

IMPORTANT DATES IN THE HISTORY OF THE CIVIL LAW OF QUEBEC

- 1534 France takes possession of what is now the territory of the Province of Quebec.
- 1664 King Louis XIV decrees that the colony will be subject to the "Paris Custom" (Coutume de Paris), which ends a system under which customs from several different regions of France applied in New France (as Quebec was then called). By the end of the sixteenth century, the Paris Custom had become the prevailing one in France.
- 1759–1760 England conquers New France.
- 1763–1764 The authorities decide that British law will henceforth apply in criminal as well as in civil matters. This measure is not well received by the populace, which does not hesitate to voice its discontent.
- 1774 A law of the British Parliament – *The Quebec Act, 1774* – reinstates French law regarding civil matters.
14 George III, chapter 83 (U. K.)
- 1782 The province's Legislative Council lowers the age of majority from 25 to 21.
An Ordinance, For altering, fixing and establishing the Age of Majority
Ordinances made and passed by the Governor and Council of the province of Quebec, 1763–1791, chapter V.
- 1801 The parliament of the province of Lower Canada (the name of Quebec during that period) enacts a law to clarify the right to freely dispose of one's property by a will.
An Act to explain and amend the Law respecting Last Wills and Testaments
The Provincial Statutes of Lower Canada, 1801, chapter 4.

- 1857 A law entitled *An Act to provide for the Codification of the Laws of Lower Canada relative to Civil matters and Procedure* is adopted. This Act provides for the appointment of three commissioners responsible for unifying the existing law and for drafting a Civil Code and a Code of Civil Procedure modelled on the French codes.
Statutes of the Province of Canada, 1857, chapter 43.
- 1865 On 31 January 1865, the draft Civil Code of Lower Canada and the report of the commissioners are submitted to the Legislative Assembly. A committee of jurists is appointed to review the two texts.
- 1866 The proposed Code is adopted by the two chambers of the province's parliament. The Civil Code of Lower Canada comes into force on 1 August 1866.
- 1888 Adoption of a new chapter on "trust by gratuitous title".
Amendments to the Civil Code
The Revised Statutes of the Province of Quebec, 1888, volume II, title XII, second part.
- 1890 Adoption by the Parliament of Canada of *An Act relating to Bills of Exchange, Cheques, and Promissory Notes*, which repeals sections 2279 to 2354 of the Civil Code.
Statutes of Canada, 1890, volume I, chapter 33.
- 1904 *An act to amend article 1301 of the Civil Code respecting the capacity of married women to make certain contracts*
Statutes of the Province of Quebec, 1904, chapter 42.
- 1906 *An Act to abolish civil death*
Statutes of the Province of Quebec, 1906, chapter 38.
- Enactment of provisions requiring that the register of births be kept in two copies.
An Act to amend article 53a of the Civil Code and article 1313 of the Code of Civil Procedure, respecting registers of birth
Statutes of the Province of Quebec, 1906, chapter 39.

- 1915 The surviving spouse, who could only inherit from his or her spouse if there was no relative up to the twelfth degree able to inherit, becomes a normal heir entitled to share the estate with the close relatives of the deceased.
An Act to amend the Civil Code respecting successions
Statutes of the Province of Quebec, 1915, chapter 74.
- 1931 Amendments to the Code to establish the concept of reserved property. The wife thus becomes entitled, no matter what her matrimonial regime is, to freely manage her salary and the property acquired with the latter.
An Act to amend the Civil Code and the Code of Civil Procedure respecting the civil rights of women
Statutes of the Province of Quebec, 1930–1931, chapter 101.
- 1940 A new chapter introduces in the Civil Code the concept of pledging agricultural and forest property.
An Act respecting the pledge of agricultural property
Statutes of the Province of Quebec, 1940, chapter 69.
- 1947 Adoption of measures providing that the registration of deeds by transcription shall be replaced in part by their registration by deposit.
An Act respecting the registration by deposit with respect to certain rights
Statutes of the Province of Quebec, 1947, chapter 72.
- A new chapter on sale by instalment is added to the Code at sections 1561a) and following.
An Act respecting instalment sales
Statutes of the Province of Quebec, 1947, chapter 73.
- 1954 The wife seeking a separation of board because of her husband's adultery is no longer required to prove that the husband's mistress lives in the family's home. Henceforth, the husband and the wife have access to separation of board under the same conditions. The category of married woman is removed from the list of incapable persons.
An Act to amend the Civil Code
Statutes of the Province of Quebec, 1954–1955, chapter 48.

- 1955 At the initiative of Prime Minister Maurice Duplessis, the Legislative Assembly of Quebec adopts *An Act respecting the revision of the Civil Code*. This Act provides that a jurist will be appointed to prepare a proposal to amend the Code. The jurist selected is Thibaudeau Rinfret, a former Chief Justice of the Supreme Court of Canada.
An Act respecting the revision of the Civil Code
Statutes of the Province of Quebec, 1954–1955, chapter 47.
- 1960 *An Act to amend the Act respecting the revision of the Civil Code* is adopted. It provides for the appointment of four codifiers who will examine the reports, opinions, proposed amendments and recommendations of the jurist appointed in 1955, and develop a definitive draft of a new Civil Code.
An Act to amend the Act respecting the revision of the Civil Code
Statutes of the Province of Quebec, 1959–1960, chapter 97.
- 1961 Thibaudeau Rinfret ceases his functions and is replaced by André Nadeau, who gives a new impetus to the revision of the Civil Code. The group now headed by André Nadeau is known as the "Civil Code Revision Bureau" (Bureau de révision du Code civil).
- 1962 Establishment of the concept of commercial pledge without loss of possession regarding moveable property by adding a new chapter to the Civil Code at sections 1079 and following.
An Act respecting pledge
Statutes of the Province of Quebec, 1962, chapter 57.
- 1964 Major changes to the legal capacity of married women. New provisions are introduced that, among other things, give equal rights to both spouses regarding direction of the family, require the husband to provide his wife with the necessities of life, allow one spouse to give power of attorney to the other, give to the married woman full legal capacity subject to restrictions that may result from the matrimonial regime, and remove the obligation for the wife to obey her husband.
An Act respecting the legal capacity of married women
Statutes of the Province of Quebec, 1964, chapter 66.
- A new part called "Of equity in certain contracts" is added to the general provisions of the Code related to obligations. Its purpose is to temper the effects of contractual freedom.
An Act to protect borrowers against certain abuses and lenders against certain privileges
Statutes of the Province of Quebec, 1964, chapter 67.

- 1965 Professor Paul-André Crépeau, previously the Secretary of the Civil Code Revision Bureau, replaces André Nadeau, who is appointed to the judiciary.
- The Civil Code Revision Office (Office de révision du Code civil) is established. The Office creates a number of committees responsible for examining the various parts of the Code. Many reports are published by the Office for consultation purposes.
- 1966 A colloquium is organised to mark the centennial of the *Civil Code of Lower Canada*. Its proceedings are subsequently published in two volumes.
- 1968 The Code recognises the validity of civil marriages performed by a lay officer.
An Act respecting civil marriage
Statutes of the Province of Québec, 1968, chapter 82.
- 1969 Adoption of a new chapter establishing co-ownership by declaration (divided co-ownership).
An Act respecting the co-ownership of immoveables
Statutes of the Province of Québec, 1969, chapter 76.
- The community of assets is replaced by the partnership of acquests as the legal regime that applies in the absence of other provision by the spouses. The spouses can now modify their matrimonial regime or their marriage contract during the marriage. Inequalities between spouses are removed (the need to obtain authorisation to accept a succession, a gift or the function of the testamentary executor is eliminated).
An Act respecting matrimonial regimes
Statutes of the Province of Québec, 1969, chapter 77.
- Introduction of the declaratory judgment of death.
An Act respecting declaratory judgments of death
Statutes of the Province of Québec, 1969, chapter 79.
- 1970 The code is amended to grant certain rights to natural children. This is a first step towards the recognition of the equality of children, irrespective of the circumstances of their birth.
An Act to amend the Civil Code respecting natural children
Statutes of the Province of Québec, 1970, chapter 62.
- 1971 The consumer contract is placed outside the realm of normal rules and becomes governed by a specific legal regime provided for in a distinct Act.
Consumer Protection Act
Statutes of the Province of Québec, 1971, chapter 74.

Comprehensive revision of Title 1 of Chapter 1 of the Code, which pertains to the enjoyment of civil rights. Establishment of the notion of legal entity giving right to the exercise of civil rights. Statement of the principle of the inviolability of the person. Determination of the criteria for benefiting from civil rights (consent to medical care, disposal of the body and funerals), elimination of the deprivation of civil rights, and removal of the concept of civil degradation, which precluded the person considered as civilly dead from entering into a contract or being a witness to a will and deprived his or her own will of any effect.

An Act to again amend the Civil Code and to amend the Act to abolish civil death
Statutes of the Province of Québec, 1971, chapter 84.

The age of majority is lowered from 21 to 18.

An Act to again amend the Civil Code
Statutes of the Province of Québec, 1971, chapter 85.

- 1973 Comprehensive revision of the provisions on the lease of things.
An Act respecting the lease of things
Statutes of Québec, 1973, chapter 74.
- 1974 Modernisation and reorganisation of the provisions on insurance contracts.
An Act respecting insurance
Statutes of Québec, 1974, chapter 70.
- 1975 Adoption of the *Charter of human rights and freedoms*.
The Quebec Charter will have a major impact on all legislation adopted after its enactment, including the Civil Code.
- 1977 Elimination of the right of suing for damages regarding accidents covered by the new *Automobile Insurance Act*.
Statutes of Québec, 1977, chapter 68.
- The notion of paternal authority is replaced by that of parental authority.
An Act to amend the Civil Code
Statutes of Québec, 1977, chapter 72.
- 1977–1978 The Civil Code Revision Office submits its report to the government, which tables it in the National Assembly in the form of a draft Civil Code, accompanied by two volumes of comments. This report will provide the basis for the reform of the Civil Code.

- 1979 Reform of the rules on leases. The new provisions complete those of 1973 and are more specifically aimed at the lease of a dwelling.
An Act to establish the Régie du logement and to amend the Civil Code and other legislation
Statutes of Québec, 1979, chapter 48.
- 1980 The Quebec parliament approves the principle of the creation of a new *Civil Code of Québec* but decides to spread out over a long period the adoption of its various parts. The Act adopted contains the second Book of the Code, which deals with family law.
An Act to establish a new Civil Code and to reform family law
Statutes of Québec, 1980, chapter 39.
- 1980–1989 In the 1980s, the Minister of Justice develops several reform proposals and releases them for public consultation. These proposals deal with the law of persons, the law of successions and property law. They will lead to the adoption of an Act in 1987. Other proposals are related to real property security and the publicity of rights, obligations, evidence, time limitations and private international law.
- During this period, the adoption of specific provisions to deal with pressing matters significantly transforms the Civil Code. Such provisions include the enactment in 1986 of measures on arbitration and, in 1989, the creation of the concept of family patrimony and the reform of the public administrator function and of the rules protecting those of the age of majority.
- 1990 Bill 125, on the *Civil Code of Québec*, is tabled at the National Assembly by the Minister of Justice and Attorney General of Quebec, Gil Rémillard, on 18 December 1990. This Bill integrates the provisions of previous Bills and takes into account the comments and suggestions made during the extensive consultations that had subsequently taken place.
- 1991 Bill 125 is reviewed clause by clause by a parliamentary sub-committee. One thousand amendments are made to the Bill.
- On 18 December 1991, the *Civil Code of Québec* is unanimously adopted by the National Assembly.
Civil Code of Québec
Statutes of Québec, 1991, chapter 64.

- 1992 On 18 December 1992, the National Assembly adopts *An Act respecting the implementation of the reform of the Civil Code*, which organises the transition from the old code to the new one.
Statutes of Québec, 1992, chapter 57.
- 1994 The *Civil Code of Québec* comes into force on 1 January 1994.