

M.O., 2024

**Order AM-2024-5310 of the Minister of Justice
dated 30 October 2024**

Civil Code of Québec
(Code Civil)

Designation of professional orders whose members may certify the incapacity to give consent of the woman who gave birth to a child in the context of certain parental projects involving surrogacy

THE MINISTER OF JUSTICE,

CONSIDERING the second paragraph of article 541.18 of the Civil Code, which provides that the child's filiation is deemed established exclusively with regard to the person alone or both spouses who formed the parental project from the child's birth in the case where the woman or the person who gave birth to the child became incapable of giving consent before expressing their will, provided the incapacity is certified by a member of a professional order designated by the Minister of Justice;

ORDERS AS FOLLOWS:

The following professional orders are hereby designated:

— Collège des médecins;

— Ordre des psychologues du Québec; however, to make a neuropsychological disorder assessment, the member must hold a training certificate issued by the Order pursuant to the Règlement sur les activités de formation des psychologues pour l'évaluation des troubles neuropsychologique (C-26, r. 208.3);

— Ordre des infirmières et infirmiers du Québec, insofar as the member

— has completed the training for assessing mental disorders, except mental retardation, required under the Regulation respecting the training and clinical experience required of nurses to assess mental disorders (I-8, r. 15.1);

— is a nurse practitioner specialized in mental health in accordance with the Regulation respecting specialized nurse practitioners (I-8, r. 15.1.1.1).

Québec, 30 October 2024

SIMON JOLIN-BARRETTE
Minister of Justice

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