

(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 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 541.11 of the Civil Code, except section 4 of this Regulation, which comes into force on the date of coming into force of section 20 of the Act, 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.

106526

## Draft Regulation

Educational Childcare Act  
(chapter S-4.1.1)

### Educational childcare —Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Educational Childcare Regulation, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Educational Childcare Regulation (chapter S-4.1.1, r. 2) to extend temporary measures concerning the presence of qualified childcare staff while childcare is being provided. The draft Regulation introduces a requirement that, until 31 March 2027, the holder of a childcare centre permit or day care centre permit must ensure that at least one childcare staff member out of two is qualified and present each day with the children while childcare is being provided. Moreover, the draft Regulation adds two situations to those that make it possible to achieve a qualified staff ratio of one out of three.

Study of the matter has shown no negative impact on enterprises, including small and medium-sized businesses. As regards the public, the draft Regulation aims to prevent potential interruptions in educational childcare services.

Further information on the draft Regulation may be obtained by contacting Daniel Lavigne, coordinator, Direction de l'encadrement du réseau, Ministère de la Famille, 600, rue Fullum, 6<sup>e</sup> étage, Montréal (Québec) H2K 4S7; telephone: 514 873-7200, extension 86111; email: encadrement@mfa.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Patrick Thierry Grenier, Assistant Deputy Minister, Sous-ministériat des politiques et programmes, Ministère de la Famille, 425, rue Jacques-Parizeau, 4<sup>e</sup> étage, Québec (Québec) G1R 4Z1.

SUZANNE ROY  
*Minister of Families*

## 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.”;

(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.

106515

## Draft regulation

Health Insurance Act  
(chapter A-29)

### Regulation — 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 application of the Health Insurance Act, the text of which appears hereafter, may be made by the Government on the expiry of 45 days following this publication.

This draft regulation aims mainly to allow, under certain conditions, services provided as part of an assisted procreation project involving a surrogate pregnancy or a person at high risk of conceiving a child with a serious, severely debilitating, or fatal disease for which there is no known treatment be considered insured services for the purposes of the Health Insurance Act (chapter A-29).

This draft regulation would not entail any additional costs for enterprises, in particular, on small or medium-sized enterprises, and would not affect the level of employment in Québec.

Additional information concerning this draft regulation is available by contacting Sabrina Fortin, director, Direction santé mère-enfant, ministère de la Santé et des Services sociaux, 1075, chemin Sainte-Foy, 6<sup>e</sup> étage, Québec (Québec) G1S 2M1, 581 814-9100 extension 62688, or [sabrina.fortin@msss.gouv.qc.ca](mailto:sabrina.fortin@msss.gouv.qc.ca).