

Regulations and other Acts

Gouvernement du Québec

O.C. 1015-2017, 18 October 2017

Civil Code of Québec

Change of name and of other particulars of civil status

— Amendment

Regulation to amend the Regulation respecting change of name and of other particulars of civil status

WHEREAS the Act to amend various legislative provisions to better protect persons (2016, chapter 12) was assented to on 8 June 2016;

WHEREAS sections 1 and 2 of the Act come into force on 27 November 2017 under Order in Council 1014-2017 dated 18 October 2017;

WHEREAS, under article 64 of the Civil Code, as amended by section 1 of the Act, the rules that apply to the procedure for a change of name and to the publication of the application for a change of name are determined by regulation of the Government;

WHEREAS, under article 67 of the Code, as amended by section 2 of the Act, the rules that apply to the publication of the notice of the decision of the registrar of civil status or of the judicial decision rendered in review concerning an application for a change of name are determined by government regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting change of name and of other particulars of civil status was published in Part 2 of the *Gazette officielle du Québec* of 5 April 2017 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 to amend the Regulation respecting change of name and of other particulars of civil status, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting change of name and of other particulars of civil status

Civil Code of Québec
(Civil Code, arts. 64 and 67; 2016, chapter 12, ss. 1 and 2)

1. The Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4) is amended in section 4 by adding the following after subparagraph 6 of the first paragraph:

“(7) a copy of the special exemption from publication, where applicable.”.

2. Section 5 is replaced by the following:

“**5.** The registrar of civil status is to publish on the website of the registrar a notice of the application for a change of name, unless such publication is not required under article 63 of the Civil Code.

The notice is published for 15 days after the applicant has consented to it.”.

3. Section 6 is amended

(1) by striking out “on the person who is the subject of the application” in the portion before subparagraph 1 of the first paragraph;

(2) by replacing “the person’s name” in subparagraph 1 of the first paragraph by “the name of the person who is the subject of the application”;

(3) by replacing “the person’s domiciliary address” in subparagraph 2 of the first paragraph by “the domiciliary address of the person who is the subject of the application”;

(4) by replacing “the place and date” in subparagraph 4 of the first paragraph by “the period of publication”;

(5) by striking out the third paragraph.

4. Section 7 is revoked.

5. Section 9 is amended by striking out paragraph 6.

6. Section 10 is amended by striking out “, in the manner set out in section 22,”.

7. Section 11 is replaced by the following:

“**11.** Any interested person may notify the applicant and the registrar of civil status of his or her views within 20 days of the end of the publication of the notice provided for in section 5.”

8. Section 12 is amended by replacing “Division III” in the first paragraph by “section 8”.

9. The heading of Division V is amended by adding “AND PUBLICATION OF THE DECISION AUTHORIZING THE CHANGE OF NAME” after “CIVIL STATUS”.

10. Section 17 is replaced by the following:

“**17.** The registrar of civil status is to publish on the website of the registrar a notice of the registrar’s decision authorizing the change of name or of the judicial decision, rendered upon review of the registrar’s decision, authorizing the change, unless such publication is not required under article 67 of the Civil Code.

The notice is published as soon as the change of name produces its effects.”

11. Section 18 is amended

(1) by replacing “of a change of name” in the portion before paragraph 1 by “of the decision authorizing the change of name”;

(2) by replacing “to authorize” in paragraphs 1 and 5 by “authorizing”;

(3) by striking out “place and” in paragraph 6;

(4) by striking out paragraph 7.

12. Section 20 is amended by replacing “article 110” by “articles 109 to 140”.

13. Sections 21 and 22 are revoked.

14. Section 23 is amended by replacing “22” by “20”.

15. This Regulation comes into force on 27 November 2017.

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Gouvernement du Québec

O.C. 1016-2017, 18 October 2017

Civil Code of Québec

**Publication of a notice of tardy declaration of filiation
—Amendment**

Regulation to amend the Regulation respecting the publication of a notice of tardy declaration of filiation

WHEREAS, under the second paragraph of article 130 of the Civil Code, the rules respecting the publication of a notice of tardy declaration of filiation made to the registrar of civil status are determined by government regulation;

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 publication of a notice of tardy declaration of filiation was published in Part 2 of the *Gazette officielle du Québec* of 5 April 2017 with a notice that the Regulation 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 to amend the Regulation respecting the publication of a notice of tardy declaration of filiation, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif