



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-THIRD LEGISLATURE

Bill 24

**An Act to protect consumers against
the misleading or fraudulent use of a
person's identity or image**

Introduction

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

**Québec Official Publisher
2026**

EXPLANATORY NOTES

The main purpose of this bill is to protect consumers against representations involving the use of a person's identity or image without the person's consent.

To that end, the bill prohibits the use of a person's identity or image, without the person's consent, for the purpose of making representations to a consumer and prohibits allowing a person's identity or image to be used in such a context.

In addition, the president of the Office de la protection du consommateur is entrusted with powers to make orders. Those powers allow the president to order any person to cease engaging in, or to cease allowing anyone to engage in, any business practice prohibited under Title II of the Consumer Protection Act, including any practice involving the use of another person's identity or image without that person's consent. The president of the Office is also granted the power to order any person who is or could be the subject of an inspection or investigation not to dispose of any evidence concerning a failure to comply with a provision of Title II of that Act and the power to make such an order with regard to any person who may have evidence of such a failure to comply by the person who is or could be the subject of an inspection or investigation.

Under the bill, where a representation concerns an activity governed by an Act respecting the financial sector, the President and Chief Executive Officer of the Autorité des marchés financiers exercises the powers of the president of the Office to issue orders with regard to anyone who uses a person's identity or image, or allows such an identity or image to be used, in contravention of the Consumer Protection Act.

Lastly, the bill provides that contraventions of the new obligations it introduces may lead to the application of penal sanctions or monetary administrative penalties.

LEGISLATION AMENDED BY THIS BILL:

– Consumer Protection Act (chapter P-40.1).

REGULATION AMENDED BY THIS BILL:

- Regulation respecting monetary administrative penalties with respect to the Consumer Protection Act (chapter P-40.1, r. 5).

Bill 24

AN ACT TO PROTECT CONSUMERS AGAINST THE MISLEADING OR FRAUDULENT USE OF A PERSON'S IDENTITY OR IMAGE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 6 of the Consumer Protection Act (chapter P-40.1) is amended by adding the following paragraph at the end:

“Despite the first paragraph, section 238.1 applies to such business practices and contracts.”

2. The Act is amended by inserting the following section after section 238:

“238.1. No person may, for the purpose of making representations to a consumer, use another person’s identity or image, or allow such identity or image to be used, without that person’s consent.

For the purposes of the first paragraph, any image, altered or not, that represents or appears to represent a person is considered an image of that person. Any visual or sound recording of a person is also considered such an image.”

3. Section 253 of the Act is amended by inserting “, 238.1” after “229, 237”.

4. Section 278 of the Act is amended by inserting “and anyone who does not comply with an order issued under section 318.1” after “260.29.1” in the introductory clause.

5. The Act is amended by inserting the following sections after section 318:

“318.1. The president may

(1) order any person to cease engaging in a practice prohibited under Title II;

(2) order any person to cease allowing the engaging in a practice prohibited under Title II, in particular through the use of the services offered by the person that consist of the storage of technology-based documents on a communication network;

(3) order any person who is or could be the subject of an inspection or investigation not to dispose of any evidence of a failure to comply with or of an offence under Title II; and

(4) order any person not to dispose of any evidence of a failure to comply with or of an offence under Title II by the person who is or could be the subject of an inspection or investigation.

The president may also amend or revoke an order issued under the first paragraph.

“318.2. The president must, before issuing or amending an order under section 318.1, notify the person concerned as prescribed by section 5 of the Act respecting administrative justice (chapter J-3) and allow the person at least 10 days to present observations.

However, in an urgent situation or to prevent irreparable prejudice to the consumer, the president may first issue the order, then give the person concerned at least 10 days to present observations.

“318.3. The order or amended order must give the reasons therefor and be notified to the person concerned.

“318.4. The filing by the president of a copy of an enforceable order with the office of the Superior Court confers on the order the force and effect of a judgment of that Court.

“318.5. The President and Chief Executive Officer of the Autorité des marchés financiers shall exercise the powers entrusted to the president by sections 318.1, 318.2 and 318.4 in respect of anyone who uses a person’s identity or image, or allows such identity or image to be used, in contravention of section 238.1 for the purpose of making representations concerning an activity governed by the Act respecting the regulation of the financial sector (chapter E-6.1) or an Act referred to in section 7 of that Act.”

6. Section 339 of the Act is amended by adding the following subparagraph at the end of the first paragraph:

“(d) any person on whom an order has been imposed by the president.”

7. Section 31 of the Regulation respecting monetary administrative penalties with respect to the Consumer Protection Act (chapter P-40.1, r. 5) is amended by inserting “238.1,” after “237.1,” in subparagraph *b* of paragraph 5.

8. The provisions of this Act come into force on (*insert the date of assent to this Act*).

