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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FOURTH LEGISLATURE

Bill 41

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

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**Introduction**

**Introduced by  
Mr Gil Rémillard  
Minister of Justice**

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#### EXPLANATORY NOTE

*The object of this bill is to facilitate the adoption by adopters in Québec of children domiciled in the People's Republic of China.*

## Bill 41

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

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**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 then, by motion, obtain the approval of the Court of Québec for the proposed adoption.

The Court shall approve the proposed adoption if the psychosocial assessment of the adopter and the inquiry supporting it enable it to consider him 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.

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

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.

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, notarized;

(3) the child's bill of health.

**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.

The certificate attests that the conditions of the adoption have been satisfied.

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

**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 without other formality than those required by the third paragraph of section 2.

**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.

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