



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Draft Bill

**An Act instituting same-sex civil unions
and amending the Civil Code and other
legislative provisions**

**Tabled by
Mr Paul Bégin
Minister of Justice**

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EXPLANATORY NOTES

This draft bill creates an institution, the civil union, for same-sex couples who wish to make a public undertaking to live together as a couple and to uphold the rights and obligations stemming from their commitment to each other.

New provisions introduced into the Civil Code provide for the formation, solemnization, publication and dissolution of a civil union and for its civil consequences as regards such matters as the contribution towards domestic expenses, the family residence, the family patrimony, the compensatory allowance, the obligation of support and the right to inherit. Partners will be permitted to establish, by way of a contract, a regime of separation or community of property or a partnership of acquests, governed by the same rules as those applicable to matrimonial regimes and marriage contracts. In the absence of a contract, the regime of partnership of acquests will apply.

A new civil status is created, for which the necessary acts will be drawn up, modified and published by the registrar of civil status.

In addition, the draft bill amends the Civil Code and other legislation to formalize recognition of the new status of partners in a civil union, who will have, with a few exceptions, the same rights and obligations as married couples.

Moreover, the draft bill extends not only to partners in a civil union but also to same-sex or traditional de facto spouses the applicability of certain provisions that relate to situations encountered by persons who are living together. Such provisions pertain to such matters as consenting on behalf of another person to the care required by the person's state of health, conflict of interest situations or causes of disqualification and non-compellability rules.

LEGISLATION AMENDED BY THIS DRAFT BILL :

- Civil Code of Québec;
- Workmen's Compensation Act (R.S.Q., chapter A-3);
- Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001);

- Act respecting the acquisition of farm land by non-residents (R.S.Q., chapter A-4.1);
- Act respecting financial assistance for education expenses (R.S.Q., chapter A-13.3);
- Legal Aid Act (R.S.Q., chapter A-14);
- Act respecting land use planning and development (R.S.Q., chapter A-19.1);
- Land Surveyors Act (R.S.Q., chapter A-23);
- Act respecting the National Assembly (R.S.Q., chapter A-23.1);
- Automobile Insurance Act (R.S.Q., chapter A-25);
- Act respecting insurance (R.S.Q., chapter A-32);
- Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2);
- Savings and Credit Unions Act (R.S.Q., chapter C-4.1);
- Charter of human rights and freedoms (R.S.Q., chapter C-12);
- Highway Safety Code (R.S.Q., chapter C-24.2);
- Code of Civil Procedure (R.S.Q., chapter C-25);
- Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (R.S.Q., chapter C-52.1);
- Cooperatives Act (R.S.Q., chapter C-67.2);
- Public Curator Act (R.S.Q., chapter C-81);
- Mining Duties Act (R.S.Q., chapter D-15);
- Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1);
- Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2);
- Act respecting school elections (R.S.Q., chapter E-2.3);

- Election Act (R.S.Q., chapter E-3.3);
- Act respecting reciprocal enforcement of maintenance orders (R.S.Q., chapter E-19);
- Taxation Act (R.S.Q., chapter I-3);
- Interpretation Act (R.S.Q., chapter I-16);
- Jurors Act (R.S.Q., chapter J-2);
- Act respecting labour standards (R.S.Q., chapter N-1.1);
- Act to facilitate the payment of support (R.S.Q., chapter P-2.2);
- Act respecting liquor permits (R.S.Q., chapter P-9.1);
- Public Protector Act (R.S.Q., chapter P-32);
- Public Health Protection Act (R.S.Q., chapter P-35);
- Act respecting the protection of persons whose mental state presents a danger to themselves or to others (R.S.Q., chapter P-38.001);
- Act respecting the collection of certain debts (R.S.Q., chapter R-2.2);
- Act respecting the Régie de l'assurance maladie du Québec (R.S.Q., chapter R-5);
- Act respecting the Régie du logement (R.S.Q., chapter R-8.1);
- Act respecting the Québec Pension Plan (R.S.Q., chapter R-9);
- Act respecting the Pension Plan of Certain Teachers (R.S.Q., chapter R-9.1);
- Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2);
- Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3);
- Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);
- Act respecting the Teachers Pension Plan (R.S.Q., chapter R-11);

- Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12);
- Supplemental Pension Plans Act (R.S.Q., chapter R-15.1);
- Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., chapter R-16);
- Act respecting property tax refund (R.S.Q., chapter R-20.1);
- Act respecting health services and social services (R.S.Q., chapter S-4.2);
- Act respecting trust companies and savings companies (R.S.Q., chapter S-29.01);
- Act respecting income support, employment assistance and social solidarity (R.S.Q., chapter S-32.001);
- Professional Syndicates Act (R.S.Q., chapter S-40);
- Act respecting the Québec sales tax (R.S.Q., chapter T-0.1);
- Act respecting transportation by taxi (R.S.Q., chapter T-11.1);
- Courts of Justice Act (R.S.Q., chapter T-16);
- Act respecting financial services cooperatives (2000, chapter 29);
- Act respecting the Pension Plan of Management Personnel (2001, chapter 31).

Draft Bill

AN ACT INSTITUTING SAME-SEX CIVIL UNIONS AND AMENDING THE CIVIL CODE AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

AMENDMENTS TO THE CIVIL CODE

1. Article 56 of the Civil Code of Québec (1991, chapter 64) is amended

(1) by replacing “his” in the English text of the first paragraph by “his or her”;

(2) by replacing “his spouse” in the second paragraph by “his or her married spouse or partner”.

2. Article 61 of the said Code is amended

(1) by replacing “his reasons and gives the name of his father and mother” in the English text of the first paragraph by “the reasons for the application and gives the names of his or her father and mother”;

(2) by replacing “his spouse” in the first paragraph by “his or her married spouse or partner”;

(3) by replacing “of his children, and where applicable, the name of his” in the English text of the first paragraph by “children, and where applicable, the name of the”;

(4) by replacing “his” in the English text of the second paragraph by “the”.

3. Article 71 of the said Code is amended

(1) by replacing “his” wherever it appears in the English text of the first paragraph by “his or her”;

(2) by replacing “an unmarried person of full age” in the second paragraph by “a person of full age who is neither married nor in a civil union”.

4. Article 82 of the said Code is amended by replacing “Spouses” by “Married spouses or partners”.

5. Article 88 of the said Code is amended by inserting “or civil union” after “expenses of the marriage”.

6. Article 89 of the said Code is amended

(1) by replacing “spouse” in the English text of the first paragraph by “married spouse or partner”;

(2) by replacing “spouses” in the first paragraph by “married spouses or partners”;

(3) by replacing “spouse” in the English text of the second paragraph by “spouse or partner”.

7. Article 93 of the said Code is amended

(1) by replacing “his birth” in the English text of the first paragraph by “his or her birth”;

(2) by inserting “or civil union” after “marriage” in the first paragraph;

(3) by replacing “his last domicile, the names of his father, mother” in the English text of the first paragraph by “his or her last domicile, the names of his or her father, mother”;

(4) by replacing “spouse” in the first paragraph by “married spouse or partner”;

(5) by replacing “his death” in the English text of the first paragraph by “death”.

8. Article 96 of the said Code is amended by inserting “or civil union” after “matrimonial” in the first and second paragraphs.

9. Article 97 of the said Code is amended

(1) by inserting “or civil union” after “marriage” in the first paragraph;

(2) by adding “or the dissolution of a civil union” at the end of the second paragraph.

10. Article 107 of the said Code is amended by inserting “or civil union” after “marriage” in the first paragraph.

11. Article 108 of the said Code, amended by section 3 of chapter 47 of the statutes of 1999, is again amended by inserting “, civil unions” after “marriages” in the first paragraph.

12. The said Code is amended by inserting the following after article 121 :

“§3.1.—*Acts of civil union*

“**121.1.** The declaration of civil union is made without delay to the registrar of civil status by the person having solemnized the civil union.

“**121.2.** The declaration of civil union states the names and domicile and places and dates of birth of the partners, the date and place of solemnization of the union, and the names of their fathers and mothers and witnesses. Where applicable, the declaration indicates that a dispensation from publication has been granted.

The declaration also states the name, domicile and quality of the officiant and indicates, where applicable, the officiant’s religious affiliation.

“**121.3.** The declaration is signed by the officiant, the partners and the witnesses.”

13. Article 126 of the said Code is amended

(1) by inserting “or civil union” after “marriage” in the first paragraph ;

(2) by replacing “spouse” in the first paragraph by “married spouse or partner”.

14. Article 129 of the said Code, amended by section 7 of chapter 47 of the statutes of 1999, is again amended by inserting the following paragraph after the first paragraph:

“The notary who receives a joint declaration dissolving a civil union gives notice of the declaration without delay to the registrar of civil status.”

15. Article 130 of the said Code, amended by section 8 of chapter 47 of the statutes of 1999, is again amended by inserting “, civil union” after “marriage” in the first paragraph.

16. Article 134 of the said Code, amended by section 9 of chapter 47 of the statutes of 1999, is again amended by inserting “or civil union” after “marriage” wherever it appears in the first paragraph.

17. Article 135 of the said Code, amended by section 10 of chapter 47 of the statutes of 1999, is again amended

(1) by inserting the following paragraph after the first paragraph:

“Upon notification of a notarized joint declaration or a judgment dissolving a civil union, the registrar shall make a notation of the declaration or judgment in the computerized version of the acts of birth and civil union of each of the

persons concerned.”;

(2) by inserting “or civil union” after “nullity of marriage” in the last paragraph;

(3) by inserting “or civil union” after “act of marriage” in the last paragraph.

18. Article 146 of the said Code is amended

(1) by replacing “name of the person, his sex, his place” in the English text of the first paragraph by “person’s name, sex, place”;

(2) by replacing “his spouse” in the first paragraph by “his or her married spouse or partner”;

(3) by replacing “his marriage or death” in the first paragraph by “the marriage or civil union or the place and date of death”;

(4) by inserting “, civil union” after “marriage” in the second paragraph.

19. Article 258 of the said Code is amended

(1) by replacing “himself or of administering his property by reason, in particular, of illness, deficiency or debility due to age which impairs his mental faculties or his physical ability to express his will” in the English text of the first paragraph by “himself or herself or of administering property by reason, in particular, of illness, deficiency or debility due to age which impairs the person’s mental faculties or physical ability to express his or her will”;

(2) by replacing “his spouse” in the second paragraph by “his or her married spouse or partner”.

20. Article 373 of the said Code is amended

(1) by replacing “marital status” in the first paragraph by “civil status”;

(2) by replacing “marriage bond” in subparagraph 3 of the second paragraph by “bond of marriage or civil union”.

21. The said Code is amended by inserting the following Title after article 521:

“TITLE ONE.1

“CIVIL UNION

“CHAPTER I

“CONDITIONS, SOLEMNIZATION AND PROOF OF CIVIL UNION

“**521.1.** A civil union is a partnership between same-sex persons eighteen years of age or over who undertake to live together and to uphold the rights and obligations that derive from that status.

It may only be contracted between two persons who are free from any previous bond of marriage or civil union and who in relation to each other are neither an ascendant or a descendant, nor a brother or a sister.

It must be contracted openly through the expression of free and enlightened consent before an officiant competent to solemnize marriages and in the presence of two witnesses.

“**521.2.** Before proceeding with a civil union, the officiant ascertains the identity of the intended partners and makes sure that the conditions for the formal validity of the union have been fulfilled and that the prescribed formalities have been observed.

The solemnization of a civil union is subject to the same rules, with the necessary modifications, as are applicable to the solemnization of marriages, including the rules relating to prior publication.

No minister of religion may be compelled to solemnize a civil union to which there is an impediment according to the minister’s religion and the discipline of the religious society to which he or she belongs.

“**521.3.** Any interested person may oppose a civil union between persons incapable of contracting a civil union.

A minor may act alone to oppose a civil union.

“**521.4.** A civil union is proved by an act of civil union, except where another mode of proof is authorized by law.

Possession of the status of partners compensates for a defect of form in the act of civil union.

“CHAPTER II

“RIGHTS AND DUTIES OF PARTNERS

“**521.5.** The partners in a civil union have the same rights and obligations.

They owe each other respect, fidelity, succour and assistance.

They are bound to live together.

The effects of the union as regards the direction of the family, the exercise of parental authority, contribution towards expenses, the family residence, the family patrimony and the compensatory allowance are the same as the effects of marriage, with the necessary modifications, and creates a family connection between each partner and the relatives of his or her partner.

Whatever their civil union regime, the partners may not derogate from the provisions of this article.

“521.6. A civil union regime may be created by and any kind of stipulation may be made in a civil union contract, subject to the imperative provisions of law and public order.

Partners who, before the solemnization of their union, have not fixed their civil union regime are subject to the regime of partnership of acquests.

Civil union regimes, whether legal or conventional, and civil union contracts are subject to the same rules as are applicable to matrimonial regimes and marriage contracts, with the necessary modifications.

“521.7. If partners cannot agree as to the exercise of their rights and the performance of their duties, they or either of them may apply to the court, which will decide in the best interests of the family after fostering conciliation of the parties.

“CHAPTER III

“NULLITY AND DISSOLUTION OF CIVIL UNION

“521.8. A civil union which is not contracted in accordance with the prescriptions of this Title may be declared null upon the application of any interested person, although the court may decide according to the circumstances.

No action lies after the lapse of three years from the solemnization, except where public order is concerned.

“521.9. The nullity of a civil union entails the same effects as the nullity of a marriage.

“521.10. A civil union is dissolved by the death of either partner, by a court judgment or by a notarized joint declaration.

“521.11. Where the partners’ will to live together is irretrievably undermined, they may consent, by way of a joint declaration, to the dissolution

of their union provided they settle all the consequences of the dissolution in an agreement.

The declaration and the agreement must be executed before a notary and recorded in notarial acts *en minute*.

The notary may not execute the declaration before the agreement is recorded in a notarized transaction contract. The notary must inform the partners beforehand of the consequences of the dissolution and make sure that they truly consent to the dissolution and that the agreement is not contrary to imperative provisions of law or public order. If appropriate, the notary may provide information to the partners on any available conciliation services.

“521.12. The joint declaration dissolving a civil union, which must be notified to the registrar of civil status, states the names and domicile of the partners, their places and dates of birth and the place and date of solemnization of the union; it also indicates the places and dates of execution of the transaction contract and of the declaration as well as the minute number given to each of those acts.

“521.13. The joint declaration dissolving a civil union produces the same effects as a judgment dissolving a civil union, from the date it is executed before a notary.

“521.14. In the absence of a joint declaration dissolving the civil union executed before a notary or where the interests of the common children of the partners are at stake, the dissolution of the union must be pronounced by the court.

The court must ascertain that the partners’ will to live together is irretrievably undermined, foster conciliation and see to the interests of the children and the protection of their rights. During the proceeding, the court may determine provisional measures, as in the case of separation from bed and board.

Upon or after pronouncing the dissolution, the court may order one of the partners to pay support to the other, decide as to the custody, maintenance and education of the children, in their best interests and with due regard for their rights, and in keeping with any agreements made between the partners.

“521.15. The dissolution of the union does not deprive the children of the advantages secured to them by law or by the civil union contract.

The rights and obligations of parents towards their children are unaffected by the dissolution of the union.

“521.16. The dissolution of the union entails the dissolution of the civil union regime. Between the partners, the effects of the dissolution of the regime are retroactive to the day of execution of the joint declaration of dissolution before a notary or, where applicable, to the day of the application to the court,

unless the court makes them retroactive to the day on which the partners ceased living together.

The dissolution entails the lapse of gifts *mortis causa* made by one partner to the other in consideration of the civil union. It does not entail the lapse of other gifts *mortis causa* or of gifts *inter vivos* between the partners in consideration of the union, except that the court may, upon pronouncing the dissolution, declare such gifts lapsed or reduce them, or order the payment of gifts *inter vivos* deferred for such time as it may fix.”

22. Article 555 of the said Code is amended by replacing “spouse or the concubinary of the father or mother, if they have been cohabiting as concubinaries” by “spouse of the father or mother, if, in the case of de facto spouses, they have been cohabiting”.

23. Article 577 of the said Code is amended

(1) by replacing “his” in the English text of the first and second paragraphs by “his or her”;

(2) by inserting “or a civil union” after “marriage” in the second paragraph.

24. Article 578 of the said Code is amended

(1) by inserting “or civil union” after “marriage” in the second paragraph;

(2) by replacing “his” in the English text of the second paragraph by “his or her”.

25. Article 579 of the said Code is amended

(1) by replacing “his” wherever it appears in the English text of the first paragraph by “his or her”;

(2) by striking out “or concubinary” in the second paragraph.

26. Article 585 of the said Code, amended by section 1 of chapter 28 of the statutes of 1996, is again amended by replacing “Spouses” by “Married spouses or partners”.

27. Article 624 of the said Code is amended

(1) by replacing “surviving spouse” by “surviving married spouse or partner”;

(2) by inserting “or civil union” after “marriage”.

28. Article 653 of the said Code is amended by replacing “surviving spouse” by “surviving married spouse or partner”.

29. Article 654 of the said Code is amended

(1) by replacing “surviving spouse’s heirship” in the English text by “heirship of the surviving married spouse or partner”;

(2) by replacing “his” in the English text by “his or her”;

(3) by inserting “or civil union” after “matrimonial”.

30. Article 666 of the said Code is amended by replacing “spouse” in the English text of the first and second paragraphs by “married spouse or partner”.

31. Article 685 of the said Code is amended by replacing “spouse” in the English text of the second paragraph by “married spouse or partner”.

32. Article 687 of the said Code is amended by replacing “spouse” in the English text by “married spouse or partner”.

33. Article 688 of the said Code is amended

(1) by replacing “spouse” in the English text of the first and second paragraphs by “married spouse or partner”;

(2) by replacing “he” wherever it appears in the English text of the first paragraph by “he or she”.

34. Article 689 of the said Code is amended

(1) by replacing “spouse” in the English text of the first and second paragraphs by “married spouse or partner”;

(2) by replacing “he” in the English text of the second paragraph by “he or she”.

35. Article 696 of the said Code is amended by replacing “spouse” in the English text of the first paragraph by “married spouse or partner”.

36. Article 706 of the said Code is amended

(1) by inserting “or civil union” after “marriage”;

(2) by replacing, in the English text, “his” wherever it appears by “his or her” and “he has made” by “he or she has made”.

37. Article 757 of the said Code, amended by section 716 of chapter 57 of the statutes of 1992, is again amended by replacing “limiting the rights of the surviving spouse in the event of a remarriage” in the second paragraph by “limiting the rights of a surviving married spouse or partner in the event of a remarriage or new civil union”.

38. Article 764 of the said Code is amended

(1) by replacing “to the spouse” in the English text of the first paragraph by “to the married spouse or partner”;

(2) by replacing “divorce” in the first paragraph by “a divorce or the dissolution of a civil union”;

(3) by replacing “spouse”, in the English text, at the end of the first paragraph and in the second paragraph by “spouse or partner”;

(4) by inserting “or civil union” after “marriage” in the last paragraph;

(5) by replacing “of the spouses” in the last paragraph by “of the married spouses or partners”.

39. Article 809 of the said Code is amended

(1) by replacing “spouses” by “married spouses or partners”;

(2) by replacing “spouse” wherever it appears in the English text by “married spouse or partner”.

40. Article 840 of the said Code is amended by replacing “to the surviving spouse” at the end by “to the surviving married spouse or partner”.

41. Article 844 of the said Code is amended by replacing “of the spouse” in the second paragraph by “of the married spouse or partner”.

42. Article 851 of the said Code is amended by replacing “of the surviving spouse” in the first paragraph by “of the married spouse or partner”.

43. Article 856 of the said Code is amended

(1) by replacing “The spouse” in the first paragraph by “The married spouse or partner”;

(2) by replacing “spouse” in the second paragraph by “spouse or partner”;

(3) by replacing “his” in the English text of the first paragraph by “his or her”;

(4) by replacing “he” in the English text of the second paragraph by “he or she”.

44. Article 857 of the said Code is amended by replacing “of the surviving spouse” by “of the surviving married spouse or partner”.

45. Article 1696 of the said Code, amended by section 716 of chapter 57 of the statutes of 1992, is again amended

(1) by replacing “with him or a person related to him” in the English text by “with or related to the creditor”;

(2) by inserting “a spouse,” before “a relative by blood”;

(3) by inserting “or a civil union” after “connected by marriage” in the English text;

(4) by replacing “him, a partner or a legal person of which he is a director or which he controls” in the English text by “the creditor, a partner in the same partnership or a legal person of which the creditor is a director or which he or she controls”.

46. Article 1813 of the said Code is amended by inserting “or civil union” after “marriage”.

47. Articles 1819 and 1822, the heading of Section V of Chapter II of Title Two of Book Five and article 1839 of the said Code are amended by replacing “marriage contract” by “marriage or civil union contract”.

48. Article 1840 of the said Code is amended

(1) by replacing “spouses” wherever it appears in the first paragraph by “married spouses or partners”;

(2) by replacing “marriage contract” in the first and second paragraphs by “marriage or civil union contract”.

49. Article 1938 of the said Code is amended

(1) by replacing “The spouse of a lessee or a person who has been living with a lessee for at least six months, being the concubinary” in the first paragraph by “The married spouse or partner of a lessee, or a person who has been living with the lessee for at least six months, being the de facto spouse”;

(2) by replacing “a person connected to him by marriage” in the English text of the first paragraph by “a person connected to the lessee by marriage or a civil union”;

(3) by replacing “he” wherever it appears in the English text of the first and second paragraphs by “he or she”;

(4) by replacing “himself” and “him” in the English text of the second paragraph by “himself or herself” and “him or her”, respectively.

50. Article 1957 of the said Code is amended

(1) by replacing the English text of the first paragraph by the following paragraph:

“1957. The lessor of a dwelling who is the owner of the dwelling may repossess it as a residence for himself or herself or for ascendants or descendants in the first degree or for any other relative or person connected by marriage or a civil union of whom the lessor is the main support.”;

(2) by replacing the English text of the second paragraph by the following paragraph:

“Such a lessor may also repossess the dwelling as a residence for his or her former married spouse or partner after a separation or a divorce or the dissolution of a civil union, if the lessor remains the main support of the former spouse or partner.”

51. Article 1958 of the said Code is amended

(1) by replacing “his spouse” in the English text by “his or her spouse”;

(2) by striking out “or concubinary”.

52. Article 2444 of the said Code is amended by replacing “his spouse” by “his or her married spouse or partner”.

53. Article 2449 of the said Code is amended by replacing “of his spouse” in the first paragraph by “of his or her married spouse or partner”.

54. Article 2457 of the said Code is amended by replacing “the spouse” by “the married spouse or partner”.

55. Article 2459 of the said Code is amended

(1) by replacing “Divorce or nullity of marriage causes” in the second paragraph by “Divorce or nullity of marriage or the dissolution or nullity of a civil union causes”;

(2) by replacing “spouse” in the English text of the second paragraph by “married spouse or partner”.

56. Article 2906 of the said Code is amended by replacing “Spouses” by “Married spouses or partners”.

57. Article 2928 of the said Code is amended

(1) by replacing “surviving spouse” in the English text by “surviving married spouse or partner”;

(2) by replacing “his spouse” in the English text by “his or her spouse or partner”.

58. Article 2999 of the said Code is amended by inserting “or civil union”

after “matrimonial” in the first paragraph.

59. Article 3022 of the said Code, amended by section 56 of chapter 42 of the statutes of 2000, is again amended by replacing “spouses” in the first paragraph by “married spouses or partners”.

60. Article 3062 of the said Code is amended

(1) by replacing “spouses” wherever it appears by “married spouses or partners”;

(2) by replacing “the marriage has been annulled” in the first paragraph by “the civil union has been dissolved by the court or by a notarized joint declaration, the marriage or civil union has been annulled”;

(3) by inserting “or the notarized declaration” after “judgment” in the second paragraph.

61. The said Code is amended by inserting the following after article 3090:

“§3.1. — *Civil union*

“3090.1. A civil union is governed with respect to its essential validity by the law applicable to the status of each of the intended partners.

With respect to its formal validity, it is governed by the law of the place of its solemnization or by the law of the country of domicile or nationality of one of the partners.

“3090.2. The effects of a civil union, particularly those binding on all partners regardless of their civil union regime, are subject to the law of the country of domicile of the partners.

“3090.3. The dissolution of a civil union is governed by the law of the country of domicile of the partners. The effects of the dissolution of the union are subject to the law governing the dissolution.

“3090.4. Where the partners are domiciled in different countries, 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.”

62. Article 3096 of the said Code is replaced by the following article:

“3096. The obligation of support between married spouses who are divorced or separated from bed and board, between partners whose civil

union is dissolved or between married spouses or partners 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.”

63. Article 3099 of the said Code is amended

(1) by replacing “the spouse” in the first paragraph by “the married spouse or partner”;

(2) by replacing “he” in the English text of the first paragraph by “he or she”.

64. The heading of Subsection 8 of Section II of Chapter III of Title Two of Book Ten of the said Code is amended by inserting “*or civil union*” after “*Matrimonial*”.

65. Article 3122 of the said Code is amended by inserting “or civil union” after “matrimonial”.

66. Article 3123 of the said Code is replaced by the following article:

“3123. The matrimonial or civil union regime of married spouses or partners having joined together without entering into matrimonial or civil union agreements is governed by the law of their country of domicile at the time of their marriage or union.

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

67. Article 3124 of the said Code is amended

(1) by inserting “or civil union” after “matrimonial” in the first and second paragraphs;

(2) by replacing “spouses” in the first paragraph by “married spouses or partners” and in the second paragraph by “spouses or partners”.

68. Article 3144 of the said Code is replaced by the following article:

“3144. A Québec authority has jurisdiction in matters relating to the nullity of a marriage or the dissolution or nullity of a civil union when the domicile or place of residence of one of the married spouses or partners or the place of solemnization of their marriage or union is in Québec.”

69. Article 3145 of the said Code is replaced by the following article:

“3145. As regards the effects of marriage or a civil union, particularly

those that are binding on all married spouses and partners regardless of their matrimonial or civil union regime, a Québec authority has jurisdiction when the domicile or place of residence of one of the spouses or partners is in Québec.”

70. Article 3154 of the said Code is amended

(1) by replacing “of matrimonial regime” in the first paragraph by “relating to a matrimonial or civil union regime”;

(2) by replacing “spouses” in subparagraph 1 of the first paragraph by “married spouses or partners” and in the second paragraph by “spouses or partners”;

(3) by replacing “spouse” in subparagraph 1 of the first paragraph by “spouse or partner”;

(4) by replacing “his domicile” in the English text of the second paragraph by “his or her domicile”.

71. Article 3167 of the said Code is amended

(1) by inserting “or the dissolution of a civil union” after “relating to divorce”;

(2) by replacing “spouses” wherever it appears by “married spouses or partners”;

(3) by replacing “his” wherever it appears in the English text by “his or her”.

**AMENDMENTS TO OTHER LEGISLATIVE PROVISIONS AND
CONSEQUENTIAL AMENDMENTS**

72. Section 2 of the Workmen’s Compensation Act (R.S.Q., chapter A-3), amended by section 2 of chapter 57 of the statutes of 1978, section 251 of chapter 63 of the statutes of 1979 and section 1 of chapter 14 of the statutes of 1999, is again amended

(1) by replacing “married and who live together” in subparagraph *a* of paragraph *e* of subsection 1 by “married or in a civil union and who live together”;

(2) by replacing “is married or, as the case may be, has been married, to a worker” in the introductory part of subparagraph 2 of paragraph *l* of subsection 1 by “is or was married to or in a civil union with the worker”;

(3) by replacing subparagraph *i* of subparagraph 2 of paragraph *l* of subsection 1 by the following subparagraph:

“(i) is separated de facto or legally or whose marriage or civil union has

been dissolved or annulled by a judgment or, in the case of a civil union, by a notarized joint declaration of dissolution; and”;

(4) by replacing “consorts” and “consort” wherever they appear in the English text by “spouses” and “spouse”, respectively.

73. Section 35 of the said Act, amended by section 20 of chapter 57 of the statutes of 1978, is again amended

(1) by replacing “when he or she remarries or he or she lives as husband and wife with another person” in the first paragraph of subsection 2 by “when he or she remarries or enters into a civil union, or lives in a de facto union with another person, whether of the opposite sex or the same sex,”;

(2) by replacing “consort” and “consorts” wherever they appear in the English text by “spouse” and “spouses”, respectively.

74. Section 2 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001) is amended by inserting “, or is in a civil union with,” after “is married to” in paragraph 1 of the definition of “spouse”.

75. Section 3 of the Act respecting the acquisition of farm land by non-residents (R.S.Q., chapter A-4.1) is amended

(1) by replacing “he lived” in the English text by “he or she lived”;

(2) by replacing “the spouse” in paragraph 5 by “the married spouse or partner”.

76. Section 2 of the Act respecting financial assistance for education expenses (R.S.Q., chapter A-13.3) is amended by replacing “married to” in the definition of “spouse” by “married to, or is in a civil union with,”.

77. Section 4 of the said Act, amended by section 191 of chapter 54 of the statutes of 1993, section 73 of chapter 2 of the statutes of 1994 and section 1 of chapter 18 of the statutes of 2001, is again amended by inserting “or in a civil union” after “married” in subparagraph 1 of the first paragraph.

78. Section 1.1 of the Legal Aid Act (R.S.Q., chapter A-14) is amended

(1) by inserting “or who are partners,” after “each other” in paragraph 1 ;

(2) by inserting “of opposite sex or the same sex” after “two persons” in paragraph 2.

79. Section 1.2 of the said Act is amended by inserting “nor in a civil union” after “married” in subparagraph 1 of the first paragraph.

80. Section 4.8 of the said Act is amended by inserting “or civil union” after

“marriage” in paragraph 4.

81. Section 113 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) is amended by striking out “or *de facto* spouse” in subparagraph 3.1 of the second paragraph.

82. Section 46 of the Land Surveyors Act (R.S.Q., chapter A-23) is amended by inserting “The spouse of or” before “A person allied” at the beginning.

83. Section 71 of the Act respecting the National Assembly (R.S.Q., chapter A-23.1) is amended by replacing “by the effect of an Act or as the result of a marriage” by “by the effect of an Act or because of a marriage, a civil union or a *de facto* union to which he or she is party”.

84. Section 2 of the Automobile Insurance Act (R.S.Q., chapter A-25) is amended

(1) by inserting “or in a civil union with” after “married to” in the definition of “spouse”;

(2) by replacing “or whose marriage to the victim has been dissolved by a final judgment of divorce or declared null by a declaration of nullity of marriage” in paragraph 2 of the definition of “dependant” by “whose marriage to or civil union with the victim has been dissolved or declared null by a final judgment, or whose civil union has been dissolved by a notarized joint declaration of dissolution”.

85. Section 1 of the Act respecting insurance (R.S.Q., chapter A-32) is amended

(1) by replacing “who is married to and cohabits with another person” in paragraph *v* by “who is married to, or in a civil union with, and cohabits with another person”;

(2) by striking out “outside marriage” in paragraph *v*.

86. Section 40 of the Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2) is amended

(1) by inserting “, civil union, *de facto* union” after “marriage” in subparagraph *a* of the second paragraph;

(2) by replacing “if one is married to the other or to” in subparagraph *b* of the third paragraph by “, a civil union or a *de facto* union if one is connected with the other or with”.

87. Section 209 of the Savings and Credit Unions Act (R.S.Q., chapter C-4.1) is amended

(1) by replacing paragraph 1 by the following paragraph:

“(1) is married to, or in a civil union with, and cohabits with another person;”;

(2) by striking out “outside marriage” in paragraph 2.

88. Section 47 of the Charter of human rights and freedoms (R.S.Q., chapter C-12) is amended by replacing “Husband and wife have, in the marriage,” in the first paragraph by “Married spouses and partners have, in the marriage or civil union,”.

89. Section 92 of the Highway Safety Code (R.S.Q., chapter C-24.2) is amended by replacing “the spouse” in paragraph 6 by “the married spouse or partner”.

90. Article 70 of the Code of Civil Procedure (R.S.Q., chapter C-25) is amended

(1) by replacing “oppositions to marriage” in the second paragraph by “oppositions to a marriage or a civil union”;

(2) by inserting “or civil union” after “matrimonial” in the second paragraph;

(3) by replacing “the marriage is to be solemnized” in the second paragraph by “the marriage or union is to be solemnized”.

91. Article 121 of the said Code is amended

(1) by replacing “he is interested” in the English text by “he or she is interested”;

(2) by replacing “which concern his relations” by “which concern his or her spouse or a relative”.

92. Article 195 of the said Code is amended by replacing “as to bed and board, in nullity of marriage or for divorce” in the first paragraph by “from bed and board, marriage annulment or divorce or for the dissolution or annulment of a civil union”.

93. Article 196 of the said Code is amended by replacing “annulment of marriage” in the second paragraph by “annulment of a marriage or a civil union”.

94. Article 234 of the said Code is amended

(1) by replacing paragraph 1 by the following paragraph:

“(1) If the judge is the spouse of or related or allied within the degree of cousin-german inclusively to one of the parties;”;

(2) by replacing “he”, “himself”, “him” and “his” wherever they appear in

the English text by “the judge”, “himself or herself”, “him or her” and “his or her”, respectively;

(3) by inserting “is the spouse of or” before “is related” in paragraph 9;

(4) by replacing “to the partner of any of them” in the English text of paragraph 9 by “a partner in the same partnership as the attorney or counsel”.

95. Article 295 of the said Code is amended

(1) by inserting “A spousal or blood” before “Relationship” in the second paragraph;

(2) by inserting “or a civil union” after “connection by marriage” in the English text of the second paragraph.

96. Article 307 of the said Code is amended by replacing “consort during the marriage” by “spouse during their life together”.

97. Article 394 of the said Code is amended by replacing “as to bed and board, in nullity of marriage or for divorce” by “from bed and board, marriage annulment or divorce or for the dissolution or annulment of a civil union”.

98. Article 404 of the said Code is amended

(1) by replacing “annulment of marriage” in the last paragraph by “annulment of a marriage or a civil union”;

(2) by replacing “his defence” in the English text of the last paragraph by “a defence”;

(3) by replacing “as to bed and board” in the English text of the last paragraph by “from bed and board”;

(4) by replacing “or for divorce” in the last paragraph by “or divorce or for the dissolution of a civil union”.

99. Article 457 of the said Code is amended by replacing “as to bed and board, in nullity of marriage or for divorce” by “from bed and board, marriage annulment or divorce or for the dissolution or annulment of a civil union”.

100. Article 553 of the said Code is amended

(1) by replacing “his consort” in the English text of subparagraph *a* of the first paragraph of subparagraph 11 of the first paragraph by “his or her spouse”;

(2) by striking out “person to whom the debtor is married or, if the person is not married, the” in the second paragraph of subparagraph 11 of the first paragraph and by replacing “spouse of the debtor” at the end of that paragraph

by “de facto spouse of the debtor, provided the debtor is not married or in a civil union”;

(3) by inserting “between married spouses or partners” after “allowance” in the last paragraph.

101. Article 583.2 of the said Code is amended

(1) by replacing “he” in the first paragraph of the English text by “he or she” and “his” in the second paragraph of the English text by “his or her”;

(2) by inserting “spouses,” before “relatives” in the second paragraph.

102. Article 647 of the said Code is amended

(1) by replacing “spouse” in the English text of the second last paragraph by “married spouse or partner”;

(2) by inserting “or civil union” after “marriage” in the second last paragraph.

103. Article 734.0.1 of the said Code is amended

(1) by replacing “as to bed and board or for divorce, each spouse” in the first paragraph by “from bed and board or divorce or for the dissolution or annulment of a civil union, each married spouse or partner”;

(2) by inserting “or civil union” after “matrimonial” in the first paragraph.

104. Article 813.3 of the said Code is amended

(1) by replacing “as to bed and board, in nullity of marriage or for divorce,” by “from bed and board, marriage annulment or divorce or for the annulment or dissolution of a civil union,”;

(2) by replacing “surviving spouse’s” in the English text by “surviving married spouse’s or partner’s”.

105. Article 813.4 of the said Code, amended by section 133 of chapter 42 of the statutes of 2000, is again amended

(1) by replacing “as to bed and board, nullity of marriage or divorce” in the first paragraph by “from bed and board, marriage annulment or divorce or for the annulment or dissolution of a civil union”;

(2) by replacing “Each spouse” and “either spouse” in the first paragraph by “Each married spouse or partner” and “either spouse or partner”, respectively and by replacing “a spouse” in the third paragraph by “a spouse or partner”;

(3) by replacing “his matrimonial” in the first paragraph by “his or her

matrimonial or civil union”.

106. Article 814.3 of the said Code is amended by inserting “or civil union” after “marriage”.

107. Article 815.2.1 of the said Code is amended

(1) by replacing “spouse” in the first paragraph of the English text by “married spouse or partner”;

(2) by inserting “or civil union” after “from the marriage” in the first paragraph.

108. Article 817 of the said Code is amended

(1) by replacing “as to bed and board, the nullity of a marriage or a divorce” by “from bed and board, marriage annulment or divorce or for the dissolution or annulment of a civil union”;

(2) by replacing “spouse” in the English text by “married spouse or partner”;

(3) by adding “or civil union” at the end.

109. Article 817.2 of the said Code is amended

(1) by replacing “as to bed and board, for nullity of marriage or for divorce” in the first paragraph by “from bed and board, marriage annulment or divorce or for the dissolution or annulment of a civil union”;

(2) by inserting “or civil union” after “marriage” in the second paragraph;

(3) by inserting “or civil union” after “matrimonial” in the second paragraph.

110. The heading of Chapter II of Title IV of Book V of the said Code is amended by adding “OR A CIVIL UNION” at the end.

111. Article 818.2 of the said Code is amended by replacing “marriage contract to his application” at the end by “marriage or civil union contract to his or her application”.

112. The heading of Section II of Chapter II of Title IV of Book V of the said Code is amended by adding “OR TO A CIVIL UNION” at the end.

113. Article 819 of the said Code is amended

(1) by inserting “or to a civil union” after “marriage”;

(2) by replacing “spouses” by “married spouses or partners”;

(3) by replacing “the marriage” by “the marriage or civil union”.

114. Articles 819.1 and 819.2 of the said Code are amended by replacing “marriage” by “marriage or civil union”.

115. The heading of Chapter V of Title IV of Book V of the said Code is amended by replacing “AS TO BED AND BOARD AND FOR DIVORCE” by “FROM BED AND BOARD OR DIVORCE OR FOR DISSOLUTION OF A CIVIL UNION”.

116. Article 822 of the said Code is amended

(1) by replacing “Spouses” by “Married spouses or partners”;

(2) by replacing “as to bed and board or for divorce” by “from bed and board or divorce or for the dissolution of their civil union”.

117. Article 822.1 of the said Code is amended

(1) by replacing “the spouses” in the first paragraph by “married spouses or partners” and by replacing “spouses” wherever it appears in the second paragraph by “spouses or partners”;

(2) by replacing “as to bed and board or of their divorce” in the first paragraph by “from bed and board or divorce or of the dissolution of their civil union”;

(3) by inserting “or civil union” after “matrimonial” at the end of the first paragraph.

118. Article 822.2 of the said Code is amended by replacing “the spouses” in the second paragraph by “the married spouses or partners”.

119. Article 822.3 of the said Code is amended

(1) by replacing “either spouse” by “either married spouse or partner”;

(2) by replacing “as to bed and board or for divorce” by “from bed and board or divorce or for the dissolution of a civil union”.

120. Article 822.4 of the said Code is amended

(1) by replacing “as to bed and board or for divorce” by “from bed and board or divorce or for the dissolution of a civil union”;

(2) by replacing “spouses” in the first paragraph by “married spouses or partners” and in the second paragraph by “spouses or partners”.

121. Article 822.5 of the said Code is amended by replacing “as to bed and board or divorce” by “from bed and board or divorce or the dissolution

of a civil union”.

122. Article 825.2 of the said Code is amended

(1) by replacing “as the case may be, on his spouse,” by “if applicable, on his or her married spouse or partner,”;

(2) by replacing “on his children 14 years of age or older and on his ascendants” by “his or her children 14 years of age or older and his or her ascendants”.

123. Article 827.1 of the said Code is amended, in the English text, by replacing “surviving spouse” by “surviving married spouse or partner” and “deceased spouse” by “deceased spouse or partner”.

124. Article 865.2 of the said Code is amended

(1) by inserting “or civil union” after “expenses of the marriage” in the first paragraph;

(2) by replacing “spouses” in the first paragraph by “married spouses or partners”;

(3) by replacing “spouse” wherever it appears in the English text of the second paragraph by “spouse or partner”;

(4) by replacing “he” in the English text of the second paragraph by “he or she”.

125. Article 955 of the said Code is amended

(1) by inserting “spouse,” before “relative” at the end of the first paragraph;

(2) by inserting “or a civil union” after “connected by marriage” at the end of the English text of the first paragraph.

126. Section 39 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (R.S.Q., chapter C-52.1) is amended by replacing the first paragraph by the following paragraph:

“39. The spouse of a Member or pensioner is the person married to or in a civil union with the Member or pensioner or, provided that neither is married or in a civil union, the person of the opposite or the same sex who, at the time of the death, was living in a de facto union with the Member or pensioner and had been publicly represented as the Member’s or pensioner’s spouse for at least three years or, if a child has issued or will issue from their de facto union, for at least one year.”

127. Section 56 of the said Act is amended

(1) by inserting “or annulment or dissolution of a civil union” after “annulment of marriage” in the first paragraph;

(2) by replacing “period of the marriage” in the first paragraph by “duration of the marriage or civil union”;

(3) by replacing “his” in the English text of the first and second paragraphs by “his or her”;

(4) by adding “or of a joint procedure before a notary for the dissolution of their civil union” at the end of the second paragraph.

128. Section 57 of the said Act is amended by replacing “or the date on which the spouses ceased to live together” in the second paragraph by “, the date on which the spouses cease living together or the date on which the joint declaration dissolving the civil union is executed before a notary”.

129. Section 66 of the said Act is amended by replacing “between the spouses” in the last paragraph by “between married spouses or partners”.

130. Section 70 of the said Act is amended by inserting “or civil union” after “marriage” in the first paragraph.

131. Section 69 of the Cooperatives Act (R.S.Q., chapter C-67.2) is amended

(1) by replacing “his spouse or his child” in the English text of the first paragraph by “his or her spouse or children”;

(2) by replacing “his” in the English text of the first paragraph by “his or her”;

(3) by inserting “, or in a civil union with,” after “married to” in the last paragraph.

132. Section 3 of the Mining Duties Act (R.S.Q., chapter D-15) is amended by inserting “, civil union, de facto union” after “marriage” in paragraph *a*.

133. Section 4 of the said Act is amended

(1) by replacing “his” in the English text of paragraph *a* by “his or her”;

(2) by replacing “marriage if one is married to the other or to” in paragraph *b* by “marriage, a civil union or a de facto union if one is connected with the other or with”;

(3) by replacing “or by marriage if his” in paragraph *c* by “or by marriage, a civil union or a de facto union if his or her”.

134. Section 20 of the Act respecting duties on transfers of immovables

(R.S.Q., chapter D-15.1) is amended

(1) by replacing “consorts” in the English text of subparagraph *d* of the first paragraph and the second paragraph by “spouses”;

(2) by replacing “his favour” in the English text of subparagraph *g* of the first paragraph by “his or her favour”;

(3) by replacing “in addition to its ordinary meaning” in the second paragraph by “in addition to married spouses and partners”.

135. Section 131 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) is amended by striking out “, including a *de facto* spouse,” in the first paragraph.

136. Section 46 of the Act respecting school elections (R.S.Q., chapter E-2.3) is amended

(1) by replacing “him” in the English text of subparagraph 1 of the second paragraph by “him or her”;

(2) by replacing subparagraph 2 of the second paragraph by the following subparagraph:

“(2) “spouse” means a person who is married to, or in a civil union with, and cohabits with the person referred to in the first paragraph, or a person of the opposite or the same sex who lives with that person in a *de facto* union and who is publicly represented as that person’s spouse.”

137. Section 205 of the Election Act (R.S.Q., chapter E-3.3) is amended by striking out “or *de facto* spouse of,”.

138. Section 293 of the said Act is amended

(1) by replacing “his” in the English text of the first paragraph by “his or her”;

(2) by replacing “, or *de facto* spouse, and the” in subparagraph 3 of the second paragraph by “and”.

139. Section 4 of the Act respecting reciprocal enforcement of maintenance orders (R.S.Q., chapter E-19) is amended by adding “or the civil union” at the end.

140. Section 2.2 of the Taxation Act (R.S.Q., chapter I-3) is amended by striking out “of the opposite sex”.

141. Section 2.2.1 of the said Act, amended by section 5 of chapter 5 of the statutes of 2000, is again amended

(1) by inserting “or of a civil union” after “subparagraph *a*” in subparagraphs *b*, *c* and *d* of the first paragraph;

(2) by adding the following subparagraph at the end of the first paragraph:

“(e) references to a matrimonial regime include a civil union regime.”

142. The Interpretation Act (R.S.Q., chapter I-16) is amended by inserting the following section after section 61:

“61.1. The word “spouse” means a married spouse or a partner in a civil union.

The word “spouse” includes a de facto spouse unless the context indicates otherwise. Two persons of opposite sex or the same sex who represent themselves publicly as a couple are de facto spouses regardless, except where otherwise provided, of how long they have been living together. If, in the absence of a legal criterion for the recognition of a de facto union, a controversy arises as to whether persons are living together, that fact is presumed when they have been cohabiting for at least one year or from the time they together become, by procreation or adoption, the parents of a child.”

143. Section 1 of the Act respecting labour standards (R.S.Q., chapter N-1.1) is amended

(1) by replacing “consort” in the English text of paragraph 3 by “spouse”;

(2) by replacing “married and cohabiting” in subparagraph *a* of paragraph 3 by “married or in a civil union and cohabiting”;

(3) by inserting “being of opposite sex or the same sex,” at the beginning of subparagraph *b* of paragraph 3;

(4) by replacing “he” and “him” wherever they appear in the English text of paragraph 10 by “he or she” and “him or her”, respectively.

144. Section 81 of the said Act is amended

(1) by replacing “his wedding day” in the first paragraph by “the day of his or her wedding or civil union”;

(2) by replacing “on the wedding day of one of his children, of his” in the second paragraph by “on the day of the wedding or civil union of his or her child.”;

(3) by replacing “his consort” in the English text of the second paragraph by “his or her spouse”;

(4) by replacing “his” in the English text of the third paragraph by “his or

her”.

145. Section 1 of the Act to facilitate the payment of support (R.S.Q., chapter P-2.2) is amended by adding the following paragraph at the end:

“The same applies to support payable under an agreement made upon a joint declaration dissolving a civil union executed before a notary where the agreement and the declaration are notified to the Minister or where the Minister ascertains, upon an application by the creditor and notification of the documents, that the debtor of support is in default.”

146. Section 8 of the said Act is amended by inserting “of documents referred to in the second paragraph of section 1,” after “Upon receipt” in the first paragraph.

147. Section 23 of the said Act is amended by inserting “or, in the case of support referred to in the second paragraph of section 1, at the office of the court of the domicile of the debtor of support” after “at the office of the court having awarded the support” in the first paragraph.

148. Section 25 of the said Act is amended by inserting “or subsequent to the notification of documents referred to in the second paragraph of section 1” after “subsequent to the original judgment awarding support”.

149. Section 76 of the said Act is amended by replacing “spouses” in the English text of the second paragraph by “married spouses or partners”.

150. Section 8 of the Public Protector Act (R.S.Q., chapter P-32) is amended

(1) by replacing “to the surviving spouse” in the second last paragraph by “to the surviving married spouse or partner”;

(2) by replacing “his” and “he” wherever they appear in the English text by “his or her” and “he or she”, respectively.

151. Section 10.1 of the said Act is amended

(1) by replacing “spouses” in the English text of the first paragraph by “married spouses or partners”;

(2) by replacing “spouse” in the English text of the second paragraph by “married spouse or partner”.

152. Section 2 of the Public Health Protection Act (R.S.Q., chapter P-35) is amended

(1) by replacing “, annulments of marriage” in subparagraph *d* of the first paragraph by “or marriage annulments, the dissolution or annulment of civil unions”;

(2) by replacing the English text of subparagraph *i* of the second paragraph by the following subparagraph:

“(i) determine the documents and information to be produced, the reports to be made, the records to be kept and the fees to be paid by a holder of an ambulance service permit, as well as the conditions and procedure for renewal of permits;”;

(3) by replacing “His”, “his” and “he” wherever they appear in the English text by “His or her”, “his or her” and “he or she”, respectively.

153. The heading of Division VIII of the said Act is amended

(1) by inserting “CIVIL UNION,” after “MARRIAGE,”;

(2) by replacing “AND NOTICES OF DIVORCE AND ANNULMENT OF MARRIAGE” by “, NOTICES OF DIVORCE AND ANNULMENT OF MARRIAGE AND DISSOLUTION AND ANNULMENT OF A CIVIL UNION”.

154. Section 46 of the said Act is amended

(1) by replacing “marriage” by “marriage or civil union”;

(2) by inserting “or civil union” after “certificate of marriage”.

155. Section 2 of the Act respecting the protection of persons whose mental state presents a danger to themselves or to others (R.S.Q., chapter P-38.001) is amended

(1) by striking out “or *de facto* spouse” in the second paragraph;

(2) by inserting “or a civil union” after “by marriage” in the English text of the second paragraph.

156. Section 3 of the Act respecting the collection of certain debts (R.S.Q., chapter R-2.2) is amended

(1) by replacing “him” in the English text of subparagraph 2 of the first paragraph by “him or her”;

(2) by replacing “his” in the English text of subparagraphs 2 and 4 of the first paragraph by “his or her”;

(3) by replacing “spouses” in subparagraph 4 of the first paragraph by “married spouses or partners”.

157. Section 34 of the said Act is amended

(1) by replacing “who has notified him in writing to communicate with him in writing only” in the English text of subparagraph 2 of the first paragraph by “having sent a written notice requesting written communication only”;

(2) by replacing “the spouse” in subparagraph 3 of the first paragraph by “the married spouse or partner”;

(3) by replacing “he must then identify himself” in the English text of subparagraph 3 of the first paragraph by “the debtor must then identify himself or herself”;

(4) by replacing “their spouses” in subparagraph 4 of the first paragraph by “their married spouses or partners”;

(5) by replacing “his” in the English text of subparagraphs 3, 4, 5 and 9 of the first paragraph by “his or her”.

158. Section 37.1 of the Act respecting the Régie de l’assurance maladie du Québec (R.S.Q., chapter R-5) is amended by replacing “the individual’s spouse” in the definition of “eligible spouse” by “the individual’s married spouse or partner”.

159. Section 37.2.1 of the said Act is amended by inserting “or civil union” after “their marriage”.

160. Section 64 of the Act respecting the Régie du logement (R.S.Q., chapter R-8.1) is amended

(1) by replacing paragraph 1 by the following paragraph:

“(1) if the commissioner is the spouse of or related or allied within the degree of cousin-german inclusively to one of the parties;”;

(2) by replacing “he”, “himself”, “him” and “his” wherever they appear in the English text by “the commissioner”, “himself or herself”, “him or her” and “his or her”, respectively;

(3) by inserting “is the spouse of or” before “is related” in paragraph 11;

(4) by replacing “to the partner of” in the English text of paragraph 11 by “a partner in the same partnership as”.

161. Section 72 of the said Act is amended

(1) by replacing “his consort” in the first paragraph by “his or her married spouse or partner”;

(2) by replacing “himself” in the English text of the second paragraph by “personally”;

(3) by replacing “he” in the English text of the second paragraph by “he or she”;

(4) by replacing “him” in the English text of the second paragraph by “him or her”;

(5) by inserting “or a civil union” after “by marriage” in the English text of the second paragraph.

162. Section 74 of the said Act is amended

(1) by replacing “his spouse” by “his or her married spouse or partner”;

(2) by replacing “he” in the English text by “he or she”;

(3) by replacing “himself” in the English text by “personally”.

163. Section 91 of the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9) is amended

(1) by striking out “or”, in the English text, at the end of subparagraph *a* of the first paragraph and by inserting the following subparagraph after subparagraph *a* of the first paragraph:

“(a.1) is in a civil union with the contributor; or”;

(2) by replacing “unmarried” in subparagraph *b* of the first paragraph by “neither married nor in a civil union”;

(3) by inserting “, a civil union” after “marriage” in the second paragraph.

164. The heading of subdivision 1 of Division I.1 of Title IV of the said Act is amended by adding “*or a civil union*” at the end.

165. Section 102.1 of the said Act is amended by inserting “or in the case of the dissolution or annulment of a civil union,” after “nullity of marriage,” in the first paragraph.

166. Section 102.2 of the said Act is amended by adding the following paragraph at the end:

“(c) two persons whose civil union has been declared null by a judgment or has been dissolved by a judgment or a notarized joint declaration.”

167. Section 102.3 of the said Act is amended

(1) by inserting “or civil union” after “of their marriage” in the first paragraph;

(2) by inserting “or the dissolution or annulment of their civil union” after

“bed and board” at the end of the first paragraph;

(3) by replacing “les époux” wherever they appear in the French text of the second paragraph by “les conjoints”.

168. Section 102.3.1 of the said Act is amended

(1) by inserting “, the dissolution or annulment of a civil union” after “annulment of marriage”;

(2) by adding “or civil union” at the end.

169. Section 102.5 of the said Act is amended

(1) by inserting “or the judgment of dissolution or annulment of the civil union or notarized joint declaration dissolving the civil union” after “bed and board” in the first paragraph;

(2) by replacing “, or separation from bed and board” in the second paragraph by “or separation from bed and board or the dissolution or annulment of a civil union”;

(3) by adding “or declaration” at the end of the third paragraph.

170. Section 102.10.1 of the said Act is amended by adding “or from the dissolution or annulment of a civil union” at the end.

171. Section 102.10.3 of the said Act is amended

(1) by inserting “or in a civil union with” after “married to” in paragraph *a*;

(2) by replacing “or spouses legally separated from bed and board who lived in a *de facto* union before their marriage” in paragraph *b* by “, spouses legally separated from bed and board or former partners who lived in a *de facto* union before their marriage or civil union”;

(3) by replacing “or separation from bed and board” at the end of paragraph *b* by “, separation from bed and board or dissolution or annulment of the civil union”.

172. Section 102.10.4 of the said Act is amended by replacing “or separation from bed and board” in the first paragraph by “, separation from bed and board or dissolution or annulment of the civil union”.

173. Section 102.10.5 of the said Act is amended

(1) by adding “or civil union” at the end of the first paragraph;

(2) by inserting “or in a civil union with” after “married to” in subparagraph *b* of the second paragraph.

174. Section 114 of the said Act is amended

(1) by replacing “after his marriage” by “after his or her marriage or civil union”;

(2) by replacing “his spouse” wherever it appears in the English text by “his or her spouse”;

(3) by replacing “at the time of his marriage” wherever it appears by “at the time of his or her marriage or civil union”;

(4) by striking out “his having” in the English text;

(5) by replacing “he had been living” in the English text by “he or she had been living”;

(6) by inserting “or civil union” after “their marriage”.

175. Section 158.3 of the said Act is amended

(1) by inserting “or in a civil union” after “bed and board” in subparagraph 1 of the first paragraph;

(2) by inserting “or in a civil union with” after “married to” in subparagraph 2 of the first paragraph.

176. Section 158.6 of the said Act is amended

(1) by inserting “or partners in a civil union” after “married spouses” in subparagraph *a* of paragraph 2;

(2) by replacing “du mariage” in the French text of subparagraph *a* of paragraph 2 by “de l’union”;

(3) by inserting “or civil union” after “their marriage” in subparagraph *a* of paragraph 2;

(4) by inserting “or civil union” after “the marriage” in subparagraph *a* of paragraph 2.

177. Section 158.8 of the said Act is amended

(1) by inserting the following after the third line in paragraph *c*:

“— a judgment of dissolution or annulment of a civil union or a notarized joint declaration dissolving a civil union, or”;

(2) by inserting “or partners in a civil union” after “married spouses” in paragraph *c*.

178. Section 219 of the said Act is amended by replacing “married spouses who lived in a *de facto* union before their marriage” in paragraph g.2 by “married spouses or partners in a civil union who lived in a *de facto* union before their marriage or civil union”.

179. Section 33 of the Act respecting the Pension Plan of Certain Teachers (R.S.Q., chapter R-9.1), amended by section 2 of chapter 32 of the statutes of 2000, is again amended by replacing the introductory paragraph by the following paragraph:

“**33.** For the purposes of the plan, the spouse is the person who is married to or in a civil union with the employee or pensioner, as the case may be, or, provided neither is married or in a civil union at the time of the death of the employee or pensioner, the person of the opposite or the same sex who has been living in a conjugal relationship with the employee or pensioner for a period of not less than three years immediately prior to the employee’s or pensioner’s death, and had been publicly represented as the employee’s or pensioner’s spouse by the employee or pensioner or who, during the year preceding the employee’s or pensioner’s death, was living in a conjugal relationship with the employee or pensioner while one of the following situations occurred:”.

180. Section 41.1 of the said Act is amended

(1) by replacing “, annulment of marriage” in the first paragraph by “or marriage annulment, for the dissolution or annulment of a civil union”;

(2) by replacing “his spouse” wherever it appears in the English text by “his or her spouse”;

(3) by inserting “or civil union” after “the marriage” in the first paragraph;

(4) by adding “or of a joint procedure before a notary for the dissolution of their civil union” at the end of the second paragraph.

181. Section 41.2 of the said Act is amended by replacing “or the date on which the spouses ceased to live together” in the second paragraph by “, the date on which the spouses cease living together or the date on which the joint declaration dissolving the civil union is executed before a notary”.

182. Section 58 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2), amended by section 5 of chapter 32 of the statutes of 2000, is again amended by replacing the introductory paragraph by the following paragraph:

“**58.** For the purposes of the plan, the spouse is the person who is married to or in a civil union with the employee or pensioner, as the case may be, or, provided neither is married or in a civil union at the time of death of the employee or pensioner, the person of the opposite or the same sex who had been living in a conjugal relationship with the employee or pensioner for a period of not less than three years immediately prior to the death of the employee or

pensioner and had been publicly represented as the employee's or pensioner's spouse by the employee or pensioner or who, during the year preceding the employee's or pensioner's death, was living in a conjugal relationship with the employee or pensioner while one of the following situations occurred:".

183. Section 125.1 of the said Act is amended

(1) by replacing “, annulment of marriage” in the first paragraph by “or marriage annulment, for the dissolution or annulment of a civil union”;

(2) by replacing “his spouse” wherever it appears in the English text by “his or her spouse”;

(3) by inserting “or civil union” after “the marriage” in the first paragraph;

(4) by adding “or of a joint procedure before a notary for the dissolution of their civil union” at the end of the second paragraph.

184. Section 125.2 of the said Act is amended by replacing “or the date on which the spouses ceased to live together” in the second paragraph by “, the date on which the spouses cease living together or the date on which the joint declaration dissolving the civil union is executed before a notary”.

185. Section 44 of the Act respecting the Pension Plan of Elected Municipal Officers (R.S.Q., chapter R-9.3) is replaced by the following section:

“**44.** For the purposes of this Act, the spouse is the person who is married to or in a civil union with a participant or pensioner or, provided neither is married or in a civil union, at the time of the death of the participant or pensioner, the person of the opposite or the same sex who had been living in a conjugal relationship with the participant or pensioner and had been publicly represented as the participant's or pensioner's spouse for one year if a child is born or to be born of their union or, otherwise, for not less than three years.”

186. Section 63.1 of the said Act is amended

(1) by replacing “, annulment of marriage” in the first paragraph by “or marriage annulment, for the dissolution or annulment of a civil union”;

(2) by replacing “his spouse” wherever it appears in the English text by “his or her spouse”;

(3) by replacing “the marriage” in the first paragraph by “the marriage or civil union”;

(4) by adding “or of a joint procedure before a notary for the dissolution of their civil union” at the end of the second paragraph.

187. Section 63.2 of the said Act is amended by replacing “or the date on which the spouses ceased to live together” in the second paragraph by “, the

date on which the spouses cease living together or the date on which the joint declaration dissolving the civil union is executed before a notary”.

188. Section 44 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10), amended by section 13 of chapter 32 of the statutes of 2000, is again amended by replacing the introductory paragraph by the following paragraph:

“**44.** For the purposes of the plan, the spouse is the person who is married to or in a civil union with the employee or pensioner, as the case may be, or, provided neither is married or in a civil union at the time of the death of the employee or pensioner, the person of the opposite or the same sex who had been living in a conjugal relationship with the pensioner or employee for a period of not less than three years immediately prior to the employee’s or pensioner’s death, and had been publicly represented as the employee’s or pensioner’s spouse by the employee or pensioner or who, during the year preceding the employee’s or pensioner’s death, was living in a conjugal relationship with the employee or pensioner while one of the following situations occurred:”.

189. Section 122.1 of the said Act is amended

(1) by replacing “, annulment of marriage” in the first paragraph by “or marriage annulment, for the dissolution or annulment of a civil union”;

(2) by replacing “his spouse” wherever it appears in the English text by “his or her spouse”;

(3) by replacing “the marriage” in the first paragraph by “the marriage or civil union”;

(4) by adding “or of a joint procedure before a notary for the dissolution of their civil union” at the end of the second paragraph.

190. Section 122.2 of the said Act is amended by replacing “or the date on which the spouses ceased to live together” in the second paragraph by “, the date on which the spouses cease living together or the date on which the joint declaration dissolving the civil union is executed before a notary”.

191. Section 46 of the Act respecting the Teachers Pension Plan (R.S.Q., chapter R-11), amended by section 58 of chapter 32 of the statutes of 2000, is again amended by replacing the introductory paragraph by the following paragraph:

“**46.** For the purposes of the plan, the spouse is the person who is married to or in a civil union with the teacher or pensioner, as the case may be, or, provided neither is married or in a civil union at the time of the death of the teacher or pensioner, the person of the opposite or the same sex who had been living in a conjugal relationship with the teacher or pensioner for a period of not less than three years immediately prior to the teacher’s or pensioner’s death,

and had been publicly represented as the teacher's or pensioner's spouse by the teacher or pensioner or who, during the year prior to the teacher's or pensioner's death, was living in a conjugal relationship with the teacher or pensioner while one of the following situations occurred:".

192. Section 72.1 of the said Act is amended

(1) by replacing “, annulment of marriage” in the first paragraph by “or marriage annulment, for the dissolution or annulment of a civil union”;

(2) by replacing “his spouse” wherever it appears in the English text by “his or her spouse”;

(3) by replacing “the marriage” in the first paragraph by “the marriage or civil union”;

(4) by adding “or of a joint procedure before a notary for the dissolution of their civil union” at the end of the second paragraph.

193. Section 72.2 of the said Act is amended by replacing “or the date on which the spouses ceased to live together” in the second paragraph by “, the date on which the spouses cease living together or the date on which the joint declaration dissolving the civil union is executed before a notary”.

194. Section 75.1 of the said Act, enacted by section 64 of chapter 32 of the statutes of 2000, is amended

(1) by inserting “or civil union” after “marriage” in the second paragraph;

(2) by replacing “between spouses” in the third paragraph by “between married spouses or partners”.

195. Section 77 of the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12), amended by section 75 of chapter 32 of the statutes of 2000, is again amended by replacing the introductory paragraph by the following paragraph:

“77. For the purposes of this Act, the spouse is the person who is married to or in a civil union with the officer or pensioner or, provided neither is married or in a civil union at the time of the death of the officer or pensioner, the person of the opposite or the same sex who had been living in a conjugal relationship with the officer or pensioner for a period of not less than three years immediately prior to the officer's or pensioner's death, and had been publicly represented as the officer's or pensioner's spouse by the officer or pensioner or who, during the year prior to the officer's or pensioner's death, was living in a conjugal relationship with the officer or pensioner while one of the following situations occurred:”.

196. Section 108.1 of the said Act is amended

(1) by replacing “, annulment of marriage” in the first paragraph by “or marriage annulment, for the dissolution or annulment of a civil union”;

(2) by replacing “his spouse” wherever it appears in the English text by “his or her spouse”;

(3) by replacing “the marriage” in the first paragraph by “the marriage or civil union”;

(4) by adding “or of a joint procedure before a notary for the dissolution of their civil union” at the end of the second paragraph.

197. Section 108.2 of the said Act is amended by replacing “or the date on which the spouses ceased to live together” in the second paragraph by “, the date on which the spouses cease living together or the date on which the joint declaration dissolving the civil union is executed before a notary”.

198. Section 111.2 of the said Act, enacted by section 79 of chapter 32 of the statutes of 2000, is amended

(1) by inserting “or civil union” after “marriage” in the second paragraph;

(2) by replacing “between spouses” in the third paragraph by “between married spouses or partners”.

199. Section 85 of the Supplemental Pension Plans Act (R.S.Q., chapter R-15.1), amended by section 48 of chapter 41 of the statutes of 2000, is again amended

(1) by inserting “or in a civil union with” after “married to” in subparagraph 1 of the first paragraph;

(2) by replacing “an unmarried member” in subparagraph 2 of the first paragraph by “a member who is neither married nor in a civil union”;

(3) by inserting “or civil union” after “a marriage” in the third paragraph.

200. Section 89 of the said Act, replaced by section 52 of chapter 41 of the statutes of 2000, is amended

(1) by replacing “annulment of marriage or” by “marriage annulment, by the dissolution or annulment of their civil union or by the”;

(2) by inserting “, dissolution or annulment of the civil union” before “or cessation of conjugal relationship” at the end.

201. Section 89.1 of the said Act, enacted by section 52 of chapter 41 of the statutes of 2000, is amended by replacing “or the annulment of marriage” in the first paragraph by “, the annulment of marriage or the dissolution or

annulment of a civil union”.

202. Section 90 of the said Act is amended by inserting “, has contracted a civil union” after “remarried”.

203. Section 107 of the said Act is amended

(1) by replacing “annulment of marriage” in the first paragraph by “marriage annulment or the dissolution or annulment of a civil union”;

(2) by inserting “or a notarized joint declaration dissolving a civil union” after “the court” in the second paragraph;

(3) by adding “or by the declaration” at the end of the second paragraph.

204. Section 108 of the said Act, amended by section 68 of chapter 41 of the statutes of 2000, is again amended

(1) by replacing “, annulment of marriage or” in the first paragraph by “or marriage annulment, for the dissolution or annulment of a civil union or for the”;

(2) by replacing “his spouse” in the English text of the first paragraph by “his or her spouse”;

(3) by inserting “or of a joint procedure before a notary for the dissolution of their civil union” after “family matter” in the third paragraph.

205. Section 178 of the said Act is amended by inserting “or in a civil union,” after “married to each other” in the first paragraph.

206. Section 300.4 of the said Act, enacted by section 186 of chapter 41 of the statutes of 2000, is amended by replacing “only applies to divorces” by “only applies to dissolutions or annulments of a civil union or divorces”.

207. Sections 27, 28, 30 and 30.1 of the Act respecting retirement plans for the mayors and councillors of municipalities (R.S.Q., chapter R-16) are amended

(1) by inserting “or partner” after “married spouse” wherever it appears;

(2) by replacing “he”, “him” and “his” wherever they appear in the English text by “he or she”, “him or her” and “his or her”, respectively.

208. Section 41.4 of the said Act is amended

(1) by replacing “, annulment of marriage” by “or marriage annulment, for the dissolution or annulment of a civil union”;

(2) by replacing “his spouse” in the English text by “his or her spouse”;

(3) by replacing “the marriage” by “the marriage or civil union”.

209. Section 41.5 of the said Act is amended by replacing “or the date on which the spouses ceased to live together” in the second paragraph by “, the date on which the spouses cease living together or the date on which the joint declaration dissolving the civil union is executed before a notary”.

210. Section 1.1 of the Act respecting property tax refund (R.S.Q., chapter R-20.1) is amended by inserting “or civil union” after “their marriage”.

211. Section 513 of the Act respecting health services and social services (R.S.Q., chapter S-4.2) is amended

(1) by replacing “married user” in the second paragraph by “user who is married or in a civil union”;

(2) by replacing “his father” in the English text of the second paragraph by “the user’s father”;

(3) by replacing “spouse” in the English text of the second paragraph by “married spouse or partner”.

212. Section 6 of the Act respecting trust companies and savings companies (R.S.Q., chapter S-29.01) is amended

(1) by inserting “, or in a civil union with,” after “married to” in paragraph 1 of the definition of “spouse” in the first paragraph;

(2) by inserting “without being married or in a civil union” after “same sex” in paragraph 2 of the definition of “spouse” in the first paragraph.

213. Section 19 of the Act respecting income support, employment assistance and social solidarity (R.S.Q., chapter S-32.001) is amended

(1) by replacing subparagraph 1 of the first paragraph by the following subparagraph:

“(1) persons who are married to each other, or in a civil union, and who cohabit;”;

(2) by inserting “of opposite sex or the same sex” after “persons” in subparagraph 2 of the first paragraph.

214. Section 20 of the said Act is amended by inserting “nor in a civil union” after “nor married” in subparagraph 2 of the first paragraph and in the second paragraph.

215. Section 28 of the said Act, amended by section 143 of chapter 9 of the statutes of 2001, is again amended by adding “or in a civil union” at the end

of subparagraph 3 of the first paragraph.

216. Section 72 of the said Act is amended by inserting “nor in a civil union” after “nor married” in subparagraph 2 of the first paragraph.

217. Section 79.1 of the Act respecting the Québec sales tax (R.S.Q., chapter T-0.1) is amended by adding “or civil union” at the end.

218. Section 80.1 of the said Act is amended by adding “or civil union” at the end of the second paragraph.

219. Section 91 of the Act respecting transportation by taxi (R.S.Q., chapter T-11.1) is amended by inserting “, civil unions” after “weddings” in the first paragraph.

220. Section 122.1 of the Courts of Justice Act (R.S.Q., chapter T-16) is amended by inserting “or civil union” after “marriage”.

221. Section 224.14 of the said Act, enacted by section 9 of chapter 8 of the statutes of 2001, is amended

(1) by replacing “married to the judge” in paragraph 1 by “married to or in a civil union with the judge”;

(2) by replacing “who was unmarried” in paragraph 2 by “the latter being neither married nor in a civil union”.

222. Section 224.28 of the said Act, enacted by section 9 of chapter 8 of the statutes of 2001, is amended by replacing “between spouses” in the second paragraph by “between married spouses or partners”.

223. Section 236 of the said Act is amended

(1) by inserting “or in a civil union with” after “married to” in paragraph 1;

(2) by replacing “who was unmarried” in paragraph 2 by “the latter being neither married nor in a civil union”.

224. Section 244.13 of the said Act is amended by replacing “between spouses” in the second paragraph by “between married spouses or partners”.

225. Section 246.10 of the said Act is amended

(1) by replacing “the surviving spouse” by “the surviving married spouse or partner”;

(2) by replacing “the spouse” by “the married spouse or partner”.

226. Section 246.12 of the said Act is amended

(1) by replacing “spouse” wherever it appears in the second paragraph by “married spouse or partner”;

(2) by replacing “paid to his”, “he” and “his heirs” in the English text of the second paragraph by “paid to the judge’s”, “he or she” and “his or her heirs”, respectively.

227. Section 246.14 of the said Act is amended by replacing “his surviving spouse” by “his or her surviving married spouse or partner”.

228. Section 246.14.1 of the said Act is amended by replacing “his surviving spouse” in the second paragraph by “his or her surviving married spouse or partner”.

229. Section 246.14.2 of the said Act is amended

(1) by replacing “spouse” wherever it appears by “married spouse or partner”;

(2) by replacing “de conjoint” in the French text of the second paragraph by “d’époux ou de partenaire”;

(3) by replacing “he” and “his” wherever they appear in the English text by “he or she” and “his or her”, respectively.

230. Section 246.14.5 of the said Act is amended by replacing “between spouses” in the second paragraph by “between married spouses or partners”.

231. Section 246.16 of the said Act, amended by section 16 of chapter 8 of the statutes of 2001, is again amended

(1) by replacing “, annulment of marriage” in the first paragraph by “or marriage annulment, for the dissolution or annulment of a civil union”;

(2) by replacing “his spouse” wherever it appears in the English text by “his or her spouse”;

(3) by replacing “the marriage” in the first paragraph by “the marriage or civil union”;

(4) by adding “or of a joint procedure before a notary for the dissolution of their civil union” at the end of the second paragraph.

232. Section 246.17 of the said Act, amended by section 16 of chapter 8 of the statutes of 2001, is again amended by replacing “or the date on which the spouses ceased to live together” in the second paragraph by “, the date on which the spouses cease living together or the date on which the joint declaration dissolving the civil union is executed before a notary”.

233. Section 116 of the Act respecting financial services cooperatives (2000, chapter 29) is amended by replacing paragraphs 1 and 2 by the following paragraphs:

“(1) is married to or in a civil union with and cohabits with another person;

“(2) has been living in a conjugal relationship with another person, of the opposite or same sex, for at least one year.”

234. Section 65 of the Act respecting the Pension Plan of Management Personnel (2001, chapter 31) is amended by replacing the introductory paragraph by the following paragraph:

“**65.** For the purposes of the plan, the spouse is the person who is married to or in a civil union with the employee or pensioner or, provided neither is married or in a civil union at the time of the death of the employee or pensioner, the person of the opposite or the same sex who had been living in a conjugal relationship with the employee or pensioner for a period of not less than three years immediately prior to the employee’s or pensioner’s death, and had been publicly represented as the employee’s or pensioner’s spouse by the employee or pensioner or who, during the year prior to the employee’s or pensioner’s death, was living in a conjugal relationship with the employee or pensioner while one of the following situations occurred:”.

235. Section 163 of the said Act is amended

(1) by inserting “, dissolution or annulment of a civil union” after “annulment of marriage” in the first paragraph;

(2) by inserting “or civil union” after “the marriage” in the first paragraph;

(3) by adding “or of a joint procedure before a notary for the dissolution of their civil union” at the end of the second paragraph.

236. Section 164 of the said Act is amended by replacing “or the date on which the spouses ceased to live together” in the second paragraph by “, the date on which the spouses cease living together or the date on which the joint declaration dissolving the civil union is executed before a notary”.

237. Section 208 of the said Act is amended

(1) by inserting “or a civil union” after “during marriage” in the second paragraph;

(2) by replacing “between spouses” in the third paragraph by “between married spouses or partners”.

238. Section 210 of the said Act is amended by inserting “or civil union” after “marriage” wherever it appears in subparagraph 1 of the second paragraph.

239. The words “by marriage” in the English text of articles 125, 206, 229, 269, 723 and 3095 of the Civil Code of Québec (1991, chapter 64) and in section 52 of Public Curator Act (R.S.Q., chapter C-81) are replaced by the words “by marriage or a civil union”.

The words “relatives, persons connected by marriage or friends”, “relatives, persons connected by marriage and friends” and “relatives, relatives by marriage or friends” in the English text of articles 222, 224, 225, 226, 231, 266 and 267 of the Civil Code of Québec and in sections 14 and 15 of the Public Curator Act are replaced by the words “relatives, persons connected by marriage or a civil union and friends”.

240. The words “consort” and “consorts” wherever they appear in the English text of article 235 of the Code of Civil Procedure (R.S.Q., chapter C-25), section 6 of the Jurors Act (R.S.Q., chapter J-2), sections 39.1, 54, 80, 80.1, 81.1 and 81.10 of the Act respecting labour standards (R.S.Q., chapter N-1.1), sections 77 and 77.0.1 of the Act respecting liquor permits (R.S.Q., chapter P-9.1), section 65 of the Act respecting the Régie du logement (R.S.Q., chapter R-8.1) and section 9 of the Professional Syndicates Act (R.S.Q., chapter S-40) are replaced by “spouse” and “spouses”, respectively.

241. In all regulations to which the Regulations Act (R.S.Q., chapter R-18.1) applies, unless the context indicates otherwise, the concepts of married spouse and married person shall be read as inclusive of partners and the concepts of marriage and annulment or dissolution of marriage, as inclusive of a civil union and annulment or dissolution of a civil union.

242. The new concepts apply to the Taxation Act (R.S.Q., chapter I-3) and its statutory instruments only in respect of taxation years subsequent to their coming into force.

For the purposes of the Act respecting property tax refund (R.S.Q., chapter R-20.1), the new concepts apply only in respect of fiscal periods subsequent to their coming into force.

For the purposes of the Act respecting family benefits (R.S.Q., chapter P-19.1), the new concepts apply only in respect of reference periods subsequent to their coming into force.

For the purposes of the Act respecting income support, employment assistance and social solidarity (R.S.Q., chapter S-32.001), the new concepts apply with regard to the Parental Wage Assistance Program only in respect of years subsequent to their coming into force.

243. Every person who, by the effect of this Act, is subject to new obligations or restrictions is required to conform therewith before (*insert here the date that occurs 90 days after the date of coming into force of this Act*).

244. This Act comes into force on the date to be fixed by the

Government.