second term report card should, without these amendments, be sent not later than 15 March.

Further information on the draft Regulation may be obtained by contacting Christine Di Loreto, Ministère de l'Éducation, Direction de l'organisation scolaire, 600, rue Fullum, 10^e étage, Montréal (Québec) H2K 4L1; email: DOS@éducation.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 7-day period to Nancy-Sonia Trudelle, Secretary General, Ministère de l'Éducation, 1035, rue De La Chevrotière, 15^e étage, Québec (Québec) G1R 5A5; email: nancy-sonia.trudelle@education.gouv.qc.ca.

BERNARD DRAINVILLE
Minister of Education

Regulation to amend the Basic school regulation for preschool, elementary and secondary education for the 2023-2024, 2024-2025 and 2025-2026 school years, the Basic adult general education regulation for the 2023-2024 school year and the Basic vocational training regulation for the 2023-2024 school year

Education Act
(chapter I-13.3, s. 447, 1st par., 2nd par., subpar. 1, and 3rd par., subpars. 2, 4 and 5, and s. 448, 1st and 2nd pars., and 3rd par., subpars. 4 and 5)

1. For the school year that began on 1 July 2023, section 16 of the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) is to be read as follows:

“**16.** The school calendar for students shall consist of the equivalent of a maximum of 200 days, at least 156 of which must be devoted to educational services.

However, for students with handicaps and students living in the low-income areas referred to in the second and third paragraphs of section 12, the school calendar shall consist of the equivalent of a maximum of 200 half-days, at least 156 of which must be devoted to educational services, unless the school service centre, to the extent and on the conditions determined by the Minister, grants them an exemption.”

2. For the school year that began on 1 July 2023, section 18.2 of that basic school regulation is to be read as follows:

“**18.2.** For students in elementary school and students in the first cycle of secondary school, the school calendar must consist of at least 624 hours devoted to the instruction of the compulsory subjects provided for in section 22 or 23, as the case may be.

For students in the second cycle of secondary school, the calendar must consist of at least 562 hours devoted to the instruction of the subjects provided for in section 23.1 and the elective subjects appearing on the list drawn up by the Minister under the Act.”

3. For the school year that began on 1 July 2023, subject to sections 33 and 33.1 of that basic school regulation, the prescribed time set in the tables in sections 23.4 and 23.5 of the basic school regulation is to be adjusted, as needed, on the basis of the number of days scheduled in the school calendar.

4. For the school year that began on 1 July 2023, section 26 of that basic school regulation is to be read as follows:

“**26.** Schools provide a minimum of 21.5 hours of instructional services for each of the credits assigned for a program of studies, unless the compulsory objectives and contents of the program may be achieved within less time.”

5. For the school year that began on 1 July 2023, the second paragraph of section 29.1 of that basic school regulation is to be read as follows:

“The report cards are provided no later than 20 November for the first term, 28 March for the second term and 10 July for the third term.”

6. For the school year that began on 1 July 2023, section 30.3 of that basic school regulation is to be read as follows:

“**30.3.** Subject to section 34 of this basic school regulation and section 470 of the Act, a student’s result for an examination set by the Minister is worth 10% of the student’s final mark.”

7. For the school year that began on 1 July 2023, sections 33 and 33.1 of that basic school regulation are to be read as follows:

“**33.** On the recommendation of the school service centre, the Minister shall award a pre-work training certificate to every student who has completed the training of not less than 2,580 hours and has successfully completed the work skills education program of not less than 820 hours apportioned as follows: a minimum of 300 hours for the 2022-2023 school year and a minimum of 520 hours for the 2023-2024 school year.

33.1. On the recommendation of the school service centre, the Minister shall award a training certificate for a semi-skilled trade, with mention of the trade, to every student who has completed the training of not less than 780 hours and has successfully completed the practical training component for the semi-skilled trade of not less than 390 hours.

On the recommendation of the school service centre, the Minister shall also award a training certificate for a semi-skilled trade, with mention of the semi-skilled trade, to every student referred to in the third paragraph of section 23.4 if the student

(1) has completed the pre-work training of not less than 2,580 hours; and

(2) has successfully completed the practical training component of the training leading to a semi-skilled trade.”

8. For the school year beginning on 1 July 2024, sections 33 and 33.1 of that basic school regulation are to be read as follows:

“**33.** On the recommendation of the school service centre, the Minister shall award a pre-work training certificate to every student who has completed the training of not less than 2,580 hours and has successfully completed the work skills education program of not less than 860 hours apportioned as follows: a minimum of 260 hours for the 2023-2024 school year and a minimum of 600 hours for the 2024-2025 school year.

33.1. On the recommendation of the school service centre, the Minister shall award a training certificate for a semi-skilled trade, with mention of the trade, to every student who has completed the training of not less than 900 hours and has successfully completed the practical training component for the semi-skilled trade of not less than 450 hours.

On the recommendation of the school service centre, the Minister shall also award a training certificate for a semi-skilled trade, with mention of the semi-skilled trade, to every student referred to in the third paragraph of section 23.4 if the student

(1) has completed the pre-work training of not less than 2,580 hours; and

(2) has successfully completed the practical training component of the training leading to a semi-skilled trade.”

9. For the school year beginning on 1 July 2025, sections 33 and 33.1 of that basic school regulation are to be read as follows:

“**33.** On the recommendation of the school service centre, the Minister shall award a pre-work training certificate to every student who has completed the training of not less than 2,580 hours and has successfully completed the work skills education program of not less than 900 hours.

33.1. On the recommendation of the school service centre, the Minister shall award a training certificate for a semi-skilled trade, with mention of the trade, to every student who has completed the training of not less than 900 hours and has successfully completed the practical training component for the semi-skilled trade of not less than 450 hours.

On the recommendation of the school service centre, the Minister shall also award a training certificate for a semi-skilled trade, with mention of the semi-skilled trade, to every student referred to in the third paragraph of section 23.4 if the student

(1) has completed the pre-work training of not less than 2,580 hours; and

(2) has successfully completed the practical training component of the training leading to a semi-skilled trade.”

10. For the school year that began on 1 July 2023, section 34 of that basic school regulation is to be read as follows:

“**34.** For all programs of studies offered at the secondary level that lead to a Secondary School Diploma, the pass mark is 60%.

For all programs of studies for which the Minister sets an examination, the Minister shall take into account the summative evaluation of the student transmitted by the school service centre in a proportion of 80%, subject to section 470 of the Education Act (chapter I-13.3). The Minister shall then certify success or failure in that program.”

11. For the school year that began on 1 July 2023, sections 31, 32 and 32.1 of the Basic adult general education regulation (chapter I-13.3, r. 9) are to be read as follows:

“**31.** Adult education centres shall offer not less than 21.5 hours of instructional services for each credit in a program of studies, unless fewer hours are required to achieve the compulsory objectives and cover the compulsory content of the program.

32. On the recommendation of the school service centre, the Minister shall award a training certificate in sociovocational integration of adults to adults who, after

successfully completing the preparatory courses for secondary education in language of instruction, mathematics and second language, have successfully completed a program in sociovocational integration comprising not less than 780 hours divided as follows:

(1) 173 hours of development of employability and sociovocational attitudes;

(2) 520 hours of practical training in sociovocational integration;

(3) 87 hours divided according to the person's learning plan.

32.1. On the recommendation of the school service centre, the Minister shall award a training certificate for a semi-skilled trade, with mention of the trade, to every adult who has completed the training of not less than 780 hours and has successfully completed the practical training component for the semi-skilled trade of not less than 390 hours. That training includes

(1) in general training:

(a) 173 hours in language of instruction (French or English);

(b) 87 hours in second language (French or English); and

(c) 130 hours in mathematics; and

(2) in practical training:

(a) 65 hours in introduction to the world of work; and

(b) 325 hours in preparation for the semi-skilled trade.”.

12. For the school year that began on 1 July 2023, section 24 of the Basic vocational training regulation (chapter I-13.3, r. 10) is to be read as follows:

“**24.** Training centres shall give a minimum of 13 hours of instructional services for each credit in a vocational training program unless fewer hours are required to achieve the compulsory objectives and cover the compulsory content of the program.”.

13. This Regulation applies despite any inconsistent provision in the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8), the Basic adult general education regulation (chapter I-13.3, r. 9) or the Basic vocational training regulation (chapter I-13.3, r. 10).

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

106692

Draft Regulation

Civil Code of Québec

Parental projects involving surrogacy in which the woman who agrees to give birth to the child is domiciled outside Québec

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R 18.1), that the Regulation respecting parental projects involving surrogacy in which the woman who agrees to give birth to the child is domiciled outside Québec, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The object of the draft Regulation is to complete the rules set out in the Civil Code concerning prior authorization for parental projects involving surrogacy in which the woman or person who agrees to give birth to the child is domiciled outside Québec, and concerning authorization to proceed with such a project. More specifically, it sets out the conditions that a person alone or spouses having formed such a project must meet to obtain prior authorization for their parental project. It also lists the documents that must be submitted with the surrogacy agreement in order to obtain authorization to proceed with the project, and specifies a requirement concerning the translation of the documents submitted.

Further information on the draft Regulation may be obtained by contacting Mtre. Nancy Allaire, Direction du soutien aux orientations, des affaires législatives et de la refonte, Ministère de la Justice, 1200, route de l'Église, 4^e étage, Québec (Québec) G1V 4M1; telephone: 418 643-0424, extension 21688; email: nancy.allaire@justice.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1.

SIMON JOLIN-BARRETTE
Minister of Justice

Regulation respecting parental projects involving surrogacy in which the woman who agrees to give birth to the child is domiciled outside Québec

Civil Code of Québec

(Civil Code, art. 541.28, 3rd par, and art. 541.32, 1st par.; 2023, chapter 13, s. 20)

1. A person alone or spouses having formed a parental project involving surrogacy in which the woman or person who agrees to give birth to the child is domiciled outside Québec must, to obtain the prior authorization provided for in article 541.27 of the Civil Code, submit to the Minister of Health and Social Services the following information and documents:

(1) the name of the State chosen to carry out their parental project;

(2) an affidavit stating that

(a) the person alone has formed a parental project, or the spouses are married, in a civil union or in a de facto union and have formed a parental project;

(b) the parental project was formed before the pregnancy of the woman or person who agrees to give birth to the child;

(c) the woman or person who agrees to give birth to the child is not party to the parental project;

(d) the parental project comprises all children born of it and does not entail their being dissociated;

(e) the person alone has been domiciled in Québec for at least one year or the spouses have been domiciled in Québec for at least one year before authorization is requested;

(f) the person alone is a Canadian citizen or permanent resident, or at least one of the spouses is a Canadian citizen or permanent resident, if the woman or person who agrees to give birth to the child is domiciled outside Canada;

(g) the person alone has or the spouses have been informed of the rules relating to parental projects involving surrogacy in which the woman or the person who gave birth to the child is domiciled outside Québec, which rules are set out in the Civil Code, in this Regulation and in the rules of the State chosen, and acknowledges or acknowledges that the rules apply to her, him or them despite any stipulation to the contrary;

(h) the person alone undertakes or the spouses undertake to notify the Minister of any change concerning the person alone or the spouses or concerning the parental project that may have an impact on the implementation of the parental project or the Minister's decision.

In addition, the person alone or the spouses must not have been found guilty of a criminal offence against a minor or a person she, he or they believed to be a minor, or of a criminal offence in matters of child pornography.

2. To obtain authorization to proceed with a parental project involving surrogacy in which the woman or person who agrees to give birth to the child is domiciled outside Québec, the person alone or the spouses having formed the project must, in accordance with article 541.32 of the Civil Code, submit the surrogacy agreement to the Minister of Health and Social Services along with, in particular,

(1) an affidavit stating that the person alone undertakes or the spouses undertake

(a) to ensure that the surrogacy agreement is entered into before the pregnancy of the woman or person who agrees to give birth to the child;

(b) to ensure that there is no combining of the reproductive material of the woman or person who agrees to give birth to the child with that of the woman or person's sibling, ascendant or descendant, if the woman or person is a sister, ascendant or descendant of the person alone or of one of the spouses;

(c) if the person alone is a permanent resident, to provide her or his reproductive material, or if neither of the spouses is a Canadian citizen, to ensure that the reproductive material is provided by a spouse who is a permanent resident, as the case may be;

(d) to ensure that the woman or person who agrees to give birth to the child is 21 years of age or over and is domiciled in a State designated by the Government in accordance with 541.31 of the Civil Code, and to comply with the conditions set by the laws of that State and, where applicable, submit the documents showing compliance with those conditions;

(e) to submit all changes made to the agreement to the Minister for authorization;

(f) to ensure that the child is born in a State designated by the Government in accordance with article 541.31 of the Civil Code;

(g) to ensure that, after the child's birth, the consent of the woman or person who gave birth to the child is given in express terms, in writing or by a judicial declaration in the course of proceedings relating to the filiation of the child;

(h) to notify the Minister of the birth of a child as the result of a parental project authorized by the Minister;

(2) if applicable and if possible, a letter, declaration or attestation from the establishment or centre for assisted procreation that will be responsible for the procreation containing the following information:

(a) the name of and contact information for the establishment or centre;

(b) the date on which the assisted procreation treatment is scheduled to begin;

(c) the number of treatment cycles provided for in the agreement;

(d) the source of the reproductive material;

(3) if not mentioned in the surrogacy agreement, an affidavit stating the nature of the expenses that the person alone has or the spouses have agreed to pay or reimburse to the woman or the person who agrees to give birth to the child and, if applicable, the amount of each expense and the amount of the compensation for loss of work income that the person alone has or the spouses have agreed to pay.

3. If drawn up in a language other than French, the documents transmitted to the Minister of Health and Social Services or filed with the Minister in accordance with article 541.32 of the Civil Code, including the surrogacy agreement prior to its signature or the copy of the signed agreement, must be accompanied by a translation authenticated in Québec.

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

106694

Draft Regulation

Act respecting end-of-life care
(chapter S-32.0001)

Procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft Regulation to amend the Regulation respecting the procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes consequential amendments to the Regulation respecting the procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose (chapter S-32.0001, r. 1) in view of the amendments made to the Act respecting end-of-life care (chapter S-32.0001) by the Act to amend the Act respecting end-of-life care and other legislative provisions (2023, chapter 15). To that end, the draft Regulation replaces references to the term “physician” by references to the notion of “competent professional” and integrates provisions relating to persons considered to be insured persons within the meaning of the Health Insurance Act (chapter A-29).

Further information on the draft Regulation may be obtained by contacting Geneviève Landry, Assistant Director General, Direction générale adjointe de la coordination interne, de la qualité et des affaires autochtones, Direction générale de la coordination réseau et ministérielle et des affaires institutionnelles, Ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 3^e étage, Québec (Québec) G1S 2M1; email: genevieve.landry@msss.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister Responsible for Seniors and Minister for Health, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1; email: ministre.deleguee@msss.gouv.qc.ca.

SONIA BÉLANGER
Minister Responsible for Seniors
Minister for Health

CHRISTIAN DUBÉ
Minister of Health

Regulation to amend the Regulation respecting the procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose

Act respecting end-of-life care
(chapter S-32.0001, s. 46, 1st par., and s. 47, 1st par.)

1. The Regulation respecting the procedure followed by the Commission sur les soins de fin de vie to assess compliance with the criteria for the administration of medical aid in dying and the information to be sent to the Commission for that purpose (chapter S-32.0001, r. 1) is amended in the heading of Division I of Chapter I by replacing “physician” by “competent professional”.

2. Sections 1 and 2 are amended by replacing “physician” wherever it appears by “competent professional”.

3. Section 3 is amended

(1) in the first paragraph

(a) by replacing subparagraph *c* of subparagraph 1 by the following:

“(c) an indication that the competent professional verified that the person was insured within the meaning of the Health Insurance Act (chapter A-29) and that there is proof in the record, as well as the date of expiry of the person’s health insurance card or, failing that, an indication that the competent professional verified that the person is considered an insured person within the meaning of the second paragraph of section 26 of the Act respecting end-of-life care (chapter S-32.0001), and that there is proof in the record;”;

(b) by replacing “constant” in subparagraph *f* of subparagraph 1 by “persistent”;

(c) by replacing “physician” in subparagraphs *h* and *i* of subparagraph 1 by “competent professional”;

(d) in subparagraph *j* of subparagraph 1

i. by replacing “physician” by “competent professional”;

ii. by inserting “or any other person the person has identified” after “relations”;

(e) by replacing “physician” and “second” in subparagraph *b* of subparagraph 2 by “competent professional” and “fourth”, respectively;

(f) by replacing “physician” wherever it appears in subparagraphs *c* to *h* and *j* of subparagraph 2 and in subparagraph 3 by “competent professional”;

(2) by replacing “physician” in the second paragraph by “competent professional”.

4. Sections 4 to 6 are amended by replacing “physician” wherever it appears by “competent professional”.

5. Section 7 is amended by replacing “the physicians” and “and the Collège des médecins du Québec” in the second paragraph by “the competent professionals” and “, the Collège des médecins du Québec and the Ordre des infirmières et infirmiers du Québec”, respectively.

6. Section 9 is amended by replacing “the physician” and “the second physician” in the second paragraph by “the competent professional” and “the second competent professional”, respectively.

7. Section 13 is amended

(1) by replacing “physician” in the first paragraph by “competent professional”;

(2) by replacing the second paragraph by the following:

“Where this is the case, the Commission must inform the Collège des médecins du Québec or, as the case may be, the Ordre des infirmières et infirmiers du Québec and, when the competent professional provided the medical aid in dying as a physician or specialized nurse practitioner practising in a centre operated by an institution, the institution concerned so that they can take appropriate measures. The Commission sends a summary of its conclusions to the Collège or, as the case may be, to the Ordre and the institution, if applicable. The summary describes the irregularities identified by the Commission and, if applicable, the steps taken to obtain additional information or particulars as well as the result of the steps.”.

8. Section 15 is amended by replacing “physician” by “competent professional”.

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

106683

Draft Regulation

Act respecting remunerated passenger transportation by automobile (chapter T-11.2)

Remunerated passenger transportation by automobile — Amendment

Notice is hereby given, in accordance with section 10 of the Regulations Act (chapter R-18.1) and section 61 of the Act respecting the implementation of certain provisions of the Budget Speech of 22 March 2022 and amending other legislative provisions (2023, chapter 10), that the Regulation to amend the Regulation respecting remunerated passenger transportation by automobile, appearing below, may be made by the Government on the expiry of 20 days following this publication.

The draft Regulation amends the Regulation respecting remunerated passenger transportation by automobile (chapter T-11.2, r. 4) by introducing conditions and procedures for keeping and preserving the register provided for in section 61.1 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2). The draft Regulation also introduces conditions and procedures for sharing the information contained in the register with the Société de l'assurance automobile du Québec.

The draft Regulation will have an impact on the small and medium-sized businesses that are subject to the obligation to keep a register, which enterprises will incur an annual cost evaluated at \$5,160 to set up the register and share the information it contains with the Société de l'assurance automobile du Québec.

Further information on the draft Regulation may be obtained by contacting Catherine Bouillon, Director, Direction du transport rémunéré et adapté, Ministère des Transports et de la Mobilité durable, 700, boulevard René-Lévesque Est, 15^e étage, Québec (Québec) G1R 5H1; telephone: 367 995-7976; email: catherine.bouillon@transports.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 20-day period to the Minister of Transport and Sustainable Mobility, 700, boulevard René-Lévesque Est, 29^e étage, Québec (Québec) G1R 5H1; email: Projet.reglement@transports.gouv.qc.ca.

GENEVIÈVE GUILBAULT
Minister of Transport and Sustainable Mobility

Regulation to amend the Regulation respecting remunerated passenger transportation by automobile

Act respecting remunerated passenger transportation by automobile (chapter T-11.2, s. 61.1)

1. The Regulation respecting remunerated passenger transportation by automobile (chapter T-11.2, r. 4) is amended by inserting the following chapter after section 82:

“CHAPTER VII.1 REGISTER OF AUTHORIZATIONS

82.1. The register of authorizations held by the person in charge of a place determined pursuant to section 61.1 of the Act must be kept in electronic form. The register must be available at all times at the establishment of the person in charge of the place.

The information contained in the register with regard to each issued authorization must be kept for as long as the authorization is valid and for 5 years following its expiry or cancellation. The information is shared with the Société within 3 days of being entered in the register.”

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

106691

Draft Regulation

Civil Code of Québec

Terms for obtaining a copy of an original act of birth and of judgements concerning adoption for the purposes of article 583 of the Civil Code

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R 18.1), that the Regulation respecting the terms for obtaining a copy of an original act of birth and of judgments concerning adoption for the purposes of article 583 of the Civil Code, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation sets out the terms under which an adoptee or the descendant in the first degree of a deceased adoptee may obtain a copy of the original act of birth from

the registrar of civil status or a copy of the judgments concerning the adoption from the office of the court in the district where the judgments were rendered.

Further information on the draft Regulation may be obtained by contacting Mtre. Nancy Allaire, Direction du soutien aux orientations, des affaires législatives et de la refonte, Ministère de la Justice, 1200, route de l'Église, 4^e étage, Québec (Québec) G1V 4M1; telephone: 418 643-0424, extension 21688; email: nancy.allaire@justice.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1.

SIMON JOLIN-BARRETTE
Minister of Justice

Regulation respecting the terms for obtaining a copy of an original act of birth and of judgments concerning adoption for the purposes of article 583 of the Civil Code

Civil Code of Québec
(Civil code, a. 583, 2nd par.; 2022, chapter 22, s. 93)

1. An adoptee must, to obtain a copy of his original act of birth from the registrar of civil status and a copy of the judgments concerning his adoption from the office of the court in the district where the judgments were rendered, obtain an attestation from the authorities responsible under the law for disclosing the information referred to in article 583 of the Civil Code. The same applies to the descendants in the first degree of a deceased adoptee.

The attestation must confirm the applicant's status as an adoptee or as a descendant in the first degree of a deceased adoptee and confirm that the applicant is entitled to obtain the adoptee's original name, the name of the adoptee's parents of origin, or information making it possible for the applicant to contact the adoptee's parents including, in the latter case, the conditions that apply.

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

106689