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## Legal\* Brief

Vol. 18

Number 02

February 2026

### Opting out of the New Parental Union Regime

Since June 30, 2025, a new parental union regime applies to *de facto* spouses who are living together and who have had a child since then.

In short, the Government of Quebec has introduced a form of family patrimony for *de facto* spouses, without marriage. The purpose of introducing this patrimony is to protect the child if the parents separate.

However, spouses may opt out of the application of the rules governing the parental union patrimony. To do so, both parents must sign a withdrawal agreement before a notary within 90 days of the child's birth. In that case, the patrimony will be considered never to have been established. After this 90-day period, it is still possible to opt out, but the parents will be required to partition the patrimony.

Please note that if the spouses have a second child, the parties must once again sign a withdrawal act before a notary, and they must do so for each child born after that.

This withdrawal act must be notarized. No other document will be valid.

The law also provides that the withdrawal act must be signed freely and with full knowledge of the facts, and that the notary must ensure and verify that neither spouse is in a vulnerable situation when signing the act. Is there violence, or is one spouse exercising control over the other? Will notaries require each spouse to separately consult an independent lawyer before signing?

It must be understood that this regime is new legislation and that the courts will need to establish guidelines and clarify certain provisions of the legislation.

We therefore recommend that you consult a lawyer at your local legal aid office before signing a withdrawal act, so you fully understand the consequences of doing so.

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To find the contact information for your legal aid office, please click on the following link [www.csj.qc.ca](http://www.csj.qc.ca).

Don't hesitate to assess your eligibility for legal aid by making an appointment at a legal aid office near you. You can also check your eligibility online [here](#).

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\* The information set out in this document is not a legal interpretation.

The masculine gender is used to designate persons solely in order to simplify the text.