

published in Part 2 of the *Gazette officielle du Québec* of 1 November 2023 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 Families:

THAT the Regulation to amend the Educational Childcare Regulation, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

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 23.1.1.”;

(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.

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Gouvernement du Québec

O.C. 104-2024, 31 January 2024

Transfer of the surplus accumulated by the Public Contracts Fund and date on which certain provisions of the Act to ensure mainly the recovery of amounts improperly paid as a result of fraud or fraudulent tactics in connection with public contracts cease to have effect

WHEREAS the Act to ensure mainly the recovery of amounts improperly paid as a result of fraud or fraudulent tactics in connection with public contracts (chapter R-2.2.0.0.3) provides for exceptional measures for the reimbursement and recovery of amounts improperly paid as a result of fraud or fraudulent tactics in the course of the tendering, awarding or management of public contracts;

WHEREAS under section 25 of the Act, the Public Contracts Fund is established at the Ministère de la Justice and is dedicated to financing activities carried out by the Minister for the purposes of the Act;

WHEREAS under section 28 of the Act, any surplus accumulated by the Fund is transferred to the general fund on the dates and to the extent determined by the Government;

Whereas under section 49 of the Act, Chapter V ceases to have effect on the date to be set by the Government;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the totality of the surplus accumulated by the Public Contracts Fund be transferred to the general fund on 31 March 2024;

THAT 31 March 2024 be set as the date on which Chapter V of the Act to ensure mainly the recovery of amounts improperly paid as a result of fraud or fraudulent tactics in connection with public contracts (chapter R-2.2.0.0.3) ceases to have effect.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

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Gouvernement du Québec

O.C. 106-2024, 31 January 2024

Civil Code of Québec

Code of Civil Procedure
(chapter C-25.01)

Information on the profile of a person who has contributed to the procreation of a child in the context of a parental project

Regulation respecting information on the profile of a person who has contributed to the procreation of a child in the context of a parental project

WHEREAS, under the second paragraph of article 541.13 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), the agreement also contains the information determined by government regulation concerning the profile of the woman or the person who has agreed to give birth to the child and of any other party to the agreement who intends to provide their reproductive material;

WHEREAS, under the first paragraph of article 541.32 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, once the prior authorization has been obtained, the surrogacy agreement, accompanied by the information concerning the profile of the woman or the person who has agreed to give birth to the child

and the documents determined by government regulation, must, before being signed, be submitted to the Minister of Health and Social Services for authorization;

WHEREAS, under the first paragraph of article 542.1 of the Civil Code, as made by section 21 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, a person born of procreation involving the contribution of a third person, including one under 14 years of age who has obtained the approval of their father and mother, of their parents or of their tutor, has the right to obtain, from the authority designated by law and among the information contained in the register referred to in article 542.10 of the Code, the name of the third person, the information concerning the third person's profile determined by government regulation and, unless a contact veto bars its disclosure, the information making contact with the third person possible;

WHEREAS, under article 431.0.3 of the Code of Civil Procedure (chapter C-25.01), to be admissible, an application relating to the filiation of a child born of a parental project involving surrogacy in which all the parties are domiciled in Québec must be filed together with the information determined by government regulation concerning the profile of the woman or the person who gave birth to the child and of any other party to the surrogacy agreement who provides their reproductive material;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation respecting information on the profile of a person who has contributed to the procreation of a child in the context of a parental project was published in Part 2 of the *Gazette officielle du Québec* of 1 November 2023 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 respecting information on the profile of a person who has contributed to the procreation of a child in the context of a parental project, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif