



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 70

**An Act to protect persons from
conversion therapy provided to
change their sexual orientation,
gender identity or gender expression**

Introduction

**Introduced by
Mr. Simon Jolin-Barrette
Minister of Justice**

**Québec Official Publisher
2020**

EXPLANATORY NOTES

The purpose of this bill is to protect persons from injuries caused by conversion therapy provided to induce them to change their sexual orientation, gender identity or gender expression.

The bill establishes that any conversion therapy is presumed to affect a person's right to integrity and dignity. Any person having undergone such therapy may obtain reparation for the resulting bodily or moral injury.

The bill also stipulates that no contract may be entered into, by gratuitous or onerous title, to provide such therapy to a person, under pain of a fine.

Lastly, the bill explicitly establishes that the fact that a professional provides conversion therapy constitutes an act derogatory to the dignity of his or her profession.

LEGISLATION AMENDED BY THIS BILL:

– Professional Code (chapter C-26).

Bill 70

AN ACT TO PROTECT PERSONS FROM CONVERSION THERAPY PROVIDED TO CHANGE THEIR SEXUAL ORIENTATION, GENDER IDENTITY OR GENDER EXPRESSION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The purpose of this Act is to protect persons from the injuries caused by conversion therapy, which could affect their integrity and dignity.

“Conversion therapy” means any practice intended to induce persons to change their sexual orientation, gender identity or gender expression. Any medical treatment or surgical operation to change a person’s sex and the support required for that purpose is, however, excluded. Support provided to persons in the process of their acceptance of their sexual orientation, gender identity or gender expression is also excluded.

2. Any conversion therapy is presumed to affect the right to integrity and dignity of the person who undergoes the therapy.

Any person having undergone such therapy may obtain reparation for the resulting bodily or moral injury.

3. No one may by contract, by gratuitous or onerous title, undertake to provide conversion therapy to a person or require a person to provide such therapy to a third person.

Any person who contravenes this section is liable to a fine of \$5,000 to \$50,000 in the case of a natural person and \$15,000 to \$150,000 in any other case. Those amounts are doubled for a subsequent offence.

PROFESSIONAL CODE

4. The Professional Code (chapter C-26) is amended by inserting the following section after section 59.1.1:

“59.1.2. The fact that a professional provides conversion therapy also constitutes an act derogatory to the dignity of his profession.

“Conversion therapy” means any practice intended to induce persons to change their sexual orientation, gender identity or gender expression. Any medical treatment or surgical operation to change a person’s sex and the support

required for that purpose is, however, excluded. Support provided to persons in the process of their acceptance of their sexual orientation, gender identity or gender expression is also excluded.”

5. Section 123.6 of the Code is amended by replacing “section 59.1” in subparagraph 2 of the fourth paragraph by “sections 59.1 and 59.1.2”.

6. Section 130 of the Code is amended by replacing “or 59.1.1” in subparagraph 1 by “, 59.1.1 or 59.1.2”.

7. Section 158.1 of the Code is amended by replacing “in section 59.1” in subparagraph 2 of the second paragraph by “in sections 59.1 and 59.1.2”.

8. Section 188.2.1 of the Code is amended by inserting “, 59.1.2” after “59.1.1”.

FINAL PROVISIONS

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

10. This Act comes into force on (*insert the date of assent to this Act*).