

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.