

Bill 2

**An Act respecting family law reform
with regard to filiation and amending
the Civil Code in relation to personality
rights and civil status**

Section 61

AMENDMENT:

Replace paragraph 1 by:

(1) by inserting “or the parents or one of them” after the first occurrence of “mother”;



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Section 73

AMENDMENT:

Replace “or to his parents or to one of them” in paragraph 2 by “or to his parents”.

Adopté

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Section 20

AMENDMENT:

Replace by:

20. Article 66.1 of the Code is amended by replacing “by the father and mother” by “by the father or the mother or by one of the parents or both of them”.

Adopted

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Section 296

AMENDMENT:

Withdraw.

Adopte au

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Section 305

AMENDMENT:

Replace paragraph 1 by:

(1) by replacing “employés” in the first paragraph in the French text by
“personnes employées”;

Adopté

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Section 325

AMENDMENT:

Replace all occurrences of “du personnel agent” in the proposed fourth paragraph in paragraph 4 in the French text by “des agents”.

Adopté - au

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Section 333

AMENDMENT:

Strike out subparagraph *c* of paragraph 3.



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Section 339

AMENDMENT:

Replace by:

339. Unless already or otherwise provided for by this Act, all occurrences of the expression “régime de retraite des employés du gouvernement et des organismes publics” in the French text are replaced by “régime de retraite du personnel employé du gouvernement et des organismes publics”, with the necessary modifications, in the following Acts:

(1) the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2);

(2) the Act respecting the Government and Public Employees Retirement Plan (chapter R-10);

(3) the Act respecting the Pension Plan of Management Personnel (chapter R-12.1).

Adopté

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Section 340

AMENDMENT:

Strike out paragraph 1.

Adopted

AM 10
s. 341

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Section 341

AMENDMENT:

Strike out paragraph 1.

Adopted

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Section 201

AMENDMENT:

Replace subparagraph *b* of paragraph 1 by:

(*b*) by replacing “the employee is entitled to a special maternity leave”
by “the employee is entitled to a special leave”;

Adopté

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Section 202

AMENDMENT:

Replace paragraph 1 by:

(1) by replacing “the employee is entitled to a special maternity leave”
in the first paragraph by “the employee is entitled to a special leave”;

Adopte avec

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Section 277

AMENDMENT:

Replace by:

277. Section 17 of the Act respecting prescription drug insurance (chapter A-29.01) is amended

(1) by replacing “a parent or tutor” in paragraph 1 of the definition of “child” by “the father, mother or parent or a tutor”;

(2) by replacing “the parent or tutor” in paragraph 2 of the definition of “child” by “the father, mother or parent or a tutor”;

(3) by replacing “the parent or tutor” in the definition of “person suffering from a functional impairment” by “the father, mother or parent or a tutor”.



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Section 61

AMENDMENT:

Replace by:

61. Article 199.3 of the Code is amended

(1) by inserting “or of the parents or one of them” after the first occurrence of “mother”;

(2) by replacing “either the father or the mother” by “one of them”.

Adopted

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Section 23

AMENDMENT:

Replace by:

23. Article 71 of the Code is amended by striking out “and is a Canadian citizen” in the third paragraph.

Adopté

AM 16
s. 17 (63)

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Section 17

AMENDMENT:

Withdraw.

Adopte avec

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Section 21

AMENDMENT:

Withdraw.

Adopted

AM 18
s. 247 (23.0.1)

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Section 247

AMENDMENT:

Withdraw.

Adopte avec

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Section 41

AMENDMENT:

Withdraw.

Adopte aller

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Section 22

AMENDMENT:

Replace by:

22. Division IV of Chapter I of Title Three of Book One of the Code becomes subdivision 2 of Division II of Chapter I of Title Three of Book One.



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Section 25

AMENDMENT:

Withdraw.

Adopted

AM 22
s. 26 (73)

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Section 26

AMENDMENT:

Withdraw.

Adopté-also

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Section 27

AMENDMENT:

Withdraw.

Adopte avec

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Section 37

AMENDMENT:

Replace paragraph 1 by:

(1) by replacing “and sex,” by “, designation of sex appearing in the act of birth, and”;



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Section 40

AMENDMENT:

Withdraw.

Adopted

AM 26
s. 45 (148)

Bill 2

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Section 45

AMENDMENT:

Strike out paragraph 1.

Adopted

AM 27
s. 137 (3084.1)

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Section 137

AMENDMENT:

Strike out paragraph 1.

Adopted

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Section 241

AMENDMENT:

Replace paragraph 1 by:

- (1) by replacing paragraph 2 by the following paragraph:
- “(2) the designation of sex appearing in the person’s act of birth;”;

Adopte aller

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Section 245

AMENDMENT:

Withdraw.

Adopted

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Section 246

AMENDMENT:

Strike out paragraph 2.

Adopte all

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Section 248

AMENDMENT:

Withdraw.

Adopté - Allée

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Section 249

AMENDMENT:

Withdraw.

Adopte - see

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Section 250

AMENDMENT:

Withdraw.

Adopté

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Section 252

AMENDMENT:

Withdraw.

Adopted

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Section 257

AMENDMENT:

Withdraw.

Adopté

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Section 259

AMENDMENT:

Withdraw.

Adopté

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Section 21.1

AMENDMENT:

Insert after section 21:

21.1. The Code is amended by inserting the following after article 70:

**“DIVISION II
“DESIGNATION OF SEX**

“§ 1. — *General provision*

“70.1. The designation of sex appearing in a person’s act of birth or death designates the person’s sex attested at birth or the person’s gender identity if the gender identity does not correspond to the sex attested at birth.

The designation of sex is represented by letter symbols that refer to the identifiers “male”, “female” and “non-binary”. A government regulation determines the letter symbols to be used.”

Adopte - M

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Section 3.1

AMENDMENT:

Insert after section 3:

3.1. Chapter I of Title Three of Book One of the Code is amended by replacing the portion before article 50 by the following:

“CHAPTER I

“NAME AND DESIGNATION OF SEX

“DIVISION I

“NAME

“§ 1. — *Assignment of name*”.



s. 8.1 (Book One, Title Three, Chap. I, Div. II)

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Section 8.1

AMENDMENT:

Insert after section 8:

8.1. Division II of Chapter I of Title Three of Book One of the Code becomes subdivision 2 of Division I of Chapter I of Title Three of Book One.

Adopté-alle

s. 11.1 (Book One, Title Three, Chap. I, Div. III)

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Section 11.1

AMENDMENT:

Insert after section 11:

11.1. Division III and subdivision 1 of Division III of Chapter I of Title Three of Book One of the Code become subdivision 4 and subdivision I of subdivision 4 of Division I of Chapter I of Title Three of Book One, respectively.

Adopté

s. 11.2 (Book One, Title Three, Chap. I, subdiv. III, subdiv. 2)

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Section 11.2

AMENDMENT:

Insert after section 11.1, introduced by amendment:

11.2. Subdivision 2 of Division III of Chapter I of Title Three of Book One of the Code becomes subdivision II of subdivision 4 of Division I of Chapter I of Title Three of Book One.

Adopted

s. 18.1 (Book One, Title Three, Chap. I, Div. III, subdiv. 3)

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Section 18.1

AMENDMENT:

Insert after section 18:

18.1. Subdivision 3 of Division III of Chapter I of Title Three of Book One of the Code becomes subdivision III of subdivision 4 of Division I of Chapter I of Title Three of Book One.

Adopte all

s. 20.1 (Book One, Title Three, Chap. I, Div. III, subdiv. 4)

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Section 20.1

AMENDMENT:

Insert after section 20:

20.1. Subdivision 4 of Division III of Chapter I of Title Three of Book One of the Code becomes subdivision IV of subdivision 4 of Division I of Chapter I of Title Three of Book One.

Adopte-elle

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Section 27.2

AMENDMENT:

Insert after section 27.1, introduced by amendment:

27.2. Division V of Chapter I of Title Three of Book One of the Code becomes Division III of Chapter I of Title Three of Book One.

Adopted

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Section 24

AMENDMENT:

Withdraw.

Adopte-les

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Section 30

AMENDMENT:

Strike out paragraph 2.

Adopte-les

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Section 33

AMENDMENT:

In proposed article 115:

1. In the first paragraph,

(a) strike out “, which must correspond to the sex indicated in the attestation of birth”;

(b) replace “or mother according to the designation of sex appearing in the declarant’s act of birth or, if a designation of gender identity appears in that act, as being the child’s father, mother or parent, according to that designation” by “, mother or parent according to the designation of sex appearing in the declarant’s act of birth or, at the declarant’s choice, as being the child’s parent”.

2. Strike out the second paragraph.

Adopté

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Section 34.1

AMENDMENT:

Insert after section 34:

34.1. The Code is amended by inserting the following article after article 116:

“116.1. The obligation, for those who must draw up an attestation of birth or declare the birth of a child, to indicate the child’s sex in the attestation or declaration may not be made dependent on the requirement for the child to have undergone any medical treatment or surgical operation whatsoever.”

Adopté

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Section 251

AMENDMENT:

Withdraw.

Adopté - accord

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Section 37.1

AMENDMENT:

Insert after section 37:

37.1. The Code is amended by inserting the following subdivision after article 129:

“§ 1.1. — *Change of parental designation*

“**129.1.** Any person may apply to have the designation “father”, “mother” or “parent” appearing in their child’s act of birth correspond to the designation of sex appearing in their act of birth or, at their choice, to have the designation “parent” appear in their child’s act of birth.

A child 14 years of age or over shall be notified of such an application and may object to the change of the designation “father” or “mother”, as the case may be. If an objection is made, the designation “parent” is assigned. A minor under 14 years of age shall be informed of the change made to his act by the person having parental authority.

The rules of procedure for such an application and the duties payable by the person making the application are determined by government regulation.”



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Section 253

AMENDMENT:

Insert after proposed section 24.7:

“DIVISION VII.2

“CHANGE OF PARENTAL DESIGNATION

“24.8. An application for a change of the designation “father”, “mother” or “parent” appearing in a child’s act of birth must include the information required under section 2, with the necessary modifications.

The applicant shall notify the application, in the manner prescribed in Division IV, to the child, if 14 years of age or over. The applicant shall provide the registrar of civil status with proof that the notification has been made; otherwise, the applicant must prove that he was unable to make the required notification.

“24.9. A child 14 years of age or over who wishes to object to an application for a change of the designation of one of his parents as “father”, “mother” or “parent”, in his act of birth, shall, in accordance with Division VI, notify the registrar of civil status and the applicant of his objection, not later than the twentieth day following the date of notification of the application.”

Adopted

AM 52
s. 42 (145)

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Section 42

AMENDMENT:

Withdraw.

Adopté

Bill 2

**An Act respecting family law reform
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Section 43

AMENDMENT:

In proposed article 146:

1. Replace “sex, or gender identity, if the person has had it added to the act of birth” in the first paragraph by “designation of sex”.
2. Strike out the last paragraph.



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Section 261

AMENDMENT:

Replace proposed section 10.4 by:

“10.4. A person who is the subject of a first application for a change of designation of sex is exempt from paying the duties for such an application and the duties for the issuing of a copy of the certificate of change of designation of sex.”

Adopte-elle

Bill 2

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Section 261

AMENDMENT:

Replace “*five*” in the first paragraph of proposed section 10.3 by “*10*”.

Adopté

Bill 2

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Section 11

AMENDMENT:

Strike out “or the person’s apparent sexual characteristics” in subparagraph 2 of the second paragraph of proposed article 56.3.

Adopté

Bill 2

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Section 11

AMENDMENT:

Replace the portion before proposed article 56.1 by:

“§ 3. — *Substitution of the usual given name*”.

Adopte Aller

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Section 253

AMENDMENT:

Replace proposed section 24.1 by:

“24.1. For the purposes of the designation of sex appearing in a person’s act of birth and act of death, the letter symbols “M”, “F” or “X” are used to refer to the identifiers “male”, “female” or “non-binary”, as the case may be.

Adopte

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Section 253

AMENDMENT:

Replace subparagraph 2 of the first paragraph of proposed section 24.3 by:

- (2) the designation of sex appearing in the person's act of birth;

Adopted

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Section 240

AMENDMENT:

Replace by:

240. The title of the Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4) is replaced by “Regulation respecting change of name and of other particulars of civil status and substitution of the usual given name”.

Adopté

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Section 254

AMENDMENT:

Replace by:

254. The title of the Tariff of duties respecting the acts of civil status and change of name or of designation of sex (chapter CCQ, r. 10) is amended by replacing “the acts of civil status and change of name or of designation of sex” by “acts of civil status, change of name or of designation of sex and substitution of the usual given name”.

Adopté

AM 62
s. 258 (9)

Bill 2

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Section 258

AMENDMENT:

Withdraw.

Adopte-alle

Bill 2

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Section 8

AMENDMENT:

Replace “communs” in subparagraph *b* of paragraph 2 in the French text by “courants”.

A handwritten signature in blue ink, appearing to read "Adopté" followed by a flourish.

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Section 178

AMENDMENT:

Replace “application for an order of placement” in proposed article 436.1 by
“application for an order of transfer”.

Adopted

Bill 2

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Section 118

AMENDMENT:

Replace “Unless disclosure of the information would reveal the identity of the parent of origin although the latter has registered an identity disclosure veto” in the first paragraph of proposed article 583.10 by “Unless the parent of origin has registered an identity disclosure veto”.

Adopté

Bill 2

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Section 2

AMENDMENT:

Replace “including, if applicable, the presence of family violence,” by “including the presence of family violence, which includes spousal violence,”.

Adopté

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Section 126

AMENDMENT:

In proposed article 603.1:

1. Replace “due to a situation involving family or sexual violence committed by the latter” in the first paragraph by “due to a situation of family violence, which includes spousal violence, or of sexual violence, caused by that other parent”.

2. In the second paragraph:

(a) Replace “such a situation involving family or sexual violence” by “such a situation of violence”.

(b) Replace “that is such as to ensure” by “beneficial to”.

Adopte Alex

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Section 128

AMENDMENT:

Insert "which includes spousal violence" after "family violence," in paragraph 2.

Adopte-Aller

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Section 171

AMENDMENT:

Replace “family or sexual violence” in the proposed second paragraph of article 278 by “family violence, which includes spousal violence, or to sexual violence,”.

Adopté

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Section 136.1

AMENDMENT:

Insert after section 136:

136.1. Article 1974.1 of the Code is amended

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

“A lessee may resiliate the current lease if, because of sexual violence, spousal violence or violence towards a child living in the dwelling covered by the lease, the safety of the lessee or of the child is threatened.”;

(2) by striking out “or sexual aggression,” in the third paragraph.

Adopté-alle

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Section 136.2

AMENDMENT:

Insert after section 136.1, introduced by amendment:

136.2. Article 2926.1 of the Code is amended by replacing “from a sexual aggression, violent behaviour suffered during childhood, or the violent behaviour of a spouse or former spouse” in the first paragraph by “from violent behaviour suffered during childhood, sexual violence or spousal violence”.

Adopté

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Section 131

AMENDMENT:

Replace "4" in proposed article 643.1 by "3".

A handwritten signature in blue ink, appearing to read "C. Desjardins", is written across the page.

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Section 130

AMENDMENT:

In proposed article 611:

1. Replace the first paragraph by:

Personal relations between the child and his grandparents may be maintained or developed to the extent that it is in the child's interest and that, if the child is 10 years of age or over, he consents to it, unless he is unable to express his will. Such relations may, on the same conditions, be maintained with the former spouse of the child's father, mother or parent, provided that person is important to the child. Those relations may be maintained or developed by any means appropriate to the situation and the persons are not required to be in the physical presence of each other. The terms governing such relations may be agreed on in writing between the child's father, mother or parent as tutor, the child's tutor, if applicable, or the child 14 years of age or over, and the child's grandparents or the former spouse of his father, mother or parent, as the case may be.

2. Insert "or development" after "maintenance" in the second paragraph.
3. Insert "or developed" after "maintained" in the third paragraph.

Adopté

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Section 359.1

AMENDMENT:

Insert after section 359:

359.1. Any person who, on *(insert the date of assent to this Act)*, having already obtained a change of the designation of sex appearing in their act of birth and who, before *(insert the date that is two years after the date of assent to this Act)*, makes a new application for a change of that designation to have it refer to the identifier “non-binary” is exempt from the requirement that the application be accompanied by the letter referred to in section 23.3 of the Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4), and from paying the duties payable for such an application and for the issuing of a copy of the certificate of change of designation of sex.

Adopté

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Section 32

AMENDMENT:

Replace the proposed first and second paragraphs by:

“Only the father, mother or parent may declare the filiation of a child with regard to themselves. However, where the child is conceived or born during the marriage, civil union or *de facto* union, one of the spouses may declare the filiation of the child with regard to the other spouse.”

Adopté-avec

Bill 2

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Section 88.1

AMENDMENT:

Insert after section 88:

88.1. Article 535 of the Code is amended, in the second paragraph,

- (1) by striking out “husband or civil union”;
- (2) by inserting “or parent” after “father”.

Adopté

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Section 88.2

AMENDMENT:

Insert after section 88.1, introduced by amendment:

88.2. The Code is amended by inserting the following article after article 535.1:

“535.2. The court may establish the filiation of a child born of an assisted procreation activity with a person who was deceased at the time the activity was carried out, if it is shown to the court that

(1) the person was a party to the parental project at the time of the death;
and

(2) the child was conceived using that person’s reproductive material or, as applicable, the reproductive material that the person had decided to use to have a child.

Participation of that person in the parental project is presumed if that person and the parent with regard to whom filiation with the child is established were spouses at the time of the death and if the child is born of a transfer of an embryo created before the death.”

Adopté

Bill 2

**An Act respecting family law reform
with regard to filiation and amending
the Civil Code in relation to personality
rights and civil status**

Section 94.1

AMENDMENT:

Insert after section 94:

94.1. Article 539 of the Code is amended by replacing “or civil union spouse” in the first paragraph by “, civil union or *de facto* spouse”.

Adopté-acc

Bill 2

**An Act respecting family law reform
with regard to filiation and amending
the Civil Code in relation to personality
rights and civil status**

Section 94.2

AMENDMENT:

Insert after section 94.1, introduced by amendment:

94.2. Article 540 of the Code is repealed.

Adopté

Bill 2

**An Act respecting family law reform
with regard to filiation and amending
the Civil Code in relation to personality
rights and civil status**

Section 350

AMENDMENT:

Replace "1 January 2022" by "17 June 2022".

Adopté

Bill 2

**An Act respecting family law reform
with regard to filiation and amending
the Civil Code in relation to personality
rights and civil status**

Sections 31 and others

AMENDMENT:

Withdraw sections 31, 34, 39, 82, 83, 84, 85, 86, 87, 89, 90, 91, 92, 93, 95, 96, 97, 98, 99, 100, 107, 108, 132, 138, 139, 143, 145, 146, 152, 153, 160 to 167, 174, 181, 182, 195, 196, 197, 206, 207, 208, 214, 220, 221, 232, 235, 351, 352, 353, 354, 357, 358 and 359.

Adopté

Bill 2

**An Act respecting family law reform
with regard to filiation and amending
the Civil Code in relation to personality
rights and civil status**

Section 360

AMENDMENT:

Replace paragraphs 1 to 3 by:

(1) sections 3.1, 8.1, 11.1, 11.2, 18.1, 20.1, 21.1, 22, 23 and 27.2, section 33 except as regards the usual given name, section 34.1, paragraph 1 of section 37, section 37.1, section 43 insofar as it enacts the first paragraph of article 146 of the Civil Code, sections 44, 45 and 137, paragraph 2 of section 241, sections 243 and 246, section 253 insofar as it enacts section 24.1 and sections 24.8 and 24.9 of Division VII.2 of the Regulation respecting change of name and of other particulars of civil status (chapter CCQ, r. 4), section 255, paragraph 1 of section 260, and section 261 insofar as it enacts section 10.4 of Division III.2 of the Tariff of duties respecting the acts of civil status and change of name or of designation of sex (chapter CCQ, r. 10), which come into force on 17 June 2022;

(2) sections 1, 4 and 5, paragraph 2 of section 6, section 7, paragraph 2 of section 8, sections 9 and 11, section 33 as regards the usual given name, section 43 insofar as it enacts the second paragraph of article 146 of the Civil Code, sections 126, 154 to 159, 178, 184, 185 to 194, 198 to 205, 209 to 213, 215 to 219 and 240, section 253 insofar as it enacts Division VII.1 of the Regulation respecting change of name and of other particulars of civil status, sections 254 and 256, paragraph 2 of section 260 and sections 284 to 286, which come into force on (*insert the date that is one year after the date of assent to this Act*) or an earlier date to be set by the Government; and

(3) sections 46, 110 to 119, 168, 169, 178 and 226 to 230, which come into force on (*insert the date that is two years after the date of assent to this Act*) or an earlier date to be set by the Government.

