



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 132
(2002, chapter 54)

An Act to amend certain provisions of the Code of Civil Procedure

Introduced 7 November 2002
Passage in principle 26 November 2002
Passage 13 December 2002
Assented to 17 December 2002

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EXPLANATORY NOTE

This bill makes corrections and consequential adjustments relative to certain amendments to the Code of Civil Procedure made by chapter 7 of the statutes of 2002.

LEGISLATION AMENDED BY THIS BILL :

- Code of Civil Procedure (R.S.Q., chapter C-25);
- Act to reform the Code of Civil Procedure (2002, chapter 7).

Bill 132

AN ACT TO AMEND CERTAIN PROVISIONS OF THE CODE OF CIVIL PROCEDURE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

- 1.** Article 39 of the Code of Civil Procedure (R.S.Q., chapter C-25) is amended by striking out “211,”.
- 2.** Article 200 of the said Code, replaced by section 33 of chapter 7 of the statutes of 2002, is amended by replacing “service” in the third paragraph by “notification”.
- 3.** Article 501 of the said Code, amended by section 94 of chapter 7 of the statutes of 2002, is again amended by replacing “based on subparagraph 5” in the third paragraph by “for a reason set out in subparagraph 4.1 or 5”.
- 4.** Article 835 of the said Code, amended by section 137 of chapter 7 of the statutes of 2002, is again amended by replacing “10” by “15”.
- 5.** Article 953 of the said Code, replaced by section 148 of chapter 7 of the statutes of 2002, is amended by adding “to a tutor, a curator or a mandatary in the execution of a mandate given in anticipation of the mandator’s incapacity or to any other administrator of the property of another,” at the end of subparagraph *b* of the first paragraph.
- 6.** Article 965 of the said Code, replaced by section 148 of chapter 7 of the statutes of 2002, is amended
 - (1) by striking out “de” in the French text of subparagraph 1 of the second paragraph;
 - (2) by inserting “or to another court” after “judicial district” in subparagraph 2 of the second paragraph.
- 7.** Article 967 of the said Code, replaced by section 148 of chapter 7 of the statutes of 2002, is amended by inserting “or to another court” after “judicial district” in the second paragraph.
- 8.** Article 971 of the said Code, replaced by section 148 of chapter 7 of the statutes of 2002, is amended by replacing “and transfers the case so that it may be continued pursuant to this Book” in the second paragraph by “; the decision of the clerk may be reviewed by a judge, following a request in

writing filed within 15 days of the notification. On the expiry of that time limit, the clerk transfers the case so that it may be continued pursuant to this Book”.

9. Article 980 of the said Code, replaced by section 148 of chapter 7 of the statutes of 2002, is amended by replacing “ten” in the second line by “15”.

10. Article 1048 of the said Code, amended by section 156 of chapter 7 of the statutes of 2002, is again amended by striking out the second paragraph.

11. Section 94 of the Act to reform the Code of Civil Procedure (2002, chapter 7) is amended by replacing “fourth” in paragraph 5 by “third”.

12. This Act comes into force on 1 January 2003.