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## CERTIFICADO

--- **António Manuel Martins Inácio**, Notário com Cartório Notarial sito na Rua Vasco da Gama, lote cinco, rés do chão direito, em Santarém, **CERTIFICO** que no dia nove de fevereiro de dois mil e dezassete, consultei no sítio *internet* referente às publicações oficiais das Leis da Província do Québec, Canadá (Editor Oficial do Québec) com o seguinte endereço:-----

<http://legisquebec.gouv.qc.ca/en/showdoc/cs/CCQ-1991?langCont=en#ga:l three-h1>

**o Código Civil da Província do Québec**, cujo teor se encontra redigido em língua inglesa que eu, Notário, domino, nomeadamente: -----

--- **i) o respectivo direito sucessório**, que imprimi e anexo ao presente certificado, de folhas duas a folhas oito, dele ficando a fazer parte integrante; e -----

--- **ii) as regras de direito internacional privado aplicável às sucessões**, que também imprimi e anexo ao presente certificado, de folhas nove a folhas dezanove, dele ficando a fazer parte integrante. -----

--- Mais certifico que, de acordo com os artigos 6.º e 7.º, do "*Act Respecting the Compilation of Québec Laws and Regulations CQRL Chapter R-2.2.0.0.2*" (consultado em <http://legisquebec.gouv.qc.ca/en/ShowDoc/cs/R-2.2.0.0.2>) cujo teor, redigido em língua inglesa, a qual eu notário domino e que imprimi e anexo ao presente certificado de folhas vinte a folhas vinte e duas, dele ficando a fazer parte integrante, **a publicação da compilação de Leis ou Regulamentos, ou de qualquer extracto deles, pelo Editor Oficial do Québec, qualquer que seja o meio utilizado, confere estatuto de publicação oficial aos textos.** -----

--- A certificação vai com o selo branco deste Cartório, estando por mim numeradas e rubricadas todas as folhas. -----

--- Santarém, dez de fevereiro de dois mil e dezassete.

*Antonio*

Conta nº 1172

Foi emitido recibo 01-5405

*Honel*

O NOTARIO

*Maria Inoc*

*[Large diagonal signature]*

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Where such a measure is not required by the situation but action is nevertheless necessary, the court may declare, instead, the withdrawal of an attribute of parental authority or of its exercise. A direct application for withdrawal may also be made to the court.

1991, c. 64, a. 606; I.N. 2014-05-01; 2016, c. 4, s. 87.

**607.** The court may, in declaring deprivation or withdrawal of an attribute of parental authority or of its exercise, designate the person who is to exercise parental authority or an attribute thereof; it may also, where applicable, obtain the advice of the tutorship council before designating the person or, if required in the interest of the child, appointing a tutor.

1991, c. 64, a. 607; I.N. 2014-05-01.

**608.** Deprivation extends to all minor children born at the time of the judgment, unless the court decides otherwise.

1991, c. 64, a. 608.

**609.** Deprivation entails the exemption of the child from the obligation to provide support, unless the court decides otherwise. However, where circumstances warrant it, the exemption may be lifted after the child reaches full age.

1991, c. 64, a. 609.

**610.** A father or mother who has been deprived of parental authority or from whom an attribute of parental authority has been withdrawn may have the withdrawn authority restored, provided he or she alleges new circumstances, subject to the provisions governing adoption.

1991, c. 64, a. 610.

**611.** In no case may the father or mother, without a grave reason, interfere with personal relations between the child and his grandparents.

Failing agreement between the parties, the terms and conditions of these relations are decided by the court.

1991, c. 64, a. 611.

**612.** Decisions concerning the children may be reviewed at any time by the court, if warranted by circumstances.

1991, c. 64, a. 612.

**BOOK THREE****SUCCESSIONS****TITLE ONE****OPENING OF SUCCESSIONS AND QUALITIES REQUIRED TO INHERIT**

1991, c. 64, Tit. One; I.N. 2014-05-01.

**CHAPTER I****OPENING OF SUCCESSIONS**

**613.** The succession of a person opens by his death, at the place of his last domicile.

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The succession devolves according to the prescriptions of the law unless the deceased has, by testamentary provisions, provided otherwise for the devolution of his property. Gifts *mortis causa* are, in that respect, testamentary provisions.

1991, c. 64, a. 613; I.N. 2014-05-01; I.N. 2015-11-01.

**614.** In settling succession to property, the law considers neither the origin nor the nature of the property; all the property constitutes a single patrimony.

1991, c. 64, a. 614; I.N. 2014-05-01.

**615.** When a person dies leaving property situated outside Québec or claims against persons not residing in Québec, letters of verification may be obtained in the manner provided in the Code of Civil Procedure (chapter C-25.01).

1991, c. 64, a. 615; I.N. 2016-01-01 (NCCP).

**616.** Where persons die and it is impossible to determine which survived the other, they are deemed to have died at the same time if at least one of them is called to the succession of the other.

The succession of each then devolves to the persons who would have been called to take it in their place.

1991, c. 64, a. 616; I.N. 2014-05-01.

## CHAPTER II

### QUALITIES REQUIRED TO INHERIT

1991, c. 64, c. II; I.N. 2014-05-01.

**617.** Natural persons who exist at the time the succession opens, including absentees presumed to be alive at that time and children conceived but yet unborn, if they are born alive and viable, may inherit.

In the case of a substitution or trust, persons who have the required qualities when the provision produces its effect in their regard may also inherit.

1991, c. 64, a. 617; I.N. 2015-11-01.

**618.** The State may receive by will. Legal persons may receive by will such property as they may legally hold.

A trustee may receive a legacy intended for the trust or a legacy to be used to accomplish the object of the trust.

1991, c. 64, a. 618.

**619.** A successor to whom an intestate succession devolves, or who receives a universal legacy or a legacy by general title by will, is an heir from the opening of the succession, provided he accepts it.

1991, c. 64, a. 619; I.N. 2014-05-01.

**620.** The following persons are unworthy of inheriting by operation of law:

(1) a person convicted of making an attempt on the life of the deceased;

(2) a person deprived of parental authority over his child, with the exemption for the child from the obligation to provide support, with respect to that child's succession.

1991, c. 64, a. 620; I.N. 2014-05-01.

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**635.** If a successor dies before exercising his option, his heirs deliberate and exercise the option within the period allotted to them to deliberate and exercise their option regarding the succession of their predecessor in title.

Each of the heirs of the successor exercises his option separately; the share of an heir who renounces accrues to the coheirs.

1991, c. 64, a. 635; I.N. 2014-05-01; I.N. 2015-11-01.

**636.** A person may cause an option he has exercised to be annulled on the grounds and within the time prescribed for invoking nullity of contracts.

1991, c. 64, a. 636.

## DIVISION II

## ACCEPTANCE

**637.** Acceptance is express or tacit. It may also result from the law.

Acceptance is express where the successor formally assumes the title or quality of heir; it is tacit where the successor performs an act that necessarily implies his intention of accepting.

1991, c. 64, a. 637.

**638.** A succession devolving to a minor, to a protected person of full age or to an absentee is deemed to be accepted, except where it is renounced within the time for deliberation and exercise of the option,

(1) in the case of an unemancipated minor, a person of full age under tutorship or curatorship or an absentee, by the representative of the successor with the authorization of the tutorship council;

(2) in the case of an emancipated minor or person of full age who requires assistance, by the successor himself, assisted by his tutor or his adviser.

In no case is the minor, the protected person of full age or the absentee liable for the payment of debts of the succession in excess of the value of the property he takes.

1991, c. 64, a. 638; I.N. 2014-05-01.

**639.** The fact that the successor exempts the liquidator from making an inventory, or mingles property of the succession with his personal property after the death, entails acceptance of the succession.

1991, c. 64, a. 639; I.N. 2014-05-01.

**640.** The succession is presumed to be accepted where the successor, knowing that the liquidator refuses or neglects to make the inventory, himself neglects to make the inventory or to apply to the court to have the liquidator replaced or for an order to have him make the inventory within 60 days after expiry of the six months for deliberation.

1991, c. 64, a. 640; I.N. 2014-05-01.

**641.** The transfer by a person of his rights in a succession by gratuitous or onerous title entails acceptance.

The same rule applies to renunciation in favour of one or more coheirs, even by gratuitous title, and to renunciation by onerous title, even though it be in favour of all the coheirs without distinction.

1991, c. 64, a. 641.

**642.** Mere conservatory acts and acts of supervision and provisional administration do not, by themselves, entail acceptance of the succession.

The same rule applies to an act rendered necessary by exceptional circumstances which the successor performs in the interest of the succession.

1991, c. 64, a. 642.

**643.** The distribution of the clothing, personal papers, medals and diplomas of the deceased and family souvenirs does not by itself entail acceptance of the succession if it is done with the agreement of all the successors.

Acceptance by a successor of the transmission in his favour of a site intended for a body or ashes does not entail acceptance of the succession.

1991, c. 64, a. 643; I.N. 2015-11-01.

**644.** If a succession includes perishable property, the successor may, before the designation of a liquidator, sell it by agreement or, if he cannot find a buyer in due time, give it to charitable institutions or distribute it among the successors, without implying acceptance on his part.

He may also alienate property which, although not perishable, is expensive to preserve or is likely to depreciate rapidly. In this case, he acts as an administrator of the property of others.

1991, c. 64, a. 644; I.N. 2014-05-01; 2016, c. 4, s. 89.

**645.** Acceptance confirms the transmission which took place by operation of law at the time of death.

1991, c. 64, a. 645.

### DIVISION III

#### RENUNCIATION

**646.** Renunciation is express. It may also result from the law.

Express renunciation is made by notarial act *en minute* or by a judicial declaration which is recorded.

1991, c. 64, a. 646.

**647.** A person who renounces is deemed never to have been a successor.

1991, c. 64, a. 647.

**648.** A successor may renounce the succession provided that he has not performed any act entailing acceptance and that no judgment having become final has been rendered against him as an heir.

1991, c. 64, a. 648; 2016, c. 4, s. 90.

**649.** A successor who has renounced the succession retains his right to accept it for 10 years from the day that right arose, provided the succession has not been accepted by another.

Acceptance is made by notarial act *en minute* or by a judicial declaration which is recorded.

The heir takes the succession in its actual condition at that time and subject to the rights acquired by third persons in the property of the succession.

1991, c. 64, a. 649; I.N. 2014-05-01; I.N. 2015-11-01.



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**650.** A successor who has been unaware of his heirship or has not made it known for 10 years from the day his right arose is deemed to have renounced the succession.

1991, c. 64, a. 650.

**651.** A successor who, in bad faith, has abstracted or concealed property of the succession or failed to include property in the inventory is deemed to have renounced the succession notwithstanding any prior acceptance.

1991, c. 64, a. 651.

**652.** The creditors of a successor who renounces may, if the renunciation is prejudicial to their rights, apply within one year to the court for a declaration that the renunciation may not be set up against them, and accept the succession in the place and stead of their debtor.

The acceptance has effect only in their favour, and only up to the amount of their claim. It has no effect in favour of the successor who renounced.

1991, c. 64, a. 652; I.N. 2014-05-01; I.N. 2015-11-01.

## TITLE THREE

### LEGAL DEVOLUTION OF SUCCESSIONS

#### CHAPTER I

##### HEIRSHIP

**653.** Unless otherwise provided by testamentary provisions, a succession devolves to the surviving married or civil union spouse and relatives of the deceased, in the order and according to the rules provided in this Title. Where there is no heir, it falls to the State.

1991, c. 64, a. 653; 2002, c. 6, s. 38; I.N. 2014-05-01; I.N. 2015-11-01.

**654.** The surviving spouse's heirship is not dependent on the renunciation of his or her rights and benefits by reason of the marriage or civil union.

1991, c. 64, a. 654; 2002, c. 6, s. 39.

#### CHAPTER II

##### RELATIONSHIP

**655.** Relationship is based on ties of blood or of adoption.

1991, c. 64, a. 655.

**656.** The degree of relationship is determined by the number of generations, each forming one degree. The series of degrees forms the direct line or the collateral line.

1991, c. 64, a. 656; I.N. 2015-11-01.

**657.** The direct line is the series of degrees between persons descended one from another. The number of degrees in the direct line is equal to the number of generations between the successor and the deceased.

1991, c. 64, a. 657.

**658.** The direct line of descent connects a person with his descendants; the direct line of ascent connects him with his ancestors.

1991, c. 64, a. 658.

**659.** The collateral line is the series of degrees between persons descended not one from another but from a common ancestor.

In the collateral line, the number of degrees is equal to the number of generations between the successor and the common ancestor and between the common ancestor and the deceased.

1991, c. 64, a. 659.

### CHAPTER III

#### REPRESENTATION

**660.** Representation is a favour granted by law by which a relative is called to a succession which his ascendant, who is a closer relative of the deceased, would have taken but is unable to take himself, having died previously or at the same time, or being unworthy.

1991, c. 64, a. 660; L.N. 2014-05-01.

**661.** There is no limit to representation in the direct line of descent.

Representation is allowed whether the children of the deceased compete with the descendants of a represented child, or whether, all the children of the deceased being themselves deceased or unworthy, their descendants are in equal or unequal degrees of relationship to each other.

1991, c. 64, a. 661.

**662.** Representation does not take place in favour of ascendants, the nearer ascendant in each line excluding the more distant.

1991, c. 64, a. 662.

**663.** In the collateral line, representation takes place, between privileged collaterals, in favour of the descendants in the first degree of the brothers and sisters of the deceased, whether or not they compete with them and, between ordinary collaterals, in favour of the other descendants of the brothers and sisters of the deceased in other degrees, whether they are in equal or unequal degrees of relationship to each other.

1991, c. 64, a. 663.

**664.** No person who has renounced a succession may be represented, but a person whose succession has been renounced may be represented.

1991, c. 64, a. 664.

**665.** In all cases where representation is permitted, partition is effected by roots.

If one root has several branches, the subdivision is also made by roots in each branch, and the members of the same branch share among themselves by heads.

1991, c. 64, a. 665.

## CHAPTER IV

## ORDER OF DEVOLUTION OF SUCCESSIONS

## DIVISION I

## DEVOLUTION TO THE SURVIVING SPOUSE AND TO DESCENDANTS

**666.** If the deceased leaves a spouse and descendants, the succession devolves to them.

The spouse takes one-third of the succession and the descendants, the other two-thirds.

1991, c. 64, a. 666.

**667.** Where there is no spouse, the entire succession devolves to the descendants.

1991, c. 64, a. 667.

**668.** If the descendants who inherit are all in the same degree and called in their own right, they share in equal portions and by heads.

If there is representation, they share by roots.

1991, c. 64, a. 668.

**669.** Unless there is representation, the descendant in the closest degree takes the share of the descendants, to the exclusion of all the others.

1991, c. 64, a. 669.

## DIVISION II

## DEVOLUTION TO THE SURVIVING SPOUSE AND TO PRIVILEGED ASCENDANTS OR COLLATERALS

**670.** The father and mother of the deceased are privileged ascendants.

The brothers and sisters of the deceased and their descendants in the first degree are privileged collaterals.

1991, c. 64, a. 670.

**671.** Where there are neither descendants, privileged ascendants nor privileged collaterals, the entire succession devolves to the surviving spouse.

1991, c. 64, a. 671.

**672.** Where there are no descendants, two-thirds of the succession devolves to the surviving spouse and one-third to the privileged ascendants.

1991, c. 64, a. 672.

**673.** Where there are no descendants and no privileged ascendants, two-thirds of the succession devolves to the surviving spouse and one-third to the privileged collaterals.

1991, c. 64, a. 673.

**674.** Where there are no descendants and no surviving spouse, the succession is partitioned equally between the privileged ascendants and the privileged collaterals.

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Where there are no privileged ascendants, the privileged collaterals inherit the entire succession, and *vice versa*.

1991, c. 64, a. 674.

**675.** Where the privileged ascendants inherit, they share equally; where only one of the privileged ascendants inherits, he takes the share that would have devolved to the other.

1991, c. 64, a. 675.

**676.** Where the privileged collaterals who inherit are fully related by blood to the deceased, they share equally or by roots, as the case may be.

Where this is not the case, the share which devolves to them is divided equally between the paternal line and the maternal line of the deceased; persons fully related by blood partake in both lines and those half related by blood partake each in his own line.

If the privileged collaterals are in one line only, they inherit the entire succession to the exclusion of all other ascendants and ordinary collaterals in the other line.

1991, c. 64, a. 676.

### DIVISION III

#### DEVOLUTION TO ORDINARY ASCENDANTS AND COLLATERALS

**677.** The ordinary ascendants and collaterals are not called to the succession unless the deceased left no spouse, no descendants and no privileged ascendants or collaterals.

1991, c. 64, a. 677.

**678.** If the ordinary collaterals include descendants of the privileged collaterals, these descendants take one-half of the succession and the other half devolves to the ascendants and the other collaterals.

Where there are no descendants of privileged collaterals, the entire succession devolves to the ascendants and the other collaterals, and *vice versa*.

1991, c. 64, a. 678.

**679.** The succession devolving to the ordinary ascendants and the other ordinary collaterals of the deceased is divided equally between the paternal and maternal lines.

In each line, the persons who inherit share by heads.

1991, c. 64, a. 679; 2016, c. 4, s. 91.

**680.** In each line, the ascendant in the second degree takes the share allotted to his line, to the exclusion of the other ordinary ascendants or collaterals.

Where in one line there is no ascendant in the second degree, the share allotted to that line devolves to the closest ordinary collaterals descended from that ascendant.

1991, c. 64, a. 680.

**681.** Where in one line there are no ordinary collaterals descended from the ascendants in the second degree, the share allotted to that line devolves to the ascendants in the third degree or, if there are none, to the

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closest ordinary collaterals descended from them, and so on until no relatives within the degrees of succession remain.

1991, c. 64, a. 681.

**682.** If there are no relatives within the degrees of succession in one line, the relatives in the other line inherit the entire succession.

1991, c. 64, a. 682.

**683.** Relatives beyond the eighth degree do not inherit.

1991, c. 64, a. 683.

## CHAPTER V

## THE SURVIVAL OF THE OBLIGATION TO PROVIDE SUPPORT

**684.** Every creditor of support may within six months after the death claim a financial contribution from the succession as support.

The right exists even where the creditor is an heir or a legatee by particular title or where the right to support was not exercised before the date of the death, but does not exist in favour of a person unworthy of inheriting from the deceased.

1991, c. 64, a. 684.

**685.** The contribution is made in the form of a lump sum payable all at once or by instalments.

The contribution made to the creditors of support, with the exception of that made to the former spouse of the deceased who was in fact receiving support at the time of the death, is fixed with the concurrence of the liquidator of the succession acting with the consent of the heirs and legatees by particular title or, failing agreement, by the court.

1991, c. 64, a. 685; 2016, c. 4, s. 92.

**686.** In fixing the contribution, the needs and means of the creditor of support, his circumstances and the time he needs to acquire sufficient autonomy or, if he was in fact receiving support from the deceased at the time of the death, the amount of the instalments that had been fixed by the court for the payment of the support or of the lump sum awarded as support are taken into account.

Account is also taken of the assets of the succession, the benefits derived from the succession by the creditor of support, the needs and means of the heirs and legatees by particular title and, where that is the case, the right to support which may be claimed by other persons.

1991, c. 64, a. 686; I.N. 2014-05-01.

**687.** Where the contribution is claimed by the spouse or a descendant, the value of the liberalities made by the deceased by act *inter vivos* during the three years preceding the death and those having the death as a term are considered to be part of the succession for the fixing of the contribution.

1991, c. 64, a. 687; 2016, c. 4, s. 93.

**688.** The contribution granted to the spouse or to a descendant may not exceed the difference between one-half of the share he could have claimed had the entire succession, including the value of the liberalities, devolved according to law, and what he receives from the succession.

The contribution granted to the former spouse is equal to the value of 12 months' support, and that granted to other creditors of support is equal to the value of six months' support; however, in neither case may such a contribution, even where the creditor was in fact receiving support from the deceased at the time the succession opened, exceed the lesser of the value of 12 or six months' support and 10% of the value of the succession including, where that is the case, the value of the liberalities.

1991, c. 64, a. 688; I.N. 2014-05-01.

**689.** Where the assets of the succession are insufficient to make full payment of the contributions due to the spouse or to a descendant, as a result of liberalities made by acts *inter vivos* during the three years preceding the death or having the death as a term, the court may order the liberalities reduced.

Liberalities to which the spouse or descendant consented may not be reduced, however, and those he has received shall be imputed to his claim.

1991, c. 64, a. 689; I.N. 2014-05-01; 2016, c. 4, s. 94.

**690.** Any alienation, security or charge granted by the deceased for a prestation clearly of smaller value than that of the property at the time it was made is presumed to be a liberality.

1991, c. 64, a. 690.

**691.** Benefits under a retirement plan contemplated in article 415 or under a contract of insurance of persons, where these benefits would have been part of the succession or would have been paid to the creditor had it not been for the designation of a subrogated holder or a beneficiary, by the deceased, during the three years preceding the death, are considered to be liberalities. Notwithstanding any provision to the contrary, rights conferred by benefits under any such plan or contract may be transferred or seized for the payment of support due under this chapter.

1991, c. 64, a. 691; I.N. 2014-05-01.

**692.** The cost of education or maintenance and customary presents are not considered to be liberalities unless, considering the means of the deceased, they are manifestly exaggerated.

1991, c. 64, a. 692.

**693.** Reduction of the liberalities takes place against one of the beneficiaries or several of them simultaneously.

If need be, the court fixes the share payable by each beneficiary sued or impleaded.

1991, c. 64, a. 693; I.N. 2014-05-01.

**694.** Payment of the reduction is made, failing agreement between the parties, on the conditions determined by the court and on the terms and conditions of guarantee and payment it fixes.

Payment in kind may not be ordered, but the debtor may be discharged at any time by handing over the property.

1991, c. 64, a. 694; I.N. 2014-05-01.

**695.** Property is valued according to its condition at the time of the liberality and its value at the opening of the succession; if property has been alienated, its value at the time of alienation or, in the case of reinvestment, the value of the replacement property on the day the succession opened is the value considered.

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Liberalities by way of a usufruct, right of use, annuity or income from a trust are taken into account at their capital value on the day the succession opened.

1991, c. 64, a. 695; I.N. 2014-05-01.

### CHAPTER VI

#### RIGHTS OF THE STATE

**696.** Where the deceased leaves no spouse or relatives within the degrees of succession, or where all the successors have renounced the succession, or where no successor is known or claims the succession, the State takes, by operation of law, the property of the succession situated in Québec.

Any testamentary provision which would defeat this right without otherwise providing for the devolution of the property is without effect.

1991, c. 64, a. 696; I.N. 2014-05-01.

**697.** The State is not an heir, but is nonetheless seized of the property bequeathed, as is an heir, once all known successors have renounced the succession, or, where no successor is known or claims the succession, six months after the death.

It is not liable for obligations of the deceased in excess of the value of the property it takes.

1991, c. 64, a. 697; I.N. 2014-05-01; I.N. 2015-11-01.

**698.** Seisin of a succession which falls to the State is exercised by the Minister of Revenue.

No property of a succession may be mingled with the property of the State so long as it remains under the administration of the Minister of Revenue.

1991, c. 64, a. 698; 1997, c. 80, s. 46; 2005, c. 44, s. 54; I.N. 2014-05-01.

**699.** Subject to the Unclaimed Property Act (chapter B-5.1) and without any other formality, the Minister of Revenue acts as liquidator of the succession. He is bound to make an inventory and give notice of the seisin of the State in the *Gazette officielle du Québec*; he shall also cause the notice to be published in a newspaper circulated in the locality where the deceased was domiciled.

1991, c. 64, a. 699; 2005, c. 44, s. 54; 2011, c. 10, s. 63.

**700.** At the end of the liquidation, the Minister of Revenue renders an account to the Minister of Finance.

The Minister of Revenue gives and publishes a notice of the end of the liquidation in the same manner as for a notice of seisin of the State. He indicates in the notice the residue of the succession and the time granted to successors to assert their rights of heirship.

1991, c. 64, a. 700; 2005, c. 44, s. 54.

**701.** The Minister of Revenue, upon rendering account, transfers to the Minister of Finance the amounts constituting the residue of the succession, which then become the property of the State.

Heirs who establish their quality may, however, within 10 years from the opening of the succession or from the day their right arises, recover those amounts from the Minister of Revenue with interest capitalized daily and calculated from the time the amounts were transferred to the Minister of Finance, at the rate set under the second paragraph of section 28 of the Tax Administration Act (chapter A-6.002).

1991, c. 64, a. 701; 1997, c. 80, s. 47; 2005, c. 44, s. 54; 2011, c. 10, s. 64.

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**702.** An heir who claims the succession before the end of the liquidation takes it in its actual condition, subject to his right to claim damages if the legal formalities have not been observed.

1991, c. 64, a. 702; 1997, c. 80, s. 48; I.N. 2015-11-01.

### TITLE FOUR

#### WILLS

#### CHAPTER I

##### THE NATURE OF WILLS

**703.** Every person having the required capacity may, by will, provide otherwise than as by law for the devolution upon his death of the whole or part of his property.

1991, c. 64, a. 703.

**704.** A will is a unilateral and revocable juridical act drawn up in one of the forms provided for by law, by which the testator disposes by liberality of all or part of his property, to take effect only after his death.

In no case may a will be made jointly by two or more persons.

1991, c. 64, a. 704.

**705.** The act is a will even if it contains only provisions regarding the liquidation of the succession, the revocation of previous testamentary provisions or the exclusion of an heir.

1991, c. 64, a. 705; I.N. 2015-11-01.

**706.** No person may, even in a marriage or civil union contract, except within the limits provided in article 1841, renounce his or her right to make a will, to dispose of his or her property in contemplation of death or to revoke the testamentary provisions he or she has made.

1991, c. 64, a. 706; 2002, c. 6, s. 40; I.N. 2015-11-01.

#### CHAPTER II

##### THE CAPACITY REQUIRED TO MAKE A WILL

**707.** The capacity of the testator is considered relatively to the time he made his will.

1991, c. 64, a. 707.

**708.** A minor may not dispose of any part of his property by will, except property of little value.

1991, c. 64, a. 708; 2016, c. 4, s. 95.

**709.** A will made by a person of full age after he has been placed under tutorship may be confirmed by the court if the nature of its provisions and the circumstances in which it was drawn up allow it.

1991, c. 64, a. 709; I.N. 2015-11-01.

**710.** A person of full age under curatorship may not make a will. A person of full age provided with an adviser may make a will without assistance.

1991, c. 64, a. 710.



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**3074.** Cancellation of the registration of a principal right authorizes cancellation of the registration of rights accessory to that right and of all references to such registrations.

1991, c. 64, a. 3074.

**3074.1.** In land registration matters, the registrar may, on his own initiative, cancel the registration of an address that no longer has effect because of the cancellation of the registration of a principal right.

2013, c. 27, s. 37.

**3075.** Registration of cancellation effected without right or as the result of an error may be cancelled by order of the court on the application of any interested person.

In no case does registration of such an order affect the rights of a third person in good faith who published his right after a cancellation made without right or as the result of an error.

1991, c. 64, a. 3075; I.N. 2014-05-01.

**3075.1.** Any application presented to a land registrar, including an application under article 3069 or 3070, for both the registration of a right and the cancellation of a registration or the reduction of an entry in the land register must indicate expressly, in the manner prescribed by regulation, for what purposes the application is presented.

In the absence of such indication, the registrar is only bound to proceed with the registration of the right.

2000, c. 42, s. 86; I.N. 2014-05-01.

## BOOK TEN

### PRIVATE INTERNATIONAL LAW

#### TITLE ONE

##### GENERAL PROVISIONS

**3076.** The rules contained in this Book apply subject to those rules of law in force in Québec which are applicable by reason of their particular object.

1991, c. 64, a. 3076.

**3077.** Where a State comprises several territorial units having different legislative jurisdictions, each territorial unit is regarded as a State.

Where a State comprises several legal systems applicable to different categories of persons, any reference to the law of that State is a reference to the legal system prescribed by the rules in force in that State; in the absence of such rules, any such reference is a reference to the legal system most closely connected with the situation.

1991, c. 64, a. 3077; I.N. 2014-05-01.

**3078.** Characterization is made according to the legal system of the court seized of the matter; however, characterization of property as movable or immovable is made according to the law of the place where it is situated.

Where a legal institution is unknown to the court or known to it under a different designation or with a different content, foreign law may be taken into account.

1991, c. 64, a. 3078; I.N. 2015-11-01.

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**3079.** Where legitimate and manifestly preponderant interests so require, effect may be given to a mandatory provision of the law of another State with which the situation is closely connected.

In deciding whether to do so, consideration is given to the purpose of the provision and the consequences of its application.

1991, c. 64, a. 3079; I.N. 2014-05-01.

**3080.** Where, under the provisions of this Book, the law of a foreign State applies, the law in question is the internal law of that State, but not its rules governing conflict of laws.

1991, c. 64, a. 3080; I.N. 2014-05-01.

**3081.** The provisions of the law of a foreign State do not apply if their application would be manifestly inconsistent with public order as understood in international relations.

1991, c. 64, a. 3081; I.N. 2014-05-01.

**3082.** Exceptionally, the law designated by this Book is not applicable if, in the light of all attendant circumstances, it is clear that the situation is only remotely connected with that law and is much more closely connected with the law of another State. This provision does not apply where the law is designated in a juridical act.

1991, c. 64, a. 3082; I.N. 2014-05-01.

## TITLE TWO

### CONFLICT OF LAWS

#### CHAPTER I

##### PERSONAL STATUS

#### DIVISION I

##### GENERAL PROVISIONS

**3083.** The status and capacity of a natural person are governed by the law of his domicile.

The status and capacity of a legal person are governed by the law of the State under which it is constituted, subject, with respect to its activities, to the law of the place where they are carried on.

1991, c. 64, a. 3083; I.N. 2014-05-01.

**3084.** In cases of emergency or serious inconvenience, the law of the court seized of the matter may be applied provisionally to ensure the protection of a person or of his property.

1991, c. 64, a. 3084; I.N. 2015-11-01.

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## DIVISION II

## SPECIAL PROVISIONS

§ 0.1. — *Change of designation of sex*

2013, c. 27, s. 38.

**3084.1.** When a change of the designation of sex that appears on the act of birth of a person born in Québec but domiciled outside Québec proves impossible in the State where the person is domiciled, the registrar of civil status may, at the request of the person, change the designation and, if necessary, change the person's given names in the act drawn up in Québec.

The application is subject to the conditions prescribed by the law of Québec, except those respecting domicile and nationality.

2013, c. 27, s. 38; I.N. 2014-05-01.

§ 1. — *Incapacity*

**3085.** Protective supervision of persons of full age and tutorship to minors are governed by the law of the domicile of each person subject thereto.

Whenever a minor or a protected person of full age domiciled outside Québec possesses property in Québec or has rights to be exercised there and the law of his domicile does not provide for him to have a representative, a tutor or a curator may be appointed to represent him in all cases where a tutor or a curator may represent a minor or a protected person of full age under the laws of Québec.

1991, c. 64, a. 3085; 2016, c. 4, s. 358.

**3086.** A party to a juridical act who is incapable under the law of the State of his domicile may not invoke his incapacity if he was capable under the law of the State in which the other party was domiciled when the act was entered into in that State, unless the other party was or should have been aware of the incapacity.

1991, c. 64, a. 3086; 2002, c. 19, s. 15; I.N. 2014-05-01.

**3087.** A legal person who is a party to a juridical act may not invoke restrictions upon the power of representation of the persons acting for it if the restrictions did not exist under the law of the State in which the other party was domiciled when the act was entered into in that State, unless the other party was or should have been aware of the restrictions by virtue of his position with or relationship to the party invoking them.

1991, c. 64, a. 3087; 2002, c. 19, s. 15; I.N. 2014-05-01.

§ 2. — *Marriage*

**3088.** Marriage is governed with respect to its essential validity by the law applicable to the status of each of the intended spouses.

With respect to its formal validity, it is governed by the law of the place of its solemnization. However, if one of the spouses is domiciled in Québec and is a minor when the marriage is solemnized, the marriage must be authorized by the court.

1991, c. 64, a. 3088; I.N. 2014-05-01; 2016, c. 12, s. 17

**3089.** The effects of marriage, particularly those which are binding on all spouses regardless of their matrimonial regime, are subject to the law of the domicile of the spouses.

Where the spouses are domiciled in different States, the applicable law is the law of their common residence or, failing that, the law of their last common residence or, failing that, the law of the place of solemnization of the marriage.

1991, c. 64, a. 3089; I.N. 2014-05-01.

§ 3. — *Separation from bed and board*

**3090.** Separation from bed and board is governed by the law of the domicile of the spouses.

Where the spouses are domiciled in different States, the applicable law is the law of their common residence or, failing that, the law of their last common residence or, failing that, the law of the court seized of the matter.

The effects of separation from bed and board are subject to the law governing the separation.

1991, c. 64, a. 3090; I.N. 2014-05-01; I.N. 2015-11-01.

§ 3.1. — *Civil union*

2002, c. 6, s. 63.

**3090.1.** Civil union is governed with respect to its essential and formal validity by the law of the place of its solemnization.

That law also applies to the effects of civil union, except those binding all spouses regardless of their regime, which are subject to the law of the State of their domicile.

2002, c. 6, s. 63; I.N. 2014-05-01.

**3090.2.** The dissolution of a civil union is governed by the law of the State of domicile of the spouses or by the law of the place of its solemnization. The effects of the dissolution are subject to the law governing the dissolution.

2002, c. 6, s. 63; I.N. 2014-05-01.

**3090.3.** Where the spouses are domiciled in different States, the applicable law is the law of their common place of residence or, failing that, the law of their last common place of residence or, failing that, the law of the place of solemnization of the civil union or the law of the court seized of the application for dissolution, as the case may be.

2002, c. 6, s. 63; I.N. 2014-05-01; I.N. 2015-11-01.

§ 4. — *Filiation by blood and filiation by adoption*

1991, c. 64, Sd. 4; I.N. 2014-05-01.

**3091.** Filiation is established in accordance with the law of the domicile or nationality of the child or of one of his parents, at the time of the child's birth, whichever is more beneficial to the child.

The effects of filiation are subject to the law of the domicile of the child.

1991, c. 64, a. 3091.

**3092.** The rules that govern consent to adoption and the eligibility of a child for adoption are those provided by the law of the child's domicile.

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The effects of adoption are subject to the law of the domicile of the adopter.

1991, c. 64, a. 3092; I.N. 2014-05-01.

**3093.** Custody of the child is governed by the law of his domicile.

1991, c. 64, a. 3093.

### § 5. — *Obligation of support*

**3094.** The obligation of support is governed by the law of the domicile of the creditor. However, where the creditor cannot obtain support from the debtor under that law, the applicable law is that of the domicile of the debtor.

1991, c. 64, a. 3094.

**3095.** No claim of support of a collateral relation or a person connected by marriage or a civil union is admissible if, under the law of his domicile, there is no obligation for the debtor to provide support to the plaintiff.

1991, c. 64, a. 3095; 2002, c. 6, s. 235.

**3096.** The obligation of support between spouses who are divorced or separated from bed and board, between spouses whose civil union is dissolved or spouses whose marriage or union has been declared null is governed by the law applicable to the divorce, separation from bed and board, dissolution of the civil union or annulment of the marriage or civil union.

1991, c. 64, a. 3096; 2002, c. 6, s. 64.

## CHAPTER II

### STATUS OF PROPERTY

#### DIVISION I

##### GENERAL PROVISION

**3097.** Real rights and their publication are governed by the law of the place where the property concerned is situated.

However, real rights on property in transit are governed by the law of the State of their place of destination.

1991, c. 64, a. 3097; I.N. 2014-05-01.

#### DIVISION II

##### SPECIAL PROVISIONS

### § 1. — *Successions*

**3098.** Succession to movable property is governed by the law of the last domicile of the deceased; succession to immovable property is governed by the law of the place where the property is situated.

However, a person may designate, in a will, the law applicable to his succession, provided it is the law of the State of his nationality or of his domicile at the time of the designation or of his death, or the law of the place where an immovable held by him is situated, but only with regard to that immovable.

1991, c. 64, a. 3098; I.N. 2014-05-01; 2016, c. 4, s. 359.

**3099.** The designation of the law applicable to a succession is without effect to the extent that the law designated substantially deprives the married or civil union spouse or a child of the deceased of a successoral right to which, in the absence of such a designation, he or she would have been entitled.

In addition, the designation is without effect to the extent that it infringes on particular inheritance regimes to which certain property is subject, under the law of the State in which it is situated, because of the property's economic, family or social destination.

1991, c. 64, a. 3099; 2002, c. 6, s. 65; I.N. 2014-05-01; I.N. 2015-11-01; 2016, c. 4, s. 360.

**3100.** To the extent that the law on successions cannot be enforced with respect to property situated abroad, corrective measures may be applied to property situated in Québec, in particular, by means of a redetermination of the shares, a new sharing of debts or a compensatory deduction established by a corrective partition.

1991, c. 64, a. 3100; I.N. 2014-05-01; 2016, c. 4, s. 361.

**3101.** Where the law governing the succession of the deceased does not provide for him to have an administrator or liquidator authorized to act in Québec and the heirs have rights to be exercised in Québec or certain property of the succession is situated in Québec, an administrator or a liquidator may be appointed under the law of Québec.

1991, c. 64, a. 3101.

## § 2. — *Movable securities*

### I. — *Movable securities in general*

2015, c. 8, s. 366.

**3102.** The validity of a movable security is governed by the law of the State in which the property charged with it is situated at the time of creation of the security.

Publication and its effects are governed by the law of the State in which the property charged with the security is currently situated.

1991, c. 64, a. 3102; I.N. 2014-05-01.

**3103.** Any movable that is not intended to remain in the State in which it is situated may be charged with a security in accordance with the law of the State for which it is destined; the security may be published in accordance with the law of that State, but publication has effect only if the property actually arrives in the State within 30 days of the creation of the security.

1991, c. 64, a. 3103; I.N. 2014-05-01.

**3104.** A security published in accordance with the law of the State where the property was situated at the time of creation of the security will be deemed to be published in Québec, from the first publication, if it is published in Québec before any of the following events, whichever occurs first:

(1) the cessation of effect of publication in the State where the property was situated at the time of creation of the security;

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- (2) the expiry of 30 days from the time the property has arrived in Québec;
- (3) the expiry of 15 days from the time the creditor is advised that the property has arrived in Québec.

However, the security may not be set up against a buyer who has acquired the property in the ordinary course of the activities of the grantor.

1991, c. 64, a. 3104; 1992, c. 57, s. 716; I.N. 2014-05-01.

**3105.** The validity of a security charged on a corporeal movable ordinarily used in more than one State or charged on an incorporeal movable is governed by the law of the State where the grantor was domiciled at the time of creation of the security.

Publication and its effects are governed by the law of the State in which the grantor is currently domiciled.

However, the provisions of this article do not apply to a security encumbering an incorporeal movable established by a title in bearer form or to a security published by the creditor's holding of the title.

1991, c. 64, a. 3105; 1992, c. 57, s. 716; 1998, c. 5, s. 18; I.N. 2014-05-01.

**3106.** A security which, when it is created, is governed by the law of the State where the grantor is then domiciled and which has been published will be deemed to have been published in Québec, from the first publication, provided it is published in Québec before any of the following events, whichever occurs first:

- (1) the cessation of effect of publication in the State where the grantor was formerly domiciled;
- (2) the expiry of 30 days from the time the grantor established his new domicile in Québec;
- (3) the expiry of 15 days from the time the creditor was advised of the new domicile of the grantor in Québec.

However, the security may not be set up against a buyer who has acquired the property in the ordinary course of the activities of the grantor.

1991, c. 64, a. 3106; I.N. 2014-05-01.

## II. — *Movable securities on certain monetary claims*

2015, c. 8, s. 367.

**3106.1.** Unless a juridical act governing a monetary claim referred to in article 2713.1 relating to the credit balance of a financial account or an amount of money transferred to secure the performance of an obligation towards the creditor expressly specifies the law applicable to it, the validity of a security encumbering such a claim, as well as the publication of the security and the effects of such publication, are governed by the law expressly specified in the juridical act governing the claim as being the law applicable to that act, determined, as regards the validity of the security, at the time the security was created.

If no law is specified in a juridical act governing a claim, the applicable law is

- (1) in the case of a claim relating to the credit balance of a financial account, the law of the State in which the establishment expressly mentioned in the act governing the financial account as being the establishment where the account is maintained is located or, if no establishment is expressly mentioned in such an act, the law of the State in which the establishment identified in an account statement as the establishment serving the account holder's account is located. If no law may be determined from the account statement, the applicable law is the law of the State in which the decision-making centre of the person maintaining the account is located; and

(2) in the case of a claim relating to an amount of money transferred to secure the performance of an obligation towards the creditor, the law of the State in which the decision-making centre of the person to whom the amount of money was transferred is located or, if the person is a natural person, the law of the State in which the person is domiciled.

Publication of the security by registration is, in all cases, governed by the law of the State in which the grantor is domiciled.

2015, c. 8, s. 367.

§ 3. — *Trusts*

**3107.** In the absence of a designation of law that is expressly made in the juridical act creating a trust or that may be inferred with certainty from the terms of that act, or if the law designated does not provide for trusts, the law that applies to the trust is the law with which the trust is most closely connected.

To determine the applicable law, account is taken in particular of the place of administration of the trust, the place where the trust property is situated, the residence or the establishment of the trustee, the objects of the trust and the places where they are to be fulfilled.

Any severable aspect of a trust, particularly its administration, may be governed by a different law.

1991, c. 64, a. 3107; I.N. 2014-05-01.

**3108.** The law governing the trust determines whether the question to be resolved concerns the validity or the administration of the trust.

It also determines whether that law or the law governing a severable aspect of the trust may be replaced by the law of another State and, if so, the conditions of replacement.

1991, c. 64, a. 3108; I.N. 2014-05-01.

§ 4. — *Securities and security entitlements to financial assets*

2008, c. 20, s. 139.

**3108.1.** The validity of a security is governed by the law of the State under which the issuer is constituted or, if the security is issued by a State, by the law of that State.

2008, c. 20, s. 139; I.N. 2014-05-01.

**3108.2.** The following matters are governed by the law of the State under which the issuer is constituted or, if permitted by the law of that State, by another law specified by the issuer:

(1) the rights and duties of the issuer with respect to the registration of transfer of a security on its books, and the validity of the registration;

(2) whether the issuer owes any duty to an adverse claimant to a security issued by the issuer; and

(3) whether an adverse claim may be asserted against a person to whom the transfer of a security is registered in the records of the issuer or who obtains control of an uncertificated security issued by the issuer.

If the issuer is constituted under the law of a State that comprises several territorial units having different legislative jurisdictions, the applicable law is the law in force in the territorial unit where the issuer has its



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head office or, if permitted by the law of the State that comprises the territorial units, another law specified by the issuer.

2008, c. 20, s. 139; I.N. 2014-05-01.

**3108.3.** Despite article 3108.2, if the issuer is a State, the matters listed in that article are governed by the law of that State or, if the law of that State so permits, by the law specified by that State.

2008, c. 20, s. 139; I.N. 2014-05-01.

**3108.4.** Québec as an issuer and any issuer constituted under a law of Québec may specify the law governing the matters listed in article 3108.2.

2008, c. 20, s. 139.

**3108.5.** Whether a security is enforceable against the issuer despite a defect or defence related to matters other than those listed in articles 3108.1 and 3108.2 is governed by the law of the State under which the issuer is constituted or, if the issuer is constituted under the law of a State that comprises several territorial units having different legislative jurisdictions, by the law of the territorial unit in which the issuer has its head office.

If the issuer is a State, the applicable law is the law of that State. If the issuer is a State that comprises several territorial units having different legislative jurisdictions, the applicable law is the law of that State or any other law specified by that State.

2008, c. 20, s. 139; I.N. 2014-05-01.

**3108.6.** The law of the State in which a security certificate is located at the time of its delivery determines whether an adverse claim to the security it represents may be asserted against a person to whom the security certificate is delivered.

2008, c. 20, s. 139; I.N. 2014-05-01.

**3108.7.** The law expressly specified in a juridical act governing a securities account maintained for an entitlement holder by a securities intermediary as the law applicable to that act governs the following matters, unless the act specifies another law as the law applicable to them:

- (1) acquisition of a security entitlement from the securities intermediary;
- (2) the rights and duties of the securities intermediary and the entitlement holder arising out of the security entitlement;
- (3) whether the securities intermediary owes any duty to a person who has an adverse claim to a security entitlement; and
- (4) whether an adverse claim may be asserted against a person who acquires a security entitlement from the securities intermediary or who acquires rights in a security entitlement from the entitlement holder.

If no law is specified in a juridical act governing a securities account, the applicable law is the law of the State in which the establishment expressly mentioned in such an act as being the place where the securities account is maintained is located or, if no establishment is expressly specified in such an act, the law of the State in which the establishment identified in an account statement as the establishment serving the entitlement holder's account is located. If no law may be determined on the basis of the account statement, the applicable law is the law of the State in which the decision-making centre of the securities intermediary is located.

2008, c. 20, s. 139; I.N. 2014-05-01.

**3108.8.** The validity of a security encumbering a security or security entitlement to a financial asset, the publication of the encumbering security and the effects of publication are governed by the following laws, determined, with respect to the validity of the encumbering security, at the time of its creation:

- (1) in the case of a certificated security, the law of the State in which the security certificate is located;
- (2) in the case of an uncertificated security, the law governing the matters listed in article 3108.2 relating, among other things, to certain rights and duties of the issuer; and
- (3) in the case of a security entitlement to a financial asset, the law governing acquisition of a security entitlement from a securities intermediary.

However, whether an encumbering security is published by registration and whether an encumbering security without delivery granted by a securities intermediary is considered to be published by the sole fact of its being granted are governed by the law of the State in which the grantor is domiciled.

2008, c. 20, s. 139; I.N. 2014-05-01.

## CHAPTER III

### STATUS OF OBLIGATIONS

#### DIVISION I

##### GENERAL PROVISIONS

###### § 1. — *Form of juridical acts*

**3109.** The form of a juridical act is governed by the law of the place where it is entered into.

A juridical act is nevertheless valid if it is made in the form prescribed by the law applicable to the content of the act, by the law of the place where the property which is the subject of the act is situated when the act is concluded or by the law of the domicile of one of the parties when the act is concluded.

A testamentary provision may also be made in the form prescribed by the law of the domicile or nationality of the testator either at the time he made the disposition or at the time of his death.

1991, c. 64, a. 3109; I.N. 2014-05-01; I.N. 2015-11-01.

**3110.** An act may be executed outside Québec before a Québec notary if it pertains to a real right the subject of which is situated in Québec or if one of the parties is domiciled in Québec.

1991, c. 64, a. 3110; I.N. 2014-05-01; I.N. 2015-11-01.

###### § 2. — *Content of juridical acts*

**3111.** A juridical act, whether or not it contains any foreign element, is governed by the law expressly designated in the act or whose designation may be inferred with certainty from the terms of the act.

Where a juridical act contains no foreign element, it remains nevertheless subject to the mandatory provisions of the law of the State which would apply in the absence of a designation.

The law may be expressly designated as applicable to the whole or to only part of a juridical act.

1991, c. 64, a. 3111; I.N. 2014-05-01.

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**3112.** If no law is designated in the act or if the law designated invalidates the juridical act, the courts apply the law of the State with which the act is most closely connected in view of its nature and the attendant circumstances.

1991, c. 64, a. 3112; I.N. 2014-05-01.

**3113.** A juridical act is presumed to be most closely connected with the law of the State where the party who is to perform the prestation which is characteristic of the act has his residence or, if the act is concluded in the ordinary course of business of an enterprise, has his establishment.

1991, c. 64, a. 3113; I.N. 2014-05-01.

## DIVISION II

## SPECIAL PROVISIONS

§ 1. — *Sale*

**3114.** In the absence of a designation by the parties, the sale of a corporeal movable is governed by the law of the State where the seller had his residence or, if the sale is concluded in the ordinary course of business of an enterprise, his establishment, at the time the contract was concluded. However, the sale is governed by the law of the State in which the buyer had his residence or his establishment at the time the contract was concluded in any of the following cases:

- (1) negotiations have taken place and the contract has been concluded in that State;
- (2) the contract provides expressly that delivery shall be performed in that State;
- (3) the contract is concluded on terms determined mainly by the buyer, in response to a call for tenders.

In the absence of a designation by the parties, the sale of immovable property is governed by the law of the State where it is situated.

1991, c. 64, a. 3114; I.N. 2014-05-01.

**3115.** In the absence of a designation by the parties, a sale by auction or on a stock exchange is governed by the law of the State where the auction takes place or the exchange is situated.

1991, c. 64, a. 3115; I.N. 2014-05-01.

§ 2. — *Conventional representation*

**3116.** The existence and scope of the powers of a representative in his relations with a third person and the conditions under which his personal liability or that of the represented person may be incurred are governed by the law expressly designated by the represented person and the third person or, where none is designated, by the law of the State in which the representative acted if the represented person or the third person has his domicile or residence in that State.

1991, c. 64, a. 3116; I.N. 2014-05-01.

§ 3. — *Consumer contract*

**3117.** The choice by the parties of the law applicable to a consumer contract cannot result in depriving the consumer of the protection afforded to him by the mandatory rules of the law of the State where he has his residence if the conclusion of the contract was preceded, in that State, by a specific offer or by advertising and the consumer took in that State all the steps necessary on his part for the conclusion of the contract, or if the order from the consumer was received in that State.

The same rule also applies where the consumer was induced by the other contracting party to travel to a foreign State for the purpose of concluding the contract.

In the absence of a designation by the parties, the law of the place where the consumer has his residence is, in the same circumstances, applicable to the consumer contract.

1991, c. 64, a. 3117; I.N. 2014-05-01.

§ 4. — *Contract of employment*

**3118.** The choice by the parties of the law applicable to a contract of employment cannot result in depriving the worker of the protection afforded to him by the mandatory rules of the law of the State where the worker habitually carries out his work, even if he is on temporary assignment in another State or, if the worker does not habitually carry out his work in any one State, of the law of the State where his employer has his domicile or establishment.

In the absence of a designation by the parties, the law of the State where the worker habitually carries out his work or the law of the State where his employer has his domicile or establishment is, in the same circumstances, applicable to the contract of employment.

1991, c. 64, a. 3118; I.N. 2014-05-01.

§ 5. — *Contract of non-marine insurance*

**3119.** Notwithstanding any agreement to the contrary, a contract of insurance covering property or an interest situated in Québec, or that is subscribed in Québec by a person resident in Québec, is governed by the law of Québec if the policyholder applies for the insurance in Québec or the insurer signs or delivers the policy in Québec.

Similarly, a contract of group insurance of persons is governed by the law of Québec where the participant has his residence in Québec at the time he becomes a participant.

Any sum due under a contract of insurance governed by the law of Québec is payable in Québec.

1991, c. 64, a. 3119; 1992, c. 57, s. 716; I.N. 2014-05-01.

§ 6. — *Assignment of claims*

1991, c. 64, Sd. 6; I.N. 2014-05-01.

**3120.** The assignability of a claim and relations between the assignee and the assigned debtor are governed by the law governing relations between the assigned debtor and the assignor.

1991, c. 64, a. 3120.

§ 7. — *Arbitration*

**3121.** In the absence of a designation by the parties, an arbitration agreement is governed by the law applicable to the principal contract or, where that law invalidates the agreement, by the law of the State where arbitration takes place.

1991, c. 64, a. 3121; I.N. 2014-05-01.

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§ 8. — *Matrimonial or civil union regime*

2002, c. 6, s. 66.

**3122.** The law applicable to a conventional matrimonial or civil union regime is determined according to the general rules applicable to the content of juridical acts.

1991, c. 64, a. 3122; 2002, c. 6, s. 67.

**3123.** The matrimonial or civil union regime of spouses who have not entered into matrimonial or civil union agreements is governed by the law of the State in which they have their domicile at the time of their marriage or civil union.

If the spouses are at that time domiciled in different States, the applicable law is the law of their first common residence or, failing that, the law of their common nationality or, failing that, the law of the place of solemnization of their marriage or civil union.

1991, c. 64, a. 3123; 2002, c. 6, s. 68; I.N. 2014-05-01.

**3124.** The validity of any agreed change to a matrimonial or civil union regime is governed by the law of the domicile of the spouses at the time of the change.

If the spouses are at that time domiciled in different States, the applicable law is the law of their common residence or, failing that, the law governing their matrimonial or civil union regime.

1991, c. 64, a. 3124; 2002, c. 6, s. 69; I.N. 2014-05-01.

§ 9. — *Certain other sources of obligations*

**3125.** Obligations based on management of the business of another, reception of a thing not due or unjust enrichment are governed by the law of the place where the act or omission from which they derive occurred.

1991, c. 64, a. 3125; 2016, c. 4, s. 362.

§ 10. — *Civil liability*

**3126.** The obligation to make reparation for injury caused to another is governed by the law of the State where the act or omission which occasioned the injury occurred. However, if the injury appeared in another State, the law of the latter State is applicable if the author should have foreseen that the injury would manifest itself there.

In any case where the author and the victim have their domiciles or residences in the same State, the law of that State applies.

1991, c. 64, a. 3126; I.N. 2014-05-01; 2016, c. 4, s. 363.

**3127.** Where an obligation to make reparation for injury arises from nonperformance of a contractual obligation, claims based on the nonperformance are governed by the law applicable to the contract.

1991, c. 64, a. 3127.

**3128.** Whatever its source, the liability of the manufacturer of a movable is governed, at the choice of the victim,

- (1) by the law of the State where the manufacturer has his establishment or, failing that, his residence, or

## CIVIL CODE

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(2) by the law of the State where the movable was acquired.

1991, c. 64, a. 3128; I.N. 2014-05-01.

**3129.** The application of the rules of this Code is mandatory with respect to civil liability for any injury suffered in or outside Québec as a result of exposure to or the use of raw materials, whether processed or not, originating in Québec.

1991, c. 64, a. 3129; I.N. 2014-05-01.

### § 11. — *Evidence*

**3130.** Evidence is governed by the law applicable to the merits of the dispute, subject to any rules of the court seized of the matter which are more favourable to establishing it.

1991, c. 64, a. 3130; I.N. 2014-05-01; I.N. 2015-11-01.

### § 12. — *Prescription*

**3131.** Prescription is governed by the law applicable to the merits of the dispute.

1991, c. 64, a. 3131.

## CHAPTER IV

### STATUS OF PROCEDURE

**3132.** Procedure is governed by the law of the court seized of the matter.

1991, c. 64, a. 3132; I.N. 2015-11-01.

**3133.** Arbitration proceedings are governed by the law of the State where the arbitration takes place unless the parties have designated either the law of another State or an institutional or special arbitration procedure.

1991, c. 64, a. 3133; 1992, c. 57, s. 716; I.N. 2014-05-01.

## TITLE THREE

### INTERNATIONAL JURISDICTION OF QUÉBEC AUTHORITIES

#### CHAPTER I

##### GENERAL PROVISIONS

**3134.** In the absence of any special provision, Québec authorities have jurisdiction when the defendant is domiciled in Québec.

1991, c. 64, a. 3134; I.N. 2014-05-01.

**3135.** Even though a Québec authority has jurisdiction to hear a dispute, it may, exceptionally and on an application by a party, decline jurisdiction if it considers that the authorities of another State are in a better position to decide the dispute.

1991, c. 64, a. 3135; I.N. 2014-05-01.

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**3136.** Even though a Québec authority has no jurisdiction to hear a dispute, it may nevertheless hear it provided the dispute has a sufficient connection with Québec, if proceedings abroad prove impossible or the institution of proceedings abroad cannot reasonably be required.

1991, c. 64, a. 3136; I.N. 2014-05-01; 2016, c. 4, s. 364.

**3137.** On the application of a party, a Québec authority may stay its ruling on an action brought before it if another action, between the same parties, based on the same facts and having the same subject is pending before a foreign authority, provided that the latter action can result in a decision which may be recognized in Québec, or if such a decision has already been rendered by a foreign authority.

1991, c. 64, a. 3137; I.N. 2015-11-01.

**3138.** A Québec authority may order provisional or conservatory measures even if it has no jurisdiction over the merits of the dispute.

1991, c. 64, a. 3138.

**3139.** Where a Québec authority has jurisdiction to rule on the principal demand, it also has jurisdiction to rule on an incidental demand or a cross demand.

1991, c. 64, a. 3139.

**3140.** In cases of emergency or serious inconvenience, Québec authorities may also take such measures as they consider necessary for the protection of a person present in Québec or of the person's property if it is situated there.

1991, c. 64, a. 3140; I.N. 2014-05-01.

## CHAPTER II

### SPECIAL PROVISIONS

#### DIVISION I

##### PERSONAL ACTIONS OF AN EXTRAPATRIMONIAL AND FAMILY NATURE

**3141.** Québec authorities have jurisdiction to hear personal actions of an extrapatrimonial and family nature when one of the persons concerned is domiciled in Québec.

1991, c. 64, a. 3141; I.N. 2014-05-01.

**3142.** Québec authorities have jurisdiction to decide as to the custody of a child provided he is domiciled in Québec.

1991, c. 64, a. 3142; I.N. 2014-05-01.

**3143.** Québec authorities have jurisdiction to decide actions in matters of support or applications for review of a foreign support judgment that may be recognized in Québec, if one of the parties has his domicile or residence in Québec.

1991, c. 64, a. 3143; I.N. 2014-05-01.

**3144.** Québec authorities have jurisdiction in matters of nullity of marriage or dissolution or nullity of civil unions if the domicile or place of residence of one of the spouses or the place of solemnization of their marriage or civil union is in Québec.

1991, c. 64, a. 3144; 2002, c. 6, s. 70; I.N. 2014-05-01.

**3145.** As regards the effects of marriage or a civil union, particularly those that are binding on all spouses regardless of their matrimonial or civil union regime, Québec authorities have jurisdiction when the domicile or place of residence of one of the spouses is in Québec.

1991, c. 64, a. 3145; 2002, c. 6, s. 71; I.N. 2014-05-01.

**3146.** Québec authorities have jurisdiction to rule on separation from bed and board when one of the spouses has his domicile or residence in Québec at the time of the institution of the proceedings.

1991, c. 64, a. 3146; I.N. 2014-05-01.

**3147.** Québec authorities have jurisdiction in matters of filiation if the child or one of his parents is domiciled in Québec.

They have jurisdiction in matters of adoption if the child or plaintiff is domiciled in Québec.

1991, c. 64, a. 3147; I.N. 2014-05-01.

## DIVISION II

### PERSONAL ACTIONS OF A PATRIMONIAL NATURE

**3148.** In personal actions of a patrimonial nature, Québec authorities have jurisdiction in the following cases:

- (1) the defendant has his domicile or his residence in Québec;
- (2) the defendant is a legal person, is not domiciled in Québec but has an establishment in Québec, and the dispute relates to its activities in Québec;
- (3) a fault was committed in Québec, injury was suffered in Québec, an injurious act or omission occurred in Québec or one of the obligations arising from a contract was to be performed in Québec;
- (4) the parties have by agreement submitted to them the present or future disputes between themselves arising out of a specific legal relationship;
- (5) the defendant has submitted to their jurisdiction.

However, Québec authorities have no jurisdiction where the parties have chosen by agreement to submit the present or future disputes between themselves relating to a specific legal relationship to a foreign authority or to an arbitrator, unless the defendant submits to the jurisdiction of the Québec authorities.

1991, c. 64, a. 3148; I.N. 2014-05-01; 2016, c. 4, s. 365.

**3149.** Québec authorities also have jurisdiction to hear an action based on a consumer contract or a contract of employment if the consumer or worker has his domicile or residence in Québec; the waiver of such jurisdiction by the consumer or worker may not be set up against him.

1991, c. 64, a. 3149; I.N. 2014-05-01.

**3150.** Québec authorities also have jurisdiction to hear an action based on a contract of insurance where the holder, the insured or the beneficiary of the contract is domiciled or resident in Québec, the contract covers an insurable interest situated in Québec or the loss took place in Québec.

1991, c. 64, a. 3150; I.N. 2014-05-01.



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**3151.** Québec authorities have exclusive jurisdiction to hear in first instance all actions based on liability under article 3129.

1991, c. 64, a. 3151; I.N. 2014-05-01.

### DIVISION III

#### REAL AND MIXED ACTIONS

**3152.** Québec authorities have jurisdiction to hear a real action if the property in dispute is situated in Québec.

1991, c. 64, a. 3152; I.N. 2014-05-01.

**3153.** Québec authorities have jurisdiction in matters of succession if the succession opens in Québec, the defendant or one of the defendants is domiciled in Québec or the deceased had elected that Québec law should govern his succession.

They also have jurisdiction if any property of the deceased is situated in Québec and a ruling is required as to the devolution or transmission of the property.

1991, c. 64, a. 3153; I.N. 2014-05-01.

**3154.** Québec authorities have jurisdiction in matters of matrimonial or civil union regimes in the following cases:

(1) the regime is dissolved by the death of one of the spouses and the authorities have jurisdiction with respect to the succession of that spouse;

(2) the object of the proceedings relates only to property situated in Québec.

In other cases, Québec authorities have jurisdiction if one of the spouses has his or her domicile or residence in Québec on the date of institution of the proceedings.

1991, c. 64, a. 3154; 2002, c. 6, s. 72; I.N. 2014-05-01.

## TITLE FOUR

### RECOGNITION AND ENFORCEMENT OF FOREIGN DECISIONS AND JURISDICTION OF FOREIGN AUTHORITIES

#### CHAPTER I

##### RECOGNITION AND ENFORCEMENT OF FOREIGN DECISIONS

**3155.** A decision rendered outside Québec is recognized and, where applicable, declared enforceable by the Québec authority, except in the following cases:

(1) the authority of the State where the decision was rendered had no jurisdiction under the provisions of this Title;

(2) the decision, at the place where it was rendered, is subject to an ordinary remedy or is not final or enforceable;

(3) the decision was rendered in contravention of the fundamental principles of procedure;

(4) a dispute between the same parties, based on the same facts and having the same subject has given rise to a decision rendered in Québec, whether or not it has become final, is pending before a Québec

authority, first seized of the dispute, or has been decided in a third State and the decision meets the conditions necessary for it to be recognized in Québec;

(5) the outcome of a foreign decision is manifestly inconsistent with public order as understood in international relations;

(6) the decision enforces obligations arising from the taxation laws of a foreign State.

1991, c. 64, a. 3155; I.N. 2014-05-01; I.N. 2015-11-01; 2016, c. 4, s. 366.

**3156.** A decision rendered by default may not be recognized or declared enforceable unless the plaintiff proves that the act instituting the proceedings was duly served on the defaulting party in accordance with the law of the place where the decision was rendered.

However, the authority may refuse recognition or enforcement if the defaulting party proves that, owing to the circumstances, he was unable to acquaint himself with the act instituting the proceedings or was not given sufficient time to offer his defence.

1991, c. 64, a. 3156; I.N. 2014-05-01.

**3157.** Recognition or enforcement may not be refused on the sole ground that the original authority applied a law different from the law that would be applicable under the rules contained in this Book.

1991, c. 64, a. 3157.

**3158.** The Québec authority confines itself to verifying whether the decision with respect to which recognition or enforcement is sought meets the requirements prescribed in this Title, without considering the merits of the decision.

1991, c. 64, a. 3158; I.N. 2014-05-01.

**3159.** If the decision contains provisions which can be dissociated, any one or more of them may be separately recognized or enforced.

1991, c. 64, a. 3159; I.N. 2014-05-01.

**3160.** A decision rendered outside Québec awarding periodic payments of support may be recognized and declared enforceable with respect to payments due and payments to become due.

1991, c. 64, a. 3160; I.N. 2014-05-01.

**3161.** Where a foreign decision orders a debtor to pay a sum of money expressed in foreign currency, the Québec authority converts the sum into Canadian currency at the rate of exchange prevailing on the day the decision became enforceable at the place where it was rendered.

Until conversion, the determination of interest payable under a foreign decision is governed by the law of the authority that rendered the decision.

1991, c. 64, a. 3161; I.N. 2014-05-01.

**3162.** The Québec authority recognizes and enforces the obligations resulting from the taxation laws of a State that recognizes and enforces the obligations resulting from the taxation laws of Québec.

1991, c. 64, a. 3162; I.N. 2014-05-01.

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**3163.** Transactions enforceable at their places of origin are recognized and, where applicable, declared to be enforceable in Québec, on the same conditions as judicial decisions, to the extent that those conditions apply to the transactions.

1991, c. 64, a. 3163; 2002, c. 19, s. 15; I.N. 2014-05-01.

**CHAPTER II**

**JURISDICTION OF FOREIGN AUTHORITIES**

**3164.** The jurisdiction of foreign authorities is established in accordance with the rules on jurisdiction applicable to Québec authorities under Title Three of this Book, to the extent that the dispute is substantially connected with the State whose authority is seized of the matter.

1991, c. 64, a. 3164; I.N. 2014-05-01; I.N. 2015-11-01.

**3165.** The jurisdiction of foreign authorities is not recognized by Québec authorities in the following cases:

(1) where, by reason of the subject matter or an agreement between the parties, Québec law grants exclusive jurisdiction to its authorities to hear the action which gave rise to the foreign decision;

(2) where, by reason of the subject matter or an agreement between the parties, Québec law recognizes the exclusive jurisdiction of another foreign authority;

(3) where Québec law recognizes an agreement by which exclusive jurisdiction has been conferred upon an arbitrator.

1991, c. 64, a. 3165; I.N. 2014-05-01.

**3166.** The jurisdiction of foreign authorities is recognized in matters of filiation where the child or either of his parents is domiciled in that State or is a national thereof.

1991, c. 64, a. 3166; I.N. 2014-05-01.

**3167.** For actions in matters of divorce, the jurisdiction of foreign authorities is recognized if one of the spouses had his or her domicile in the State where the decision was rendered, or had his or her residence in that State for at least one year before the institution of the proceedings, if the spouses are nationals of that State, or if the decision would be recognized in any of those States.

For actions in matters of dissolution of a civil union, the jurisdiction of foreign authorities is recognized only if their State provides for that institution; if it does so provide, their jurisdiction is recognized on the same conditions as for divorce.

1991, c. 64, a. 3167; 2002, c. 6, s. 73; I.N. 2014-05-01; 2016, c. 4, s. 367.

**3168.** In personal actions of a patrimonial nature, the jurisdiction of foreign authorities is recognized only in the following cases:

(1) the defendant was domiciled in the State where the decision was rendered;

(2) the defendant possessed an establishment in the State where the decision was rendered and the dispute relates to its activities in that State;

(3) injury was suffered in the State where the decision was rendered and it resulted from a fault which was committed in that State or from an injurious act or omission which occurred there;

(4) the obligations arising from a contract were to be performed in that State;

(5) the parties have submitted to the foreign authorities the present or future disputes between themselves arising out of a specific legal relationship; however, renunciation by a consumer or a worker of the jurisdiction of the authority of his place of domicile may not be set up against him;

(6) the defendant has submitted to the jurisdiction of the foreign authorities.

1991, c. 64, a. 3168; I.N. 2014-05-01; 2016, c. 4, s. 368.

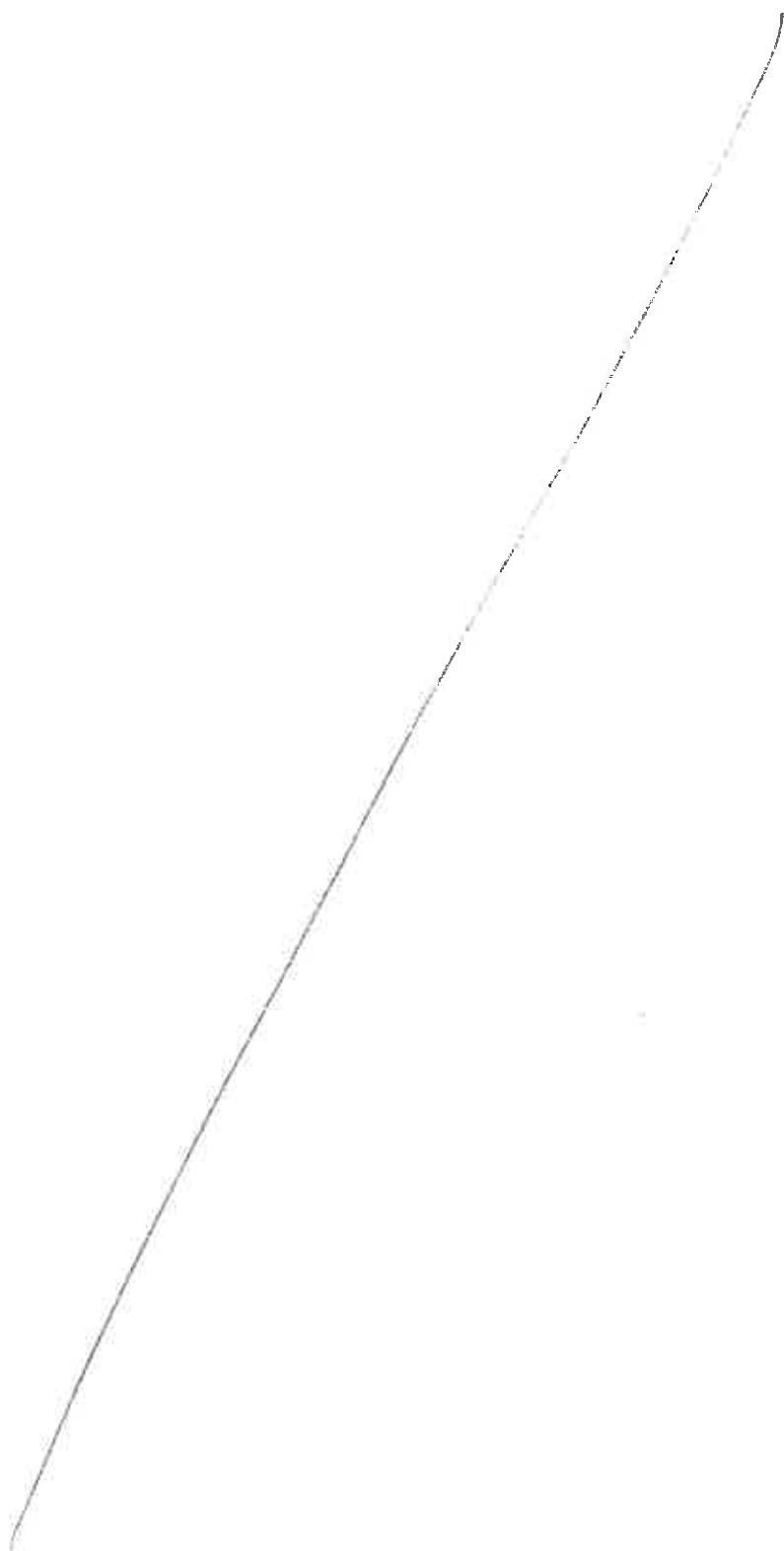
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**FINAL PROVISIONS**

This Code replaces the Civil Code of Lower Canada adopted by chapter 41 of the statutes of 1865 of the Legislature of the Province of Canada, An Act respecting the Civil Code of Lower Canada, as amended. It also replaces the first section of chapter 39 of the statutes of 1980, An Act to establish a new Civil Code and to reform family law, as amended, and chapter 18 of the statutes of 1987, An Act to add the reformed law of persons, successions and property to the Civil Code of Québec.

This Code will come into force on the date to be fixed by the Government, in accordance with the provisions of the legislation respecting the implementation of the Civil Code reform.



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chapter R-2.2.0.0.2

## ACT RESPECTING THE COMPILATION OF QUÉBEC LAWS AND REGULATIONS

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## COMPILATION OF QUÉBEC LAWS AND REGULATIONS

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### DIVISION I

#### COMPILATION OF QUÉBEC LAWS AND REGULATIONS AND UPDATING

1. The Compilation of Québec Laws and Regulations brings together the laws and regulations in force that are of a general and permanent nature, as well as those that, although not of a general and permanent nature, are nonetheless in regular use.

The compilation is updated regularly and made available to the public as an official publication.

2009, c. 40, s. 1.

2. The Minister of Justice determines which laws and regulations are of such a nature as to justify their inclusion in the compilation and provides for their regular updating.

The Minister formulates a policy setting out rules for the inclusion, identification, classification and citation of laws and regulations, particulars for the preparation of information notes, rules for the preservation of the historical record of updated provisions or the removal of certain texts and directions as to the frequency of updates; the Minister may also give instructions on any other subject relating to updating activities.

Such a policy must be published as a notice in the *Gazette officielle du Québec* and included in the compilation.

2009, c. 40, s. 2.

3. Updating the compilation consists in incorporating into the text of the laws and regulations the repeals, replacements, additions and other amendments that are in force among those made by Parliament, the Government or another competent regulatory authority; it also involves removing expired provisions and provisions whose purpose has been achieved, while ensuring the compilation's overall consistency.

Updating includes the power to proceed with the following operations, without changing the substance of any text:

(1) making such alterations as are necessary to ensure terminological uniformity and a high quality of language, particularly with regard to grammar;

(2) correcting obvious errors of reference, data-entry and transcription, and errors of a similar nature;

(3) eliminating needless repetition, and clarifying phrases by means of references;

(4) if the intended meaning is otherwise clear, making minor corrections with a view to reconciling, among other things, the French and English versions; and

(5) updating amounts, rates and other figures whose indexation according to a predetermined index is expressly provided for in the law or regulation in which they appear.

2009, c. 40, s. 3.

4. Updates of the compilation become official as soon as they are published on an information technology-based medium by the Québec Official Publisher, and come into force on the date set in that publication.

Published updates must include an information note explaining the nature and scope of the updating operations carried out. The note must be posted on the website of the Québec Official Publisher at least five days prior to publication of the updated compilation.

2009, c. 40, s. 4.



## COMPILATION OF QUÉBEC LAWS AND REGULATIONS

5. As of the date they come into force, updates replace earlier provisions of the concerned laws and regulations by new provisions. If the new provisions differ from the earlier provisions, the new provisions prevail for events occurring on or after the date on which the update comes into force, and the former provisions, for events occurring before that date.

2009, c. 40, s. 5.

### DIVISION II

#### PUBLICATION AND DISSEMINATION OF COMPILATION OF QUÉBEC LAWS AND REGULATIONS

6. In accordance with a publishing agreement entered into with the Minister and on the basis of the documents provided by the Minister, the Québec Official Publisher publishes and disseminates the compilation. The publishing agreement may provide for the use of any process or tool that facilitates access to the laws and regulations, makes them easier to read or understand, or helps preserve earlier versions.

The Québec Official Publisher and the Minister may also agree with a third party to include in the compilation data held by that party, provided the integrity of the data is assured.

2009, c. 40, s. 6.

7. Publication of the compilation, or of any extract from it, by the Québec Official Publisher, whatever the medium used, confers official status on the texts.

The Québec Official Publisher may also develop and publish any derivative edition it considers conducive to disseminating the laws and regulations included in the compilation.

Hard copies of extracts from the compilation may be obtained from the Québec Official Publisher in accordance with the terms and conditions prescribed under the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1).

2009, c. 40, s. 7.

8. Once every year, a copy of the Compilation of Québec Laws and Regulations in force on 1 April is filed for archival purposes with the office of the Secretary General of the National Assembly and with Bibliothèque et Archives nationales du Québec.

2009, c. 40, s. 8.

9. Government departments and bodies that provide public access to the laws and regulations they administer must only use texts taken from the official versions published by the Québec Official Publisher, unless otherwise authorized by the Minister of Justice and the Québec Official Publisher.

2009, c. 40, s. 9.

### DIVISION III

#### CONSOLIDATION OF TEXTS IN COMPILATION OF QUÉBEC LAWS AND REGULATIONS

10. The Minister may initiate a full or partial consolidation of the laws and regulations when necessary to ensure consistency or to prevent or correct a serious problem of accessibility or intelligibility.

The Minister's decision to carry out a full consolidation or a consolidation by subject or sector of activity of the laws and regulations the Minister determines, together with any necessary instructions concerning such operations, must be published as a notice in the *Gazette officielle du Québec*.

2009, c. 40, s. 10.

## COMPILATION OF QUÉBEC LAWS AND REGULATIONS

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**11.** Consolidation involves no change to the substance of the texts. It may entail, among other things, the reordering of texts, the revision of law and regulation titles, text divisions and text numbering, the simplification of the organization of the texts, the incorporation of provisions of one text into another or the regrouping of texts in some useful way.

As of its coming into force, a consolidation operates to repeal earlier provisions of the laws and regulations that have been consolidated.

2009, c. 40, s. 11.

**12.** Laws and regulations that have been consolidated are enacted, as consolidated texts, by a Government order made on the basis of a summary of the consolidation, and come into force on the date set in the order. Unless the consolidation is limited to regulations, a copy of the consolidated texts is delivered to the Lieutenant Governor for certification and signature, then deposited in the office of the Secretary-General of the National Assembly.

The Government order and the summary must be published in the *Gazette officielle du Québec* at least 15 days before the date set for the coming into force of the consolidated texts, and included in the compilation when the first update following the coming into force of the consolidated texts is made.

2009, c. 40, s. 12.

### DIVISION IV

#### ANNUAL REPORT AND NATIONAL ASSEMBLY'S OVERSIGHT ROLE

**13.** Under a separate heading in the annual report tabled in the National Assembly under the Act respecting the Ministère de la Justice (chapter M-19), the Minister must report on activities carried out with regard to the updating of laws and regulations and, if applicable, with regard to their consolidation.

The competent committee of the National Assembly examines the report within 60 days after its being tabled in the Assembly. The committee may make the recommendations it believes appropriate with regard to those activities, give general directions concerning them or request that the Minister reconsider a decision made with regard to the updating of laws or a consolidation.

2009, c. 40, s. 13.

### DIVISION V

#### MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

**14.** The Minister of Justice is responsible for the administration of this Act.

2009, c. 40, s. 14.

**15.** *(Omitted).*

2009, c. 40, s. 15.

**16.** *(Amendment integrated into c. C-8.1.1, s. 41).*

2009, c. 40, s. 16.

**17.** The laws published by the Québec Official Publisher on its website, including the Civil Code and the Act respecting the implementation of the Civil Code, are the laws of the compilation and have official status as of 1 January 2010.

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COMPILATION OF QUÉBEC LAWS AND REGULATIONS

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Within 24 months following that date, the Minister is to review the administrative version of all regulations, published on that website, with a view to identifying those which, in the Minister's opinion, are of such a nature as to justify their inclusion in the compilation, and to carrying out any updating and consolidation activities the Minister judges appropriate. All regulations published on that website on 1 January 2012 have official status as of that date; the Minister may, however, before that date, indicate upon the publication of certain regulations that they have been revised and that they have official status as of the date of that publication.

A regulation which, prior to being revised, should have been published in French and English but was not so published in an adequate manner is deemed to have been so published on publication of its revised text in French and English.

2009, c. 40, s. 17.

**18.** *(Omitted).*

2009, c. 40, s. 18.

