

(5) when a damage insurance agent, damage insurance broker or claims adjuster has a relationship with that person that arises from the outside activity of:

(a) vendor, lessor or repairer of road vehicles, off-road vehicles or boats;

(b) vendor, lessor or repairer of movable property, to the extent that the product or service is specifically related to the property;

(c) contractor within the meaning of section 7 of the Building Act (chapter B-1.1); or

(d) provider of services required when there is an insurance loss.

“5.4. Representatives who pursue an outside activity may not use privileged or confidential information to which they have access in the course of the outside activity, unless the person concerned has consented in writing to such use.

“5.5. Subparagraph 1 of the first paragraph of section 5.1 and sections 5.2 and 5.3 do not apply to a representative whose outside activity is that of acting as a representative of a person registered as a dealer or adviser under the Derivatives Act (Chapter I-14.01) or the Securities Act (Chapter V-1.1).”

3. Section 17 of the Regulation is amended in paragraph 3:

(1) by inserting, in subparagraph *a*, “including gross fault,” after “fault,”;

(2) by replacing, in subparagraph *b*, “extends beyond the period of insurance provided for therein for a further term of 5 years from the date the representative ceases to pursue activities, irrespective of whether or not he is still alive” by “will continue to apply beyond the period of insurance provided for in the contract for a further term of five years, in respect of all the activities contemplated by such coverage, from the date on which the representative ceases, temporarily or permanently, to pursue activities, whether or not he has died.”;

(3) by adding the following subparagraph at the end:

“(f) the contract will be considered to include coverage at least equal to the coverage required by the law applicable in Québec and to satisfy the requirements set out in this Regulation.”

4. A professional liability insurance contract made or renewed by a firm, independent representative or independent partnership must be compliant with section 17 of the Regulation respecting the pursuit of activities as a representative (chapter D-9.2, r. 10), as amended by section 3 of this Regulation:

(1) on the date that immediately follows the date that is 12 months after the making or renewal of the contract, in cases where the contract is made or renewed between 1 June 2023 and 30 September 2023; or

(2) on 1 June 2024, in all other cases.

5. This Regulation comes into force on 1 June 2023, except for sections 1 and 2, which come into force on 2 December 2023.

106276

M.O., 2023

Order 2023-4997 of the Minister of Justice dated 17 May 2023

Civil Code; Act respecting family law reform with regard to filiation and amending the Civil Code in relation to personality rights and civil status (2022, chapter 22)

Recognition of health services and social services for the purposes of article 603.1 of the Civil Code

THE MINISTER OF JUSTICE,

CONSIDERING the first paragraph of article 603.1 of the Civil Code, which provides that a parent may, without the other parent’s consent, due to a situation of family violence, which includes spousal violence, or of sexual violence, caused by that other parent, request health services or social services recognized by the Minister of Justice, for their child;

ORDERS AS FOLLOWS:

(1) The following health services rendered by a member of a professional order are recognized for the purposes of article 603.1 of the Civil Code:

(a) assessment, treatment and follow-up of psychological trauma;

(b) assessment, treatment and follow-up of stress-related illnesses such as anxiety, depression or phobias;

Assessments, diagnoses, treatment and follow-up rendered by a member of a professional order with respect to one or more of the following reasons for consultation are also recognized for the purposes of article 603.1 of the Code:

(a) for the following health problems:

- i. growth delay;
- ii. allergies;
- iii. otorhinolaryngological (ORL) disorders;
- iv. dermatological disorders;
- v. headaches;
- vi. stomach pain, abdominal pain, cramps or digestive disorders, diarrhea or constipation, ulcer;
- vii. sleep disorders;
- viii. eating disorders;
- ix. gynecological disorders;
- x. neurological disorders;
- xi. pain, lesions, genitourinary symptoms and anal symptoms;

(b) for the following adjustment disorders:

- i. school phobias;
- ii. separation anxiety;
- iii. hyperactivity;
- iv. irritability;
- v. learning difficulties;
- vi. concentration disorders;

(c) for the following behavioural problems:

- i. aggressive or dangerous behaviour;
- ii. inappropriate sexual behaviour;
- iii. suicidal ideation or suicide attempt;
- iv. delay or regression in toilet training, language acquisition or the development of intellectual abilities;
- v. sudden change in behaviour;
- vi. sudden onset of fearful behaviour and phobias;
- vii. school absenteeism, academic delays and school dropout;
- viii. social isolation and emotional dependency;
- ix. disruption of eating or sleeping habits, or abuse of alcohol, medication or drugs.

(2) Social services, including psychosocial support services, that require the consent of the person having parental authority and are offered by the following organizations are recognized for the purposes of article 603.1 of the Civil Code:

(a) organizations subsidized by the Government that help persons who are victims of family violence, including spousal violence, or of sexual violence, and their children;

(b) other organizations subsidized by the Government whose mission is to help children who are victims of sexual violence.

(3) This Order comes into force on 17 May 2023.

Québec, 17 May 2023

SIMON JOLIN-BARRETTE
Minister of Justice

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