

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

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

Civil Code of Québec
(Civil Code, art. 541.13, 2nd par., art. 541.32, 1st par., and art. 542.1, 1st par.; 2023, chapter 13, arts. 20 and 21)

Code of Civil Procedure
(chapter C-25.01, art. 431.0.3)

1. This Regulation determines the information on the profile of the following persons:

(1) the person who provided their reproductive material in the context of a parental project involving the use of the reproductive material of a third person;

(2) in the context of a parental project involving surrogacy:

(a) the woman or person who agreed to give birth to the child; and

(b) the party to the surrogacy agreement, other than the woman or person who agreed to give birth to the child, who provided their reproductive material.

2. The profile of a person who has contributed to the procreation of a child includes

(1) the following general information:

(a) the third person's age;

(b) the third person's ethnic origin;

(c) the third person's civil status;

(d) the third person's level of education and, where applicable, their diplomas and the subject studied; and

(e) the third person's occupation, where applicable;

(2) the following information relating to physical characteristics:

(a) the third person's height;

(b) the third person's skin colour;

(c) the third person's eye colour; and

(d) the third person's hair colour and texture;

(3) information relating to the third person's personality traits, special skills, preferences and hobbies, where applicable.

3. This Regulation comes into force on 6 March 2024. However, in respect of a woman or person who agreed to give birth to a child and who is domiciled outside Québec, the Regulation applies as of 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 (2023, chapter 13), insofar as it enacts the provisions of article 541.32 of the Civil Code.

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Gouvernement du Québec

O.C. 242-2024, 7 February 2024

Civil Code of Québec

Parental projects involving surrogacy in which the parties to the agreement are domiciled in Québec

Regulation respecting parental projects involving surrogacy in which the parties to the agreement are domiciled in Québec

WHEREAS, under the first paragraph of article 541.3 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 contribution made to the parental project by the woman or the person who has agreed to give birth to a child must be gratuitous, they are, however, entitled, in accordance with the standards determined by government regulation, to the reimbursement or payment of certain expenses and to compensation, where applicable, for loss of work income resulting from that contribution;

WHEREAS, under the fourth paragraph of article 541.9 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, a government regulation may determine, among other things, the content of the document stating the consent of the woman or the person who gave birth to the child;

WHEREAS, under the third 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