

NATIONAL ASSEMBLY
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AN ACT RESPECTING ADOPTIONS OF CHILDREN DOMICILED IN THE PEOPLE'S REPUBLIC OF CHINA

Bill 41

Introduced by Mr Gil Rémillard, Minister of Justice

Introduced 18 June 1992

Passage in principle 18 June 1992

Passage 18 June 1992

Assented to 23 June 1992

Coming into force: on the date fixed by the Government

— 7 December 1992: ss. 1 to 7
G.O., 1992, Part 2, p. 5079

Act amended: None



CHAPTER 41

An Act respecting adoptions of children domiciled in the People's Republic of China

[Assented to 23 June 1992]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

Steps
prior to
adoption

1. Every person domiciled in Québec who wishes to adopt a child domiciled in the People's Republic of China shall, before travelling to that State, undergo a psychosocial assessment made in accordance with the conditions prescribed by the Youth Protection Act (R.S.Q., chapter P-34.1). He shall also, by motion, obtain the approval of the Court of Québec for the proposed adoption.

Approval
by Court

The Court shall approve the proposed adoption if the psychosocial assessment enables it to consider the adopter apt to meet the physical, psychological and social needs of a child. The judgment of the Court is equivalent to an adoption judgment rendered in Québec, provided the clerk issues a certificate of the registration of the adoption pursuant to section 3.

Registra-
tion

2. The adoption of a child effected in the People's Republic of China must be registered with the Court of Québec.

Application

The adopter requesting the registration of the adoption must, in his application, refer to the judgment by which approval for the proposed adoption was granted.

Documents
required

He must also include the following documents with his application:

- (1) the notarized certificate evidencing the adoption, established in accordance with the law of the People's Republic of China;
- (2) the child's birth certificate;

(3) the child's bill of health.

Certificate
of regis-
tration

3. The clerk of the Court of Québec shall give the adopter a certificate of the registration he has made in the record of the Court.

Attestation

The certificate attests that the conditions of the adoption have been satisfied and indicates the name and surname chosen for the adopted child by the adopter.

Effect

4. The adoption has effect in Québec from the time adoptive filiation was established in the People's Republic of China.

Prior
adoptions

5. Adoptions already effected in the People's Republic of China on the day on which this Act comes into force may be registered with the Court by the clerk, upon application by the adopter, who shall include with his application the notarized certificate evidencing the adoption, established in accordance with the law of the People's Republic of China and, if they are in his possession, the child's birth certificate and bill of health.

Effect

6. This Act shall cease to have effect on the day of the coming into force, in the People's Republic of China and in Québec, of an agreement respecting the international adoption of children which is binding on that State and on Québec.

Coming into
force

7. This Act comes into force on the date fixed by the Government.