

Regulations and other Acts

M.O., 2017

Order number 3861 of the Minister of Justice dated 5 October 2017

Civil Code of Québec
(Civil Code)

Regulation respecting the publication of a notice of
marriage or civil union

THE MINISTER OF JUSTICE,

CONSIDERING the first paragraph of article 369 of the Civil Code of Québec, which provides that the publication sets forth the name and domicile of each of the intended spouses, the year and place of their birth, the scheduled solemnization date and the name of the officiant. It also provides that the correctness of these particulars is confirmed by a witness of full age. Lastly, it provides that the other rules governing publication of the marriage are determined by the Minister of Justice;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 21 June 2017, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of a draft Regulation respecting the publication of a notice of marriage or civil union with a notice that it could be made by the undersigned on the expiry of 45 days following that publication;

ORDERS AS FOLLOWS:

The Regulation respecting the publication of a notice of marriage or civil union, attached to this Order, is hereby made.

Québec, October 5, 2017

STÉPHANIE VALLÉE,
Minister of Justice

Regulation respecting the publication of a notice of marriage or civil union

Civil Code of Québec
(Civil Code, art. 369, 1st par.)

DIVISION I

APPLICATION FOR NOTICE OF PUBLICATION

1. An application for a notice of publication of the marriage or civil union submitted to the registrar of civil status must be made by the officiant and contain

(1) the type of solemnization, that is, a marriage or a civil union;

(2) the date scheduled for the solemnization of the marriage or civil union and the address of the place of solemnization;

(3) the name, domicile address, or work address in the case of the officiant, the telephone number and email address, if applicable, of each of the intended spouses, of the officiant and of the witness who confirms the correctness of the particulars;

(4) the confirmation of the witness;

(5) the date and place of birth of each of the intended spouses;

(6) the names of the parents of each of the intended spouses;

(7) the quality of the officiant and his or her registration number in the register of officiants issued by the registrar of civil status; and

(8) the date on which publication is to take place.

An application for a notice of publication submitted outside the business days and hours of the offices of the registrar of civil status is deemed to be made at the time of opening on the next business day.

DIVISION II

NOTICE OF PUBLICATION

2. In addition to what is provided for in article 369 of the Civil Code, the notice of publication of the marriage or civil union must set out

(1) the type of solemnization, that is, a marriage or a civil union;

(2) the quality of the officiant; and

(3) the address where the marriage or civil union will be solemnized.

DIVISION III **DISPENSATION FROM PUBLICATION**

3. An application for a dispensation from the notice of publication of the marriage or civil union submitted to the registrar of civil status may be made by the intended spouses and by the officiant and must contain

(1) the type of solemnization, that is, a marriage or a civil union;

(2) the serious reasons in support of the application;

(3) the date scheduled for the solemnization of the marriage or civil union and the address of the place of solemnization;

(4) the name, domicile address, or work address in the case of the officiant, the telephone number and email address, if applicable, of each of the intended spouses and of the officiant;

(5) the date and place of birth of each of the intended spouses;

(6) the names of the parents of each of the intended spouses; and

(7) the quality of the officiant and the registration number in the register of officiants issued by the registrar of civil status.

4. This Regulation comes into force on the date of coming into force of section 3, paragraph 1 of section 6 and sections 8 and 11 of the Act to amend various legislative provisions to better protect persons (2016, chapter 12).

103161

M.O., 2017

**Order number 3862 of the Minister of Justice
dated 5 October 2017**

Civil Code of Québec
(Civil Code)

Regulation to amend the Rules respecting the solemnization of civil marriages and civil unions

THE MINISTER OF JUSTICE,

CONSIDERING the first paragraph of article 376 of the Civil Code of Québec, which provides that clerks and deputy clerks, notaries and persons designated by the Minister of Justice solemnize marriages according to the rules prescribed by the Minister of Justice;

CONSIDERING the publication in Part 2 of the *Gazette officielle du Québec* of 21 June 2017, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), of a draft Regulation to amend the Rules respecting the solemnization of civil marriages and civil unions with a notice that it could be made by the undersigned on the expiry of 45 days following that publication;

ORDERS AS FOLLOWS:

The Regulation to amend the Rules respecting the solemnization of civil marriages and civil unions, attached to this Order, is hereby made with amendments.

Québec, October 5, 2017

STÉPHANIE VALLÉE,
Minister of Justice

Regulation to amend the Rules respecting the solemnization of civil marriages and civil unions

Civil Code of Québec
(Civil Code, art. 376)

1. The Rules respecting the solemnization of civil marriages and civil unions (chapter CCQ, r. 3) are amended by revoking section 1.

2. Section 4 is amended by replacing “the notice of” by “the notice of publication of the”.

3. Section 5 is amended by replacing “the notice of” by “the notice of publication of the”.