



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 28
(2011, chapter 25)

**An Act to amend the Act respecting the
implementation of the Agreement on
Internal Trade**

**Introduced 10 June 2011
Passed in principle 18 October 2011
Passed 3 November 2011
Assented to 9 November 2011**

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EXPLANATORY NOTES

The purpose of this Act is to implement certain changes to the dispute settlement procedures set out in the Agreement on Internal Trade. The changes in question are those introduced by the Tenth Protocol of Amendment.

Under the Act, a decision by a Presiding Body to award costs to a government following a dispute governed by the Agreement on Internal Trade will be enforceable in the same manner as a final judgment of the Superior Court.

The same holds for a decision by a Compliance Panel to order the payment of a monetary penalty.

LEGISLATION AMENDED BY THIS ACT:

– Act respecting the implementation of the Agreement on Internal Trade (R.S.Q., chapter M-35.1.1).

Bill 28

AN ACT TO AMEND THE ACT RESPECTING THE IMPLEMENTATION OF THE AGREEMENT ON INTERNAL TRADE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Section 3 of the Act respecting the implementation of the Agreement on Internal Trade (R.S.Q., chapter M-35.1.1) is amended by replacing “Article 1705” by “Article 1704(2)”.
- 2.** Section 4 of the Act is amended by replacing “1713” by “1712”.
- 3.** Section 6 of the Act is amended by replacing “1710” in the first paragraph by “1709”.
- 4.** Section 7 of the Act is replaced by the following section:

“7. A decision by a Presiding Body to award costs, whether to a government pursuant to Article 1706.1(4)(b) of the Agreement or to a person pursuant to Article 1716(3) of the Agreement, may be filed with the Superior Court.

The same holds for a decision by a Compliance Panel to order the payment of a monetary penalty pursuant to Article 1707(11)(b) of the Agreement.

On being thus filed, the decision has all the effects of a final judgment of the Superior Court and, despite article 568 of the Code of Civil Procedure (chapter C-25), becomes enforceable 60 days after the date on which it is rendered.”

- 5.** This Act comes into force on 9 November 2011.

