



THE COMPLETE GUIDE TO CIVIL MARRIAGE IN QUEBEC

Your civil wedding in Quebec from A to Z

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THE COMPLETE GUIDE TO CIVIL MARRIAGE IN QUEBEC: Your civil marriage in Quebec from A to Z

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WHY A GUIDE TO CIVIL MARRIAGE IN QUEBEC?



The office of Me Lincà, an experienced [Montreal notary](#) specializing in civil marriage in Quebec, presents this collection of practical information and sound advice for your civil union or marriage. For future brides and grooms, it is important to know the legal procedures, the process and the essential conditions for getting married in Quebec. Notaire Lincà has performed hundreds of civil marriages and the editorial team wanted to share its experience and knowledge through this practical and informative guide. From the requirements for a civil marriage in Quebec to the [process of celebrating a marriage](#), this collection of information aims to demystify the steps and process of a civil marriage in Quebec and to answer the questions that future brides and grooms may have. We hope that this book will fulfill this function. We wish you an excellent read and remain available should any points remain unclear.



Me Lincà, Notary

Celebrant - Civil Wedding Specialist

INTRODUCTION

- A little history: Civil marriage in Quebec
- Some statistical data
- Legal age
- Name change ?



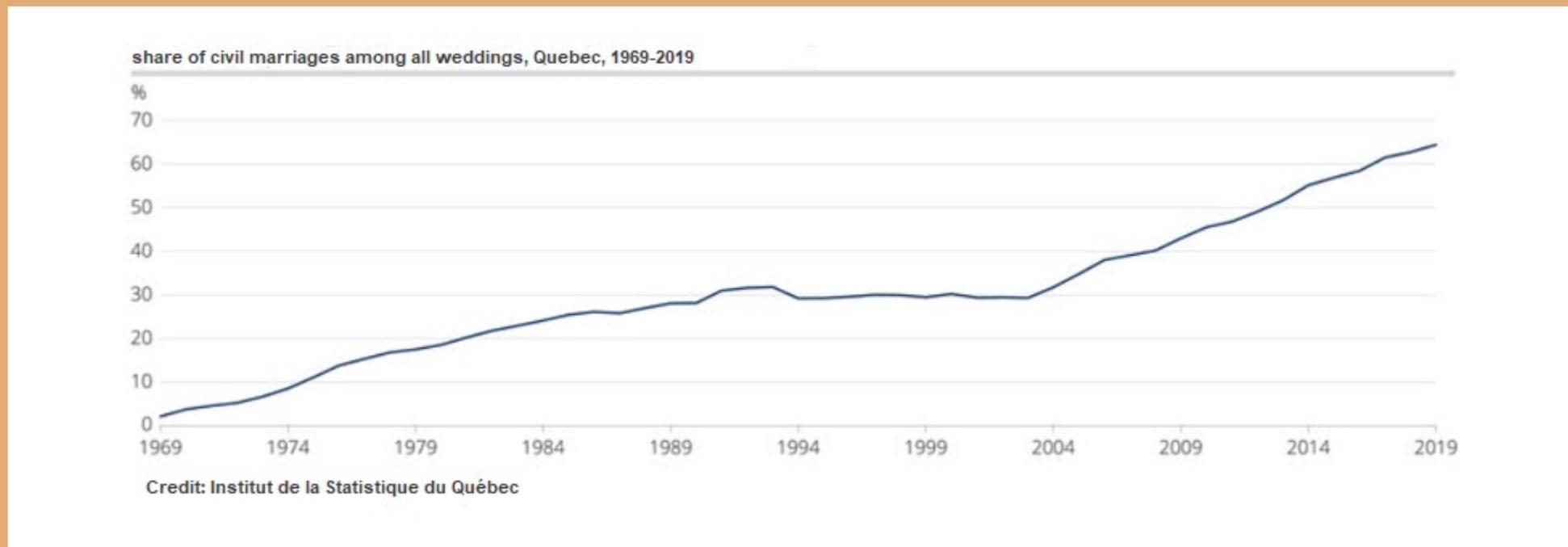


THE INSTITUTION OF CIVIL MARRIAGE IN QUEBEC (1969 TO PRESENT)

On April 1, 1969, [the Civil Marriage Act](#) came into force in Quebec, allowing a lay officiant to officiate at marriages other than in a place of worship. The authorized officiants at the time were prothonotaries and their assistants (called clerks and deputy clerks since 1994). Before the law, in order to marry, non-practitioners had to "adhere at least officially to one of the religious practices recognised by the Civil Code".

Moreover, since remarriage after divorce was not permitted in the Roman Catholic Church, the majority religion in Quebec, divorced people who wanted to remarry had to go to another church. In 1969, 98% of marriages were celebrated by a minister of religion, while 2% of couples were married civilly.

PERCENTAGE OF CIVIL MARRIAGES OUT OF ALL MARRIAGES PERFORMED IN QUEBEC SINCE 1969



The proportion of civil marriages increased over the years and stabilised at around 30% in the 1990s. The empowerment of new civil officiants in 2002 and the possibility for same-sex couples to marry, starting in 2004, led to a second increase in proportions and, in 2013, civil marriages became the majority. In 2019, the share of civil marriages in all marriages performed in Quebec reached 64%.

THE INSTITUTION OF CIVIL MARRIAGE IN QUEBEC: LEGAL AGE

The legal age for wedding in Quebec in 1969 was fourteen for a boy and twelve for a girl, with parental consent. Civil marriage was governed by the Civil Code of Quebec.

Today, the legal age for civil marriage is 16. However, if you are 16 or 17, you can ask the court for permission to marry. The legal age for a civil union is 18 and unlike civil marriage, if you are 16 or 17, you cannot ask the court to authorise your civil union.



IS IT POSSIBLE TO CHANGE MY NAME AFTER MARRIAGE IN QUEBEC?

The spouses retain their names after marriage as defined in article 393 of the Civil Code of Québec.

However, the Directeur d'état civil may, for compelling reasons, accept a request for a change of name.

If you consider that you have compelling reasons to change your name, then you must send in a form that will be used to ask the [Directeur de l'état civil](#) to verify your eligibility to apply for a change of name and to assess whether the process is appropriate for your situation.

Eligibility for a name change application does not, however, mean that the name change will be automatically authorised by the Registrar of Civil Status.

“Each of the spouses retains, in marriage, his or her own name; he or she exercises his or her civil rights under that name.”



The background of the slide features a close-up of white, slightly wrinkled fabric, possibly a wedding veil or dress. In the lower right quadrant, two gold wedding rings are placed together. The overall color palette is warm, with soft whites and light oranges. A central text box is superimposed on the fabric.

CIVIL MARRIAGE IN
QUEBEC AND OTHER
TYPES OF UNIONS

MARRIAGE AND OTHER TYPES OF UNION IN QUEBEC: CHOICES, RULES, IMPLICATIONS AND PROCEDURES

De facto union

- Exists when a couple lives together and starts a family or not. These two people are then de facto spouses which means they are cohabiting but are not married or in a civil union.
- The law does not recognise the same rights and responsibilities for de facto spouses as for married or civil union couples, regardless of how long they have lived together.

Civil Union

- Is a solemn act by which two persons publicly express their free and informed consent to live together and to respect the rights and obligations associated with this civil status.
- Only valid in Quebec. Consequently, if a couple in a civil union wishes to settle outside Quebec, it is preferable to consult a legal advisor in order to prevent unfortunate consequences in the event of death or break-up.
- Civil unions were created in 2002, in particular to allow the union of same-sex couples. It still exists.

Marriage (civil or religious)

- Marriage is a solemn act by which two people publicly express their free and informed consent to live together and to respect the rights and obligations linked to this civil status, which are conferred by law.
- You must make this commitment before your spouse, two witnesses and an authorised officiant.
- Marriage has been possible for same-sex couples since 2005.

CIVIL MARRIAGE AND RELIGIOUS MARRIAGE IN QUEBEC

	Civil Marriage	Religious Marriage
Legal effects	identical	identical
<u>Obligations of the spouses</u>	identical	identical
Conduct of a ceremony	similar	similar
<u>Place of ceremony</u>	A venue that respects the solemnity of the wedding	A place of worship and/or a place that respects the solemnity of the wedding
Acceptance by the officiant	Mandatory if the conditions for marriage are met. A notary cannot refuse to perform your marriage based on his or her own beliefs	The minister may refuse to perform your marriage if it conflicts with the religious or moral precepts of the congregation

CIVIL UNION AND CIVIL MARRIAGE IN QUEBEC



In Quebec, marriage and civil union are similar in form and legal scope. However, there are some differences.

The similarities:

- ✓ Thus, by this union, your couple publicly commits to live together and to respect the rights and obligations of your union. You must make this commitment in front of your spouse, two witnesses and an authorised officiant.
- ✓ **Legal effects of civil marriage or civil union:** the creation of a family patrimony; the choice of a matrimonial or civil union regime; the registration of a declaration of family residence.
- ✓ The conditions : To enter into a civil union with your spouse, both of you must meet the same conditions as for getting married.

The differences:

- ✓ However, civil marriage celebrated in Quebec benefits from international recognition (with very few exceptions, especially concerning certain formalities for registering a marriage celebrated in Quebec in foreign registers/archives), whereas civil union, even when recognised in Quebec, may not benefit from the same international recognition.
- ✓ Age is another factor in the equation; in Quebec, to legally marry, the minimum age required by law is 16; to enter into a civil union the minimum age required is 18.
- ✓ Another notable difference - under certain conditions, the civil union can be dissolved by a "JOINT DECLARATION OF DISSOLUTION OF A CIVIL UNION", a deed signed by both spouses in civil union before a notary (the dissolution of the civil union by notarial declaration).
- ✓ Whether it is for a civil marriage or a civil union, the publication of the notice of marriage or the notice of civil union on the website of the Directeur de l'état civil du Québec must be done for a period of 20 days. However, there is an exception: a couple in a civil union who wish to marry - no publication is required when two people wish to marry and are already in a civil union. Both same-sex and opposite-sex couples can choose between a civil marriage and a civil union, there are no legal restrictions on this.



In many notary's offices, such as that of [Me Linca](#), the LGBTQ2S+ community is welcome to participate in any legal process and/or to celebrate a civil marriage.

SAME-SEX MARRIAGE IN QUEBEC

Quebec is known for being ahead of other Canadian provinces and for its inclusion. For example, before same-sex marriage was legalised in Canada, Quebec had already opened the door in 2002 by creating civil unions.

In Quebec, since 19 March 2004, it has been possible for same-sex couples to marry. They can also choose civil union to unite.

In the event of separation or divorce, married or civil union same-sex couples benefit from the various protections provided by law, including family patrimony, matrimonial regime and the right to support in certain cases. The rules applicable to married or civil union couples are the same for everyone, whether they are a same-sex couple or not.

Since it is possible to get married without residing in Quebec, Quebec has been a preferred marriage destination for same-sex couples from outside Canada.



Me Lincà, Notaire

célébrant - spécialiste en mariage civil
438-383-3116

INTERNATIONAL MARRIAGE

Marriage in Quebec and throughout Canada is governed in terms of its substantive requirements by the federal Civil Marriage Act. The latter does not impose any citizenship or residency requirements for marriage.

It is therefore entirely possible to marry a non-Canadian and/or non-resident person.

The non-Canadian and/or non-resident future spouse must provide the same documents as a Canadian, which are two valid official pieces of identification with a photo, the original of his or her certificate or birth certificate. The document submitted must state the name of the parents and be in English or French. If the birth certificate or birth record is in a language other than French or English, it must be accompanied by an official translation.

Can a civil marriage be celebrated from a distance?

The celebration of a civil marriage and the signing of the civil marriage act by the spouses, the witnesses and the officiating notary cannot be done remotely.

More information: [Civil Marriage of Non-residents Act](#)



CONDITIONS TO
FULFILL FOR A CIVIL
MARRIAGE IN
QUEBEC

Conditions for civil marriage in Quebec

Legal age for marriage

To get married, you must be at least 18 years old.
However, if you are 16 or 17, you must apply to the court for permission to marry.

Family relationships

Marriage is **prohibited between close relatives** for moral and physiological reasons. Therefore, you are not allowed to marry a person with whom you are related as follows

- brother or sister;
- half-brother or half-sister;
- parent or child.

It does not matter whether the relationship is biological or adoptive.

However, you have **the right to marry certain relatives**. You can marry: a cousin; a person who is your relative by marriage, for example, your uncle's or aunt's ex-spouse, your ex-brother-in-law or your ex-mother-in-law.

No marriage or civil union relationship.

*At the interview with the officiant, you and your spouse must provide certain **documents**, including those proving your civil status.*

To marry or enter into a civil union, you must be free of any marriage or civil union ties.

In fact, to ensure the legality of your marriage or civil union, you must be :

either single; or divorced; or widowed.

You are also considered single if you have obtained: the annulment of a previous marriage; the annulment or dissolution of a previous civil union.

Free and enlightened consent

To get married, you must be able to give your free and informed consent. This means that you agree to marry your spouse: without having been coerced or threatened into it; after understanding the effects of your commitment.

If you or your spouse do not meet this condition, anyone can oppose your marriage or ask for it to be annulled.

Your attendance at your wedding

Regardless of your situation, you must attend your own wedding. This is because marriage by proxy or long-distance marriage is prohibited in Quebec. This means that you cannot mandate a relative to act in your place during the ceremony. Therefore, only you can, during the ceremony

- consent to your marriage at the request of the officiant;
- sign the declaration of marriage.

Furthermore, the officiant must verify your identity.



CONDITIONS
RELATED TO THE
CIVIL MARRIAGE
CEREMONY IN
QUEBEC

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To be recognized, your marriage must be solemnized in accordance with the rules, which cover all aspects of the ceremony: the place; the time and language of the marriage ceremony; the procedure.

HOW TO CHOOSE THE LOCATION FOR YOUR CIVIL WEDDING IN QUEBEC?

The steps involved in organizing a civil wedding in Quebec are crucial. The first step is to determine the location of your wedding, which is closely linked to the choice of officiant, since some officiants can only officiate in certain places.

The location chosen by the couple must respect the solemnity and decorum of a wedding ceremony and be appropriately arranged. The officiant must also be qualified and authorised to perform your marriage ceremony there.

The deputy clerk of the court or a court clerk, for example, are persons who are ex officio authorised to perform your marriage in the courthouse, or in another place where they are authorised to do so - detention centre, hospital, penitentiary, etc. A municipal official, councillor, mayor, etc., may only marry you in the town hall of the respective municipality, or in another place where they are authorised to proceed.

However, the notary officiating at the wedding or civil union, or the relative designated as a day celebrant, may marry you in any place that respects the solemn nature of the wedding celebration or in any place where he or she is authorized to proceed. In the case of the notary, it can be anywhere in the province of Quebec, and in the case of the relative, friend or family member designated as a day celebrant, it should be according to the authorization issued by the Directeur de l'état civil du Québec.



CHOICE OF VENUE FOR A CIVIL MARRIAGE CEREMONY

You are free to choose with your spouse where your wedding will take place.

You can marry your spouse, for example

- at the church in the municipality where one of you grew up or at the church whose architecture you like;
- at the courthouse;
- in a hotel reception room;
- in a park, garden or terrace;
- in a notary's office.

You can even have your civil wedding at home, having your wedding ceremony at home. However, you must make sure that the venue :

- respects the solemn nature of the ceremony
- is set up for this purpose;
- corresponds to the place where your officiant is authorised to marry you.



HOW TO CHOOSE THE OFFICIANT FOR YOUR CIVIL MARRIAGE IN QUEBEC?



In Quebec, for your marriage to be valid, it must take place before a legally recognized officiant authorized to perform marriages. This requirement applies to all marriages, whether they are civil or religious. If not, your marriage will not be recognised by law.

To be sure, you can consult the [register of officiants](#) of the Directeur de l'état civil du Québec.

CIVIL MARRIAGE

If you want to get married in a civil ceremony, your officiant can be a clerk or deputy clerk of the Superior Court, a notary, a lawyer, a mayor, a member of the municipal or borough council, or a municipal official.

You can also ask a parent, relative or friend to perform your marriage. However, first make sure that this person meets certain [conditions](#).

RELIGIOUS WEDDING

If you prefer to be married in a religious ceremony, the officiant will be a minister of religion authorised to perform marriages according to your religion.

Important to know: Right of refusal for a religious officiant

A minister of religion has the right to refuse to perform your marriage if the conditions of his or her religion are not met or if there are impediments to your marriage according to his or her religion.



CHOOSING THE TIME OF THE WEDDING CELEBRATION IN QUEBEC

When do you want to get married?

Depending on the location of your civil wedding, there are certain constraints to consider when you choose the [time of the ceremony](#).

CIVIL MARRIAGE AT THE COURTHOUSE

- If you are marrying your spouse at the courthouse, we invite you to contact the courthouse to find out the days and times of celebration, since these may vary according to the judicial district.
- Please note that your marriage celebrated by a clerk or deputy clerk of the Superior Court or in a courthouse cannot be celebrated on the following days
- Sundays; January 1 and 2; Good Friday; Easter Monday; June 24, National Holiday; July 1, Anniversary of Confederation; the first Monday in September, Labour Day; the second Monday in October; December 24, 25, 26 and 31; the day fixed by proclamation of the Governor General to mark the Sovereign's birthday; any other day fixed by order of the government as a public holiday or day of thanksgiving
- At your interview, the officiant will confirm the [time and date of the ceremony](#).

If you are getting married outside the courthouse,

- The ceremony must take place between 9 a.m. and 10 p.m. on the day you choose.
- However, if a clerk or deputy clerk is marrying you, you must keep the [same schedule](#) as if you were marrying your spouse at the courthouse.
- The officiant will agree with you on the date and time of the ceremony.
- A notary like Me Lincà can marry you on Sundays as well as all the holidays of the year and even on Valentine's Day. What could be more romantic!

A bride in a white lace dress is holding a large, round bouquet of white and light pink roses. The bouquet is the central focus of the image. In the background, a person in a grey suit is visible, but they are out of focus. The image has a torn paper effect at the top and bottom edges.

THE COURSE OF A
CIVIL MARRIAGE
CEREMONY IN
QUEBEC

LANGUAGE OF THE WEDDING CEREMONY AND WEDDING WITNESSES IN QUEBEC

LANGUAGE OF THE WEDDING CEREMONY, IN QUEBEC

The officiant must marry you in English or French.

You and your spouse can choose either of these languages. If one of you does not understand them, the officiant will ask you to provide an interpreter.

CHOOSING WITNESSES FOR YOUR CIVIL MARRIAGE IN QUEBEC

You must agree to take your spouse as your husband in front of two witnesses. The role of the witnesses is to :

- 1) to attest to your consent, i.e. to be able to testify to it if necessary
- 2) to sign your declaration of marriage.

ELIGIBILITY REQUIREMENTS FOR WITNESSES

The witness must understand his/her role. Therefore, you can choose whoever you want to be your witness. If your child meets this requirement, you have the right to appoint him or her even if he or she is not 18 years old.

Unlike the witness to the deed of marriage, the witness to your marriage does not have to know both of you very well, and you are not obliged to choose the person who attended the signing of the deed of marriage as your witness.



HOW IS A CIVIL MARRIAGE CEREMONY CONDUCTED IN QUEBEC?

Depending on the wedding officiant chosen (notary, clerk, clergy, designated officiant, etc.) the duration of a wedding ceremony can range from 15 minutes to forty-five minutes and more, or even hours. If you choose Me Leopold Lincà notary as your wedding officiant, you can have a civil marriage or civil union ceremony that is tailored to your values and needs.

The civil marriage ceremony must follow the legal steps. The officiant will welcome you and your guests with a word of welcome. He will then read the relevant articles of the Civil Code of Quebec, namely articles 392 to 396. After the reading of the articles of the Civil Code of Quebec, the future couple or people in the audience may say a few words.

The couple then exchanges their consent to the union, the rings and their vows, and the officiant declares them united by the bonds of civil marriage or the bonds of civil union, as appropriate.

Article 392 of the Civil Code of Quebec

The spouses have the same rights and obligations in marriage.

They owe each other respect, fidelity, help and assistance.

They are bound to live together.

1991, c. 64, a. 392.

An outdoor wedding venue featuring a white tent structure with a white lattice wall. The floor is covered with green artificial grass. Several rows of white folding chairs are arranged on the grass. The walls and ceiling of the tent are decorated with greenery and pink flowers. A large, tall floral arrangement of pink flowers stands on the right side. The sky is blue with some clouds.

ORGANIZE YOUR
CIVIL WEDDING IN
QUEBEC

HOW MUCH DOES A CIVIL MARRIAGE COST IN QUEBEC?

Fees for getting married or civilly united at the courthouse or before a city official

At the courthouse (by the clerk)	\$283 (plus tax)
At the town hall (by the mayor or a representative of the municipality)	\$283 (plus tax)
Outside the Palace (by the clerk)	\$377 (plus tax)
Outside the town hall (by the mayor or a representative of the municipality)	\$377 (plus tax)

The cost of a civil wedding varies greatly. It depends on the type of celebration (intimate or with many guests), the location, the program, etc. The cost can range from a few thousand to tens of thousands of dollars.

The celebrant's fee generally varies from \$300 to \$900 depending on his or her experience and the time of the civil wedding. To this must be added the cost of the marriage contract, which is necessary if you choose a matrimonial regime other than partnership of acquests (the default regime in Quebec since 1970).

To this amount should be added the cost of the wedding rings, the bride and groom's attire, the photographer, the reception hall, if applicable, etc.

These expenses are not mandatory. Also, more and more intimate weddings are being done nowadays. It is therefore quite possible, and increasingly common, to get married for an overall budget of \$1000 or less.

GETTING MARRIED IN SUMMER IN QUEBEC

According to the [Institut de la statistique du Québec](#), in 2019, out of 22841 marriages, 10,096 marriages took place in the months of June, July and August, which represents more than 44% of the year's marriages. It is clear that in la Belle Province, nearly half of all marriages take place in the summer. If we include the month of September, more than one out of every two weddings takes place during the summer season.

Also, more than one in two weddings in Quebec is a civil marriage. What is available to future brides and grooms as a place to celebrate a civil wedding in summer?

The first place that comes to mind is the [Montreal courthouse](#) or any other courthouse in Quebec. Indeed, for a long time, civil ceremonies were naturally held there. Some people choose this option for a very private wedding in a courtroom. It takes about 90 days from the date of application to have a civil marriage celebrated. Also, the hours of celebration are from 9:00 am to 4:30 pm, and are not held on Sundays or holidays.





The notary may perform a civil marriage every day between 9 a.m. and 10 p.m., including Sundays and public holidays. The notary, as officiant, may officiate at any other location agreed upon with the future spouses as long as the location respects the solemn nature of the ceremony and is set up accordingly. Thus, by choosing [a notary as officiant](#), the future spouses benefit from a wider choice as to the place where the ceremony will be held and the date and time of the ceremony.

In addition, waiting times with a notary are greatly reduced. For example, [Me Lincà](#) can perform your civil union in as little as 21 days. Since the summer season is short in Quebec, this is an advantage to consider.



GETTING MARRIED OUTSIDE - IN THE RAIN

Getting married in Montreal or elsewhere in Quebec in the rain: Yes, I do!

As we have said, more civil weddings are held in Quebec in the summer than in all other seasons combined. Summer is the wedding season in Quebec.

This is the perfect opportunity to get married with an outdoor civil wedding officiant, if you wish. Summer means sunshine and good weather... Yes, but not always. If what's holding you back is the uncertainty of the weather on your big day, there are two important things to do.

The first is to plan ahead. If you're getting married on the terrace in a hostel or restaurant, make sure you have an alternative, such as an indoor venue, in case of major bad weather.

Or choose a partially covered location, such as Notaire Lincà's "[Jardins Radieux](#)" space, which allows you to be outside, in a country atmosphere even in Montreal, to be sheltered from a few drops of rain during your civil wedding celebration.



RAIN IS ROMANTIC FOR A CIVIL WEDDING IN MONTREAL

The second thing to do is to let go.

And now the weather forecast says that D-day will be R-day for rain. It's time to make the best of it. A professional photographer will take exceptional photos, even in the rain. In fact, umbrellas are a great accessory to use, and give you an unparalleled touch of originality. If you've planned ahead, you'll be delighted to use them.

There is only one thing left to do and that is to do nothing. As the saying goes, every cloud has a silver lining. Rain has its advantages, one of which is that it creates unique photo memories. But above all, rain is synonymous with romance. When you think of the most romantic films in history, scenes in the rain are a must.

Lincà Notary's office, marriage officiant in Quebec, can testify to this, with beautiful photos taken for civil weddings in the rain and under pretty umbrellas. So much so, that some brides and grooms felt that it couldn't be more perfect or romantic.

There's an old adage: "Rainy wedding, happy wedding". If you want to have your [civil wedding outdoors](#), in communion with nature, don't let the vagaries of the weather hold you back.



GETTING MARRIED IN WINTER UNDER THE SNOW

A civil marriage in Montreal or elsewhere in Quebec under the snow: a warm idea!

While summer is the season for weddings in Quebec, many other weddings are celebrated in all seasons. Winter is also a season of celebrations and unions... Even outside. Winter means snow, but it also means romance... Yes!

If you are having a civil wedding and decide to celebrate your wedding outside during this magnificent season in Quebec, you may want to choose a partially covered location, such as [Notary Lincà's "Jardins Radieux"](#) space, which allows you to be outside, in a romantic and flowery atmosphere, even in Montreal, for the duration of your civil wedding celebration.

A civil wedding in Quebec, in winter, is a great way to take pictures and create unique memories of your wedding ceremony.

For winter lovers or for international weddings, this unique touch of union is sought after. We wish you snow and unforgettable memories in photos!

THE EVENTS SURROUNDING THE WEDDING

Shower, stag party and bachelor party

These traditional events in Quebec are a great opportunity to celebrate the groom or the bride. They are becoming rarer, although they are now part of the custom.

Usually, they are organized by the maid of honour and the best man for conventional weddings. They are less important than your wedding celebration. Usually between 5 and 20 people are invited.

They are intimate events that allow everyone to interact with the bride and groom separately. Many will choose to do activities that are out of the ordinary in the restaurant or bar, such as a spa getaway, a fishing trip, a bowling tournament, or a karaoke night. The idea is to get together to celebrate with the singles who will soon be changing status.

The reception

Whether it is for a religious or civil wedding, the choice of whether or not to have a reception, the type of reception and the budget to be allocated to it is up to the couple and their loved ones.

This remains a trend or tradition for many. When you say wedding, you say party or festivities.

However, it is up to each couple to define what they want their reception to be.

Whether it takes place immediately after the ceremony, as is customary, or a little later, or even much later, the wedding reception can be carefully organised or it can leave room for improvisation, as with any party and reunion between friends and family.

For ideas for a very structured reception, with a host, book signings, speeches in order and all the decorum, many guides, magazines and books as well as specialised websites are available to you.

The honeymoon trip

1. Determine what kind of honeymoon you would like to take:

While romantic places are still the destinations of choice. Many couples decide on the basis of their tastes: going on an adventure, a relaxing holiday or making cultural discoveries...

2. Choosing according to budget

A honeymoon is often quite a big budget for newlyweds. On average, lovers spend between \$3,000 and \$4,000 on this occasion. Budgets also vary depending on the destination and the time you have available. Source Mariage Montréal

3. When to go?

Most newlyweds leave within two weeks of their wedding, mostly in the summer. For more privacy and lower rates, it is best to fly during the off-peak periods (May, June, September, October and November).

As travel agents roll out the red carpet for brides and grooms, take the opportunity to ask them the right questions before making your purchase.

HOW TO GET A MARRIAGE ANNULLED IN QUEBEC?

According to Article 380 C.C.Q., any interested person may request the nullity of a civil marriage if the conditions necessary for its formation have not been respected, and the court will decide, depending on the circumstances. Less than 3 years must have elapsed since the celebration, unless public order is at stake. A marriage will only be annulled after a court judgment of annulment has been obtained. It is therefore very important to know the situations in which a civil marriage can be annulled, to see if your marriage can be annulled or voidable under certain conditions, and to avoid unpleasant surprises. There are several situations that can lead to the opening of a file for the annulment of a marriage or civil union:

- a marriage celebration that does not respect the character of publicity;
 - a marriage celebrant who is not legally competent;
 - the legal requirement of minimum age has not been met;
 - a bigamy/polygamy situation;
- a court permission in the case of a minor spouse that was not granted;
 - a prohibited degree of relationship between spouses;
- one of the spouses is incompetent or his or her consent is impaired by mental illness (advanced degree);
 - lack of consent of one of the spouses, or consent given under duress or as a result of a mistake.

The annulment of a civil marriage by the Court does not, however, deprive the couple's children of their rights, and also leaves the rights and duties of the parents towards their children unaffected, but the annulment retroactively erases the effects of the civil marriage celebrated without having complied with the formal and substantive conditions. Articles 382 to 390 of the C.C.Q. also explain the effects of annulment with respect to the liquidation of all patrimonial rights, concerning gifts between spouses, etc.



A close-up photograph of a person in a dark suit and white shirt signing a document with a black and silver pen. The document is spread out on a table. In the background, there is a bouquet of white flowers with greenery. The image has a torn-edge effect at the top and bottom. A light beige rectangular box with a thin orange border is overlaid on the right side of the image, containing the title text.

THE DIVERSE CIVIL
MARRIAGE
DOCUMENTS IN
QUEBEC

PUBLICATION OF A NOTICE OF MARRIAGE OR CIVIL UNION IN QUEBEC

Quebec law requires that future spouses or common-law partners make public their intention to marry or enter into a civil union by publishing a notice of marriage or civil union on the website of the Directeur de l'état civil du Québec. Failure to do so without a waiver having been granted could result in the nullity of the marriage or civil union. However, no publication is required when two people want to get married and are already in a civil union.

It should be noted that, when receiving a request for publication of a notice of marriage or civil union, the Directeur de l'état civil ensures the competence of the officiant.

The notice of marriage or civil union must contain the name and domiciliary address of each of the future spouses or de facto spouses, as well as the year and place of their birth, the name and capacity of the officiant, the date scheduled for the celebration and the address of the place of celebration. The accuracy of this information is attested to by a witness of legal age.

Any notice of marriage or civil union must be published on the website of the Directeur de l'état civil for 20 days before the date of the celebration. If the marriage or civil union is not celebrated within three months of the twentieth day of publication, the officiant must reapply for publication. If there is an error in the mandatory information, the officiant must make a new request for publication. If the date or place of celebration of the marriage or civil union changes, the officiant must ask the Directeur de l'état civil to modify the notice of publication. However, the 20-day publication period and the obligation to proceed with the celebration within three months of the expiry of this period are maintained.



WHAT DOCUMENTS ARE REQUIRED TO PUBLISH YOUR CIVIL MARRIAGE IN QUEBEC?

Documents required for the interview with the officiant for your marriage:

- Original birth certificates of both spouses - for those born in Quebec, the document is issued by the office of the Directeur de l'état civil;
- Two pieces of valid official identification, one of which must include a photo and signature (e.g. driver's licence, passport or health insurance card);
- A document that proves your residence (with address);
- Divorce certificate (or irrevocable divorce decree), if applicable;
- Death certificate of the previous spouse in original, if applicable.

If one of the future spouses was not born in Quebec and his or her documents are written in a language other than French or English, the original documents should be accompanied by an official translation by a member of the Ordre des traducteurs, terminologues et interprètes agréés du Québec.

Once this information has been collected and validated by a witness of legal age, the notary can publish the marriage notice on the website of the Directeur d'état civil.

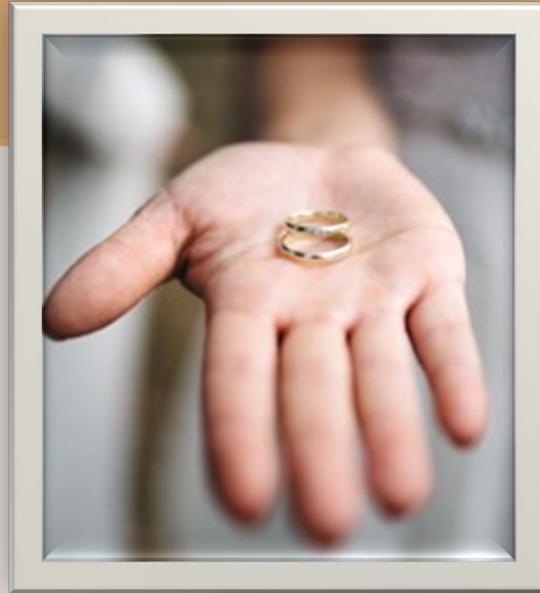


WHEN WILL I GET MY MARRIAGE CERTIFICATE?

It should be noted that in order for a civil status document to be issued in relation to a birth, marriage, civil union or death, this event must first be registered in the Directeur de l'État civil Registry of Quebec. Only once the registration has been made is it possible to process an application for a certificate, a copy of an act or an attestation concerning this event. It is the role of the notary to ensure that your union is registered in the Civil Registry of Quebec.

As soon as this is done, you will receive a communication from the [Directeur de l'état civil du Québec](#) informing you that your marriage has been registered in the register of civil status of Québec and inviting you to submit your request to obtain your marriage certificate or act, either online at the register of civil status of Québec, or in person, by going to a regional service point of Services Québec or to a service counter of the Directeur de l'État civil.

[Study Lincà](#) makes this and many other steps easier. Contact us for more information.



THE MARRIAGE CONTRACT

It is not mandatory to have a [marriage contract in Quebec](#). The marriage contract is used to choose a matrimonial regime other than the regime of partnership of acquests, which is the legal and default regime in Quebec. It also allows the spouses to specify gifts between spouses or to children and to specify certain provisions in the event of death. Since these provisions in the marriage contract can only benefit one of the spouses or children, it is a legal act with less scope than a will in which any person can be designated as a beneficiary.

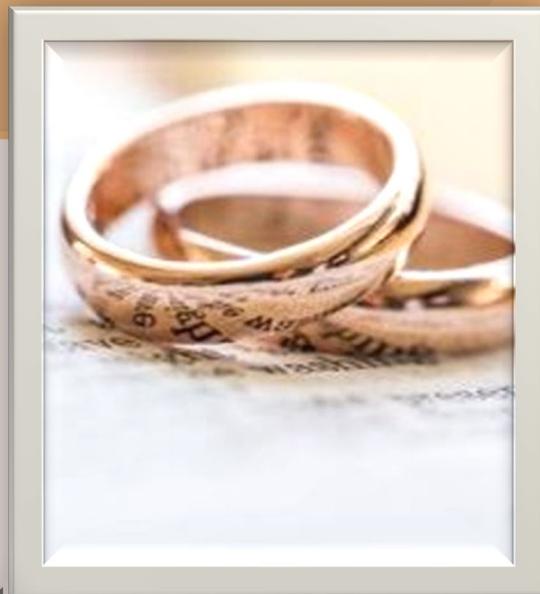
You can conclude a marriage contract before the celebration of your union. However, you can also do so after the union. In this case, your marriage contract comes into force when it is signed instead of on the day of your marriage.

HOW MUCH DOES A MARRIAGE CONTRACT COST IN QUEBEC?

The [cost of a marriage contract](#) can vary depending on its complexity and the expertise of the notary. On average, it is prudent to budget between \$400 and \$1000 for a simple marriage contract. A more complex marriage contract will be charged at the notary's hourly rate.

Other "[consult a notary](#)" documents :

Judgment of annulment of marriage/civil union; judgment of dissolution of civil union and notarized declaration of dissolution of civil union.



DEFAULT MATRIMONIAL REGIME IN QUEBEC: PARTNERSHIP OF ACQUESTS

There are several types of matrimonial regimes in Quebec.

PARTNERSHIP OF ACQUESTS

This is the default matrimonial regime in Quebec since July 1, 1970. It applies to all spouses married since that date who have not determined a matrimonial regime in a notarized marriage contract.

Under this regime, there are two categories of property: "proper" and "acquests".

Private property is property that each spouse or civil union partner owned before their union and property that they receive during their union by gift or succession, as well as other property, rights and benefits provided for by law (articles 450 to 458 of the Civil Code of Quebec).

All property that is not private property is considered acquests (Articles 449, 459 and 460 of the Civil Code of Québec), and each spouse or civil union partner may administer his or her acquests and private property, provided that he or she obtains the consent of the other spouse to dispose of his or her acquests free of charge (Article 462 C.C.Q.) during his or her lifetime.

When a partnership of acquests is dissolved, each spouse or civil union partner may apply by law (Articles 465 to 484 C.C.Q.) for the partition of the acquests. Each spouse may have property of his or her own. The value of each spouse's own property is not divided at the end of the regime.



OTHER MATRIMONIAL RÉGIMES IN QUEBEC

SEPARATION AS TO PROPERTY

Under this matrimonial regime, there is only "own" property. Each spouse or civil union partner administers his or her own property and disposes of it as he or she sees fit. Spouses who have not established their matrimonial regime by notarized contract in separation of property before the marriage or civil union is celebrated are automatically assigned the regime of partnership of acquests by the C.C.Q. A marriage contract must therefore be made to be in separation as to property after the marriage.

COMMUNITY OF PROPERTY

It is the old legal regime in Quebec, from before 1970, and it is still possible today to choose this matrimonial regime, but only by notarized contract and to make the necessary changes. People married without a marriage contract before 1970 continue to be subject to the provisions of community of property, unless the spouses have subsequently changed their matrimonial regime by marriage contract.



THE ADVANTAGES OF CHOOSING A NOTARY AS A CIVIL MARRIAGE OFFICIANT

Why choose Me Lincà notary?

Two simple, thin metal wedding rings are placed on a coarse, granular surface, possibly sand or gravel. The rings are positioned slightly overlapping each other. The background is a soft, out-of-focus landscape with a warm, golden-brown color palette, suggesting a sunset or sunrise over a beach or dunes. The overall composition is centered and evokes a sense of romance and commitment.

Checklist for our civil wedding

- Choosing our wedding date and venue
- Choosing our officiant: why not our notary?
- Legal advice: ask our notary
- Marriage contract? Yes or no? discuss with the notary
- Matrimonial regime: discuss with the notary
- Publication of the notice of our marriage on the website of the Directeur de l'État civil du Québec: The notary takes care of it!
- Our civil marriage ceremony with the chosen officiant
- Request our marriage certificate or act from the Director of Civil Status: see with the notary

To simplify your life
contact your notary!



Me Linca, Notaire
Célébrant - Spécialiste en mariage civil
438-383-3116

www.notairelinca.com/en



WHY CHOOSE NOTARY LINCÀ?

- 1) Experienced notary, specialized in civil marriage
- 2) Personalized service
- 3) Drafting of marriage contracts
- 4) Same sex marriages
- 5) International marriages
- 6) Customized legal advice
- 7) Strategic location in Montreal, not far from downtown
- 8) Two celebration rooms and the garden courtyard available or we can move the celebration to the location of your choice
- 9) Great flexibility in wedding dates
- 10) Our availability from Monday to Saturday including some evenings
- 11) Competitive prices
- 12) Your civil wedding in as little as 21 days

CONCLUSION AND ACKNOWLEDGEMENT

It is with great pleasure that my collaborators and I thought up, conceived, wrote and put together The Complete Guide to Civil Marriage in Quebec : Your Civil Wedding in Quebec from A to Z.

The result of my solid experience as notary wedding officiant, having celebrated thousands of civil weddings in Quebec and responding to a real need of future brides and grooms, this collection of information is our way of saying thank you to our couples, for having spoken to us openly, and for having shared, over the years, your questions. You have helped us to design this guide and thus to accompany couples wishing to get married in their steps. Step by step.

This guide does not claim to be exhaustive, nor could it be, as each marriage is unique. However, it is intended to be the first planning tool that will accompany you on this journey you are planning to take. The world of civil wedding celebrations in Quebec is my daily life, my specialty and my passion. I hope I have succeeded in answering your questions in a clear and concise manner. If not, we are always available for further discussion.

Me Leopold Lincà, Notary for marriage in Montreal, Quebec





Thank you!



Me Lincà, Notary
Celebrant - Civil Wedding Specialist

