



Statutes of Québec 2014

NATIONAL ASSEMBLY OF QUÉBEC

The Honourable
PIERRE DUCHESNE, *Lieutenant-Governor*

QUÉBEC OFFICIAL PUBLISHER



Statutes of Québec 2014

assented to between 1 January 2014 and 31 December 2014

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NOTE

This volume contains essentially the text of the public and private Acts assented to in 2014.

It begins with a list of the Acts assented to and two tables of concordance listing, opposite each other, the bill number of each Act and its chapter number in the annual volume of statutes.

Each Act is preceded by an introductory page setting out, in addition to the chapter number and title of the Act, the corresponding bill number, the name of the Member who introduced the bill, the date of each stage of consideration in the National Assembly, the date of assent, the date or dates of coming into force if known on 31 December 2014, a list of the Acts, regulations, orders in council or ministerial orders amended, replaced, repealed or enacted by the Act, and the explanatory notes, if any.

A table of the amendments made by public Acts passed in 2014 and a table of general amendments to public Acts during the year can be found in this volume. The cumulative table of amendments, listing all amendments made since 1977 to the laws of Québec included in the *Compilation of Québec Laws and Regulations* and other public Acts, including amendments made by the Acts passed in 2014, is now available on the CD-ROM provided with this volume and is also posted on the website of Les Publications du Québec at the following address: http://www2.publicationsduquebec.gouv.qc.ca/lois_et_reglements/tab_modifs/AaZ.pdf.

A table of concordance lists the chapter number in the *Compilation of Québec Laws and Regulations* assigned to certain Acts passed between 1 January 2014 and 31 December 2014.

A table, compiled since 1964, shows the dates on which public legislative provisions came into force by proclamation or order in council. The next table enumerates legislative provisions which have yet to be brought into force by proclamation or order in council. Other tables contain information relating to letters patent, supplementary letters patent, orders, proclamations and orders in council required by law to be published.

The text of the private Acts and an index are provided at the end of the volume.

TABLE OF CONTENTS

	PAGE
List of Acts assented to in 2014.	IX
Chapter / Bill table of concordance	XI
Bill / Chapter table of concordance	XII
Text of public Acts	1
Table of amendments to public Acts in 2014.	453
Table of general amendments to public Acts in 2014	463
Annual Statute / Statute included in the Compilation of Québec Laws and Regulations table of concordance	465
List of legislative provisions whose coming into force has been determined by proclamation or order in council as of 31 December 2014	467
List of legislative provisions whose coming into force has yet to be determined by proclamation or order in council as of 31 December 2014	541
Information required by law to be published	557
Text of private Acts	559
Index	575

LIST OF ACTS ASSENTED TO IN 2014

CHAP.	TITLE	PAGE
1	An Act to establish the new Code of Civil Procedure	1
2	An Act respecting end-of-life care	229
3	An Act respecting the inspector general of Ville de Montréal	251
4	An Act to amend the Act authorizing the making of collective agreements with a term of more than three years in the public and parapublic sectors.	265
5	An Act to ratify the agreement relating to the conduct of proceedings in the National Assembly and in parliamentary committees as well as to parliamentary offices and budgetary aspects for the duration of the 41st Legislature	269
6	An Act to amend the Act to limit oil and gas activities and other legislative provisions.	273
7	Appropriation Act No. 1, 2014-2015	277
8	An Act to amend the Educational Childcare Act	333
9	An Act to amend the Labour Code with respect to certain employees of farming businesses.	337
10	An Act to amend the Code of Civil Procedure and other provisions	341
11	An Act respecting the implementation of recommendations by the pension committee of certain pension plans in the public sector and amending various legislative provisions.	347
12	An Act to amend the Act respecting off-highway vehicles and other provisions.	353
13	An Act to amend the Act respecting the Barreau du Québec, the Notaries Act and the Professional Code	369
14	An Act to address the findings of the panel established under the Agreement on Internal Trade regarding sections 7.1 and 7.2 of the Food Products Act.	379

List of Acts assented to in 2014

CHAP.	TITLE	PAGE
15	An Act to foster the financial health and sustainability of municipal defined benefit pension plans	383
16	An Act respecting the Société du Plan Nord	403
17	An Act respecting workforce management and control within government departments, public sector bodies and networks and state-owned enterprises	425
18	An Act respecting mainly the implementation of agreements on labour matters between the Gouvernement du Québec and the Mohawk Council of Kahnawake	437
19	An Act to amend the Charter of Ville de Montréal as concerns the composition of the executive committee	445
20	An Act to extend the term of the person designated to temporarily act as Chief Electoral Officer	449
21	An Act respecting Municipalité de Lac-Simon	559
22	An Act respecting Ville de Westmount	563
23	An Act respecting the Régie intermunicipale de valorisation des matières organiques de Beauharnois-Salaberry et de Roussillon	567
24	An Act respecting the sale of an immovable situated on the La Grave heritage site	571

**TABLE OF CONCORDANCE
CHAPTER / BILL**

Chapter	Bill	Chapter	Bill
1	28	13	17
2	52	14	22
3	1	15	3
4	4	16	11
5	7	17	15
6	5	18	21
7	9	19	23
8	2	20	31
9	8	21	200
10	14	22	201
11	12	23	202
12	16	24	203

**TABLE OF CONCORDANCE
BILL / CHAPTER**

Bill	Chapter	Bill	Chapter
1	3	16	12
2	8	17	13
3	15	21	18
4	4	22	14
5	6	23	19
7	5	28	1
8	9	31	20
9	7	52	2
11	16	200	21
12	11	201	22
14	10	202	23
15	17	203	24

2014, chapter 1
**AN ACT TO ESTABLISH THE NEW CODE OF
CIVIL PROCEDURE**

Bill 28

Introduced by Mr. Bertrand St-Arnaud, Minister of Justice

Introduced 30 April 2013

Passed in principle 24 September 2013

Passed 20 February 2014

Assented to 21 February 2014

Coming into force: on the date or dates to be set by the Government, except

(1) article 28, which comes into force on the date of assent to this Act, in particular to allow the establishment of a pilot project on mandatory mediation for the recovery of small claims arising out of consumer contracts; and

(2) subparagraph 7 of the first paragraph of article 303, which comes into force on 21 February 2017.

Legislation amended:

Civil Code of Québec

Tax Administration Act (chapter A-6.002)

Individual and Family Assistance Act (chapter A-13.1.1)

Act respecting financial assistance for education expenses (chapter A-13.3)

Act respecting legal aid and the provision of certain other legal services (chapter A-14)

Act respecting parental insurance (chapter A-29.011)

Act respecting insurance (chapter A-32)

Act respecting the Barreau du Québec (chapter B-1)

Building Act (chapter B-1.1)

Cities and Towns Act (chapter C-19)

Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1)

Code of Penal Procedure (chapter C-25.1)

Professional Code (chapter C-26)

Municipal Code of Québec (chapter C-27.1)

Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01)

Act respecting the Communauté métropolitaine de Québec (chapter C-37.02)

Act respecting municipal courts (chapter C-72.01)

Act respecting elections and referendums in municipalities (chapter E-2.2)

Election Act (chapter E-3.3)

Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration (chapter E-20.1)

Public Service Act (chapter F-3.1.1)

Court Bailiffs Act (chapter H-4.1)

Youth Protection Act (chapter P-34.1)

Act respecting the class action (chapter R-2.1)

Act respecting the Régie du logement (chapter R-8.1)

(Cont'd on next page)

Legislation amended: (Cont'd)

Act respecting the Québec Pension Plan (chapter R-9)
Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011)
Act respecting trust companies and savings companies (chapter S-29.01)
Act respecting public transit authorities (chapter S-30.01)
Transport Act (chapter T-12)
Municipal Works Act (chapter T-14)
Courts of Justice Act (chapter T-16)
Auditor General Act (chapter V-5.01)
Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1)

Legislation replaced:

Code of Civil Procedure (chapter C-25)

Legislation repealed:

Special Procedure Act (chapter P-27)

Regulation repealed:

Tariff of Judicial Fees of Advocates (chapter B-1, r. 22)

Explanatory notes

This Act establishes the new Code of Civil Procedure, whose main objectives are to ensure the accessibility, quality and promptness of civil justice, the fair, simple, proportionate and economical application of procedural rules, the exercise of the parties' rights in a spirit of co-operation and balance, and respect for those involved in the administration of justice.

The new Code is geared to achieving and upholding these goals, in particular by

- streamlining and modernizing not only the organization and language of the provisions but also the rules as to the form, presentation and notification of pleadings, the institution of proceedings before the courts, the revocation of judgments, the recovery of small claims and the execution of judgments, to cite but a few examples;
- affirming the existence of private, voluntary dispute prevention and resolution processes, and encouraging potential litigants to consider these processes before turning to the courts and to co-operate actively in searching for a solution and, if applicable, in preparing and applying a pre-court protocol;
- codifying certain principles that are to guide the courts, the parties and their lawyers throughout a proceeding, including the principle of proportionality, which dictates that the actions taken, pleadings filed and means of proof used must be proportionate, in terms of the cost and time involved, to the nature and complexity of the matter and the purpose of the demand;
- recognizing that the mission of the courts includes not only facilitating conciliation but also ensuring proper case management in keeping with the principles and objectives of procedure, and adopting rules to that effect, requiring that the parties file a case protocol in which they have set out their agreements and undertakings and the issues in dispute and determined how the proceeding will unfold, and providing for case management conferences presided over by a judge;

(Cont'd on next page)

Explanatory notes (Cont'd)

— revisiting the concept of costs, maintaining the rule according to which the legal costs are borne by the unsuccessful party; introducing certain criteria to facilitate the awarding of legal costs, and empowering the court, when apportioning costs, to impose sanctions for any abuse of procedure or dilatoriness;

— defining rules for the disclosure of evidence that require the parties to be open with each other and keep each other informed, setting time limits consistent with these rules, allowing and encouraging the parties to make their case orally, especially when presenting, defending or contesting certain types of demands or applications, providing a framework for pre-trial examinations which, among other things, limits their length, encouraging the parties to call on a joint expert, providing for the reconciliation of conflicting expert's reports and establishing that an expert's mission is to enlighten the court and that this mission overrides the parties' interests;

— in family matters, allowing the court, when already seized of a demand or an application relating to the children of de facto spouses, to hear other demands or applications between the spouses at the same time, and allowing the Court of Québec, when seized of an application relating to the adoption of a child or to a youth protection matter, to rule on ancillary issues relating to child custody, emancipation or the exercise of parental authority; and

— establishing that, in the execution of a judgment, the bailiff must act impartially and in the interests of justice to ensure that the process is carried out in the manner that is most advantageous for all the parties (the sale of seized property at a commercially reasonable price, for example) and simplifying the rules regarding exemption from seizure and the sale of seized property.

Lastly, the Code unifies the rules that apply to judicial review by the Superior Court, codifies homologation rules, and brings the special rules that govern mediation and arbitration together in a new Book. As well, it allows the use of information technologies in civil procedure.



Chapter 1

AN ACT TO ESTABLISH THE NEW CODE OF CIVIL PROCEDURE

[Assented to 21 February 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

PRELIMINARY PROVISION

This Code establishes the principles of civil justice and, together with the Civil Code and in harmony with the Charter of human rights and freedoms (chapter C-12) and the general principles of law, governs procedure applicable to private dispute prevention and resolution processes when not otherwise determined by the parties, procedure before the courts as well as procedure for the execution of judgments and for judicial sales.

This Code is designed to provide, in the public interest, means to prevent and resolve disputes and avoid litigation through appropriate, efficient and fair-minded processes that encourage the persons involved to play an active role. It is also designed to ensure the accessibility, quality and promptness of civil justice, the fair, simple, proportionate and economical application of procedural rules, the exercise of the parties' rights in a spirit of co-operation and balance, and respect for those involved in the administration of justice.

This Code must be interpreted and applied as a whole, in the civil law tradition. Its rules must be interpreted in light of the special provisions it contains and those contained in other laws. In the matters it addresses, this Code supplements the silence of other laws if circumstances permit.

BOOK I

GENERAL FRAMEWORK OF CIVIL PROCEDURE

TITLE I

PRINCIPLES OF PROCEDURE APPLICABLE TO PRIVATE DISPUTE PREVENTION AND RESOLUTION PROCESSES

1. To prevent a potential dispute or resolve an existing one, the parties concerned, by mutual agreement, may opt for a private dispute prevention and resolution process.

The main private dispute prevention and resolution processes are negotiation between the parties, and mediation and arbitration, in which the parties call on a third person to assist them. The parties may also resort to any other process

that suits them and that they consider appropriate, whether or not it borrows from negotiation, mediation or arbitration.

Parties must consider private prevention and resolution processes before referring their dispute to the courts.

2. Parties who enter into a private dispute prevention and resolution process do so voluntarily. They are required to participate in the process in good faith, to be transparent with each other, including as regards the information in their possession, and to co-operate actively in searching for a solution and, if applicable, in preparing and implementing a pre-court protocol; they are also required to share the costs of the process.

They must, as must any third person assisting them, ensure that any steps they take are proportionate, in terms of the cost and time involved, to the nature and complexity of the dispute.

In addition, they are required, in any steps they take and agreements they make, to uphold human rights and freedoms and observe other public order rules.

3. The third person called upon by the parties to assist them in the process they have opted for or to decide their dispute must be chosen by them jointly.

The third person must be capable of acting impartially and diligently and in accordance with the requirements of good faith. If acting on a volunteer basis or for a disinterested motive, the third person incurs no liability other than that incurred through an intentional or gross fault.

4. Parties who opt for a private dispute prevention and resolution process and the third person assisting them undertake to preserve the confidentiality of anything said, written or done during the process, subject to any agreement between them on the matter or to any special provisions of the law.

5. The third person called upon to assist the parties may provide information for research, teaching or statistical purposes or in connection with a general evaluation of the dispute prevention and resolution process or its results without it being a breach of the person's duty of confidentiality, provided no personal information is revealed.

6. Parties who agree to resort to a private dispute prevention and resolution process, together with the third person involved in the process, if any, determine the procedure applicable to the process they have selected. If the parties have opted for mediation or arbitration or a similar process and the procedure they have determined must be supplemented, the rules of Book VII apply.

7. Participation in a private dispute prevention and resolution process other than arbitration does not entail a waiver of the right to act before the courts. However, the parties may undertake not to exercise that right in connection

with the dispute in the course of the process, unless it proves necessary for the preservation of their rights.

They may also agree to waive prescription already acquired and the benefit of time elapsed for prescription purposes or agree, in a signed document, to suspend prescription for the duration of the process. Prescription cannot, however, be suspended for more than six months.

TITLE II

PRINCIPLES OF PROCEDURE APPLICABLE BEFORE THE COURTS

8. Public civil justice is administered by the courts under the legislative authority of Québec. The Court of Appeal, the Superior Court and the Court of Québec exercise their jurisdiction throughout the territory of Québec.

Municipal courts exercise civil jurisdiction in the matters assigned to them by special Acts, but only within the territory specified by those Acts and by their constituting instruments.

The Supreme Court of Canada, the Federal Court of Appeal and the Federal Court of Canada have jurisdiction in some civil matters in Québec, as provided for in the Acts of the Parliament of Canada.

CHAPTER I

MISSION OF THE COURTS

9. It is the mission of the courts to adjudicate the disputes brought before them, in accordance with the applicable rules of law. It is also their mission to make a ruling, even in the absence of a dispute, whenever the law requires that a demand or an application be brought before the court because of the nature of the case or the capacity of the persons concerned.

That mission includes ensuring proper case management in keeping with the principles and objectives of procedure. It further includes, both in first instance and in appeal, facilitating conciliation whenever the law so requires, the parties request it or consent to it or circumstances permit, or if a settlement conference is held.

The courts and judges enjoy judicial immunity. Judges must be impartial and, in their decisions, they must have regard to the best interests of justice.

10. The courts cannot seize themselves of a matter; it is up to the parties to commence a proceeding and determine its subject matter.

The courts cannot adjudicate beyond what is sought by the parties. If necessary, they may correct any improper term in the conclusions set out in a

written pleading in order to give them their proper characterization in light of the allegations in the pleading.

The courts are not required to decide theoretical questions or to adjudicate where a judgment would not put an end to the uncertainty or the controversy, but they cannot refuse to adjudicate under the pretext that the law is silent, obscure or insufficient.

CHAPTER II

PUBLIC NATURE OF PROCEDURE BEFORE THE COURTS

11. Civil justice administered by the courts is public. Anyone may attend court hearings wherever they are held, and have access to court records and entries in the registers of the courts.

An exception to this principle applies if the law provides for in camera proceedings or restricts access to the court records or to certain documents filed in a court record.

Exceptions to the principle of open proceedings set out in this chapter apply despite section 23 of the Charter of human rights and freedoms.

12. The court may make an exception to the principle of open proceedings if, in its opinion, public order, in particular the preservation of the dignity of the persons involved or the protection of substantial and legitimate interests, requires that the hearing be held in camera, that access to a document or the disclosure or circulation of information or documents specified by the court be prohibited or restricted, or that the anonymity of the persons involved be protected.

13. Lawyers, notaries, their articling students, and journalists who show proof of their status may attend a hearing held in camera; if the hearing concerns a person's personal integrity or capacity, anyone the court considers capable of assisting or reassuring the person may also attend. However, if circumstances so require, the court may exclude such persons to prevent serious prejudice to a person whose interests may be affected by the demand or application or by the proceeding.

Persons whose presence is, in the court's opinion, required in the interests of justice may also attend.

14. Persons present at a court hearing must conduct themselves in a respectful and restrained manner. Only those who prove their status as journalists may make a sound recording of the proceedings and the decision, unless the court prohibits them from doing so; they may not, however, broadcast the recording. In no case may images be recorded.

The parties and their representatives are duty-bound to exercise restraint throughout the proceeding out of respect for the judicial process.

All must obey the orders of the court and of the officers of justice under its authority, under pain of contempt of court.

15. In family matters, hearings of the court of first instance are held in camera; however, the court, in the interests of justice, may order that a hearing be public. Unless authorized by the court, no person attending a hearing nor any other person may disclose information that would allow the persons concerned to be identified, under pain of contempt of court.

Judgments in such matters may only be published if the anonymity of the parties and of any child whose interests are at stake in the proceeding is protected and the passages that would allow them to be identified have been deleted or redacted.

16. In family matters, access to the court records is restricted. In all other matters, especially those relating to personal integrity or capacity, access to documents pertaining to a person's health or psychosocial situation is restricted if they have been filed in a sealed envelope.

Access-restricted records or documents may only be consulted or copied by the parties, by their representatives, by lawyers and notaries, by persons designated by law, and by any person, including journalists, who has been authorized by the court after proving a legitimate interest, subject to the access conditions and procedure determined by the court. The Minister of Justice, by virtue of that office, is considered to have a legitimate interest to access records or documents for research, reform or evaluation purposes.

No person who has had access to a record in a family matter may disclose or circulate any information that would allow a party or a child whose interests are at stake in a proceeding to be identified, unless authorized by the court or by law or unless the disclosure or circulation of the information is necessary for the purpose of applying a law.

CHAPTER III

GUIDING PRINCIPLES OF PROCEDURE

17. The court cannot rule on a demand or an application, or order a measure on its own initiative, which affects the rights of a party unless the party has been heard or duly called.

In any contentious matter, the court, even on its own initiative, must uphold the adversarial principle and see that it is adhered to until the judgment and during execution of the judgment. It cannot base its decision on grounds the parties have not had the opportunity to debate.

18. The parties to a proceeding must observe the principle of proportionality and ensure that their actions, their pleadings, including their choice of an oral or a written defence, and the means of proof they use are proportionate, in terms of the cost and time involved, to the nature and complexity of the matter and the purpose of the demand or the application.

Judges must likewise observe the principle of proportionality in managing the proceedings they are assigned, regardless of the stage at which they intervene. They must ensure that the measures and acts they order or authorize are in keeping with the same principle, while having regard to the proper administration of justice.

19. Subject to the duty of the courts to ensure proper case management and the orderly progress of proceedings, the parties control the course of their case insofar as they comply with the principles, objectives and rules of procedure and the prescribed time limits.

They must be careful to confine the case to what is necessary to resolve the dispute, and must refrain from acting with the intent to cause prejudice to another person or behaving in an excessive or unreasonable manner, contrary to the requirements of good faith.

They may, at any stage of the proceeding, without necessarily stopping its progress, agree to settle their dispute through a private dispute prevention and resolution process or judicial conciliation; they may also otherwise terminate the proceeding at any time.

20. The parties are duty-bound to co-operate and, in particular, to keep one another informed at all times of the facts and particulars conducive to a fair debate and make sure that relevant evidence is preserved.

They must, among other things, at the time prescribed by this Code or determined in the case protocol, inform one another of the facts on which their contentions are based and of the evidence they intend to produce.

21. A person who is called as a witness is duty-bound to appear, testify and tell the truth.

Witnesses have the right to be informed, by the calling party, of the reason they have been called, of the subject matter of the testimony and of the order of the proceeding. They also have the right to be informed without delay that their presence is no longer required.

22. The mission of an expert whose services have been retained by a single party or by the parties jointly or who has been appointed by the court, whether the matter is contentious or not, is to enlighten the court. This mission overrides the parties' interests.

Experts must fulfill their mission objectively, impartially and thoroughly.

23. Natural persons may self-represent before the courts, but must comply with the procedure established by this Code and the regulations under this Code.

24. The taking of an oath is a solemn undertaking to tell the truth or to exercise a function impartially and competently.

In addition to cases in which an oath is required by law, an oath may be required by the court whenever it considers it necessary in the interests of justice. The oath must be taken before a judge, a court clerk or any other person legally authorized to administer oaths.

CHAPTER IV

RULES OF INTERPRETATION AND APPLICATION OF THIS CODE

25. The rules of this Code are designed to facilitate the resolution of disputes and to bring out the substantive law and ensure that it is carried out.

Failure to observe a rule that is not a public order rule does not prevent a demand or an application from being decided provided the failure is remedied in a timely manner; likewise, if no specific procedure is provided for exercising a right, any mode of proceeding may be used that is not inconsistent with the rules of this Code.

26. In applying this Code, appropriate technological means that are available to both the parties and the court should be used whenever possible, taking into account the technological environment in place to support the business of the courts.

The court, even on its own initiative, may use such means or order that such means be used by the parties, including for case management purposes; if it considers it necessary, the court may also, despite an agreement between the parties, require a person to appear in person at a hearing, a conference or an examination.

27. In a state of emergency declared by the Government or in a situation where it is impossible in fact to comply with the rules of this Code or to use a means of communication, the Chief Justice of Québec and the Minister of Justice may jointly suspend or extend a prescription or procedural period for a specified time, or authorize the use of another means of communication in the manner they specify.

Their decision takes effect immediately, and must be published without delay in the *Gazette officielle du Québec*.

28. After considering the effects of the project on the rights of individuals and obtaining the agreement of the Chief Justice of Québec or the Chief Justice of the Superior Court or the Chief Judge of the Court of Québec, according to

their jurisdiction, and after consulting the Barreau du Québec and, if applicable, the Chambre des notaires du Québec or the Chambre des huissiers de justice du Québec, the Minister of Justice, by regulation, may modify a rule of procedure, or introduce a new one, for a specified time not exceeding three years, for the purposes of a pilot project conducted in specified judicial districts.

TITLE III

JURISDICTION OF COURTS

CHAPTER I

SUBJECT-MATTER JURISDICTION OF COURTS

DIVISION I

JURISDICTION OF COURT OF APPEAL

29. The Court of Appeal is the general appellate court in charge of hearing appeals against appealable judgments of other courts, unless a provision specifies that an appeal is to be made before another court.

30. Judgments of the Superior Court and the Court of Québec that terminate a proceeding, and judgments or orders that pertain to personal integrity, status or capacity, the special rights of the State or contempt of court, may be appealed as of right.

The following, however, may be appealed only with leave:

(1) judgments where the value of the subject matter of the dispute in appeal is less than \$60,000;

(2) judgments rendered in non-contentious matters and not appealable as of right;

(3) judgments dismissing a judicial demand because of its abusive nature;

(4) judgments denying an application for forced or voluntary intervention of a third person;

(5) judicial review judgments of the Superior Court relating to the evocation of a case pending before a court or to a decision made by a person or body or a judgment rendered by a court that is subject to judicial review by the Superior Court, or relating to a remedy commanding the performance of an act;

(6) judgments ruling on legal costs awarded to punish a substantial breach;

(7) judgments confirming or quashing a seizure before judgment;

(8) judgments ruling on execution matters.

Leave to appeal is granted by a judge of the Court of Appeal if that judge considers that the matter at issue is one that should be submitted to that Court, for example because it involves a question of principle, a new issue or an issue of law that has given rise to conflicting judicial decisions.

If it is necessary to calculate the value of the subject matter of the dispute in appeal, account must be taken of interest already accrued on the date of the judgment in first instance and of the additional indemnity mentioned in article 1619 of the Civil Code. Legal costs are disregarded. If the subject matter of the appeal is the right to additional damages for bodily injury, only the amount of those damages is to be taken into account.

31. A judgment of the Superior Court or the Court of Québec rendered in the course of a proceeding, including during a trial, is appealable as of right if it disallows an objection to evidence based on the duty of discretion of public servants or on professional secrecy.

Such a judgment may be appealed with leave of a judge of the Court of Appeal if the judge considers that it determines part of the dispute or causes irremediable prejudice to a party, including if it allows an objection to evidence.

The judgment must be appealed without delay. The appeal does not stay the proceeding unless a judge of the Court of Appeal so orders. If the judgment was rendered in the course of the trial, the appeal does not stay the trial; however, judgment on the merits cannot be rendered nor, if applicable, the evidence concerned heard until the decision on the appeal is rendered.

Any other judgment rendered in the course of a trial, except one that allows an objection to evidence, may only be challenged on an appeal against the judgment on the merits.

32. Case management measures relating to the conduct of a proceeding and rulings on incidental applications concerning the continuance of a proceeding, the joinder or severance of proceedings, the stay of a trial, the splitting of a proceeding or pre-trial discovery cannot be appealed. However, if a measure or a ruling appears unreasonable in light of the guiding principles of procedure, a judge of the Court of Appeal may grant leave to appeal.

DIVISION II

JURISDICTION OF SUPERIOR COURT

33. The Superior Court is the court of original general jurisdiction. It has jurisdiction in first instance to hear and determine any demand or application not formally and exclusively assigned by law to another court or to an adjudicative body.

It has exclusive jurisdiction to hear and determine class actions and demands or applications for an injunction.

34. The Superior Court is vested with a general power of judicial review over all courts in Québec other than the Court of Appeal, over public bodies, over legal persons established in the public interest or for a private interest, and over partnerships and associations and other groups not endowed with juridical personality.

This power cannot be exercised in cases excluded by law or declared by law to be under the exclusive purview of those courts, persons, bodies or groups, except where there is lack or excess of jurisdiction.

A matter is brought to the Court by means of an application for judicial review.

DIVISION III

JURISDICTION OF COURT OF QUÉBEC

35. The Court of Québec has exclusive jurisdiction to hear and determine demands in which the value of the subject matter of the dispute or the amount claimed, including in lease resiliation matters, is less than \$85,000, exclusive of interest; it also hears and determines applications ancillary to such a demand, including those for the specific performance of a contractual obligation. However, it does not have such jurisdiction in cases where jurisdiction is formally and exclusively assigned to another court or adjudicative body, or in family matters other than adoption.

A demand brought before the Court of Québec is no longer within the jurisdiction of that Court if a cross-demand is made for an amount or value equal to or exceeding \$85,000, or if an amendment to the demand increases the amount claimed or the value of the subject matter of the dispute to \$85,000 or more. Conversely, the Court of Québec alone becomes competent to hear and determine a demand brought before the Superior Court if the amount claimed or the value of the subject matter of the dispute falls below that amount. In either case, the record is transferred to the competent court if all parties agree or if the court so orders on its own initiative or on a party's request.

If two or more plaintiffs join together or are represented by the same person in the same judicial demand, the Court of Québec has jurisdiction if it would be competent to hear and determine each plaintiff's demand.

The monetary jurisdiction limit of the Court of Québec is increased by \$5,000 on 1 September of the calendar year following the calendar year in which the total amount resulting from annual adjustments of the indexed limit amount on the basis of the Consumer Price Index for Québec, determined by Statistics Canada, since the last increase is equal to or exceeds \$5,000. A notice stating the monetary jurisdiction limit of the Court resulting from that calculation is published in the *Gazette officielle du Québec* by the Minister of Justice not later than 1 August of the year in which the new limit comes into force. Judicial demands introduced before 1 September of that year continue before the court seized.

36. Subject to the jurisdiction assigned to the municipal courts, the Court of Québec has jurisdiction, to the exclusion of the Superior Court, to hear and determine demands for the recovery of property taxes, other taxes or any other amount due under an Act to a municipality or a school board, and demands by which the existence or amount of such a debt is contested.

The Court also has jurisdiction to hear and determine demands for the reimbursement of an overpayment to a municipality or a school board.

37. The Court of Québec has jurisdiction, to the exclusion of the Superior Court, to hear and determine applications in adoption matters.

In other youth matters, jurisdiction and procedure are determined by special Acts.

If an adoption or youth protection matter is already before the Court of Québec, it may rule on any related application concerning child custody, emancipation, the exercise of parental authority or tutorship requested by the director of youth protection.

38. The Court of Québec has exclusive jurisdiction to hear and determine demands concerning a person's confinement in a health or social services institution for or after a psychiatric assessment without the person's consent.

39. The Court of Québec has exclusive jurisdiction to hear and determine applications relating to an arbitration insofar as it would be competent to rule on the subject matter of the dispute referred to the arbitrator, and to hear and determine applications for the recognition and enforcement of a decision rendered outside Québec in a matter within its jurisdiction.

CHAPTER II

TERRITORIAL JURISDICTION OF COURTS

DIVISION I

TERRITORIAL JURISDICTION—APPEAL

40. The Court of Appeal sitting at Montréal hears appeals against judgments rendered in the judicial districts of Beauharnois, Bedford, Drummond, Gatineau, Iberville, Joliette, Labelle, Laval, Longueuil, Mégantic, Montréal, Pontiac, Richelieu, Saint-François, Saint-Hyacinthe and Terrebonne. The Court of Appeal sitting at Québec hears appeals against judgments rendered in all other districts.

DIVISION II

TERRITORIAL JURISDICTION—FIRST INSTANCE

41. The court having territorial jurisdiction in Québec to hear a judicial demand is the court of the domicile of the defendant, or of one of the defendants if there are two or more defendants domiciled in different districts.

If the defendant has no domicile in Québec, the court that has territorial jurisdiction is the court of the defendant's residence or, in the case of a legal person, the court of the place where the defendant has an establishment, or the court of the place where the defendant has property.

So far as public order permits, the court of the defendant's elected domicile, or the court designated by an agreement between the parties other than an adhesion contract, also has territorial jurisdiction.

42. At the plaintiff's option,

(1) a demand for the performance of contractual obligations may also be brought before the court of the place where the contract was made;

(2) a demand concerning extracontractual civil liability may also be brought before the court of the place where the injurious act or omission occurred or the court of any of the places where the injury was suffered; and

(3) a demand whose subject matter is immovable property may also be brought before the court of the place where the property is wholly or partly situated.

43. If a demand pertains to an employment contract or a consumer contract, the court having jurisdiction is the court of the domicile or residence of the employee or the consumer, whether that person is the plaintiff or the defendant.

If a demand pertains to an insurance contract, the court having jurisdiction is the court of the domicile or residence of the insured, whether that person is the plaintiff or the defendant, or, as applicable, the court of the domicile or residence of the beneficiary under the contract. In the case of property insurance, the court of the place where the loss occurred also has jurisdiction.

If a demand pertains to the exercise of a hypothecary right on an immovable serving as the debtor's main residence, the court having jurisdiction is the court of the place where the immovable is situated.

An agreement to the contrary is unenforceable against the employee, the consumer, the insured, the insurance contract beneficiary or the hypothecary debtor.

44. In matters relating to personal integrity, status or capacity, the court having jurisdiction is the court of the domicile or residence of the minor or person of full age concerned or, in the case of an absentee, of the absentee's representative.

A demand concerning a person of full age who resides in a health or social services institution may also be brought before the court of the place where the institution is situated, the court of the person's former domicile or residence, or the court of the plaintiff's domicile.

If the person of full age under protective supervision, the plaintiff or the representative no longer lives in the district where the judgment was rendered, an application for review of the judgment may be brought before the court of the domicile or residence of any of them.

45. In family matters, the court having jurisdiction is the court of the common domicile of the parties or, if they do not have a common domicile, the court of the domicile of one of the parties and, in cases of opposition to marriage or civil union, the court of the place of solemnization.

In adoption matters, the court having jurisdiction is the court of the domicile of the minor child or of the applicant or, if the parties consent, the court of the place under the responsibility of the director of youth protection who was last in charge of the child.

If the parties are no longer domiciled in the district where the judgment was rendered, an application for review of the judgment may be brought before the court of the domicile of one of the parties, but if one of them still lives in that district, the application may only be brought in another district with the consent of that party. Whenever a child is involved, the application may be brought before the court of the child's domicile.

46. In succession matters, the court having jurisdiction is the court of the place where the succession opened.

However, if the succession did not open in Québec, the demand may be brought, at the plaintiff's option, before the court of the place where the property is situated, the court of the place where the death occurred or the court of the domicile of the defendant or one of the defendants.

The court of the domicile of the liquidator of the succession is also competent in respect of any application pertaining to the appointment of the liquidator or the exercise of the liquidator's functions.

47. Incidental applications, such as recourses in warranty and applications for additional damages for bodily injury, must be brought before the court before which the demand was brought.

48. At any stage of a proceeding, the chief justice or chief judge may, by way of exception, order, even on their own initiative, that a case, a trial or an application relating to the execution of a judgment be transferred to another district in the interests of the parties or of the third persons concerned or if warranted on serious grounds.

CHAPTER III**POWERS OF COURTS****DIVISION I****GENERAL POWERS**

49. The courts and judges have all the powers necessary for the exercise of their jurisdiction both in first instance and in appeal.

They may, at any time and in all matters, even on their own initiative, grant injunctions or issue orders to safeguard the parties' rights for the period and subject to the conditions they determine. As well, they may make such orders as are appropriate to deal with situations for which no solution is provided by law.

50. When sitting in first instance in non-contentious cases or in cases in which a child's interests or a person's personal integrity, status or capacity are at issue, the courts, even on their own initiative, may require the attendance of a person or the presentation of evidence, and informally hear persons who may enlighten them and, after calling them, persons whose interests may be affected by the decision.

DIVISION II**POWER TO IMPOSE SANCTIONS FOR ABUSE OF PROCEDURE**

51. The courts may, at any time, on an application and even on their own initiative, declare that a judicial demand or a pleading is abusive.

Regardless of intent, the abuse of procedure may consist in a judicial demand or pleading that is clearly unfounded, frivolous or intended to delay or in conduct that is vexatious or quarrelsome. It may also consist in a use of procedure that is excessive or unreasonable or that causes prejudice to another person, or attempts to defeat the ends of justice, particularly if it operates to restrict another person's freedom of expression in public debate.

52. If a party summarily establishes that a judicial demand or pleading may constitute an abuse of procedure, the onus is on the initiator of the demand or pleading to show that it is not excessive or unreasonable and is justified in law.

The application is presented and defended orally, and decided by the court on the face of the pleadings and exhibits in the record and the transcripts of any pre-trial examinations. No other evidence is presented, unless the court considers it necessary.

An application for a court ruling on the abusive nature of a pleading that operates to restrict another person's freedom of expression in public debate must, in first instance, be dealt with as a matter of priority.

53. If there has been an abuse of procedure, the court may dismiss the judicial demand or reject a pleading, strike out a conclusion or require that it be amended, terminate or refuse to allow an examination, or cancel a subpoena.

If there has been or if there appears to have been an abuse of procedure, the court, if it considers it appropriate, may do one or more of the following:

(1) impose conditions on any further steps in the judicial demand or on the pleading;

(2) require undertakings from the party concerned with respect to the orderly conduct of the proceeding;

(3) stay the proceeding for the period it determines;

(4) recommend that the chief justice or chief judge order special case management; or

(5) order the party that initiated the judicial demand or presented the pleading to pay the other party, under pain of dismissal of the demand or rejection of the pleading, a provision for costs, if the circumstances so warrant and if the court notes that, without such assistance, that other party's financial situation would likely prevent it from effectively conducting its case.

54. On ruling on whether a judicial demand or pleading, including one presented under this division, is abusive, the court may order a provision for costs to be reimbursed, order a party to pay, in addition to legal costs, damages for any injury suffered by another party, including to cover the professional fees and disbursements incurred by that other party, or award punitive damages if warranted by the circumstances.

If the amount of the damages is not admitted or cannot be easily calculated at the time the demand or pleading is declared abusive, the court may summarily determine the amount within the time and subject to the conditions it specifies or, in the case of the Court of Appeal, refer the matter back to the court of first instance for a decision.

55. If an abuse of procedure results from a party's quarrelsomeness, the court may, in addition to other measures, prohibit the party from instituting a judicial demand or presenting a pleading in an ongoing proceeding except with the authorization of and subject to the conditions determined by the chief justice or the chief judge.

56. If a legal person is responsible for an abuse of procedure, those of its directors and officers who participated in the decision may be ordered personally to pay damages. The same holds for an administrator of the property of others who is responsible for such an abuse.

DIVISION III**POWER TO PUNISH FOR CONTEMPT OF COURT**

57. The courts may punish the conduct of any person who is guilty of contempt of court, whether committed in or outside the presence of the court. In the case of contempt of the Court of Appeal committed outside the presence of the Court, the matter is brought before the Superior Court.

A transaction or any other act that puts an end to a dispute cannot be invoked against the court in a matter of contempt.

58. A person who disobeys a court order or injunction or acts in such a way as to interfere with the orderly administration of justice or undermine the authority or dignity of the court is guilty of contempt of court.

A person not named in an injunction who disobeys that injunction is guilty of contempt of court only if the person does so knowingly.

59. A person charged with contempt of court must be summoned, by an order of the court, to appear on the day and at the time specified to hear proof of the acts held against the person and to raise grounds of defence.

60. The order to appear is issued on the court's own initiative or on an application presented before the court, which does not require notification.

The order must be served personally; however, if circumstances do not permit personal service, the court may authorize another method of notification.

If the alleged contempt of court is committed in the presence of the court and must be ruled on without delay, the only requirement is that the person be first called upon to justify their behaviour.

61. The judge who is to rule on a contempt of court allegation must not be the judge before whom it was allegedly committed, unless the matter must be ruled on without delay. The person charged with contempt of court cannot be compelled to testify.

The proof submitted to establish contempt of court must be beyond a reasonable doubt.

If the judgment finds that contempt of court was committed, it must state the sanction imposed and set out the facts on which the finding of contempt is based.

62. The only sanctions that may be imposed for contempt of court are

(1) payment of a punitive amount not exceeding \$10,000 for contempt committed by a natural person, or \$100,000 for contempt committed by a legal person, a partnership or an association or another group not endowed with

juridical personality, in which case the judgment is executed in accordance with Chapter XIII of the Code of Penal Procedure; and

(2) performance, by the person or the person's officers, of compensatory community work the nature, terms and duration of which are determined by the court.

If the person refuses to comply with the court order or injunction, in addition to the sanction imposed, the court may order imprisonment for the term it specifies. The person so imprisoned must be summoned before the court periodically to explain themselves, and imprisonment may be ordered again until the person complies. Imprisonment can in no case exceed one year.

DIVISION IV

COURT REGULATIONS

63. A court may make regulations to regulate practice in that court or in any of its divisions and to ensure, in keeping with this Code, that the procedure established by this Code is properly complied with. Such regulations must be adopted by a majority of the judges of the court or, if special rules are needed for the district of Québec or Montréal, by a majority of the judges of that district.

If expedient, the chief justice or chief judge of the court, after consulting the judges concerned, may issue directives for one or more districts, as needed. Those directives, of a purely administrative nature, are the only ones applicable.

64. For the purpose of adopting regulations, the chief justice or chief judge of the court determines the most effective method of consultation so as to obtain the opinion of each of the judges concerned.

The chief justice or chief judge sends draft regulations to the Minister of Justice so that the latter may submit observations on any provisions having financial implications either for the State or for the parties to a proceeding.

After taking the Minister's observations into consideration, the chief justice or chief judge publishes draft regulations in the *Gazette officielle du Québec* at least 45 days before they are to be adopted, with a notice stating that comments are welcome and specifying where they should be sent. If required by the urgency of the situation, the chief justice or chief judge may shorten the publication period, giving reasons in the publication notice.

65. Regulations adopted by a court come into force 15 days after their publication in the *Gazette officielle du Québec* or on any later date specified in the regulations.

All such regulations, as well as any directives issued by the chief justice or chief judge, must be published so as to be easily accessible to the public, including through posting on the court's website.

CHAPTER IV

COURT OFFICES

66. Court offices provide clerical services to the court they serve, manage the information and documents required for the operation of the court and have custody of court registers, records, orders and judgments. They also manage the fees and costs prescribed by regulation and are responsible for the preservation of court archives.

Court offices perform their functions in accordance with this Code, the regulations of the court, the directives of the chief justice or chief judge and those of the Deputy Minister of Justice, and within the technological environment in place to support the business of the courts.

67. Court clerks are in charge of the court office to which they are assigned and exercise the powers conferred on them by law. They may, with the consent of the Minister of Justice or a person designated by the latter, choose deputy court clerks, who are authorized to exercise those powers. Court clerks are assisted by the personnel needed to carry out their functions and run the court office. They may designate a person from among that personnel to perform, in their place or the deputy court clerks' place, acts that do not require the exercise of a jurisdictional or discretionary power.

In addition, the Minister, by order and with the consent of the chief justice or chief judge, may appoint special clerks to exercise, for the court, the adjudicative functions assigned to special clerks by law. Special clerks, by virtue of their office, may exercise the powers of court clerks.

CHAPTER V

POWERS OF COURTS, JUDGES AND COURT CLERKS

68. The jurisdiction and powers conferred on the Court of Appeal are exercised by the Court, its judges or the court clerk, as provided in this Code, particularly in Title IV of Book IV, which governs appeals.

The jurisdiction and powers conferred on the courts of first instance are also conferred on the judges appointed to those courts. The courts, when holding hearings, are vested with all the powers conferred by law on judges.

A measure which, under this Code, may be taken by the chief justice or chief judge may also, if warranted, be taken by the associate or assistant chief justice or chief judge, according to the division of responsibilities that prevails at the court, or by another judge designated by any of them.

69. In first instance, judges sit in open court to hear and try a demand.

Judges, in chambers or in another place serving as chambers, may meet parties to take case management measures and try and decide demands and applications that require immediate intervention or do not require witness evidence, such as incidental applications, demands proceeding by default, non-contentious demands or applications, and applications relating to temporary injunctions, seizures before judgment or execution matters. In all such cases and in all cases where judges are permitted by law to exercise their powers in chambers or such other places, minutes of the meeting must be drawn up.

On their own initiative or on an application, judges may refer to the court any matter submitted to them in chambers or in another place serving as chambers.

70. Court clerks and special clerks only exercise the jurisdiction expressly assigned to them by law. In matters within their jurisdiction, they have the powers of the judges or the court.

If they consider that the interests of justice so require, they may refer any matter submitted to them to a judge or to the court.

71. If the judge is absent or unable to act and any delay could result in the loss of a right or cause serious prejudice, the court clerk may exercise the jurisdiction of the judge.

However, the court clerk cannot decide an incidental application, issue an order for police assistance or authorize a seizure before judgment unless no judge or special clerk is present in the district; nor may the court clerk decide an application for a stay unless it is impossible to reach a judge in another district or the on-call judge designated by the chief justice or chief judge.

In addition to demands and applications expressly excluded from the jurisdiction of court clerks, the court clerk may in no case decide a demand or an application relating to personal integrity, status or capacity, authorize the seizure of property on a debtor's person or decide an application for judicial review or a demand or an application for an injunction.

72. The special clerk may rule on any application, contested or not, whose subject matter is the referral of the originating demand to the court having territorial jurisdiction in a case described in article 43, security for costs, the calling of a witness, the disclosure, production or rejection of exhibits, the examination or copying of an access-restricted document, or the physical, mental or psychosocial assessment of a person, the joinder of proceedings, amendments to pleadings or particulars to clarify pleadings or a substitution of lawyer and on any application for relief from default or to cease representing. In the course of a proceeding or of execution, the special clerk may rule on any pleading, but only with the parties' consent in the case of a contested pleading.

The special clerk may homologate any agreement between the parties that provides a complete settlement of a child custody or support matter and, in order to evaluate the agreement or assess the consent of the parties, may convene the parties and hear them, even separately, in the presence of their lawyer. If the special clerk considers that the agreement does not sufficiently protect the children's interests or that consent was obtained under duress, the case is referred to a judge or to the court.

An agreement homologated by the special clerk has the same force and effect as a judgment.

Applications that are within the jurisdiction of the special clerk are presented directly to the special clerk and, unless contested, are decided on the face of the record.

73. In a non-contentious proceeding, the jurisdiction of the court may be exercised by the special clerk.

However, the special clerk cannot decide demands or applications concerning personal integrity or status, absence or a judicial declaration of death or, in family matters, joint demands on a draft agreement; nor may the special clerk decide applications for the review of a decision of the registrar of civil status or relating to the publication of rights or the reconstitution of an authentic act or public register.

74. Decisions of the court clerk other than administrative decisions and decisions of the special clerk, except judgments rendered by default following the defendant's failure to answer the summons, attend the case management conference or defend on the merits, may, on an application, be reviewed by a judge in chambers or by the court. The same applies to decisions of the appellate clerk, which may be reviewed by an appellate judge.

The application for review must state the grounds on which it is based, be notified to the other parties and filed with the court office within 10 days after the date of the decision concerned. If the decision is quashed, matters are restored to their former state.

TITLE IV

SPECIAL RIGHTS OF STATE

75. The State and state bodies, in seeking to resolve a dispute with natural or legal persons, may, if they consider it advisable, resort to a private dispute prevention and resolution process before taking the matter before the courts.

They are, however, required to comply with government regulations on the subject and to resort to such a process only to the extent permitted by the public interest or the applicable legal standards.

76. In any civil, administrative, penal or criminal case, a person intending to question the operability, the constitutionality or the validity of a provision of an Act of the Parliament of Québec or the Parliament of Canada, of any regulation made under such an Act, of a government or ministerial order or of any other rule of law must give notice to the Attorney General of Québec.

Such notice is also required when a person seeks reparation from the State, a state body or a legal person established in the public interest for an infringement or denial of their fundamental rights and freedoms under the Charter of human rights and freedoms or the Canadian Charter of Rights and Freedoms (Part I of Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).

Again, such notice is required when a person intends to raise, in a proceeding, the issue of the navigability or floatability of a lake or watercourse or the issue of the ownership of the bed or banks of a lake or watercourse.

No such demand may be ruled on unless such notice has been validly given, and the court may only adjudicate with respect to the grounds set out in the notice.

77. To be validly given, the notice to the Attorney General of Québec must clearly state the contentions the person intends to assert and the grounds on which they are based, and be served on the Attorney General by a bailiff as soon as possible in the course of the proceeding but, in a civil matter, at least 30 days before the case is ready for trial and, in other matters, at least 30 days before the trial; in addition, the notice must be accompanied by all pleadings already filed in the record. The Attorney General becomes a party to the proceeding without further formality and may submit conclusions to the court, in which case the court must rule on them.

Only the Attorney General may waive the notice period.

The notice to the Attorney General must also be served on the Attorney General of Canada if the provision or rule of law concerned comes under federal jurisdiction; it must be notified to the Director of Criminal and Penal Prosecutions if the provision or rule of law concerned relates to a criminal or penal matter.

78. In criminal or penal matters, a notice to the Attorney General of Québec under the second paragraph of article 76 must be served at least 10 days before the date of the trial on the demand for reparation. Failing that, the court orders service of the notice and postpones the hearing, unless the Attorney General waives the notice period or the court shortens it because, in its opinion, it is necessary to prevent irreparable prejudice to the initiator of the demand or to a third person.

Such a notice is not required if the reparation sought relates to the disclosure or exclusion of evidence or to the period of time elapsed since the accusation,

or in the cases determined by order of the Minister of Justice published in the *Gazette officielle du Québec*.

79. In a proceeding involving a public interest issue, the court, even on its own initiative, may order the parties to invite the Attorney General of Québec to intervene as a party.

The Attorney General, on the Attorney General's own initiative, may intervene as a party in a proceeding involving such an issue without notice or formality and without having to prove an interest. As well, the Attorney General, on the Attorney General's own initiative, may appeal any judgment on a public interest issue, whether or not the Attorney General was a party in the proceeding.

80. No measures to force execution are available with respect to a judgment against the Attorney General of Québec other than in accordance with the special rules for forced execution in real actions. If the judgment orders the payment of a sum of money, the Minister of Finance, on receiving the judgment once it has become final, pays the amount specified out of available appropriations or, failing that, out of the Consolidated Revenue Fund.

81. The courts cannot order a provisional measure or a sanction against, or exercise the power of judicial review over, the Government or a minister of the Government or any person, whether or not a public servant, acting under their authority or on their instructions in a matter relating to the exercise of a function or the authority conferred on them by law. An exception to this rule may be made if it is shown to the court that there was a lack or excess of jurisdiction.

TITLE V

PROCEDURE APPLICABLE TO ALL JUDICIAL DEMANDS

CHAPTER I

SITTINGS OF COURTS AND TIME LIMITS

82. The courts do not sit on Saturdays or on holidays within the meaning of section 61 of the Interpretation Act (chapter I-16), nor do they sit on 26 December or 2 January, which are considered holidays for civil procedure purposes. In urgent cases, a demand may be heard on a Saturday or a holiday by the on-call judge designated by the chief justice or chief judge.

In addition, courts of first instance are not required to sit between 30 June and 1 September, or between 20 December and 7 January. They are nevertheless required to hear cases relating to personal integrity, status or capacity or family matters, cases concerning a labour or leasing contract, cases proceeding by default, incidental proceedings, proceedings concerning provisional remedies or control measures, non-contentious demands or applications and proceedings incidental to the execution of judgments. If they hold a trial on the merits during such a period, they must make sure, before

setting the date, that the parties and their lawyers and their witnesses, if any, may attend without any major inconvenience to themselves or their families.

In all circumstances, habeas corpus demands, demands or applications relating to personal integrity and demands or applications identified as urgent by law or considered urgent by the chief justice or chief judge have priority, in that order, over any other.

83. A time limit fixed by this Code, set by the court or agreed by the parties for the performance of an act or of a formality runs as of the act, event, decision or notification that gives rise to the time limit.

A time limit is counted by whole day or, if applicable, by month. If the time limit is expressed in days, the day that marks the start is not counted but the terminal day is. If the time limit is expressed in months, it expires on the day, in the last month, that bears the same calendar number as the day of the act, event, decision or notification having given rise to the time limit; if there is no such calendar number in that month, the time limit expires on the last day of the month.

A time limit expires at 12 midnight on the last day; a time limit that would normally expire on a Saturday or a holiday is extended until the following working day.

84. A time limit described by this Code as a strict time limit cannot be extended unless the court is convinced that it was impossible in fact for the party concerned to act sooner. If the court considers it necessary, any other time limit may be extended or, in an urgent situation, shortened by the court. When the court extends a time limit, it may relieve a party from the consequences of failing to comply with the original time limit.

CHAPTER II

INTEREST REQUIRED TO BRING PROCEEDINGS

85. To bring a judicial demand, a person must have a sufficient interest.

The interest of a plaintiff who intends to raise a public interest issue is assessed on the basis of whether the interest is genuine, whether the issue is a serious one that can be validly resolved by the court and whether there is no other effective way to bring the issue before the court.

CHAPTER III

REPRESENTATION BEFORE COURTS AND CAPACITY TO ACT

86. The right to act before the courts in order to represent a person before the courts is reserved to lawyers. However, notaries may do so in non-

contentious proceedings and in the other cases specified in paragraph 7 of section 15 of the Notaries Act (chapter N-3).

87. The following are required to be represented before the courts by a lawyer in contentious proceedings, and by a lawyer or a notary in non-contentious proceedings:

(1) representatives, mandataries, tutors and curators and other persons acting on behalf of another person who, for serious reasons, cannot act on their own behalf;

(2) in a class action, the representative plaintiff or any person applying to act in that capacity;

(3) legal persons;

(4) general or limited partnerships and associations and other groups not endowed with juridical personality, unless all the partners or members act themselves or mandate one of their number to act;

(5) the Public Curator, guardians and sequestrators;

(6) liquidators, trustees and other representatives of collective interests when acting in that capacity;

(7) purchasers of accounts and collection agents.

88. Persons and groups may be represented by a mandatary other than a lawyer for the recovery of small claims under Title II of Book VI, in accordance with the rules of this Code.

Legal persons and groups may be represented by such a mandatary for the purpose of participating in the distribution of money derived from an execution measure.

89. Tutors, curators and other representatives of persons who are unable to fully exercise their rights act in their own name and capacity. The same applies to administrators of the property of others as regards their administration, and to mandataries as regards the fulfillment of a protection mandate.

90. Whether in a contentious or non-contentious proceeding, the court, even on its own initiative, may order representation if the court considers it necessary to safeguard the rights and interests of a minor or those of a person of full age not represented by a tutor, a curator or a mandatary and considered incapable by the court.

91. Two or more persons who have a common interest in a dispute may mandate one of them to act in a proceeding on their behalf. The mandate must be mentioned in the originating demand or in the defence.

The mandators are solidarily liable with the mandatory for the legal costs. The mandate is not affected by the death or change of status of any mandator, and cannot be revoked except with the authorization of the court.

92. An irregularity resulting from failure to be represented, assisted or authorized has no effect unless it is not remedied, and this may be done retroactively at any stage of a proceeding, even in appeal.

CHAPTER IV

DESIGNATION OF PARTIES

93. Parties are designated by their name and, when they are not acting in a personal capacity, by the capacity in which they are acting or, in the case of public office holders, by their official title if it is sufficient to identify them.

Legal persons and general or limited partnerships are designated by the name under which they were constituted or by which they identify themselves, and by their juridical form. Syndicates of co-owners and associations and other groups not endowed with juridical personality may be designated by the name by which they are generally known; if the name of a syndicate of co-owners is not known, it may be designated by the address of the building.

94. A party whose name is unknown or uncertain is sufficiently designated by a name that clearly identifies it.

If the subject matter of the demand is a bill of exchange or other private writing, a party is sufficiently designated by the name or initials appearing on the writing.

95. If a party's domicile or residence must be stated, but is unknown, the party's last known residence is sufficient. In the case of a legal person, a partnership or an association or another group not endowed with juridical personality or an office holder, the principal establishment or any other known establishment or a professional or other business address may be stated instead of the domicile.

96. A demand pertaining to the rights and obligations of the Government must be directed against the Attorney General of Québec.

A demand pertaining to the rights and obligations of a public body or of a public officer or office holder who is called on to make changes to an act or a register must be directed against the body or person concerned.

97. A demand pertaining to the rights and obligations of the heirs, legatees by particular title and successors of a deceased person must be directed against the liquidator of the succession. However, if the liquidator is unknown or cannot be identified in a sufficient time, the heirs, legatees and successors may be collectively designated as a party, without specifying their names or residence.

Heirs and legatees by particular title of a person whose succession opened outside Québec who have not registered a declaration of transmission in accordance with article 2998 of the Civil Code may be sued and designated collectively in any immovable real action relating to the succession.

98. A demand pertaining to certain and determinate property must describe the property in such a manner as to clearly distinguish it from other property.

A demand pertaining to an immovable must designate the immovable in accordance with the book of the Civil Code governing the publication of rights.

CHAPTER V

PLEADINGS

DIVISION I

FORM AND CONTENT OF PLEADINGS

99. A pleading must specify its nature and purpose and state the facts on which it is based and the conclusions sought. It must also state anything which, if not alleged, could take another party by surprise or raise an unexpected debate. The statements it contains must be clear, precise and concise, presented in logical order and numbered consecutively.

A pleading must specify the court seized, the judicial district in which it is filed, the number of the record to which it relates, the names of the parties and its date. If the court office can receive pleadings in technological media, the pleading must be in one of the standardized formats determined by the Minister of Justice to ensure the proper operation of the court office.

The author of a pleading must be identified by means of the author's signature, or that which serves the purpose of a signature as provided in the Act to establish a legal framework for information technology (chapter C-1.1).

100. An originating demand, whether in a contentious or non-contentious case, is filed with the court in writing by the plaintiff or, as applicable, by the plaintiff's lawyer or notary. In addition to the parties' names, it must state their domicile or residence, as applicable, and indicate, if applicable, in what capacity persons are party to the proceeding if otherwise than in their own name.

101. An application in the course of a proceeding may be in writing or presented orally and without formality at the hearing. If in writing, it must state the date, time and place it will be presented before the court, and must be notified to the other parties at least three days in advance. If presented orally, it must be submitted to the court in the presence of the other parties.

An application in the course of a proceeding may also be set out in a note, a letter or a notice if it concerns a case management measure, if the judge so requires or if the judge and the parties so agree. The note, letter or notice must

clearly state the nature of the application and its subject matter, the number of the record to which it relates and any conclusions sought.

An application in the course of a proceeding that is grounded on facts not supported by evidence filed in the record must be in writing and supported by an oath sworn by the person alleging the facts.

Such an application can only be contested orally, unless written contestation is authorized by the court. During the hearing, any party may submit relevant evidence.

102. When replying to a pleading, a party must admit the allegations that it knows to be true and deny those that it does not admit, giving reasons for the denial, or state that it is unaware of the fact. To evoke an alleged fact, it is sufficient to refer to the paragraph in which it is stated.

Silence with respect to an alleged fact is not an admission of that fact.

103. In their pleadings, lawyers, notaries and bailiffs must designate themselves by their name, the name of their partnership or the name by which they are known. They must also state their professional address and give the name and contact information of the person in their office with whom the other parties may communicate.

104. Model pleadings and documents established by the Minister are posted on the Ministère de la Justice website.

DIVISION II

SWORN PLEADINGS

105. Whenever the law requires that a pleading be supported by an oath or whenever it requires or allows an affidavit as evidence, the oath must be sworn by a person who can attest to the truth of the facts alleged in the pleading or affidavit.

The pleading or statement must mention the date and place the oath is sworn or received, as well as the name and address of the person swearing the oath and the name and capacity of the person receiving it.

The person who swore the oath may be examined on the facts whose truth the person attested to; similarly, the affiant may be examined on the facts mentioned in the affidavit if the pleading, attestation or affidavit is deemed by law to be sworn. If the person refuses to submit to such an examination without valid cause, the pleading or affidavit is rejected.

106. A sworn statement, whatever its medium, must set out the facts and other evidence clearly and only contain facts or evidence that are relevant and the truth of which can be attested to by the person making the statement. A

reference to the paragraphs in the pleadings is sufficient to identify the facts that are sworn to. Repeating the wording of pleadings may constitute an abuse of procedure.

Evidence by sworn statement is permitted when the defence is oral. It is required in the case of an interlocutory injunction, a seizure before judgment or a judicial review but does not preclude the giving of evidence by witnesses.

DIVISION III

FILING OF PLEADINGS AND DOCUMENTS

107. An originating demand must be filed with the court office before it is notified to the other parties. The court clerk records it in the court registers, opens and assigns an identification number to the case record and writes that number on the document to be used by the party for notification purposes. All other pleadings must be filed with proof of notification and with any other required document.

Pleadings that are to be presented at the hearing must be filed with the court office at least two days before the date of presentation, except in an urgent situation noted by the court.

No originating demand may be set down for trial or judgment unless the plaintiff has first filed proof of notification; an originating demand expires if it is not notified within three months after it is filed.

Pleadings on technological media filed outside court office hours are deemed filed the following day, at opening time. In an urgent situation, the filing of a pleading outside court office hours may be attested to by the court clerk.

To be considered received, a pleading must be filed with the prescribed court costs and fees, if any.

108. The parties and the lawyers, or in non-contentious proceedings, the notaries representing the parties, must see to it that exhibits and other documents that contain identifying particulars generally held to be confidential are filed in a form that protects the confidentiality of the information.

Any document or real evidence that is filed in the record as an exhibit must remain in the record until the end of the proceeding, unless all the parties consent to its being removed. Once the proceeding has ended, the parties must retrieve the exhibits they have filed; otherwise, the court clerk may destroy them one year after the date on which the judgment becomes final or the date of the pleading terminating the proceeding. In either case, the chief justice or chief judge, if of the opinion that the exhibits can still be useful, may stay their destruction.

However, in reviewable or reassessable matters and, in non-contentious cases, notices, certificates, minutes, inventories, medical and psychosocial evidence, statements, declarations and documents made enforceable by a judgment, including any child support determination form attached to a judgment, cannot be removed from the record or destroyed.

CHAPTER VI

NOTIFICATION OF PLEADINGS AND DOCUMENTS

DIVISION I

GENERAL RULES

109. The purpose of notification is to bring a document, whether an originating demand or any other pleading or document, to the attention of the persons concerned.

A document intended for two or more addressees must be notified to each separately.

110. Notification may be made by any appropriate method that provides the notifier with proof that the document was delivered, sent or published. Such methods include notification by court bailiff, by mail, by delivery, by technological means and by public notice.

If the law so requires, notification is made by a court bailiff, in which case it is called service.

Whatever the method of notification used, a person who acknowledges receipt of the document or admits having received it is deemed to have been validly notified.

111. Notification of a pleading by bailiff or by delivery of a document may only be made on days other than holidays, between 7 a.m. and 9 p.m. Notification of pleadings to lawyers, notaries and bailiffs or between them cannot be made on Saturdays, on holidays or before 8 a.m. or after 5 p.m. except with their consent.

Notification by a technological means on a Saturday or on a holiday or after 5 p.m. is deemed to have been made at 8 a.m. on the next working day.

112. If required by the circumstances, the court, on an informal request, authorizes notification of a pleading otherwise than as provided for in or outside the hours prescribed by this chapter; in such a case, the court determines how notification is to be proved. The decision of the court is recorded on or attached to the pleading.

The authorization of the court may be obtained in the district where the notification is to be made, the district of the court that is seized of the matter

or the district of the notifier's residence or, for service of a notice of appeal, in the district where the judgment in first instance was rendered.

The court clerk may exercise the powers conferred on the court with respect to notification, except as regards the notification of pleadings in personal integrity, status or capacity matters.

113. Notification by a lawyer, a notary or a bailiff to a correspondent who is a lawyer, a notary or a bailiff may be made by any means of communication and the correspondent's signature is proof of the authenticity of the document.

114. The notifying party is required, on request, to let another party inspect the original or the document held by the notifying party. If the notifying party refuses or neglects to do so, the other party may seek a court order requiring compliance within the time specified by the court.

115. Notification of a pleading cannot be made in a public place of worship, a courtroom or a hearing room of an administrative tribunal, nor to a Member of the National Assembly in the chamber or a room where the Assembly or a committee sits.

DIVISION II

SERVICE OR NOTIFICATION BY BAILIFF

§1. — *General provisions*

116. Service or notification by bailiff is made by delivering the document to the addressee personally or, if this cannot be done, by leaving it at the addressee's domicile or residence with a person who appears to be capable of receiving it. If the document cannot be so delivered, it must be left at an appropriate place in a sealed envelope or in any other form that protects its confidentiality.

If the document is being served, the bailiff signs and stamps the document and records the date and time on it.

If the addressee refuses to accept the document, the bailiff records the refusal on the document, which is deemed to have been served or notified personally at the time of the refusal. The bailiff must leave the document on the premises by any appropriate means.

117. A bailiff may serve a document anywhere in Québec. However, if there is no bailiff firm in a radius of 75 kilometres from the place of service, service may be made either by a person of full age residing within that radius and designated by the bailiff to act in the bailiff's name and under the bailiff's authority, or by any other method of notification best allowing the addressee to be reached. In the latter case, notification is made by delivering the document to the addressee in exchange for a receipt.

When service is required by law, the only professional fees and expenses that may be charged by the bailiff as legal costs are those chargeable under the regulation under the Court Bailiffs Act (chapter H-4.1).

118. A document may be served even if another method of notification is permitted by law; no additional cost above the cost of notification by mail may be charged to the addressee, however, unless the addressee has rendered service necessary or service has been authorized by the court.

119. Service is proved by a certificate of service drawn up by the bailiff under their oath of office.

The certificate of service must mention

- (1) the court record number and the parties' names;
- (2) the nature of the document;
- (3) the place, date and time of service;
- (4) the name of the person to whom the document was delivered and, if not the addressee, the person's capacity, or the place where the document was left, if applicable;
- (5) if such is the case, the fact that the addressee refused to accept service or that the attempt to serve the document was unsuccessful; and
- (6) the amount of the professional fees and costs.

The bailiff may correct a clerical error in the certificate of service at any time before it is filed with the court office.

120. Service by a person designated by a bailiff is proved by a certificate of service drawn up by the person, stating their name, capacity and address. The certificate of service must be supported by a receipt given by the person who received the document, unless that person refused to give one, in which case that fact is recorded in the certificate of service.

On the face of the certificate drawn up by the designated person after an unsuccessful attempt to serve a document, the court may authorize notification by any method appropriate in the circumstances. The authorization is recorded on the certificate and on the document to be notified.

§2. — *Personal notification*

121. Service of an originating demand must be made on the addressee personally if the addressee is 14 years of age or older and the demand pertains to their personal integrity, status or capacity. The same applies if the addressee is imprisoned or otherwise confined against their will, or if their true identity is unknown or uncertain.

122. If the parties reside together, documents must be notified personally by one party to the other, unless they have agreed together to another method of notification.

123. In the case of a document other than an originating demand, if there is a risk that personal notification could worsen the addressee's physical or psychological condition, the court may authorize the delivery of the document, in a form that protects its confidentiality, to an authorized person within the health or social services institution or to the person in charge of the place where the addressee is, or to any other person designated by the court.

By way of exception, the court, if it considers that notification of a demand concerning a person's confinement in a health or social services institution for or after a psychiatric assessment would be harmful to the health or safety of the person concerned or of another person, or in an urgent situation, may exempt such a demand from notification.

§3. — *Notification through intermediary*

124. Notification to a natural person that cannot be made personally is made by leaving the document at the addressee's domicile or residence in the care of a person who resides or works there and appears to be capable of receiving the document; if this cannot be done, notification may be made by leaving the document at the addressee's business establishment or place of work in the care of the person in charge of the premises.

If the addressee's place of work is a means of transportation such as a ship, an airplane or a bus, the document may, if need be, be notified by a technological means.

125. Notification to a legal person is made at its head office or, if the head office is outside Québec, at one of its establishments in Québec, by leaving the document in the care of a person who appears to be in a position to give it to an officer or director or an agent of the legal person. It may also be made by delivering the document personally to such an officer, director or agent, wherever that person may be.

Notification of a document to a general or limited partnership or an association or any other group not endowed with juridical personality is made at its business establishment or office by leaving the document in the care of a person who appears to be in a position to give it to the addressee. It may also be made by delivering the document personally to one of its partners, members or officers, wherever that person may be.

Notification to a trustee, the liquidator of a legal person or enterprise or a trustee in bankruptcy is made at their domicile or place of work, either by delivering the document personally to them or by leaving the document in the care of a person who appears to be in a position to give it to the addressee.

126. Notification to the Attorney General of Québec is made at the Québec or Montréal office of the legal department of the Ministère de la Justice by leaving the document in the care of the person in charge of the premises.

127. Notification to the liquidator of a succession is made in the same manner as to any other natural person; if the liquidator is unknown or resides outside Québec, notification may be made to one of the heirs.

Notification to heirs and legatees by particular title collectively designated as a party is made by leaving the document at the deceased's last domicile; if that domicile is outside Québec or is closed, or if no member of the deceased's family is to be found there, notification may be made to one of the heirs or legatees by particular title.

128. Notification may be made to a person designated by the addressee or at the addressee's elected domicile. If the addressee has no domicile, residence or business establishment in Québec, notification may be made at the firm of the lawyer representing the addressee or of the notary acting for the addressee.

§4. — *Notice of visit*

129. A bailiff who has been unable to deliver a document to the addressee or to an intermediary leaves a notice of visit, in a sealed envelope, at the addressee's domicile, residence or business establishment, informing the addressee of the unsuccessful delivery attempt and specifying the nature of the document, the notifier's name and the place where the addressee can take delivery of the document.

The notice may be left in the addressee's mailbox or in a place accessible only to the addressee or, failing that, in a place where it will be plainly visible; it may instead be left with the owner, administrator or manager of the building. In all cases, the owner, administrator or manager is required to co-operate with the bailiff, such as by providing access to an appropriate place.

Alternatively, the notice may be sent by a technological means.

DIVISION III

OTHER METHODS OF NOTIFICATION

§1. — *Notification by mail*

130. Notification by mail is made by sending the document to the addressee's last known residential address; if the place of residence is unknown, the document may be sent to the addressee's known place of work. A document is considered to be mailed by registered mail if the delivery or receipt of the document is recorded.

131. Notification by registered mail is proved by the delivery notice or the receipt notice presented by the letter carrier at the time of delivery. Failing that, it is proved by the sender's declaration that the document was sent, with a reference to the delivery or receipt status.

The notification is deemed to have been made on the date the receipt notice was signed by the addressee or an intermediary capable of receiving notification or, as applicable, on the date of the delivery notice.

§2.—*Notification by delivery of document*

132. Notification by delivery is made by having the document delivered by a courier or any other carrier to the addressee personally, to the addressee's representative or to a person who appears to be capable of receiving it and in a position to give it to the addressee. If the document is delivered to a person other than the addressee, it must be in a sealed envelope or in any other form that protects its confidentiality.

The notification is made according to the notifier's instructions and in exchange for a receipt, which is proof of the date on which the notification is presumed to have been made.

§3.—*Notification by technological means*

133. Notification by a technological means is made by sending the document to the address provided by the addressee for the receipt of the document, or to the address that is publicly known as the address where the addressee receives documents, provided the address is active at the time of sending.

However, notification by a technological means to a party not represented by a lawyer or a notary is permitted only with the party's consent or if ordered by the court.

134. Notification by a technological means is proved by the transmission slip or, failing that, by a sworn statement of the sender.

The transmission slip must set out the nature of the document, the court record number, the names and contact information of the sender and the addressee, and the place, date, hour and minute of sending; unless the document was sent by a bailiff, the transmission slip must also contain the information needed to enable the addressee to make sure that the entire document was sent. The transmission slip is filed with the court office only if a party so requests.

§4.—*Notification by public notice*

135. Notification by public notice is by order of the court. Notification by public notice may also be used without a court order by a bailiff who has tried unsuccessfully to serve a document and has recorded that fact in the certificate of service.

136. Notification by public notice is made by publishing a notice or a summary of a document in keeping with the model established by the Minister of Justice by any means likely to reach the person concerned, such as by posting it on a website recognized by an order of the Minister of Justice or by publishing it in, or posting it on the website of, a newspaper circulated in the municipality of the person's last known address or the municipality where the immovable that is the subject of the dispute is situated.

The notice or summary must be published in French on a website for at least 60 days or once only in hard copy in a newspaper. If required by the circumstances, the notice or summary may be published more than once or may also be published in English.

137. A public notice concerning an originating demand must direct the defendant to take delivery of the demand at the court office within 30 days or any other time specified, and must mention that its publication is by court order or on the bailiff's request.

138. Notification by public notice is proved by filing with the court office a relevant extract from the published document, showing the date and the method or place of publication.

Notification by public notice is deemed to have taken place on the first day of publication.

DIVISION IV

NOTIFICATION OF CERTAIN PLEADINGS

139. An originating demand must be served by bailiff. The same applies to other pleadings required to be served under this Code or another law.

Documents that must be served include

- (1) subpoenas to witnesses;
- (2) cross-demands and intervention statements;
- (3) formal notices for the determination of boundaries;
- (4) judgments granting an injunction or containing any other order to do or not do something;
- (5) notices of appeal, applications for leave to appeal and applications for revocation of a judgment; and
- (6) in execution matters, notices of execution, oppositions to seizure or sale, and applications for the annulment of a seizure or sale.

However, a demand that impleads the Public Curator, the registrar of civil status, the land registrar, the personal and movable real rights registrar or the Agence du revenu du Québec may be notified to them otherwise than by service. The same applies to demands and other pleadings under Title II of Book VI.

140. An originating demand must be served on the defendant and the other parties. It is validly served only if certified by the serving party, its lawyer or the bailiff as being a true copy of the document filed with the court office.

Other pleadings by a party must be notified to the lawyers or, as applicable, notaries of the other parties, or to the parties themselves if they are not so represented. They may be certified as true copies on request.

If the pleading notified is not a true copy of the pleading filed with the court office, the notifier may notify a new pleading, with or without leave of the court depending on whether the party that was notified has replied or not to the pleading.

BOOK II

CONTENTIOUS PROCEEDINGS

TITLE I

INITIAL STAGES OF PROCEEDING

CHAPTER I

JUDICIAL DEMAND

141. In a contentious case, a judicial demand originating a proceeding is conducted according to the procedure set out in this Book.

The special rules for the conduct of certain civil matters set out in Book V and for special proceedings provided for in Book VI may supplement that procedure or depart from it.

142. Even in the absence of a dispute, a judicial demand may be instituted to seek, in order to resolve a genuine problem, a declaratory judgment determining the status of the plaintiff, or a right, power or obligation conferred on the plaintiff by a juridical act.

143. Two or more subject matters or claims may be joined in the same judicial demand, provided the conclusions sought are compatible. In family matters, the conclusions of the demand may pertain to provisional measures, to claims for custody or support or to the principal claim.

Two or more plaintiffs may join their claims and conclusions in the same demand if they have the same juridical basis, are grounded on the same facts or raise the same points of law, or if circumstances permit. If the plaintiffs

agree on the facts, they may confine the demand to the issue of law which is likely to cause a dispute between them.

144. A plaintiff cannot divide a debt that is due for the purpose of claiming payment by means of more than one demand.

CHAPTER II

SUMMONS AND DEFENDANT'S ANSWER

145. The plaintiff summons the defendant before justice by means of a summons attached to the demand. The summons includes a list of the exhibits in support of the demand and informs the defendant that they are available on request.

The defendant must answer the demand within the following 15 days, failing which a default judgment may be rendered and the legal costs awarded against the defendant.

146. The summons must be in keeping with the model established by the Minister of Justice.

It states, among other things, that the defendant must co-operate with the plaintiff in preparing the case protocol that is to govern the conduct of the proceeding; it also specifies the sanction to which the defendant is subject for failing to submit an answer to the demand within 15 days after its service.

The summons also sets out the options available to the defendant in answering the summons.

It informs the defendant that, if article 43 applies, the defendant may ask for the referral of the originating demand to the court having territorial jurisdiction by applying to the special clerk in the district concerned after notifying the other parties and the office of the court already seized of the originating demand.

Last, it informs the defendant of the defendant's right to contact the court office to request that the demand be processed according to the rules of Title II of Book VI relating to the recovery of small claims, provided the defendant would qualify to act as plaintiff under those rules. It further states that if the defendant requests that the demand be so processed, the plaintiff's legal costs will not exceed those prescribed for the recovery of such claims.

147. In the answer to the summons, the defendant states their intention to either negotiate a settlement or defend the demand and establish a case protocol with the plaintiff. The defendant may also propose mediation or a settlement conference. The answer to the summons must include the defendant's contact information and, if the defendant is represented by a lawyer, the lawyer's name and contact information.

The answer is notified to the plaintiff's lawyer or, if the plaintiff is not represented, to the plaintiff; it is filed with the court office whose contact information is given in the summons.

If two or more defendants have been summoned, the plaintiff is required to inform all the parties of the answers received and of the names of the defendants' lawyers.

CHAPTER III

CASE MANAGEMENT

DIVISION I

CASE PROTOCOL

148. The parties are required to co-operate to either arrive at a settlement or establish a case protocol. In the case protocol, the parties set out their agreements and undertakings and the issues in dispute, indicate the consideration given to private dispute prevention and resolution processes, describe the steps to be taken to ensure the orderly progress of the proceeding, assess the time completing these steps could require and the foreseeable legal costs, and set the deadlines to be met within the strict time limit for trial readiness.

The case protocol covers such aspects as

- (1) preliminary exceptions and safeguard measures;
- (2) the advisability of holding a settlement conference;
- (3) pre-trial written or oral examinations, their necessity and, if any are to be conducted, their anticipated number and length;
- (4) the advisability of seeking one or more expert opinions, the nature of the opinion or opinions to be sought and the reasons why the parties do not intend to jointly seek expert opinion, if that is the case;
- (5) the defence, whether it will be oral or written and, if written, the time limit for filing it;
- (6) the procedure and time limit for pre-trial discovery and disclosure;
- (7) foreseeable incidental applications;
- (8) the extension of the time limit for trial readiness, if an extension proves necessary; and
- (9) the methods of notification the parties intend to use.

If warranted by the complexity of the case or by special circumstances, the parties may agree on a complementary protocol to provide for points that cannot be determined at the case protocol stage or identify certain points on which they were unable to reach an agreement.

149. A case protocol agreed between the parties' lawyers must be notified to the parties unless they have signed it.

It must be filed with the court office within 45 days after service of the summons or, in family matters, within three months after service of the summons.

150. Within 20 days after the case protocol is filed, the court examines it in light of the directives given by the chief justice or chief judge to ensure that the guiding principles of procedure are observed. The case protocol is presumed to be accepted unless the parties are called, within that same 20-day period, to a case management conference, which must be held within 30 days after the notice calling the conference.

The case protocol accepted by or established in conjunction with the court is binding on the parties, who are each required to comply with it under pain, among other sanctions, of paying the legal costs incurred by any of the parties or by third persons as a result of their failure to comply. The parties cannot amend the case protocol without the approval of the court unless the amendment pertains to the agreed time limits or facilitates the conduct of the proceeding, and is not inconsistent with specific decisions of the court; the parties are required to file all amendments to the case protocol with the court office.

151. A person impleaded by the demand may participate in the establishment of the case protocol. To do so, the person must inform the parties within 15 days after notification. Otherwise, the person is presumed to accept the case protocol established by the parties.

A person who becomes a party in the course of a proceeding must, within 15 days, propose terms for their participation in the proceeding, taking into account the existing case protocol. Failing agreement with the other parties, the person may ask the court to set those terms and amend the case protocol accordingly.

152. If a party fails to co-operate in establishing a case protocol, the other party files a proposal within the time limit for filing. If the differences between the parties are such that they are unable to establish a case protocol, one of the parties or each of them files a proposal within the time limit for filing, stating the points on which the parties differ. In such circumstances, the court may either convene the parties to establish the case protocol or establish the case protocol, even on its own initiative.

DIVISION II**CASE MANAGEMENT CONFERENCE**

153. At the case management conference convened on the court's own initiative or on request, the court acquaints itself with the issues of fact or law in dispute, examines the case protocol, discusses it with the parties and takes the appropriate case management measures. If it considers it useful, the court may require undertakings from the parties as to the further conduct of the proceeding, or subject the proceeding to certain conditions.

If a party is absent without valid reason, the court may hear the party that is present if the latter is ready to proceed on case management measures.

If the parties have agreed on a complementary protocol, the court may also schedule another case management conference.

154. At the case management conference, the court may decide to hear the parties, in open court, on the preliminary exceptions, or to hear the defendant on the grounds of defence, which are recorded in the minutes of the hearing or in a brief statement. The court may try the case immediately if the defence is to be oral and the parties are ready to proceed, postpone the hearing to a specified later date or leave it to the court clerk to set the case down for trial.

Preliminary exceptions are presented and contested orally, but the court may authorize the parties to submit the relevant evidence.

155. If the court tries the demand on the same day as the case management conference, the parties prove their cases by means of sworn statements if the law so requires or permits. They may also present any other evidence, be it oral or documentary.

156. If it is shown to the court that the demand is of a conservatory nature, that a settlement is possible and that the effort required to prepare the case for trial would be wasted or disproportionate in the circumstances, and the court is in addition convinced of the seriousness of the steps taken, the court may stay the proceeding for the time it determines. It may lift the stay on a party's request if it considers that the grounds for the stay no longer exist.

DIVISION III**SPECIAL CASE MANAGEMENT**

157. In order to ensure the orderly progress of a proceeding, the chief justice or chief judge may, on their own initiative, given the nature, character or complexity of the case, order that it be examined and, if warranted, case-managed as soon as the demand is instituted and even before the case protocol is filed.

The chief justice or chief judge may also, for the same reasons, on their own initiative or on request, order special case management at any time and assign a judge as special case management judge. The special case management judge is responsible for deciding all incidental applications, convening a case management conference and a pre-trial conference if warranted, and issuing such orders as are appropriate, unless another judge is temporarily assigned because the special case management judge is unable to act. The special case management judge may also be assigned to preside over the trial and render judgment on the merits of the principal demand.

DIVISION IV

CASE MANAGEMENT MEASURES

158. For case management purposes, at any stage of a proceeding, the court may decide, on its own initiative or on request, to

(1) take measures to simplify or expedite the proceeding and shorten the trial by ruling, among other things, on the advisability of ordering the consolidation or separation of proceedings or the splitting of the proceeding, of better defining the issues in dispute, of amending the pleadings, of limiting the length of the trial, of admitting facts or documents, of authorizing sworn statements in lieu of oral evidence or of determining the procedure and time limit for the disclosure of exhibits and other evidence between the parties, or by convening the parties to a case management conference or a settlement conference, or encouraging them to use mediation;

(2) assess the purpose and usefulness of seeking expert opinion, whether joint or not, determine the mechanics of that process as well as the anticipated costs, and set a time limit for submission of the expert report; if the parties failed to agree on joint expert evidence, assess the merits of their reasons and impose joint expert evidence if it is necessary to do so to uphold the principle of proportionality and if, in light of the steps already taken, doing so is conducive to the efficient resolution of the dispute without, however, jeopardizing the parties' right to assert their contentions;

(3) determine terms for the conduct of pre-trial examinations, if such examinations are required, including their number and their length when it appears necessary to exceed the time prescribed by this Code;

(4) order notification of the demand to persons whose rights or interests may be affected by the judgment, or invite the parties to bring a third person in as an intervenor or to implead a third person if the court considers that that person's participation is necessary in order to resolve the dispute and, in family or personal status or capacity matters, order the production of additional evidence;

(5) rule on any special requests made by the parties, modify the case protocol or authorize or order provisional measures or safeguard measures as it considers appropriate;

- (6) determine whether the defence is to be oral or written;
- (7) extend the time limit for trial readiness; or
- (8) issue a safeguard order, effective for not more than six months.

159. The court's case management decisions are recorded in the minutes of the hearing and are considered to be part of the case protocol. Unless revised by the court, they govern the conduct of the proceeding together with the case protocol.

160. If the court orders the appointment of a lawyer to represent a minor or a person of full age it considers incapable who is not represented by a tutor, a curator or a mandatary, it rules, if need be, on the lawyer's fee, which is borne either by the minor's father and mother, or by the incapable person.

In the case of such a person of full age, the court, on its own initiative, may order that the demand be notified to the person's spouse, a close relative or a person who shows a special interest in the person or, in their absence, to the Public Curator.

In all cases where the representative of a minor or of an incapable person of full age has an interest adverse to that of the minor or incapable person, the court, even on its own initiative, may appoint a tutor or curator ad hoc to ensure proper representation of the minor or incapable person.

If required by the circumstances, the court may stay the proceeding for the time it specifies.

CHAPTER IV

SETTLEMENT CONFERENCE

161. At any stage of a proceeding but before the scheduled trial date, the chief justice or chief judge may assign a judge to preside over a settlement conference if the parties so request, briefly stating the issues to be examined, or if the chief justice or chief judge recommends that a settlement conference be held and the parties concur. The chief justice or chief judge may also do so even after the scheduled trial date, if exceptional circumstances so warrant.

Presiding over settlement conferences falls within the conciliation mission of judges.

162. The purpose of a settlement conference is to facilitate dialogue between the parties to help them better understand and assess their respective needs, interests and positions, and explore solutions that may lead to a mutually satisfactory agreement to resolve the dispute.

163. A settlement conference is held in the presence of the parties, and, if the parties so wish, in the presence of their lawyers. It is held in camera, at no cost to the parties and without formality.

The settlement conference does not stay the proceeding, but the judge presiding over the conference, if of the opinion that it is necessary, may modify the case protocol accordingly.

Anything said, written or done during the settlement conference is confidential.

164. In agreement with the parties, the judge determines the schedule of meetings, the rules applicable to the settlement conference and any measure to facilitate its conduct.

The rules may, among other things, allow the judge to meet with the parties separately and allow other persons to take part in the settlement conference if it is considered that their presence would be helpful in resolving the dispute.

The parties are required to ensure that the persons who have the authority to make a settlement agreement are present at the conference or that they can be reached in sufficient time to give their consent.

165. If a settlement is reached, the judge may, on an application, homologate the transaction.

If no settlement is reached, the judge may take the appropriate case management measures or, with the parties' consent, convert the settlement conference into a case management conference. The judge cannot, however, subsequently try the case or decide any incidental application.

CHAPTER V

DEFENCE

DIVISION I

PRELIMINARY EXCEPTIONS

§1. — *General provisions*

166. A party that has preliminary exceptions to raise must disclose them in writing to the other party in sufficient time and file the written disclosure with the court office.

The party must do so before the time limit for filing the case protocol or on the date specified in the case protocol, or at least three days before the date set by the court for the case management conference on the case protocol, or, if no case protocol is required, at least three days before the originating demand is to be presented before the court.

The disclosure and filing required by the first paragraph may only be effected at another time in cases determined by law or with the authorization of the court if serious reasons so warrant.

§2.—*Declinatory exception*

167. If a demand is brought before a court other than the court of competent jurisdiction, a party may ask that it be referred to the competent court or, failing that, that it be dismissed.

Lack of subject-matter jurisdiction may be raised at any stage of the proceeding, and may even be declared by the court on its own initiative, in which case the court adjudicates as to legal costs according to the circumstances.

§3.—*Exception to dismiss*

168. A party may ask that a demand or a defence be dismissed if

- (1) there is *lis pendens* or *res judicata*;
- (2) one of the parties is incapable or does not have the necessary capacity to act; or
- (3) one of the parties clearly has no interest.

The party may also ask that a demand or a defence be dismissed if it is unfounded in law whether or not the facts alleged are true. Such an exception may pertain to only part of the demand or defence.

The party against which the exception is raised may be allowed a period of time to correct the situation but if, on the expiry of that period, the correction has not been made, the demand or defence is dismissed.

The dismissal of a demand may be urged even if the exception to dismiss was not raised before the first case management conference.

§4.—*Other exceptions*

169. A party may apply to the court for any measure conducive to the orderly progress of the proceeding.

A party may also apply to the court for an order directing another party to clarify allegations made in the demand or the defence, disclose a document to the party or strike immaterial allegations.

A judgment granting such an application may require a party to do something within a specified time under pain of the originating demand or the defence being dismissed or the allegations in question being struck.

DIVISION II**DEFENCE ON MERITS**

170. Defending a demand, whether orally or in writing, consists in raising all the grounds of law or fact that argue against granting in whole or in part the conclusions sought in the demand. In its defence, a party may allege any material facts, even material facts that have arisen since the demand was instituted, and advance any conclusions necessary to defeat grounds set up by the other parties.

If the defence is oral, the arguments made are recorded in the minutes of the hearing or in a brief outline attached to the minutes. If the defence is written, it is set out in a pleading.

A declaration by a party that it submits to justice is not a defence, nor is it acquiescence in the claims of another party.

171. The defence is to be oral unless the case presents a high level of complexity or special circumstances warrant otherwise.

The defence is to be oral, for example, in all instances where the purpose of the proceeding is to obtain support or a right relating to the custody of a child, to obtain the surrender of property, an authorization, a designation, a homologation or the recognition of a decision, or a determination as to the manner in which an office is to be performed or the sole determination of an amount of money due under a contract or as reparation for proven injury.

172. In the defence, the defendant may make a cross-demand against the plaintiff to assert a claim arising from the same source as the demand or from a related source. The court remains seized of the cross-demand despite discontinuance of the demand.

A cross-demand is made in writing but defended orally, unless the court, on its own initiative, requires that it be defended in writing.

CHAPTER VI**READINESS FOR TRIAL AND SETTING DOWN FOR TRIAL AND JUDGMENT**

173. The plaintiff is required to ready the case for trial within six months, or one year in family matters, after the date on which the case protocol is presumed to be accepted or the case management conference following the filing of the case protocol is held, or after the date the case protocol is established by the court, and, before that strict time limit expires, to file a request with the court office to have the case set down for trial and judgment.

Nevertheless, if warranted by the high level of complexity of the case or by special circumstances, the court may extend the time limit at a case management conference. Even after the case management conference, the court may extend the time limit before it expires, if the parties show that it was impossible in fact, at the time of that conference, to properly assess how long they would need to ready the case for trial, or that circumstances unforeseeable at that time have since occurred. The new time limit set by the court is also a strict time limit.

If the parties or the plaintiff have not filed a case protocol or a proposed case protocol within the prescribed 45-day or three-month time limit for doing so, the six-month or one-year time limit under this article is counted from service of the demand. In such an instance, the court cannot extend the latter time limit unless it was impossible in fact for one of the parties to act.

174. A request for setting down for trial and judgment is made by means of a joint declaration by the parties stating that the case is ready for trial and containing

- (1) the name of each party and, if the party is represented, its lawyer's name, as well as their contact information;
- (2) a list of the exhibits and other evidence disclosed between the parties;
- (3) a list of the witnesses each party intends to call and a list of those whose evidence it intends to present in the form of sworn statements, unless there is valid cause not to disclose their identities;
- (4) a list of the facts that are admitted;
- (5) a list of the points to be determined by experts; and
- (6) an estimate of the length of the trial and, if applicable, particulars as to the use of the services of an interpreter or the use of technological means.

If the declaration cannot be made by the parties jointly, the plaintiff or, if the plaintiff fails to do so, another party, files a declaration and notifies it to the other parties. The declaration is deemed confirmed unless the other parties specify, within 15 days after it is notified, what should, in their opinion, be added or deleted.

175. If the defendant fails to answer the summons or to file a defence within the time limit set in the case protocol and the plaintiff so requires, the court clerk sets the case down for judgment. If the defendant fails to attend the case management conference, the case is set down for judgment on an order of the court.

In such instances, the plaintiff must file the exhibits and the plaintiff's own sworn statement with the court office.

176. A premature or irregular request for setting down a case may be cancelled by the court or the court clerk, on their own initiative. A request made after the expiry of the time limit prescribed by law or set by the court is inadmissible.

177. A plaintiff who fails to file a request for setting down within the strict time limit is presumed to have discontinued the demand, unless another party files such a request within 30 days after the expiry of the time limit.

The court may relieve the plaintiff from this sanction if it is satisfied that it was impossible in fact for the latter to act within the time limit. In such an instance, the court modifies the case protocol and sets a new time limit, which cannot be extended except for compelling reasons.

178. Once the case has been set down for trial, a notice of the scheduled trial date is notified by the court clerk to the parties and their lawyers unless a trial date was set by the court or with the parties' consent. The notice is notified at least one month but not more than two months before the trial date, unless the parties agree to a shorter notice period. The notice is presumed to have been received if the notification is recorded in the court register.

The fact that a party did not receive the notice is not grounds for postponing the trial if its lawyer received it.

CHAPTER VII

PRE-TRIAL CONFERENCE

179. Once a case has been set down, the judge who is to preside over the trial, or any other judge designated by the chief justice or chief judge, may, on the judge's own initiative or on request, convene the lawyers to discuss appropriate means of simplifying and shortening the trial.

The lawyers must, on the judge's request, provide any exhibits or other evidence not already filed in the record that they intend to produce as evidence during the trial.

The agreements and decisions made during the pre-trial conference are recorded in the minutes of the conference and are binding on the parties during the trial.

CHAPTER VIII

PROCESSING OF CASE SET DOWN FOLLOWING DEFENDANT'S DEFAULT

180. If a case has been set down following the defendant's failure to answer the summons, the plaintiff may obtain judgment without further delay or notice. However, if the failure is attributable to the Attorney General, the plaintiff must

give the Attorney General at least one month's notice before filing the request for setting down.

If a case has been set down following the defendant's failure to attend the case management conference without valid cause or to defend the demand within the time limit set in the case protocol, the plaintiff must give the defendant at least five days' advance notice before the case proceeds to trial.

181. In default proceedings, the special clerk may render judgment if the sole subject matter of the demand is the price of a service contract or the sales price of movable property; the special clerk may also render judgment if the demand seeks payment of an amount of money clearly stated in an authentic act or private writing.

The special clerk renders judgment on the face of the demand, the exhibits supporting the plaintiff's claims and a sworn statement by the plaintiff attesting that the amount claimed is owed to the plaintiff.

The special clerk may also, after the evidence stage, render judgment on any other matter except family matters.

182. When the presentation of evidence is necessary, the special clerk receives the evidence, which may be adduced solely in the form of sworn written statements.

During the evidence stage of the proceeding, the defendant cannot produce witnesses but may cross-examine any witnesses called by the plaintiff. The witnesses may also be examined by the special clerk or by the judge in chambers, if the clerk or judge sees fit. The witnesses' depositions are sound-recorded, unless waived by the parties.

183. If there are two or more defendants but only one or some are in default, the plaintiff may proceed first against those in default and request that the case be set down for judgment by the court, after giving notice to all who are party to the case protocol. However, if the court is of the opinion that the dispute requires a uniform decision for all the defendants, given the subject matter of the demand or to avoid conflicting judgments, it orders the proceeding to continue against all of them in accordance with the case protocol.

TITLE II

INCIDENTAL PROCEEDINGS

CHAPTER I

INTERVENTION OF THIRD PERSONS IN PROCEEDING

DIVISION I

GENERAL PROVISIONS

184. Intervention is either voluntary or forced.

Intervention is voluntary when a person who has an interest in a proceeding but is not a party or whose participation in a proceeding is necessary in order to authorize, assist or represent an incapable party intervenes in the proceeding as a party. It is also voluntary when a person wishes to intervene for the sole purpose of participating in argument during the trial.

Intervention is forced when a party impleads a third person so that the dispute may be fully resolved or so that the judgment may be set up against that third person. It is also forced when a party intends to exercise a recourse in warranty against the third person.

DIVISION II

VOLUNTARY INTERVENTION

185. Voluntary intervention is termed aggressive when the third person seeks to be acknowledged as having, against the parties or one of them, a right which is in dispute. It is termed conservatory when the third person wishes to be substituted for one of the parties in order to represent it, or to be joined with one of the parties in order to assist it or support its claims. A third person is said to intervene as a friend of the court when seeking only to participate in argument during the trial.

A third person who intervenes for aggressive or conservatory purposes becomes a party to the proceeding.

186. A third person who wishes to intervene for conservatory or aggressive purposes notifies an intervention statement to the parties, setting out the person's interest in the case and claims, the conclusions sought and the facts justifying such conclusions. The intervention statement must also propose an intervention procedure, with due regard for the case protocol.

The parties have 10 days to notify their opposition to the third person and the other parties. If no opposition is notified, the third person's interest is presumed to be sufficient and the proposed intervention procedure to be accepted on the filing of the intervention statement with the court office. If opposition is notified, the third person presents the intervention statement

before the court in order to obtain a ruling on the person's interest and the intervention procedure.

187. A third person who wishes to intervene as a friend of the court during the trial must obtain authorization from the court. The person must file an intervention statement setting out the purpose of and grounds for the intervention and notify it to the parties at least five days before the date the demand for authorization is to be presented before the court.

After hearing the third person and the parties, the court may grant authorization if it is of the opinion that the intervention is expedient; in making its decision, the court considers the importance of the issues in dispute, particularly in relation to the public interest, and the usefulness of the third person's contribution to the debate.

DIVISION III

FORCED INTERVENTION

188. A third person is impleaded by service of an intervention statement setting out the grounds justifying the forced intervention of that third person as a party, together with the judicial demand. The intervention statement must also propose an intervention procedure, with due regard for the case protocol.

The declaration of intervention is also notified to the other parties and they and the third person have 10 days to notify their opposition.

189. When the purpose of the forced intervention is to call a third person in warranty, the warranty is termed simple if the plaintiff in warranty is being sued as personally liable. The warranty is termed legal if the plaintiff in warranty is being sued as the holder of a thing.

A third person called in simple warranty cannot take up the defence of the plaintiff in warranty, but may merely contest the demand brought against the latter, if the person sees fit.

A third person called in legal warranty may take up the defence of the plaintiff in warranty and the latter may ask to be relieved from defending. In order to preserve their respective rights, the plaintiff in warranty, although relieved from defending, may remain in the proceeding and the principal plaintiff may require that the plaintiff in warranty remain in the proceeding. A judgment rendered against the legal warrantor is enforceable against the plaintiff in warranty after it is notified to the latter.

190. The demand and the recourse in warranty are joined in a single proceeding and, unless separated by the court, are subject to the same case protocol, which is revised to take the recourse in warranty into account. The demand and the recourse in warranty are tried together and a single judgment decides them both.

CHAPTER II**INCIDENTAL PROCEEDINGS RELATING TO PARTIES' LAWYERS**

191. A party may ask, in the course of a proceeding, that its lawyer be disavowed and that acts that exceeded the scope of that lawyer's mandate be repudiated. The application is brought by the party itself or by a specially mandated lawyer and is notified to the disavowed lawyer and the other parties.

After judgment, such a disavowal must be sought by means of an originating demand. Execution of the judgment is not stayed unless the court so orders.

If the disavowal is held to be well-founded, the repudiated acts are annulled and the parties, restored to their former state.

192. If, before a case is taken under advisement, the lawyer of one of the parties withdraws, dies or becomes disqualified from practising as a lawyer, a formal notice must be given to the party to appoint another lawyer or send the other parties a notice of intention to self-represent. The party must answer the formal notice within 10 days after its notification. No pleading may be filed or judgment rendered during that time.

If the party does not appoint a new lawyer, the proceeding continues as though the party were not represented. If the party does not comply with the case protocol or the rules of representation, any other party, if a plaintiff in the case, may request that the case be set down for judgment, or, if a defendant in the case, that the demand be dismissed.

A party represented by a lawyer is deemed to have been informed of another party's lawyer's death, disqualification or appointment to a public office that is incompatible with practice as a lawyer, without notification of the death, disqualification or appointment being necessary.

193. On a party's application, a lawyer may be declared disqualified to act in a proceeding, as when the lawyer is in a conflict of interest situation and does not take steps to remedy it, has disclosed or is likely to disclose confidential information to another party or a third person, or is called as a witness in the proceeding on essential facts. In the latter case, the lawyer may only be declared disqualified for serious cause.

194. Before a trial date has been set, a lawyer who wishes to cease representing a party may do so after notifying the party, the other parties and the court clerk.

If a trial date has been set, the lawyer cannot cease representing the party, nor may another lawyer be brought in as a substitute, without the authorization of the court.

195. If parties joined as plaintiffs in a demand are represented by the same lawyer, the court, to avoid genuine problems and to ensure that justice is done,

may adjourn the trial until each of the parties has appointed a new lawyer or filed a notice of intention to self-represent.

CHAPTER III

CONTINUANCE OF PROCEEDING

196. A proceeding is not delayed because a party has had a change of status or capacity, has ceased to exercise certain functions or has died.

However, the court may extend the strict time limit for trial readiness so that interested persons may continue the proceeding or be given a formal notice to do so. In such a case, the proceeding is stayed for the time specified by the court.

197. A lawyer who learns that the party they are representing has had a change of status or capacity, has ceased to exercise certain functions or has died is required to notify that information to the other parties.

Pleadings filed before the notification are valid. Those filed after the notification are without effect, except conservatory ones intended to preserve the rights of the persons likely to continue the proceeding.

198. A proceeding may be continued by a person who, as a result of a party's change of status or capacity or loss of capacity, has acquired the capacity and the interest required to continue the proceeding.

A proceeding may also be continued by the person succeeding to a party's functions, by the liquidator of the succession or the heirs of a deceased party or by a successor who has acquired the right that is the subject matter of the dispute.

199. Heirs who are parties to a proceeding are required to notify the liquidator's name, address and other contact information to the other parties as soon as the liquidator takes charge of the succession.

Pleadings filed before the notification are valid, unless the court decides otherwise on the liquidator's request. Those filed after the notification are without effect and the proceeding is stayed until continued by the liquidator.

200. A continuance of proceeding is obtained by filing with the court office a notice stating the facts giving rise to the continuance and notifying it to all the parties. The right to continue the proceeding may be contested within 10 days after the notification. If it is not contested within that time, the continuance of proceeding is deemed admitted.

If the interested persons do not continue the proceeding, a party may give them a formal notice to do so. If they fail to comply within 10 days, any plaintiff

in the case may request that the case be set down for judgment as in default cases, and any defendant in the case, that the demand be dismissed.

CHAPTER IV RECUSATION

201. A judge who considers that one of the parties may have serious reasons to question the judge's impartiality is required to declare as much to the chief justice or chief judge without delay. In such a case, the chief justice or chief judge designates another judge to continue or try the case and informs the parties.

A party that has serious reasons to question the judge's impartiality must declare as much without delay in a written statement notified to the judge and the other party. If the judge does not withdraw from the case within 10 days after the notification, a party may make an application for recusation. A party may, however, waive the right to recuse.

Statements and any other document relating to the recusation are filed in the record.

202. The following situations, among others, may be considered serious reasons for questioning a judge's impartiality and for seeking the judge's recusation:

- (1) the judge being the spouse of one of the parties or of the lawyer of one of the parties, or the judge or the judge's spouse being related by blood or connected by marriage or civil union to one of the parties or to the lawyer of one of the parties, up to the fourth degree inclusively;
- (2) the judge being a party to a proceeding pertaining to an issue similar to the one before the judge for determination;
- (3) the judge having given advice or an opinion on the dispute or having previously dealt with the dispute as arbitrator or mediator;
- (4) the judge having represented one of the parties;
- (5) the judge being a shareholder or an officer of a legal person or a member of a partnership or an association or another group not endowed with juridical personality that is a party to the proceeding;
- (6) a serious conflict existing between the judge and one of the parties or the lawyer of one of the parties, or threats or insults having been uttered between them during the proceeding or in the year preceding the application for recusation.

203. A judge who has an interest or whose spouse has an interest in a case is disqualified and cannot hear the case.

204. An application for recusation is notified to the judge and the other parties on the expiry of 10 days after notification of the statement.

If no statement was made, a party may apply for recusation at any stage of the proceeding, provided it shows that it has been diligent. The application may be made orally during the trial, in which case the reasons given are recorded in the minutes of the hearing.

If the application for recusation is against the sole judge assigned to sit in the district where the proceeding has been brought, the court clerk immediately informs the chief justice or chief judge.

205. The application for recusation is decided by the presiding judge. The decision may be appealed by leave of a judge of the Court of Appeal.

If the application is granted, the judge must withdraw from the case and abstain from sitting. If the application is dismissed, the judge continues to preside over the case.

The court clerk advises the chief justice or chief judge of any case in which the trial is postponed because the judge has decided to withdraw from the case.

CHAPTER V

INCIDENTAL PROCEEDINGS RELATING TO PLEADINGS

DIVISION I

WITHDRAWAL OR AMENDMENT OF PLEADING

206. At any time before judgment, the parties may withdraw or amend a pleading without it being necessary to obtain an authorization from the court, provided doing so does not delay the proceeding and is not contrary to the interests of justice. However, the amendment of a pleading must not result in an entirely new demand having no connection with the original one.

An amendment to a pleading may be made, for instance, to replace, correct or complete statements or conclusions, allege new facts or assert a right accrued since the notification of the judicial demand.

207. A party that intends to withdraw or amend a pleading must notify the intended withdrawal or the amended pleading to the other parties, which have 10 days to notify their opposition. If no opposition is notified, the withdrawal or amendment is accepted. If opposition is notified, the party that intends to withdraw or amend the pleading presents its demand before the court for a decision.

If any of the other parties must respond following the withdrawal or amendment of a pleading, the time limit for responding is set by the parties or, if the time limit is not already specified in the case protocol, by the court. If, as a result, a new defendant is brought into the proceeding, the judicial demand must be notified to that party without delay.

208. During the trial and in the presence of the other parties, the court may authorize a party to withdraw or amend a pleading without formality. The decision is recorded in the minutes of the hearing and any amended pleading is filed in the record as soon as possible, without notification being necessary.

At any time before judgment, the court, on its own initiative, may order the immediate correction of any clerical error or error of form, expression or calculation in a pleading, subject to the conditions it sees fit.

DIVISION II

DETERMINATION OF ISSUE OF LAW

209. The parties to a proceeding may jointly submit to the court a controversy between them on an issue of law raised by the dispute. The court determines the issue in the course of the proceeding if it considers that doing so is useful for the orderly progress of the proceeding; otherwise, it defers its determination of the issue until the judgment on the merits of the case.

DIVISION III

CONSOLIDATION AND SEPARATION OF PROCEEDINGS

210. Even when the demands do not arise from the same source or from related sources, the court may order that two or more proceedings between the same parties brought before the same court be consolidated, provided this does not result in undue delay for any of the parties or serious prejudice to a third person.

As well, the court may order that two or more proceedings pending before it, whether or not they involve the same parties, be consolidated in order to be tried at the same time and determined on the same evidence, that the evidence in one of the proceedings be used in another or that one of the proceedings be tried and determined before the others.

When demands have been joined in the same proceeding, the court, if it considers it advisable in order to protect the parties' rights, may order that they be separated and dealt with in different proceedings.

DIVISION IV**SPLITTING OF PROCEEDING**

211. The court, even on its own initiative, may split a proceeding if it thinks it advisable in order to protect the parties' rights. The resulting demands are tried before the same judge, unless the chief justice or chief judge decides otherwise.

DIVISION V**STAY OF PROCEEDING**

212. If the Court of Québec is seized of a demand having the same juridical basis or raising the same issues of law and fact as a demand instituted before the Superior Court, it may, even on its own initiative, stay the proceeding, provided this does not result in serious prejudice to the other parties.

A stay order is effective until the judgment rendered by the Superior Court has become final. The stay order may be revoked if new circumstances so warrant.

CHAPTER VI**INCIDENTAL PROCEEDINGS THAT TERMINATE PROCEEDING****DIVISION I****DISCONTINUANCE**

213. Discontinuance by the plaintiff of the whole of a judicial demand terminates the proceeding on the notification of a notice of discontinuance to the other parties and its filing with the court office. It restores matters to their former state, and is effective immediately if it takes place before the court and in the presence of the parties. The legal costs are borne by the plaintiff, subject to an agreement between the parties or a decision of the court.

214. If one of the plaintiffs in a joint demand discontinues it, the other plaintiff may continue the proceeding alone. In such a case, the judicial demand is amended accordingly and notified to the other parties, and the proceeding is continued in accordance with the rules applicable to any demand.

DIVISION II**TENDER AND DEPOSIT**

215. A party to a proceeding may make or renew a tender and confirm it in a judicial declaration, which is recorded.

If the tender is made by means of a letter of undertaking from a financial institution, a copy of the letter and proof that the letter was notified are filed in the record. If a sum of money or a security is tendered, it is deposited with a trust company, and the receipt for the deposit is filed in the record.

Unless the tender is conditional, the party to whom the tender is made may obtain the sum of money or security deposited, without prejudicing its claim to the balance.

216. For a deposit with a trust company to be valid, the trust company must be licensed under the Act respecting trust companies and savings companies (chapter S-29.01). The trust company must undertake to place the sum on deposit as a deposit of money within the meaning of the Deposit Insurance Act (chapter A-26) other than as a term deposit which would not be repayable at all times before maturity. The trust company must also undertake to remit the sum of money or security to the party to whom the tender is made on proof of performance of the obligation.

The document recording the undertakings of the trust company is filed with the court office.

DIVISION III

ACQUIESCENCE IN DEMAND

217. The defendant or the defendant's specially authorized mandatary may, at any stage of the proceeding, acquiesce, in whole or in part, in the demand.

A notice of acquiescence is filed with the court office and notified to the plaintiff. If applicable, the mandatary's special authorization must be attached.

218. If acquiescence in the demand is unqualified, the special clerk renders judgment immediately.

If acquiescence in the demand is qualified, the plaintiff must notify acceptance or refusal to the defendant within 15 days after notification of the notice of acquiescence. If the plaintiff accepts, the special clerk renders judgment accordingly. If the plaintiff refuses, the proceeding continues, but the plaintiff may nevertheless obtain judgment for the amount specified in the notice of acquiescence, in which case the proceeding continues only for the balance.

If the plaintiff notifies neither acceptance nor refusal, the plaintiff is presumed to have accepted the acquiescence with its qualifications. However, the court may relieve the plaintiff from the consequences of the default before judgment is rendered on the acquiescence.

219. If there are two or more defendants and only one or some of them file a notice of acquiescence, the court may render judgment against the acquiescing

defendants, on notification of a notice to all the parties. Alternatively, the court may choose to continue the proceeding and render a uniform judgment with respect to all the defendants, either because of the subject matter of the demand or to avoid conflicting judgments.

DIVISION IV

SETTLEMENT

220. The parties may terminate the proceeding by making a transaction, whether they reach their agreement in or outside the presence of the court. In the latter case, they must file a notice of settlement with the court office without delay.

TITLE III

PRE-TRIAL DISCOVERY AND DISCLOSURE

CHAPTER I

PRE-TRIAL EXAMINATION

DIVISION I

GENERAL PROVISIONS

221. A pre-trial examination, whether written or oral, may bear on any fact that is relevant to the dispute and on the evidence supporting such facts; it may also be for documentary disclosure purposes. Pre-trial examinations may be conducted only if they are provided for in the case protocol and must be in compliance with the terms, number and length specified in the case protocol.

Other than the parties, the following may be examined:

- (1) a representative, an agent or an employee of a party;
- (2) in a judicial demand in which a party's civil liability is at issue, the victim and any person involved in the injurious act or omission;
- (3) a person for whom a party acts as administrator of the property of others;
- (4) a person for whom a party acts as prête-nom or whose rights a party has acquired by transfer, subrogation or other similar title.

Any other person may be examined with their consent and that of the other party, or with the judge's authorization, subject to the conditions the judge determines. Neither a minor nor an incapable person of full age may be examined without the judge's authorization.

222. When a party submits evidence given in a sworn statement, another party may call the deponent to attend in order to be examined on that statement. The examination may pertain not only to evidence attested to in the statement but also to any other relevant fact. If the deponent fails to attend, the statement is rejected.

DIVISION II

WRITTEN EXAMINATION

223. A party may notify to the other party a written examination on facts relevant to the dispute, and require that other party to answer within a specified time, which cannot be shorter than 15 days or longer than one month. A party may also, after informing the other party, notify such an examination to any other person that may be examined.

The questions must be clear and specific, so that the absence of an answer can be taken as an admission, by the party or person examined, of the facts to which the questions pertain.

The examination and the answers are filed in the court record by either of the parties.

224. The answers to a written examination are given in writing, under oath, and signed by the party or person examined. They must be direct, categorical and specific, failing which they may be rejected and the facts to which the questions pertain, held to be proved.

If the party is a legal person, a general or limited partnership, or an association or another group not endowed with juridical personality, the answers are given by an authorized director, officer or employee, unless they are determined by a special resolution of the legal person, partnership or association or group not endowed with juridical personality.

225. If the party or person examined fails to answer the questions asked, the facts on which the examination bears are held to be proved as far as that party or person is concerned.

Nevertheless, the court, for valid cause, may relieve the party or person examined from the default and allow them to answer, subject to the conditions it sees fit. The court may also ask any other questions considered necessary and relevant, which the party or person examined must answer, failing which the facts to which the questions pertain are also held to be proved.

DIVISION III

ORAL EXAMINATION

226. A party intending to conduct an oral pre-trial examination must inform the person it wishes to examine at least five days in advance, stating the reason

why they are called as a witness and the nature, subject, time and place of the examination. If the parties have not reached an agreement on those points, the person is required to attend on the date and at the place specified in a subpoena, which must be served at least five days before that date.

If the judicial demand is founded on an injurious act or omission that is also an indictable offence, the necessary measures must be taken to ensure that the victim is not, without having consented to it, confronted with the alleged or confirmed perpetrator.

227. The deposition of the person examined is subject to the same rules as oral evidence given at trial; it is sound-recorded, unless waived by the parties.

The deposition forms part of each party's file, and the party that conducted the examination may produce all or excerpts of it in evidence or not produce it at all. Another party may ask the court to order the party to produce any other excerpt that cannot be dissociated from an excerpt that has already been produced.

228. Before a pre-trial examination is held, the parties may submit the objections they anticipate to a judge for a decision or for directives as to the conduct of the examination.

If the objections raised during the examination pertain to the fact that the person examined cannot be compelled, to fundamental rights or to an issue raising a substantial and legitimate interest, the person may refrain from answering. Such objections must be presented before the court within five days for a decision.

Other objections raised during the examination, including objections based on relevance, do not prevent it from continuing, the witness being required to answer. Such objections are recorded for a decision by the court at trial unless they can be heard by the court for an immediate decision.

The judgment on an objection may be rendered orally or in writing.

229. No pre-trial examination is permitted where the amount claimed or the value of the property claimed in the judicial demand is less than \$30,000.

No pre-trial examination may last more than five hours, or in family matters or cases where the value in dispute is less than \$100,000, three hours. In the course of the examination, the parties may agree to extend its length from five to seven hours or from three to four hours. Any other extension requires the authorization of the court.

230. The court, on request, may terminate an examination that it considers excessive or unnecessary and, on doing so, rule on the legal costs.

CHAPTER II**EXPERT EVIDENCE****DIVISION I****WHEN EXPERT EVIDENCE MAY BE USED**

231. The purpose of expert evidence provided by a qualified expert in the area or matter concerned is to enlighten the court and assist it in assessing evidence.

To provide expert evidence is to give an expert opinion, taking into consideration the facts relating to the dispute, on particulars relating to a person's personal integrity, status or capacity or adaptation to a given set of circumstances, or on factual or real evidence; to determine or audit accounts or other data; to give an expert opinion on the liquidation or partition of property; or to ascertain the state or situation of certain premises or things.

232. The parties agree on the need for expert evidence at the case protocol stage or, with the authorization of the court, at any time before the case is ready for trial.

The parties cannot seek more than one expert opinion, whether joint or not, per area or matter, unless the court authorizes otherwise given the complexity or importance of the case or the state of knowledge in the area or matter concerned.

233. In the case of joint expert evidence, the parties determine together what parameters must be covered, what expert is to be appointed, what fee is to be paid and how it is to be paid. If the parties fail to agree on any of those points, the matter is decided by the court.

A joint expert can require that the expert fee and disbursements be deposited at the court office before submission of the report. If such a deposit has not been required, the joint expert has a right of action against all the parties to the proceeding, who are solidarily liable for the amount due.

234. At any stage of a proceeding, if it considers that expert evidence is necessary in order to decide the dispute, the court, even on its own initiative, may appoint one or more qualified experts to provide such evidence. The court defines the expert's mission, gives the necessary instructions as to how it is to be carried out, sets the time limit within which the expert must submit a report and rules on the expert fee and its payment. The decision is notified to the expert without delay.

DIVISION II**EXPERTS' DUTIES AND POWERS**

235. Experts are required to give an opinion on the points submitted to them or, in the case of bailiffs, to make an ascertainment.

Experts are required, on request, to provide the court and the parties with details on their professional qualifications, the progress of the work and the instructions received from a party; they are also required to comply with the time limits given to them. They may, if necessary to carry out their mission, request directives from the court; such a request is notified to the parties.

Experts act under their professional oath. If an expert has not sworn a professional oath, the parties or the court may require that the expert be sworn in. In addition, experts must sign a declaration regarding the carrying out of their mission, corresponding to the model established by the Minister of Justice, and attach it to their report.

236. Court-appointed experts act under the court's authority to gather the evidence required to carry out their mission. They may examine any document or thing, visit any premises and, with the authorization of the court, take testimony under oath. They must preserve such testimony and certify its origin and integrity.

Experts are required to give the parties at least five days' notice of when and where their operations are to begin.

237. An expert who does not have the required qualifications or who is seriously remiss in carrying out their mission may be replaced or disavowed, including at a case management conference, on the court's initiative or on a party's request.

DIVISION III**EXPERT REPORT**

238. An expert report must be brief but provide sufficient details to enable the court to make its own assessment of the facts set out in the report and of the reasoning that led to the conclusions drawn by the expert. It must mention the analytical methodology used.

Any testimony taken by the expert is attached to the report and forms part of the evidence.

The expert's conclusions are not binding on the court or on the parties, unless the parties declare that they accept them.

239. A joint or court-appointed expert submits an operations report, with conclusions, to the parties and files a copy with the court office before the expiry of the time limit given.

An expert appointed by one party submits the report to the party, which, if it intends to use the report, must disclose it to the other parties and file it in the court record within the prescribed time limits for disclosure of evidence.

240. After the report has been filed but before the trial begins, the joint or court-appointed expert must, if the court so requires or on the parties' request, provide clarifications on certain aspects of the report and meet the parties to discuss the expert's opinions ahead of the trial.

If conflicting expert reports are filed, the parties may call the experts to a meeting so that they may reconcile their opinions, identify the points on which they differ and, if necessary, prepare an additional report on those points. At any stage of the proceeding, the court, even on its own initiative, may order the experts to meet and file an additional report within a specified time.

241. Before the trial begins, a party may apply for the dismissal of an expert report on the grounds of irregularity, substantial error or bias, in which case the application must be notified to the other parties within 10 days after the party becomes aware of the grounds for dismissing the report.

If the court considers the application well-founded, it orders that the report be corrected or that it be withdrawn. In the latter case, the court may allow another expert to be appointed. It may also, to the extent it specifies, reduce the amount of the fee payable to the expert or order that the expert repay any amount already received.

DIVISION IV

SPECIAL RULES APPLICABLE TO PHYSICAL, MENTAL OR PSYCHOSOCIAL EXAMINATION

242. A party, the person who is the subject of a demand or application relating to personal integrity, status or capacity, or the person who suffered the injury having given rise to the dispute cannot be required to undergo a physical or mental examination unless their physical or mental condition must be considered in order to rule on the matter. Even in such a case, the examination must be warranted given the nature, complexity and purpose of the judicial demand.

A psychosocial examination may be only requested in cases where personal integrity, status or capacity is at issue and if such an examination is necessary in order to rule on the matter. In family matters, a psychosocial examination cannot be conducted unless the person concerned consents to it or, in cases where the parents differ on the advisability of themselves or their child being subjected to such an examination, the court orders it.

243. A party that requires a physical or mental examination or requests a psychosocial examination must notify at least 10 days' notice of the place, date and time of the examination to the person concerned and the other parties' lawyers. The party must give the person the name of the expert responsible for conducting the examination and pay to the person in advance the indemnities and allowances payable to a witness, unless the person is otherwise compensated.

The person, at their own expense, may be accompanied during the examination by the expert of their choice.

244. The court can, on an application, stop an examination from taking place or change the conditions of an examination, despite an agreement between the parties, if it considers it appropriate in order to protect the person's right to personal integrity and respect.

If it considers it necessary in order to decide the matter, the court, on an application, may order the person to undergo another examination by a court-appointed expert. The place, date, time and conditions of the examination are specified in the order. The examination is conducted at the expense of the party that applied for it.

245. If necessary in order to determine the physical or mental condition of a party or of the person who is the subject of the demand or who suffered the injury having given rise to the dispute, the court may order the health and social services institution holding the record of the person who is to undergo an examination or whose death has given rise to a demand based on civil liability to disclose that record to a party and allow the party to make a copy of the information that is relevant as evidence.

CHAPTER III

DISCLOSURE AND FILING OF EXHIBITS AND OTHER EVIDENCE

DIVISION I

GENERAL PROVISIONS

246. Unless otherwise determined by the court, the procedure and the time limit for the disclosure of exhibits and other evidence between the parties must be set out in the case protocol in compliance with the rules of this chapter.

If the case protocol sets out no such procedure or time limit or if no case protocol is required, a party, on being informed that another party intends to use an exhibit or other evidence, may, without formality, request a copy of, or some other form of access to, the exhibit or other evidence. If the request is not complied with within 10 days, the court issues such orders as are appropriate.

DIVISION II**TIME LIMITS FOR DISCLOSURE AND FILING**

247. The exhibits in support of a judicial demand must be listed in the summons to the defendant; those in support of a pleading must be listed in the pleading or in a notice attached to it.

No notice is required if copies of the exhibits are delivered to the other parties when the demand or the pleading is notified to them.

248. A party in possession of evidence it intends to use at trial must send it to the other parties not later than with the declaration accompanying the request for setting down for trial. The party is dispensed from doing so if the evidence is an exhibit in support of a pleading or if the case protocol provides otherwise. In any other case, the evidence must be sent to other parties within 30 days after the order to set down for trial is issued or the date of the trial is set, unless the court determines another time limit.

A party that has failed to so disclose evidence cannot produce it at trial except with the authorization of the court.

249. A party that is unable, because of the circumstances or the nature of an exhibit or other evidence, to deliver a copy to a party that requested one is required to provide some other form of access to the exhibit or other evidence.

If the parties cannot agree, they may ask the judge to determine the procedure and the time limit for such disclosure.

250. Unless they have already been filed with the court office for the purposes of the pre-trial conference, exhibits and other evidence must be filed by the parties at least 15 days before the scheduled trial date, or at least three days before that date if the trial is to be held within 15 days. However, in all instances, the court may require that exhibits and other evidence be delivered to it within the time it specifies.

When a case proceeds following the defendant's default, exhibits and other evidence must be filed with the court office with the request for setting down for judgment.

DIVISION III**DOCUMENT OR REAL EVIDENCE IN POSSESSION OF PARTY OR THIRD PERSON**

251. A party in possession of real evidence is required, on request, to present it to the other parties or, subject to the conditions agreed with them, to submit it to an expert; the party is also required to preserve, until the end of the trial, the real evidence or, if applicable, a suitable representation that shows its current state.

A third person holding a document relating to a dispute or in possession of real evidence is required, if so ordered by the court, to disclose it, present it to the parties, submit it to an expert or preserve it.

DIVISION IV

APPLICATIONS IN COURSE OF PROCEEDING

252. The exhibits and other evidence used by a party in support of an application in the course of a proceeding must be disclosed to the other party as soon as possible or, in the case of real evidence, made available to the other party as soon as possible before the hearing. Otherwise, the exhibits and other evidence cannot be produced except with the authorization of the court.

CHAPTER IV

PRE-TRIAL DISCOVERY

DIVISION I

APPLICATIONS PRIOR TO PROCEEDING

253. A person who expects to become a party to a dispute and has reason to apprehend that some necessary evidence might be lost or become difficult to produce may examine witnesses whom the person fears may be absent, may die or may become incapacitated, or have a thing or property whose state may affect the outcome of the dispute inspected. The person must obtain the consent of the prospective plaintiff or defendant or the authorization of the court.

A person who carries out work on an immovable that might damage a neighbouring immovable may apply for an inspection of the neighbouring immovable without being required to show that a dispute is likely.

254. The application to the court must, in addition to stating the reasons for the applicant's apprehension, include the names and contact information of all interested persons and of the witnesses to be heard, the facts that suggest that a dispute may arise and a description of the nature of the potential dispute, the facts to which the examinations will bear, the description and situation of the thing or property to be inspected, the purpose of the inspection, and the name and contact information of the person who is to make the inspection.

The application is presented before the court before which the potential dispute could be brought, as if it were an application in the course of a proceeding.

The application must be notified, at least five days before its scheduled presentation date, to the interested persons and to any third person holding the thing or property to be inspected.

255. If the application is granted, the parties agree on where and when the witnesses will be heard or the thing or property inspected; how the thing or property will be inspected is determined by the parties unless already determined by the decision.

The discovery costs are borne by the applicant. However, if the evidence is subsequently used in a proceeding, the cost of the authorized depositions and expert reports forms part of the legal costs.

256. The depositions and expert reports are kept by each of the parties for use by any of them in the proceeding in anticipation of which the discovery was conducted. If a proceeding is commenced, the evidence gathered during discovery does not prevent the witnesses or experts from being called to be examined anew, nor does it adversely affect any grounds of objection that a party may later wish to raise against the actual admissibility of the evidence so gathered.

DIVISION II

PRE-TRIAL APPLICATIONS

257. Before the trial begins, a party to the proceeding, with the authorization of the court, may examine witnesses whom the party fears may be absent, may die or may become incapacitated, or have a thing or property which may be lost and whose state may affect the outcome of the dispute inspected by a person of the party's choice.

If the court grants its authorization, the parties agree on where and when the witnesses will be heard or the thing or property inspected; in the latter case, how the thing or property is to be inspected is determined by the parties unless already determined by the decision. The discovery costs form part of the legal costs if the evidence is filed in the court record.

The depositions and expert reports do not prevent the witnesses or experts from being called to be examined anew, nor do they adversely affect any grounds of objection that a party may later wish to raise against the actual admissibility of the evidence so gathered.

CHAPTER V

CONTESTATION OF EVIDENCE

DIVISION I

CONTESTATION OF AUTHENTIC ACT

258. In the course of a proceeding, a party may ask that an authentic act intended to be used at trial by that party or another party or already filed in the record be declared a forgery.

Such an application may be made at any time before judgment, but after evidence is closed, it may be granted only if it is shown that the party had no earlier knowledge of the forgery.

259. Before raising the allegation of forgery, the party must notify a notice to the other parties, asking them to declare whether or not they intend to use the contested act.

If the other parties do not respond within 10 days or if they declare that they do not intend to use the act, it cannot be produced at trial and, if already filed, is removed from the record. If the other parties declare that they intend to use the act, the party raising the allegation of forgery presents its application before the court for a ruling.

The grounds in support of the allegation of forgery must be set out in a sworn statement notified to all the parties and to the public officer who is in possession of the original of the act.

260. If the original of the act alleged to be a forgery has not already been filed in the record, the court, on request, may order the person who has custody of the original to file it with the court office within a specified time. If the custodian cannot surrender the original, the court may instead order that an authentic copy of the original be filed; the court may nevertheless order the filing of the original if it judges it essential.

The judgment ruling on the allegation of forgery also determines, if necessary, to whom the original is to be delivered.

DIVISION II

CONTESTATION OF CERTIFICATE

261. A party may ask that a certificate issued by a bailiff or other court officer, or any person authorized to make a return of notification, be declared false or inaccurate.

However, the court may authorize the correction of errors in the certificate. The parties may, at any time before a decision is rendered, give the court officer their consent to a correction.

DIVISION III

CONTESTATION OF OTHER DOCUMENT

262. If the formalities required to establish the validity of an exhibit or other document were not observed, a party may, not later than at the time of setting down for trial and judgment, ask that the exhibit or document not be admitted in evidence. The party may also do so if it disowns the exhibit or

document, does not recognize its origin or contests the integrity of the information it contains.

A party that intends to contest the origin or integrity of a document must specify, in a sworn statement, the facts and grounds that support the party's claim and make it probable.

263. If the contested document is a semi-authentic act and only a copy has been filed in the record, the party that intends to use the document is required to prove its semi-authentic character. The court may direct the person who has custody of the original to deliver it to the court office, which must in return provide a certified copy, at the contesting party's expense. If the custodian cannot surrender the original, the court may order that a certified copy be filed with the court office within a specified time.

CHAPTER VI

ADMISSION OF AUTHENTICITY OF EVIDENCE

264. A party may give another party a formal notice to admit the origin of a document or the integrity of the information it contains.

The formal notice must be notified at least 30 days before the trial. If the document or other evidence has not already been disclosed, a suitable representation of it or, in the absence of such a representation, particulars on how to access it must be attached.

The party having been given the formal notice admits or denies the origin or integrity of the evidence in a sworn statement giving reasons, and notifies the statement to the other party within 10 days.

Failure to respond to the formal notice is deemed an admission of the origin and integrity of the evidence, but not of the truth of its contents.

TITLE IV

TRIAL

CHAPTER I

CONDUCT OF TRIAL

265. A trial consists of the evidence stage, followed by oral argument, in which parties make their addresses to the court.

During the evidence stage, the party on which the burden of proof lies examines its witnesses first; the other party then submits its evidence, after which the first party may submit evidence in rebuttal. The court may allow the examination of other witnesses.

After evidence is closed, the party on which the burden of proof lies presents its arguments first, followed by the other party. The first party may reply and, if the reply raises any new point of law, the other party may answer. No other address to the court may be made without leave of the court.

If the circumstances so require, the court may adjourn a trial subject to the conditions it determines. In such a case, it immediately sets another date or asks the court clerk to set the case down again for trial so that a new date may be set.

266. If, on the day of the trial, a party does not produce witnesses or fails to justify the absence of its witnesses, its evidence is declared closed.

However, if the party proves that it has been diligent and shows that the absent witness is necessary and that the witness's absence is not due to any contrivance on its part, the court may adjourn the trial. The adjournment can be avoided if the other party consents to the party stating under oath the facts the defaulting witness would have related, and either admits the truth of those facts or admits that the witness would have testified to those facts.

267. During the evidence stage, the court may issue any appropriate order allowing it to inspect the premises in order to verify disputed facts and make the observations it considers necessary in order to resolve the dispute; the court may instead ask a bailiff to ascertain the state or condition of certain premises or things.

268. At any time before judgment, the court may draw the parties' attention to any gap in the proof or procedural defect and permit the parties to remedy it, subject to the conditions it determines.

CHAPTER II

EVIDENCE STAGE OF TRIAL

DIVISION I

CALLING OF WITNESSES

269. Witnesses are called to attend at court by a subpoena issued by a judge, a court clerk acting on a party's request or a lawyer.

They must be called at least 10 days before the time at which they are scheduled to attend at court, unless there are urgent circumstances and the judge or court clerk shortens the notification period. However, the notification period cannot be shortened to less than 24 hours. The decision to shorten the notification period must be recorded on the subpoena.

A witness who is confined in an institution governed by health services and social services legislation or held in a detention centre or a penitentiary is called

to attend at court by an order addressed to the director or the jailer by a judge or a court clerk.

270. Witnesses may be called to give an account of facts of which they have personal knowledge, to give an opinion as an expert or to produce a document or other evidence.

Notaries and land surveyors cannot be called for the sole purpose of producing an authentic copy of an act executed en minute, unless the document has been alleged to be a forgery. Bailiffs cannot be called to testify about facts or admissions they may have become aware of in the course of notifying a pleading.

271. A subpoena must state the nature of the demand, specify where and when the witness is to attend at court and mention that witnesses have the right to request an advance on any indemnities and allowances to which they may be entitled.

The subpoena must be in keeping with the model established by the Minister of Justice and provide information on such matters as the role, rights and duties of witnesses and the consequences incurred by witnesses who fail to attend.

272. Any person present at a hearing may be required to give evidence as if under subpoena. A person cannot refuse to answer questions under pretext of not having received an advance for expenses.

DIVISION II

COMPENSATION OF WITNESSES

273. A party that calls a witness, other than another party, sends with the subpoena an advance, covering the first day of attendance at court, on the loss of time indemnity and the travel, meal and overnight accommodation allowances prescribed by government regulation. The calling party is dispensed from this obligation for expenses which it covers directly or for which the witness is otherwise compensated.

274. A person who has been called and has received the prescribed advance is required to attend at court under pain of being compelled.

If the person fails to attend and the court considers that their testimony would be useful, it may order them to pay all or part of the costs caused by the failure to attend and issue an arrest warrant, which is executed by a bailiff.

The person may be held in custody under the warrant until they testify or are released subject to conditions determined by the court. Examination of any witness held in custody must begin without delay.

275. A witness entitled to an indemnity and allowances may pursue payment of the amount owed them against the calling party. A certificate of the court clerk attesting to the witness's attendance and to the amount due to them is equivalent to an immediately enforceable judgment.

DIVISION III

HEARING OF WITNESSES

276. All persons are presumed competent to testify and may be compelled to do so. However, persons who, because of their young age or physical or mental condition, are unable to relate the facts they have witnessed are not competent to testify.

277. Before testifying, witnesses must state their name and place of residence and swear under oath to tell the truth, the whole truth and nothing but the truth. However, if the disclosure of their address gives cause to fear for their safety, the court may dispense them from disclosing it and issue such orders as are appropriate.

A refusal to take the oath constitutes a refusal to testify; if it persists, it constitutes contempt of court.

278. Witnesses are entitled to the protection of the court against any intimidation tactics while they are testifying and against any abusive examination.

279. In any defended proceeding, the witnesses are examined in open court, the other parties being present or having been duly called.

A party may request that witnesses testify without knowledge of the testimony given by other witnesses. However, barring exceptional circumstances, no such request may be made in the case of expert witnesses.

A witness who has been examined before the trial may be examined anew during the trial on a party's request.

If it is necessary to examine a witness at a distance, the technological means used must allow the witness to be identified, heard and seen live. The court may however decide, after consulting the parties, to hear a witness without the witness being seen.

280. Witnesses are examined by the calling party or that party's lawyer.

Questions must pertain only to the facts relevant to the dispute. They cannot be put in such a way as to suggest the desired answer; however, a leading question will be allowed if the witness is clearly trying to elude a question or to favour another party or, being a party, is adverse in interest to the examining party.

When the party has finished examining a witness it has called, any other party adverse in interest may cross-examine the witness on any fact relevant to the dispute and in any manner show cause for rebutting the witness's testimony.

The witness may be called again by the calling party, either to be examined on new facts revealed on cross-examination or to explain answers to the questions asked by another party.

Subject to the rules of evidence, the court may ask the witness any question it considers useful.

281. The party that called a witness may attack the credibility of the witness's testimony by proving the opposite through other witnesses. With leave of the court, the party may also do so by proving that the witness made previous statements which are inconsistent with their present testimony, provided the witness is first questioned about this.

282. Witnesses cannot be compelled to disclose any communication that may have been made to them by their spouse during their life together.

283. Public servants called as witnesses cannot, given their duty of discretion, be compelled to disclose information obtained in the exercise of their functions if disclosing it would be contrary to the public interest.

The public interest reasons must be set out, for consideration by the court, in a sworn statement by the minister or deputy minister to whom the public servant answers.

284. Except to the extent provided for in section 9 of the Charter of human rights and freedoms, witnesses cannot be compelled if their testimony would violate professional secrecy. The court, on its own initiative, ensures that professional secrecy is respected.

285. Witnesses cannot refuse to answer a question on the grounds that the answer may tend to incriminate them or expose them to a judicial proceeding of any kind; their answers cannot be used against them, except if they are prosecuted for perjury or for the giving of contradictory testimony.

286. A witness who is in possession of a document or other evidence that is relevant to the dispute is required to produce it on request.

A copy of the evidence made, and certified as being true to the original, by the court clerk, has the same probative force as the original.

287. The court may order a party to produce, at the appropriate time, in the courtroom or in any other suitable place, any real evidence in its possession that a witness is called on to identify. If the party does not obey the order, the

evidence is deemed identified, unless the court relieves the party from the default before the judgment is rendered.

288. A witness who refuses to answer a question without valid cause is guilty of contempt of court, as is a witness who is in possession of relevant evidence and refuses to produce it or to make it available to the court.

289. A witness cannot withdraw without leave of the court. If the deposition cannot be completed on the first day of attendance at court, the witness is required to re-attend on the next working day or at any other time specified by the court.

A witness who withdraws without leave or fails to re-attend is subject to the same sanctions as a witness who fails to attend.

DIVISION IV

HEARING OF MINOR OR INCAPABLE PERSON OF FULL AGE

290. When the court is to hear a minor or an incapable person of full age, the minor or person may be accompanied by someone capable of providing assistance or reassurance.

291. The judge may examine a minor or an incapable person of full age in the courtroom or in chambers. If it is in the interests of an incapable person of full age to do so, the court, after advising the parties, may examine the person where they reside or are confined, or in any other suitable place. If the circumstances so require, the judge, after advising the parties, may examine the minor or person outside their presence.

The examination by a judge in chambers, or elsewhere outside the courtroom, is conducted in the presence of the court clerk and, if the minor or person is represented by a lawyer, the person's lawyer. The parties' lawyers attend the examination unless the judge decides to examine the minor or person outside their presence, in which case the judge's decision must give reasons.

The deposition is sound-recorded and sent to the parties on request.

DIVISION V

EVIDENCE GIVEN IN A STATEMENT

292. A party may produce as testimony, besides a statement admissible under the Book on Evidence in the Civil Code, a written statement, including a bailiff's ascertainment, provided the written statement is only designed to prove a fact that is secondary to the dispute and has been notified to the other parties beforehand.

Any other party may, before the scheduled trial date, require the witness's presence at the evidence hearing or obtain the authorization of the court to examine the witness outside the presence of the court.

DIVISION VI

EXPERT EVIDENCE

293. The report of an expert stands in lieu of their testimony. To be admissible, the expert report must have been disclosed to the parties and filed in the record within the time limits for disclosure and filing of evidence. Otherwise, it may be admitted only if it was made available to the parties by another means in a timely manner so that they could react and determine whether the expert's presence might be useful. It may however be admitted outside such time frames with leave of the court.

294. Each of the parties may examine an expert that it has appointed, a joint expert or a court-appointed expert to obtain clarifications on points covered in the expert report or to obtain the expert's opinion on new evidence introduced during the trial; they may also examine such an expert for other purposes, with the authorization of the court. A party adverse in interest may cross-examine an expert appointed by another party.

The parties cannot, however, raise a ground of irregularity, substantial error or bias against the expert report unless they were unable, despite their diligence, to note the irregularity, substantial error or bias before the trial.

DIVISION VII

EVIDENCE GIVEN OUTSIDE PRESENCE OF COURT

295. With leave of the court or if the parties so agree, an examination may be conducted outside the presence of the court at the place and time determined by the court or jointly by the parties.

The deposition of the witness is heard, all parties being present or having been duly called. It is sound-recorded and filed in the record and has the same force and effect as if it had been given before the court.

296. If an illness or a disability prevents a witness from attending the hearing, the court, even on its own initiative, may order that the witness be examined at a distance using a technological means, or appoint a commissioner to take the witness's evidence. The court may do likewise in order to avoid unnecessary travel by a witness living in a remote location.

If the court chooses to appoint a commissioner, it gives the commissioner the necessary instructions; it also sets the time within which the examination is to be conducted and the commissioner's report is to be filed, and determines

the amount to be advanced to the commissioner to cover costs. The examination is recorded in writing or sound-recorded, and certified by the commissioner; the commissioner is authorized to make copies of any documents the witness exhibits but is not willing to surrender. The examination together with the exhibits produced by the witness are disclosed to the parties and to the court. A party that wishes to be represented at the examination must advise the commissioner in sufficient time and designate a representative, who must be given five days' notice of the date and place of the examination.

297. Objections raised during the examination of a witness outside the presence of the court do not prevent the examination from continuing, the witness being required to answer. However, if such objections pertain to the fact that the witness cannot be compelled, to fundamental rights or to an issue raising a substantial and legitimate interest, the witness may refrain from answering. In all such cases, the objections are submitted to a judge as soon as possible for a decision.

DIVISION VIII

INTERPRETATION SERVICES

298. To facilitate the examination of a witness, the court may retain the services of an interpreter.

The interpreter's remuneration is borne by the Minister of Justice if one of the parties is a beneficiary, in the judicial districts of Abitibi and Roberval, under the agreement approved by the Act approving the Agreement concerning James Bay and Northern Québec (chapter C-67) or, in the judicial district of Mingan, under the agreement approved by the Act approving the Northeastern Québec Agreement (chapter C-67.1).

299. A witness who is unable to hear or to speak by reason of a disability may take the oath and testify by any means enabling them to express themselves. If such means are unavailable, the witness may be assisted by an interpreter, whose remuneration is borne by the Minister of Justice.

DIVISION IX

PRESERVATION OF ORAL EVIDENCE

300. Depositions by witnesses are sound-recorded so that the oral evidence can be preserved and reproduced.

The Minister of Justice provides the court with the necessary sound-recording systems. However, if an examination is conducted elsewhere than at the court, in a place chosen by the parties, it is up to the parties to call on the services of an official stenographer or, if needed, to agree on an appropriate method of recording to ensure the integrity of the deposition.

Any transcript of an examination that is filed with the court must be made by an official stenographer.

301. When the services of an official stenographer are called on, the stenographer certifies, under their oath of office, the correctness of the stenographic notes or transcription. At the beginning of each deposition, the stenographer enters the name of the judge presiding at the trial and the name of the witness. The stenographer records objections and decisions, and preserves the stenographic notes as set out in the applicable regulations.

In cases under appeal, depositions are transcribed if a party requires their transcription. They are also transcribed if the judge so orders, in which case the parties advance the cost of transcribing the depositions of their respective witnesses.

BOOK III

NON-CONTENTIOUS PROCEEDINGS

TITLE I

GENERAL PROVISIONS

302. In the absence of a dispute, demands and applications are dealt with according to the procedure for non-contentious proceedings set out in this Book.

This is the case when the law requires, because of the nature of an act or the plaintiff's capacity, that a demand or an application be submitted to the courts so that they may approve or authorize an act, give a person authority to act, approve or homologate a decision or an act, or verify a fact or a legal situation and determine its consequences, or whenever the law requires that a demand or application be so dealt with.

303. Demands and applications dealt with according to the procedure for non-contentious proceedings include those relating to

(1) authorization to consent to care that is not required by the state of health of a person under 14 years of age or incapable of giving consent, or authorization to consent to the alienation of a body part of a minor or an incapable person of full age;

(2) a declaratory judgment of death, the probate of a will, letters probate or, in succession matters, the liquidation or the partition of a succession;

(3) the alteration of the register of civil status;

(4) tutorship to an absentee or to a minor, the emancipation of a minor or the protective supervision of or a protection mandate for a person of full age;

(5) the appointment, designation or replacement of any person that is required by law to be appointed, designated or replaced by the court on its own initiative or in the absence of an agreement between the interested parties, and applications of a similar nature relating to tutorship to a minor, the protective supervision of a person of full age, a succession or the administration of the property of others;

(6) the placement and adoption of a child and the assignment of a name to the child;

(7) a draft agreement that settles the consequences of a separation from bed and board, a divorce or the dissolution of a civil union;

(8) the administration of undivided property, of a trust or of the property of others;

(9) the acquisition by prescription of ownership in an immovable;

(10) registration in the land register or the register of personal and movable real rights or the correction, reduction or cancellation of an entry in either register; and

(11) the issue of a notarial deed or the replacement or reconstitution of a writing.

Any application for an exemption from the obligation to pay support and arrears to the Minister of Revenue, or for the suspension of that obligation, if the parties satisfy the conditions of section 3 or 3.1 of the Act to facilitate the payment of support (chapter P-2.2), is also dealt with according to that procedure.

304. Non-contentious demands and applications, whether presented before a court or a notary, are conducted according to the procedure set out in this Book, subject to the special rules for the conduct of certain civil matters set out in Book V.

However, as soon as a demand or an application is contested, it is referred to the court to be continued according to the procedure set out in Book II. Depending on the readiness of the case and on how much time has elapsed since the demand or application was brought, the court gives the parties the instructions they need to establish a case protocol, unless the court exempts the parties from doing so and subjects the furtherance of the case to other conditions or immediately schedules a case management conference or the trial.

305. In dealing with a non-contentious case relating to personal integrity, status or capacity, the court or the notary must act in the best interests of the person concerned while protecting the person's rights and safeguarding the person's autonomy.

TITLE II**RULES APPLICABLE BEFORE COURT****CHAPTER I****DEMAND**

306. A non-contentious demand is accompanied by a notice informing the person concerned and the interested persons of the place, date and time it is to be presented before the competent court. The notice must also include a list of the exhibits in support of the demand, and inform the recipients that they are available, unless they are confidential.

307. A demand for authorization to sell property belonging to a minor, a person of full age under tutorship or curatorship, an absentee or a person whose property is administered by another must set out the reasons for the demand, describe the property and propose a method of sale, such as by agreement, through a call for tenders or by auction, as well as the name of a person who could effect the sale. An appraisal of the property by an expert and, if applicable, the opinion of the tutorship council, must be attached to the demand. The demand may suggest a commercially reasonable reserve price.

CHAPTER II**PRESENTATION**

308. The demand is presented before the court on the date specified in the accompanying notice, unless the plaintiff and the person concerned, before that date, agreed with the court office on another presentation date.

The demand cannot be presented less than 10 days nor more than two months after it was notified.

309. The court ascertains that the demand presented before it has been served on the person concerned and notified to the interested persons, and that the necessary opinions, reports and expert reports have been filed in the record.

The court may order that the demand be notified to any person whom it considers to have an interest, call a meeting of relatives, persons connected by marriage or civil union, and friends, or request the opinion of a tutorship council; it may also require the complementary opinions, reports or expert reports it considers necessary and, if applicable, order an appraisal by an independent expert designated by the court if it has reason to believe the appraisal attached to the demand does not reflect the value of the property. The court may also authorize an interested person to produce evidence in support of the view that person intends to assert. The court may take any other appropriate case management measure.

The plaintiff, the person concerned or another interested person may make their proof by sworn statement, by testimony or by means of documents or real evidence. The evidence so submitted may pertain to any relevant fact, even one that has arisen since the demand was instituted.

310. The court may invite interested persons who are present to make informal representations that might enlighten the court in making its decision.

If such representations could constitute an actual contestation of the merits of the demand, the court, after verifying that the person who made them intends to contest the demand, orders a postponement of the case for it to be dealt with according to the procedure for contentious proceedings, subject to the conditions it determines.

311. Persons invited to make representations or to participate in deliberations are not considered witnesses.

However, the court, if it considers it appropriate, may order the plaintiff or the person who is the subject of the demand to pay them compensation equivalent to that paid to witnesses to cover transportation, meal and accommodation expenses. No compensation is paid to those called to a meeting of relatives, persons connected by marriage or civil union, and friends.

TITLE III

RULES APPLICABLE BEFORE NOTARY

CHAPTER I

JURISDICTION OF NOTARY

312. Non-contentious applications relating to tutorship to a minor, to the protective supervision of a person of full age (including demands for the appointment or replacement of a tutor or curator), to a tutorship council or to a protection mandate may be presented before a notary according to the procedure set out in this Title. Applications for the probate of a will or for letters probate may also be presented before a notary, unless the will concerned was deposited with that notary or a member of the same firm.

The notary seized of an application may rule on any ancillary matters, except those that require a special authorization from the court.

CHAPTER II

APPLICATION

313. The notary seized of an application must have it served on the person concerned and must notify it to all persons who may have an interest in it given their close relationship with that person. The notary must attach a notice stating

the date, time and place the notary is to begin the notarial operations, the subject matter of the application and the rights of the interested persons, including their right to make representations they consider appropriate or to oppose the application.

The notary is required to call a meeting of relatives, persons connected by marriage or civil union, and friends in the cases provided for in the Civil Code, including when the application relates to the institution of tutorship for a minor or of protective supervision for a person of full age. The notary may call a conference if the person concerned or a person to whom the application was notified requests one, including when the application relates to the homologation of a protection mandate. The notary is required to invite the person concerned to such a conference and all those to whom the application was notified.

The notary files a copy of the application and a copy of the notice with the court office, together with the notice of meeting if a meeting or a conference is to be held, in order to secure public notice and enable any person wishing to do so to make representations to the court clerk or to the notary. The clerk informs the notary without delay of any representation or opposition received.

CHAPTER III

OPERATIONS AND CONCLUSIONS

314. If a meeting of relatives, persons connected by marriage or civil union, and friends or a conference is held, the notary informs the plaintiff, the person concerned and the interested persons present of the process undertaken and hears any representations they wish to make to enlighten the notary in determining conclusions. The notary examines with them the testimony, documents and other evidence submitted, which may pertain to any relevant fact, even one that has arisen since the notary was seized of the application. If a meeting or conference is not required to be held, the notary receives their representations by any other means and records them in the minutes of the notarial operations.

315. If the application relates to the institution or review of protective supervision or the homologation of a protection mandate, the notary is required to verify that the person concerned is incapable, but cannot determine conclusions without having in hand the assessments required by the Civil Code and a transcript of the person's examination. The notary gives an account of the assessments and the examination to all present at the meeting or conference and informs them of any other relevant exhibits.

If the application relates to a protection mandate given in the presence of witnesses, a holograph will or a will made in the presence of witnesses, the notary notes the existence of the document and determines whether it is valid.

316. If the notary considers that an incapable person of full age needs to be represented by a lawyer or another notary or by a tutor or curator ad hoc,

or assisted by a trusted third person, the notary must inform the interested persons so that the appropriate measures may be taken. The notary may continue to act if the latter are not opposed to it.

317. If representations or oppositions are received that are equivalent to an actual contestation of the merits of the application, the notary, after verifying that the person from whom they were received intends to contest the application, must withdraw from the matter and inform the interested persons.

In such a case, the notary draws up the minutes of the operations carried out so far and transfers the matter to the competent court, which is seized of it on the filing of the minutes. If the application is for the probate of a will and the notary is in possession of the original of the will, the notary attaches it to the minutes.

If it considers it expedient, the court may ask the notary to gather all the evidence necessary for the furtherance of the matter, setting a time limit within which the notary is to report back to the court so that it can make its own assessment of the facts.

If the person contesting discontinues their judicial demand, the court refers the matter back to the notary for the continuation of the notarial operations.

318. On completing the notarial operations, the notary draws up minutes and conclusions.

The minutes must identify the applicant, the person concerned, the persons to whom the application was notified, those who attended the meeting of relatives, persons connected by marriage or civil union, and friends or the conference, if one was held, and those who made representations otherwise. The minutes must state the facts on which the application is based and provide a detailed account of the operations carried out and the evidence submitted. The minutes must also provide an account of any testimony taken and any deliberations had by the tutorship council or the meeting of relatives, persons connected by marriage or civil union, and friends.

The notary promptly files the minutes and conclusions with the office of the court of competent jurisdiction, together with the documents supporting the conclusions.

319. In matters relating to the probate of a will or the issue of letters probate, the filing of the minutes with the court office is for the sole purpose of securing public notice.

The notary advises the interested persons of the filing of the minutes.

320. In matters relating to tutorship to a minor or the protective supervision of or a protection mandate for a person of full age, the notary notifies the minutes to the minor concerned, if 14 years of age or older, or to the person of

full age concerned. The notary also notifies the minutes to the tutor or curator, the mandatary, the plaintiff, the spouse of the person concerned, the Public Curator and the other persons to whom the application was notified. The notary informs them, on the same occasion, of their right to file their opposition with the court in the 10 days preceding the date specified by the notary for the filing of the minutes with the court office.

If no opposition is received, the appointment of a tutor to a minor or of a tutorship council becomes effective on the filing of the notary's minutes.

In any other matter, the court seized by the filing of the notary's minutes may, if no opposition is received, grant, amend or reject the conclusions set out in the minutes. The court clerk sends the judgment without delay to the persons to whom the minutes were notified.

BOOK IV

JUDGMENT, APPLICATION FOR REVOCATION AND APPEAL

TITLE I

JUDGMENT

CHAPTER I

GENERAL PROVISIONS

321. The judgment deciding a dispute or ruling on a case terminates the demand; whether given in open court or rendered after a period of advisement, it must be in writing and give reasons.

The judgment removes the matter from the judge's jurisdiction, and is final if it cannot or can no longer be appealed.

322. A judgment concerning support or custody or personal integrity or capacity may be reviewed if the plaintiff or applicant or any interested person is able to present new facts sufficient to result in the varying of the judgment.

The same applies to a judgment in a non-contentious case unless the decision is conclusive in character. A decision conclusive in character, particularly if it concerns a person's status, the ownership of movable or immovable property or a right in such property, has the authority of *res judicata*.

CHAPTER II

ADVISEMENT

323. A judge who, after taking a case under advisement, notes that a rule of law or a principle material to the outcome of the case was not debated during

the trial must give the parties an opportunity to make submissions in the manner the judge considers most appropriate.

Alternatively, the trial may be ordered reopened on the judge's own initiative. Such a decision must give reasons and state how the reopened trial is to be conducted. The court clerk must send the decision without delay to the chief justice or chief judge and to the parties' lawyers.

324. For the benefit of the parties, the judgment on the merits in first instance must be rendered within

(1) six months after the matter is taken under advisement in contentious proceedings;

(2) four months after the matter is taken under advisement in small claims matters under Title II of Book VI;

(3) two months after the matter is taken under advisement in child custody or child support matters and non-contentious cases;

(4) two months after the matter is taken under advisement if the judgment is to determine whether a judicial demand is abusive; and

(5) one month after the case is ready for judgment if a judgment is to be rendered following the defendant's failure to answer the summons, attend the case management conference or defend on the merits.

The time limit is two months after the matter is taken under advisement in the case of a judgment in the course of a proceeding, but one month after the court is seized when it is to rule on an objection raised during a pre-trial examination and pertaining to the fact that a witness cannot be compelled, to fundamental rights or to an issue raising a substantial and legitimate interest.

The death of a party or its lawyer cannot operate to delay judgment in a matter taken under advisement.

If the advisement period has expired, the chief justice or chief judge, on their own initiative or on a party's application, may extend it or remove the judge from the case.

325. The court clerk sends the chief justice or chief judge, according to the instructions given by the latter, a list of all cases in the judicial district, whatever their nature, that have been under advisement for five months or more if the time limit for rendering a judgment is six months, three months or more if the time limit is four months, 45 days or more if the time limit is two months and 20 days or more if the time limit is one month.

CHAPTER III**REPLACEMENT OF JUDGE**

326. If a judge is removed from a case, dies, leaves office or is unable to act, the chief justice or chief judge may order that the case or cases pending before the judge be continued and completed by another judge, or be set down for a new trial, depending on the stage reached.

On the chief justice's or chief judge's request, a judge who is leaving office must, within three months, complete any cases taken under advisement. A judge who is leaving office because of an appointment to another court must, if the chief justice or chief judge of that other court agrees, continue and complete any cases pending before the judge.

The chief justice's or chief judge's decision must take the circumstances and the parties' interests into account. The chief justice or chief judge exercises the responsibilities conferred by this article personally, but may also ask a senior associate or associate chief justice or judge to exercise them.

In the decision, the chief justice or chief judge rules on the legal costs for any proceedings already had and may take any other measure as is considered fair and appropriate.

327. With the parties' consent, the judge assigned to continue a case or to hear a case set down for a new trial may decide to rely solely, as regards evidence, on the recording of the original trial or the transcript of stenographic notes. If that proves insufficient, the judge may recall a witness or require other evidence from the parties.

If it is necessary to have stenographic notes transcribed or witnesses recalled, the costs involved are borne by the Minister of Justice unless the judge orders otherwise.

CHAPTER IV**RULES APPLICABLE TO JUDGMENT**

328. A judgment rendered against a party must be capable of being executed. A judgment awarding damages must liquidate the damages; a judgment finding persons solidarily liable for injury must, if the evidence permits, determine the share of each of those persons in the award as between them only.

329. A judgment awarding damages for bodily injury that reserves the plaintiff's right to claim additional damages must specify the subject matter of the potential claim and the time within which the claim must be made.

The judgment is enforceable despite an appeal insofar as the appeal pertains to the reserved right to claim damages or the time within which it is to be exercised.

330. A judgment granting an authorization to act expires if not acted upon within the time specified in the judgment or, if no time is determined by the court or by law, within six months.

A judgment authorizing care, the alienation of a body part or confinement in a health or social services institution expires if not acted upon within three months or within any other time specified by the court.

331. A judgment in a non-contentious case authorizing the sale of the property of another must determine the method of sale and the terms of the sale. It must also designate the person who is to effect the sale and determine the particulars of that person's remuneration, as well as those of the report on the sale to be filed with the court office.

The court sets a reserve price to ensure that the property is sold at a commercially reasonable price.

332. A judgment pertaining to immovable or movable real rights must contain a description of the property concerned so as to permit the publication of the rights in the property, if applicable.

A judgment ordering restitution of fruits and revenues must, if necessary, order their liquidation by an expert; the party liable to the restitution is required to deliver all necessary supporting documents to the expert.

333. A party may renounce the rights arising from a judgment in its favour by filing a renunciation with the court office. The renunciation is made by the party itself or by its mandatary acting under a special mandate.

If total and accepted by the other parties, the renunciation operates to restore the proceeding to its state prior to the judgment.

CHAPTER V

FORMAL JUDGMENT

334. A judgment dated and signed by the person who rendered it is an authentic act. It is deposited at the court office and entered without delay in the registers under the date appearing on it. It is kept in the court archives.

A judgment rendered in open court, whether a judgment on the merits or a judgment in the course of a proceeding, is evidenced by entry of the decision and its main whereas clauses in the minutes, attested by the person who rendered the judgment. On a party's request, the judgment may also be evidenced by the transcript of the sound recording, signed by the person who rendered the judgment. The operative part of the judgment cannot be modified in such a transcript but the judge may correct its form.

If there is a discrepancy between the original judgment and the entries in the court registers, the former prevails, and the judge may without formality order that the necessary corrections be made in the court registers.

335. On entry in the court registers of a judgment other than a judgment rendered in open court in the presence of the parties, a notice is notified to the parties and their lawyers. The judgment may be notified by technological means to the parties and lawyers who have provided the necessary contact information.

The court clerk may issue certified copies of a judgment on request and for a fee.

336. In a non-contentious case, a judgment on a demand or application relating to personal integrity, status or capacity is notified to the person concerned and, if that person has a representative, to the representative according to the instructions of the court, if any are given.

A judgment concerning tutorship to an absentee or to a minor, protective supervision or a protection mandate is notified without delay to the Public Curator. A judgment on a demand or application relating to a person's status is notified to the registrar of civil status.

337. The transcript of a judgment rendered in open court by a judge who has since died, become unable to act or left office may be signed by the chief justice or chief judge or by another judge designated by the latter.

338. A judgment containing an error in writing or calculation, or any other clerical error, including an error in the description of property, may be corrected by the person who rendered it. The same applies to a judgment which, by obvious inadvertence, grants more than was sought or does not rule on part of the demand.

The correction may be made on the judge's own initiative as long as execution of the judgment has not begun, or at any time on a party's request unless the judgment is under appeal. If the person who rendered the judgment has left office or is unable to act, the court may make the correction.

If the correction is to the operative part of the judgment, the time limits for appeal and execution begin to run on the date of the correction.

TITLE II

LEGAL COSTS

339. The legal costs of a case comprise court costs and fees, including disbursements incurred for the physical preparation of appeal briefs and memorandums, professional fees and expenses for the service or notification of pleadings and documents, witness indemnities and allowances as well as any expert fees, interpreter fees and fees for registration in the land register or

the register of personal and movable real rights. They may also include the costs related to taking and transcribing oral evidence filed in the court record, if that was necessary.

Expert fees include the costs related to the drafting of the report and, if applicable, preparing testimony, and remuneration for the time spent testifying and, to the extent useful, attending the trial.

340. Legal costs are owed to the party that was successful, unless the court decides otherwise.

However, the legal costs are borne by each of the parties in family matters, by the plaintiff or applicant in personal integrity or status matters and by the person concerned in personal capacity matters. In any such cases, the court may decide otherwise.

When the court authorizes representation of a child or an incapable person of full age by a lawyer, the related legal costs are decided by the court according to the circumstances.

The costs related to joint demands or applications are apportioned equally between the parties unless they have agreed otherwise.

341. The court may order the successful party to pay the legal costs incurred by another party if it is of the opinion that the successful party did not properly observe the principle of proportionality or committed an abuse of procedure, or that such an order is necessary to prevent serious prejudice to a party or to permit a fair apportionment of the costs, including those incurred for expert fees, the taking of oral evidence or its transcription.

The court may also make such an order if the successful party breached its undertakings with regard to the conduct of the proceeding, such as by failing to meet time limits, if it unduly delayed in presenting an incidental application or filing a notice of discontinuance, if it needlessly required a witness to attend at court or if it refused, without valid cause, to accept tenders, to admit the origin or integrity of evidence or, in a family matter, to participate in a parenting and mediation information session.

As well, the court may make such an order if the successful party delayed in raising grounds that resulted in the expert report being corrected or rejected or a new expert's opinion being necessary.

342. The court, after hearing the parties, may punish substantial breaches noted in the conduct of the proceeding by ordering a party to pay to another party, as legal costs, an amount that it considers fair and reasonable to cover the professional fees of the other party's lawyer or, if the other party is not represented by a lawyer, to compensate the other party for the time spent on the case and the work involved.

343. Legal costs bear interest at the legal rate as of the date of the judgment awarding them and are payable to the party to which they are awarded. If legal costs are awarded against two or more parties, they are solidarily liable for paying them.

344. The party entitled to legal costs prepares a bill of costs based on the tariffs in force and notifies it to the debtor party, which then has 10 days to notify its opposition.

If such opposition is notified, the bill of costs is sent for taxation to the court clerk, who, to determine the costs, may require that it be proved by sworn statement or by oral evidence that the costs were incurred. In appeal, legal costs are taxed by the appellate clerk.

Once the bill of costs has been drawn up, a party may ask the clerk to homologate it. The clerk's decision may be reviewed within 10 days by the court or, as applicable, by an appellate judge. The bailiff may also, within 10 days after becoming aware of the decision, ask for its review as regards the bailiff costs.

The decision concerning the taxation or homologation of the legal costs is executed in accordance with the rules of provisional execution.

TITLE III

REVOCATION OF JUDGMENT

CHAPTER I

REVOCATION ON APPLICATION BY PARTY

345. A judgment may, on a party's application, be revoked by the court that rendered it if letting the judgment stand would tend to bring the administration of justice into disrepute. The judgment may be revoked, for instance, if fraud was committed by another party, if the judgment was based on false exhibits or if the production of decisive exhibits was prevented by superior force or by the act or omission of another party.

As well, a judgment may be revoked if

(1) the judgment adjudicated beyond the conclusions set out in the demand or did not rule on one of them;

(2) no valid defence was produced in support of the rights of a minor or of a person of full age under tutorship or curatorship or for whom a protection mandate has been homologated;

(3) a ruling was made on the basis of invalid consent or following an unauthorized tender that was subsequently disavowed; or

(4) evidence was subsequently discovered that would probably have led to a different judgment if the party concerned or its lawyer had become aware of that evidence in sufficient time, although they acted with due diligence.

346. A party against which a default judgment has been rendered following failure to answer the summons, attend the case management conference or defend on the merits but that was prevented from doing so owing to fraud, surprise or any other cause considered sufficient may apply to the court that rendered the judgment for the revocation of the judgment and the dismissal of the demand.

The application for revocation must contain the reasons justifying the revocation as well as the grounds of defence raised against the demand.

347. An application for revocation must be served on all parties to the proceeding within 30 days after the day on which the cause preventing the party from filing a defence ceased to exist, or after the day on which the party became aware of the judgment, evidence or fact that constitutes grounds for the revocation. In the case of a minor, the 30-day period only begins to run as of notification of the judgment after the person reaches full age.

The application for revocation must be presented before the court within 30 days after service, as if it were an application in the course of a proceeding. It cannot be presented if more than six months have elapsed since the judgment.

These are strict time limits.

348. If, when the application for revocation is presented, the reasons given are found to be sufficient, the parties are restored to their former state and the court stays execution of the judgment; it continues the original proceeding after agreeing with the parties on a new case protocol.

If circumstances permit, the court may decide the application for revocation and the demand at the same time.

CHAPTER II

REVOCATION ON APPLICATION BY THIRD PERSON

349. Any person whose interests are affected by a judgment rendered in a proceeding in which neither they nor their representatives were called may apply for the revocation of the judgment if it prejudices their rights. The application for revocation commences a proceeding before the court that rendered the judgment.

Except if personality rights or personal status or capacity are at issue, the application must be brought within six months after the person becomes aware of the judgment. It must be served on the parties to the judgment whose

revocation is sought or, if the application is brought within one year after the judgment, on the persons who represented them in the case.

CHAPTER III

EFFECT OF APPLICATION FOR REVOCATION

350. An application for revocation does not stay execution of the judgment. However, the court may order such a stay and, in urgent circumstances, may do so without prior notice.

On notification of the application for revocation and the stay order, the executing bailiff immediately stays the execution proceedings, except for conservatory measures.

TITLE IV

APPEAL

CHAPTER I

COMMENCEMENT OF APPEAL PROCEEDING

DIVISION I

INITIATION OF APPEAL

351. The right to appeal belongs to any party to the judgment in first instance having an interest in appealing, unless the party has waived that right. In a non-contentious case, an appeal is also available to third persons to whom the judgment was notified.

352. The Court of Appeal is seized and an appeal initiated by filing a notice of appeal with the office of the Court of Appeal, together with proof of service on the respondent.

353. The notice of appeal must designate the parties and specify the court that rendered the judgment in first instance, the judgment date and the duration of the trial. It must be filed together with a copy of the judgment in first instance.

The notice of appeal must state the grounds of law or fact the appellant intends to argue to have the judgment varied or quashed, the conclusions sought by the appellant and, if applicable, the value of the subject matter of the dispute.

The appellant must, within 45 days after the date of the judgment under appeal, file the notice of appeal together with a certificate certifying that no transcript of depositions is necessary for the appeal or stating that it has given

instructions to an official stenographer for the transcription of the depositions it intends to use.

354. The notice of appeal is notified to the office of the court of first instance. The court clerk informs the judge who rendered the judgment of the appeal and, on the appellate clerk's request, sends the case record without delay to the Court of Appeal, along with an inventory of the exhibits in the record and a list of the relevant entries in the court registers.

The court clerk must do so within two days after notification if the appeal concerns a person's release or personal integrity.

355. A properly initiated appeal stays execution of the judgment, except if provisional execution has been ordered or is provided for by law.

If the sole object of the appeal is to obtain an increase or a decrease in the amount awarded by the judgment, a judge of the Court of Appeal may, on an application, order the judgment debtor to comply with the judgment up to the uncontested amount.

356. If the appellant is not able, before the expiry of the time limit for appeal, to provide in the notice of appeal a detailed statement of all the grounds it plans to argue, an appellate judge, on an application and if serious reasons so warrant, may authorize the filing of a supplementary statement within a specified time.

357. If leave to appeal is required, the related application is attached to the notice of appeal together with the judgment and the exhibits and evidence necessary to obtain leave. The application is presented without delay and contested orally before an appellate judge, who decides whether or not to grant leave. The appellate clerk sends the judgment without delay to the office of the court of first instance and to the parties.

If leave to appeal is granted, the notice of appeal is deemed to have been filed on the date of the judgment granting leave. If leave to appeal is denied, the judgment must give brief reasons and the matter is removed from the jurisdiction of the Court of Appeal.

If leave to appeal was not required and the appeal could have been initiated solely by filing a notice of appeal, the notice of appeal is deemed to have been filed on the date the judge takes note of its filing.

The appellant has 15 days as of the judgment granting leave to appeal or as of the date the judge takes note of the filing of the notice of appeal to file the certificate concerning the transcription of depositions with the court office and to notify it to the other party.

358. The notice of appeal, including, if applicable, the application for leave to appeal, is served on the respondent and notified to the lawyer who represented the respondent in first instance before the expiry of the time limit for appeal.

It is also notified, before the expiry of that time limit, to persons with an interest in the appeal as intervenors or impleaded parties.

Within 10 days after notification, the respondent, the intervenors and the impleaded parties must file a representation statement giving the name and contact information of the lawyer representing them or, if they are not represented, a statement indicating as much. If an application for leave to appeal is attached to the notice of appeal, the intervenors and the impleaded parties are only required to file such a statement within 10 days after the judgment granting leave or after the date the judge takes note of the filing of the notice of appeal.

The lawyer who represented the respondent in first instance, if no longer acting for the respondent, must so inform the respondent, the appellant and the office of the Court of Appeal without delay.

359. If a notice of appeal has been filed by a party, another party in the case may initiate an incidental appeal by filing a notice of incidental appeal with the office of the Court of Appeal. An incidental appeal is continued despite the withdrawal or dismissal of the principal appeal.

DIVISION II

APPEAL TIME LIMITS

360. A party intending to appeal a judgment is required to file a notice of appeal within 30 days after the date of the notice of judgment or after the date of the judgment if it was rendered at the hearing. If leave to appeal is required, the notice of appeal must be filed together with an application for leave to appeal.

A notice of incidental appeal must be filed and served within 10 days after service of the notice of appeal or after the date of the judgment granting leave to appeal.

361. The time limit for appealing a judgment that lifts an interlocutory injunction or denies a person's release is 10 days; the time limit for appealing a judgment confirming or quashing a seizure before judgment is also 10 days.

The time limit for opposing a person's release or appealing a judgment granting a demand for authorization relating to personal integrity or ordering confinement for or after a psychiatric assessment is five days.

362. If a party dies before the expiry of the time limit for appeal without having exercised their right to appeal, the time runs against the successors as of the time the judgment in first instance is notified to them.

363. The time limits for appeal are strict time limits, and the right to appeal is forfeited on their expiry.

Nevertheless, the Court of Appeal may authorize an appeal if not more than six months have elapsed since the judgment and if it considers that the appeal has a reasonable chance of success and that, in addition, it was impossible in fact for the appellant to act earlier. The Court may, even after the time limit has expired, authorize an incidental appeal if it considers it appropriate.

An appellate judge may, on an application, suspend the time limits for appeal if the judgment has reserved the plaintiff's right to claim additional damages for bodily injury. The judge suspends such time limits if there are compelling reasons for an appeal against the judgment and an appeal concerning the demand for additional damages to be heard together; in such a case, the duration and terms of the suspension are determined by the judge.

DIVISION III

CONDITIONS IMPOSED ON APPEAL OR DISMISSAL OF APPEAL

364. The Court of Appeal or an appellate judge, on their own initiative or on an application by the respondent, may, for good cause, subject an appeal to the provision of a suretyship to guarantee payment of the appeal costs and of the judgment amount if the judgment is affirmed.

The Court or the judge determines the amount of the suretyship and the time limit within which the appellant is required to furnish the surety.

365. The Court of Appeal, even on its own initiative, may dismiss an appeal if the right to appeal is non-existent or has been forfeited or the appeal is abusive or improperly initiated. It may also, on an application by the respondent, dismiss an appeal if the surety is not furnished within the time limit determined, the judgment under appeal has been acquiesced in or a party in whose favour the judgment was rendered has renounced the rights arising from it, or if the appeal has no reasonable chance of success.

The application for the dismissal of an appeal must be filed with the office of the Court within 20 days after service of the notice of appeal, and cannot be presented before 30 days have elapsed since its filing. The time limits for preparing the appeal record are suspended until judgment is rendered on the application for the dismissal of the appeal.

The inadmissibility of an appeal may be urged despite a failure to oppose the appeal within the allotted time.

366. The Court of Appeal may, on the face of the record, deny an application for the dismissal of an appeal that is based on the grounds that the appeal has no reasonable chance of success or is abusive.

CHAPTER II**APPEAL MANAGEMENT**

367. An appellate judge may, at any time, on the judge's own initiative or on request, convene the parties to confer with them on the advisability of adopting appeal management measures in order to define the issues really in dispute and determine possible ways of simplifying the proceedings and shortening the debate.

After giving the parties the opportunity to make representations, the judge may suggest that they take part in a settlement conference and may determine or limit the pleadings and the documents to be filed, setting the time limit for doing so. As well, the judge may decide, despite the rules otherwise applicable, that it is best to proceed by way of briefs or memorandums or may, if necessary, modify time limits prescribed by this Code. The judge may also set the date, time and duration of the hearing and, if required by the circumstances, refer the matter to the Court so that appropriate measures, including dismissal of the appeal, may be taken.

The appeal management conference is held without formality and requires no prior documents. Any appropriate means of communication may be used.

Appeal management decisions are binding on the parties.

368. In matters where the appeal record is to comprise memorandums, the appellate clerk may set the date and time of the hearing and establish a calendar, with the parties, for the filing of documents.

369. At any time during the appeal proceeding, a party may, without formality, request directives from the chief justice for the subsequent conduct of the appeal.

CHAPTER III**APPEAL BRIEF AND MEMORANDUM**

370. The contentions of the parties to an appeal are stated in their respective briefs or memorandums, which are governed, as regards their content and physical preparation, by the regulations of the Court of Appeal.

A hard copy transcript of relevant extracts from the evidence must be attached to each brief or memorandum. A full transcript of the depositions and evidence is filed only if available on a technological medium.

371. A respondent making an incidental appeal includes all particulars relevant to the incidental appeal in its brief or memorandum on the main appeal.

372. In its brief, each of the parties sets out the arguments raised and the conclusions sought in relation to the issues in dispute, a list of the authorities relied on and relevant excerpts from the depositions and exhibits. In the absence of a joint statement by the parties, it includes the party's statement of the facts and issues in dispute.

The parties' joint statement, if included, sets out the facts and the issues in dispute and identifies the evidence that is relevant to the appeal. It must be filed with the office of the Court of Appeal within 45 days after the notice of appeal is filed.

373. Briefs must be filed with the office of the Court of Appeal and notified to the other parties to the proceeding within the time limit specified in the appeal management decision made by an appellate judge or, in the absence of such a decision, within three months after the notice of appeal is filed in the appellant's case and within the following two months in the respondent's case. Any other party must file a brief within four months after notification of the appellant's brief.

A respondent in an incidental appeal may file and notify a brief in reply to the incidental appeal within two months after notification of the incidental appellant's brief.

An appellate judge may extend a time limit if an application for an extension is made before the time limit expires.

374. In an appeal against a judgment in a personal integrity, status or capacity, habeas corpus, family, international child abduction or seizure matter, or against a judgment rendered in a non-contentious proceeding or in the course of a proceeding, a memorandum is filed. A memorandum is also filed in other cases if so ordered by an appeal management decision of an appellate judge.

A memorandum concisely states the facts, the issues in dispute as well as the party's contentions, conclusions and main arguments.

Memorandums are filed with the office of the Court of Appeal and notified to the other parties to the proceeding within the time limits specified in the appeal management decision of the appellate clerk or an appellate judge.

375. At any time before the hearing, after a brief or joint statement or memorandum has been filed, an appellate judge may ask a party to file additional notes in the appeal record.

376. The appeal lapses if the appellant does not file a brief or a memorandum within the time limit for filing. The appellate clerk issues a certificate of lapse of appeal, unless an appellate judge is seized of an application for an extension.

A respondent or any other party that does not make a timely filing of its brief or memorandum is precluded from filing and cannot be heard at the hearing unless so authorized by the Court of Appeal.

CHAPTER IV**CONDUCT OF APPEAL****DIVISION I****APPLICATIONS IN COURSE OF PROCEEDING AND INCIDENTAL APPLICATIONS**

377. Any application in the course of a proceeding must be in writing and be notified to the other parties, together with a notice of the date of presentation, at least five days before that date if the application is to be presented before the Court or at least two days before that date if it is to be presented before an appellate judge or the appellate clerk.

378. Incidental applications available in first instance may be presented on appeal, insofar as they are applicable.

An appellate judge sitting alone is competent to decide incidental applications, except those that relate to the merits of the case.

However, applications to cease representing a party, for a substitution of lawyer or for the consolidation or separation of appeals, or appeal management applications for the setting or extension of time limits or for authorization to file a supplementary statement are decided by an appellate judge sitting alone or the appellate clerk. In all cases, the appellate clerk may refer an application to a judge, or the appellate judge, to a panel of the Court of Appeal, if the clerk or judge considers that the interests of justice so require. Such applications are filed by means of a letter and notified to the other parties.

379. In any case before the Court of Appeal, an appellate judge may issue a safeguard order or authorize the correction, within the time and subject to the conditions the judge determines, of any irregularity in the appeal proceeding, provided the notice of appeal has been duly filed and notified.

380. The Court of Appeal may authorize a party to present indispensable new evidence after giving the parties an opportunity to make representations.

The Court decides how the evidence is to be presented, and may even refer the case back to the court of first instance so that further proof may be made.

DIVISION II**SETTLEMENT CONFERENCE**

381. On the parties' request, an appellate judge may, at any time, preside over a settlement conference to assist the parties in resolving the issues under appeal.

Notice of the settlement conference is given to the appellate clerk by the parties, and the holding of the conference suspends the time limits prescribed by this Title.

382. A settlement conference is held in camera in the presence of the parties and of their lawyers. It is conducted at no cost to the parties and without formality and requires no prior documents. Anything said, written or done during the conference is confidential. All other rules governing the conference are defined by the judge and the parties.

A transaction terminating the case is submitted to the Court of Appeal by the appellate clerk to be homologated and made enforceable.

DIVISION III

SETTING DOWN FOR HEARING

383. The appellate clerk sets an appeal down for hearing as soon as it is ready to be heard, that is, once the appeal record has been completed by the filing of all the briefs or memorandums, or when the Court of Appeal so orders.

If the appeal concerns a person's release or personal integrity, it is set down to be heard at the earliest opportunity after the appellant's brief is filed.

If the respondent has not filed nor notified a brief or a memorandum within the allotted time, the appeal is nevertheless set down by the appellate clerk for hearing.

An appellate judge or the appellate clerk may strike an appeal from the roll and postpone the hearing to a later date.

384. The Court of Appeal or an appellate judge, on the parties' request, may decide that the appeal will be decided on the face of the record.

In such a case, the appellate clerk informs the parties of the date on which the appeal is to be taken under advisement and of the identity of the judges on the panel. At any time during the advisement period, the judges may ask the appellate clerk to set the appeal down for hearing if they consider that a hearing is necessary.

DIVISION IV

HEARING

385. The appellate clerk informs the parties of the hearing date and specifies the time allotted to each party for oral argument.

386. The Court of Appeal hears the parties in a three-judge panel, but that number may be increased if the chief justice sees fit.

The appellate judge who was the trial judge in first instance or who presided over a settlement conference concerning the matter cannot hear the appeal.

CHAPTER V DECISION

387. A decision is rendered by the Court of Appeal when a majority of the judges having heard the appeal concur. The decision may be given in open court by the judge who presided over the appeal hearing, even in the absence of the other judges; alternatively, it may be deposited at the office of the Court under the signature of all or the majority of the judges who heard the appeal.

The appellate clerk informs the parties without delay that a decision has been rendered by the Court of Appeal and sends it to the court of first instance along with the record.

All decisions of the Court of Appeal and its judges are subject to the rules of this Book governing judgments, with the necessary modifications.

388. The fact that a judge who heard the appeal cannot make their opinion known does not prevent the other judges, if sufficient in number, from rendering a decision. Otherwise, the chief justice may order a new hearing if the interests of justice so require.

A judge who is unable to act or has left office, including because of an appointment to another court, may nonetheless participate in the decision.

389. In addition to the operative part, a decision of the Court of Appeal must contain the names of the judges who heard the appeal and mention any judge who does not concur in the opinion of the majority.

The decision must give reasons, unless it refers to one or more opinions issued by the judges.

390. A decision of the Court of Appeal is enforceable immediately and bears interest from the date it is rendered, unless it specifies otherwise. Its execution, as regards both the principal and any legal costs, is carried out by the court of first instance.

However, the Court of Appeal or one of its judges, on an application, may order execution stayed, on appropriate conditions, if the party shows that it intends to bring an application for leave to appeal to the Supreme Court of Canada.

BOOK V**RULES APPLICABLE TO CERTAIN CIVIL MATTERS****TITLE I****APPLICATIONS IN MATTERS GOVERNED BY LAW OF PERSONS****CHAPTER I****GENERAL PROVISIONS**

391. A person of full age or a minor who is competent to testify and who is the subject of an application relating to personal integrity, status or capacity must, before a decision is made by the court seized or minutes of the operations and conclusions are drawn up by the notary, as applicable, be heard in person for the purpose of making representations, giving their opinion or answering questions.

An exception to this rule applies if it is impossible to hear the person, if it is clearly inexpedient to insist on such representations, opinion or testimony being given because of the urgency of the situation or the person's state of health, or if it is shown to the court that requiring that the person testify could be harmful to the person's health or safety or that of other persons.

392. The court seized of an application may delegate the responsibility of hearing the person of full age or the minor, and of drawing up minutes recording their answers, to a judge or a court clerk in the judicial district of the person's residence or, at the parties' expense, to a notary practising in that district. The minutes are sent to the court and to the applicant.

In the case of a person of full age living in a remote location, the notary seized of an application may delegate the responsibility of hearing the person to another notary in order to avoid excessive travel expenses. If not sufficiently fluent in the person's language, the notary may also mandate a notary who speaks the language. The latter hears the person, draws up minutes of the meeting and attaches the answers recorded. If it is necessary for the notary seized of the application or the other notary to retain the services of an interpreter, the interpreter, in the notary's presence, records the answers, and attests to their faithfulness, in a document that the notary attaches to the minutes.

If the person has not been examined, that fact is recorded, with reasons, in the judgment rendered by the court or in the minutes drawn up by the notary seized of the application.

393. An application relating to the personal integrity, status or capacity of a person of full age or a minor 14 years of age or older must be served on that person. In the case of a minor, it must also be served on the person having parental authority and the tutor.

The application must be accompanied by a notice, in keeping with the model established by the Minister of Justice, informing the person of their rights and obligations, including their right to be represented. The bailiff who serves the application must draw the person's attention to the content of the notice.

394. All applications relating to the institution or review of tutorship to a minor, the emancipation of a minor or protective supervision for a person of full age, the replacement of the tutor or curator to a minor or to a person of full age under protective supervision or the replacement of the tutor to an absentee and all applications relating to the homologation or revocation of a protection mandate given by a person in anticipation of incapacity must be notified to the Public Curator together with the exhibits in support of the application. The proceeding is stayed until proof of notification is received by the court office.

The Public Curator, on the Public Curator's own initiative and without notice, may take part in the trial of any such application.

CHAPTER II

APPLICATIONS RELATING TO PERSONAL INTEGRITY

DIVISION I

CARE AND CONFINEMENT IN INSTITUTION

395. An application to obtain authorization from the court for the provision of care to, or the alienation of a body part of, a minor or a person of full age incapable of giving consent cannot be presented before the court less than five days after the application is notified to the interested persons, including the person having parental authority, the tutor or the curator or, in the case of a person of full age, the mandatary designated by the person at the time the person was capable of giving consent or, if not so represented, by a person who could consent to care for the person. If there are no such persons, the application and exhibits are notified to the Public Curator.

396. An application concerning a person's confinement in a health or social services institution for or after a psychiatric assessment cannot be presented before the court less than two days after it is notified, in the case of a minor, to the person having parental authority and the tutor and, in the case of a person of full age, to the tutor, curator or mandatary or, if the person is not so represented, to a member of the person's family, to the person in whose custody the person is confined or to a person who shows a special interest in the person. If there are no such persons, the application and exhibits are notified to the Public Curator.

397. A judgment ordering a person's confinement for or after a psychiatric assessment is enforceable immediately. A judge of the Court of Appeal may, however, suspend execution of the judgment.

The court clerk sends the judgment and the record without delay to the Administrative Tribunal of Québec, at no cost to the parties. In addition, the judgment is notified to every person to whom the application was notified. It may be executed by a peace officer.

DIVISION II

HABEAS CORPUS

398. Any person deprived of liberty without it having been ordered by a decision of the competent court may ask the Superior Court to rule on the lawfulness of the detention and order the person's release if the detention is unlawful. A third person may act on the person's behalf.

The summons directs the detaining authority to appear before the court on the date specified in order to explain the reasons for the detention.

If the deprivation of liberty is due to confinement in an institution governed by health services and social services legislation or to detention in a correctional facility or a penitentiary, the application must be notified to the Attorney General, together with a notice of the date of presentation.

399. The application must be tried on the day it is presented. The plaintiff's proof may be made by sworn statement.

If the court considers that the Attorney General has a sufficient interest, it orders that the application be notified to the Attorney General and adjourns the trial to an early date, which cannot be more than three days later.

400. If the application cannot be tried on the day it is presented, the court may authorize the person's immediate release; however, if the person is in detention, the court may determine conditions to ensure the person's attendance at the trial and compliance with any orders that may be issued.

401. A habeas corpus order is served personally, unless circumstances prevent it, in which case the court determines the method of notification it considers most appropriate.

402. The court's decision is enforceable on the expiry of the time for appeal or as soon as the adverse party and the Attorney General, if party to the proceeding, indicate that they do not wish to appeal.

If there is an appeal, the court or a judge of the Court of Appeal may order the person's provisional release and set the conditions of release.

CHAPTER III**APPLICATIONS RELATING TO PERSONAL STATUS AND CAPACITY**

403. An application for the review of a decision of the registrar of civil status is admissible only if it is instituted within 30 days after the decision is notified to the plaintiff. The registrar of civil status sends the relevant record to the court office without delay.

404. An application relating to protective supervision for a person of full age is notified, as applicable, to the person's spouse, father and mother or children of full age. If there are no such persons, it is notified to at least two persons who show a special interest in the person.

An application relating to a protection mandate is notified to the person designated by the mandator to act as mandatory or substitute mandatory or to receive an accounting. It is also notified to at least two other persons from the mandator's family or who show a special interest in the mandator.

405. If it is necessary to call a meeting of relatives, persons connected by marriage or civil union or friends in connection with an application concerning a minor or a person of full age, the notice of meeting is drawn up by the special clerk or the notary, depending on whether the application is presented before the court or before a notary.

The notice of meeting is notified to the relatives, persons connected by marriage or civil union or friends, informing them of the date and time of the meeting and of the place where they must attend or, as applicable, of the technological means to be used to enable them to communicate with each other. The date of the meeting cannot be less than 10 days nor more than two months after notification.

The meeting is presided over by the special clerk or the notary, as applicable.

406. The Public Curator may apply for the institution of protective supervision and propose a suitable person to assist or represent the person of full age as provided for in section 14 of the Public Curator Act (chapter C-81) if, within 30 days after the Public Curator's recommendation to that effect is filed with the court office, the court clerk informs the Public Curator that no other person is applying for the institution of such supervision.

CHAPTER IV**LEGAL PERSONS**

407. The Attorney General or any interested person may ask the court to annul a legal person's constituting act or impose any other sanction prescribed by law if

- (1) the legal person was not constituted in accordance with the law;

(2) juridical personality was obtained unlawfully or by fraud or was granted in ignorance of some essential fact;

(3) the legal person, its founders or their successors or its directors or officers repeatedly act in contravention of the laws governing them, or exercise powers the legal person does not have; or

(4) the legal person does or omits to do something, which act or omission amounts to a waiver of its rights.

The Attorney General or any interested person may also ask the court to annul any instrument amending a legal person's constituting act and any related certificate if the amending instrument contains unlawful provisions or false or erroneous statements.

To apply for the annulment of letters patent that are either a legal person's constituting act or an instrument amending a legal person's constituting act, an interested person must be expressly authorized by the Attorney General.

408. A judgment annulling a legal person's constituting act must designate a liquidator to liquidate the property as provided in the applicable legislation or in the Civil Code. The judgment is notified to the enterprise registrar.

The legal costs are paid out of the legal person's patrimony and, if it is insufficient, out of the personal patrimony of its directors and officers. However, when a judgment declares a legal person without share capital to have been unlawfully constituted, the legal costs constitute a personal debt of the persons forming the legal person.

TITLE II

DEMANDS AND APPLICATIONS IN FAMILY MATTERS

CHAPTER I

RULES GOVERNING DEMAND AND PROCEEDING

409. Applications under Book Two of the Civil Code as well as applications under the Divorce Act (Revised Statutes of Canada, 1985, chapter 3, 2nd Supplement) are governed by the general rules that apply to all judicial demands, subject to the provisions of this chapter.

410. A demand for the annulment of a marriage or a civil union, for separation from bed and board or as to property, for a divorce or for dissolution of a civil union may be declared to the land registrar by either of the spouses. Such a declaration must be made if one of the spouses may claim to have a right in an immovable under the matrimonial or civil union regime or if the immovable serving as the family residence is the property of one of the spouses.

The declaration is made by notifying a notice to the land registrar, which the latter enters in the land register. If one of the spouses asks for the cancellation of the entry in the register, the court may order the cancellation subject to a sufficient suretyship being provided.

411. An originating demand whose conclusions pertain exclusively to a support obligation, child custody or related provisional measures cannot be presented before the court less than 10 days after it is served. The demand is tried and determined by preference.

If an application with such conclusions is joined with a demand for the annulment of a marriage or a civil union, for separation from bed and board, for a divorce or for the dissolution of a civil union, it is heard in the same manner as an application in the course of a proceeding.

412. Demands between parents relating to patrimonial rights arising from their cohabitation may be joined with an application relating to child custody or parental child support obligations if the parents were de facto spouses before the demand was instituted.

413. If one of the conclusions sought in a demand is the partition of family patrimony, each party must attach to the case protocol a statement listing all its property and indicating, for each item, whether it is included in the family patrimony.

If a party is seeking support for itself, the demand cannot be decided unless the party files an income and expense statement and a balance sheet with the court office at least 10 days before the demand is to be presented. The defendant must file such a statement and balance sheet at least five days before the presentation date, unless it admits having the resources to pay the amount sought; even when a party admits as much, the court may ask that it produce a statement of property.

414. The parties may make their proof by sworn statement. Each party files a single sworn statement, but the plaintiff may produce a second one if the defendant has also chosen to proceed in this manner. Any further statements must be authorized by the court.

415. Whenever it is asked to rule on an agreement in a family matter, the court makes sure that each party has given its consent freely and that the agreement sufficiently protects the interests and rights of the parties and the children.

For that purpose, the court may convene and hear the parties, together or separately, in the presence of their lawyers or, as applicable, of the notary presenting the joint demand on a draft agreement.

416. The court may order a party to pay a provision for costs to the other party if the circumstances so warrant, as when the court notes that without such assistance the other party's financial situation would likely prevent it from effectively conducting its case.

CHAPTER II

MEDIATION IN COURSE OF PROCEEDING

DIVISION I

PARENTING AND MEDIATION INFORMATION SESSION

417. Any case in which the interests of the parties and their children are at stake in connection with child custody, spousal or child support, the family patrimony, other patrimonial rights arising from the marriage or civil union or the partition of property between de facto spouses cannot proceed to trial unless the parties have jointly or separately participated in a parenting and mediation information session.

Persons who have filed with the court office a certificate attesting that they have already participated in such an information session in connection with a prior dispute or confirming that they have gone to a victim assistance organization recognized by the Minister of Justice for help as a victim of domestic violence are exempted from participating in such a session. In any such case, the court, in the children's interests, may nonetheless order participation in such an information session.

418. The information session deals with parenting issues, such as the effects of conflict on the children, and with the parental responsibilities of parties, and explains the nature and purpose of mediation, the process involved and how the mediator is chosen.

419. The information session is conducted in a group setting; it is given by two mediators certified in accordance with the regulations under article 619, only one of whom must be a lawyer. The session may be held using any appropriate technological means available.

If the parties wish to attend separate sessions, their wish must be respected.

After the session, a participation certificate is issued by the Family Mediation Service.

DIVISION II**MEDIATION**

420. The court may, at any time, stay the proceeding or adjourn the trial to enable the parties to enter into or continue mediation with a certified mediator of their choice, or to ask the Family Mediation Service to work with the parties.

Before making such a decision, the court considers such factors as whether the parties have already met with a certified mediator, whether there is an equal balance of power between the parties, whether there have been incidents of family or spousal violence and whether mediation is in the best interests of the parties and their children.

Mediation is governed by the general principles set out in this Code and conducted in keeping with the process provided for in this Code.

421. The court may stay the proceeding or adjourn the trial for not more than three months. On or before the expiry of that time, if mediation has not begun or if it has been ended, the proceeding is continued unless the court extends the stay or adjournment, with the parties' consent, for the time it specifies.

The judge who stays the proceeding or adjourns the trial remains seized of the matter, unless the chief justice or chief judge decides otherwise.

422. When intervening at the court's request, the Family Mediation Service designates a mediator and sets the date of the first meeting, which must be held within 20 days after the decision. A mediator chosen by the parties is required to begin the mediation within the same time.

423. If the parties do not enter into mediation within the allotted time or if they put an end to mediation before the dispute is resolved, the mediator files a report to that effect with the court office. The mediator also sends the report to the Family Mediation Service, to each of the parties and, if represented, to their lawyers.

The court clerk records the report filing date in the court register, then informs the judge seized of the matter and delivers the case record to the latter so that a trial date can be set. The stay or adjournment ends on the recording of that date in the court register.

424. Any part of the mediator's fee that is not borne by the Family Mediation Service is apportioned between the parties based on their respective income or according to their agreement, unless the court orders a different apportionment.

CHAPTER III**ASSESSMENT BY PSYCHOSOCIAL ASSESSMENT SERVICE**

425. In any family law case in which the interests of a minor child are at stake, the court, on its own initiative or on an application, may order the Psychosocial Assessment Service of the Superior Court to appoint an expert to enlighten the court on any custody-related or other issue affecting the child.

The decision must define the expert's mission and set the time limit within which the expert report is to be filed with the Psychosocial Assessment Service, which must not exceed three months after the expert's appointment.

426. The court clerk immediately notifies the decision as well as the other relevant documents to the Psychosocial Assessment Service. The Service appoints an expert and informs the judge who made the decision or the chief justice or chief judge of the expert's name.

427. The Psychosocial Assessment Service takes all the necessary measures to ensure that the appointed expert complies with the time limit for submitting the expert report.

However, if the expert shows that it was impossible in fact to submit the report within the time limit, the expert may, after informing the Service, ask the court to extend the time limit. If an extension is granted, the court clerk so informs the Service.

428. The expert files the report with the Psychosocial Assessment Service, which forwards it to the court clerk. The court clerk sends the report to the judge who ordered the assessment or, if that judge is no longer seized of the matter, to the chief justice or chief judge or the judge designated by the latter, and to the parties.

429. The court may order an institution governed by the Act respecting health services and social services (chapter S-4.2) to give an appointed expert access to any information in a user's record that is necessary for the purposes of the expert's assessment.

CHAPTER IV**JOINT DEMAND FOR SEPARATION FROM BED AND BOARD,
DIVORCE OR DISSOLUTION OF CIVIL UNION ON BASIS OF DRAFT
AGREEMENT**

430. Spouses filing a joint demand for separation from bed and board, a divorce or the dissolution of their civil union may, together with the demand, submit to the court for approval a draft agreement, dated and signed by them, that provides a complete settlement of the consequences of their demand.

The draft agreement applies from the date of the demand to the date of the judgment, subject to any provisional measures that the spouses have set out in it.

The draft agreement must identify, if one is required, the liquidator of the matrimonial or civil union regime and of the spouses' other patrimonial rights.

431. The joint demand lapses if, following an adjournment order, the spouses fail to present an amended draft agreement within three months or any other time limit set by the court. The joint demand also lapses if one of the spouses discontinues it and neither of them amends it and continues the proceeding within the following three months.

CHAPTER V

APPLICATIONS RELATING TO ADOPTION

432. Applications relating to the adoption of a minor child, unless supported by general consent to the child's adoption, are notified to the director of youth protection having jurisdiction in the child's place of residence or, if the child is domiciled outside Québec, in the adopter's place of domicile. The director may intervene as of right as regards such applications.

If a notice of the applications must be notified to a party or to an interested person, it is notified by the director. The notice must ensure that the adopters remain anonymous to the father and mother or the tutor and vice versa, and must state the subject matter of the application, the grounds on which the application is based and the conclusions sought.

433. If the adoption process is based on general consent to the child's adoption, the court admits to its hearings any member of the Commission des droits de la personne et des droits de la jeunesse or any other person expressly authorized to attend by the Commission. Such a person cannot disclose, or be compelled to disclose, anything that was said or disclosed or that occurred at a hearing.

434. An application by a person who, having given consent to a child's adoption and having failed to withdraw it within the prescribed time, is seeking to have the child returned to them is served on the person to whom the child was entrusted or, if general consent was given, notified to the director of youth protection. The latter gives notice of the application to the person having or exercising parental authority, to the father or mother if they no longer have parental authority and, if applicable, to the tutor.

In either case, unless all the parties agree otherwise, the court takes all measures needed to ensure that the persons seeking the child's return never meet the adopters face to face and, if general consent was given to the child's adoption, can never identify them or be identified by them.

435. An application for a declaration of eligibility for adoption is served on the child's father and mother, if known, on the child's tutor, if the child has one, and on the child if the child is 14 years of age or older; the judge may order that the application be served on the child if the child is 10 years of age or older.

436. An application for placement of a child is made by the adopter and the director of youth protection; if special consent was given to the child's adoption, the application may be made by the adopter alone.

An application for placement of a child may also be made by the child's parent or a spouse who, alone, made an application for a declaration of eligibility for adoption in accordance with article 560 of the Civil Code.

437. A notice of the application for placement, stating the plaintiff's name and place of domicile, is notified to the child concerned if the child is 10 years of age or older. The director of youth protection notifies a notice of the application to the child's father, mother or tutor if they are domiciled in Québec and consented to the adoption in the year preceding the application.

If the adoption process is based on special consent to the child's adoption or if a declaration of eligibility for adoption was granted, the notice of the application for placement is notified by the applicant.

438. An application for the revocation of a placement order is notified to the director of youth protection, who gives notice of the application to those to whom the application for placement was notified.

If special consent was given to the child's adoption, the application for revocation is served on the adopter and on the child if the child is 10 years of age or older.

439. If a report stating that the child has not adapted to the adoptive family is filed with the court, the court sends the report to the adopter and, if applicable, to the child's tutor or lawyer, and informs them of the time within which they may contest the report.

If the child is 14 years of age or older, the court may send the report to the child if it sees fit; it is required to do so if it intends to dismiss the application for adoption on the basis of the report.

440. An application for adoption is made by the adopter. If there are two adopters, the application is made jointly.

441. In addition to being served on the person concerned, an application for the adoption of a person of full age is notified to the person's married or civil union spouse, children 14 years of age or older and ascendants.

442. To be admissible, an application for recognition of an adoption order made outside Québec must be filed together with certified copies of the adoption order and the foreign legislation. The applicant may attach ancillary applications such as for a change of the adoptee's name or given name.

CHAPTER VI

APPLICATIONS RELATING TO SUPPORT OBLIGATIONS

443. The Government, by regulation, establishes standards for determining the child support payable by a parent. The standards are established on the basis of, among other factors, the combined basic child support contribution payable by the parents, childcare expenses, postsecondary education expenses, special expenses for the child and the custodial time of each parent.

The Minister of Justice prescribes and publishes in the *Gazette officielle du Québec* the statement form and the support determination form the parties are required to file. The Minister also prescribes and publishes a table determining the combined basic child support contribution payable by the parents on the basis of their disposable income and the number of children they have. The Minister also identifies the documents that must be filed with the forms.

444. No ruling on a support obligation may be made unless the parties have each filed a statement containing the information prescribed by regulation with the court office and, in the case of a parental child support obligation, the support determination form duly completed by each party and the other prescribed documents.

If the defendant fails to file those documents, their defence cannot be heard, and the court may make a ruling after hearing, and examining the documents produced by, the plaintiff. Before making a ruling, the court may nevertheless relieve the defendant from the default, subject to the conditions it determines.

The statements filed with the court office are destroyed if no support is granted by the court or if no judgment is rendered within one year after they are filed.

445. Unless the parties have made an agreement on the delivery of documents, the applicant parent notifies the application for child support, together with the prescribed documents, to the other parent. After receiving notification of the application, the latter must in turn notify the prescribed documents to the applicant at least five days before the application is to be presented.

446. If the particulars in a prescribed document are incomplete or contested, or in any circumstances it considers it necessary, the court may supplement the information. The court may determine a parent's income by considering, among other things, the value of the parent's assets and the income they generate or could generate, as it considers appropriate.

447. Child support is determined without consideration of any spousal support claimed by a parent for themselves.

A judgment awarding child support and spousal support must clearly specify the amount to be paid in child support and the amount to be paid in spousal support.

The support determination form used by the court to determine the child support payable must be attached to the judgment awarding child support.

448. Parents who agree on a child support amount that differs from the amount that would be payable under the child support determination rules must clearly set out, in their agreement and in the support determination form, the reasons for the difference.

If the judgment awards child support that does not reflect the parents' agreement or, in the case of a defended application, the particulars in the forms filed by the parents, the judgment must clearly state the reasons for the difference, referring, if applicable, to the relevant sections of the form.

449. If an agreement is reached on an application relating to a support obligation and one of the parties is receiving benefits under a social assistance or social solidarity program created under the Individual and Family Assistance Act (chapter A-13.1.1), that party must state as much in the agreement. If a party was receiving benefits under such a program during any period covered by the agreement, that fact must also be stated in the agreement.

450. As soon as a judgment awarding support or varying a judgment awarding support is rendered, the court clerk enters the relevant information from the judgment and statements in the register of support payments and sends the statements to the Minister of Revenue with the judgment.

Information entered in the register of support payments is confidential.

CHAPTER VII

APPLICATIONS RELATING TO PARENTAL AUTHORITY

451. An application for deprivation of parental authority or for withdrawal of an attribute or of the exercise of an attribute of parental authority is served on the persons having parental authority and the child's tutor and notified to the director of youth protection having jurisdiction in the child's place of residence. The director may intervene as of right as regards the application.

An application by the mother and father, or by either parent, to have their authority restored is served on the person having parental authority or, as applicable, on the tutor and notified to the persons who were party to the application for deprivation or withdrawal.

452. The court, even on its own initiative, may order the establishment of a tutorship council so that it may seek its advice on the designation of a person to hold parental authority or on the appointment of a tutor.

CHAPTER VIII

JUDGMENT

453. When granting the annulment of a marriage or a civil union, separation from bed and board, a divorce or the dissolution of a civil union, the court rules on ancillary applications, such as applications relating to the custody, maintenance or education of the children or to child or spousal support. At the same time or at a later date, if warranted by the circumstances, the court rules on issues relating to family patrimony and other patrimonial rights arising from the marriage or civil union.

454. The court seized of an application for the homologation of an agreement or a draft agreement between the parties may amend the agreement or draft agreement on the basis of the interests of the children or one of the spouses. The court may also postpone its decision until the parties have amended the agreement or draft agreement, or deny homologation, in which case the proceeding continues.

455. A judgment ordering the drawing up or correction of an act of civil status or the alteration of the register of civil status must specify the entries to be made in the register. The judgment is binding on the registrar of civil status.

456. The court clerk notifies a judgment granting the annulment of a marriage or a civil union, separation from bed and board or as to property, a divorce or the dissolution of a civil union to the registrar of civil status, the personal and movable real rights registrar, the Régie des rentes du Québec, the depositary of the original of the marriage contract or civil union contract and the depositary of the original of any contract modifying the matrimonial or civil union regime.

The depositary is required to bring to the attention of persons who refer to the original or a copy of such a contract the fact that a judgment has been rendered in connection with the contract and to give them the information needed to access the judgment, including the judgment date, the court record number, the court that rendered the judgment, and the judicial district in which the judgment was rendered.

457. If a judgment varying support obligations, child custody or provisional measures is rendered in a different judicial district than the one in which the initial judgment was rendered, the court clerk sends the judgment to the court clerk of the district in which the initial judgment was rendered.

CHAPTER IX**OPPOSITION TO MARRIAGE OR CIVIL UNION**

458. An opposition to a marriage or civil union must be notified, at least five days before the date the opposition is to be presented, to the officiant, to the intended spouses and, in the case of a marriage, to any person who must consent to its solemnization.

Unless it is abusive, the court admits the opposition and sets an early hearing date. Admission of the opposition stays the solemnization of the marriage or civil union. If the opposition is not presented on the scheduled date, any party may obtain a default certificate from the court clerk. On receiving notification of the default certificate, the officiant may proceed with the solemnization of the marriage or civil union.

When dismissing an opposition, the court, on an application, may immediately order the opposer to pay damages or may schedule a date to hear evidence on damages.

TITLE III**APPLICATIONS RELATING TO SUCCESSIONS, PROPERTY,
SECURITY AND EVIDENCE****CHAPTER I****PROBATE OF WILLS AND LETTERS PROBATE****DIVISION I****PROBATE OF WILLS**

459. When it would prove impractical or too costly to call all the known successors to the probate of a will, the special clerk may grant an exemption from that requirement and determine the persons to be notified by the applicant or the notary seized of the probate application.

460. If the original of the will is in the hands of a third person, the special clerk may order the person to file it with the court office or to deliver it to the notary designated by the special clerk so that the notary may examine it.

461. A will probated by the court is deposited at the court office. The court clerk issues to any interested person, on request, certified copies of the will, the judgment probating the will and any evidence produced in support of the probate application.

A will probated by a notary is attached to the minutes of the probate and kept in the notary's records. The notary issues certified copies of the will and minutes of the probate to any interested person on request.

462. A will may, subsequent to its probate, be contested by any interested person who did not oppose the probate application or who, having opposed it, raises grounds they were not in a position to raise at the time.

DIVISION II

LETTERS PROBATE

463. Any interested person may apply for letters probate, for use outside Québec, to prove their capacity as heir, legatee by particular title or liquidator of the succession.

The letters probate certify that the succession has opened and identify the liquidator of the succession. In the case of an intestate succession, the letters probate also certify that the property of the deceased devolves to the persons named in the proportions specified. In the case of a testamentary succession, the letters probate certify that it has been proved that the will, a copy of which is attached to the letters probate, is the only will made by the deceased or the last will made by the deceased; in the latter case, they certify that the will revokes previous wills in whole or in part.

464. The application for letters probate is notified to the liquidator of the succession, if known, and to all known heirs and legatees by particular title who are resident in Québec.

465. Letters probate may be revoked or corrected on an application by any interested person who did not oppose their issue or who, having opposed it, raises grounds they were not in a position to assert at the time.

466. The court clerk or the notary issues certified copies of letters probate to any interested person on request. However, if the letters probate are contested, no copies may be issued until the application has been dealt with.

If letters probate are rectified by a judgment, the court clerk issues new letters probate to replace the initial ones.

CHAPTER II

APPLICATIONS RELATING TO PUBLICATION OF RIGHTS AND TO ACQUISITIVE PRESCRIPTION OF AN IMMOVABLE

467. An application relating to registration in the land register or in the register of personal and movable real rights, or to the correction, reduction or cancellation of an entry in either register, must be supported by a statement, certified by the registrar, setting out the rights registered in the register in respect of the property, the nature of the universality, or the name of the grantor.

468. An application relating to acquisitive prescription of an immovable must be supported by a recent statement, certified by the registrar, setting out the rights registered in the land register. It must also be supported by a copy of or an extract from the cadastral plan or, if the immovable is not immatriculated or is a part of a lot, by a technical description of the immovable and the related plan, both prepared by a land surveyor. If a construction has been erected on the immovable, a location certificate must also be attached.

The court that is to determine the right of ownership may, even on its own initiative, order a determination of the boundaries of the immovable if the accuracy of the plan is contested by the owners of the adjoining immovables.

CHAPTER III

BOUNDARY DETERMINATION

469. A formal notice for the determination of boundaries must set out the demand and the reasons for it, without any reference to disturbances, damage or other claims. It must describe the immovables concerned and include the name and contact information of the land surveyor proposed to perform the operations.

If, following the formal notice, the owners agree to a boundary determination and on the choice of a land surveyor, they record their agreement in a document stating the reasons for the boundary determination, describing the immovables concerned and identifying the land surveyor.

In the absence of an agreement, the person who gave the formal notice may ask the court to rule on the right to a boundary determination or designate a land surveyor.

470. The land surveyor chosen by the owners or designated by the court draws up a boundary determination report under the surveyor's professional oath and in the surveyor's capacity as an expert. The report must give an account of all the operations necessary to determine the boundaries of the immovables concerned. It must include a plan of the premises, state the respective contentions of the owners concerned and establish the boundaries between the immovables that appear to the surveyor to be the most accurate. The land surveyor, after filing the report with the court office if the land surveyor was designated by the court, notifies a copy of it to the owners and informs them of the consequences of their accepting, not accepting or contesting the report.

The expert fees are apportioned equally among the owners.

471. If the owners accept the boundary determination report, they record their agreement in writing, sign it in the presence of the land surveyor and ask the land surveyor to place boundary markers, to draw up minutes of the boundary marking operations and to register the minutes in the land register; the report may be attached to the minutes. The boundary determination is,

between the parties, declaratory as regards the boundary lines of the immovables and ownership rights.

472. If one of the owners does not accept the boundary determination report, that owner, within one month after the notification of the report, may ask the court to rule on the boundary determination and determine the boundary lines of the immovables. If no such demand is instituted within that strict time limit, the other owner may ask the court to homologate the report.

After examining the report, the court rules on the boundary determination, determines the boundary lines of the immovables and orders the land surveyor to place boundary markers in the presence of witnesses, to draw up minutes of the boundary marking operations and to register the minutes and the judgment in the land register; the report may be attached to the minutes. The court issues the same orders if it agrees to homologate the report.

The judgment is, for all, declaratory as regards the boundary lines of the immovables and ownership rights, and the registration of the minutes of the boundary marking operations constitutes proof of the execution of the judgment.

473. If, in the course of the proceeding, an owner transfers their rights in the immovable that is the subject of the boundary determination, the transferee may be compelled to continue the proceeding.

474. If a boundary determination might affect immovables that are not adjoining to the plaintiff's immovable, the court, even on its own initiative, may order the owners of the non-adjoining immovables to intervene in the matter. A land surveyor appointed by the parties may also ask the court to order such intervention.

475. The costs of the boundary marking operations and of the minutes are apportioned according to the length of the boundary line of each immovable, as determined.

CHAPTER IV

CO-OWNERSHIP AND PARTITION

476. In granting an application for the partition of undivided property, the court may order either a partition in kind or the sale of the property.

The court may appoint an expert, or more than one expert if necessary, to assess the value of the property, divide the property into lots and distribute the lots, if the property can conveniently be divided and distributed, or to sell the property in the manner determined by the court. On completion of the operations, the expert prepares a report, files it with the court office and delivers a copy to the co-owners.

The expert must have the report homologated; the homologation application may be contested by any interested person. When homologating the report, the court may, if necessary, direct the court clerk or any other person it designates to hold a drawing of the lots; minutes of this operation must be filed in the court record.

477. An application relating to divided co-ownership of an immovable is notified to the syndicate of co-owners, which must inform all the co-owners of the subject matter of the application within five days after the notification.

CHAPTER V

SAFETY DEPOSIT BOXES

478. A person may open a safety deposit box leased by another person in a financial institution if authorized to do so by that person or, if that person is deceased, by the liquidator of the succession or, in the absence of a liquidator, by the successors. As well, a person may open such a safety deposit box if authorized by the court to do so.

The court grants its authorization only if it is satisfied that all those who may have rights in the property contained in the safety deposit box have been notified of the application or that sufficient effort has been made to notify them. The court may authorize the opening of the box subject to the conditions it specifies.

When the safety deposit box is opened, a notary or a bailiff draws up minutes stating the names of the persons present and describing the content of the box and the property removed from the box. If the lessee of the box is deceased, only a notary is authorized to draw up the minutes.

479. Before the safety deposit box is opened, the applicant pays to the lessor an amount sufficient to cover the cost of opening and restoring the box.

CHAPTER VI

APPLICATIONS RELATING TO SECURITY

480. An application relating to security must be supported by a recent statement from the relevant register, certified by the registrar.

481. A judgment ordering the forced surrender of property specifies the time within which, the manner in which and the person to whom the property is to be surrendered. The judgment also orders that, on failure to surrender the property within the time specified, the debtor or the possessor or holder of the property be evicted, or the property be taken away from them, as applicable.

482. An order to surrender property issued before the expiry of the time specified in the prior notice of the exercise of a hypothecary right may be

annulled by the court on the application of the possessor or holder of the property if the allegations in the demand that led to the issue of the order are insufficient or false.

The application for the annulment of the order must be notified to all the parties to the proceeding within five days after notification of the order.

If the order is annulled, the creditor is required to return the property or pay back the alienation price, as applicable.

483. Where the identity of the owner or of one of the owners of hypothecated property is unknown or uncertain and the application was notified by public notice, the court may authorize the creditor to exercise a hypothecary right if no one contests the application or exercises the rights of the hypothecary debtor or of the person against whom the right is exercised.

CHAPTER VII

COPIES OF OR EXTRACTS FROM NOTARIAL DEEDS

484. Notaries are required, subject to payment of their professional fees and expenses, to give access to or issue copies of or extracts from any deed in their records, or in the records of which they are the assignee or custodian, to the parties to the deed, their heirs or their representatives and, at their request, to persons who, in the absence of a will, would have been called to the succession.

They are not required, however, to give access to or issue a copy of a will that has been revoked or of a deed that is not required to be published, unless ordered by the court or requested by the testator or a party to the deed.

485. If a notary refuses, or fails to respond, any person who establishes their right or their interest may request a court order directing the notary to give access to or issue a copy of or extract from a deed.

The order specifies the date and time when access must be given or the copy or extract issued. It must be notified in sufficient time to the notary; the notary certifies on the deed that they are acting on the order of the court.

CHAPTER VIII

RECONSTITUTION OF CERTAIN DOCUMENTS

486. When the minute or the original of an authentic act or of a public register has been lost, destroyed or removed, any person holding an authentic copy of or extract from the act or register, or any interested person, may ask the court to authorize or order that it be deposited with the public officer the court designates to serve as the original.

The applicant pays the depositing fee and provides a new copy to the original holder as well as compensation for the disbursements incurred.

487. When an authentic act or a public register cannot be replaced, the public officer who had custody of the act or register establishes and implements a procedure for reconstituting it.

If the public officer does not act in a timely manner, any interested person may ask the court to designate a person to establish a reconstitution procedure.

The court homologates the reconstituted document on being satisfied that the procedure followed was suitable and provides a valid reconstitution.

488. The homologated reconstituted document serves as the original; it is deposited with the public officer who had custody of the original or with that officer's transferee.

Homologation does not prevent an interested person from contesting the content of the document or asking for corrections or additions.

TITLE IV

DEMANDS AND APPLICATIONS INVOLVING PRIVATE INTERNATIONAL LAW

CHAPTER I

GENERAL PROVISIONS

489. Any person having the legal capacity to sue or be sued may do so before the courts of Québec. If, under the law governing such capacity, the person must be represented, assisted or authorized, they must, before the courts of Québec, be represented, assisted or authorized in the manner specified by that law or by Québec law.

Any person who may sue or be sued in a certain capacity under the law of a foreign State may do so in the same capacity before the courts of Québec.

Any group of persons authorized by its constituting Act to sue or be sued may do so before the courts of Québec.

490. Where a Québec court is seized of a dispute that involves a foreign element and the defendant has no domicile, residence or establishment in Québec, the latter has 30 days to answer the summons and the parties have three months from the date on which the originating demand is served to file a case protocol; these time limits may be shortened if the parties consent or if, in an urgent situation, the judge so orders.

CHAPTER II**PRELIMINARY EXCEPTIONS AND SURETYSHIP**

491. An application urging a Québec court to decline international jurisdiction, stay its ruling or dismiss a demand for lack of international jurisdiction is made in the same way as any preliminary exception.

When ruling on its international jurisdiction, the court considers the guiding principles of procedure in addition to the provisions of the Civil Code.

492. If a plaintiff is not resident in Québec or, being a legal person, is not domiciled in Québec, the defendant may, at any stage of the proceeding, require that the plaintiff be ordered, under pain of dismissal of the demand, to provide a suretyship, within a specified time, as security for the legal costs the court could award against the plaintiff.

A person acting for another person under the rules of representation before the courts may also be required to provide a suretyship if the representative or one of the representative's mandators is not resident in Québec or, being a legal person, is not domiciled in Québec.

In determining the amount of the suretyship, the court considers the nature, complexity and importance of the case, including the costs involved, as well as the plaintiff's financial situation and the value of the plaintiff's property in Québec; if the plaintiff is acting on behalf of a mandator who is not resident in Québec, the court considers the mandator's financial situation. On a party's request, the court may increase or reduce the amount of suretyship if warranted by developments in the case or by the plaintiff's circumstances.

493. No suretyship covering legal costs may be ordered in judicial proceedings relating to family matters or in situations that are subject to the Act respecting the civil aspects of international and interprovincial child abduction (chapter A-23.01) or the Act to secure the carrying out of the Entente between France and Québec respecting mutual aid in judicial matters (chapter A-20.1).

CHAPTER III**INTERNATIONAL NOTIFICATION**

494. In States party to the Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters, made at The Hague on 15 November 1965, international notification is made in accordance with the Convention, which is reproduced in a schedule to this Code and has force of law in Québec.

In States not party to the Convention, notification is made as provided for in Book I or in accordance with the law in force in the place where the

notification is made. The court, on request, may authorize a different method of notification if it is required by the circumstances.

The certificate of notification is sent to the notifying party through the same channels as those used to send the request for notification.

495. If it is established that no certificate of notification was received within six months after an originating demand was sent to a foreign State for notification in that State according to a method recognized by the law of that State for the notification of pleadings from abroad, despite reasonable efforts to secure the certificate through the competent authorities of the foreign State, the court may render judgment against the defendant.

A party against which a default judgment is so rendered following failure to answer the summons or defend on the merits may, within one year after the judgment date, apply for the revocation of the judgment if it can show that, by no fault of its own, it did not become aware of the proceeding in sufficient time to file a defence or to exercise a recourse against the decision, and if the grounds raised in its defence do not appear completely unfounded.

496. The Minister of Justice, on a request received by the Government through diplomatic or consular channels, may direct a bailiff to notify a pleading from a foreign State to a person in Québec.

The pleading to be notified must be certified by an officer of a court of justice of the place from which it originates. If it is not in French or English, it must be accompanied by a certified translation, and the certificate of notification must state that a translation is attached to the notified pleading.

The notifying party pays the notification costs in advance or undertakes to reimburse them, unless otherwise provided by an international commitment binding on Québec.

CHAPTER IV

CALLING OF WITNESSES

497. A person resident in another province or in a territory of Canada may be called to attend at court as a witness. The witness's evidence is taken at a distance unless it is established to the satisfaction of the court that attendance in person is necessary or possible without any major inconvenience to the witness. An advance on the witness indemnity and allowances must accompany the subpoena.

However, such a witness may only be called on an express order of the court endorsed on the subpoena, which must be notified in accordance with the law of the witness's place of residence.

A defaulting witness resident outside Québec, unless the person is in Québec at the time of the default, may only be punished by the court of their residence, on the face of the certificate of default issued by the court seized.

498. The court confirms a subpoena issued by an authority in another province or in a territory of Canada if it is endorsed with an express order and accompanied by an advance on the witness indemnity and allowances.

CHAPTER V

ROGATORY COMMISSIONS

DIVISION I

ROGATORY COMMISSION ISSUED IN QUÉBEC

499. The court may, on the parties' application, appoint a commissioner to examine a witness or to gather evidence in a foreign State if the court is convinced that the witness cannot be examined or the evidence gathered using technological means.

If the application concerns a person who is domiciled or resident in a foreign State, the court may issue a rogatory commission either to a competent authority in that State or to Canadian diplomatic or consular authorities. If required by the foreign State, the decision is accompanied by a translation, the cost of which is borne by the party that wishes to conduct the examination.

A commission for the examination of a person in active service in the Canadian Armed Forces outside Québec is addressed to the Judge-Advocate General to be executed by a person designated by the latter.

500. A decision appointing a commissioner sets out the names of the persons to be examined and the manner in which they are to be sworn, the instructions needed to guide the commissioner in the execution of the commission, and the time within which the commissioner's report must be filed; it may also determine an amount to cover the commissioner's expenses and disbursements and direct that it be filed with the court office by the party that applied for the commission.

The party that applied for the commission, or if that party fails to act, the party that joined in obtaining it, is required to see that it is delivered and executed promptly.

501. If a party wishes to be represented at the examination, it must advise the commissioner in sufficient time and provide the name and address of its representative; the commissioner is required to give the representative at least five days' notice of the date, time and place the proceedings in execution of the commission are to take place.

502. A party may ask the court to attach written examinations and written cross-examinations to the commission.

Whether or not any questions have been formulated in advance, the commissioner may ask a witness any relevant question and allow any relevant question to be asked. The commissioner reserves any objections to evidence, the parties retaining the right to present them before the court.

503. Within the time specified in the decision, the commissioner notifies to the court clerk a report on the execution of the commission together with the transcripts or recordings of the witness examinations, attested by the commissioner, and the exhibits produced by the witnesses; the documents must be in a sealed envelope bearing a list of its content and the case name.

An unjustified failure to file a commission report cannot prevent the court from hearing the case.

DIVISION II

ROGATORY COMMISSION ISSUED IN FOREIGN STATE

504. A foreign party or authority may apply to the court for execution of a rogatory commission. The court may appoint a commissioner to examine a witness or to gather evidence if no commissioner is designated in the commission.

The same rules, with the necessary modifications, apply to an application presented by a commission of inquiry established by the Governor General in Council or a Lieutenant Governor in Council.

505. The rogatory commission is executed in accordance with the rules of this Code, unless the foreign authority has requested a different procedure. The foreign authority must in any event give an undertaking to guarantee the payment of costs.

The party that applied for execution of the commission informs the foreign authority of when and where the proceedings are to take place.

506. The documents attesting to the execution of the rogatory commission, or the court decision refusing to allow its execution, are sent to the foreign authority through the same channels as those used to send the application for execution of the commission.

CHAPTER VI**RECOGNITION AND ENFORCEMENT OF FOREIGN DECISIONS AND FOREIGN PUBLIC DOCUMENTS**

507. The recognition and enforcement of a decision rendered outside Québec is sought by means of an originating demand.

It may also be sought by means of an incidental application in the course of a proceeding by any of the parties.

508. A party seeking the recognition or the enforcement of a foreign decision attaches the decision to the demand or application, together with a certificate from a competent foreign public official stating that the decision is no longer appealable in the State in which it was rendered or that it is final or enforceable.

If the decision was rendered by default, certified documents showing that the originating demand was properly notified to the defaulting party must also be attached to the demand or application.

Documents in a language other than French or English must be accompanied by a translation certified in Québec.

BOOK VI**SPECIAL PROCEDURAL ROUTES****TITLE I****PROVISIONAL AND CONTROL MEASURES****CHAPTER I****INJUNCTION**

509. An injunction is an order of the Superior Court directing a person or, in the case of a legal person, a partnership or an association or another group not endowed with juridical personality, its officers or representatives to refrain from or cease doing something or to perform a specified act.

A judgment granting an injunction is served on the parties and the other persons identified in the judgment.

510. A party may ask for an interlocutory injunction in the course of a proceeding or even before the filing of the originating demand if the latter cannot be filed in a timely manner. An application for an interlocutory injunction is served on the other party with a notice of its presentation.

In an urgent case, the court may grant a provisional injunction, even before service. A provisional injunction cannot be granted for a period exceeding 10 days without the parties' consent.

511. An interlocutory injunction may be granted if the applicant appears to have a right to it and it is judged necessary to prevent serious or irreparable prejudice to the applicant or to avoid creating a factual or legal situation that would render the judgment on the merits ineffective.

The court may grant an interlocutory injunction subject to a suretyship being provided to cover the costs and any resulting prejudice.

It may suspend or renew an interlocutory injunction for the time and subject to the conditions it determines.

512. If an interlocutory injunction is granted, it is served on the other party and the other persons identified.

If the originating demand has not yet been served, it is served with the injunction; if the originating demand has not yet been filed, the injunction is served without the originating demand, but the latter must be served within the time set by the court.

513. An injunction cannot be granted to restrain judicial proceedings or the exercise of an office within a legal person established in the public interest or for a private interest, except in the cases described in article 329 of the Civil Code.

514. An injunction remains in force despite an appeal; an interlocutory injunction remains in force despite a judgment on the merits dissolving the injunction if the plaintiff initiates an appeal.

In either case, a judge of the Court of Appeal may provisionally stay the injunction for a specified time.

515. When imposing a contempt sanction for violation of an injunction, the court may order the destruction or removal of anything realized contrary to the injunction.

CHAPTER II

SEIZURE BEFORE JUDGMENT AND SEQUESTRATION

DIVISION I

SEIZURE BEFORE JUDGMENT

516. The purpose of a seizure before judgment is to place property in the hands of justice while a proceeding is pending. A seizure before judgment is carried out in the same manner and according to the same rules as a seizure after judgment, subject to the rules of this chapter.

A seizure before judgment may be carried out before the commencement or in the course of a proceeding or while the case is under appeal, but in the latter case with the authorization of the court of first instance.

A third person is given custody of the seized property, unless the seizer authorizes the bailiff to leave the property in the custody of the person from whom it is seized.

517. A plaintiff, as of right, may seize the following before judgment:

- (1) movable property the plaintiff has the right to revendicate;
- (2) movable property for whose price the plaintiff is entitled to be collocated by preference and which is being used in such a manner as to jeopardize the realization of the plaintiff's prior claim; and
- (3) movable property the plaintiff is permitted by law to seize in order to secure the exercise of rights in the property.

However, the authorization of the court is necessary to seize a technological medium or a document stored on such a medium.

518. With the authorization of the court, the plaintiff may seize the defendant's property before judgment if there is reason to fear that recovery of the claim might be jeopardized without the seizure.

519. In a proceeding for the annulment of a marriage or a civil union, for separation from bed and board or as to property, for divorce or for the dissolution of a civil union, or for payment of a compensatory allowance, each spouse, as of right, may seize before judgment movable property belonging to that spouse whether it is in the hands of the other spouse or a third person. With the authorization of the court, each spouse may also seize property belonging to the other spouse for the share the spouse would be entitled to on the dissolution of the matrimonial or civil union regime; the court determines who is to be the custodian of the property so seized.

520. A seizure before judgment is carried out under a notice of execution and according to the seizer's instructions, supported by a sworn statement in which the seizer affirms the existence of the claim and the facts justifying the seizure, specifying, if applicable, the source of the information relied on. If the authorization of the court is necessary, it must appear on the seizer's sworn statement.

The instructions direct the officiating bailiff to seize all the defendant's movable property or only certain specified movables or immovables. The bailiff serves the notice of execution on the defendant along with the seizer's sworn statement.

521. If a seizure before judgment is carried out before service of the originating demand, the seizer files the originating demand with the court office and serves it on the defendant within five days after service of the notice of execution.

522. Within five days after service of the notice of execution, the defendant may ask that the seizure be quashed on the grounds that the allegations in the seizer's sworn statement are insufficient or false. If this proves to be true, the court quashes the seizure; if not, it confirms the seizure and may revise its scope.

523. The defendant may prevent the removal of property, be released from the seizure or recover seized property by giving a sufficient guarantee to the bailiff. If the bailiff refuses the guarantee offered, the defendant may ask the court for a decision.

The deposit of a sum of money, of a guarantee issued by a financial institution carrying on business in Québec or of an insurance policy guaranteeing the performance of the defendant's obligations constitutes a sufficient guarantee. The amount of the guarantee is determined by the amount claimed or the value of the seized property.

DIVISION II

SEQUESTRATION

524. The court, even on its own initiative, may order the sequestration of disputed property if it considers it necessary to preserve the parties' rights in the property. When ordering sequestration, the court designates the sequestrator or convenes the parties to appear before it on a specified date to choose the sequestrator.

If an appeal has been initiated, the court of first instance may order sequestration of the property.

525. The sequestrator takes an oath before the court clerk and is placed in possession of the property by a bailiff. The bailiff draws up minutes describing the property, which are authenticated by the bailiff and the sequestrator.

526. The sequestrator is bound by all the obligations of conventional sequestration, unless the court decides otherwise.

The costs and remuneration of the sequestrator are taxed by the court clerk and are owed solidarily by the parties to the dispute, unless the court decides otherwise.

CHAPTER III**AUTHORIZATION, APPROVAL AND HOMOLOGATION**

527. An application for authorization, approval or homologation is, when there is a dispute, presented before the court on the date specified in the attached notice of presentation. The presentation date cannot be less than five days after notification of the application.

528. Homologation is approval by a court of a juridical act in the nature of a decision or of an agreement. It gives the homologated act the same force and effect as a judgment of the court.

The homologating court only examines the legality of the act; it cannot rule on its advisability or merits unless a specific provision empowers it to do so.

CHAPTER IV**JUDICIAL REVIEW****DIVISION I****GENERAL RULES**

529. In a judicial review, the Superior Court may, depending on the subject matter,

(1) declare inapplicable, invalid or inoperative a provision of an Act of the Parliament of Québec or the Parliament of Canada, a regulation made under such a law, an order in council, a minister's order or any other rule of law;

(2) evoke, on a party's application, a case pending before a court, or review or quash a judgment rendered by a court or a decision made by a person or body under the authority of the Parliament of Québec, if the court, body or person acted without jurisdiction or in excess of jurisdiction, or if the procedure followed was affected by some serious irregularity;

(3) direct a person holding an office within a public body, a legal person, a partnership or an association or another group not endowed with juridical personality to perform an act which they are by law required to perform, provided the act is not of a purely private nature; or

(4) dismiss a person who, without right, is occupying or exercising a public office or an office within a public body, a legal person, a partnership or an association or another group not endowed with juridical personality.

Except in the case of lack or excess of jurisdiction, judicial review is available only if the judgment or the decision cannot be appealed or contested.

An application for judicial review must be served within a reasonable time after the act or the fact on which it is based.

530. An application for judicial review is presented before the Superior Court on the date specified in the attached notice of presentation, which cannot be less than 15 days after service of the application. The judicial review is conducted by preference.

Unless the court decides otherwise, the application does not stay proceedings pending before another court or the execution of the judgment or decision under review. If necessary, the court orders that the exhibits it specifies be sent without delay to the court clerk.

A review judgment that rules in favour of the applicant is served on the parties if it orders that something be done or stopped.

531. At any time after a notice of appeal has been filed, an appellate judge may order a stay of any proceeding or of any decision whose execution is not stayed by the appeal.

DIVISION II

SPECIAL RULES APPLICABLE TO USURPATION OF OFFICE

532. On removing the defendant from office, the court, on an application, may confer the office on another person if facts proving that person's right to the office are set out in the application for judicial review. The review judgment may award punitive damages against the defendant.

533. If the review judgment is based on the grounds that the defendant may have committed an indictable offence, it is effective immediately despite an appeal. Nevertheless, the office is only deemed vacant as of the day on which the judgment becomes final, unless it is vacated at an earlier time for another reason; in the meantime, the defendant is not entitled to the benefits attached to the office.

If the office concerned is a seat on the council of a municipality that is subject to Title I of the Act respecting elections and referendums in municipalities (chapter E-2.2), the effects of provisional execution of the judgment are specified by that Act.

534. The person on whom the court confers the office may exercise it after taking the required oath and providing the required suretyship, and may demand that the defendant hand over the property incidental to the office. If the defendant refuses, the court may direct a bailiff to take possession of the property and hand it over to the rightful person.

535. The election of a warden in accordance with section 210.29.2 of the Act respecting municipal territorial organization (chapter O-9) or of a mayor or a municipal councillor cannot be contested under this chapter, except for lack of qualification.

TITLE II

RECOVERY OF SMALL CLAIMS

CHAPTER I

GENERAL PROVISIONS

536. A demand for recovery of a claim not exceeding \$15,000, excluding interest, is instituted under the rules of this Title if the plaintiff is acting in their own name and for their own account or is acting as administrator of the property of others, tutor or curator or under a protection mandate. The same applies to a demand seeking the resolution, resiliation or cancellation of a contract provided neither the value of the contract, nor the amount claimed, if any, exceeds \$15,000.

A legal person, a partnership or an association or another group not endowed with juridical personality cannot act as plaintiff under the rules of this Title unless a maximum of 10 persons bound to it by an employment contract were under its direction or control at any time during the 12-month period preceding the demand.

537. This Title does not apply to demands arising from the lease of a dwelling, demands for support or demands alleging defamation.

Nor does it apply to demands brought by a person, a partnership or an association or another group not endowed with juridical personality on the basis of a claim assigned to them in return for payment.

538. A plaintiff may voluntarily reduce the amount claimed to \$15,000 or less, but cannot divide a claim exceeding that amount into two or more claims not exceeding that amount, under pain of dismissal of the demand.

However, a plaintiff is not deemed to have divided a claim if it arises from a credit contract providing for repayment by instalments or from a contract involving the sequential performance of obligations, such as a lease, an employment contract, a disability insurance contract or other similar contract, and if the amount claimed in the demand does not exceed \$15,000.

539. Two or more creditors may join their demands if they have the same juridical basis or raise the same points of law and fact and none of them exceeds \$15,000. The court may separate the demands at any time.

540. At any time in the course of the proceeding, the court, even on its own initiative, may take the case management measures it sees fit and, if necessary, convene a case management conference or hear a preliminary application and issue any appropriate order.

If the court considers it necessary in order to assess facts relating to the dispute, it may impose joint expert evidence, specifying the applicable terms;

it may also ask a bailiff to ascertain the state or condition of certain premises or things.

If circumstances permit, the court may attempt to reconcile the parties during the hearing or at a settlement conference. If no settlement is reached, the judge seized may, with the parties' consent, continue the trial.

541. When the operability, constitutionality or validity of a provision of a law, a regulation, an order in council, a minister's order or any other rule of law is challenged before the court, the court may order that the demand be referred to the competent court or tried according to the procedure set out in Book II.

CHAPTER II

REPRESENTATION OF PARTIES

542. Natural persons must self-represent; they may, however, give their spouse, a relative, a person connected to them by marriage or civil union or a friend a non-remunerated mandate to represent them. The mandate must be recorded in a document identifying the mandatary and stating the reasons why the mandator is unable to self-represent, and be signed by the mandator.

The State, legal persons, partnerships and associations and other groups not endowed with juridical personality can only be represented by an officer or employee in their sole service who is not a lawyer.

Despite section 34 of the Charter of human rights and freedoms, lawyers or collection agents cannot act as mandataries except to recover professional fees owed to the partnership to which they belong. By way of exception, if a case raises a complex issue on a point of law, the court, on its own initiative or on a party's request, after obtaining the consent of the chief judge of the Court of Québec, may authorize the parties to be represented by lawyers. In such a case, except for parties who do not qualify as plaintiffs under this Title, the lawyers' professional fees and costs are borne by the Minister of Justice but cannot exceed those set in the tariff of fees established by the Government under the Act respecting legal aid and the provision of certain other legal services (chapter A-14).

Both natural persons and legal persons may consult a lawyer, including for the purpose of preparing the presentation of their case.

CHAPTER III**PROCEDURE****DIVISION I****INSTITUTION OF DEMAND, AND DEFENCE**

543. The parties may inquire with the court office for information on the conduct of the proceeding and the execution of the judgment and, more specifically, on key procedural steps and the rules governing the venue for the demand, the disclosure of exhibits, the production of evidence and the legal costs. If necessary, the court clerk assists the parties in preparing pleadings or completing the forms placed at their disposal, but cannot give them legal advice.

544. The demand must set out the facts on which it is based, the nature of the claim, the amount of the claim and interest and the conclusions sought, and include a list of the exhibits in support of the demand. It must be supported by a statement by the plaintiff, which is deemed to be a sworn statement, attesting that the facts alleged are true and that the amount claimed is due. The demand must also state the plaintiff's name and domicile or residence and, if applicable, those of the plaintiff's mandatary, as well as the defendant's name and domicile or last known place of residence. In addition, the demand must specify whether the plaintiff might consider mediation.

If the plaintiff is a legal person, a partnership or an association or another group not endowed with juridical personality, the plaintiff's statement must attest that a maximum of five persons bound to it by an employment contract were under its direction or control at any time during the 12-month period preceding the demand.

The demand may be filed with the office of the court nearest to the plaintiff's domicile, residence or establishment. If applicable, the court clerk forwards it to the office of the court having territorial jurisdiction designated by the plaintiff.

545. The demand is presented to the court clerk, who determines whether it is admissible. If the demand is admissible, the court record is opened. If the demand is not admissible, the court clerk notifies a notice so informing the plaintiff and specifying that the latter may, within 15 days after the notification, ask for a review of the decision by the court, which decides the matter on the face of the record.

If admissible, the demand is filed with the court office together with the exhibits or copies of the exhibits. In all instances, if originals of the exhibits are not filed with the demand, they may be produced on the day of the trial.

546. The court clerk notifies the demand to the defendant together with a notice setting out the options available to the defendant, and the list of exhibits.

The notice must be in keeping with the model established by the Minister of Justice; it states that if the defendant fails to indicate the option chosen to the court clerk within 20 days after the notification, judgment may be rendered against the defendant without further notice or extension.

547. The options available to the defendant are the following:

(1) to pay the amount claimed and the costs borne by the plaintiff to the court office or pay them directly to the plaintiff and send the proof of payment or acquittance obtained from the plaintiff to the court office, or to reach a settlement with the plaintiff and send a document recording the settlement agreement to the court office; or

(2) to defend on the merits and so inform the court office, specifying the grounds of defence, which may include prescription.

In addition, a defendant who chooses to defend the demand may

(1) ask that the dispute be referred to mediation;

(2) ask that the demand be dismissed, that the case be referred to another judicial district or to the competent court or administrative tribunal, or that the case be tried by the same court but under the rules of Book II, specifying the reasons for the request;

(3) ask that a third person be forced to intervene as a co-defendant or an impleaded party, in order to assert a demand in warranty against that person or allow full resolution of the dispute, in which case the defendant informs the court clerk of the person's name and last known address;

(4) assert the defendant's own claim against the plaintiff, provided it arises from the same source as the demand or from a related source and the amount claimed would make it admissible under this Title, or ask for the resolution, resiliation or annulment of the contract on which the demand is founded; or

(5) make a tender and deposit the amount tendered with the court office or with a trust company.

548. If the defendant has paid the plaintiff, the court clerk closes the record; if the parties have reached a settlement and one of the parties so requests, the court clerk homologates the settlement agreement as a judgment.

If the defendant has asked for a referral of the case, the court clerk so informs the plaintiff, specifying that the plaintiff has 10 days after being so informed to make representations in writing. On the expiry of that time, the court clerk submits the request and any representations to the court, which decides the matter on the face of the record. If the court considers the request to be well-founded, the court clerk sends the record to the office of the court having jurisdiction.

If the defendant has made a tender, the court clerk so informs the plaintiff.

549. If the defendant chooses to defend on the merits, the defendant specifies the grounds of defence and files the exhibits or copies of the exhibits in support of the contentions of the defence with the court office. If originals of the exhibits are not filed with the defence, they may be produced on the day of the trial.

The court clerk notifies the defence to the plaintiff along with a list of the exhibits filed. If no grounds of defence are provided, the court clerk directs the defendant to make such grounds known within 10 days, specifying that failure to do so will result in the defendant being considered in default for failure to defend.

550. The defendant, regardless of the number of employees in the defendant's employ, may assert against the plaintiff the defendant's own claim arising from the same source as the demand or from a related source, provided the amount claimed does not exceed \$15,000, or request the resolution, resiliation or annulment of the contract on which the demand is founded. The defendant files the exhibits in support of the contentions of the defence with the court office. If the defendant's own claim is not admissible as a small claim, the court clerk notifies a notice so informing the defendant and specifying that the defendant may, within 15 days after the notification, ask for a review of the decision by the court, which decides the matter on the face of the record.

551. If the defendant is requiring the intervention of a third person, the defendant explains the grounds for the intervention to the court clerk and submits the exhibits in support of the related contentions. The court clerk informs the plaintiff and notifies the demand and the defence to the intervenor, specifying that the intervenor's attendance is required on the defendant's request. The court clerk also informs the intervenor, as if the latter were a defendant, of the options available and the applicable time limits.

552. If the defendant is in default for failure to defend, the special clerk renders judgment on the face of the demand and the exhibits filed in the record or, if the special clerk considers it necessary, after hearing the plaintiff's evidence.

553. A defendant being sued under Book II may request that the case be heard under this Title provided the defendant would qualify to act as plaintiff under this Title. The same request may be made when the demand is based on a claim assigned to a third person in return for payment provided the defendant would qualify to act as plaintiff under this Title.

The request is presented to the clerk of the court seized of the matter, at any time before the case is set down for trial and judgment. If the request is found to be admissible, the court clerk notifies the decision to the plaintiff and the latter may, within 15 days after the notification, ask for a review of the decision by the court seized of the demand. In the absence of a review, the court clerk transfers the record so that the case may be continued under this Title.

DIVISION II**NOTICE OF HEARING AND CALLING OF WITNESSES**

554. Once the case is ready, at least six weeks but not more than three months before the scheduled hearing date, the court clerk notifies a notice of the hearing to the plaintiff and to the other parties that have filed a defence.

The notice of hearing mentions that a party may, on request, examine the exhibits and the documents filed with the court office by the other parties and obtain copies of them. It also informs the parties that any other document not yet filed must be filed at least 21 days before the scheduled hearing date, and that any person mandated to represent the plaintiff must file the mandate with the court office.

The notice of hearing reminds the parties that they must bring their witnesses to the hearing, but that a witness's testifying at court may be replaced by a statement. It also informs the parties that they must, at least 21 days before the scheduled hearing date, give the court clerk the names of any witnesses they wish to have called, specifying the reason they are called as witnesses and the subject matter of their testimony, and file the statements of any witnesses who will not be attending at court. As well, it warns the parties that, if the judge considers that a witness was needlessly called and required to attend at court, they may be ordered to pay the related legal costs.

The court clerk notifies a subpoena to the witnesses named by the parties and informs them that they will not be compensated, unless the court decides otherwise. If the number of witnesses appears to be needlessly high, the court clerk may request instructions from the court.

555. If, at least 21 days before the scheduled hearing date, a party files with the court office a deponent's statement as factual evidence or as evidence in lieu of an expert report, the court clerk notifies the statement to the other party. If it considers it necessary, the other party may request the court clerk to call the deponent to attend at court.

DIVISION III**MEDIATION**

556. The court clerk informs the parties at the earliest opportunity that they may at no additional cost submit their dispute to mediation. If the parties consent to mediation, they may request the court clerk to refer them to the mediation service. In that case, the mediation session is presided over by a lawyer or a notary, certified as a mediator by their professional order.

The mediator files a report with the court office giving an account of the facts, the parties' positions and the points of law raised.

If the parties reach a settlement, they file with the court office either a notice that the case has been settled or the signed settlement agreement. A settlement agreement confirmed by the special clerk or the court is equivalent to a judgment.

DIVISION IV

HEARING

557. In all cases where a hearing is necessary, the court clerk, to the extent possible, sets a date and time for the hearing that will allow the parties and their witnesses to attend. The court may hold the hearing elsewhere than where the demand was filed.

The court clerk may postpone a case on a party's request if it is the first request of the kind and it is made at least one month before the scheduled hearing date. The court clerk informs the other party without delay of the request and hears the other party's representations. If the request is granted, the court clerk rules on the costs incurred by the latter party; the decision on costs may be revised by the court at the hearing on the merits. Any further request for a postponement must be submitted to the court for a decision.

558. If the Superior Court or the Court of Québec is seized, pursuant to Book II, of a demand that has the same juridical basis or raises the same issues of law as a demand that is before the court under this Title, the court may stay the hearing on a party's request, provided this cannot result in serious prejudice to the other party.

The stay is maintained until the judgment on the other demand has become final, although the court may revise its stay decision if warranted by new circumstances.

559. If, at the time set for the hearing, a party or the parties are absent, the court may either postpone the hearing or render a judgment on the basis of the evidence offered.

560. At the hearing, the court instructs the parties summarily as to the applicable rules of evidence and the procedure it considers appropriate, and explains any rules of prescription that are applicable. At the invitation of the court, the parties state their contentions and produce their witnesses. The court itself examines the parties and the witnesses, and provides fair and impartial assistance to each of them so as to bring out the substantive law and ensure that it is carried out.

The defendant or an intervenor may raise any grounds of defence and, if appropriate, propose terms of payment.

The court may accept an expert's oral evidence in lieu of an expert report; it may also accept the filing of any document, even though the prescribed filing time has expired.

At the end of the hearing, the court identifies the witnesses to whom compensation is payable under the tariffs in force.

561. If, after conciliation, the parties reach a settlement, the court clerk draws up minutes in which the settlement agreement is recorded. Once signed by the parties and homologated by the court, the settlement agreement is equivalent to a judgment.

DIVISION V

JUDGMENT

562. As soon as the judgment is signed, the court clerk notifies a copy to each party, together with a notice to the debtor stating that since the judgment has been rendered against that person, failure to settle the outstanding claim within the time limits prescribed by this Code could result in the person's assets, including income and investments, being seized and, if necessary, sold under judicial authority.

The court clerk may issue a certified true copy of the judgment on request.

563. The judgment has the authority of *res judicata* only with respect to the parties to the dispute and for the amount claimed. It cannot be cited in a demand between the same parties for the same cause before a different court. Any demand or proof based on the judgment must be dismissed by the court on its own initiative or on a party's request.

564. The judgment cannot be appealed.

A judgment or proceeding relating to a small claim is not open to judicial review except on the grounds of lack or excess of jurisdiction.

565. The court may order a different time limit for the execution of a judgment than those prescribed by Book VIII and, for instance, authorize earlier execution of the judgment if the creditor establishes, in a sworn statement, a fact that justifies a seizure before judgment.

The court may also authorize the debtor to execute the judgment by means of instalments to be paid to the creditor in accordance with terms specified by the court. The debtor loses the benefit of the term on defaulting on an instalment and failing to remedy the default within 10 days.

If the value of the property that is subject to execution proceedings exceeds \$15,000, the court may order that the matter be transferred to the court that is competent to deal with claims in that amount, for continuation of the execution proceedings.

566. The judgment creditor may themselves draw up the notice of execution if the only execution measure is seizure of the debtor's income in the hands of

a third person. The notice is signed and filed in the court office by the court clerk then notified by the creditor to the debtor and the garnishee. It directs the garnishee to notify a declaration to the creditor and the court clerk and remit to the latter the seizable portion of what the garnishee owes to the debtor. The creditor notifies the declaration to the debtor.

The ensuing administration of the seizable portion of the debtor's income, including its receipt and distribution, is entrusted to the court clerk.

If incidental applications are filed in relation to execution of the judgment, the court clerk informs without delay the parties and, if applicable, the bailiff, and calls the parties to a hearing on a specified date.

The court clerk may assist the creditor in the execution of the judgment.

567. The judgment execution costs that may be claimed from the debtor are set out in the tariffs applicable under this Title.

568. An application for revocation of the judgment must include a sworn statement setting out the grounds on which the application is based and the revocation is sought, and be filed with the court office within 30 days after the party becomes aware of the judgment, but not more than six months after the date of the judgment, these being strict time limits. If, on the face of the record, the grounds appear sufficient, the court may stay forced execution of the judgment; the court clerk then summons the parties so that they may be heard on the application for revocation and, if applicable, on the merits of the dispute.

CHAPTER IV

MISCELLANEOUS PROVISIONS

569. Pleadings cannot be accepted by the court clerk unless the filing fee prescribed under the applicable tariff of judicial fees is paid. However, a person who provides proof of being a recipient under a social assistance or social solidarity program established under the Individual and Family Assistance Act is exempted from paying the filing fee.

If a pleading is refused, the amount paid to the court office is refunded.

570. The Government, by regulation, may establish

(1) a tariff of court costs and fees for the filing or presentation of demands and pleadings under this Title and for the execution of judgments, as well as a tariff of professional fees payable to bailiffs by debtors;

(2) a tariff of professional fees payable to certified mediators by the mediation service, and the maximum number of sessions for which a mediator may be paid fees in relation to the same demand; and

(3) special rules and obligations with which certified mediators must comply in the exercise of their functions, as well as the sanctions applicable for non-compliance.

TITLE III

SPECIAL RULES FOR CLASS ACTIONS

CHAPTER I

INTRODUCTORY PROVISIONS

571. A class action is a procedural means enabling a person who is a member of a class of persons to sue, without a mandate, on behalf of all the members of the class and to represent the class.

In addition to natural persons, legal persons established for a private interest, partnerships and associations or other groups not endowed with juridical personality may be members of the class.

A legal person established for a private interest, a partnership or an association or another group not endowed with juridical personality may, even without being a member of a class, ask to represent the class if the director, partner or member designated by that entity is a member of the class on behalf of which the entity is seeking to institute a class action, and the designee's interest is related to the purposes for which the entity was constituted.

572. As soon as an application for authorization to institute a class action is filed, the chief justice, unless the chief justice decides otherwise, assigns a judge as special case management judge to manage the proceeding and hear all procedural matters relating to the class action. The chief justice may assign a judge despite there being grounds for the judge's recusation, provided the chief justice considers the situation, in the context of the case, does not undermine the impartiality of the judiciary.

After considering the interests of the parties and of the class members, the chief justice may determine the district in which the application for authorization is to be heard or the class action instituted.

573. A central registry of class actions is kept at the Superior Court under the authority of the chief justice. Applications for authorization and originating demands, pleadings filed in the course of a proceeding and notices to class members, as well as any other documents specified in the chief justice's instructions, are registered in the registry.

CHAPTER II**AUTHORIZATION TO INSTITUTE CLASS ACTION**

574. Prior authorization of the court is required for a person to institute a class action.

The application for authorization must state the facts on which it is based and the nature of the class action, and describe the class on whose behalf the person intends to act. It must be served on the person against whom the person intends to institute the class action, with at least 30 days' notice of the presentation date.

An application for authorization may only be contested orally, and the court may allow relevant evidence to be submitted.

575. The court authorizes the class action and appoints the class member it designates as representative plaintiff if it is of the opinion that

(1) the claims of the members of the class raise identical, similar or related issues of law or fact;

(2) the facts alleged appear to justify the conclusions sought;

(3) the composition of the class makes it difficult or impracticable to apply the rules for mandates to sue on behalf of others or for consolidation of proceedings; and

(4) the class member appointed as representative plaintiff is in a position to properly represent the class members.

576. The judgment authorizing a class action describes the class whose members will be bound by the class action judgment, appoints the representative plaintiff and identifies the main issues to be dealt with collectively and the conclusions sought in relation to those issues. It describes any subclasses created and determines the district in which the class action is to be instituted.

The judgment orders the publication of a notice to class members; it may also order the representative plaintiff or a party to make information on the class action available to the class members, including by setting up a website.

The judgment also determines the time limit for opting out of the class. The opting-out period cannot be shorter than 30 days or longer than six months after the date of the notice to class members. The time limit for opting out is a strict time limit, although a class member, with leave of the court, may opt out after its expiry on proving that it was impossible in fact for the class member to act sooner.

577. The court cannot refuse to authorize a class action on the sole grounds that the class members are part of a multi-jurisdictional class action already under way outside Québec.

If asked to decline jurisdiction, to stay an application for authorization to institute a class action or to stay a class action, the court is required to have regard for the protection of the rights and interests of Québec residents.

If a multi-jurisdictional class action has been instituted outside Québec, the court, in order to protect the rights and interests of class members resident in Québec, may disallow the discontinuance of an application for authorization, or authorize another plaintiff or representative plaintiff to institute a class action involving the same subject matter and the same class if it is convinced that the class members' interests would thus be better served.

578. A judgment authorizing a class action may be appealed only with leave of a judge of the Court of Appeal. A judgment denying authorization may be appealed as of right by the applicant or, with leave of a judge of the Court of Appeal, by a member of the class on whose behalf the application for authorization was filed.

The appeal is heard and decided by preference.

CHAPTER III

NOTICES

579. When a class action is authorized, a notice is published or notified to the class members

- (1) describing the class and any subclass;
- (2) setting out the principal issues to be dealt with collectively and the conclusions sought in relation to those issues;
- (3) stating the representative plaintiff's name, the contact information of the representative plaintiff's lawyer and the district in which the class action is to proceed;
- (4) stating that class members have the right to seek intervenor status in the class action;
- (5) stating that class members have the right to opt out of the class and specifying the procedure and time limit for doing so;
- (6) stating that no class member other than the representative plaintiff or an intervenor may be required to pay legal costs arising from the class action; and

(7) providing any additional information the court considers useful, including the address of the website for the central registry of class actions.

The court determines the date, form and method of publication of the notice, having regard to the nature of the class action, the composition of the class and the geographical location of its members. The notice identifies, by name or a description, any class members who are to receive individual notification. If the court sees fit, it may authorize the publication of an abbreviated notice.

580. A class member who wishes to opt out of the class or a subclass is required to so inform the court clerk before the time limit for doing so has expired. A person who has opted out is not bound by any judgment on the representative plaintiff's demand.

A class member who does not discontinue an originating demand having the same subject matter as the class action before the time for opting out has expired is deemed to have opted out.

581. At any stage of a class action, the court may order a notice to be published or notified to the class members if it considers it necessary for the protection of their rights. The notice, which must describe the class and include the parties' names, their lawyers' contact information and the representative plaintiff's name, must be clear and concise.

582. In cases where the sending of a notice of claim is required by the Cities and Towns Act (chapter C-19), the Municipal Code of Québec (chapter C-27.1) or a municipal charter as a prior condition to the institution of an action, a notice of claim given by one class member is valid for all class members, and insufficiency of the notice cannot be urged against the representative plaintiff.

CHAPTER IV

CONDUCT OF CLASS ACTION

583. The originating demand in a class action must be filed with the court office not later than three months after the class action is authorized, under pain of the authorization being declared lapsed.

If an application for a declaration of lapse is filed, notice of the application, using the method of publication determined by the court, must be given to the class members at least 15 days before the date on which the application is to be presented. The representative plaintiff, or another class member asking to be substituted as representative plaintiff, may prevent the authorization from being declared lapsed by filing an originating demand with the court office.

584. The defendant cannot urge a preliminary exception against the representative plaintiff unless it concerns a substantial number of the class members and pertains to an issue to be dealt with collectively. Nor may the defendant request a splitting of the proceeding or institute a cross-demand.

585. The representative plaintiff must have the authorization of the court to amend a pleading, to discontinue the demand, to withdraw a pleading or to renounce rights arising from a judgment. The court may impose any conditions it considers necessary to protect the rights of the class members.

An admission by the representative plaintiff is binding on the class members unless the court considers that the admission causes them prejudice.

586. A class member cannot intervene voluntarily for the plaintiffs except to assist the representative plaintiff or to support the representative plaintiff's demand or contentions. The court authorizes an intervention if it is of the opinion that the intervention will be helpful to the class. The court may limit an intervenor's right to file a pleading or participate in the trial.

587. A party cannot subject a class member other than the representative plaintiff or an intervenor to a pre-trial examination or to a medical examination, nor may a party examine a witness outside the presence of the court. The court may make exceptions to these rules if it considers that doing so would be useful for its determination of the issues of law or fact to be dealt with collectively.

588. The court may at any time, on the application of a party, revise or annul the authorization judgment if it considers that conditions relating to the issues of law or fact or to the composition of the class are no longer satisfied.

If the court revises the authorization judgment, it may allow the representative plaintiff to amend the conclusions sought. In addition, if circumstances so require, the court may, even on its own initiative, modify or divide the class at any time.

If the court annuls the authorization judgment, the proceeding continues between the parties before the competent court according to the procedure set out in Book II.

589. The representative plaintiff is deemed to retain sufficient interest to act even if that person's personal claim is extinguished. The representative plaintiff cannot waive the status of representative plaintiff without the authorization of the court, which cannot be given unless the court is able to appoint another class member as representative plaintiff.

If the representative plaintiff is no longer in a position to properly represent the class members or if that person's personal claim is extinguished, another class member may ask the court to be substituted as representative plaintiff or propose some other class member for that purpose.

A substitute representative plaintiff continues the proceeding from the stage it has reached; with the authorization of the court, the substitute may refuse to confirm any prior acts if they have caused irreparable prejudice to the class members. The substitute is not liable for legal costs and other expenses in

relation to any act prior to the substitution that the substitute has not confirmed, unless the court orders otherwise.

590. A transaction, acceptance of a tender, or an acquiescence is valid only if approved by the court. Such approval cannot be given unless notice has been given to the class members.

In the case of a transaction, the notice must state that the transaction will be submitted to the court for approval on the date and at the place indicated. It must specify the nature of the transaction, the method of execution chosen and the procedure to be followed by class members to prove their claim. The notice must also inform class members that they may assert their contentions before the court regarding the proposed transaction and the distribution of any remaining balance. The judgment approving the transaction determines, if necessary, the mechanics of its execution.

CHAPTER V

JUDGMENT AND EXECUTION MEASURES

DIVISION I

JUDGMENT, AND ITS EFFECTS AND PUBLICATION

591. The judgment on a class action describes the class to which it applies, and is binding on all class members who have not opted out.

Once the judgment has become final, the court of first instance orders the publication of a notice stating the substance of the judgment and notification of the notice to each known class member.

592. If the judgment awards damages or a monetary reimbursement, it specifies whether members' claims are to be recovered collectively or individually.

593. The court may award the representative plaintiff an indemnity for disbursements and an amount to cover legal costs and the lawyer's professional fee. Both are payable out of the amount recovered collectively or before payment of individual claims.

In the interests of the class members, the court assesses whether the fee charged by the representative plaintiff's lawyer is reasonable; if the fee is not reasonable, the court may determine it.

Regardless of whether the Class Action Assistance Fund provided assistance to the representative plaintiff, the court hears the Fund before ruling on the legal costs and the fee. The court considers whether or not the Fund guaranteed payment of all or any portion of the legal costs or the fee.

594. When an application for the homologation of a transaction or the recognition of a judgment in a foreign class action is made to the court, the court makes sure that the rules of the Civil Code that apply to the recognition and enforcement of foreign decisions have been complied with and that the notices given in Québec in connection with the class action were sufficient.

As well, the court is required to make sure that the requirements that governed the exercise of the rights of Québec residents are equivalent to those imposed in class actions brought before a Québec court, that Québec residents may exercise their rights in Québec in accordance with the rules applicable in Québec and that, in the case of collective recovery of claims, the remittance of any remaining balance to a third person will be decided by it insofar as the Québec residents' share is concerned.

DIVISION II

COLLECTIVE RECOVERY OF CLAIMS

595. The court orders collective recovery of the class members' claims if the evidence allows a sufficiently precise determination of the total claim amount. The total claim amount is determined without regard to the identity of individual class members or the exact amount of their respective claims.

After determining the total claim amount, the court may order that it be deposited in its entirety, or according to the terms it specifies, with a financial institution carrying on business in Québec; the interest on the amount deposited accrues to the class members. The court may reduce the total claim amount if it orders an additional form of reparation, or may order reparation appropriate to the circumstances instead of a monetary award.

If execution measures prove necessary, instructions are given to the bailiff by the representative plaintiff.

596. A judgment that orders collective recovery makes provision for individual liquidation of the class members' claims or for distribution of an amount to each class member.

The court designates a person to carry out the operation, gives them the necessary instructions, including instructions as to proof and procedure, and determines their remuneration.

The court disposes of any remaining balance in the same manner as when remitting an amount to a third person, having regard, among other things, to the members' interests. If the judgment is against the State, the remaining balance is paid into the Access to Justice Fund.

597. If the individual liquidation of the class members' claims or the distribution of an amount to each class member is impracticable, inappropriate or too costly, the court determines the balance remaining after the collocation

of the costs, fee and disbursements and orders that the amount be remitted to a third person it designates.

However, before remitting the amount to a third person, the court hears the representations of the parties, the Class Action Assistance Fund and any other person whose opinion the court considers useful.

598. The liquidation, distribution or remittance of the amount recovered collectively is effected after payment, in the following order, of

(1) the legal costs, including the cost of notices and the remuneration of the person designated to carry out the liquidation or distribution;

(2) the fee of the representative plaintiff's lawyer, to the extent determined by the court; and

(3) the representative plaintiff's disbursements, to the extent determined by the court.

DIVISION III

INDIVIDUAL RECOVERY OF CLAIMS

599. A judgment ordering individual recovery specifies what issues remain to be decided in order to determine individual claims. It sets out the content of the judgment notice to class members, which must include explanations as to those issues and as to the information and documents to be provided in support of an individual claim and any other information determined by the court.

Within one year after the publication of the notice, class members must file their claim with the office of the court in the district where the class action was heard or in any other district the court specifies.

600. The court determines the claim of each class member or orders the special clerk to determine it according to the procedure it establishes. The court may determine special methods of proof and procedure for such purpose.

601. At the trial of an individual claim, the defendant may urge against a claimant a preliminary exception that this Title did not earlier permit against the representative plaintiff.

DIVISION IV

APPEAL

602. The judgment on a class action may be appealed as of right.

If the representative plaintiff does not initiate an appeal or if the appeal is dismissed on the grounds that it was not properly initiated, a class member may, within two months after the publication or notification of the judgment notice, apply to the Court of Appeal for permission to be substituted as representative plaintiff in order to appeal the judgment.

The time limit in this article is a strict time limit.

603. The appellant asks the court of first instance to determine the content of the notice to be given to class members.

604. If the Court of Appeal grants the representative plaintiff's appeal, even in part, it may order that the record be sent to the court of first instance for collective recovery of claims or for determination of individual claims.

BOOK VII

PRIVATE DISPUTE PREVENTION AND RESOLUTION PROCESSES

TITLE I

MEDIATION

CHAPTER I

ROLES AND DUTIES OF PARTIES AND MEDIATOR

605. A mediator is chosen, directly or through a third person, by mutual agreement of the parties.

The mediator helps the parties to engage in dialogue, clarify their views, define the issues in dispute, identify their needs and interests, explore solutions and reach, if possible, a mutually satisfactory agreement. The parties may ask the mediator to develop with them a proposal to prevent or resolve the dispute.

The mediator is required to draw the parties' attention to any conflict of interest or any situation that may be seen to create a conflict of interest or that may cast doubt on the mediator's impartiality.

606. The mediator and mediation participants cannot be compelled, in arbitration, administrative or judicial proceedings, whether related or unrelated to the dispute, to disclose anything they hear or learn in the course of the mediation process. Nor can the mediator and mediation participants be compelled to produce a document prepared or obtained in the course of the mediation process, unless the law requires its disclosure, a person's life, safety or personal integrity is at stake or its disclosure is necessary for the mediator to be able to defend against a claim of professional misconduct. No information given or statement made in the course of the mediation process may be admitted in evidence in such proceedings.

To claim the privilege of non-compellability, the mediator must be certified by a body recognized by the Minister of Justice. In addition, the mediator must be subject to rules of professional conduct and be required to take out civil liability insurance or provide some other form of security to cover injury to third persons.

607. Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no one has a right of access to a document contained in the mediation record, or the right to object to the use of a document in the course of a mediation process on the grounds that it may contain personal information.

CHAPTER II

CONDUCT OF MEDIATION

608. Mediation begins, without formality, on the day on which the parties agree to enter into a mediation process by mutual agreement or at the initiative of one of them. In the latter case, failure by the other party to respond constitutes a refusal to participate in the mediation process.

609. Before starting the mediation process, the mediator informs the parties of a mediator's role and duties, and determines with them the rules applicable to and the length of the mediation process.

The parties must undertake to attend all meetings to which they are invited by the mediator. They may, if all consent, even tacitly, bring persons whose contribution may be useful for the orderly progress of the mediation process and helpful in resolving the dispute. The parties are required to ensure that the persons who have the authority to make a settlement agreement are present or that they can be reached in sufficient time to give their consent.

610. The mediator has a duty to treat the parties fairly, and must see that each party has an opportunity to argue its case.

The mediator may suspend the mediation process at any time, in the interests of the parties or of one of the parties.

611. The mediator may communicate with each party separately, but in that case is required to inform the parties.

No information relevant to the mediation received from a party may be disclosed by the mediator, without that party's consent, to the other party.

612. If the parties enter into mediation while a judicial demand is already in progress, they must agree to a stay of the proceeding, provided the law or the court seized permits it, until the end of the mediation process.

CHAPTER III**END OF MEDIATION**

613. A settlement agreement contains the undertakings of the parties and terminates the dispute. The settlement agreement constitutes a transaction only if the subject matter and the circumstances permit and the parties' wishes in that respect are clear.

The mediator must see that the parties understand the agreement.

614. A party may withdraw from or put an end to the mediation process at any time at its own discretion and without being required to give reasons.

The mediator, too, may put an end to the mediation process if, in the mediator's opinion, it is warranted by the circumstances, in particular if the mediator is convinced that the mediation process is doomed to failure or is likely, if continued, to cause serious prejudice to one of the parties.

615. As soon as the mediation process ends, the mediator renders an account to the parties of the sums received and determines the costs, which are borne equally by the parties, unless a different apportionment has been agreed, or has been ordered by the court if the mediation process took place in the course of a proceeding.

The costs include the mediator's fee, travel expenses and other disbursements, as well as any costs related to expert evidence or other interventions agreed by the parties. All other expenses incurred by a party are borne by that party.

CHAPTER IV**SPECIAL PROVISIONS APPLICABLE TO FAMILY MEDIATION**

616. Mediation of a family dispute that is entered into on a purely private basis or without a judicial demand being brought may only be conducted by a family mediator certified in accordance with the regulations under article 619. If a child's interests are at stake, the mediator is required to inform the parties that they must participate in a parenting and mediation information session as provided in article 417.

617. Mediation sessions take place in the presence of both parties and a mediator or, if the parties so agree, two mediators. The sessions may also, if all agree, take place in the presence of a single party, in the presence of the child concerned or in the presence of other persons who are neither experts nor advisers if their contribution may be helpful in resolving the dispute.

If required by the circumstances, the mediator may, with the parties' consent, use any appropriate, readily available technological means.

When the mediation process ends, the mediator files a dated and signed report with the Family Mediation Service, and delivers a copy to the parties. The report records the presence of the parties and the points, if any, on which an agreement was reached. It contains no other information.

618. If the mediator considers that a proposed settlement agreement is likely to lead to a dispute in the future or cause prejudice to one of the parties or to the children, the mediator is required to invite the parties to remedy the situation and, if necessary, to seek advice from a third person. If convinced that the possibility of prejudice cannot be eliminated, the mediator may put an end to the mediation process.

619. The Government designates the persons, bodies or associations that may certify family mediators and, by regulation, determines the standards with which those persons, bodies or associations must comply.

The Government, by regulation, may define the conditions mediators must satisfy to be certified and determine the standards with which certified mediators must comply in the exercise of their functions, as well as the sanctions applicable for non-compliance.

The Government, by regulation, may also determine what services are payable by the Family Mediation Service, set the tariff of fees the Service may pay certified family mediators and determine the time limit and procedure for claiming such fees and the applicable terms of payment. In addition, it may determine the tariff of fees the parties may be charged for services not covered by the Family Mediation Service or for services provided by a mediator designated by the Service or by more than one mediator.

The Minister of Justice, by order, determines the conditions subject to which technological means may be used by the Family Mediation Service, and specifies other services the Service may provide as well as the applicable conditions.

TITLE II

ARBITRATION

CHAPTER I

GENERAL PROVISIONS

620. Arbitration is the submission of a dispute to an arbitrator for a decision in accordance with the rules of law and, if appropriate, for a determination of damages. The arbitrator may act as *amiable compositeur* if the parties have so agreed. In all instances, the arbitrator decides the dispute in accordance with the stipulations of the contract between the parties and takes into account any applicable usages.

The arbitrator's mission also includes attempting to reconcile the parties, if they so request and circumstances permit, and continuing the arbitration process, with the parties' express consent, if the conciliation attempt fails.

621. Arbitrators cannot be prosecuted for an act performed in the course of their arbitration mission, unless they acted in bad faith or committed an intentional or gross fault.

622. Unless otherwise provided by law, the issues on which the parties have an arbitration agreement cannot be brought before a court even though it would have jurisdiction to decide the subject matter of the dispute.

A court seized of a dispute on such an issue is required, on a party's application, to refer the parties back to arbitration, unless the court finds the arbitration agreement to be null. The application for referral to arbitration must be made within 45 days after the originating demand or within 90 days when the dispute involves a foreign element. Arbitration proceedings may be commenced or continued and an award made for so long as the court has not made its ruling.

The parties cannot, through their agreement, depart from the provisions of this Title that determine the jurisdiction of the court or from those relating to the application of the adversarial principle or the principle of proportionality, to the right to receive notification of a document or to the homologation or the annulment of an arbitration award.

623. The court, on an application, may grant provisional measures or safeguard orders before or during arbitration proceedings.

CHAPTER II

APPOINTMENT OF ARBITRATORS

624. The parties appoint an arbitrator to decide their dispute. They do so by mutual agreement, unless they ask a third person to make the appointment.

The parties may choose to appoint a panel of arbitrators, in which case each party appoints one arbitrator, and the two so appointed appoint the third.

If an arbitrator must be replaced, the procedure for the appointment of an arbitrator applies.

625. If the appointment of an arbitrator proves difficult, the court, on a party's request, may take any necessary measure to see to the appointment.

For example, if a party fails to appoint an arbitrator within 30 days after having been required by another party to do so, the court may make the appointment. As well, the court may appoint an arbitrator if, 30 days after two arbitrators are appointed, they cannot agree on the choice of the third arbitrator.

626. An arbitrator may be recused if there is serious reason to question their impartiality or if the arbitrator does not have the qualifications agreed by the parties.

An arbitrator is required to declare to the parties any fact that could cast doubt on the arbitrator's impartiality and justify a recusation.

627. A party may ask for an arbitrator's recusation by notifying a document stating its reasons to the other party, to the arbitrator concerned and, if applicable, to the other arbitrators, within 15 days after becoming aware of the appointment or appointments or of the cause for recusation.

A party may only ask for the recusation of an arbitrator it appointed for a cause which arose or was discovered after the appointment was made.

The arbitrator or arbitrators are required to rule on the recusation request without delay, unless the arbitrator concerned withdraws or, the other party supporting the request, is compelled to withdraw.

If the recusation cannot be so obtained, a party may, within 30 days after being advised of it, ask the court to rule on the recusation. The arbitrator concerned and, if there are more than one, the other arbitrators, may nonetheless continue the arbitration proceedings and make an award for so long as the court has not made its ruling.

628. A party may ask the court to revoke an arbitrator if it is impossible for the arbitrator to carry out their mission or if the arbitrator does not discharge their functions within a reasonable time.

629. If the procedure provided for in the arbitration agreement for the recusation or revocation of an arbitrator proves difficult to implement, the court may, on a party's request, rule on the matter.

630. Decisions of the court on appointment, recusation or revocation cannot be appealed.

CHAPTER III

CONDUCT OF ARBITRATION

631. Arbitration proceedings commence on the date of notification of one party to the other of a notice stating that it is submitting a dispute to arbitration and specifying the subject matter of the dispute.

The notice, like any other document that is required to be notified, is notified in accordance with this Code.

632. Arbitrators conduct the arbitration according to the procedure they determine; they are required, however, to see that the adversarial principle and the principle of proportionality are observed.

Arbitrators have all the necessary powers to exercise their jurisdiction, including the power to administer oaths, the power to appoint an expert and the power to rule on their own jurisdiction.

If an arbitrator rules on the arbitrator's own jurisdiction, a party, within 30 days after being advised of the decision, may ask the court to rule on the matter. A decision of the court recognizing the jurisdiction of the arbitrator cannot be appealed.

For so long as the court has not made its ruling, the arbitrator may continue the arbitration proceedings and make an award.

633. Arbitration proceedings are conducted orally, at a hearing, unless the parties agree on the matter being decided on the face of the record. In either case, a party may state its case in writing.

The arbitrator may require each party to send the arbitrator, within a specified time, a statement of its contentions and any exhibits mentioned, and to send them to the other party, if not already done. Any expert reports and other documents on which the arbitrator may base the arbitration award must also be sent to the parties.

The arbitrator advises the parties of the date of the hearing and, if applicable, of the date on which the arbitrator will inspect the property or visit the premises.

Witnesses are called, heard and compensated according to the rules applicable to a trial before a court.

634. The arbitrator, or a party with leave of the arbitrator, may request the assistance of the court to obtain evidence, including to compel a witness who refuses, without valid reason, to attend, answer or produce real evidence in their possession.

635. If a party fails to state its contentions, attend at the hearing or present evidence in support of its contentions, the arbitrator, after recording the default, may continue the arbitration.

However, if the party that submitted the dispute to arbitration fails to state its contentions, the arbitration is ended unless the other party objects.

636. Decisions during arbitration proceedings are made immediately or, if they cannot be made immediately, as soon as possible; if they are in writing, they must be signed, as must the arbitration award.

If more than one arbitrator has been appointed, decisions are made by a majority of the panel. However, an arbitrator may rule alone on a question of procedure if so authorized by the parties or by all the other arbitrators.

637. The parties, subject to their agreement or unless the arbitrator decides otherwise, are equally liable for the arbitrator's professional fee and expenses.

CHAPTER IV

EXCEPTIONAL MEASURES

638. The arbitrator may, on a party's request, take any provisional measure or any measure to safeguard the parties' rights for the time and subject to the conditions the arbitrator determines and, if necessary, require that a suretyship be provided to cover costs and the reparation of any prejudice that may result from such a measure. Such a decision is binding on the parties but one of them may, if necessary, ask the court to homologate the decision to give it the same force and effect as a judgment of the court.

639. In an urgent situation, even before a request for a provisional or safeguard measure is notified to the other party, the arbitrator may issue a provisional order for a period which may in no case exceed 20 days. The arbitrator requires the party that requested the order to provide a suretyship unless, in the arbitrator's opinion, it is inappropriate or of no use.

The provisional order must be notified to the other party as soon as it is issued, with all the evidence attached. It is binding on the parties and cannot be homologated by the court.

640. The parties must disclose to the arbitrator without delay any material change in the circumstances based on which a provisional or safeguard measure or a provisional order was requested or granted.

The arbitrator may amend, stay or revoke a provisional or safeguard measure or a provisional order on the parties' request. In exceptional circumstances, the arbitrator may do so on the arbitrator's own initiative but must, in compliance with the adversarial principle, invite the parties to make representations.

641. If the arbitrator subsequently decides that a provisional or safeguard measure or a provisional order should not have been granted, the party that obtained the measure or order may be required to provide reparation for any prejudice caused to another party by the measure or order and to reimburse the costs incurred by that other party. The arbitrator may award such reparation and costs at any time during the arbitration proceedings.

CHAPTER V**ARBITRATION AWARD**

642. The arbitration award is binding on the parties. It must be made in writing and be signed by the arbitrator or arbitrators, and include reasons. It must state its date and the place where it was made. The award is deemed to have been made on that date and at that place.

In arbitration proceedings with more than one arbitrator, the arbitration award must be made by a majority of the panel. If one of the arbitrators refuses or is unable to sign the award, the others record that fact, and the award has the same effect as if it were signed by all of them.

The arbitration award must be made within three months after the matter is taken under advisement, but the parties may, more than once, agree to extend the time limit or, if it is expired, set a new one. In the absence of an agreement, the court may do as much, on a party's or the arbitrator's request. The decision of the court cannot be appealed.

If the parties settle the dispute, the agreement is recorded in an arbitration award.

The arbitration award is notified without delay to each party.

643. The arbitrator, on their own initiative, may correct any error in writing or calculation or any other clerical error in the arbitration award within 30 days after the award date.

Within 30 days after receiving the award, a party may ask the arbitrator to correct any clerical error or ask for an additional award on a part of the dispute that was not dealt with in the award or, with the other party's consent, for an interpretation of a specific passage of the award, in which case the interpretation forms an integral part of the award.

The decision correcting, supplementing or interpreting the arbitration award must be made within two months after it is requested. The rules applicable to the arbitration award apply to such a decision. If the decision is not rendered before the expiry of the prescribed time, a party may ask the court to issue an order to safeguard the parties' rights. The decision of the court cannot be appealed.

644. The arbitrator is required to preserve the confidentiality of the arbitration process and protect deliberative secrecy but violates neither by stating conclusions and reasons in the award.

CHAPTER VI

HOMOLOGATION

645. A party may apply to the court for the homologation of an arbitration award. As soon as it is homologated, the award acquires the force and effect of a judgment of the court.

The court seized of an application for the homologation of an arbitration award cannot review the merits of the dispute. It may stay its decision if the arbitrator has been asked to correct, supplement or interpret the award. In such a case, if the applicant so requires, the court may order a party to provide a suretyship.

646. The court cannot refuse to homologate an arbitration award or a provisional or safeguard measure unless it is proved that

(1) one of the parties did not have the capacity to enter into the arbitration agreement;

(2) the arbitration agreement is invalid under the law chosen by the parties or, failing any indication in that regard, under Québec law;

(3) the procedure for the appointment of an arbitrator or the applicable arbitration procedure was not observed;

(4) the party against which the award or measure is invoked was not given proper notice of the appointment of an arbitrator or of the arbitration proceedings, or it was for another reason impossible for that party to present its case; or

(5) the award pertains to a dispute not referred to in or covered by the arbitration agreement, or contains a conclusion on matters beyond the scope of the agreement, in which case only the irregular provision is not homologated if it can be dissociated from the rest.

The court cannot refuse to homologate the arbitration award on its own initiative unless it notes that the subject matter of the dispute is not one that may be settled by arbitration in Québec or that the award or measure is contrary to public order.

647. The court seized of an application for the homologation of a provisional or safeguard measure may deny the application if the arbitrator's decision to require a suretyship has not been complied with or the measure has been revoked or stayed by the arbitrator.

The court may order the applicant to provide a suretyship if the arbitrator has not already ruled on that subject or if such a decision is necessary to protect the rights of third persons.

CHAPTER VII**ANNULMENT OF ARBITRATION AWARD**

648. An arbitration award may only be challenged by way of an application for its annulment. Such an application is subject to the same rules as those governing an application for the homologation of an arbitration award, with the necessary modifications.

Whether it constitutes an originating application or is presented to contest an application for homologation, the application for annulment must be presented within three months after receipt of the arbitration award or of the decision on the request for a correction, an additional award or an interpretation. This is a strict time limit.

The court, on request, may stay the application for annulment for the time it considers necessary to allow the arbitrator to take such action as will eliminate the grounds for annulment, even if the time prescribed for correcting, supplementing or interpreting the award has expired.

CHAPTER VIII**SPECIAL PROVISIONS APPLICABLE TO INTERNATIONAL COMMERCIAL ARBITRATION**

649. If international trade interests, including interprovincial trade interests, are involved in arbitration proceedings, consideration may be given, in interpreting this Title, to the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law on 21 June 1985, and its amendments.

Recourse may also be had to documents related to that Model Law, including

(1) the Report of the United Nations Commission on International Trade Law on its eighteenth session held in Vienna from 3 to 21 June 1985; and

(2) the Analytical Commentary on the draft text of a model law on international commercial arbitration contained in the report of the Secretary-General to the eighteenth session of the United Nations Commission on International Trade Law.

650. International trade interests are considered to be involved in arbitration proceedings if, among other possibilities, the parties to the arbitration agreement have, at the time of the conclusion of that agreement, their places of business in different States or if the place where they choose to conduct the arbitration is outside the State in which they have their places of business. Such interests are also considered to be involved in arbitration proceedings if the place where a substantial part of the obligations of the commercial relationship is to be performed, or the place with which the subject matter of the dispute is most closely connected, is outside the State in which they have their places of

business, or if the parties have expressly agreed that the subject matter of the arbitration agreement relates to more than one State.

651. The arbitrator decides the dispute in accordance with the rules of law chosen by the parties or, failing any such designation, in accordance with the rules of law the arbitrator considers appropriate.

CHAPTER IX

RECOGNITION AND ENFORCEMENT OF ARBITRATION AWARDS MADE OUTSIDE QUÉBEC

652. An arbitration award made outside Québec, whether or not confirmed by a competent authority, may be recognized and declared to have the same force and effect as a judgment of the court if the subject matter of the dispute is one which could be submitted to arbitration in Québec and if recognition and enforcement of the award are not contrary to public order. The same applies for a provisional or safeguard measure.

The application for recognition and enforcement must be accompanied by the arbitration award or measure concerned and the arbitration agreement and by a translation certified in Québec of those documents if they are drawn up in a language other than French or English.

Consideration may be given, in interpreting the rules in this matter, to the Convention on the Recognition and Enforcement of Foreign Arbitral Awards adopted by the United Nations Conference on International Commercial Arbitration at New York on 10 June 1958.

653. The court examining an application for recognition and enforcement of an arbitration award or a provisional or safeguard measure cannot review the merits of the dispute.

A party against which an award or a measure is invoked cannot oppose its recognition and enforcement unless the party proves that

(1) one of the parties did not have the capacity to enter into the arbitration agreement;

(2) the arbitration agreement is invalid under the law chosen by the parties or, failing any indication in that regard, under the law of the place where the award was made or the measure decided;

(3) the procedure for the appointment of an arbitrator or the arbitration procedure was not in accordance with the arbitration agreement or, failing such an agreement, with the law of the place where the arbitration proceedings were held;

(4) the party against which the award or the measure is invoked was not given proper notice of the appointment of an arbitrator or of the arbitration proceedings, or it was for another reason impossible for that party to present its case;

(5) the award pertains to a dispute not referred to in or covered by the arbitration agreement, or contains a conclusion on matters beyond the scope of the agreement, in which case only the irregular provision is not recognized and declared enforceable if it can be dissociated from the rest; or

(6) the award or measure has not yet become binding on the parties or has been annulled or stayed by a competent authority of the place where or under whose law the arbitration award was made or the measure decided.

The court may also deny an application for recognition and enforcement of a provisional or safeguard measure if the arbitrator's decision to require a suretyship was not complied with, if the measure was revoked or stayed by the arbitrator or if the measure is incompatible with the powers conferred on the court unless, in the latter case, the court decides to reformulate the provisional measure to adapt it to its own powers and procedures without modifying its substance.

654. The court may stay its decision in respect of the recognition and enforcement of an arbitration award if an application for the annulment or suspension of the award is pending before the competent authority of the place where or under whose law the arbitration award was made.

If the court stays its decision, it may, on the request of the party applying for recognition and enforcement of the award, order the other party to provide a suretyship.

655. The court may order the party applying for recognition and enforcement of a provisional or safeguard measure to provide a suretyship if the arbitrator has not already ruled on that subject or if such a decision is necessary to protect the rights of third persons.

BOOK VIII

EXECUTION OF JUDGMENTS

TITLE I

PRINCIPLES AND GENERAL RULES

CHAPTER I

GENERAL PROVISIONS

656. Judgments, including decisions of an administrative tribunal or a public body filed with the court office and juridical acts on which the law confers the

force and effect of a judgment, are executed voluntarily by the payment of money, the surrender of property or the performance of what is ordered, either before the expiry of the time limits prescribed by law or within the time limit set out in the judgment or agreed between the parties.

Execution may be forced if the debtor refuses to comply voluntarily and the judgment has become final. However, in the case of a judgment under Title II of Book VI, execution may be forced only after the expiry of 30 days since it was rendered or, in the case of a default judgment following failure to answer the summons, attend a case management conference or defend on the merits, after the expiry of 10 days since it was rendered.

A judgment that has yet to become final may be executed if provisional execution is permitted by law or ordered by the court.

657. After the judgment, the court may issue any order to facilitate execution, whether forced or voluntary, in the manner that is most advantageous for the parties and most consistent with their interests.

658. Acts necessary for the purpose of executing a judgment are performed by a court bailiff acting as court officer under the authority of the court.

The bailiff may, in the course of executing a judgment, ask the court for any instruction the bailiff needs in order to act.

659. Any application, contestation or opposition with respect to execution is presented as if it were an application in the course of a proceeding. It is heard and decided without delay. It is presented without formality if the judgment was rendered under Title II of Book VI. In such a case, the rules of representation applicable under that Title also apply with respect to execution.

The application, contestation or opposition is presented in the district of the court that rendered the judgment. However, a bailiff applying for an authorization or presenting any other incidental application to the court or to the court clerk may do so in the district of the place where the execution proceedings are to be carried out.

When execution proceedings concern two or more judgments, the application, contestation or opposition is presented before the court that rendered the judgment which gave rise to the initial notice of execution, but if the judgments were rendered at different jurisdictional levels, it is presented before the Court of Québec or, if the execution proceedings concern a judgment of the Superior Court, before the Superior Court.

CHAPTER II

PROVISIONAL EXECUTION

660. A judgment is provisionally executed as of right, if it

- (1) concerns support payments or an alimentary allowance, determines arrangements regarding the custody of children or adjudicates on parental authority;
- (2) orders a child's return under the Act respecting the civil aspects of international and interprovincial child abduction (chapter A-23.01);
- (3) appoints, removes or replaces a tutor, curator or other administrator of the property of others, or homologates or revokes a protection mandate;
- (4) orders urgent repairs;
- (5) orders an eviction in the absence of a lease or after the lease has expired or been resiliated or annulled;
- (6) orders a rendering of account or an inventory;
- (7) orders any measure for the liquidation of a succession;
- (8) adjudicates on the possession of property;
- (9) adjudicates on the sequestration of property;
- (10) adjudicates on an abuse of procedure;
- (11) orders a provision for costs; or
- (12) rules on legal costs, but only with respect to the portion not exceeding \$15,000.

The judge may order the stay of provisional execution by a decision giving reasons. A judge of the Court of Appeal may also do so, or may lift a stay ordered by the judge of first instance.

661. If bringing an appeal is likely to cause serious or irreparable prejudice to one of the parties, the judge may, on an application, order provisional execution, even for part only of the judgment. The judge may also make provisional execution conditional on a surety being furnished.

If provisional execution is not ordered by the judgment itself, it cannot be ordered subsequently except on appeal, with or without a surety. A judge of the Court of Appeal may also stay or lift provisional execution if it has been ordered, or order that a suretyship be provided by a party that was exempted from doing so by the court of first instance.

CHAPTER III**VOLUNTARY EXECUTION****DIVISION I****PAYMENT**§1.—*General rule*

662. A judgment ordering a party to pay a sum of money is executed voluntarily by payment of the sum within the time limit and in the manner determined by the judgment or agreed between the parties.

§2.—*Payment in instalments*

663. Payment in instalments is a manner of execution by which the debtor gives an undertaking to the executing bailiff to make regular payments for the benefit of the creditor in satisfaction of the judgment. The amounts, due dates and other terms of payment are set out in an agreement, which must be approved by the creditor.

The instalments cannot be spread over more than one year. The debtor may, at any time, waive the benefit of paying in instalments by discharging the balance.

The instalment payment agreement, whether made before or after the filing of the notice of execution, is filed with the court office, in the record concerned, as is any waiver of that method of payment or any notice stating that the debtor has lost the benefit of the term. The agreement ends without notice as soon as another creditor seeks execution of a judgment rendered in their favour.

§3.—*Voluntary deposit*

664. Voluntary deposit is a manner of execution by which the debtor undertakes by means of a declaration, which is deemed sworn, to make regular payments to the office of the Court of Québec, in an amount which cannot be less than the seizable portion of their income, and to declare any change in their situation to the court clerk.

The declaration is registered with the court office. In addition to the debtor's contact information and statement as to income, family responsibilities and creditors, it contains a determination of the amount payable and the terms of payment, and specifies the supporting documents the debtor must provide.

The debtor must inform the court office of any change in the information contained in the debtor's declaration within 10 days after the change occurs. The debtor must also update the information yearly.

665. A debtor is exempt from seizure so long as the voluntary deposit undertaking is complied with: creditors can neither seize the debtor's property nor sue the debtor. Prescription of their right of action against the debtor is suspended.

In the event of failure to comply with the voluntary deposit undertaking, the debtor has 30 days to remedy the situation counting from notification of a notice from the court clerk directing the debtor to do so. If in default, the debtor loses the benefit of voluntary deposit unless there is a serious reason for the default, in which case the court clerk may grant them a maximum additional extension of 30 days.

The debtor may, at any time, waive the benefit of voluntary deposit by means of a notice notified to the court clerk.

Should the debtor lose or waive the benefit of voluntary deposit, the court clerk informs the creditors and, if applicable, the bailiff.

666. The court clerk notifies the debtor's declaration to the creditors named in it, at no cost to the debtor, and invites them, for the purpose of participating in the distribution, to file their claim with the court office and make any representations they may have. The court clerk gives the list of declared creditors to any creditor who requests it. The court clerk also notifies to the creditors any declaration of a change in the debtor's situation.

Creditors are required to file their claim, which is deemed to be a sworn claim, within 30 days after the notification. The claim must set out the nature, date and amount of the debt and be filed with supporting documents. It is deemed, for the purpose of computing interest, to have been notified on the date of the debtor's initial or subsequent declaration.

A creditor who delays in notifying their claim or in filing supporting documents is only entitled, until the delay is remedied, to the amount determined according to the debtor's declaration.

667. A creditor or any other interested person may contest the debtor's declaration within 15 days after becoming aware of it. The contestation must be notified to the debtor, the court clerk and the bailiff, if applicable.

668. The court clerk distributes the sums collected according to the provisions on distributing seized income. The court costs and fees are included in the execution costs.

669. A deduction notice or payment order sent in accordance with the Act to facilitate the payment of support and a seizure under that Act remain effective even if the support debtor resorts to voluntary deposit. The amount deducted at source, paid or seized under that Act is subtracted from the amount to be deposited with the court clerk.

670. If a contracting party, an employer or another third person substantially changes or ends a contractual relationship with the debtor, the onus is on them, under pain of damages, to prove that they did not do so because the debtor resorted to voluntary deposit.

DIVISION II

SURRENDER

671. A judgment ordering the delivery of movable or immovable property is executed by the delivery of the movable property or the surrender of the immovable property so that the party entitled to it may take possession of it. However, the judgment may provide for another method of surrender.

DIVISION III

SURETYSHIP

672. A judgment requiring a suretyship to be provided sets the amount of the surety's liability and the time within which the surety is to be presented.

673. The judgment is executed by filing with the court office a notice presenting the surety, or stating the intention of the person required to provide a suretyship to instead provide other sufficient security and specifying the nature of that security.

By undertaking to act as surety, the surety, whose name and contact information are stated in the notice, agrees to show solvency, to provide information on guarantees and on property owned, and to produce the related titles.

The surety or the other security may be contested for not meeting the requirements prescribed by law or for insufficiency of the amount or guarantee offered.

674. If the surety is accepted, the suretyship agreement is filed with the court office and subsists despite a revocation of judgment or an appeal.

DIVISION IV

ACCOUNTING

675. A judgment ordering an accounting is executed by notifying the account and supporting documents, within the time set by the judgment, to the party that required the accounting. On such notification, the accounting party and its agent may be examined on any fact relating to the account, or be required to hand over any relevant document.

676. The account is prepared according to generally accepted accounting standards and the rules of the Civil Code dealing with the administration of property of others. Receivables are considered as income, and the cost of preparing and verifying the account, as expenditure. The legal costs are not taken into consideration, unless the court so allows.

677. The account is deemed to have been accepted if the party that required it has not contested it within 15 days after notification. Any remaining balance is then due.

The party may obtain and execute judgment for the remaining balance, without prejudice to its right to contest the remainder of the account. If the party contests it, the party files its grounds and their justification. The grounds are deemed valid if, within 10 days after notification, the party required to account has not filed its grounds and their justification. After the filing of grounds, the parties proceed to trial.

The judgment on the contestation must determine the precise balance of the account.

678. Failing voluntary execution, the party that required the accounting may prepare the account and have it set down for judgment. In that case, the party required to account cannot debate the account but may cross-examine the witnesses.

CHAPTER IV

FORCED EXECUTION

DIVISION I

GENERAL RULES

679. Forced execution is undertaken by the judgment creditor if the debtor does not execute the judgment voluntarily.

680. A creditor who wishes to force execution of a judgment gives execution instructions to a bailiff.

The instructions direct the bailiff to seize the debtor's property, including the debtor's income, and to dispose of it so as to satisfy the claim; they may also direct the bailiff to place the seizing creditor in possession of an item of property or to evict the person against whom the judgment has been rendered. The instructions must contain the information the bailiff needs to execute the judgment.

The creditor sends to the bailiff, together with the instructions, the money necessary for the execution of the judgment.

681. Execution begins by the filing of a notice of execution, in keeping with the model established by the Minister of Justice, with the court office.

On receiving the creditor's instructions, the bailiff completes the notice of execution by identifying the judgment to be executed, including its date, by writing in the name and contact information of the creditor, the debtor and the bailiff, and the amount of the claim, indicating, if such is the case, that the judgment has been partially executed, and by describing the execution measures to be taken. If the judgment is to be executed against an immovable, the immovable is described in accordance with the rules of the Civil Code, and its address is given.

The notice is served on the debtor and notified to the creditor.

682. All execution measures are set out in a single notice of execution. The notice may be amended, to complete execution, if the creditor gives new instructions or if another creditor commences execution of another judgment against the same debtor. In the latter case, the new creditor is required, as seisor, to join in the execution proceedings already commenced in the district where they were commenced. The new creditor gives instructions to the executing bailiff.

The bailiff files with the court office, in each of the records concerned, an amended notice identifying any creditor joining in the execution proceedings, setting out the particulars of that creditor's claim and describing any additional execution measures considered expedient. The bailiff notifies the amended notice to the debtor and to the creditors who gave the bailiff instructions.

DIVISION II

RIGHTS AND OBLIGATIONS OF PARTICIPANTS IN EXECUTION PROCEEDINGS

§1. — *General provisions*

683. On notification of a notice of execution, all participants in the execution proceedings are required, in addition to acting in accordance with the requirements of good faith, to co-operate in the proper execution of the judgment and abstain from doing anything likely to hinder it.

684. On being served with the notice of execution, the debtor is required to provide the bailiff with all the information needed to identify the debtor, including their date of birth, and information on their patrimonial situation, including a list of all creditors who could join in the execution proceedings in the course of the year, or who hold a hypothec on or have a right to revendicate the seized property.

On the bailiff's request, the court may order a person, a public officer or a public body to provide the bailiff with any information they have concerning the debtor's home and work contact information.

The order is enforceable despite any provision to the contrary in a general law or special Act providing for the confidentiality or non-disclosure of certain information or documents, subject to compliance with professional secrecy.

§2.— *Bailiffs*

685. Bailiffs have a duty of impartiality toward all participants in execution proceedings, as well as a general duty to provide information to them. Bailiffs may perform any act necessary for the exercise of their mission.

Specifically, a bailiff is required to inform the debtor and any garnishees of the content of the notice of execution and of their rights, and, on their request, explain the execution proceedings to them and the rules for computing the seizable portion of income. The bailiff is also required to carry out the creditors' instructions in the manner that is most advantageous not only for them but for all the parties. The bailiff informs the creditors named in the list provided by the debtor that a notice of execution has been filed and invites them to inform the bailiff of the nature and amount of their claim.

Unless they acted in bad faith or committed an intentional or gross fault, bailiffs cannot be held liable for the exercise of functions that are assigned to them in forced execution matters and relate to an eviction, the removal of property or the seizure of the debtor's property or of a passenger vehicle or to a sale under judicial authority as the method of realization in execution of a judgment.

686. If force must be used to enter a place for the purpose of seizing or removing property or evicting a person, the bailiff, before entering, must obtain the authorization of the special clerk of the district where the bailiff must carry out the execution proceedings. This authorization gives the bailiff access to all rooms, buildings and things on the premises.

The bailiff, if concerned about possible difficulties, may request the assistance of a peace officer.

687. The bailiff has, with respect to seized property, the powers of an administrator of the property of others charged with simple administration.

All sums seized by the bailiff, paid to the bailiff under an instalment payment agreement or derived from the disposition of property are deposited in a trust account until distribution.

DIVISION III**POST-JUDGMENT EXAMINATION**

688. When a judgment has become enforceable, the judgment creditor or the bailiff may examine the debtor as to their income, obligations and debts, any sums owing to the debtor, any property the debtor owns or has owned since incurring the obligation that is the basis for the judgment, and the property affected by the judgment. During the examination, the debtor may be required to produce a document.

The creditor or the bailiff may also examine any other person who is in a position to provide information about the debtor's patrimony or any rights registered in the land register or the register of personal and movable real rights. If the person does not consent to being examined, the creditor or the bailiff must obtain the authorization of the court to conduct the examination.

689. The creditor or the bailiff informs the person to be examined of the nature of the examination and agrees with the person on its time and place. If they cannot agree on these points, the person is called to attend at court on the date specified in a subpoena, which must be served at least five days before that date.

The person's deposition is governed by the rules applicable to evidence given at trial. It is sound-recorded, unless waived by the parties.

Any difficulty arising during the examination must be submitted to the court as soon as possible for a decision.

DIVISION IV**RULES APPLICABLE IN EVENT OF DEATH OR IN CASE OF INCAPACITY**

690. The death of the debtor or the creditor does not interrupt the execution of the judgment.

If the debtor dies before a seizure is made, the judgment cannot be executed against the property of the succession until 10 days after service of the judgment on the liquidator, under pain of nullity of the seizure.

If the creditor dies, the judgment may be executed in the creditor's name unless it orders the performance of something that is purely personal to the creditor.

691. A judgment rendered against the tutor of a minor, or the tutor, curator or mandatary of a person of full age, in that capacity, cannot be executed against the minor or the person of full age, once they become capable of exercising their rights, until 10 days after it has been served on them.

A judgment rendered in favour of a representative may be executed in the representative's name, even after that person ceases to be a representative.

DIVISION V

SPECIAL RULES APPLICABLE TO FORCED EXECUTION IN REAL ACTIONS

692. If the party ordered to deliver or surrender property fails to do so within the time set by the judgment ordering the eviction of the debtor or the removal of property or by a subsequent agreement between the parties, the judgment creditor may be placed in possession of the property by the notice of execution.

If it involves eviction, the notice must be served at least five days before it is to be executed. It orders the debtor to remove all movable property within a specified time limit or pay the costs incurred for its removal and informs the debtor that if the debtor fails to comply, the movable property will be deemed to have been abandoned.

No eviction may be carried out on a holiday or during the period extending from 24 December to 2 January.

693. Any movable property left on the premises on eviction of the debtor is deemed to have been abandoned by the debtor and the bailiff may sell it for the benefit of the creditor, give it away to a charity if it is not likely to be sold or otherwise dispose of it as the bailiff sees fit if it cannot be given away.

DIVISION VI

EXEMPTION FROM SEIZURE

694. A debtor's movable property that furnishes or adorns the debtor's main residence, that is for the family's use and is needed for the life of the family, up to a market value of \$7,000 as determined by the bailiff, and, if that value has not been attained, the personal objects the debtor chooses to keep may be exempted from seizure. Such movable property is presumed to belong to the debtor.

Work instruments needed for the personal exercise of the debtor's professional activities may also be exempted from seizure.

Such property may nevertheless be seized and sold for the amounts owed on the sale price, or seized and sold by a creditor holding a hypothec on it, as applicable.

The following are exempt from seizure in the hands of debtors:

(1) the food, fuel, linens and clothing needed for their life and the life of their family;

(2) the things they need or a member of their family needs in order to compensate for a handicap or treat an illness;

(3) household pets;

(4) family papers and portraits, medals and other decorations.

Any waiver of the exemption of such property from seizure is null.

695. A passenger motor vehicle cannot be seized if the vehicle is necessary in order to maintain work income or an active job search. Nor can it be seized if it is necessary in order to meet the basic needs of the debtor and the debtor's dependants or ensure that they receive the care required by their state of health or can pursue their education. Nevertheless, such a motor vehicle may be seized if the bailiff considers that the debtor can meet essential travel needs by using public transit, another vehicle that is available to the debtor or a replacement vehicle of lesser value.

A motor vehicle's exemption from seizure is ineffective against the seller as regards the amounts owed on the sale price and against a hypothecary creditor; it is also ineffective against a seizure in execution of a judgment that is subject to the rules of execution set out in the Code of Penal Procedure.

696. The following are exempt from seizure:

(1) consecrated vessels and other things used for religious worship;

(2) books of account, debt securities and other papers if in the possession of a debtor who does not operate an enterprise, except bonds, promissory notes and other instruments payable to order or to bearer;

(3) amounts reimbursed to the debtor for costs relating to an illness, a disability or an accident;

(4) anything declared unseizable by law.

The following are also exempt from seizure:

(1) lump sum amounts and compensation, other than income replacement indemnities, paid in execution of a judgment or under a public compensation plan covering costs and losses resulting from a person's death or from bodily or moral injury;

(2) property declared by the donor or testator to be exempt from seizure, if the stipulation is made in an act by gratuitous title and is temporary and justified by a serious and legitimate interest. However, the property may be seized on

the request of creditors whose claims are subsequent to the gift or the opening of the legacy, with leave of the court and to the extent it determines;

(3) contributions paid or to be paid into a supplemental pension plan to which an employer contributes on behalf of employees, or into another pension plan established or governed by law;

(4) the capital accumulated for the payment of an annuity or accumulated in a retirement savings instrument if the capital has been alienated or is under the control of a third person and satisfies the other prescriptions of law.

Nevertheless, the property described in the second paragraph may be seized up to a limit of 50% to execute partition of a family patrimony, a support claim or a compensatory allowance. This rule has precedence over any contrary legislative provision.

697. Works of art and other cultural or historical property brought into Québec and placed or intended to be placed on public exhibit in Québec are exempt from seizure if the Government declares them so by order, for the period specified in the order. The order comes into force on its publication in the *Gazette officielle du Québec*.

Such exemption from seizure does not prevent the execution of a judgment against the property if it was originally designed, produced or created in Québec, or the execution of a judgment enforcing a service contract relating to the transportation, warehousing or exhibition of the property.

698. The debtor's income is exempt from seizure except the portion determined by the formula $(A - B) \times C$.

A is the debtor's income, made up of

(1) remuneration in money, kind or services, paid for services rendered in the exercise of an office or under an employment contract, a service contract or a contract of enterprise or mandate;

(2) money paid as a retirement benefit, a pension, an income replacement indemnity or judicially awarded support, this money, however, being exempt from seizure in the hands of the payer; and

(3) money paid as a social assistance benefit or a social solidarity allowance, except that sums received under the Individual and Family Assistance Act and declared by that Act to be exempt from seizure in the hands of the recipient are so exempt from seizure.

The following are not included in the debtor's income, however:

(1) support declared by the donor or testator to be exempt from seizure, except for the portion determined by the court;

- (2) judicially awarded support, if intended to provide for a minor child;
- (3) employer contributions to a retirement, insurance or social security fund;
- (4) the value of food and lodging provided or paid by the employer for work-related travel.

B is the total of the exemptions to which the debtor is entitled for basic needs and those of dependants. Those exemptions are determined on the basis of the monthly amount granted as a social solidarity allowance to single persons under the Individual and Family Assistance Act, which amount is annualized then calculated on a weekly basis by the Minister of Justice, that is, (*insert the amount so determined*); for the debtor, the exemption is 125% of the latter amount, that is, (*insert the amount so determined*), for the first dependant, 50%, that is, (*insert the amount so determined*), and for any other dependant, 25%, that is, (*insert the amount so determined*); these figures are updated by the Minister on 1 April each year.

C is the seizure percentage, that is, 30%. However, for the execution of partition of a family patrimony or for the payment of a support debt or a compensatory allowance, the percentage is 50%.

699. A debtor whose income consists in earnings as a self-employed worker or is received from an employer not resident in Québec must, to benefit from exemption from seizure for a portion of that income, enter into an agreement with the bailiff to pay in instalments over the period of time they determine, which may exceed the one year prescribed in article 663, or make a voluntary deposit undertaking with the court clerk. The debtor benefits from the exemption from seizure so long as all undertakings are complied with. The debtor may, to determine that income, subtract any expenses incurred to earn it.

700. The immovable serving as the debtor's main residence may be seized to execute a support claim or to execute another claim of \$20,000 or more, not including legal costs.

It may also be seized to execute a claim of any amount secured by a prior claim or a hypothec. In the case of a legal hypothec arising out of a judgment, however, the amount of the claim must be at least \$20,000; otherwise, the registration of such a hypothec is valid only for conservatory purposes.

701. A decision made by the bailiff under the exemption from seizure rules may, on an application, be reviewed by the court.

TITLE II**SEIZURE OF PROPERTY****CHAPTER I****GENERAL PROVISIONS**

702. A judgment creditor may exercise different means of execution at the same time.

A judgment creditor may seize any of the debtor's movable property that is in the debtor's possession or that is held by the creditor or a third person. The judgment creditor may also seize any immovables possessed by the debtor.

The effect of seizure is to place the property belonging to the debtor under judicial control.

703. Movable property is seized by the bailiff on the premises where it is located. Income or money is seized in the hands of the third persons who owe it, through notification of the notice of execution to them.

Fruits and other products of the soil that are seized are considered movable property even if they are not separated or extracted from the land.

CHAPTER II**SEIZURE OF MOVABLE AND IMMOVABLE PROPERTY IN EXECUTION**

704. The seizure of movable property may be effected between 7 a.m. and 9 p.m. on any day except a holiday by serving the notice of execution on the debtor and the garnishee. It may be effected outside those hours with the permission of the court clerk obtained informally and recorded on the notice of execution, and even on a holiday if the property is misappropriated, conveyed or abandoned.

A seizure not completed at 9 p.m. may be continued without formality past that time if the bailiff considers it necessary in the parties' interests; otherwise, it is continued as soon as possible in the following working days, after taking the necessary security measures.

705. The seizure of an immovable is effected by registering the minutes of seizure, together with the notice of execution and proof of service on the debtor, in the land register.

The registrar registers the seizure on receiving notification of the minutes and notice.

706. Movable permanently and physically attached or joined to an immovable that are immovables under article 903 of the Civil Code may only be seized with the immovable to which they are attached or joined; however, they may be seized separately by a prior or hypothecary creditor, or by another creditor if they do not belong to the owner of the immovable.

707. A seizure is recorded in minutes prepared by the bailiff. The minutes must mention whether or not the debtor was present at the time of the seizure, and contain

- (1) mention of the title under which the seizure is made;
- (2) the date of the notice of execution and the name of the seizing creditor;
- (3) the date and time and the nature of the seizure;
- (4) a description of the property seized; and
- (5) the name of the custodian and, if an authorization was granted by the court, a reference to that authorization.

In the case of a seizure of movable property, the minutes must also contain a list and the market value of the movable property left to the debtor if the value of the property seized is insufficient to pay the claim of the seizing creditor.

The minutes are notified to the debtor and the seizing creditor, as well as to all creditors having rights in the seized property and to any third person appointed as custodian.

708. When seizing movable property of an enterprise, a road vehicle, other movable property which, according to the regulation under article 2683 of the Civil Code, may be hypothecated or a group of such items of property, the bailiff checks in the register of personal and movable real rights whether rights in the property have been granted.

709. The debtor has two months from the seizure to sell a seized immovable by agreement unless it is hypothecated. If the debtor waives this right or does not exercise it within the prescribed time, the bailiff may sell the seized property.

A sale by the debtor is subject to the approval of the bailiff, who determines whether the sale price is commercially reasonable. If that is the case, the bailiff notifies a notice of sale to the seizing creditor, all creditors having rights in the seized property and the garnishee, who have 10 days to oppose the sale.

If no opposition is filed, the sale may be concluded on the expiry of that time limit. The sale price obtained must be deposited in the hands of the bailiff.

710. At any time before the sale of seized property, the debtor may obtain release of seizure by paying the judgment amount, including execution costs. If the seizure of certain property causes prejudice to the debtor and if the bailiff authorizes it, the debtor may also replace the seized property, unless it is hypothecated, by property whose sale will allow full satisfaction of the judgment.

If the debtor obtains release of seizure before the sale of the property, the bailiff attests to the release of seizure on the request of any interested person and files a notice of release in each of the records concerned at the court office.

CHAPTER III

SEIZURE IN THE HANDS OF THIRD PERSONS

DIVISION I

GENERAL RULES

711. The notice of execution served on the garnishee directs that person to declare to the bailiff, within 10 days, the amount, cause and terms of their current or potential indebtedness to the debtor at the time the declaration is made. The garnishee must provide with the declaration a detailed statement of the debtor's property that is in the garnishee's possession, specifying under what title the property is held. The garnishee must also disclose any seizures made in the garnishee's hands.

The bailiff files the garnishee's declaration with the court office and notifies it to the seizing creditor and the debtor, who have 10 days to contest it. If the execution proceedings are for two or more judgments or if two or more creditors are involved in the execution proceedings, the bailiff files the declaration in each of the records concerned.

712. Seizure makes the garnishee the custodian of the property seized.

On the bailiff's request or on the court clerk's order, the garnishee is required to deliver the debtor's property that is in the garnishee's possession to the bailiff. The garnishee is also required to give the bailiff, on request, all relevant documents relating to the garnishee's debt toward the debtor. In addition, on the seizing creditor's or the bailiff's express request, the garnishee is required to submit to an examination to complete the garnishee's declaration, as if it were a post-judgment examination.

713. If income of the debtor is seized, the garnishee is required, within 10 days after service of the notice of execution, to remit to the bailiff the seizable portion of what the garnishee owes to the debtor.

If the debtor has multiple sources of income, the bailiff, after determining the seizable portion of the income, determines the portion that each garnishee must withhold and remit to the bailiff. If the debtor's sources of income are

not easily identifiable or are non-recurring, the bailiff determines, subject to an instalment payment agreement, the amount the debtor must pay to the bailiff.

If the garnishee substantially changes or ends the contractual relationship with the debtor, the garnishee is required to declare as much to the bailiff without delay. If a dispute arises between the garnishee and the debtor, the onus is on the garnishee, under pain of damages, to prove that the contractual relationship was not changed or ended because of the seizure of income.

The seizure remains binding for so long as the debtor's sources of income are maintained and all claims filed by the creditors have not been paid.

714. If the garnishee declares that the debtor works for the garnishee without being paid or for remuneration that is clearly less than the value of the services rendered, the bailiff or a creditor may ask the court to assess the value of the services rendered and determine a fair remuneration. The remuneration determined by the court is deemed to be the debtor's remuneration from the date of the application until it is shown that the amount should be changed. The application is notified to the debtor and the garnishee at least five days before it is to be presented before the court; the decision of the court cannot be appealed.

715. If the garnishee's debt is payable at a future time, the garnishee must, at maturity, pay to the bailiff what the garnishee owes to the debtor. If it is subject to a condition or to the performance of an obligation by the debtor, the seizure is binding until the condition is fulfilled or the obligation performed.

716. If the garnishee declares not being indebted to the debtor and cannot be proved to be so, the garnishee or the debtor may obtain a release of seizure from the bailiff, with execution costs to be borne by the seizing creditor.

717. If the garnishee is in default for failure to declare, withhold or deposit a sum of money or makes a declaration that proves to be false, the garnishee may be ordered to pay the sum owing to the seizing creditor as if the garnishee were the debtor.

The garnishee may, however, obtain the authorization to declare or deposit at any time, even after judgment, on payment of the sums the garnishee should have withheld and deposited since notification of the notice of execution. In such a case, the garnishee is required to pay all costs resulting from the default.

718. If, while a seizure is binding or its execution is stayed, a judgment ordering partition of a family patrimony or awarding support or a compensatory allowance operates to change the amount that the garnishee must pay, the bailiff, on being informed of the judgment, so advises the garnishee, the debtor and the other parties.

DIVISION II**SPECIAL RULES IN SUPPORT MATTERS**

719. If a seizure of income is effected under a judgment awarding support, it applies to payments to become due as well as to arrears, as indexed if applicable; it remains binding until release is given. The same applies if the seizure is effected under the Family Orders and Agreements Execution Assistance Act (Revised Statutes of Canada, 1985, chapter 4, 2nd Supplement).

Release may be given on the expiry of one year after the payment of all arrears, if there is no other claim in the record and execution has not been stayed; release cannot be given, however, if the Minister of Revenue is acting in the capacity of claimant or seizing creditor under the Act to facilitate the payment of support.

720. If a judgment awarding support has been executed by the creditor by a seizure of income and there is no other claim in the record, the bailiff, on the debtor's request, may, once the arrears are paid, stay the execution of the seizure provided the debtor undertakes to make the support payments, as they become due, directly to the bailiff and provides sufficient guarantees to secure compliance with that undertaking.

Such a stay may be granted for not less than six months nor more than one year; the bailiff advises the support creditor and the other creditors, as well as the garnishee, who then ceases to make deposits. During that period, the bailiff pays the sums received from the debtor to the support creditor at least monthly.

721. The bailiff grants release of seizure if the seizure does not become enforceable again at the end of the stay.

The seizure becomes enforceable again if the debtor fails to make a payment when it becomes due, or if a claim is filed in the debtor's record by a third person. The bailiff advises the support creditor, the other creditors as well as the garnishee, who must, within 10 days after being advised, remit the seizable portion of the debtor's income to the bailiff.

CHAPTER IV**SPECIAL RULES APPLICABLE TO CERTAIN SEIZURES****DIVISION I****SEIZURE ON DEBTOR'S PERSON**

722. If the bailiff is convinced that there is property of value on the debtor's person, the bailiff may apply to the court for authorization to seize the property on the debtor's person and to obtain the assistance of a peace officer if necessary. The application need not be notified to the debtor.

Before making the seizure so authorized, the bailiff must ask the debtor to hand over the property. If the debtor refuses, the bailiff may search the debtor, with the assistance of a peace officer if necessary. The search and seizure is carried out in such a manner as to limit violations of personal rights and freedoms.

DIVISION II

SEIZURE OF SECURITIES OR SECURITY ENTITLEMENTS TO FINANCIAL ASSETS

723. Certificated securities are seized by seizing certificates, through service of the notice of execution on the person holding the certificates and on the issuer or the issuer's transfer agent in Québec. If certificates that should have been issued were not issued, the securities are seized in the hands of the issuer, who is then required to issue a certificate in the debtor's name and hand it over to the bailiff.

Uncertificated securities or security entitlements to financial assets are seized by serving the notice of execution on the issuer or on the securities intermediary that maintains the debtor's securities account, as applicable.

724. Securities, whether certificated or uncertificated, or security entitlements to financial assets may be seized by serving the notice of execution on a secured creditor if

(1) the certificates representing the securities are in the secured creditor's possession;

(2) the uncertificated securities are registered in the secured creditor's name in the issuer's records; or

(3) the security entitlements to financial assets are held in the secured creditor's name in a securities account maintained for the debtor by a securities intermediary.

725. The seizure of securities or security entitlements to financial assets entails the seizure of the interest, dividends, distributions and other rights attached.

726. When certificated securities are seized, the issuer must declare to the bailiff the number of securities held by the debtor, the extent to which the securities are paid up and the interest, dividends or other distributions declared but not yet paid.

DIVISION III**SEIZURE OF TECHNOLOGICAL MEDIA**

727. On seizing a technological medium, the bailiff is required to inform the debtor or the garnishee of their right to transfer any documents they wish to preserve from the seized medium to another medium.

If custody of the seized medium has been entrusted to a third person, the debtor or the garnishee is required to advise the bailiff, within 15 days after the seizure, of their intention to transfer documents.

The costs of the transfer are borne by the debtor or the garnishee.

728. If there is no opposition to the seizure or the opposition has been dismissed, the bailiff destroys all documents on the medium before the sale and draws up minutes recording their destruction.

If the bailiff considers it necessary, a specialist may be called on to assist with the destruction of the documents. If any of the documents are covered by the professional secrecy imposed on the debtor or the garnishee, the bailiff must be assisted by a representative designated by the professional order of the debtor or the garnishee.

DIVISION IV**SEIZURE OF PROPERTY IN SAFE OR SAFETY DEPOSIT BOX**

729. Property in a safe or a safety deposit box is seized through the opening of the safe or box and the drawing up of minutes of seizure by the bailiff. The minutes of seizure, which must state the names of the persons present and describe the content of the safe or box and the property seized, are notified to the creditor and the debtor and, if applicable, to the lessor in the lessor's capacity as custodian.

If the bailiff cannot obtain the debtor's co-operation in opening the safe or safety deposit box, the court, on an application, may authorize the opening of the safe or box in the manner it determines. The application is notified to the debtor and, if applicable, to the lessor and any other lessees of the safe or box. As of the notification, the lessor is prohibited from giving access to the safe or box in the bailiff's absence.

DIVISION V**SEIZURE OF REGISTERED ROAD VEHICLES**

730. A registered road vehicle may be seized through notification of the notice of execution to the Société de l'assurance automobile du Québec. The

notice of execution contains the number appearing on the registration plate of the seized vehicle and the identification number, model and year of the vehicle.

No transfer of registration may be made after notification of the notice of execution unless the Société is informed by the bailiff that a release of seizure has been granted.

CHAPTER V

CUSTODY OF SEIZED PROPERTY

731. The bailiff gives custody of the seized property to the debtor, who is required to accept it. If the debtor is a legal person, the bailiff gives custody of the property to its officers or to one of its officers.

With the authorization of the court, the bailiff may entrust the seized property to a custodian other than the debtor. Custody of the property cannot be given to an insolvent person or to a person who may be placed in a conflict of interest situation as a result, and the custody costs must be reasonable under the circumstances.

The seizing creditor, the creditor's attorney, their spouses and persons related to them by blood or connected to them by marriage or civil union up to the fourth degree cannot act as custodian, except if they are already in possession of the property and consent to the seizure.

The custodian of seized property is required to disclose to the bailiff any situation which may result in the loss of the property.

732. If the seizure is against an immovable, the bailiff may ask the court to appoint a sequestrator.

The sequestrator so appointed is answerable to the bailiff for the sequestrator's administration; the sequestrator, after advising the interested persons, collects the fruits and revenues of the immovable, which, after deducting expenses, are immobilized to be distributed in the same manner as the proceeds of the sale.

733. The custodian of seized property may move the property, with the bailiff's consent. The custodian is required to produce the property on the bailiff's request and, on doing so, is entitled to a discharge or receipt for the property delivered.

If the custodian removes the property without the bailiff's consent, fails to produce it, damages it or fails to disclose a situation that results in its loss, the custodian is required to provide reparation for any resulting prejudice and is liable to contempt of court.

734. The bailiff may replace a custodian, other than the debtor, who has become insolvent or wishes to be discharged, for any cause considered sufficient.

Before entrusting the property to a new custodian, the bailiff draws up a report ascertaining the state or condition of the property.

CHAPTER VI

OPPOSITION TO SEIZURE AND SALE

DIVISION I

GENERAL PROVISIONS

735. A person may oppose the seizure or proposed sale of property and ask for the annulment in whole or in part of the seizure or sale proceedings if

- (1) the property is exempt from seizure;
- (2) the debt is extinguished;
- (3) the proposed sale price is not commercially reasonable;
- (4) the proceedings are affected by an irregularity resulting in serious prejudice, subject to the power of the court to authorize the bailiff or the seizing creditor to remedy the irregularity; or
- (5) a right may be exercised to revendicate the seized property or any part of it.

The debtor's creditors may oppose the proposed sale only if the proposed sale price is not commercially reasonable or if the sale may be affected by serious irregularities.

A third person in whose favour an encumbrance exists against the property may also oppose the sale if the property is advertised without any mention of the encumbrance and the encumbrance will be discharged by the sale.

As well, any person whose interests are adversely affected by reason of the seized property being advertised as being subject to an encumbrance may oppose the property being sold subject to the encumbrance, unless sufficient security is given to guarantee that the property will be sold for a price that will ensure payment of the person's claim.

736. The opposition must, within 15 days after notification of the minutes of seizure, the notice of sale or the seizure in the hands of a third person, be served on the bailiff, the debtor, the seizing creditor and the garnishee, and notified to the other creditors and the persons whose rights in the property are registered in the land register or the register of personal and movable real rights.

DIVISION II**EFFECTS OF OPPOSITION**

737. Notification of an opposition stays execution.

If, however, the opposition is made solely to obtain a reduction of the amount claimed or a withdrawal from seizure of part of the seized property, it does not stay execution; the bailiff proceeds with execution to satisfy the uncontested part of the claim or to realize the property against which the opposition is not directed, unless the court orders a stay of all proceedings.

An opposition made after the prescribed time that is notified before the sale cannot stop the sale, except if the court so orders on the opposer showing sufficient cause.

738. An opposition to a seizure of income stays only the distribution of the sums seized. However, if a judgment awarding support is being executed, the distribution of the income already seized is not stayed unless the court orders it stayed for exceptional reasons.

739. If the bailiff has received execution instructions or claims from two or more creditors, and an opposition relates to the instructions given by one of them only, the bailiff, to the extent possible and after having advised the opposer, continues to execute in order to satisfy the instructions and claims of the other creditors.

740. An opposer whose opposition is dismissed is liable toward the creditors, the debtor and the garnishee for the interest on the amount due to the creditors and for the cost of safekeeping the property for the time during which execution was stayed.

741. An opposition by a person whose earlier opposition was dismissed does not stay execution unless it is based on facts that occurred after the earlier opposition was made and the stay is ordered by the court. The application for stay, which may be made without formality, must be preceded by two days' notice to the seizing creditor, unless the court dispenses with such notice.

TITLE III**SALE UNDER JUDICIAL AUTHORITY****CHAPTER I****CONDUCT OF SALE**

742. A sale under judicial authority is conducted to sell property seized to execute a judgment or property that is surrendered or whose surrender is ordered on the exercise of hypothecary rights.

In the former case, the sale is under the responsibility of a bailiff and governed by the rules of this Title. In the latter case, the sale is under the responsibility of the person designated under article 2791 of the Civil Code and is governed by the rules of that Code and, with the necessary modifications, by the rules of this Title.

743. The bailiff in charge of the sale is responsible for the conduct of all related operations. The bailiff is required to inform the interested persons and, at the time of the sale, the purchaser, of the capacity in which the bailiff is acting.

The bailiff is duty-bound to keep the creditor, the debtor and any other interested person who so requests informed of any steps taken, and to keep records that are sufficiently detailed for the rendering of an account to the court and to the interested persons.

The bailiff, if they consider it necessary, may ask the court for any instruction or order to facilitate the performance of their duties and ensure the most advantageous sale.

744. The bailiff has the option, depending on the nature of the property, of selling by agreement, through a call for tenders or by auction; the bailiff sets the terms of the sale.

The sale must be made in the best interests of the debtor and the creditors, at a commercially reasonable price and using the most appropriate method of realization in the circumstances.

745. The bailiff may sell, without delay or formality, movable property that is perishable, likely to depreciate rapidly or expensive to preserve.

746. If several items of property have been seized, only those whose sale is necessary to pay the claims, including principal, interest and costs, may be sold, unless the debtor consents in writing to the sale of all the seized property. The debtor has the right, except as regards rights conferred by law to hypothecary creditors, to determine the order in which the seized property is to be sold.

CHAPTER II

METHOD OF REALIZATION

747. The bailiff may fix a reserve price for property offered for sale. The bailiff may seek an expert appraisal if the nature or value of the property justifies doing so.

748. Whether the sale is by agreement, through a call for tenders or by auction, it must be preceded by the publication of a notice setting out the nature of the property, the method of sale used and the charges and terms and conditions

of the sale. The notice of sale is published in the sales register kept by the Minister of Justice, as well as in the land register if the property is an immovable.

In order to achieve a better realization of the property, the bailiff may also, on the request and at the expense of the debtor or a creditor, further publicize the sale.

The Minister may, by regulation, establish standards concerning the presentation, form and content of notices, the storage medium for and the manner of keeping the sales register, consultation procedures, the storage medium and schedule for preserving the notices, as well as any other rules needed to set up and run the register, including the applicable tariffs.

749. The notice of sale must be so published at least 30 days before the scheduled sale date.

The bailiff notifies the notice without delay to the debtor, the garnishees and any creditors having advised the bailiff of their claim or registered their right in the seized property in the register of personal and movable real rights or the land register and having required the registration of their address in connection with the property.

If the sale does not take place, the bailiff records as much in the sales register and, if applicable, informs the land registrar so that the notice of sale may be struck from the land register.

750. The bailiff may take into consideration any representations made by the debtor, a creditor or a third person pursuing an interest in the property on the method of sale chosen, the terms of sale or the reserve price.

Within 10 days before the sale of the property, anyone who is not satisfied with the bailiff's response may go before the court. However, the sale is stayed only if the court orders that it be stayed.

751. If the sale is stayed, either because a demand or an application is pending, the court has ordered it or the debtor and the creditors have consented to it, the bailiff publishes a notice of the stay in the sales register. When the stay is lifted, if the sale can take place on the date initially stated in the notice, the bailiff records as much in the sales register. If the sale cannot take place on that date, the bailiff must publish a new notice of sale.

752. The bailiff conducting the sale is deemed to represent the owner of the property for the conclusion of the contract of sale, which the bailiff has power to sign in the owner's name. The purchaser is required to pay the price to the bailiff.

753. In the case of a call for tenders, the bailiff has the option of issuing a public or a limited one. Sufficient information must be included in the call for tenders to allow bidders to tender in sufficient time.

The bailiff is required to accept the highest tender unless the conditions attached to it render it less advantageous than another lower tender, or unless the price tendered is not commercially reasonable.

754. In the case of a sale by auction, the bailiff sets out in the notice of sale the nature of the property, the reserve price, if any, and sufficient information to allow bids to be made. Also to be included is the bailiff's name and contact information and those of the auctioneer selected, if any.

If bids may be entered by way of information technology, the notice must state how and when bids will be received and must specify the closing date.

At the sale, the bailiff or the auctioneer, as applicable, may, in the interests of the creditors or the debtor, refuse a bid, withdraw the property and put it up for sale again, with or without a reserve price, or end the sale.

755. The bailiff is bound by the conditions and restrictions that govern the transfer of securities and the establishment of security entitlements to financial assets and are set out in the issuer's constituting act or by-laws or in the instrument governing the securities account maintained by a securities intermediary. As well, the bailiff is bound by the conditions and restrictions set out in an agreement to which the debtor is party. The bailiff may apply to the court for an order authorizing the sale if such conditions and restrictions significantly reduce the value of the securities or security entitlements; in such a case, the court determines the applicable conditions.

The purchaser of the securities or security entitlements is subject to the conditions and restrictions set out in the legal person's constituting act and by-laws and any unanimous shareholder agreement. The purchaser must be informed beforehand of any restrictions attached to the securities or security entitlements.

756. If property cannot be sold, the bailiff returns it to its owner. If the owner refuses the property, the bailiff may give it away to a charity or, if it cannot be given away, dispose of it as the bailiff sees fit.

CHAPTER III

SALE AND EFFECTS OF SALE

757. As soon as the sale is made, the bailiff publishes in the sales register a notice stating the price and the terms of the sale. The notice is also filed with the court office.

758. If the purchaser refuses to sign the deed of sale, to pay the sale price, or to take possession of the property, the bailiff, on the expiry of 10 days after the sale, may obtain an order from the court having the same force and effect as a deed of sale or an order for forced surrender, for eviction from the immovable or for forced removal of the movable property.

759. The sale discharges all real rights not included in the terms of sale. It does not discharge

(1) servitudes;

(2) emphyteusis, the rights needed to exercise superficies, and substitutions not yet open, except when a prior or preferred claim is mentioned in the court record; or

(3) the administrative encumbrance affecting a low-rental housing complex.

The sale does not terminate leases in progress that are registered in the register of personal and movable real rights or the land register.

Nor does the sale affect the legal hypothec securing the rights of legal persons established in the public interest in respect of special municipal or school taxes that are not yet due and the payment of which is spread over a number of years; such taxes do not become due by reason of the sale of the immovable and are not collocated, but remain payable in accordance with the terms of their imposition.

760. The sale may be annulled on the application of the purchaser if the latter is liable to eviction by reason of some real right not discharged by the sale, or if the property differs so much from the description given in the notice of sale or the minutes of seizure that it is to be presumed that the purchaser would not have bought it had the purchaser been aware of the true description. The sale may also be annulled on the application of the debtor or a creditor if the property is sold for a price that is clearly unreasonable given market conditions or if the sale is affected by serious irregularities that could not, despite reasonable diligence, be raised before the sale.

The application for the annulment of a sale must be notified within 20 days after the sale in the case of movable property, or within 60 days after the sale in the case of immovable property. These are strict time limits. On the expiry of the time limits, the court clerk may, on request, issue a certificate attesting that no application for the annulment of the sale has been filed.

761. The sale of property is considered to have been made at a commercially reasonable price if, in light of the specific circumstances of the sale, the sale price corresponds, to the extent possible, to the market value of the property.

In the case of an immovable, the sale price may in no case be lower than 50% of its assessed value as entered on the municipal assessment roll, multiplied by the factor determined for that roll by the minister responsible for municipal affairs under the Act respecting municipal taxation (chapter F-2.1), unless the court is convinced that the immovable cannot be sold within an acceptable time for such a price.

TITLE IV**DISTRIBUTION OF PROCEEDS OF EXECUTION****CHAPTER I****GENERAL PROVISIONS**

762. A bailiff who sells property following a judicial authorization or a seizure or who seizes sums of money is responsible for distributing the proceeds of the sale or the sums seized to the creditors. A bailiff or a court clerk who periodically collects income of a debtor is responsible for distributing the sums collected to the creditors.

If the bailiff considers it necessary, the bailiff may retain the services of a lawyer or a notary to assist in preparing the collocation scheme, or ask the court for any order to facilitate the distribution of the proceeds of the sale or the sums seized.

CHAPTER II**DISTRIBUTION OF PROCEEDS OF SALE OR MONEY SEIZED****DIVISION I****BAILIFF'S REPORT**

763. Within 30 days after the sale is made, the sums of money seized are remitted to the bailiff or an affirmative declaration is made by the garnishee, the bailiff files a report with the court office, attaching all supporting documents, including any appraisal obtained beforehand, the confirmation given by the dealer in charge of the sale of securities or security entitlements listed and traded on a stock exchange, or the statement certified by the registrar.

The report states the names and contact information of the debtor and of the seizing creditor as well as those of the garnishee if property has been seized in the hands of a third person and those of the purchaser if a sale has occurred. If applicable, the report records the garnishee's declaration and the fact that it was not contested, and sets out the terms and conditions of the sale. It refers to the minutes of seizure and the publications made, mentions any opposition filed, and specifies all sums obtained; it mentions any minutes drawn up in the course of execution. If two or more persons are entitled to the proceeds of the sale or the sums seized, it must also include a collocation scheme.

764. For the preparation of the report, the bailiff may call a creditor to attend in order to be examined on facts relating to an encumbrance mentioned in the statement certified by the registrar or a claim filed in the record.

An admission by the creditor has full effect against the creditor without any further proceeding or formality.

765. The bailiff's report is notified to the debtor, to the creditors entitled to the proceeds of the sale or the sums seized, to the creditors whose rights are registered in the land register or the register of personal and movable real rights, and, in the case of an immovable, to the municipality and the school board in whose territory the immovable is located.

DIVISION II

COLLOCATION SCHEME

766. The collocation scheme states the names and contact information of the creditors, the nature of their claim, the date of the title and of its registration, if applicable, and the amount to which each creditor is entitled. It specifies, for each creditor, whether the claim pertains to the whole amount to be distributed or only to the proceeds of the sale of a particular item of property or of part of an item of property.

The scheme determines the order of collocation according to the rank of the creditors, as follows:

(1) execution costs, in the following order:

— the cost of the bailiff's report;

— the cost of the sale and the cost of distributing the proceeds of the sale or the sums seized;

— the cost of the seizure, including the cost of any post-judgment examination, and costs relating to the transportation and safekeeping of the property;

— the professional fee and other expenses of the bailiff;

— the cost of incidental proceedings subsequent to the judgment; and

— the legal costs, if any, of the seizing creditor;

(2) prior claims against the property sold;

(3) hypothecary claims against the property sold;

(4) unsecured claims.

If an opposition to the seizure was made tardily by a person revendicating the property or holding a real right in the property, and the opposition was allowed after the sale, the bailiff enters the person's claim in the collocation scheme, according to the person's rank.

767. If there are indeterminate or unliquidated claims, the bailiff must reserve a sum sufficient to cover them out of the available moneys; the sum is

deposited in a trust account until the claims are determined or liquidated, unless a judge orders otherwise.

If there are conditional claims, the creditors concerned are collocated according to their rank, but the amount of their claims is paid to subsequent creditors whose claims are payable, provided they give security, within the month following notification of the bailiff's report, for the return of the money when the condition is fulfilled. If the subsequent creditors fail to give security, or if there are no subsequent creditors, the amount is paid to the debtor, on condition of security being given, or, if the debtor fails to give security, to the conditional creditors, on condition of security being given for the return of the money in the event that the condition fails or becomes impossible, and paying interest to the bailiff, who distributes the interest to the creditors or remits it to the debtor after satisfying the creditors.

If there is a hypothecary claim with a term of payment, it becomes due on the sale of the hypothecated immovable, and is collocated accordingly.

768. If two or more items of property separately charged with different claims are sold for an aggregate price or if a creditor has a claim against part only of an item of property, the bailiff prorates the amount to be distributed if it is insufficient, and obtains an expert opinion if the record does not contain sufficient information. The share to be given to each creditor is calculated by determining the value of each item or part of property in relation to the value of the whole.

769. The bailiff, on their own initiative or on the request of an interested person, may revise the collocation scheme if it contains an error, in which case the bailiff is required to notify the collocation anew and file it with the court office.

770. Within 10 days after notification of the bailiff's report or the revised collocation scheme, any interested person may contest the scheme and ask the court for a determination of the persons to whom the proceeds of the sale and the sums seized are to be distributed.

The application is notified to the bailiff and to all those who received the bailiff's report. On such notification, the bailiff stays the distribution proceedings either entirely or only for the contested claim and subsequent claims.

771. If there is no contestation or as soon as a judgment is rendered dismissing the contestation, the bailiff distributes the proceeds of the sale and the sums seized without delay, as provided in the bailiff's report.

CHAPTER III**DISTRIBUTION OF SEIZED INCOME**

772. Periodically seized or collected income must be distributed to the creditors by the bailiff or, as applicable, by the court clerk at least quarterly, but in the case of a support creditor, at least monthly.

773. While a seizure of income remains binding, not only the seizing creditor but all creditors may participate in the distribution of the income; they must however have notified their claim, setting out the nature, date and amount of the debt, to the bailiff or the court clerk and to the debtor, the seizing creditor and the garnishee, and have provided supporting documents.

In the absence of supporting documents, the claim is not admissible, unless it is established to the satisfaction of the court that it is impossible for the creditor to produce such documents.

774. A claim bears interest from the date it was notified to the bailiff or the court clerk, at the lesser of the legal rate and the rate agreed between the parties; no claim relating to the difference between the interest rate agreed between the parties and the legal rate, for any period during which the legal rate is applicable, may be accepted.

775. Any interested party may, within 15 days after receiving notification of a creditor's claim, contest the claim by notifying the contestation to the bailiff or the court clerk, the debtor and the seizing creditor. The bailiff or the court clerk retains the sums the creditor would have been entitled to until a decision is rendered on the contestation.

776. The bailiff or the court clerk distributes seized income according to the following order of collocation:

(1) execution costs, including the cost of administering an instalment payment agreement and distributing the seized income, if applicable;

(2) support claims, for the difference between the portion of the income seized by reason of the particular nature of the claim and the portion of income that is ordinarily seizable, in proportion to the amount of the claims;

(3) prior claims;

(4) hypothecary claims; and

(5) unsecured claims.

In all cases, the bailiff or the court clerk pays to a support creditor, out of the portion of income that is ordinarily seizable, the amount required to make the total amount distributed to that creditor equal to at least one-half of the sums distributed every month, up to the amount of support due.

However, a spouse's claim based on a marriage or civil union contract cannot be paid until all other claims have been discharged.

When the full amount of a claim has been paid to the creditor, the bailiff or the court clerk notifies a notice of payment to the debtor and the creditor. If the notice is not contested by the creditor within 15 days after the notification, the bailiff or the court clerk may, on request, give an acquittance by certifying on the debtor's copy of the notice of payment that it has not been contested.

777. The Minister of Justice may, when required by the situation, determine by order the cases and circumstances in which a court clerk may, in the bailiff's place, administer and distribute seized income, and determine the applicable conditions.

AMENDING AND FINAL PROVISIONS

GENERAL AMENDING PROVISIONS

778. In any Act or statutory instrument, the following terminological changes are made, with the necessary modifications:

(1) "recours collectif" in the French text, and "recours" in the French text when it means "recours collectif", are replaced by "action collective" and "action", respectively;

(2) "distress warrant", "writ", "writ of execution", "writ of seizure", "writ of seizure in execution", "writ of seizure in execution of an immovable", "writ of seizure in execution of movable property", "writ of seizure of immovables", "writ of seizure of movable property", "writ of seizure of movable property in execution", and "writ of seizure of property" are replaced by "notice", "notice of execution" or "order", depending on the context, if a substitution is necessary, and if not, they are struck out;

(3) "jurisdiction" in the French text, when referring to the jurisdiction of a court of justice or an administrative tribunal, is replaced by "compétence";

(4) "extrajudicial costs", "extrajudicial fees", "extra-judicial professional fees", are replaced by "professional fees", and "judicial fees" is struck out;

(5) "juridical day" is replaced by "working day" and "non-juridical day" is replaced by "holiday";

(6) "mandate given in the anticipation of the mandator's incapacity" or the equivalent is replaced by "protection mandate";

(7) "writ of seizure by garnishment" and "writ of attachment" are replaced by "order to seize property in the hands of a third person";

(8) “writ of possession” and “writ in an action of ejectment” are replaced by “eviction order”;

(9) “writ of habeas corpus” is replaced by “habeas corpus order”;

(10) “certified mail”, “certified or registered mail”, “registered or certified mail”, “registered or certified post”, “registered letter”, “registered or certified letter”, “registered mail”, “certified or registered letter” and “recommended or certified mail” are replaced by “registered mail”;

(11) any text, whether or not it contains an express reference to the Code of Civil Procedure, that mentions an action or a recourse under article 33 of the Code of Civil Procedure, an extraordinary recourse or remedy provided for or within the meaning of the Code of Civil Procedure or an extraordinary recourse contemplated, provided or provided for in or provided by articles 834 to 850 of the Code of Civil Procedure is replaced by “application for judicial review under the Code of Civil Procedure”;

(12) “minutes of the determination of the boundaries”, “minutes of determination of boundaries”, “minutes of boundary determination”, “minutes of a boundary determination” are replaced by “minutes of the boundary-marking operations”;

(13) “rules of practice” is replaced by “court regulations” or “tribunal regulations” as appropriate;

(14) “sale by judicial authority” and “judicial sale” are replaced by “sale under judicial authority”.

779. Sections 358 of the Act respecting insurance (chapter A-32), 86 of the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1), 16.1 of the Act respecting the Société de l’assurance automobile du Québec (chapter S-11.011), and 244 of the Act respecting trust companies and savings companies (chapter S-29.01), “extraordinary recourse” is replaced by “application for judicial review”. In articles 265, 291 and 367 of the Code of Penal Procedure (chapter C-25.1), “an extraordinary remedy” and “extraordinary remedies”, as applicable, are replaced by “judicial review”. In sections 194 of the Professional Code (chapter C-26), 74.4 of the Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration (chapter E-20.1) and 28 of the Act respecting the Québec Pension Plan (chapter R-9), “extraordinary recourse” is replaced by “application for judicial review” and “exercised” is replaced by “made”.

780. In sections 14.1, 468.45.8, 568, 569 and 573.3.4 of the Cities and Towns Act (chapter C-19), articles 19, 614.8, 938.4, 1082 and 1094 of the Municipal Code of Québec (chapter C-27.1), sections 118.2 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01), 111.2 of the Act respecting the Communauté métropolitaine de Québec

(chapter C-37.02), 108.2 of the Act respecting public transit authorities (chapter S-30.01), 6 of the Municipal Works Act (chapter T-14) and 204 and 358 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1), “articles 838 to 843 of the Code of Civil Procedure” is replaced by “subparagraph 4 of the first paragraph of article 529 and articles 532 to 535 of the Code of Civil Procedure”.

781. In the second paragraph of sections 146 of the Building Act (chapter B-1.1), 37 and 657 of the Act respecting elections and referendums in municipalities (chapter E-2.2), 573 of the Election Act (chapter E-3.3), 114 of the Public Service Act (chapter F-3.1.1), 18 of the Act respecting the Régie du logement (chapter R-8.1), 86 of the Transport Act (chapter T-12) and 53 of the Auditor General Act (chapter V-5.01), “any writ” is replaced by “any decision”.

In the third paragraph of section 41 of the Tax Administration Act (chapter A-6.002), “any writ” is replaced by “any decision”.

782. In any Act or statutory instrument, a reference to a provision of the former Code is replaced by a reference to the corresponding provision of the new Code.

783. Before updating the Compilation of Québec Laws and Regulations to enter the changes made necessary by the replacement of concepts predating the new Code of Civil Procedure, the Minister of Justice publishes, on the website of the Québec Official Publisher, at least six months before the planned update, a consultation document explaining the nature and scope of the updating operations the Minister plans to carry out. The Minister tables the consultation document in the National Assembly. The Minister subsequently receives any comments submitted and publishes an information note prior to the publication of the update of the compilation, as required by section 4 of the Act respecting the Compilation of Québec Laws and Regulations (chapter R-2.2.0.0.2).

SPECIFIC AMENDING PROVISIONS

CIVIL CODE OF QUÉBEC

784. Article 234 of the Civil Code of Québec is amended by adding the following paragraph at the end:

“As soon as it is established and whenever there is a change in its composition, the council informs the minor, if 14 years of age or older, and the minor’s tutor, providing the names and contact information of its members and its secretary. The council also informs the Public Curator.”

785. Article 237 of the Code is amended by adding the following paragraphs at the end:

“When an application for the review of a council decision is notified to the council secretary, the latter sends the minutes and the record relating to the decision to the office of the court without delay.

Any document to be notified to the council is notified to the council secretary.”

786. Articles 568 and 574 of the Code are amended by replacing “requête” in the French text by “demande”.

787. Article 596.1 of the Code is amended by replacing “the professional fees and extrajudicial costs incurred” in the second paragraph by “the professional fees of an advocate and any disbursements incurred”.

788. Article 978 of the Code is amended by replacing the third paragraph by the following paragraph:

“The minutes of the boundary-marking operations must be registered in the land register; the boundary determination report may be attached to the minutes.”

789. Article 1529 of the Code is amended by replacing “Proceedings instituted against one of the solidary debtors do not” by “An action instituted against one of the solidary debtors does not”.

790. Article 1605 of the Code is amended by replacing “proceedings” by “action”.

791. Article 1641 of the Code is amended by replacing the second paragraph by the following paragraph:

“If the debtor cannot be found in Québec, the assignment may be set up against the debtor and third persons upon the publication of a notice in accordance with the rules of the Code of Civil Procedure for notification by public notice.”

792. Article 1644 of the Code is amended by replacing “appearance” by “answering the summons”.

793. Article 1758 of the Code is replaced by the following article:

“**1758.** An auction sale under judicial authority by the bailiff is conducted in accordance with the rules of the Code of Civil Procedure and this subheading and, so far as they are consistent, the particulars specified in the notice of sale published by the bailiff.”

794. The heading of Section IV of Chapter IX of Title II of Book V of the Code, before article 2166, is replaced by the following heading:

“SPECIAL RULES GOVERNING PROTECTION MANDATES”.

795. Article 2166 of the Code is amended by replacing “A mandate” and “his property is made” in the first paragraph by “A protection mandate is a mandate” and “his property; it is made”, respectively.

796. Article 2387 of the Code is amended by replacing “forced sale” in the first paragraph by “sale under judicial authority”.

797. Article 2648 of the Code is replaced by the following article:

“**2648.** Property which, under the Code of Civil Procedure, may be exempted or is exempt from seizure and falls within the limits specified by that Code cannot be seized.”

798. Article 2718 of the Code is amended by replacing the first paragraph by the following paragraph:

“**2718.** A floating hypothec on more than one claim has effect in respect of the debtors of hypothecated claims as soon as the notice of crystallization is registered, provided the notice is published in accordance with the rules of the Code of Civil Procedure for notification by public notice.”

799. Article 2759 of the Code is amended by replacing “a sale of property seized” at the end of the second paragraph by “a sale under judicial authority”.

800. Article 2787 of the Code is amended by replacing “through the newspapers or by invitation” in the first paragraph by “by invitation or by a public call for tenders”.

801. Article 2791 of the Code is amended by adding the following paragraph at the end:

“The person in charge of selling the property must be independent from any interested persons and have the qualifications needed to conduct the sale.”

802. Article 2793 of the Code is amended by replacing the first paragraph by the following paragraph:

“**2793.** The person in charge of selling the property is required to inform the interested persons, on their request, of any steps taken and to comply with the rules of Titles III and IV of Book VIII of the Code of Civil Procedure on sales under judicial authority, including as regards publication in the sales register, and the distribution of the proceeds of execution, adapted as required.”

803. Article 2794 of the Code is amended by striking out “in respect of the effect of the order to sell”.

804. Article 2892 of the Code is amended by replacing “served” in the second paragraph by “notified”.

805. Article 2908 of the Code is amended

(1) by replacing “A motion” and “the motion” in the first paragraph by “An application” and “the application”, respectively;

(2) by replacing all occurrences of “motion” in the second paragraph by “application for leave”.

806. Article 2958 of the Code is amended by inserting “the notice of execution” after “registration of” and by replacing “judicial sale” by “sale under judicial authority”.

807. Article 2996 of the Code is amended

(1) by replacing the first paragraph by the following paragraph:

“2996. The minutes of the boundary-marking operations are accompanied by the related plan, and the boundary determination report may be attached. If the minutes were homologated by a judgment, they are presented with the application for registration of the judgment. The minutes must include an express statement that the boundaries between the properties coincide with the boundaries between the corresponding lots on the cadastre.”;

(2) by replacing “If the minutes do not state that the boundaries coincide, registration of the minutes” in the second paragraph by “In the absence of such a statement, registration”.

808. Article 3000 of the Code is amended by replacing the first paragraph by the following paragraph:

“3000. Notices of forced sales, notices of sale under judicial authority and other notices prescribed in the Book on Prior Claims and Hypothecs that concern an immovable must be published in the land register.”

809. Article 3017 of the Code is amended

(1) by replacing “the property is to be sold by judicial authority or, in the case of an immovable,” in the first paragraph by “the immovable”;

(2) by striking out “electronic” in the third paragraph.

810. Article 3069 of the Code is amended

(1) by replacing “forced sale” in the first sentence of the first paragraph by “sale under judicial authority”;

(2) by inserting “, as applicable, notices of execution” after “registrations of” in the second sentence of the first paragraph;

(3) by replacing “prior notices of sale” in the same sentence by “notices and prior notices of sale”;

(4) by inserting “notices of execution” after “registration of” in the second paragraph;

(5) by replacing “the clerk of the court or by the person designated to proceed with the sale” in the second paragraph by “the bailiff, by the person designated to conduct the sale or, if applicable, by the court clerk”.

INDIVIDUAL AND FAMILY ASSISTANCE ACT

811. The Individual and Family Assistance Act (chapter A-13.1.1) is amended by inserting the following section after section 103:

“**103.1.** The execution of a decision following the filing of a certificate under the second paragraph of section 103 is to proceed in accordance with the rules of Book VIII of the Code of Civil Procedure, subject to the following rules:

(1) the Minister may make an agreement with the debtor to spread the payment of the amount owed in instalments over the period the Minister determines;

(2) the Minister is responsible for the collection of the amount owed and acts as seizing creditor; the Minister prepares the notice of execution and files it with the court office; the notice is valid only for the execution of a decision effected under this Act and does not prevent the filing of a notice for the execution of another judgment;

(3) the Minister proceeds with the seizure of a sum of money or of income in the hands of a third person in the same manner as a bailiff, but entrusts the administration of subsequent steps, including the receipt and distribution of the sum or income, to the clerk of the court seized; the Minister serves the notice of execution on the defendant and the garnishee, but is not required to inform the defendant’s creditors or deal with their claims, or to join in a seizure in the hands of a third person already undertaken by a bailiff in another case if the seizure to be made by the Minister is for other sums or income than the sums or income specified in the notice of execution filed by the bailiff;

(4) the Minister is required to hire the services of a bailiff for the seizure of movable or immovable property, to give the bailiff instructions and to amend the notice of execution accordingly; in such a case, if a notice for the execution of a judgment was filed by a bailiff in another case prior to the Minister’s request, the Minister or the bailiff hired by the Minister joins in the seizure already under way.

The Minister is not required to pay an advance to cover execution-related costs.”

ACT RESPECTING FINANCIAL ASSISTANCE FOR EDUCATION
EXPENSES

812. The Act respecting financial assistance for education expenses (chapter A-13.3) is amended by inserting the following section after section 31:

“31.0.1. The execution of a judgment concerning an amount owed under this Act is to proceed in accordance with the rules of Book VIII of the Code of Civil Procedure, subject to the following rules:

(1) the Minister may make an agreement with the debtor to spread the payment of the amount owed in instalments over the period the Minister determines;

(2) the Minister is responsible for the collection of the amount owed and acts as seizing creditor; the Minister prepares the notice of execution and files it with the court office; the notice is valid only for the execution of a judgment effected under this Act and does not prevent the filing of a notice for the execution of another judgment;

(3) the Minister proceeds with the seizure of a sum of money or of income in the hands of a third person in the same manner as a bailiff, but entrusts the administration of subsequent steps, including the receipt and distribution of the sum or income, to the clerk of the court seized; the Minister serves the notice of execution on the defendant and the garnishee, but is not required to inform the defendant’s creditors or deal with their claims, or to join in a seizure in the hands of a third person already undertaken by a bailiff in another case if the seizure to be made by the Minister is for other sums or income than the sums or income specified in the notice of execution filed by the bailiff;

(4) the Minister is required to hire the services of a bailiff for the seizure of movable or immovable property, to give the bailiff instructions and to amend the notice of execution accordingly; in such a case, if a notice for the execution of a judgment was filed by a bailiff in another case prior to the Minister’s request, the bailiff hired by the Minister joins in the seizure already under way.

The Minister is not required to pay an advance to cover execution-related costs.”

ACT RESPECTING LEGAL AID AND THE PROVISION OF CERTAIN
OTHER LEGAL SERVICES

813. Section 4.6 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14) is amended

(1) by inserting “the filing of an application for judicial review or” after “or for” in the introductory clause;

(2) by inserting “, the application for judicial review made” after “filed” in paragraphs 1 and 2;

(3) by inserting “, the application for judicial review” after “if the appeal” in paragraph 2.

ACT RESPECTING PARENTAL INSURANCE

814. The Act respecting parental insurance (chapter A-29.011) is amended by inserting the following section after section 31:

“31.1. The execution of a decision following the filing of a certificate under the second paragraph of section 31 is to proceed in accordance with the rules of Book VIII of the Code of Civil Procedure, subject to the following rules:

(1) the Minister may make an agreement with the debtor to spread the payment of the amount owed in instalments over the period the Minister determines;

(2) the Minister is responsible for the collection of the amount owed and acts as seizing creditor; the Minister prepares the notice of execution and files it with the court office; the notice is valid only for the execution of a decision effected under this Act and does not prevent the filing of a notice for the execution of another judgment;

(3) the Minister proceeds with the seizure of a sum of money or of income in the hands of a third person in the same manner as a bailiff, but entrusts the administration of subsequent steps, including the receipt and distribution of the sum or income, to the clerk of the court seized; the Minister serves the notice of execution on the defendant and the garnishee, but is not required to inform the defendant’s creditors or deal with their claims, or to join in a seizure in the hands of a third person already undertaken by a bailiff in another case if the seizure to be made by the Minister is for other sums or income than the sums or income specified in the notice of execution filed by the bailiff;

(4) the Minister is required to hire the services of a bailiff for the seizure of movable or immovable property, to give the bailiff instructions and to amend the notice of execution accordingly; in such a case, if a notice for the execution of a judgment was filed by a bailiff in another case prior to the Minister’s request, the bailiff hired by the Minister joins in the seizure already under way.

The Minister is not required to pay an advance to cover execution-related costs.”

ACT RESPECTING THE BARREAU DU QUÉBEC

815. Section 1 of the Act respecting the Barreau du Québec (chapter B-1) is amended by striking out paragraphs *m* and *n*.

816. The heading of Division XII of the Act is replaced by the following heading:

“FEES AND COSTS”.

817. Section 125 of the Act is amended

(1) by replacing subsections 1 and 2 by the following subsection:

“**125.** (1) If an advocate carries on his professional activities within a joint-stock company in accordance with the by-law adopted by the General Council under paragraph *p* of section 94 of the Professional Code (chapter C-26), the company is entitled, unless otherwise agreed, to the fees and costs owing to the advocate.”;

(2) by striking out “, fixed by the tariff,” in subsection 3.

818. Section 126 of the Act is amended by replacing “extrajudicial costs” in subsection 3 by “fees and costs”.

819. Section 127.1 of the Act is amended by replacing “judicial and extrajudicial costs” by “fees and costs”.

CODE OF PENAL PROCEDURE

820. Article 330 of the Code of Penal Procedure (chapter C-25.1) is replaced by the following article:

“**330.** Seizures are effected according to the rules for the execution of judgments set out in Book VIII of the Code of Civil Procedure, subject to the special rules of this Code and to the following rules:

(1) the collector for the place where the order to pay has been given is responsible for the collection of the sums due and acts as seisor; the collector prepares the notice of execution and files it with the court office; the notice is valid only for the execution of a judgment effected under this chapter and does not preclude the filing of another notice for the execution of a judgment under the Code of Civil Procedure;

(2) the collector proceeds with the seizure of a sum of money or income in the hands of a third person in the same manner as a bailiff, but entrusts the administration of subsequent steps, including the receipt and distribution of the sum or income, to a court clerk designated by the collector; the collector serves the notice of execution on the defendant and the garnishee in accordance with article 20, but is not required to inform the defendant’s creditors or deal with their claims, or to join in a seizure in the hands of a third person already undertaken by a bailiff in another case if the seizure to be made by the collector is for other sums or income than the sums or income specified in the notice of execution filed by the bailiff;

(3) the collector is required to hire the services of a bailiff for the seizure of movable or immovable property, to give the bailiff instructions and to amend the notice of execution accordingly; in such a case, if a notice for the execution of a judgment was filed by a bailiff in another case prior to the collector's request, the bailiff hired by the collector joins in the seizure already under way.

The collector is not required to pay an advance to cover the safekeeping costs or other execution-related disbursements."

821. Article 331 of the Code is replaced by the following article:

"331. The Superior Court or the Court of Québec, according to the amount involved, or if the order for payment is made by a municipal court, the municipal court, is the court that has jurisdiction to decide all seizure-related matters."

ACT RESPECTING MUNICIPAL COURTS

822. Section 80 of the Act respecting municipal courts (chapter C-72.01) is amended by replacing both occurrences of "\$7,000" by "\$15,000".

COURT BAILIFFS ACT

823. Section 13 of the Court Bailiffs Act (chapter H-4.1) is amended by inserting "including for the administration of sums of money, income and other property seized and for the management of instalment payments," after "section 8,".

SPECIAL PROCEDURE ACT

824. The Special Procedure Act (chapter P-27) is repealed.

YOUTH PROTECTION ACT

825. Section 82 of the Youth Protection Act (chapter P-34.1) is amended by adding the following paragraphs after the third paragraph:

"The parties, their advocates and all other persons admitted to the hearings must conduct themselves in a respectful and restrained manner and must obey the orders of the tribunal, under pain of contempt of tribunal.

No person admitted to a hearing may make a recording of the proceedings or of the decision, unless authorized by the tribunal subject to the conditions it determines."

826. Section 85 of the Act is replaced by the following section:

"85. Article 9, the first and second paragraphs of article 19, articles 24, 25, 49, 51 to 53, 55, 57, the first paragraph of article 58, articles 59 to 62, the second and third paragraphs of article 68, the first, second and fourth paragraphs

of article 76, articles 77, 79, 83, 113, 133, 134, 161 to 165, the first paragraph of article 191, articles 265 to 278, the first, second and fourth paragraphs of article 279, articles 280 to 283, 285, 288, 289, 292, 296, 299, the first paragraph of article 301, the second paragraph of article 336 and articles 394 and 497 of the Code of Civil Procedure apply before the tribunal to the extent that they are not inconsistent with the provisions of this Act.”

ACT RESPECTING THE CLASS ACTION

827. The title of the Act respecting the class action (chapter R-2.1) is replaced by the following title:

“Act respecting the Fonds d’aide aux actions collectives”.

828. Section 20 of the Act is amended by adding the following paragraph at the end:

“However, no legal person established for a private interest, partnership or association or other group not endowed with juridical personality, other than a legal person governed by Part III of the Companies Act (chapter C-38), a cooperative governed by the Cooperatives Act (chapter C-67.2) or an association of employees within the meaning of the Labour Code (chapter C-27), may obtain financial assistance from the Fonds to institute a class action.”

COURTS OF JUSTICE ACT

829. Section 12 of the Courts of Justice Act (chapter T-16) is amended by adding the following paragraph at the end:

“To ensure the proper management of the business of the Court of Appeal, the Chief Justice or, in his absence, the senior judge, may ask the Chief Justice of the Superior Court, in writing, to designate one or more judges of that court to sit as judges in the Court of Appeal when needed. Such a judge shall have all the powers and perform all the duties of a judge of the Court of Appeal.”

830. Section 146 of the Act is amended

(1) by replacing “by certified or registered mail” in the first and second paragraphs by “by registered mail”;

(2) by replacing “rules of practice” in the first paragraph by “regulations”;

(3) by replacing “such rules by special rules applicable in their respective district only” in the second paragraph by “the provisions of such regulations by special provisions applicable in their district only”;

(4) by adding the following paragraph at the end:

“However, the regulations applicable in the Civil Division of the Court are made in accordance with the Code of Civil Procedure.”

831. Section 147 of the Act is amended

(1) by replacing “rules of practice shall be submitted” in the first paragraph by “regulations, other than those of the Civil Division, shall be submitted”;

(2) by replacing the second paragraph by the following paragraph:

“They must also be published so as to be easily accessible to the public, including through posting on the court’s website.”

TARIFF OF JUDICIAL FEES OF ADVOCATES

832. The Tariff of Judicial Fees of Advocates (chapter B-1, r. 22) is repealed.

FINAL PROVISIONS

833. The new Code of Civil Procedure replaces the former Code of Civil Procedure (chapter C-25).

The Code applies as soon as it comes into force. However,

(1) in first instance, originating demands that have already been filed continue to be governed by the former Code solely as regards agreements concerning the conduct of the proceeding and the presentation of the demand before the court and time limits;

(2) cases that would be under the jurisdiction of a different court continue before the court already seized of the matter and those that would be under the jurisdiction of the Small Claims Division of the Court of Québec continue before the division of the Court of Québec already seized of the matter;

(3) in appeal, the time limits for preparing the appeal record continue to apply to cases already in appeal;

(4) if already under way, the execution of a judgment, of a decision or of a juridical act that has the same force and effect as a judgment continues in accordance with the former Code, except in the case of execution proceedings already under way in accordance with the rules governing voluntary deposit;

(5) for the purposes of Book VIII, until an order of the Minister of Justice is published in the *Gazette officielle du Québec* indicating that the sales register is operational, the publication of notices in the sales register is to be as follows:

(a) the notice preceding the sale, required by article 748, is to be published in accordance with the rules established by the new Code for notification by

public notice and to be notified to the persons mentioned in the second paragraph of article 749;

(b) the notice indicating that the sale will not take place or is suspended, if such is the case, is to be notified to the persons to whom the notice of sale was notified;

(c) the notice following the sale, required by article 757, is to be filed at the office of the court where the notice of execution is filed;

(d) a notice of sale published before the date set in the ministerial order is not required to be published in the sales register; the rules prescribed in subparagraphs *b* and *c* apply in such a case, with the necessary modifications.

834. The Government may, by a regulation made before 1 January 2016, adopt any other transitional or consequential provision or any measure that is necessary to facilitate the carrying out of Book VIII of the new Code of Civil Procedure.

835. In any Act or statutory instrument, summoning a person by a summons, subpoena or writ or by any other means is equivalent to calling a person to attend at court by a subpoena and a pleading cannot be invalidated for the sole reason that it is identified by any of these other terms rather than as a subpoena or, conversely, as a subpoena rather than by any of these other terms.

In addition, in any Act or statutory instrument, except where the law requires that service be made by bailiff, the service of a pleading is equivalent to its notification and, subject to the same exception, the notification of a pleading cannot be invalidated for the sole reason that it is referred to as service nor can the service of a pleading be invalidated for the sole reason that it is referred to as notification.

836. The provisions of this Act come into force on the date or dates to be set by the Government, except

(1) article 28, which comes into force on the date of assent to this Act, in particular to allow the establishment of a pilot project on mandatory mediation for the recovery of small claims arising out of consumer contracts; and

(2) subparagraph 7 of the first paragraph of article 303, which comes into force on 21 February 2017.

SCHEDULE I
(Article 494)

**CONVENTION ON THE SERVICE ABROAD OF
JUDICIAL AND EXTRAJUDICIAL DOCUMENTS
IN CIVIL OR COMMERCIAL MATTERS**

(Concluded 15 November 1965)

The States signatory to the present Convention,
Desiring to create appropriate means to ensure that judicial and extrajudicial documents to be served abroad shall be brought to the notice of the addressee in sufficient time,
Desiring to improve the organisation of mutual judicial assistance for that purpose by simplifying and expediting the procedure,
Have resolved to conclude a Convention to this effect and have agreed upon the following provisions:

Article 1

The present Convention shall apply in all cases, in civil or commercial matters, where there is occasion to transmit a judicial or extrajudicial document for service abroad.
This Convention shall not apply where the address of the person to be served with the document is not known.

CHAPTER I – JUDICIAL DOCUMENTS

Article 2

Each Contracting State shall designate a Central Authority which will undertake to receive requests for service coming from other Contracting States and to proceed in conformity with the provisions of Articles 3 to 6.
Each State shall organise the Central Authority in conformity with its own law.

Article 3

The authority or judicial officer competent under the law of the State in which the documents originate shall forward to the Central Authority of the State addressed a request conforming to the model annexed to the present Convention, without any requirement of legalisation or other equivalent formality.
The document to be served or a copy thereof shall be annexed to the request. The request and the document shall both be furnished in duplicate.

Article 4

If the Central Authority considers that the request does not comply with the provisions of the present Convention it shall promptly inform the applicant and specify its objections to the request.

Article 5

The Central Authority of the State addressed shall itself serve the document or shall arrange to have it served by an appropriate agency, either –

- a) by a method prescribed by its internal law for the service of documents in domestic actions upon persons who are within its territory, or
- b) by a particular method requested by the applicant, unless such a method is incompatible with the law of the State addressed.

Subject to sub-paragraph (b) of the first paragraph of this Article, the document may always be served by delivery to an addressee who accepts it voluntarily.

If the document is to be served under the first paragraph above, the Central Authority may require the document to be written in, or translated into, the official language or one of the official languages of the State addressed.

That part of the request, in the form attached to the present Convention, which contains a summary of the document to be served, shall be served with the document.

Article 6

The Central Authority of the State addressed or any authority which it may have designated for that purpose, shall complete a certificate in the form of the model annexed to the present Convention.

The certificate shall state that the document has been served and shall include the method, the place and the date of service and the person to whom the document was delivered. If the document has not been served, the certificate shall set out the reasons which have prevented service.

The applicant may require that a certificate not completed by a Central Authority or by a judicial authority shall be countersigned by one of these authorities.

The certificate shall be forwarded directly to the applicant.

Article 7

The standard terms in the model annexed to the present Convention shall in all cases be written either in French or in English. They may also be written in the official language, or in one of the official languages, of the State in which the documents originate.

The corresponding blanks shall be completed either in the language of the State addressed or in French or in English.

Article 8

Each Contracting State shall be free to effect service of judicial documents upon persons abroad, without application of any compulsion, directly through its diplomatic or consular agents.

Any State may declare that it is opposed to such service within its territory, unless the document is to be served upon a national of the State in which the documents originate.

Article 9

Each Contracting State shall be free, in addition, to use consular channels to forward documents, for the purpose of service, to those authorities of another Contracting State which are designated by the latter for this purpose.

Each Contracting State may, if exceptional circumstances so require, use diplomatic channels for the same purpose.

Article 10

Provided the State of destination does not object, the present Convention shall not interfere with –

- a) the freedom to send judicial documents, by postal channels, directly to persons abroad,

- b) the freedom of judicial officers, officials or other competent persons of the State of origin to effect service of judicial documents directly through the judicial officers, officials or other competent persons of the State of destination,
- c) the freedom of any person interested in a judicial proceeding to effect service of judicial documents directly through the judicial officers, officials or other competent persons of the State of destination.

Article 11

The present Convention shall not prevent two or more Contracting States from agreeing to permit, for the purpose of service of judicial documents, channels of transmission other than those provided for in the preceding Articles and, in particular, direct communication between their respective authorities.

Article 12

The service of judicial documents coming from a Contracting State shall not give rise to any payment or reimbursement of taxes or costs for the services rendered by the State addressed.

The applicant shall pay or reimburse the costs occasioned by —

- a) the employment of a judicial officer or of a person competent under the law of the State of destination,
- b) the use of a particular method of service.

Article 13

Where a request for service complies with the terms of the present Convention, the State addressed may refuse to comply therewith only if it deems that compliance would infringe its sovereignty or security.

It may not refuse to comply solely on the ground that, under its internal law, it claims exclusive jurisdiction over the subject-matter of the action or that its internal law would not permit the action upon which the application is based.

The Central Authority shall, in case of refusal, promptly inform the applicant and state the reasons for the refusal.

Article 14

Difficulties which may arise in connection with the transmission of judicial documents for service shall be settled through diplomatic channels.

Article 15

Where a writ of summons or an equivalent document had to be transmitted abroad for the purpose of service, under the provisions of the present Convention, and the defendant has not appeared, judgment shall not be given until it is established that —

- a) the document was served by a method prescribed by the internal law of the State addressed for the service of documents in domestic actions upon persons who are within its territory, or
- b) the document was actually delivered to the defendant or to his residence by another method provided for by this Convention, and that in either of these cases the service or the delivery was effected in sufficient time to enable the defendant to defend.

Each Contracting State shall be free to declare that the judge, notwithstanding the provisions of the first paragraph of this Article, may give judgment even if no certificate of service or delivery has been received, if all the following conditions are fulfilled —

- a) the document was transmitted by one of the methods provided for in this Convention,
- b) a period of time of not less than six months, considered adequate by the judge in the particular case, has elapsed since the date of the transmission of the document,
- c) no certificate of any kind has been received, even though every reasonable effort has been made to obtain it through the competent authorities of the State addressed.

Notwithstanding the provisions of the preceding paragraphs the judge may order, in case of urgency, any provisional or protective measures.

Article 16

When a writ of summons or an equivalent document had to be transmitted abroad for the purpose of service, under the provisions of the present Convention, and a judgment has been entered against a defendant who has not appeared, the judge shall have the power to relieve the defendant from the effects of the expiration of the time for appeal from the judgment if the following conditions are fulfilled –

- a) the defendant, without any fault on his part, did not have knowledge of the document in sufficient time to defend, or knowledge of the judgment in sufficient time to appeal, and
- b) the defendant has disclosed a *prima facie* defence to the action on the merits.

An application for relief may be filed only within a reasonable time after the defendant has knowledge of the judgment.

Each Contracting State may declare that the application will not be entertained if it is filed after the expiration of a time to be stated in the declaration, but which shall in no case be less than one year following the date of the judgment.

This Article shall not apply to judgments concerning status or capacity of persons.

CHAPTER II – EXTRAJUDICIAL DOCUMENTS

Article 17

Extrajudicial documents emanating from authorities and judicial officers of a Contracting State may be transmitted for the purpose of service in another Contracting State by the methods and under the provisions of the present Convention.

CHAPTER III – GENERAL CLAUSES

Article 18

Each Contracting State may designate other authorities in addition to the Central Authority and shall determine the extent of their competence.

The applicant shall, however, in all cases, have the right to address a request directly to the Central Authority.

Federal States shall be free to designate more than one Central Authority.

Article 19

To the extent that the internal law of a Contracting State permits methods of transmission, other than those provided for in the preceding Articles, of documents coming from abroad, for service within its territory, the present Convention shall not affect such provisions.

Article 20

The present Convention shall not prevent an agreement between any two or more Contracting States to dispense with –

- a) the necessity for duplicate copies of transmitted documents as required by the second paragraph of Article 3,
- b) the language requirements of the third paragraph of Article 5 and Article 7,
- c) the provisions of the fourth paragraph of Article 5,
- d) the provisions of the second paragraph of Article 12.

Article 21

Each Contracting State shall, at the time of the deposit of its instrument of ratification or accession, or at a later date, inform the Ministry of Foreign Affairs of the Netherlands of the following –

- a) the designation of authorities, pursuant to Articles 2 and 18,
- b) the designation of the authority competent to complete the certificate pursuant to Article 6,
- c) the designation of the authority competent to receive documents transmitted by consular channels, pursuant to Article 9.

Each Contracting State shall similarly inform the Ministry, where appropriate, of –

- a) opposition to the use of methods of transmission pursuant to Articles 8 and 10,
- b) declarations pursuant to the second paragraph of Article 15 and the third paragraph of Article 16,
- c) all modifications of the above designations, oppositions and declarations.

Article 22

Where Parties to the present Convention are also Parties to one or both of the Conventions on civil procedure signed at The Hague on 17th July 1905, and on 1st March 1954, this Convention shall replace as between them Articles 1 to 7 of the earlier Conventions.

Article 23

The present Convention shall not affect the application of Article 23 of the Convention on civil procedure signed at The Hague on 17th July 1905, or of Article 24 of the Convention on civil procedure signed at The Hague on 1st March 1954.

These Articles shall, however, apply only if methods of communication, identical to those provided for in these Conventions, are used.

Article 24

Supplementary agreements between Parties to the Conventions of 1905 and 1954 shall be considered as equally applicable to the present Convention, unless the Parties have otherwise agreed.

Article 25

Without prejudice to the provisions of Articles 22 and 24, the present Convention shall not derogate from Conventions containing provisions on the matters governed by this Convention to which the Contracting States are, or shall become, Parties.

Article 26

The present Convention shall be open for signature by the States represented at the Tenth Session of the Hague Conference on Private International Law.

It shall be ratified, and the instruments of ratification shall be deposited with the Ministry of Foreign Affairs of the Netherlands.

Article 27

The present Convention shall enter into force on the sixtieth day after the deposit of the third instrument of ratification referred to in the second paragraph of Article 26.

The Convention shall enter into force for each signatory State which ratifies subsequently on the sixtieth day after the deposit of its instrument of ratification.

Article 28

Any State not represented at the Tenth Session of the Hague Conference on Private International Law may accede to the present Convention after it has entered into force in accordance with the first paragraph of Article 27. The instrument of accession shall be deposited with the Ministry of Foreign Affairs of the Netherlands.

The Convention shall enter into force for such a State in the absence of any objection from a State, which has ratified the Convention before such deposit, notified to the Ministry of Foreign Affairs of the Netherlands within a period of six months after the date on which the said Ministry has notified it of such accession.

In the absence of any such objection, the Convention shall enter into force for the acceding State on the first day of the month following the expiration of the last of the periods referred to in the preceding paragraph.

Article 29

Any State may, at the time of signature, ratification or accession, declare that the present Convention shall extend to all the territories for the international relations of which it is responsible, or to one or more of them. Such a declaration shall take effect on the date of entry into force of the Convention for the State concerned.

At any time thereafter, such extensions shall be notified to the Ministry of Foreign Affairs of the Netherlands.

The Convention shall enter into force for the territories mentioned in such an extension on the sixtieth day after the notification referred to in the preceding paragraph.

Article 30

The present Convention shall remain in force for five years from the date of its entry into force in accordance with the first paragraph of Article 27, even for States which have ratified it or acceded to it subsequently.

If there has been no denunciation, it shall be renewed tacitly every five years.

Any denunciation shall be notified to the Ministry of Foreign Affairs of the Netherlands at least six months before the end of the five year period.

It may be limited to certain of the territories to which the Convention applies.

The denunciation shall have effect only as regards the State which has notified it. The Convention shall remain in force for the other Contracting States.

Article 31

The Ministry of Foreign Affairs of the Netherlands shall give notice to the States referred to in Article 26, and to the States which have acceded in accordance with Article 28, of the following –

- a) the signatures and ratifications referred to in Article 26;
- b) the date on which the present Convention enters into force in accordance with the first paragraph of Article 27;
- c) the accessions referred to in Article 28 and the dates on which they take effect;
- d) the extensions referred to in Article 29 and the dates on which they take effect;
- e) the designations, oppositions and declarations referred to in Article 21;
- f) the denunciations referred to in the third paragraph of Article 30.

In witness whereof the undersigned, being duly authorised thereto, have signed the present Convention.

Done at The Hague, on the 15th day of November, 1965, in the English and French languages, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Government of the Netherlands, and of which a certified copy shall be sent, through the diplomatic channel, to each of the States represented at the Tenth Session of the Hague Conference on Private International Law.

TABLE OF CONTENTS

	ARTICLES
PRELIMINARY PROVISION	
BOOK I GENERAL FRAMEWORK OF CIVIL PROCEDURE	1-140
BOOK II CONTENTIOUS PROCEEDINGS	141-301
BOOK III NON-CONTENTIOUS PROCEEDINGS	302-320
BOOK IV JUDGMENT, APPLICATION FOR REVOCATION AND APPEAL	321-390
BOOK V RULES APPLICABLE TO CERTAIN CIVIL MATTERS	391-508
BOOK VI SPECIAL PROCEDURAL ROUTES	509-604
BOOK VII PRIVATE DISPUTE PREVENTION AND RESOLUTION PROCESSES	605-655
BOOK VIII EXECUTION OF JUDGMENTS	656-777
AMENDING AND FINAL PROVISIONS	778-836
SCHEDULE I	
Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters	

PRELIMINARY PROVISION

BOOK I	GENERAL FRAMEWORK OF CIVIL PROCEDURE	1-140
TITLE I	PRINCIPLES OF PROCEDURE APPLICABLE TO PRIVATE DISPUTE PREVENTION AND RESOLUTION PROCESSES	1-7
TITLE II	PRINCIPLES OF PROCEDURE APPLICABLE BEFORE THE COURTS	8-28
CHAPTER I	MISSION OF THE COURTS	9-10
CHAPTER II	PUBLIC NATURE OF PROCEDURE BEFORE THE COURTS	11-16
CHAPTER III	GUIDING PRINCIPLES OF PROCEDURE	17-24
CHAPTER IV	RULES OF INTERPRETATION AND APPLICATION OF THIS CODE	25-28
TITLE III	JURISDICTION OF COURTS	29-74
CHAPTER I	SUBJECT-MATTER JURISDICTION OF COURTS	29-39
DIVISION I	JURISDICTION OF COURT OF APPEAL	29-32
DIVISION II	JURISDICTION OF SUPERIOR COURT	33-34
DIVISION III	JURISDICTION OF COURT OF QUÉBEC	35-39
CHAPTER II	TERRITORIAL JURISDICTION OF COURTS	40-48
DIVISION I	TERRITORIAL JURISDICTION—APPEAL	40
DIVISION II	TERRITORIAL JURISDICTION—FIRST INSTANCE	41-48
CHAPTER III	POWERS OF COURTS	49-65
DIVISION I	GENERAL POWERS	49-50
DIVISION II	POWER TO IMPOSE SANCTIONS FOR ABUSE OF PROCEDURE	51-56
DIVISION III	POWER TO PUNISH FOR CONTEMPT OF COURT	57-62
DIVISION IV	COURT REGULATIONS	63-65
CHAPTER IV	COURT OFFICES	66-67

CHAPTER V	POWERS OF COURTS, JUDGES AND COURT CLERKS	68-74
TITLE IV	SPECIAL RIGHTS OF STATE	75-81
TITLE V	PROCEDURE APPLICABLE TO ALL JUDICIAL DEMANDS	82-140
CHAPTER I	SITTINGS OF COURTS AND TIME LIMITS	82-84
CHAPTER II	INTEREST REQUIRED TO BRING PROCEEDINGS	85
CHAPTER III	REPRESENTATION BEFORE COURTS AND CAPACITY TO ACT	86-92
CHAPTER IV	DESIGNATION OF PARTIES	93-98
CHAPTER V	PLEADINGS	99-108
DIVISION I	FORM AND CONTENT OF PLEADINGS	99-104
DIVISION II	SWORN PLEADINGS	105-106
DIVISION III	FILING OF PLEADINGS AND DOCUMENTS	107-108
CHAPTER VI	NOTIFICATION OF PLEADINGS AND DOCUMENTS	109-140
DIVISION I	GENERAL RULES	109-115
DIVISION II	SERVICE OR NOTIFICATION BY BAILIFF	116-129
	§1. — <i>General provisions</i>	116-120
	§2. — <i>Personal notification</i>	121-123
	§3. — <i>Notification through intermediary</i>	124-128
	§4. — <i>Notice of visit</i>	129
DIVISION III	OTHER METHODS OF NOTIFICATION	130-138
	§1. — <i>Notification by mail</i>	130-131
	§2. — <i>Notification by delivery of document</i>	132
	§3. — <i>Notification by technological means</i>	133-134
	§4. — <i>Notification by public notice</i>	135-138
DIVISION IV	NOTIFICATION OF CERTAIN PLEADINGS	139-140
BOOK II	CONTENTIOUS PROCEEDINGS	141-301
TITLE I	INITIAL STAGES OF PROCEEDING	141-183
CHAPTER I	JUDICIAL DEMAND	141-144
CHAPTER II	SUMMONS AND DEFENDANT'S ANSWER	145-147

CHAPTER III	CASE MANAGEMENT	148-160
DIVISION I	CASE PROTOCOL	148-152
DIVISION II	CASE MANAGEMENT CONFERENCE	153-156
DIVISION III	SPECIAL CASE MANAGEMENT	157
DIVISION IV	CASE MANAGEMENT MEASURES	158-160
CHAPTER IV	SETTLEMENT CONFERENCE	161-165
CHAPTER V	DEFENCE	166-172
DIVISION I	PRELIMINARY EXCEPTIONS	166-169
	§1.— <i>General provisions</i>	166
	§2.— <i>Declinatory exception</i>	167
	§3.— <i>Exception to dismiss</i>	168
	§4.— <i>Other exceptions</i>	169
DIVISION II	DEFENCE ON MERITS	170-172
CHAPTER VI	READINESS FOR TRIAL AND SETTING DOWN FOR TRIAL AND JUDGMENT	173-178
CHAPTER VII	PRE-TRIAL CONFERENCE	179
CHAPTER VIII	PROCESSING OF CASE SET DOWN FOLLOWING DEFENDANT’S DEFAULT	180-183
TITLE II	INCIDENTAL PROCEEDINGS	184-220
CHAPTER I	INTERVENTION OF THIRD PERSONS IN PROCEEDING	184-190
DIVISION I	GENERAL PROVISIONS	184
DIVISION II	VOLUNTARY INTERVENTION	185-187
DIVISION III	FORCED INTERVENTION	188-190
CHAPTER II	INCIDENTAL PROCEEDINGS RELATING TO PARTIES’ LAWYERS	191-195
CHAPTER III	CONTINUANCE OF PROCEEDING	196-200
CHAPTER IV	RECUSATION	201-205
CHAPTER V	INCIDENTAL PROCEEDINGS RELATING TO PLEADINGS	206-212
DIVISION I	WITHDRAWAL OR AMENDMENT OF PLEADING	206-208
DIVISION II	DETERMINATION OF ISSUE OF LAW	209
DIVISION III	CONSOLIDATION AND SEPARATION OF PROCEEDINGS	210
DIVISION IV	SPLITTING OF PROCEEDING	211
DIVISION V	STAY OF PROCEEDING	212

CHAPTER VI	INCIDENTAL PROCEEDINGS THAT TERMINATE PROCEEDING	213-220
DIVISION I	DISCONTINUANCE	213-214
DIVISION II	TENDER AND DEPOSIT	215-216
DIVISION III	ACQUIESCENCE IN DEMAND	217-219
DIVISION IV	SETTLEMENT	220
TITLE III	PRE-TRIAL DISCOVERY AND DISCLOSURE	221-264
CHAPTER I	PRE-TRIAL EXAMINATION	221-230
DIVISION I	GENERAL PROVISIONS	221-222
DIVISION II	WRITTEN EXAMINATION	223-225
DIVISION III	ORAL EXAMINATION	226-230
CHAPTER II	EXPERT EVIDENCE	231-245
DIVISION I	WHEN EXPERT EVIDENCE MAY BE USED	231-234
DIVISION II	EXPERTS' DUTIES AND POWERS	235-237
DIVISION III	EXPERT REPORT	238-241
DIVISION IV	SPECIAL RULES APPLICABLE TO PHYSICAL, MENTAL OR PSYCHOSOCIAL EXAMINATION	242-245
CHAPTER III	DISCLOSURE AND FILING OF EXHIBITS AND OTHER EVIDENCE	246-252
DIVISION I	GENERAL PROVISIONS	246
DIVISION II	TIME LIMITS FOR DISCLOSURE AND FILING	247-250
DIVISION III	DOCUMENT OR REAL EVIDENCE IN POSSESSION OF PARTY OR THIRD PERSON	251
DIVISION IV	APPLICATIONS IN COURSE OF PROCEEDING	252
CHAPTER IV	PRE-TRIAL DISCOVERY	253-257
DIVISION I	APPLICATIONS PRIOR TO PROCEEDING	253-256
DIVISION II	PRE-TRIAL APPLICATIONS	257
CHAPTER V	CONTESTATION OF EVIDENCE	258-263
DIVISION I	CONTESTATION OF AUTHENTIC ACT	258-260
DIVISION II	CONTESTATION OF CERTIFICATE	261
DIVISION III	CONTESTATION OF OTHER DOCUMENT	262-263
CHAPTER VI	ADMISSION OF AUTHENTICITY OF EVIDENCE	264
TITLE IV	TRIAL	265-301
CHAPTER I	CONDUCT OF TRIAL	265-268

CHAPTER II	EVIDENCE STAGE OF TRIAL	269-301
DIVISION I	CALLING OF WITNESSES	269-272
DIVISION II	COMPENSATION OF WITNESSES	273-275
DIVISION III	HEARING OF WITNESSES	276-289
DIVISION IV	HEARING OF MINOR OR INCAPABLE PERSON OF FULL AGE	290-291
DIVISION V	EVIDENCE GIVEN IN A STATEMENT	292
DIVISION VI	EXPERT EVIDENCE	293-294
DIVISION VII	EVIDENCE GIVEN OUTSIDE PRESENCE OF COURT	295-297
DIVISION VIII	INTERPRETATION SERVICES	298-299
DIVISION IX	PRESERVATION OF ORAL EVIDENCE	300-301
BOOK III	NON-CONTENTIOUS PROCEEDINGS	302-320
TITLE I	GENERAL PROVISIONS	302-305
TITLE II	RULES APPLICABLE BEFORE COURT	306-311
CHAPTER I	DEMAND	306-307
CHAPTER II	PRESENTATION	308-311
TITLE III	RULES APPLICABLE BEFORE NOTARY	312-320
CHAPTER I	JURISDICTION OF NOTARY	312
CHAPTER II	APPLICATION	313
CHAPTER III	OPERATIONS AND CONCLUSIONS	314-320
BOOK IV	JUDGMENT, APPLICATION FOR REVOCATION AND APPEAL	321-390
TITLE I	JUDGMENT	321-338
CHAPTER I	GENERAL PROVISIONS	321-322
CHAPTER II	ADVISEMENT	323-325
CHAPTER III	REPLACEMENT OF JUDGE	326-327
CHAPTER IV	RULES APPLICABLE TO JUDGMENT	328-333
CHAPTER V	FORMAL JUDGMENT	334-338
TITLE II	LEGAL COSTS	339-344
TITLE III	REVOCATION OF JUDGMENT	345-350

CHAPTER I	REVOCAION ON APPLICATION BY PARTY	345-348
CHAPTER II	REVOCAION ON APPLICATION BY THIRD PERSON	349
CHAPTER III	EFFECT OF APPLICATION FOR REVOCAION	350
TITLE IV	APPEAL	351-390
CHAPTER I	COMMENCEMENT OF APPEAL PROCEEDING	351-366
DIVISION I	INITIATION OF APPEAL	351-359
DIVISION II	APPEAL TIME LIMITS	360-363
DIVISION III	CONDITIONS IMPOSED ON APPEAL OR DISMISSAL OF APPEAL	364-366
CHAPTER II	APPEAL MANAGEMENT	367-369
CHAPTER III	APPEAL BRIEF AND MEMORANDUM	370-376
CHAPTER IV	CONDUCT OF APPEAL	377-386
DIVISION I	APPLICATIONS IN COURSE OF PROCEEDING AND INCIDENTAL APPLICATIONS	377-380
DIVISION II	SETTLEMENT CONFERENCE	381-382
DIVISION III	SETTING DOWN FOR HEARING	383-384
DIVISION IV	HEARING	385-386
CHAPTER V	DECISION	387-390
BOOK V	RULES APPLICABLE TO CERTAIN CIVIL MATTERS	391-508
TITLE I	APPLICATIONS IN MATTERS GOVERNED BY LAW OF PERSONS	391-408
CHAPTER I	GENERAL PROVISIONS	391-394
CHAPTER II	APPLICATIONS RELATING TO PERSONAL INTEGRITY	395-402
DIVISION I	CARE AND CONFINEMENT IN INSTITUTION	395-397
DIVISION II	HABEAS CORPUS	398-402
CHAPTER III	APPLICATIONS RELATING TO PERSONAL STATUS AND CAPACITY	403-406
CHAPTER IV	LEGAL PERSONS	407-408

TITLE II	DEMANDS AND APPLICATIONS IN FAMILY MATTERS	409-458
CHAPTER I	RULES GOVERNING DEMAND AND PROCEEDING	409-416
CHAPTER II	MEDIATION IN COURSE OF PROCEEDING	417-424
DIVISION I	PARENTING AND MEDIATION INFORMATION SESSION	417-419
DIVISION II	MEDIATION	420-424
CHAPTER III	ASSESSMENT BY PSYCHOSOCIAL ASSESSMENT SERVICE	425-429
CHAPTER IV	JOINT DEMAND FOR SEPARATION FROM BED AND BOARD, DIVORCE OR DISSOLUTION OF CIVIL UNION ON BASIS OF DRAFT AGREEMENT	430-431
CHAPTER V	APPLICATIONS RELATING TO ADOPTION	432-442
CHAPTER VI	APPLICATIONS RELATING TO SUPPORT OBLIGATIONS	443-450
CHAPTER VII	APPLICATIONS RELATING TO PARENTAL AUTHORITY	451-452
CHAPTER VIII	JUDGMENT	453-457
CHAPTER IX	OPPOSITION TO MARRIAGE OR CIVIL UNION	458
TITLE III	APPLICATIONS RELATING TO SUCCESSIONS, PROPERTY, SECURITY AND EVIDENCE	459-488
CHAPTER I	PROBATE OF WILLS AND LETTERS PROBATE	459-466
DIVISION I	PROBATE OF WILLS	459-462
DIVISION II	LETTERS PROBATE	463-466
CHAPTER II	APPLICATIONS RELATING TO PUBLICATION OF RIGHTS AND TO ACQUISITIVE PRESCRIPTION OF AN IMMOVABLE	467-468
CHAPTER III	BOUNDARY DETERMINATION	469-475

CHAPTER IV	CO-OWNERSHIP AND PARTITION	476-477
CHAPTER V	SAFETY DEPOSIT BOXES	478-479
CHAPTER VI	APPLICATIONS RELATING TO SECURITY	480-483
CHAPTER VII	COPIES OF OR EXTRACTS FROM NOTARIAL DEEDS	484-485
CHAPTER VIII	RECONSTITUTION OF CERTAIN DOCUMENTS	486-488
TITLE IV	DEMANDS AND APPLICATIONS INVOLVING PRIVATE INTERNATIONAL LAW	489-508
CHAPTER I	GENERAL PROVISIONS	489-490
CHAPTER II	PRELIMINARY EXCEPTIONS AND SURETYSHIP	491-493
CHAPTER III	INTERNATIONAL NOTIFICATION	494-496
CHAPTER IV	CALLING OF WITNESSES	497-498
CHAPTER V	ROGATORY COMMISSIONS	499-506
DIVISION I	ROGATORY COMMISSION ISSUED IN QUÉBEC	499-503
DIVISION II	ROGATORY COMMISSION ISSUED IN FOREIGN STATE	504-506
CHAPTER VI	RECOGNITION AND ENFORCEMENT OF FOREIGN DECISIONS AND FOREIGN PUBLIC DOCUMENTS	507-508
BOOK VI	SPECIAL PROCEDURAL ROUTES	509-604
TITLE I	PROVISIONAL AND CONTROL MEASURES	509-535
CHAPTER I	INJUNCTION	509-515
CHAPTER II	SEIZURE BEFORE JUDGMENT AND SEQUESTRATION	516-526
DIVISION I	SEIZURE BEFORE JUDGMENT	516-523
DIVISION II	SEQUESTRATION	524-526

CHAPTER III	AUTHORIZATION, APPROVAL AND HOMOLOGATION	527-528
CHAPTER IV	JUDICIAL REVIEW	529-535
DIVISION I	GENERAL RULES	529-531
DIVISION II	SPECIAL RULES APPLICABLE TO USURPATION OF OFFICE	532-535
TITLE II	RECOVERY OF SMALL CLAIMS	536-570
CHAPTER I	GENERAL PROVISIONS	536-541
CHAPTER II	REPRESENTATION OF PARTIES	542
CHAPTER III	PROCEDURE	543-568
DIVISION I	INSTITUTION OF DEMAND, AND DEFENCE	543-553
DIVISION II	NOTICE OF HEARING AND CALLING OF WITNESSES	554-555
DIVISION III	MEDIATION	556
DIVISION IV	HEARING	557-561
DIVISION V	JUDGMENT	562-568
CHAPTER IV	MISCELLANEOUS PROVISIONS	569-570
TITLE III	SPECIAL RULES FOR CLASS ACTIONS	571-604
CHAPTER I	INTRODUCTORY PROVISIONS	571-573
CHAPTER II	AUTHORIZATION TO INSTITUTE CLASS ACTION	574-578
CHAPTER III	NOTICES	579-582
CHAPTER IV	CONDUCT OF CLASS ACTION	583-590
CHAPTER V	JUDGMENT AND EXECUTION MEASURES	591-604
DIVISION I	JUDGMENT, AND ITS EFFECTS AND PUBLICATION	591-594
DIVISION II	COLLECTIVE RECOVERY OF CLAIMS	595-598
DIVISION III	INDIVIDUAL RECOVERY OF CLAIMS	599-601
DIVISION IV	APPEAL	602-604
BOOK VII	PRIVATE DISPUTE PREVENTION AND RESOLUTION PROCESSES	605-655
TITLE I	MEDIATION	605-619
CHAPTER I	ROLES AND DUTIES OF PARTIES AND MEDIATOR	605-607

CHAPTER II	CONDUCT OF MEDIATION	608-612
CHAPTER III	END OF MEDIATION	613-615
CHAPTER IV	SPECIAL PROVISIONS APPLICABLE TO FAMILY MEDIATION	616-619
TITLE II	ARBITRATION	620-655
CHAPTER I	GENERAL PROVISIONS	620-623
CHAPTER II	APPOINTMENT OF ARBITRATORS	624-630
CHAPTER III	CONDUCT OF ARBITRATION	631-637
CHAPTER IV	EXCEPTIONAL MEASURES	638-641
CHAPTER V	ARBITRATION AWARD	642-644
CHAPTER VI	HOMOLOGATION	645-647
CHAPTER VII	ANNULMENT OF ARBITRATION AWARD	648
CHAPTER VIII	SPECIAL PROVISIONS APPLICABLE TO INTERNATIONAL COMMERCIAL ARBITRATION	649-651
CHAPTER IX	RECOGNITION AND ENFORCEMENT OF ARBITRATION AWARDS MADE OUTSIDE QUÉBEC	652-655
BOOK VIII	EXECUTION OF JUDGMENTS	656-777
TITLE I	PRINCIPLES AND GENERAL RULES	656-701
CHAPTER I	GENERAL PROVISIONS	656-659
CHAPTER II	PROVISIONAL EXECUTION	660-661
CHAPTER III	VOLUNTARY EXECUTION	662-678
DIVISION I	PAYMENT	662-670
	§1. — <i>General rule</i>	662
	§2. — <i>Payment in instalments</i>	663
	§3. — <i>Voluntary deposit</i>	664-670
DIVISION II	SURRENDER	671
DIVISION III	SURETYSHIP	672-674
DIVISION IV	ACCOUNTING	675-678
CHAPTER IV	FORCED EXECUTION	679-701

DIVISION I	GENERAL RULES	679-682
DIVISION II	RIGHTS AND OBLIGATIONS OF PARTICIPANTS IN EXECUTION PROCEEDINGS	683-687
	§1. — <i>General provisions</i>	683-684
	§2. — <i>Bailiffs</i>	685-687
DIVISION III	POST-JUDGMENT EXAMINATION	688-689
DIVISION IV	RULES APPLICABLE IN EVENT OF DEATH OR IN CASE OF INCAPACITY	690-691
DIVISION V	SPECIAL RULES APPLICABLE TO FORCED EXECUTION IN REAL ACTIONS	692-693
DIVISION VI	EXEMPTION FROM SEIZURE	694-701
TITLE II	SEIZURE OF PROPERTY	702-741
CHAPTER I	GENERAL PROVISIONS	702-703
CHAPTER II	SEIZURE OF MOVABLE AND IMMOVABLE PROPERTY IN EXECUTION	704-710
CHAPTER III	SEIZURE IN THE HANDS OF THIRD PERSONS	711-721
DIVISION I	GENERAL RULES	711-718
DIVISION II	SPECIAL RULES IN SUPPORT MATTERS	719-721
CHAPTER IV	SPECIAL RULES APPLICABLE TO CERTAIN SEIZURES	722-730
DIVISION I	SEIZURE ON DEBTOR'S PERSON	722
DIVISION II	SEIZURE OF SECURITIES OR SECURITY ENTITLEMENTS TO FINANCIAL ASSETS	723-726
DIVISION III	SEIZURE OF TECHNOLOGICAL MEDIA	727-728
DIVISION IV	SEIZURE OF PROPERTY IN SAFE OR SAFETY DEPOSIT BOX	729
DIVISION V	SEIZURE OF REGISTERED ROAD VEHICLES	730
CHAPTER V	CUSTODY OF SEIZED PROPERTY	731-734
CHAPTER VI	OPPOSITION TO SEIZURE AND SALE	735-741
DIVISION I	GENERAL PROVISIONS	735-736
DIVISION II	EFFECTS OF OPPOSITION	737-741
TITLE III	SALE UNDER JUDICIAL AUTHORITY	742-761
CHAPTER I	CONDUCT OF SALE	742-746
CHAPTER II	METHOD OF REALIZATION	747-756

CHAPTER III	SALE AND EFFECTS OF SALE	757-761
TITLE IV	DISTRIBUTION OF PROCEEDS OF EXECUTION	762-777
CHAPTER I	GENERAL PROVISIONS	762
CHAPTER II	DISTRIBUTION OF PROCEEDS OF SALE OR MONEY SEIZED	763-771
DIVISION I	BAILIFF'S REPORT	763-765
DIVISION II	COLLOCATION SCHEME	766-771
CHAPTER III	DISTRIBUTION OF SEIZED INCOME	772-777
AMENDING AND FINAL PROVISIONS		778-836
GENERAL AMENDING PROVISIONS		778-783
SPECIFIC AMENDING PROVISIONS		784-832
FINAL PROVISIONS		833-836
SCHEDULE I		
Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters		

2014, chapter 2

AN ACT RESPECTING END-OF-LIFE CARE

(introduced during the 1st Session of the 40th Legislature, reintroduced during the 1st Session of the 41st Legislature on 22 May 2014, on a motion moved by the Government House Leader and carried unanimously)

Bill 52

Introduced by Madam Véronique Hivon, Member for Joliette and Mr. Gaétan Barrette,
Minister of Health and Social Services

Introduced 22 May 2014

Passed in principle 22 May 2014

Passed 5 June 2014

Assented to 10 June 2014

Coming into force: Except for the second paragraph of section 52, section 57, section 58 to the extent that it concerns the advance medical directives register and sections 63 and 64, which come into force on the date or dates to be set by the Government, the provisions of this Act come into force on 10 December 2015, or any earlier date set by the Government.

Legislation amended:

Civil Code of Québec

Code of Civil Procedure (chapter C-25)

Medical Act (chapter M-9)

Pharmacy Act (chapter P-10)

Act respecting health services and social services (chapter S-4.2)

Explanatory notes

The purpose of this Act is to ensure that end-of-life patients are provided care that is respectful of their dignity and their autonomy and to recognize the primacy of wishes expressed freely and clearly with respect to end-of-life care.

The Act specifies rights with respect to end-of-life care, in particular by affirming the right of everyone to end-of-life care that is appropriate to their needs.

It sets out special rules applicable to the providers of end-of-life care, that is, institutions, palliative care hospices and private health facilities, in order to provide a framework for the organization and regulation of end-of-life care. In this respect, it specifies the special functions and powers of health and social services agencies and of the Minister of Health and Social Services.

It also establishes specific requirements for certain types of end-of-life care, namely, continuous palliative sedation and medical aid in dying. It prescribes the criteria that must be met for a person to obtain medical aid in dying and the requirements to be complied with before a physician may administer it. It further prescribes the special functions of the council of physicians, dentists and pharmacists of institutions and of the Collège des médecins du Québec with respect to end-of-life care.

(Cont'd on next page)

Explanatory notes (Cont'd)

A commission on end-of-life care is established under the name “Commission sur les soins de fin de vie”, as well as rules with respect to its composition and operations. The mandate of the Commission is to examine all matters relating to end-of-life care and to oversee the application of specific requirements relating to medical aid in dying.

The Act establishes an advance medical directives regime and specifies the conditions that must be met in order for such directives to have binding force.

Lastly, it contains the necessary amending, transitional and final provisions.



Chapter 2

AN ACT RESPECTING END-OF-LIFE CARE

[Assented to 10 June 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

TITLE I

PURPOSE OF ACT

1. The purpose of this Act is to ensure that end-of-life patients are provided care that is respectful of their dignity and their autonomy. The Act establishes the rights of such patients as well as the organization of and a framework for end-of-life care so that everyone may have access, throughout the continuum of care, to quality care that is appropriate to their needs, including prevention and relief of suffering.

In addition, the Act recognizes the primacy of freely and clearly expressed wishes with respect to care, in particular by establishing an advance medical directives regime.

TITLE II

END-OF-LIFE CARE

CHAPTER I

GENERAL PROVISIONS

2. The provision of end-of-life care is to be guided by the following principles:

(1) respect for end-of-life patients and recognition of their rights and freedoms must inspire every act performed in their regard;

(2) end-of-life patients must be treated, at all times, with understanding, compassion, courtesy and fairness, and with respect for their dignity, autonomy, needs and safety; and

(3) the healthcare team providing care to end-of-life patients must establish and maintain open and transparent communication with them.

3. For the purposes of this Act,

(1) “institution” means any institution governed by the Act respecting health services and social services (chapter S-4.2) that operates a local community service centre, a hospital centre or a residential and long-term care centre, as well as the Cree Board of Health and Social Services of James Bay established under the Act respecting health services and social services for Cree Native persons (chapter S-5);

(2) “palliative care hospice” means a community organization that holds an accreditation granted by the Minister under the second paragraph of section 457 of the Act respecting health services and social services and has entered into an agreement with an institution under section 108.3 of that Act in order to secure all or some of the care required by its users;

(3) “end-of-life care” means palliative care provided to end-of-life patients and medical aid in dying;

(4) “palliative care” means the total and active care delivered by an interdisciplinary team to patients suffering from a disease with reserved prognosis, in order to relieve their suffering, without delaying or hastening death, maintain the best quality of life possible and provide them and their close relations the support they need;

(5) “continuous palliative sedation” means care that is offered as part of palliative care and consists in administering medications or substances to an end-of-life patient to relieve their suffering by rendering them unconscious without interruption until death ensues; and

(6) “medical aid in dying” means care consisting in the administration by a physician of medications or substances to an end-of-life patient, at the patient’s request, in order to relieve their suffering by hastening death.

CHAPTER II

RIGHTS WITH RESPECT TO END-OF-LIFE CARE

4. Every person whose condition requires it has the right to receive end-of-life care, subject to the specific requirements established by this Act.

Such care is provided to the person in a facility maintained by an institution, in a palliative care hospice or at home.

This section applies within the framework of the legislative and regulatory provisions relating to the organizational and operational structure of institutions and the policy directions, policies and approaches of palliative care hospices and within the limits of the human, material and financial resources at their disposal. It complements the provisions of the Act respecting health services and social services and of the Act respecting health services and social services for Cree Native persons that relate to the rights of users and beneficiaries.

5. Except as otherwise provided by law, a person of full age who is capable of giving consent to care may, at any time, refuse to receive life-sustaining care or withdraw consent to such care.

To the extent provided by the Civil Code, a minor of 14 years of age or over, and in the case of a minor or a person of full age who is incapable of giving consent, the person who may give consent to care on their behalf may also make such a decision.

The refusal of care or withdrawal of consent to care may be expressed by any means.

The physician must make sure that such a decision is made freely and provide the person with all information needed to make an informed decision, in particular information about other therapeutic possibilities, including palliative care.

6. A person may not be denied end-of-life care for previously having refused to receive certain care or having withdrawn consent to certain care.

CHAPTER III

ORGANIZATION OF END-OF-LIFE CARE

DIVISION I

SPECIAL RULES APPLICABLE TO PROVIDERS OF END-OF-LIFE CARE

§1.—*Institutions*

7. Every institution must offer end-of-life care and ensure that it is provided to the persons requiring it in continuity and complementarity with any other care that is or has been provided to them.

For this purpose, an institution must, among other things, establish measures to promote a multiple-discipline approach by health and social services professionals and the collaboration of the various other resources concerned who provide services to its users.

8. Every institution must adopt a policy with respect to end-of-life care. The policy must be consistent with ministerial policy directions and be made known to the personnel of the institution, to the health and social services professionals who practise in the institution, and to end-of-life patients and their close relations.

The executive director of the institution must report annually to the board of directors on the carrying out of the policy. The report must include the number of end-of-life patients who received palliative care, the number of times

continuous palliative sedation was administered, the number of requests for medical aid in dying, the number of times such aid was administered as well as the number of times medical aid in dying was not administered, including the reasons it was not administered.

The report must also state, where applicable, the number of times continuous palliative sedation and medical aid in dying were administered at the patient's home or in the premises of a palliative care hospice by a physician as a physician practising in a centre operated by the institution.

The report is to be published on the website of the institution and sent, not later than 30 June each year, to the Commission sur les soins de fin de vie established under section 38. The institution must include a summary of the report in a separate section of its annual management report.

9. Every institution must include a clinical program for end-of-life care in its organization plan. In the case of an institution that operates a local community service centre, the plan must also include the provision of end-of-life care at the patient's home.

The organization plan must be consistent with ministerial policy directions.

The clinical program for end-of-life care is to be sent to the Commission sur les soins de fin de vie.

10. The code of ethics adopted by an institution under section 233 of the Act respecting health services and social services must have due respect for the rights of end-of-life patients.

11. When an end-of-life patient requests in-home palliative care from an institution, but the person's condition or environment is such that proper care could not be provided at home, the institution must offer to admit the person to its facilities or direct them to another institution or to a palliative care hospice that can meet their needs.

12. An institution must offer every patient receiving end-of-life care a private room for the final few days preceding the patient's death.

§2.—*Palliative care hospices*

13. Palliative care hospices determine the end-of-life care provided in their premises.

Every palliative care hospice must inform persons of the end-of-life care it offers before admitting them.

14. A palliative care hospice and an institution must specify in their agreement under section 108.3 of the Act respecting health services and social services the nature of the services the institution is to provide in the premises

of the hospice and the monitoring mechanisms that will allow the institution, or one of its boards, councils or committees determined in the agreement, to ensure that quality care is provided in the hospice.

On the request of the institution, the palliative care hospice must communicate any information required for the carrying out of the agreement. The manner in which such information is to be communicated is specified in the agreement.

15. Every palliative care hospice must adopt a code of ethics with respect to the rights of end-of-life patients and adopt a policy with respect to end-of-life care.

These documents must be made known to the personnel of the palliative care hospice, to the health and social services professionals who practise in the hospice, and to end-of-life patients and their close relations.

§3. — *Private health facilities*

16. End-of-life care may be provided at the patient's home by physicians practising in a private health facility within the meaning of section 95 of the Act respecting health services and social services and, within their scope of practice, by nurses practising in such a facility.

DIVISION II

SPECIAL FUNCTIONS OF HEALTH AND SOCIAL SERVICES AGENCIES

17. Every health and social services agency must, after consultation with the institutions and palliative care hospices in its territory, determine the general rules governing access to the end-of-life care provided by those institutions and hospices.

18. Every agency must inform the population living in its territory of the end-of-life care services available and the manner of accessing them, as well as the rights and options of end-of-life patients.

This information must be available on the websites of the agencies.

DIVISION III

SPECIAL FUNCTIONS AND POWERS OF THE MINISTER

19. The Minister determines the policy directions that are to guide institutions and agencies when organizing end-of-life care, including those which institutions must take into account when formulating their end-of-life care policy.

20. The Minister may require of institutions, palliative care hospices and agencies that they supply, in the manner and within the time specified,

statements, statistical data, reports and other information required for the performance of the functions vested in the Minister under this Act, provided it is not possible to link that information to any specific patient having received end-of-life care or to any specific health or social services professional having provided the care.

21. In order to ascertain compliance with this Title, a person authorized in writing by the Minister to carry out an inspection may, at any reasonable time, with due respect for the specific character of the premises and the needs of the persons receiving end-of-life care, enter any premises operated by an institution or a palliative care hospice.

The person may, during an inspection,

(1) examine and make a copy of any document relating to the end-of-life care offered in those premises; and

(2) demand any information relating to the carrying out of this Title as well as the production of any related document.

Any person having custody, possession or control of such documents must make them available on request to the person conducting the inspection.

A person conducting an inspection must, if so required, produce a certificate of capacity.

Any person who hinders a person in the conduct of an inspection, refuses to provide any information or document the latter is entitled to require or examine, or conceals or destroys any document or other object relevant to an inspection is guilty of an offence and is liable to a fine of \$2,500 to \$25,000 in the case of a natural person and to a fine of \$7,500 to \$75,000 in any other case.

22. The Minister may delegate the powers provided for in section 21 to a health and social services agency.

The agency informs the Minister of the designation of an inspector and of the results of the inspection.

23. A person authorized in writing by the Minister or, where applicable, by an agency to carry out an inspection may not be prosecuted for an omission or an act done in good faith in the performance of their duties.

CHAPTER IV**SPECIAL REQUIREMENTS FOR CERTAIN END-OF-LIFE CARE****DIVISION I****CONTINUOUS PALLIATIVE SEDATION**

24. Before giving consent to continuous palliative sedation, an end-of-life patient or, where applicable, the person who may give consent to care on behalf of the patient must among other things be informed of the prognosis for the illness, the irreversible nature of the sedation and the anticipated duration of the sedation.

In addition, the physician must make sure that the request is being made freely, in particular by ascertaining that it is not being made as a result of external pressure.

Consent to continuous palliative sedation must be given in writing on the form prescribed by the Minister and be filed in the patient's record.

25. If the patient giving consent to continuous palliative sedation cannot date and sign the form referred to in section 24 because the patient cannot write or is physically incapable of doing so, a third person may do so in the patient's presence. The third person may not be a member of the team responsible for caring for the patient, a minor or a person of full age incapable of giving consent.

DIVISION II**MEDICAL AID IN DYING**

26. Only a patient who meets all of the following criteria may obtain medical aid in dying:

(1) be an insured person within the meaning of the Health Insurance Act (chapter A-29);

(2) be of full age and capable of giving consent to care;

(3) be at the end of life;

(4) suffer from a serious and incurable illness;

(5) be in an advanced state of irreversible decline in capability; and

(6) experience constant and unbearable physical or psychological suffering which cannot be relieved in a manner the patient deems tolerable.

The patient must request medical aid in dying themselves, in a free and informed manner, by means of the form prescribed by the Minister. The form must be dated and signed by the patient.

The form must be signed in the presence of and countersigned by a health or social services professional; if the professional is not the attending physician, the signed form is to be given by the professional to the attending physician.

27. If the patient requesting medical aid in dying cannot date and sign the form referred to in section 26 because the patient cannot write or is physically incapable of doing so, a third person may do so in the patient's presence. The third person may not be a member of the team responsible for caring for the patient, a minor or a person of full age incapable of giving consent.

28. A patient may, at any time and by any means, withdraw their request for medical aid in dying.

A patient may also, at any time and by any means, request that the administration of medical aid in dying be put off.

29. Before administering medical aid in dying, the physician must

(1) be of the opinion that the patient meets all the criteria of section 26, after, among other things,

(a) making sure that the request is being made freely, in particular by ascertaining that it is not being made as a result of external pressure;

(b) making sure that the request is an informed one, in particular by informing the patient of the prognosis for the illness and of other therapeutic possibilities and their consequences;

(c) verifying the persistence of suffering and that the wish to obtain medical aid in dying remains unchanged, by talking with the patient at reasonably spaced intervals given the progress of the patient's condition;

(d) discussing the patient's request with any members of the care team who are in regular contact with the patient; and

(e) discussing the patient's request with the patient's close relations, if the patient so wishes;

(2) make sure that the patient has had the opportunity to discuss the request with the persons they wished to contact; and

(3) obtain the opinion of a second physician confirming that the criteria set out in section 26 have been met.

The physician consulted must be independent of both the patient requesting medical aid in dying and the physician seeking the second medical opinion. The physician consulted must consult the patient's record, examine the patient and provide the opinion in writing.

30. If a physician determines, subsequent to the application of section 29, that medical aid in dying may be administered to a patient requesting it, the physician must administer such aid personally and take care of and stay with the patient until death ensues.

If the physician determines that medical aid in dying cannot be administered, the physician must inform the patient of the reasons for that decision.

31. A physician practising in a centre operated by an institution who refuses a request for medical aid in dying for a reason not based on section 29 must, as soon as possible, notify the executive director of the institution or any other person designated by the executive director and forward the request form given to the physician, if that is the case, to the executive director or designated person. The executive director of the institution or designated person must then take the necessary steps to find, as soon as possible, another physician willing to deal with the request in accordance with section 29.

If the physician who receives the request practises in a private health facility and does not provide medical aid in dying, the physician must, as soon as possible, notify the executive director of the local authority referred to in section 99.4 of the Act respecting health services and social services that serves the territory in which the patient making the request resides, or notify the person designated by the executive director. The physician forwards the request form received, if that is the case, to the executive director or designated person and the steps mentioned in the first paragraph must be taken.

If no local authority serves the territory in which the patient resides, the notice referred to in the second paragraph is forwarded to the executive director of the institution operating a local community service centre in the territory or the person designated by the executive director.

32. All information and documents in connection with a request for medical aid in dying, regardless of whether the physician administers it or not, including the form used to request such aid, the reasons for the physician's decision and, where applicable, the opinion of the physician consulted, must be recorded or filed in the patient's record.

A decision to withdraw a request for medical aid in dying or to put off the administration of such aid must also be recorded in the patient's record.

DIVISION III**SPECIAL FUNCTIONS OF THE COUNCIL OF PHYSICIANS,
DENTISTS AND PHARMACISTS**

33. The council of physicians, dentists and pharmacists established for an institution must, in collaboration with the council of nurses of the institution, adopt clinical protocols for continuous palliative sedation and medical aid in dying. The protocols must comply with the clinical standards developed by the professional orders concerned.

34. A physician who provides continuous palliative sedation or medical aid in dying as a physician practising in a centre operated by an institution must, within 10 days following its administration, inform the council of physicians, dentists and pharmacists of which the physician is a member, whether it is administered in the facilities of an institution, in the premises of a palliative care hospice or at the patient's home.

The council of physicians, dentists and pharmacists or its competent committee assesses the quality of the care provided, particularly with regard to applicable clinical protocols.

35. If no council of physicians, dentists and pharmacists is established for the institution, the head of medical services or the physician responsible for medical care in the institution, as applicable, assumes the functions assigned to the council under this division, and the physician informs that person in accordance with the first paragraph of section 34.

DIVISION IV**SPECIAL FUNCTIONS OF THE COLLÈGE DES MÉDECINS DU
QUÉBEC**

36. Physicians practising in a private health facility that provides continuous palliative sedation or medical aid in dying at the patient's home or in the premises of a palliative care hospice must, within 10 days following its administration, inform the Collège des médecins du Québec and send to it, under the conditions and in the manner prescribed by the Collège, the information it determines.

The Collège or its competent committee assesses the quality of the care provided, particularly with regard to applicable clinical standards.

37. The Collège des médecins du Québec must prepare a yearly report on the end-of-life care provided by physicians practising in private health facilities.

The report must state the number of times continuous palliative sedation and medical aid in dying were administered by such physicians at the patient's home or in the premises of a palliative care hospice. The information must be

grouped by local health and social services network territory and health and social services agency territory.

The report is to be published on the website of the Collège and sent, not later than 30 June each year, to the Commission sur les soins de fin de vie.

CHAPTER V

COMMISSION SUR LES SOINS DE FIN DE VIE

DIVISION I

ESTABLISHMENT AND FUNCTIONING OF THE COMMISSION

38. A commission on end-of-life care (“the Commission”) is established under the name “Commission sur les soins de fin de vie”.

39. The Commission is composed of 11 members, appointed by the Government as follows:

- (1) five members are to be health or social services professionals, including
 - (a) two members appointed after consultation with the Collège des médecins du Québec;
 - (b) one member appointed after consultation with the Ordre des infirmières et infirmiers du Québec;
 - (c) one member appointed after consultation with the Ordre des pharmaciens du Québec; and
 - (d) one member appointed after consultation with the Ordre professionnel des travailleurs sociaux et des thérapeutes conjugaux et familiaux du Québec;
- (2) two members are to be jurists, appointed after consultation with the Barreau du Québec and the Chambre des notaires du Québec;
- (3) two members are to be users of institutions, appointed after consultation with bodies representing the users’ committees of institutions;
- (4) one member is to be from the ethics community, appointed after consultation with university-level educational institutions; and
- (5) one member is to be appointed after consultation with bodies representing institutions.

The Government must ensure that at least one member appointed under subparagraph 1 of the first paragraph is from the palliative care community.

The members of the Commission are appointed for a term of not more than five years. Their terms of office may be renewed consecutively only once. At the expiry of their terms, members remain in office until they are replaced or reappointed.

The Government designates, from among the members of the Commission, a chair and vice-chair; the vice-chair shall chair the Commission when the chair is absent or unable to act.

The Government fixes the allowances and indemnities of the members of the Commission.

40. The Commission may make by-laws concerning its internal management.

41. The quorum at meetings of the Commission is seven members, including the chair or the vice-chair.

Subject to the second paragraph of section 47, the decisions of the Commission are made by a majority vote of the members present. In the case of a tie vote, the person presiding at the meeting has a casting vote.

DIVISION II

MANDATE OF THE COMMISSION

42. The mandate of the Commission is to examine any matter relating to end-of-life care. For this purpose, it must, among other things,

- (1) advise the Minister on any matter put before it by the Minister;
- (2) evaluate the implementation of legislation with regard to end-of-life care;
- (3) refer to the Minister any matter relating to end-of-life care that needs the attention of or action by the Government, and submit its recommendations to the Minister;
- (4) submit a report to the Minister, every five years, on the status of end-of-life care in Québec; and
- (5) carry out any other mandate given to it by the Minister.

The Commission also has the mandate of overseeing the application of the specific requirements relating to medical aid in dying in compliance with this division.

The Commission is to submit an annual activity report, not later than 30 September each year, to the Minister.

43. The Minister tables the reports produced by the Commission in the National Assembly within 30 days of receiving them or, if the Assembly is not sitting, within 30 days of resumption. The competent committee of the National Assembly examines the reports.

44. In exercising its functions under the first paragraph of section 42, the Commission may, as an exception, take such measures as

(1) soliciting the opinion of individuals or groups on any end-of-life care issue;

(2) conducting or commissioning studies and research it deems necessary; and

(3) calling on outside experts to report to it on one or more specific points.

45. The Commission may require of institutions, palliative care hospices, physicians practising in a private health facility and agencies that they supply, in the manner and within the time specified, the statements, statistical data, reports and other information it needs for the performance of its functions under the first paragraph of section 42, provided it is not possible to link that information to any specific patient having received end-of-life care or to any specific health or social services professional having provided the care.

46. A physician who administers medical aid in dying must give notice to the Commission within the next 10 days and send the Commission, in the manner determined by government regulation, the information prescribed by regulation. This information is confidential and may not be disclosed to any other person, except to the extent that is necessary for the purposes of this section and section 47.

Any person who notes that a physician has contravened this section must bring the breach to the attention of the Collège des médecins du Québec so that it can take appropriate measures.

47. On receiving the notice from the physician, the Commission assesses compliance with section 29 in accordance with the procedure prescribed by government regulation.

On completion of the assessment, if two thirds or more of the members present are of the opinion that section 29 was not complied with, the Commission sends a summary of its conclusions to the Collège des médecins du Québec and, when the physician provided the medical aid in dying as a physician practising in a centre operated by an institution, to the institution concerned so that they can take appropriate measures.

CHAPTER VI**MISCELLANEOUS PROVISIONS**

48. Complaints regarding end-of-life care made by any person to a local or regional service quality complaints commissioner, in accordance with the rules prescribed in Divisions I to III of Chapter III of Title II of the Act respecting health services and social services, must be given priority treatment. The same applies to complaints regarding end-of-life care made to the syndic of the Collège des médecins du Québec.

49. The decision of a patient or, where applicable, of the person who may give consent to care on the patient's behalf to refuse certain life-sustaining care or withdraw consent to such care or to request continuous palliative sedation or medical aid in dying may not be invoked as a reason to refuse to pay a benefit or any other sum due under a contract.

50. A physician may refuse to administer medical aid in dying because of personal convictions, and a health professional may refuse to take part in administering it for the same reason.

In such a case, the physician or health professional must nevertheless ensure that continuity of care is provided to the patient, in accordance with their code of ethics and the patient's wishes.

In addition, the physician must comply with the procedure established in section 31.

TITLE III**ADVANCE MEDICAL DIRECTIVES****CHAPTER I****GENERAL PROVISIONS**

51. A person of full age who is capable of giving consent to care may, by means of advance medical directives, specify whether or not they consent to care that may be required by their state of health, in the event they become incapable of giving consent. However, in such directives the person may not request medical aid in dying.

52. Advance medical directives are given by notarial act *en minute* or in the presence of witnesses on the form prescribed by the Minister.

At the request of their author, advance medical directives are to be recorded in the advance medical directives register established under section 63.

53. When advance medical directives are given in the presence of witnesses, the form must be completed by the person concerned.

The person then declares, in the presence of two witnesses, that the form contains the person's advance medical directives, without having to disclose the contents. The person dates and signs the form or, if this is already done, recognizes the signature as their own. The form is then signed by the witnesses in the person's presence.

If the person cannot complete the form because the person cannot write or is physically incapable of doing so, it may be completed by a third person in accordance with the person's instructions. The third person signs and dates the form in the person's presence.

Persons of full age incapable of giving consent and minors cannot act as a third person or a witness for the purposes of this section.

54. Advance medical directives may be revoked at any time by the person concerned by means of the form prescribed by the Minister.

Such directives may only be changed by writing new ones by one of the methods specified in the first paragraph of section 52. The new directives replace any previous ones.

Despite the preceding paragraphs, in emergency cases, if a person capable of giving consent to care verbally expresses wishes different from those in their advance medical directives, this entails the revocation of the directives.

55. When advance medical directives are given to a health professional, that professional files them in the record of the person concerned if this has not yet been done. If the directives are given to the health professional by the person concerned and the person is capable of giving consent to care, the health professional must first inquire whether they still correspond to the person's wishes.

56. A physician who notes a significant change in the state of health of a person capable of giving consent to care must, if advance medical directives have been filed in the person's record, inquire whether the directives still correspond to the person's wishes.

57. A physician who notes that a person is incapable of giving consent to care consults the advance medical directives register. If the register contains advance medical directives for the person, the physician files them in the person's record.

58. When a person is incapable of giving consent to care, clearly expressed instructions relating to care that are recorded in the advance medical directives register or filed in the person's record carry, for all health professionals having access to the register or record, the same weight as wishes expressed by a person capable of giving consent to care.

59. The author of advance medical directives is presumed to have been in the possession of the information needed to make an informed decision at the time of signing the directives.

60. If a person incapable of giving consent to care categorically refuses care which they had previously consented to in advance medical directives, article 16 of the Civil Code, requiring the authorization of the court, applies.

61. The court may, on the application of the mandatory, tutor, curator or of any person showing a special interest in the author of advance medical directives, order that the instructions relating to care expressed in those directives be carried out.

The court may also, on the application of such a person, a physician or an institution, invalidate advance medical directives, in full or in part, if it has reasonable grounds to believe that the author of the directives was not capable of consenting to the care at the time of signing the directives or that the directives do not correspond to the author's wishes in the present situation.

The court may, in addition, make any other order it considers appropriate in the circumstances.

62. Instructions relating to care expressed in a mandate given in anticipation of a person's incapacity do not constitute advance medical directives within the meaning of this Act and remain subject to articles 2166 and following of the Civil Code.

In case of inconsistency between those instructions for care and the instructions contained in advance medical directives, the latter prevail.

CHAPTER II

ADVANCE MEDICAL DIRECTIVES REGISTER

63. The Minister establishes and maintains an advance medical directives register.

The Minister may manage the register or entrust its management to a body that is subject to the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1). In the latter case, the Minister enters into a written agreement with the manager.

64. The Minister prescribes, by regulation, how the register is to be accessed and operated, including who may record advance medical directives in the register and who may consult it.

TITLE IV

AMENDING, TRANSITIONAL AND FINAL PROVISIONS

CHAPTER I

AMENDING PROVISIONS

CIVIL CODE OF QUÉBEC

65. Article 11 of the Civil Code of Québec is amended

(1) by adding the following sentence at the end of the first paragraph: “Except as otherwise provided by law, the consent is subject to no other formal requirement and may be withdrawn at any time, even verbally.”;

(2) by inserting “and has not drawn up advance medical directives under the Act respecting end-of-life care (2014, chapter 2) by which he expresses such consent or refusal” after “care” in the second paragraph.

66. Article 12 of the Code is amended by replacing “taking into account, as far as possible, any” in the first paragraph by “complying, as far as possible, with any”.

67. Article 15 of the Code is amended by inserting “and in the absence of advance medical directives” after “state of health”.

CODE OF CIVIL PROCEDURE

68. Article 776 of the Code of Civil Procedure (chapter C-25) is amended by adding the following sentence at the end of the first paragraph: “The same applies to any application under section 61 of the Act respecting end-of-life care (2014, chapter 2) concerning the carrying out of advance medical directives.”

MEDICAL ACT

69. Section 31 of the Medical Act (chapter M-9) is amended

(1) by replacing the first paragraph by the following paragraph:

31. The practice of medicine consists in assessing and diagnosing any health deficiency in a person in interaction with their environment, in preventing and treating illness to maintain or restore health or to provide appropriate symptom relief.”;

(2) by adding the following subparagraph at the end of the second paragraph:

“(12) administering the drug or substance allowing an end-of-life patient to obtain medical aid in dying under the Act respecting end-of-life care (2014, chapter 2).”

PHARMACY ACT

70. Section 17 of the Pharmacy Act (chapter P-10), amended by section 2 of chapter 37 of the statutes of 2011, is again amended by replacing “in order to maintain or restore health” in the first paragraph by “in order to maintain or restore health or to provide appropriate symptom relief”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

71. Section 19 of the Act respecting health services and social services (chapter S-4.2) is amended by adding the following subparagraph after subparagraph 13:

“(14) for the purposes of the Act respecting end-of-life care (2014, chapter 2).”

CHAPTER II

TRANSITIONAL AND FINAL PROVISIONS

72. Despite section 7, an institution which, on (*insert the date of coming into force of section 7*), operates a general and specialized hospital centre and, within the range of care that may be offered pursuant to the mission of such a centre, only offers palliative care may continue to offer that care exclusively.

Such an institution must inform persons of the end-of-life care it offers before admitting them.

73. Until (*insert the date occurring two years after the date of coming into force of section 8*), executive directors of institutions must report every six months to their board of directors as described in the second paragraph of section 8. The institutions are to forward the report to the Commission sur les soins de fin de vie as soon as possible and publish it on their website.

Until that date, the Collège des médecins du Québec is also to send the Commission the report required under section 37 every six months.

74. Institutions and palliative care hospices have until (*insert the date occurring one year after the date of coming into force of section 14*) to amend the agreement they have entered into under section 108.3 of the Act respecting health services and social services (chapter S-4.2) in order to bring it into conformity with section 14.

75. Despite subparagraph 4 of the first paragraph of section 42, the Commission sur les soins de fin de vie must send its first report on the status of end-of-life care not later than *(insert the date occurring three years after the date of coming into force of section 42)*.

76. The Minister must, not later than *(insert the date occurring four years after the date of coming into force of this section)*, report to the Government on the implementation of this Act, and subsequently every five years, report to the Government on the carrying out of this Act.

Such report is tabled by the Minister in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption. The report is examined by the competent committee of the National Assembly.

77. The Minister of Health and Social Services is responsible for the administration of this Act.

78. Except for the second paragraph of section 52, section 57, section 58 to the extent that it concerns the advance medical directives register and sections 63 and 64, which come into force on the date or dates to be set by the Government, the provisions of this Act come into force on 10 December 2015, or any earlier date set by the Government.

2014, chapter 3
**AN ACT RESPECTING THE INSPECTOR GENERAL
OF VILLE DE MONTRÉAL**

Bill 1

Introduced by Mr. Pierre Moreau, Minister of Municipal Affairs and Land Occupancy

Introduced 22 May 2014

Passed in principle 3 June 2014

Passed 12 June 2014

Assented to 13 June 2014

Coming into force: 13 June 2014

Legislation amended:

Charter of Ville de Montréal (chapter C-11.4)

Act respecting labour standards (chapter N-1.1)

Explanatory notes

This Act requires Ville de Montréal to appoint an inspector general by way of a resolution adopted, on the recommendation of the mayor, by a two-thirds majority vote of the council members.

The inspector general is to be appointed for a non-renewable five-year term and to perform the duties of office exclusively and on a full-time basis. The inspector general is granted a budget to cover the expenses relating to the performance of his or her duties.

The mandate of the inspector general will be to oversee contracting processes and the carrying out of contracts by the city or a legal person related to the city.

A further mandate of the inspector general will be to recommend to the council any measure aimed at preventing a breach of integrity in the making of contracts by the city or the carrying out of such contracts, and any measure designed to foster compliance with the applicable legal provisions and with the city's requirements regarding contracting or the carrying out of contracts. The inspector general will also verify the implementation of such measures. Lastly, the inspector general is to train the members of the city councils as well as all city officers and employees to recognize and prevent any breach of integrity or of the applicable rules in the making of contracts by the city or the carrying out of such contracts.

(Cont'd on next page)

Explanatory notes (Cont'd)

In the performance of his or her duties, the inspector general has certain powers allowing him or her to examine documents or obtain information from the city, a legal person related to the city, a person that has a contractual relationship with the city or with a legal person related to the city, or a subcontractor of the person that has such a contractual relationship.

The inspector general is granted the power to cancel any contracting process involving a contract of the city or of any legal person related to the city, or to rescind or suspend the carrying out of any contract of the city or of the legal person related to the city if the inspector general finds that any of the requirements set out in the tender documents or in a contract has not been met or that the information provided in the contracting process is false.

The city council concerned or the city council having jurisdiction over the mandate of the legal person related to the city may however reverse the decision of the inspector general.

Any person may communicate certain information to the inspector general that is relevant to the performance of the inspector general's mandate. For the purposes of that communication, such a person benefits from protections to ensure, among other things, the person's anonymity and the absence of reprisal measures.

If the inspector general is of the opinion that a federal or Québec law or a by-law or regulation made under such a law may have been contravened, and if the contravention pertains to corruption, malfeasance, collusion, fraud or influence peddling in, among other things, contracting or the carrying out of contracts, the inspector general must, without delay, disclose the wrongdoing to the Anti-Corruption Commissioner.

Lastly, the inspector general must send the Autorité des marchés financiers any information that is relevant to its mandate under the Act respecting contracting by public bodies.



Chapter 3

AN ACT RESPECTING THE INSPECTOR GENERAL OF VILLE DE MONTRÉAL

[Assented to 13 June 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHARTER OF VILLE DE MONTRÉAL

1. The Charter of Ville de Montréal (chapter C-11.4) is amended by inserting the following after section 57.1:

“DIVISION VI.0.1

“INSPECTOR GENERAL

“§1. — *Appointment*

“**57.1.1.** The city shall appoint an inspector general and fix his or her salary.

The inspector general is appointed by the regular city council.

The resolution appointing the inspector general must be adopted, on the recommendation of the mayor, by a two-thirds majority vote of the council members.

A two-thirds majority vote of the council members is also required to dismiss the inspector general or suspend him or her without pay.

“**57.1.2.** To be appointed inspector general and remain as such, a person must, as a minimum,

(1) have been a member of the Barreau du Québec or the Chambre des notaires du Québec for at least 10 years, provided that disciplinary action has not been or is not being taken against the person; and

(2) not have been found guilty anywhere of an offence for an act or omission that is either an offence under the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) or an offence, referred to in section 183 of that Code, under any of the Acts listed in that section and that is related to the employment.

“**57.1.3.** The following persons may not act as inspector general:

(1) a member of a council of the city or the council of a reconstituted municipality, or a former member of any of those councils, in the latter case before the expiry of 12 months following the end of that member's term of office;

(2) an associate of a member mentioned in paragraph 1;

(3) a person who, personally or through an associate, has any direct or indirect interest in a contract with the city or with a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9.

“57.1.4. The inspector general is appointed for a non-renewable five-year term and shall remain in office until a successor is appointed.

“57.1.5. The inspector general shall perform the duties of office exclusively and on a full-time basis.

“57.1.6. If the inspector general is unable to act or if the office of inspector general is vacant, the council shall,

(1) not later than at the sitting following the inability to act or the vacancy, designate, for a period of not more than 180 days, a person qualified to replace the inspector general; or

(2) not later than at the sitting following the inability to act or the vacancy, or not later than at the sitting following the expiry of the period fixed under paragraph 1, appoint a new inspector general in accordance with section 57.1.1.

“57.1.7. Despite section 113 of the Cities and Towns Act (chapter C-19), the director general of the city does not have authority over the inspector general, who reports directly to the council.

“§2. —Mandate

“57.1.8. The mandate of the inspector general is to oversee contracting processes and the carrying out of contracts by the city or by a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9.

The inspector general shall recommend to the council any measure aimed at preventing a breach of integrity in the making of contracts by the city or the carrying out of such contracts. The inspector general shall also recommend to the council any measure designed to foster compliance with the applicable legal provisions and with the city's requirements regarding contracting or the carrying out of contracts. In addition, the inspector general shall verify, within the city, the implementation of such measures adopted by any council.

A further mandate of the inspector general is to train the members of the councils as well as the officers and employees to recognize and prevent any

breach of integrity or of the applicable rules in the making of contracts by the city or the carrying out of such contracts.

The inspector general shall carry out his or her mandate with regard to contracts that come under an urban agglomeration power as well as those that come under a local power. The inspector general may make recommendations to any council of the city and shall verify the measures adopted by any such council, and the training he or she provides may be intended for the members of any council as well as all officers and employees of the city.

“57.1.9. In the performance of his or her duties, the inspector general is entitled to examine any book, register or record or obtain any information relevant to his or her mandate from the city, any city officer or employee, any member of a city council or a selection committee, the office of a city mayor or of a designated councillor within the meaning of section 114.5 of the Cities and Towns Act (chapter C-19) or any staff member of such an office or of a person described in the fifth paragraph or a representative of that person. The inspector general may make copies of them.

The inspector general may, at any reasonable hour, enter a building or on land to conduct the examination provided for in the first paragraph. The inspector general may require the owner or occupant and any other person on the premises visited to give him or her reasonable assistance.

The inspector general may also use any computer or material or any other thing found on the premises visited to access data relevant to his or her mandate and contained in an electronic device, computer system or other medium or to inspect, examine, process, copy or print out such data.

The inspector general may determine the reasonable terms according to which the documents or information mentioned in the first paragraph are to be transmitted to him or her.

The person referred to in the first paragraph is

(1) a legal person

(a) that is part of the reporting entity defined in the city’s financial statements;

(b) of which the city or a mandatary of the city appoints more than 50% of the members of the board of directors; or

(c) of which the city or a mandatary of the city holds more than 50% of the outstanding voting shares or units;

(2) a person that has a contractual relationship with the city or with a legal person described in subparagraph 1; or

(3) a subcontractor of the person referred to in subparagraph 2 in relation to the principal contract referred to in that subparagraph.

The inspector general shall, on demand, provide identification and produce for the owner or occupant or any other person on the premises visited under the second paragraph a certificate of authority signed by the city clerk.

“57.1.10. The inspector general may cancel any contracting process involving a contract of the city or of any legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9, or rescind or suspend the carrying out of such a contract if the inspector general

(1) finds that any of the requirements specified in a document of the call for tenders or a contract has not been met or that the information provided in the contracting process is false; and

(2) is of the opinion that the seriousness of the breach observed justifies the cancellation, rescinding or suspension.

The inspector general’s decision must include reasons and be sent immediately to the clerk and the mayor of the city. If the decision concerns the contract of a legal person referred to in the first paragraph, it must be sent immediately to the secretary of the legal person.

On receipt of the decision, the clerk shall immediately send it to the contracting party concerned.

Any decision received by the clerk under the second paragraph must be tabled before the city council concerned or, in the case of a decision regarding a contract of a legal person referred to in the first paragraph, before the council having jurisdiction over the mandate of the legal person, at the first sitting of the council following receipt of the decision.

Any decision received under the second paragraph by the secretary of a legal person referred to in the first paragraph must be tabled at the first meeting of its board of directors following receipt of the decision.

“57.1.11. A decision by the inspector general to cancel a contracting process takes effect immediately and ceases to have effect the day it is reversed under section 57.1.12.

A decision by the inspector general to suspend the carrying out of a contract takes effect immediately and ceases to have effect on the 91st day following the day it is received by the city clerk or the secretary of the legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 or, as applicable, the day it is reversed under section 57.1.12.

If not reversed under section 57.1.12, a decision by the inspector general to rescind a contract takes effect on the 46th day following the day it is received

by the city clerk or the secretary of the legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 or the day it is confirmed by the city council concerned, if applicable.

“57.1.12. The city council concerned or, as the case may be, the council having jurisdiction over the mandate of the legal person concerned may reverse a decision of the inspector general.

In the case of a contract of a legal person, the council cannot reverse a decision without considering the recommendation of the board of directors of the legal person. Consequently, any legal person concerned by a decision of the inspector general must send to the council having jurisdiction over its mandate, not later than the 15th day following receipt of the decision, its recommendation as to whether or not to reverse the decision. The recommendation must give reasons.

For the purposes of the second paragraph, if no recommendation is sent within the prescribed period, the board of directors of the legal person concerned is presumed to be in favour of maintaining the inspector general’s decision.

The recommendation required under the second paragraph must be sent to the city clerk, who shall, at the first sitting of the council following receipt of the recommendation or following the expiry of the period fixed in the second paragraph, table it before the council having jurisdiction over the mandate of the legal person or inform the council of the absence of a recommendation.

A decision to reverse the cancellation of a contracting process or the rescinding of a contract must be made not later than the 45th day following the day the city clerk receives the inspector general’s decision.

Any reversal decision regarding a contract of a legal person must be sent to the secretary of the legal person.

“57.1.13. Any person may communicate any information to the inspector general that is relevant to the inspector general’s mandate, except information regarding the health of a person or any of the following:

(1) information regarding the existence of an order whose publication is deferred under the Executive Power Act (chapter E-18) or the order itself;

(2) information regarding the existence of a decision resulting from the deliberations of the Conseil exécutif or the decision itself, information regarding the existence of a decision resulting from the deliberations of one of the cabinet committees of the Conseil exécutif or the decision itself, or information regarding the existence of a decision of the Conseil du trésor or the decision itself, before the expiry of 25 years from the date of the decision;

(3) information regarding the existence of information which, if disclosed, would reveal a budget policy of the Government before it is made public by the Minister of Finance or the information itself;

(4) a legal opinion concerning the application of the law to a particular case, or the constitutionality or validity of legislative or regulatory provisions, or a preliminary or final draft of a bill or regulation;

(5) a study, if its disclosure might well affect the outcome of judicial proceedings, unless those proceedings concern parties other than the Government, the Conseil exécutif, the Conseil du trésor, the government departments, and the persons, agencies and bodies referred to or described in the second and third paragraphs of section 3 or in section 4 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);

(6) a communication from the Conseil exécutif to one of its members, the Conseil du trésor or a cabinet committee, before the expiry of 25 years from the date of the communication;

(7) a communication from a member of the Conseil exécutif to another member of the Conseil exécutif, before the expiry of 25 years from the date of the communication;

(8) a recommendation from the Conseil du trésor or a cabinet committee to the Conseil exécutif, before the expiry of 25 years from the date of the recommendation;

(9) a recommendation from a member of the Conseil exécutif to the Conseil exécutif, the Conseil du trésor or a cabinet committee, before the expiry of 25 years from the date of the recommendation;

(10) a study made within the Ministère du Conseil exécutif or the secretariat of the Conseil du trésor regarding a recommendation or request made by a minister, a cabinet committee or a public body, or regarding a preliminary or final draft of a bill or regulation, before the expiry of 25 years from the date of the study;

(11) a record or report of the deliberations of the Conseil exécutif or a cabinet committee, before the expiry of 25 years from the date of the record or report;

(12) a list of titles of documents containing recommendations to the Conseil exécutif or the Conseil du trésor, before the expiry of 25 years from the date of the list;

(13) the agenda of a meeting of the Conseil exécutif, the Conseil du trésor or a cabinet committee, before the expiry of 25 years from the date of the agenda;

(14) a document from the office of a Member of the National Assembly or a document produced for that Member by the services of the Assembly, unless the Member deems it expedient to send the document himself or herself or request that it be sent;

(15) a document from the office of the President of the Assembly or of a Member of the Assembly referred to in the first paragraph of section 124.1 of the Act respecting the National Assembly (chapter A-23.1) or a minister to which section 11.5 of the Executive Power Act (chapter E-18) applies;

(16) a preliminary or final draft of a bill or regulation, other than a draft by-law of the city or of a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 of this Act, before the expiry of 10 years from the date of the draft;

(17) a study directly relating to a document referred to in subparagraph 16, other than a draft by-law of the city or of a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 of this Act, unless the draft bill has been tabled in the National Assembly or the draft regulation has been made public in accordance with the law;

(18) an opinion or recommendation issued or made less than 10 years earlier by a member of a public body or of its personnel in the discharge of his or her duties, or issued or made less than 10 years earlier, at the request of a public body, by a consultant or an adviser on a matter within its jurisdiction, unless the opinion or recommendation emanates from the city or from a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 of this Act or unless it is prepared at the request of the city or the legal person;

(19) an opinion or recommendation issued or made by an agency under the jurisdiction of a public body to a public body, or issued or made by an agency under the authority of a minister to the minister, if no final decision on the subject matter of the opinion or recommendation has been made public by the authority having jurisdiction and if the opinion or recommendation does not emanate from the city or from a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 of this Act or has not been prepared at the request of the city or the legal person;

(20) a study prepared in connection with a recommendation made in the course of a decision-making process, until a decision is made on the recommendation or, if no decision is made, until five years have elapsed from the date the study was made, and if the study does not emanate from the city or from a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 of this Act; or

(21) information regarding the existence of information or the information itself, if the information does not emanate from the city or from a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 of this Act and if its disclosure would be likely to

- (a) hamper an audit in progress;
- (b) reveal an auditing program or operation plan;
- (c) reveal a confidential source of information regarding an audit; or,

(d) seriously impair the power of appraisal granted to the Auditor General pursuant to sections 38, 39, 40, 42, 43, 43.1 and 45 of the Auditor General Act (chapter V-5.01).

A person who communicates information authorized under the first paragraph to the inspector general may do so despite the Act respecting Access to documents held by public bodies and the Protection of personal information, the Act respecting the protection of personal information in the private sector (chapter P-39.1), any other communication restrictions under other laws of Québec and any duty of loyalty or confidentiality that may be binding on the person, in particular with respect to an employer or a client.

The second paragraph does not however authorize the person to communicate information to the inspector general that is protected by professional secrecy between an advocate or a notary and a client.

“57.1.14. The inspector general must take all necessary measures to protect the identity of persons who have communicated with him or her. Within the scope of his or her mandate, the inspector general may nonetheless communicate the identity of such persons to the police service of the city or to the Anti-Corruption Commissioner.

“57.1.15. It is forbidden to take a reprisal against a person who has communicated with the inspector general or to threaten to take a reprisal against a person so that he or she will abstain from communicating with the inspector general.

In particular, the demotion, suspension, termination of employment or transfer of a person referred to in the first paragraph or any disciplinary or other measure that adversely affects the employment or working conditions of such a person is presumed to be a reprisal.

Any person who contravenes this section is guilty of an offence and is liable to a fine of

- (1) \$2,000 to \$20,000 in the case of a natural person; and
- (2) \$10,000 to \$250,000 in other cases.

For any subsequent offence, the amounts are doubled.

“57.1.16. Any person who in any way hinders or attempts to hinder the performance of the inspector general’s duties, misleads the inspector general

by concealment or misrepresentation, refuses to hand over a document or information the inspector general may demand or examine, or conceals or destroys such a document or information is guilty of an offence and is liable to a fine of \$4,000 to \$20,000.

For any subsequent offence, the amounts are doubled.

“57.1.17. Any person who, by an act or omission, helps or, by encouragement, advice, consent, authorization or order, induces another person to commit an offence under section 57.1.15 or 57.1.16 is guilty of an offence.

Any person who is found guilty under this section is liable to the same penalty as that prescribed for the offence the person helped or induced another person to commit.

“57.1.18. If, in the opinion of the inspector general, a federal or Québec law or a by-law or regulation made under such a law may have been contravened, and if the contravention pertains to corruption, malfeasance, collusion, fraud or influence peddling in, for example, the making or carrying out of contracts, the inspector general must, without delay, disclose the wrongdoing to the Anti-Corruption Commissioner.

In addition, the inspector general shall send the Autorité des marchés financiers any information that may be relevant to its mandate under Chapter V.2 of the Act respecting contracting by public bodies (chapter C-65.1).

“§3. — Designation of representatives of the inspector general

“57.1.19. For the purposes of his or her mandate, the inspector general may designate, in writing, an assistant from among his or her personnel.

Only a person who meets the requirements set out in sections 57.1.2 and 57.1.3 may be designated as an assistant.

The designation is valid for a period of not more than five years and is non-renewable.

The assistant shall perform the duties of office exclusively and on a full-time basis.

The assistant has the same powers and rights as the inspector general and is subject to the same obligations.

In addition, the inspector general may designate, in writing, a person from among his or her personnel to perform the following duties:

- (1) the duties set out in the first and third paragraphs of section 57.1.8;

(2) the verification of the implementation of the measures adopted under the second paragraph of section 57.1.8;

(3) the duties set out in section 57.1.9.

In the performance of his or her duties, a person designated under the sixth paragraph is subject to the same obligations as the inspector general.

“§4. — *Ethics requirement*

“57.1.20. The inspector general must disclose in every report produced any situation that could cause a conflict between the inspector general’s or his or her assistant’s personal interest and their respective duties of office.

“§5. — *Operating expenses*

“57.1.21. The budget of the city must include an appropriation to provide for payment of a sum to the inspector general to cover the expenses relating to the performance of his or her duties.

The appropriation must be equal to or greater than the product obtained by multiplying the total of the other appropriations provided for in the city’s budget for operating expenses by 0.11%.

The appropriation constitutes a mixed expenditure subject to the by-law provided for in section 69 of the Act respecting the exercise of certain municipal powers in certain urban agglomerations (chapter E-20.001).

“57.1.22. The inspector general is responsible for the application of the city’s policies and standards relating to the management of the human, material and financial resources assigned to the performance of his or her mandate.

“§6. — *Reports, notices and recommendations*

“57.1.23. Not later than 31 March each year, the inspector general shall send the city clerk and the mayor a report, to be tabled before the council at the first regular sitting following its receipt, presenting the results of the activities carried out under the inspector general’s mandate and making recommendations, if applicable. The inspector general shall also send the report to the Anti-Corruption Commissioner and the Autorité des marchés financiers.

The inspector general may also, at any time, send the mayor and the clerk any report presenting findings or recommendations that, in the opinion of the inspector general, warrant being brought to the attention of the council. The mayor shall table the report before the council at the first regular sitting following its receipt.

The inspector general may include any notices or recommendations in these reports that, in his or her opinion, must be brought before the council.

In addition, the inspector general may, at any time, submit any notice or recommendation he or she considers necessary to any decision-making authority of the city.

“§7. — *Protections*

“57.1.24. Despite any general law or special Act, the inspector general and the employees under his or her direction or the professionals under contract may not be compelled to give testimony relating to any information obtained in the performance of their duties or to produce any document containing such information.

The inspector general and the employees under his or her direction may not be prosecuted for any act or omission in good faith in the performance of their duties.

No civil action may be instituted for the publication of a report of the inspector general prepared under this Act or the publication in good faith of an extract or summary of such a report.

Except on a question of jurisdiction, no recourse under article 33 of the Code of Civil Procedure (chapter C-25) or extraordinary recourse within the meaning of that Code may be exercised nor any injunction granted against the inspector general, the employees under his or her direction or the professionals under contract acting in their official capacity.

A judge of the Court of Appeal may, on a motion, summarily annul any proceeding instituted or decision rendered contrary to the first paragraph.

“§8. — *Audit of the accounts and affairs of the inspector general*

“57.1.25. Despite section 107.8 of the Cities and Towns Act (chapter C-19), the auditing of the accounts and affairs of the inspector general does not include auditing for value-for-money.”

ACT RESPECTING LABOUR STANDARDS

2. Section 3.1 of the Act respecting labour standards (chapter N-1.1) is amended by replacing the second paragraph by the following paragraph:

“Subparagraphs 7 and 8 of the first paragraph of section 122 and, where they relate to a recourse under those subparagraphs, the other sections of Division II of Chapter V also apply to all employees and to all employers.”

3. Section 122 of the Act is amended by adding the following subparagraph after subparagraph 7 of the first paragraph:

“(8) on the ground of a communication by an employee to the inspector general of Ville de Montréal or the employee’s cooperation in an investigation

conducted by the inspector general under Division VI.0.1 of Chapter II of the Charter of Ville de Montréal (chapter C-11.4).”

4. Section 140 of the Act is amended by replacing “subparagraph 7” in paragraph 6 by “subparagraphs 7 and 8”.

FINAL PROVISION

5. This Act comes into force on 13 June 2014.

2014, chapter 4

AN ACT TO AMEND THE ACT AUTHORIZING THE MAKING OF COLLECTIVE AGREEMENTS WITH A TERM OF MORE THAN THREE YEARS IN THE PUBLIC AND PARAPUBLIC SECTORS

Bill 4

Introduced by Mr. Martin Coiteux, Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor

Introduced 26 May 2014

Passed in principle 3 June 2014

Passed 12 June 2014

Assented to 13 June 2014

Coming into force: 13 June 2014

Legislation amended:

Act authorizing the making of collective agreements with a term of more than three years in the public and parapublic sectors (2010, chapter 24)

Explanatory notes

This Act amends the Act authorizing the making of collective agreements with a term of more than three years in the public and parapublic sectors to further clarify the period during which certification may be applied for in the case of a group of employees in the public and parapublic sectors.



Chapter 4

AN ACT TO AMEND THE ACT AUTHORIZING THE MAKING OF COLLECTIVE AGREEMENTS WITH A TERM OF MORE THAN THREE YEARS IN THE PUBLIC AND PARAPUBLIC SECTORS

[Assented to 13 June 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 1 of the Act authorizing the making of collective agreements with a term of more than three years in the public and parapublic sectors (2010, chapter 24) is amended by adding the following paragraph at the end:

“In such cases, the reference to paragraph *d* of section 22 of the Labour Code contained in section 111.3 of that Code must be read as a reference to paragraph *e* of that section 22.”

2. This Act comes into force on 13 June 2014.

2014, chapter 5

AN ACT TO RATIFY THE AGREEMENT RELATING TO THE CONDUCT OF PROCEEDINGS IN THE NATIONAL ASSEMBLY AND IN PARLIAMENTARY COMMITTEES AS WELL AS TO PARLIAMENTARY OFFICES AND BUDGETARY ASPECTS FOR THE DURATION OF THE 41ST LEGISLATURE

Bill 7

Introduced by Mr. Jean-Marc Fournier, Government House Leader, Minister responsible for Canadian Intergovernmental Affairs and the Canadian Francophonie and Minister responsible for Access to Information and the Reform of Democratic Institutions; Madam Agnès Maltais, Official Opposition House Leader; Mr. François Bonnardel, House Leader of the Second Opposition Group

Introduced 12 June 2014

Passed in principle 12 June 2014

Passed 12 June 2014

Assented to 13 June 2014

Coming into force: 13 June 2014

Legislation amended:

Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1)

Explanatory notes

The purpose of this Act is to ratify the agreement relating to the conduct of proceedings in the National Assembly and in parliamentary committees as well as to parliamentary offices and budgetary aspects for the duration of the 41st Legislature.

The Act thus grants, for the duration of the 41st Legislature, an additional indemnity to the Member occupying the recognized position of Deputy House Leader of an opposition party described in subparagraph 6 of the first paragraph of section 7 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly. It also grants, for the same duration, an additional indemnity to the Member occupying the position of caucus chair of an opposition party, other than the Official Opposition, if the caucus consists of at least 20 Members.



Chapter 5

AN ACT TO RATIFY THE AGREEMENT RELATING TO THE CONDUCT OF PROCEEDINGS IN THE NATIONAL ASSEMBLY AND IN PARLIAMENTARY COMMITTEES AS WELL AS TO PARLIAMENTARY OFFICES AND BUDGETARY ASPECTS FOR THE DURATION OF THE 41ST LEGISLATURE

[Assented to 13 June 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 7 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1) is amended by replacing the third paragraph by the following paragraph:

“For the duration of the 41st Legislature, the first paragraph is amended

(1) by inserting the following subparagraph after subparagraph 10:

“(10.1) any Member occupying the recognized position of Deputy House Leader of a party described in subparagraph 6 shall receive on an annual basis an indemnity equal to 20% of the annual indemnity;”;

(2) by inserting the following subparagraph after subparagraph 11.2:

“(11.3) any Member, other than the Member contemplated in subparagraph 11.2, occupying the position of caucus chairman of an opposition party shall receive an indemnity equal to 22.5% of the annual indemnity if the caucus consists of 20 Members or more;”.

2. This Act comes into force on 13 June 2014.

2014, chapter 6

AN ACT TO AMEND THE ACT TO LIMIT OIL AND GAS ACTIVITIES AND OTHER LEGISLATIVE PROVISIONS

Bill 5

Introduced by Mr. Pierre Arcand, Minister of Energy and Natural Resources

Introduced 2 June 2014

Passed in principle 11 June 2014

Passed 13 June 2014

Assented to 13 June 2014

Coming into force: 13 June 2014

Legislation amended:

Act to limit oil and gas activities (2011, chapter 13)

Act respecting mainly the implementation of certain provisions of the Budget Speech of 20 November 2012 (2013, chapter 16)

Explanatory notes

This Act allows the Government to extend, beyond 13 June 2014, the period during which holders of a licence to explore for petroleum, natural gas and underground reservoirs are exempted from performing the exploration work required by law.

Accordingly, it also extends the suspension of the term of such licences and defers the increase of the annual fee payable by the licence holders until the exemption is lifted.



Chapter 6

AN ACT TO AMEND THE ACT TO LIMIT OIL AND GAS ACTIVITIES AND OTHER LEGISLATIVE PROVISIONS

[Assented to 13 June 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT TO LIMIT OIL AND GAS ACTIVITIES

1. Section 3 of the Act to limit oil and gas activities (2011, chapter 13) is amended by replacing “Minister, which date may not be later than 13 June 2014” in the first paragraph by “Government”.

ACT RESPECTING MAINLY THE IMPLEMENTATION OF CERTAIN PROVISIONS OF THE BUDGET SPEECH OF 20 NOVEMBER 2012

2. Sections 39 and 40 of the Act respecting mainly the implementation of certain provisions of the Budget Speech of 20 November 2012 (2013, chapter 16) are amended by replacing “until 13 June 2014 or until any earlier date set under the” by “until the date set under the”.

FINAL PROVISION

3. This Act comes into force on 13 June 2014.

2014, chapter 7 APPROPRIATION ACT NO. 1, 2014-2015

Bill 9

Introduced by Mr. Martin Coiteux, Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor

Introduced 3 July 2014

Passed in principle 3 July 2014

Passed 3 July 2014

Assented to 3 July 2014

Coming into force: 3 July 2014

Legislation amended: None

Explanatory notes

This Act authorizes the Government to pay out of the general fund of the Consolidated Revenue Fund, for the 2014-2015 fiscal year, a sum not exceeding \$31,070,812,753.00, including \$230,900,000.00 for the payment of expenditures chargeable to the 2015-2016 fiscal year, representing the appropriations to be voted for each of the portfolio programs listed in Schedules 1 and 2, less the amounts already provided by the special warrants issued under section 51 of the Public Administration Act.

Moreover, the Act indicates which programs are covered by a net voted appropriation. It also determines to what extent the Conseil du trésor may authorize the transfer of appropriations between programs or portfolios.

Lastly, the Act approves the expenditure and investment estimates for the special funds for the 2014-2015 fiscal year, and the excess special fund expenditures and investments for the 2012-2013 fiscal year.



Chapter 7

APPROPRIATION ACT NO. 1, 2014-2015

[Assented to 3 July 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Government may draw out of the general fund of the Consolidated Revenue Fund a sum not exceeding \$31,070,812,753.00 to defray part of the Expenditure Budget of Québec tabled in the National Assembly for the 2014-2015 fiscal year, for which provision has not otherwise been made, including an amount of \$230,900,000.00 for the payment of expenditures chargeable to the 2015-2016 fiscal year.

This maximum amount, as well as the amounts provided by 2014-2015 Special Warrant No. 1, issued on 26 March 2014, and 2014-2015 Special Warrant No. 2, issued on 18 June 2014, are broken down by program in Schedules 1 and 2.

2. In the case of programs for which a net voted appropriation appears in the Expenditure Budget, the amount of the appropriation for the programs concerned may be increased, subject to the stipulated conditions, when the revenues associated with the net voted appropriation exceed revenue forecasts.

3. The Conseil du trésor may authorize the transfer between programs or portfolios of the portion of an appropriation for which provision has been made to this end, for the purposes of and, where applicable, according to the conditions described in the Expenditure Budget.

Furthermore, it may, in cases other than the transfer of a portion of an appropriation referred to in the first paragraph, authorize the transfer of a portion of an appropriation between programs in the same portfolio, insofar as such a transfer does not increase or decrease the amount of the appropriation authorized by law by more than 10%, excluding, where applicable, the portion of the appropriation for which provision has been made.

4. The expenditure and investment estimates for the special funds listed in Schedule 3 are approved for the 2014-2015 fiscal year.

5. Notwithstanding sections 86 and 92 of the Financial Administration Act (chapter A-6.001), the statement of expenditures and other costs associated with the special warrants referred to in section 1 is part of the detailed accountability reporting with respect to each of the programs concerned in accordance with the Expenditure Budget tabled in the National Assembly by

the Chair of the Conseil du trésor for the 2014-2015 fiscal year, as well as with respect to each special fund.

6. The excess special fund expenditures and investments for the 2012-2013 fiscal year listed in Schedule 4 are approved.

7. This Act comes into force on 3 July 2014.

SCHEDULE 1

GENERAL FUND

AFFAIRES MUNICIPALES ET OCCUPATION DU TERRITOIRE

PROGRAM 1

Regional Development and Rurality	98,091,300.00
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PROGRAM 2

Municipal Infrastructure Modernization	426,498,600.00
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PROGRAM 3

Compensation in Lieu of Taxes and Financial Assistance to Municipalities	633,040,000.00
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PROGRAM 4

General Administration	72,405,700.00
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PROGRAM 5

Promotion and Development of the Metropolitan Region	115,933,600.00
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PROGRAM 6

Commission municipale du Québec	3,109,500.00
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PROGRAM 7

Housing	460,362,000.00
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PROGRAM 8

Régie du logement	19,208,800.00
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1,828,649,500.00

AGRICULTURE, PÊCHERIES ET ALIMENTATION

PROGRAM 1

Bio-food Business Development, Training and Food Quality	431,527,700.00
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PROGRAM 2

Government Bodies	611,158,900.00
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	1,042,686,600.00
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CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

PROGRAM 1	
Secrétariat du Conseil du trésor	97,093,200.00
PROGRAM 2	
Government Operations	152,194,600.00
PROGRAM 3	
Commission de la fonction publique	4,331,500.00
PROGRAM 4	
Retirement and Insurance Plans	4,417,800.00
PROGRAM 5	
Contingency Fund	920,568,000.00
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	1,178,605,100.00

CONSEIL EXÉCUTIF

PROGRAM 1

Lieutenant-Governor's Office	748,900.00
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PROGRAM 2

Support Services for the Premier and the Conseil exécutif	60,974,300.00
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PROGRAM 3

Canadian Intergovernmental Affairs	14,547,000.00
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PROGRAM 4

Aboriginal Affairs	260,092,800.00
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PROGRAM 5

Youth	43,756,700.00
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PROGRAM 6

Access to Information and Reform of Democratic Institutions	8,712,000.00
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PROGRAM 7

Implementation of the Maritime Strategy	764,900.00
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389,596,600.00

CULTURE ET COMMUNICATIONS

PROGRAM 1

Internal Management, Centre de conservation du Québec and Conseil du patrimoine culturel du Québec	62,703,800.00
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PROGRAM 2

Support for Culture, Communications and Government Corporations	578,603,200.00
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PROGRAM 3

Charter of the French Language	28,229,700.00
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	669,536,700.00
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DÉVELOPPEMENT DURABLE, ENVIRONNEMENT ET LUTTE
CONTRE LES CHANGEMENTS CLIMATIQUES

PROGRAM 1

Environmental Protection	190,023,600.00
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PROGRAM 2

Bureau d'audiences publiques sur l'environnement	5,299,000.00
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	195,322,600.00
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ÉCONOMIE, INNOVATION ET EXPORTATIONS

PROGRAM 1

Economic Development and Development of Innovation and Exports	460,510,000.00
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PROGRAM 2

Economic Development Fund Interventions	183,242,000.00
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	643,752,000.00
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ÉDUCATION, LOISIR ET SPORT

PROGRAM 1

Administration	132,430,300.00
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PROGRAM 2

Preschool, Primary and Secondary Education	9,274,293,700.00
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PROGRAM 3

Development of Recreation and Sports	70,916,300.00
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	9,477,640,300.00
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EMPLOI ET SOLIDARITÉ SOCIALE

PROGRAM 1

Employment Assistance Measures	800,499,700.00
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PROGRAM 2

Financial Assistance Measures	2,671,782,100.00
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PROGRAM 3

Administration	483,483,400.00
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	3,955,765,200.00
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ÉNERGIE ET RESSOURCES NATURELLES

PROGRAM 1

Management of Natural Resources	97,990,600.00
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	97,990,600.00

ENSEIGNEMENT SUPÉRIEUR, RECHERCHE ET SCIENCE

PROGRAM 1	
Administration	48,256,500.00
PROGRAM 2	
Bodies reporting to the Minister	28,476,900.00
PROGRAM 3	
Financial Assistance for Education	790,006,100.00
PROGRAM 4	
Higher Education	5,385,545,700.00
PROGRAM 5	
Research Bodies	166,878,000.00
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	6,419,163,200.00

FAMILLE

PROGRAM 1

Planning, Research and Administration	67,081,400.00
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PROGRAM 2

Assistance Measures for Families	2,033,514,800.00
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PROGRAM 3

Condition of Seniors	24,350,600.00
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PROGRAM 4

Public Curator	51,836,800.00
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	2,176,783,600.00
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FINANCES

PROGRAM 1

Department Administration	556,855,800.00
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PROGRAM 2

Budget and Taxation Policies, Economic Analysis and Administration of Government Financial and Accounting Activities	88,328,800.00
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PROGRAM 3

Debt Service	8,000,000.00
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	653,184,600.00
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FORÊTS, FAUNE ET PARCS

PROGRAM 1

Forests	316,381,400.00
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PROGRAM 2

Wildlife and Parks	148,196,400.00
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	464,577,800.00
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IMMIGRATION, DIVERSITÉ ET INCLUSION

PROGRAM 1

Immigration, Diversity and
Inclusion

302,978,000.00

302,978,000.00

JUSTICE

PROGRAM 1	
Judicial Activity	30,452,800.00
PROGRAM 2	
Administration of Justice	289,191,700.00
PROGRAM 3	
Administrative Justice	13,887,700.00
PROGRAM 4	
Justice Accessibility	164,293,600.00
PROGRAM 5	
Bodies Reporting to the Minister	24,075,600.00
PROGRAM 6	
Criminal and Penal Prosecutions	120,996,400.00
PROGRAM 8	
Status of Women	11,118,500.00
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	654,016,300.00

PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

PROGRAM 1

The Public Protector	16,688,400.00
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PROGRAM 2

The Auditor General	27,948,200.00
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PROGRAM 4

The Lobbyists Commissioner	3,214,000.00
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	47,850,600.00
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RELATIONS INTERNATIONALES ET FRANCOPHONIE

PROGRAM 1

International Affairs

102,146,700.00

102,146,700.00

SANTÉ ET SERVICES SOCIAUX

PROGRAM 1

Québec-wide Operations	384,737,400.00
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PROGRAM 2

Regional Operations	17,932,354,500.00
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PROGRAM 3

Office des personnes handicapées du Québec	13,071,400.00
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	18,330,163,300.00
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SÉCURITÉ PUBLIQUE

PROGRAM 1

Security, Prevention and Internal Management	610,094,700.00
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PROGRAM 2

Sûreté du Québec	639,759,100.00
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PROGRAM 3

Bodies Reporting to the Minister	41,771,200.00
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	1,291,625,000.00
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TOURISME

PROGRAM 1

Promotion and Development of Tourism	127,142,500.00
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	127,142,500.00

TRANSPORTS

PROGRAM 1

Infrastructures and Transportation Systems	682,971,900.00
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PROGRAM 2

Administration and Corporate Services	62,621,900.00
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745,593,800.00

TRAVAIL

PROGRAM 1

Labour	32,063,400.00
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PROGRAM 2

Promotion and Development of the Capitale-Nationale	61,047,900.00
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	93,111,300.00
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	50,887,881,900.00
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SCHEDULE 2

GENERAL FUND

APPROPRIATIONS TO BE VOTED FOR EXPENDITURES
CHARGEABLE TO THE 2015-2016 FISCAL YEAR

FAMILLE

PROGRAM 2

Assistance Measures for Families

230,900,000.00

230,900,000.00

230,900,000.00

SCHEDULE 3

SPECIAL FUNDS

AFFAIRES MUNICIPALES ET OCCUPATION DU TERRITOIRE

REGIONAL DEVELOPMENT
FUND

Expenditure estimate	44,237,600.00
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SUBTOTAL

Expenditure estimate	44,237,600.00
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CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

NATURAL DISASTER ASSISTANCE
FUND

Expenditure estimate	1,608,300.00
Investment estimate	7,245,000.00

SUBTOTALS

Expenditure estimate	1,608,300.00
Investment estimate	7,245,000.00

CULTURE ET COMMUNICATIONS

QUÉBEC CULTURAL HERITAGE
FUND

Expenditure estimate	16,615,700.00
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SUBTOTAL

Expenditure estimate	16,615,700.00
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DÉVELOPPEMENT DURABLE, ENVIRONNEMENT ET LUTTE
CONTRE LES CHANGEMENTS CLIMATIQUES

GREEN FUND

Expenditure estimate	519,229,300.00
Investment estimate	8,352,400.00

SUBTOTALS

Expenditure estimate	519,229,300.00
Investment estimate	8,352,400.00

ÉCONOMIE, INNOVATION ET EXPORTATIONS

ECONOMIC DEVELOPMENT
FUND

Expenditure estimate	307,872,000.00
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SUBTOTAL

Expenditure estimate	307,872,000.00
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ÉDUCATION, LOISIR ET SPORT

SPORTS AND PHYSICAL ACTIVITY
DEVELOPMENT FUND

Expenditure estimate	71,983,000.00
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SUBTOTAL	
Expenditure estimate	71,983,000.00

EMPLOI ET SOLIDARITÉ SOCIALE

ASSISTANCE FUND FOR
INDEPENDENT
COMMUNITY ACTION

Expenditure estimate	24,124,000.00
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LABOUR MARKET DEVELOPMENT
FUND

Expenditure estimate	1,039,313,900.00
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GOODS AND SERVICES FUND

Expenditure estimate	90,457,500.00
Investment estimate	500,000.00

INFORMATION TECHNOLOGY FUND
OF THE MINISTÈRE DE L'EMPLOI ET
DE LA SOLIDARITÉ SOCIALE

Expenditure estimate	18,493,900.00
Investment estimate	18,000,000.00

FONDS QUÉBÉCOIS
D'INITIATIVES SOCIALES

Expenditure estimate	20,712,000.00
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SUBTOTALS

Expenditure estimate	1,193,101,300.00
Investment estimate	18,500,000.00

ÉNERGIE ET RESSOURCES NATURELLES

NATURAL RESOURCES FUND

Expenditure estimate	198,057,300.00
Investment estimate	440,700.00

TERRITORIAL INFORMATION
FUND

Expenditure estimate	122,130,500.00
Investment estimate	52,542,600.00

SUBTOTALS

Expenditure estimate	320,187,800.00
Investment estimate	52,983,300.00

ENSEIGNEMENT SUPÉRIEUR, RECHERCHE ET SCIENCE

UNIVERSITY EXCELLENCE AND
PERFORMANCE FUND

Expenditure estimate	28,269,000.00
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SUBTOTAL

Expenditure estimate	28,269,000.00
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FAMILLE

EARLY CHILDHOOD DEVELOPMENT
FUND

Expenditure estimate	10,000,000.00
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SUBTOTAL

Expenditure estimate	10,000,000.00
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FINANCES

FINANCING FUND

Expenditure estimate	2,090,800.00
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FUND OF THE BUREAU DE DÉCISION
ET DE RÉVISION

Expenditure estimate	2,072,000.00
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Investment estimate	25,000.00
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IFC MONTRÉAL FUND

Expenditure estimate	1,437,600.00
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NORTHERN DEVELOPMENT
FUND

Expenditure estimate	79,238,800.00
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TAX ADMINISTRATION FUND

Expenditure estimate	906,503,000.00
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SUBTOTALS

Expenditure estimate	991,342,200.00
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Investment estimate	25,000.00
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FORÊTS, FAUNE ET PARCS

NATURAL RESOURCES FUND –
SUSTAINABLE FOREST
DEVELOPMENT SECTION

Expenditure estimate	485,618,500.00
Investment estimate	12,000,000.00
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SUBTOTALS	
Expenditure estimate	485,618,500.00
Investment estimate	12,000,000.00

JUSTICE

ACCESS TO JUSTICE FUND

Expenditure estimate	10,924,000.00
Investment estimate	2,500.00

FONDS D' AIDE AUX VICTIMES
D' ACTES CRIMINELS

Expenditure estimate	21,733,300.00
Investment estimate	107,100.00

REGISTER FUND OF THE MINISTÈRE
DE LA JUSTICE

Expenditure estimate	24,434,500.00
Investment estimate	4,354,300.00

FUND OF THE ADMINISTRATIVE
TRIBUNAL OF QUÉBEC

Expenditure estimate	39,295,700.00
Investment estimate	1,165,700.00

SUBTOTALS

Expenditure estimate	96,387,500.00
Investment estimate	5,629,600.00

SANTÉ ET SERVICES SOCIAUX

FUND TO FINANCE HEALTH AND
SOCIAL SERVICES INSTITUTIONS

Expenditure estimate	1,545,000,000.00
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HEALTH AND SOCIAL SERVICES
INFORMATION RESOURCES
FUND

Expenditure estimate	187,636,000.00
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Investment estimate	1,522,000.00
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FUND FOR THE PROMOTION OF
A HEALTHY LIFESTYLE

Expenditure estimate	10,000,000.00
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SUBTOTALS

Expenditure estimate	1,742,636,000.00
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Investment estimate	1,522,000.00
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SÉCURITÉ PUBLIQUE

POLICE SERVICES FUND

Expenditure estimate	582,085,500.00
Investment estimate	23,051,300.00

SUBTOTALS

Expenditure estimate	582,085,500.00
Investment estimate	23,051,300.00

TOURISME

TOURISM PARTNERSHIP FUND

Expenditure estimate	144,771,800.00
Investment estimate	3,150,100.00

SUBTOTALS

Expenditure estimate	144,771,800.00
Investment estimate	3,150,100.00

TRANSPORTS

ROLLING STOCK MANAGEMENT
FUND

Expenditure estimate	119,949,100.00
Investment estimate	45,432,600.00

HIGHWAY SAFETY FUND

Expenditure estimate	15,000,000.00
Investment estimate	7,450,600.00

LAND TRANSPORTATION
NETWORK FUND

Expenditure estimate	3,297,270,800.00
Investment estimate	2,437,496,500.00

SUBTOTALS

Expenditure estimate	3,432,219,900.00
Investment estimate	2,490,379,700.00

TRAVAIL

FUND OF THE COMMISSION
DES LÉSIONS PROFESSIONNELLES

Expenditure estimate	66,698,700.00
Investment estimate	1,525,000.00

FUND OF THE COMMISSION DES
RELATIONS DU TRAVAIL

Expenditure estimate	20,455,800.00
Investment estimate	1,422,700.00

SUBTOTALS

Expenditure estimate	87,154,500.00
Investment estimate	2,947,700.00

TOTALS

Expenditure estimate	10,075,319,900.00
Investment estimate	2,625,786,100.00

SCHEDULE 4

EXCESS SPECIAL FUND EXPENDITURES AND INVESTMENTS FOR
THE 2012-2013 FISCAL YEAR

AFFAIRES MUNICIPALES ET OCCUPATION DU TERRITOIRE

REGIONAL DEVELOPMENT
FUND

Expenditure estimate	190,400.00
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SUBTOTAL

Expenditure estimate	190,400.00
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CONSEIL DU TRÉSOR ET ADMINISTRATION GOUVERNEMENTALE

NATURAL DISASTER ASSISTANCE
FUND

Expenditure estimate	106,000.00
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SUBTOTAL

Expenditure estimate	106,000.00
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EMPLOI ET SOLIDARITÉ SOCIALE

FONDS DE FOURNITURE DE BIENS
OU DE SERVICES DU MINISTÈRE DE
L'EMPLOI ET DE LA SOLIDARITÉ
SOCIALE

Expenditure estimate	1,066,800.00
	<hr/>
SUBTOTAL	
Expenditure estimate	1,066,800.00

FINANCES

IFC MONTRÉAL FUND

Expenditure estimate	400,000.00
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TAX ADMINISTRATION FUND

Expenditure estimate	25,534,000.00
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SUBTOTAL

Expenditure estimate	25,934,000.00
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JUSTICE

ACCESS TO JUSTICE FUND

Investment estimate	2,600.00
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FONDS D'AIDE AUX VICTIMES
D'ACTES CRIMINELS

Expenditure estimate	164,300.00
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FUND OF THE ADMINISTRATIVE
TRIBUNAL OF QUÉBEC

Expenditure estimate	535,600.00
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SUBTOTALS

Expenditure estimate	699,900.00
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Investment estimate	2,600.00
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SANTÉ ET SERVICES SOCIAUX

HEALTH AND SOCIAL SERVICES
INFORMATION RESOURCES
FUND

Investment estimate	60,000.00
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SUBTOTAL	
Investment estimate	60,000.00

SÉCURITÉ PUBLIQUE

POLICE SERVICES FUND

Expenditure estimate	26,458,400.00
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SUBTOTAL

Expenditure estimate	26,458,400.00
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TOURISME

TOURISM PARTNERSHIP FUND

Expenditure estimate	3,658,900.00
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SUBTOTAL

Expenditure estimate	3,658,900.00
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TRANSPORTS

ROLLING STOCK MANAGEMENT
FUND

Investment estimate	5,643,300.00
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HIGHWAY SAFETY FUND

Investment estimate	3,800.00
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SUBTOTAL

Investment estimate	5,647,100.00
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TOTALS

Expenditure estimate	58,114,400.00
Investment estimate	5,709,700.00

2014, chapter 8 AN ACT TO AMEND THE EDUCATIONAL CHILDCARE ACT

Bill 2

Introduced by Madam Francine Charbonneau, Minister of Families

Introduced 22 May 2014

Passed in principle 12 June 2014

Passed 21 October 2014

Assented to 22 October 2014

Coming into force: 11 September 2014

Legislation amended:

Educational Childcare Act (chapter S-4.1.1)

Explanatory notes

The purpose of this Act is to clarify the concept of related person in the Educational Childcare Act as regards certain ties between persons governed by that Act, including family members and relatives.

The Act authorizes the Minister responsible for the Educational Childcare Act to require from a day care permit holder the information or documents necessary to ascertain the existence or absence of ties described in that Act, and introduces a mechanism for reviewing decisions with regard to the concept of related person.

Lastly, it specifies additional circumstances in which the Minister may cancel or reduce the subsidy granted to a recipient or suspend its payment, including when a recipient refuses or neglects to provide the information required by the Minister.



Chapter 8

AN ACT TO AMEND THE EDUCATIONAL CHILDCARE ACT

[Assented to 22 October 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 3 of the Educational Childcare Act (chapter S-4.1.1) is amended

(1) by replacing subparagraph *a* of paragraph 2 by the following subparagraph:

“(a) subject to section 93.3, the person’s spouse or child, the child of the person’s spouse, or the person’s mother, father, aunt, uncle, brother or sister or their spouse;”;

(2) by adding the following subparagraph after subparagraph *e* of paragraph 2:

“(f) a person, other than a financial institution, who directly or indirectly grants the person a security, a loan or any other economic benefit in relation to the establishment of a day care centre delivering subsidized childcare or the funding of its activities.”

2. The Act is amended by inserting the following sections after section 93.2:

“**93.3.** For the purposes of sections 93.1 and 93.2, the persons referred to in subparagraph *a* of paragraph 2 of section 3 are considered related to one another if one directly or indirectly participates with the other in the operation or management of a day care centre delivering subsidized childcare.

“**93.4.** A day care permit applicant or holder who files an application with the Minister to obtain subsidized childcare spaces or to enter into a subsidy agreement must send the Minister, in the form determined by the Minister, the name and contact information of any permit applicant or holder with whom the day care permit applicant or holder is related within the meaning of paragraph 2 of section 3 or a declaration attesting to the absence of ties described in that paragraph.

“**93.5.** A day care permit applicant or holder to whom subsidized childcare spaces have been granted must inform the Minister without delay of any change in the applicant’s or holder’s circumstances that could call into question the applicant’s or holder’s entitlement to a subsidy under the law or the subsidy agreement entered into with the Minister.

“**93.6.** The Minister may require from the persons described in section 93.4 or a person with whom the Minister has entered into a subsidy agreement any

document or information necessary to ascertain the existence or absence of ties described in paragraph 2 of section 3.

“93.7. For the purposes of sections 93.1 and 93.2, a day care permit applicant or holder who is dissatisfied with a decision with regard to the concept of related person may, within seven days after notification of the decision, apply in writing for its review.

“93.8. The Minister designates the persons responsible for reviewing decisions with regard to the concept of related person. The persons designated must not come under the same administrative authority as the person who rendered the decision under review.

“93.9. After giving the person concerned an opportunity to submit observations and produce documents to complete the record, the person responsible for reviewing the decision renders a decision on the basis of the record. The person may confirm, quash or vary the decision under review.

“93.10. The application for review must be dealt with promptly. The review decision must be rendered within 15 days after receipt of the application or, as applicable, after the expiry of the time requested by the applicant to submit observations or produce documents.

“93.11. The review decision must be written in clear and concise terms, with reasons given, and be notified to the applicant.”

3. Section 97 of the Act is amended, in the first paragraph,

(1) by inserting the following subparagraph after subparagraph 1:

“(1.1) makes a false declaration or distorts a material fact when applying for subsidized childcare spaces or entering into a subsidy agreement;”;

(2) by inserting the following subparagraphs after subparagraph 2:

“(2.1) refuses or neglects to inform the Minister of any change in the recipient’s circumstances that could call into question the recipient’s entitlement to a subsidy under the law or under the subsidy agreement entered into with the Minister;

“(2.2) refuses or neglects to provide any document or information required by the Minister under section 93.6;”.

4. This Act comes into force on 11 September 2014.

2014, chapter 9

AN ACT TO AMEND THE LABOUR CODE WITH RESPECT TO CERTAIN EMPLOYEES OF FARMING BUSINESSES

Bill 8

Introduced by Mr. Sam Hamad, Minister of Labour

Introduced 13 June 2014

Passed in principle 30 September 2014

Passed 21 October 2014

Assented to 22 October 2014

Coming into force: 22 October 2014

Legislation amended:

Labour Code (chapter C-27)

Explanatory notes

This Act amends the Labour Code to introduce special provisions that apply to the employees of an employer who are assigned to a farming business, unless at least three such employees are ordinarily and continuously employed.

The Act requires, among other things, that the employer give an association of employees a reasonable opportunity to make representations concerning the employees' conditions of employment. The employer must examine the representations and discuss them with the association's representatives.

Diligence and good faith must govern the conduct of the association of employees and the employer at all times.

Furthermore, the Act confers jurisdiction on the Commission des relations du travail to hear and determine any complaint alleging a contravention of these special provisions.

Lastly, it contains transitional and final provisions



Chapter 9

AN ACT TO AMEND THE LABOUR CODE WITH RESPECT TO CERTAIN EMPLOYEES OF FARMING BUSINESSES

[Assented to 22 October 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Section 21 of the Labour Code (chapter C-27) is amended by striking out the fifth paragraph.
- 2.** The Code is amended by inserting the following after section 111.26:

“CHAPTER V.3

“SPECIAL PROVISIONS APPLICABLE TO FARMING BUSINESSES

“**111.27.** This chapter applies to the employees of an employer who are assigned to a farming business, unless at least three such employees are ordinarily and continuously employed.

Divisions II and III of Chapter II and Chapters III to V do not apply to employees referred to in the first paragraph.

“**111.28.** The employer must give an association of employees of the farming business a reasonable opportunity to make representations about the conditions of employment of its members.

“**111.29.** Considerations relevant in determining whether a reasonable opportunity has been given include the following:

(1) the timing of the representations relative to concerns that may arise in running a farming business, such as planting and harvesting days, weather conditions, animal health and safety and plant health;

(2) the frequency and repetitiveness of the representations.

“**111.30.** An association of employees may make its representations verbally or in writing. The employer must examine the representations and discuss them with the association’s representatives.

If representations are made in writing, the employer gives the association of employees a written acknowledgement of having read them.

Diligence and good faith must govern the parties’ conduct at all times.

“111.31. The employer or the owner of an agricultural operation is required to allow any representative of an association of employees holding a permit issued by the Commission in accordance with the regulation made for that purpose under section 138 to enter and have access to the place under the employer’s or owner’s control where employees are living.

“111.32. An association of employees, an employer or an employers’ association that believes that a right conferred by this chapter has not been respected may file a complaint with the Commission.”

3. Section 138 of the Code is amended by replacing “section 8 or 9” in subparagraph *a* of the first paragraph by “sections 9, 111.26 and 111.31”.

4. Section 141 of the Code is amended by adding the following paragraph at the end:

“An employer who or which fails to acknowledge as representing employees in his or its employ the representatives of an association referred to in Chapter V.3 or to have discussions with them in good faith according to the process provided for in that chapter is guilty of an offence under the first paragraph and liable to the fine prescribed in that paragraph.”

TRANSITIONAL AND FINAL PROVISIONS

5. Any certification granted under the Labour Code (chapter C-27) between 13 June 2014 and 22 October 2014 with respect to employees who are subject to Chapter V.3 of the Code is null.

The same holds for any petition for certification in progress on 22 October 2014 with respect to such employees and for any recourse brought in connection with such a petition.

6. Subdivision 4 of Division IV of the Regulation respecting the exercise of the right of association under the Labour Code (chapter C-27, r. 4) applies, with the necessary modifications, to a permit to enter and have access to the place where employees of a farming business are living until the regulation referred to in section 111.31 of the Labour Code is made by the Government.

7. This Act comes into force on 22 October 2014.

2014, chapter 10
**AN ACT TO AMEND THE CODE OF CIVIL PROCEDURE
AND OTHER PROVISIONS**

Bill 14

Introduced by Madam Stéphanie Vallée, Minister of Justice

Introduced 30 September 2014

Passed in principle 7 October 2014

Passed 23 October 2014

Assented to 29 October 2014

Coming into force: 1 January 2015 or any earlier date set by the Government

Legislation amended:

Code of Civil Procedure (chapter C-25)

Act respecting municipal courts (chapter C-72.01)

Act to establish the new Code of Civil Procedure (2014, chapter 1)

Regulation amended:

Tariff of Court Fees applicable to the Recovery of Small Claims (chapter C-25, r. 16)

Explanatory notes

This Act amends the Code of Civil Procedure in order to raise the value of the claims admissible in small claims recovery matters to \$15,000.

The Tariff of Court Fees applicable to the Recovery of Small Claims is also amended to set the amount of the court fees payable in the case of claims made admissible by this Act.

Under the Code as amended, the chief justice or chief judge may order on his or her own initiative that a case be transferred to another district, and may take into consideration the interests of the parties or the third persons concerned or any serious grounds warranting such a transfer.

Lastly, various consequential amendments and transitional measures are introduced.



Chapter 10

AN ACT TO AMEND THE CODE OF CIVIL PROCEDURE AND OTHER PROVISIONS

[Assented to 29 October 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CODE OF CIVIL PROCEDURE

1. Article 75.0.1 of the Code of Civil Procedure (chapter C-25) is replaced by the following article:

“75.0.1. At any stage of a proceeding, the chief justice or chief judge or the judge designated by the chief justice or chief judge may, by way of exception, order, even on his or her own initiative after having heard the parties, that a case, a trial or an application relating to the execution of a judgment be transferred to another district in the interests of the parties or of the third persons concerned or if warranted on serious grounds.”

2. Article 953 of the Code is amended by replacing both occurrences of “\$7,000” by “\$15,000”.

3. Article 955 of the Code is amended by replacing both occurrences of “\$7,000” by “\$15,000”.

4. Article 994 of the Code is amended by replacing “\$7,000” in the second paragraph by “\$15,000”.

ACT RESPECTING MUNICIPAL COURTS

5. Section 80 of the Act respecting municipal courts (chapter C-72.01) is amended by replacing both occurrences of “\$7,000” by “\$15,000”.

ACT TO ESTABLISH THE NEW CODE OF CIVIL PROCEDURE

6. Article 822 of the Act to establish the new Code of Civil Procedure (2014, chapter 1) is repealed.

TARIFF OF COURT FEES APPLICABLE TO THE RECOVERY OF SMALL CLAIMS

7. Section 2 of the Tariff of Court Fees applicable to the Recovery of Small Claims (chapter C-25, r. 16) is amended

(1) by replacing “\$7,000” in the last line of the table by “\$6,999.99”;

(2) by adding the following line after the last line of the table under “Costs for the proceeding introductive of suit”, “Natural person” and “Legal person”, respectively:

“\$7,000 to \$15,000	\$200	\$250”.
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8. Section 3 of the Tariff is amended

(1) by replacing “\$7,000” in the last line of the table by “\$6,999.99”;

(2) by adding the following line after the last line of the table under “Costs for the contestation”, “Natural person” and “Legal person”, respectively:

“\$7,000 to \$15,000	\$190	\$240”.
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9. Section 4 of the Tariff is amended

(1) by replacing “\$7,000” in the last line of the table by “\$6,999.99”;

(2) by adding the following line after the last line of the table under “Cross demand”, “Natural person” and “Legal person”, respectively:

“\$7,000 to \$15,000	\$90	\$110”.
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10. Section 5 of the Tariff is amended

(1) by replacing “\$7,000” in the last line of the table by “\$6,999.99”;

(2) by adding the following line after the last line of the table under “Revocation of a judgment”, “Natural person” and “Legal person”, respectively:

“\$7,000 to \$15,000	\$90	\$110”.
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11. Section 6 of the Tariff is amended

(1) by replacing “\$7,000” in the last line of the table by “\$6,999.99”;

(2) by adding the following line after the last line of the table under “Issue of the writ of execution by the clerk”, “Natural person” and “Legal person”, respectively:

“\$7,000 to \$15,000	\$160	\$180”.
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12. Section 7 of the Tariff is amended by replacing the last line of the table by the following lines:

“\$5,000 to \$6,999.99	\$94.50	\$104
\$7,000 and over	\$110	\$120”.

TRANSITIONAL AND FINAL PROVISIONS

13. Cases that would, on the date of coming into force of this Act, be under the jurisdiction of the Small Claims Division of the Court of Québec continue before the Civil Division of the Court of Québec already seized of the matter.

14. The amendment made by section 4 of this Act does not have effect with regard to the execution, if already underway, of a judgment rendered in a small claims matter.

15. This Act comes into force on 1 January 2015 or any earlier date set by the Government.

2014, chapter 11

AN ACT RESPECTING THE IMPLEMENTATION OF RECOMMENDATIONS BY THE PENSION COMMITTEE OF CERTAIN PENSION PLANS IN THE PUBLIC SECTOR AND AMENDING VARIOUS LEGISLATIVE PROVISIONS

Bill 12

Introduced by Mr. Martin Coiteux, Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor

Introduced 30 September 2014

Passed in principle 8 October 2014

Passed 18 November 2014

Assented to 19 November 2014

Coming into force: 19 November 2014, except sections 1, 8, 9, 10 and 15, which come into force on 1 January 2015

Legislation amended:

Act respecting the Pension Plan of Certain Teachers (chapter R-9.1)

Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2)

Act respecting the Government and Public Employees Retirement Plan (chapter R-10)

Act respecting the Teachers Pension Plan (chapter R-11)

Act respecting the Civil Service Superannuation Plan (chapter R-12)

Act respecting the Pension Plan of Management Personnel (chapter R-12.1)

Explanatory notes

This Act amends various Acts establishing pension plans in the public sector, in particular in response to certain recommendations made by the pension committees. Also, a number of technical amendments are made to the pension plans to reflect changes to certain conditions of employment of the plan members.

In addition, the Act maintains the provisions overriding section 15 of the Constitution Act, 1982, found in the Act respecting the Pension Plan of Certain Teachers, the Act respecting the Government and Public Employees Retirement Plan, the Act respecting the Teachers Pension Plan, the Act respecting the Civil Service Superannuation Plan and the Act respecting the Pension Plan of Management Personnel.



Chapter 11

AN ACT RESPECTING THE IMPLEMENTATION OF RECOMMENDATIONS BY THE PENSION COMMITTEE OF CERTAIN PENSION PLANS IN THE PUBLIC SECTOR AND AMENDING VARIOUS LEGISLATIVE PROVISIONS

[Assented to 19 November 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE PENSION PLAN OF CERTAIN TEACHERS

1. The second paragraph of section 62 of the Act respecting the Pension Plan of Certain Teachers (chapter R-9.1) is again enacted and therefore reads as follows:

“The provisions of this Act have effect despite section 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).”

ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS IN CORRECTIONAL SERVICES

2. Section 9 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2) is amended by replacing “employee on adoption leave” in the third paragraph by “employee on paternity or adoption leave” and by replacing “adoption leave for” in that paragraph by “such leave for”.

3. Section 42.1.1 of the Act is amended by replacing “an adoption leave” by “a paternity or adoption leave”.

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

4. Section 134 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended by replacing “and, for the purposes of section 147, the criteria and conditions subject to which the Commission may remit any amount owed to it;” in subparagraph 16 of the first paragraph by “and, for the purposes of the third paragraph of section 147, the cases in and conditions subject to which the Commission remits any amount of pension or pension credit, or any excess reimbursement of contributions or actuarial value, owed to the Commission where the amount was paid before the expiry of the time limit specified in subparagraphs 1 and 2 of the second paragraph of that section;”.

5. Section 147 of the Act is amended by replacing the third paragraph by the following paragraph:

“The Commission shall also remit, in the cases and subject to the conditions determined by regulation of the Government, any amount of pension or pension credit, or any excess reimbursement of contributions or actuarial value, owed to the Commission where the amount was paid before the expiry of the time limit specified in subparagraphs 1 and 2 of the second paragraph.”

6. Section 147.0.5 of the Act is amended by inserting “the regulatory provisions made under the third paragraph of that section,” after “section 147.”

7. The Act is amended by inserting the following section after section 184:

“184.1. Sections 100.6 to 100.8 of the Labour Code (chapter C-27) apply to the arbitration provided for in this chapter.

Articles 307 and 308 of the Code of Civil Procedure (chapter C-25) apply to the witnesses heard in the arbitration.”

8. The second paragraph of section 223.1 of the Act is again enacted and therefore reads as follows:

“They have effect despite section 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).”

ACT RESPECTING THE TEACHERS PENSION PLAN

9. The second paragraph of section 78.1 of the Act respecting the Teachers Pension Plan (chapter R-11) is again enacted and therefore reads as follows:

“Sections 28, 32 and 51 have effect despite section 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).”

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

10. The second paragraph of section 114.1 of the Act respecting the Civil Service Superannuation Plan (chapter R-12) is again enacted and therefore reads as follows:

“Sections 56 and 84 have effect despite section 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).”

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

11. Section 10 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended by replacing the second sentence of the last paragraph by the following sentence: “When the contributions relating to a period of absence without pay have not been paid, that period of absence is not taken into account for that additional period, even if that period of absence was redeemed under section 38.”

12. Section 25 of the Act is amended by replacing “employee on adoption leave” in the third paragraph by “employee on paternity or adoption leave” and by replacing “adoption leave for” in that paragraph by “such leave for”.

13. Section 43.1 of the Act is amended by replacing “an adoption leave” by “a paternity or adoption leave”.

14. The Act is amended by inserting the following section after section 196.23:

“**196.23.1.** Sections 100.6 to 100.8 of the Labour Code (chapter C-27) apply to the arbitration provided for in this chapter.

Articles 307 and 308 of the Code of Civil Procedure (chapter C-25) apply to the witnesses heard in the arbitration.”

15. The second paragraph of section 211 of the Act is again enacted and therefore reads as follows:

“They have effect despite section 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).”

MISCELLANEOUS AND FINAL PROVISIONS

16. The first amendment to section 7 of the Regulation respecting the designation of classes of employees and the determination of special provisions applicable to employees of the Institut Philippe-Pinel (chapter R-9.2, r. 2) enacted after this Act has been assented to may have effect from a date not prior to 1 January 2013.

17. Sections 2 and 3 of this Act have effect from 13 March 2011, section 11 has effect from 1 January 2013, and sections 12 and 13 have effect from 29 May 2012.

18. This Act comes into force on 19 November 2014, except sections 1, 8, 9, 10 and 15, which come into force on 1 January 2015.

2014, chapter 12

AN ACT TO AMEND THE ACT RESPECTING OFF-HIGHWAY VEHICLES AND OTHER PROVISIONS

Bill 16

Introduced by Mr. Robert Poëti, Minister of Transport

Introduced 4 November 2014

Passed in principle 25 November 2014

Passed 2 December 2014

Assented to 3 December 2014

Coming into force: 17 December 2014, except:

(1) section 12.1.1 of the Act respecting off-highway vehicles (chapter V-1.2) enacted by section 10, and section 54, which come into force on 1 June 2015;

(2) section 2 when it renders sections 209.1 to 209.2.1.2, 328.2, 422.1, 422.4, 434.2 and 434.5 of the Highway Safety Code (chapter C-24.2) applicable, which comes into force on 17 December 2015; and

(3) paragraph 3 of section 1 and section 43, which come into force on 17 December 2017, unless the Government sets an earlier date or earlier dates for their coming into force.

Legislation amended:

Highway Safety Code (chapter C-24.2)

Act respecting off-highway vehicles (chapter V-1.2)

Ministerial orders repealed:

Ministerial Order concerning the pilot project concerning add-on seats for single-seat snowmobiles (chapter V-1.2, r. 2)

Ministerial Order concerning the Pilot project concerning track systems for 4-wheel all-terrain vehicles (chapter V-1.2, r. 3)

Ministerial Order concerning the Pilot project concerning side-by-side vehicles (chapter V-1.2, r. 4)

Regulations amended:

Regulation respecting off-highway vehicle trail signs (chapter V-1.2, r. 4.1)

Regulation respecting off-highway vehicles (chapter V-1.2, r. 5)

Explanatory notes

This Act integrates rules applicable to recreational off-highway vehicles, add-on seats for single-seat snowmobiles and track systems for quad bikes into the Act respecting off-highway vehicles.

(Cont'd on next page)

Explanatory notes (Cont'd)

Various measures are proposed, in particular concerning electric off-highway vehicles and the operation of off-highway vehicles on public highways.

A prohibition is introduced under which no person may hang on to a moving off-highway vehicle or ride on or in any part of the vehicle that is not a passenger seat.

Peace officers are given the power to inspect an operator's helmet or order the cleaning of certain parts of an off-highway vehicle.

Lastly, the amount of fines for certain offences under the Act respecting off-highway vehicles is increased.



Chapter 12

AN ACT TO AMEND THE ACT RESPECTING OFF-HIGHWAY VEHICLES AND OTHER PROVISIONS

[Assented to 3 December 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING OFF-HIGHWAY VEHICLES

1. Section 1 of the Act respecting off-highway vehicles (chapter V-1.2) is amended

(1) by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) the following motorized all-terrain vehicles:

(a) quad bikes, that is, four-wheel vehicles that are equipped with a straddle seat and handlebars;

(b) recreational off-highway vehicles, that is, four-wheel vehicles, including utility task vehicles, that are equipped with one or more non-straddle seats, a steering wheel, pedals and a protective structure, all of whose wheels are driving wheels and whose net mass does not exceed 450 kilograms in the case of single-seat vehicles and 750 kilograms in the case of multi-seat vehicles;

(c) trail bikes;

(d) other vehicles that have three or more wheels and handlebars, that are designed to be straddled and whose net mass does not exceed 600 kilograms;”;

(2) by striking out the third paragraph;

(3) by replacing the fourth paragraph by the following paragraph:

“Nor does this Act apply to activities held in compliance with the rules set out in a regulation made or approved by the Minister of Education, Recreation and Sports under the Act respecting safety in sports (chapter S-3.1) and prescribing that the authorization of the person having parental authority is required for a minor to practise any such activity.”;

(4) by adding the following paragraph at the end:

“The weight of the battery of a vehicle propelled solely by an electric motor is not taken into account in calculating its net mass. The Minister shall specify

the net mass of any such vehicle in a list published on the Internet site of the Ministère des Transports.”

2. The Act is amended by inserting the following section after section 1:

“**1.1.** Chapter II of this Act on mandatory equipment, Division I of Chapter IV on operators, and sections 28 to 30 prescribing traffic rules apply to off-highway vehicles or their operators, as applicable, when such vehicles are operated on public highways and in other places where the Highway Safety Code (chapter C-24.2) applies.

In addition to what is provided in the Highway Safety Code, the following provisions of that Code and the regulations made under them apply, with the necessary modifications, to the operation of off-highway vehicles on public highways and in other places where that Code applies:

- (1) sections 166.1 to 179 in Title IV on obligations in case of an accident;
- (2) sections 209.1 to 209.26 in Chapter III of Title V on penalties for driving without a licence or while disqualified;
- (3) sections 288 to 318 in Title VII on road and traffic signs and signals;
- (4) Title VIII on rules of the road in, in particular,
 - (a) sections 320 to 397 and 402 to 443 in Divisions I, II and IV of Chapter II, except sections 421.1, 426 to 428, 432 and 440.1;
 - (b) sections 460, 471 and 472, the first paragraph of section 473 and sections 474 to 474.2 and 498; and
 - (c) sections 504 to 519 in Chapter VII; and
- (5) sections 636 to 637, 642 and 643.

Where an offence under any of the provisions referred to in the second paragraph gives rise to demerit points, the rules under the Highway Safety Code in that respect as well as any attendant regulation apply.”

3. Section 2 of the Act is amended by adding the following paragraph at the end:

“Subparagraph 5 of the first paragraph does not apply to a vehicle propelled solely by an electric motor.”

4. The Act is amended by inserting the following section after section 2:

“**2.0.1.** Despite subparagraph 1 of the first paragraph of section 2, a recreational off-highway vehicle must be equipped with two white headlights

at the same height, one on each side of the vertical centreline and as far apart as practicable.

A recreational off-highway vehicle must also have the following equipment:

- (1) a protective structure to prevent injuries in case of a roll-over, made up of at least two roll bars linked together by at least two struts;
- (2) doors or cargo nets for each access to the cab;
- (3) an assist handle for each passenger;
- (4) a seat belt with three or more anchor points for each occupant of the vehicle;
- (5) a headrest for each occupant of the vehicle;
- (6) an engine with a piston displacement not exceeding 1,000 cm³;
- (7) all-terrain tires that conform to the standards set by government regulation; and
- (8) a rear-view mirror inside the vehicle attached at the centre of the front upper part of the protective structure.

Subparagraph 8 of the second paragraph does not apply to a single-seat recreational off-highway vehicle.”

5. Section 3 of the Act is amended

(1) by inserting the following subparagraph before subparagraph 1 of the first paragraph:

“(0.1) one red tail-light;”;

(2) by inserting the following paragraph after the first paragraph:

“Subparagraph 0.1 of the first paragraph applies only to sleighs or trailers built after 1 January 2015.”

6. Section 6 of the Act is amended by inserting “, 2.0.1” after “2” in the first paragraph.

7. The Act is amended by inserting the following sections after section 7:

“**7.1.** No person may remove or modify a seat belt with which a recreational off-highway vehicle is equipped, render it inoperative or have it removed, modified or rendered inoperative.

“7.2. No person may install a seat belt in a recreational off-highway vehicle, or sell or lease a seat belt or place one at a person’s disposal for installation purposes, unless the equipment is new equipment originating from the manufacturer of the vehicle and intended for such a vehicle. However, a seat belt may be reinstalled in the same vehicle after being removed for the sole purpose of vehicle repairs or maintenance, provided it is in good working order.”

8. Section 11 of the Act is amended

(1) by striking out “and provided that the worker complies with the highway traffic rules” in subparagraph 1 of the second paragraph;

(2) by striking out “, provided that the operator complies with the highway traffic rules” in subparagraph 4 of the second paragraph;

(3) by striking out “, provided that the operator complies with the highway traffic rules” in subparagraph 6 of the second paragraph;

(4) by striking out “2,” in the fourth paragraph;

(5) by adding the following paragraph at the end:

“The operation of an off-highway vehicle as provided in subparagraph 2 of the second paragraph is not authorized on an autoroute or limited access highway within the meaning of the Highway Safety Code, except at an intersection designed as a crossing for off-highway vehicles where appropriate signs and signals are installed.”

9. Section 12.1 of the Act is amended by replacing “all-terrain vehicle modified in accordance with section 21.1” by “off-highway vehicle modified in accordance with section 21.1 or 21.2”.

10. The Act is amended by inserting the following sections after section 12.1:

“12.1.1. Except on trails where signs or signals direct otherwise, the operator of a recreational off-highway vehicle whose overall width, excluding the side rear-view mirror, exceeds 1.524 metres may not operate the vehicle on a trail laid out and used by an off-highway vehicle club.

“12.1.2. The operator of a quad bike modified in accordance with section 21.10 may only operate the vehicle from 15 November to 1 April in a place listed in section 12.1 and, as permitted under section 8, on lands in the domain of the State.

The operator of such a quad bike may not operate the vehicle on a trail laid out and used by an off-highway vehicle club if its overall width exceeds 1.524 metres.

“12.1.3. The operator of a quad bike modified in accordance with section 21.10 may not operate the vehicle on private land, elsewhere than in a place listed in section 12.1, without the express authorization of the owner or lessee of the land.”

11. Section 18 of the Act is amended

(1) by replacing “under 18 years of age” in the second paragraph by “a minor”;

(2) by replacing “, unless the operator is otherwise authorized to operate an off-highway vehicle under legislation in force in his place of residence” in the second paragraph by “. This paragraph does not apply to the holder of a driver’s licence issued by an administrative authority other than the Société de l’assurance automobile du Québec authorizing the holder to operate a road vehicle on a public highway within the meaning of the Highway Safety Code (chapter C-24.2)”.

12. Section 18.1 of the Act is replaced by the following section:

“18.1. Despite section 18, only a person of full age may operate a recreational off-highway vehicle or, when carrying a passenger, a quad bike modified in accordance with section 21.1.”

13. Section 21.1 of the Act is amended

(1) by replacing “four-wheel all-terrain vehicle” in the first paragraph by “quad bike”;

(2) by replacing “, unless the operator is otherwise authorized to do so under the legislation in force in the operator’s place of residence” in the second paragraph by “. This paragraph does not apply to the holder of a driver’s licence issued by an administrative authority other than the Société de l’assurance automobile du Québec authorizing the holder to operate a road vehicle on a public highway within the meaning of the Highway Safety Code (chapter C-24.2)”.

14. The Act is amended by inserting the following sections after section 21.1:

“21.2. Despite section 21, a single-seat snowmobile may be modified to add an add-on seat designed for a passenger and having a back rest and molded handles intended for the passenger.

The add-on seat must allow the passenger to use the running boards of the snowmobile or footrests firmly attached to each side of the snowmobile frame.

Despite the first paragraph, two handles reachable by the passenger may replace molded handles provided that a handle is firmly attached to each side of the snowmobile frame.

“21.3. An add-on seat must be firmly attached, according to the manufacturer’s instructions and recommendations, to a single-seat snowmobile for which it was designed.

The add-on seat must bear at all times a mark affixed by the manufacturer showing the manufacturer’s name or trademark. The mark must be legible even when the seat is installed on the snowmobile.

“21.4. When carrying a passenger, the operator of an off-highway vehicle modified in accordance with section 21.1 or 21.2 must comply with the load limit specified by the vehicle manufacturer.

“21.5. No person may operate a recreational off-highway vehicle in which the seat belt provided for the driver or for the seat occupied by a passenger has been removed, modified or rendered inoperative.

“21.6. Every person must, while in a moving recreational off-highway vehicle, wear, properly fastened, the seat belt with which the person’s seat is equipped.

“21.7. Every passenger of a recreational off-highway vehicle, when seated and wearing a properly fastened seat belt, must be tall enough to be able to reach and firmly hold the assist handle designed for the passenger’s seat.

No restraint system or booster cushion may be used to compensate for a passenger’s inability to comply with the first paragraph.

“21.8. No person may drive a recreational off-highway vehicle carrying a passenger under 16 years of age who does not satisfy the requirements of sections 21.6 and 21.7.

“21.9. Despite section 21, the operator of a recreational off-highway vehicle may not carry more passengers than the number of seats equipped with manufacturer-installed seat belts.

“21.10. A quad bike may be modified to install a track system designed for winter driving replacing all of the tires or wheels of the vehicle.

The track system must be firmly attached, according to the manufacturer’s instructions and recommendations, to a quad bike for which it was designed.”

15. Section 23 of the Act is amended by inserting the following paragraph after the first paragraph:

“Persons riding in or on such a vehicle, sleigh or trailer must, on the request of a peace officer, allow the peace officer to examine their protective helmet and any other equipment prescribed by regulation.”

16. The Act is amended by inserting the following section after section 23:

“23.1. No person may hang on to or be pulled or pushed by a moving off-highway vehicle, or ride on or in any part of the vehicle that is not a passenger seat, nor may the driver tolerate such a practice.”

17. Section 27 of the Act is amended

- (1) by striking out subparagraph 1 of the third paragraph;
- (2) by striking out the fourth paragraph.

18. Section 28 of the Act is amended

- (1) by replacing “headlight” by “headlight or headlights”;
- (2) by adding the following paragraph at the end:

“The operator shall also keep the red tail-light turned on at the rear of a sleigh or trailer hitched to the vehicle.”

19. The Act is amended by inserting the following section after section 28:

“28.1. No person may operate a recreational off-highway vehicle with a headlight turned on and attached to the protective structure or roof of the vehicle on

- (1) a trail laid out and used by an off-highway vehicle club;
- (2) a public highway within the meaning of the Highway Safety Code (chapter C-24.2); or
- (3) a private road open to public vehicular traffic.”

20. Section 29 of the Act is replaced by the following section:

“29. The headlight or headlights, tail-light, stop light and rear-view mirror or mirrors of an off-highway vehicle and the lights and reflectors of a sleigh or trailer towed by an off-highway vehicle must be free of any object or matter that could make them ineffective.

For the purposes of the first paragraph, a peace officer can require an off-highway vehicle operator to remove any object or clean a soiled or snow-covered part.”

- 21.** Section 46 of the Act is amended by replacing “an all-terrain vehicle” in subparagraph 3.0.1 of the first paragraph by “a quad bike”.
- 22.** Section 50 of the Act is amended
- (1) by replacing “and 7” by “, 2.0.1, 7 and 21.10”;
 - (2) by replacing “\$100 to \$200” by “\$150 to \$300”.
- 23.** Section 51 of the Act is replaced by the following section:
- “51.** The owner of an off-highway vehicle is guilty of an offence and is liable to a fine of \$150 to \$300 if the vehicle tows a sleigh or trailer that does not conform with section 3, 4 or 7.”
- 24.** Section 52 of the Act is amended
- (1) by replacing “and 28” by “, 28 and 28.1”;
 - (2) by replacing “the provisions of section 29” by “the first paragraph of section 29”;
 - (3) by replacing “\$50 to \$100” by “\$75 to \$150”.
- 25.** Section 53 of the Act is amended by replacing “\$100 to \$200” by “\$150 to \$300”.
- 26.** Section 54 of the Act is amended
- (1) by replacing “section 6” in the first paragraph by “sections 6 and 7.1”;
 - (2) by replacing “\$250 to \$1,000” in the first paragraph by “\$275 to \$1,100”;
 - (3) by inserting “or 7.2” after “6.1” in the second paragraph;
 - (4) by replacing “\$500 to \$1,000” in the second paragraph by “\$550 to \$1,100”.
- 27.** Section 55 of the Act is amended
- (1) by replacing “section 25” by “sections 21.4, 21.5, 21.8, 21.9 and 25”;
 - (2) by replacing “\$100 to \$200” by “\$150 to \$300”.
- 28.** Section 55.1 of the Act is amended by replacing “\$400 to \$800” in the first paragraph by “\$450 to \$900”.
- 29.** Section 55.2 of the Act is amended by replacing “\$300 to \$600” by “\$325 to \$650”.

30. Section 55.3 of the Act is amended

- (1) by replacing “\$100 to \$200” in the first paragraph by “\$125 to \$250”;
- (2) by replacing “\$200 to \$400” in the second paragraph by “\$250 to \$500”;
- (3) by replacing “\$50 to \$100” in the third paragraph by “\$75 to \$150”.

31. The Act is amended by inserting the following sections after section 55.3:

“55.4. The owner of a single-seat snowmobile equipped with equipment that does not conform with section 21.2 or 21.3 is guilty of an offence and is liable to a fine of \$150 to \$300 if the snowmobile is operated while carrying a passenger.

“55.5. A person of full age who contravenes section 21.6 or 21.7 is guilty of an offence and is liable to a fine of \$150 to \$300.

A minor 16 years of age or over who contravenes section 21.6 or 21.7 is guilty of an offence and is liable to a fine of \$100.”

32. Section 56 of the Act is amended

- (1) by replacing “any of the provisions of sections 23,” by “the first paragraph of section 23 or any of the provisions of sections”;
- (2) by replacing “\$100 to \$200” by “\$150 to \$300”.

33. The Act is amended by inserting the following section after section 56.1:

“56.2. A person who contravenes section 23.1 is guilty of an offence and is liable to a fine of \$1,000 to \$3,000.”

34. Sections 57 and 58 of the Act are amended by replacing “\$250 to \$500” by “\$375 to \$750”.

35. Section 58.1 of the Act is amended

- (1) by replacing “disobeys an order to stop given under paragraph 3” by “fails to comply with the second paragraph of section 23, the second paragraph of section 29 or subparagraph 3 of the first paragraph”;
- (2) by replacing “\$250 to \$500” by “\$375 to \$750”.

36. Section 58.2 of the Act is replaced by the following section:

“58.2. A minor who contravenes the first or second paragraph of section 18 or section 18.1 is guilty of an offence and is liable to a fine of \$100.”

37. Section 59 of the Act is amended

- (1) by replacing “the second and third paragraphs” by “the third paragraph”;
- (2) by replacing “\$250 to \$500” by “\$375 to \$750”.

38. Section 59.1 of the Act is amended

- (1) by replacing “\$25” in the introductory clause by “\$30”;
- (2) by replacing “\$10” in paragraph 1 by “\$15”;
- (3) by replacing “\$15” in paragraph 2 by “\$20”;
- (4) by replacing “\$20” in paragraph 3 by “\$25”;
- (5) by replacing “\$25” in paragraph 4 by “\$30”;
- (6) by replacing “\$30” in paragraph 5 by “\$35”.

39. Section 60 of the Act is amended by replacing “\$250 to \$500” by “\$375 to \$750”.**40.** Sections 66 and 66.1 of the Act are replaced by the following section:

“66. A person having authority over a minor who allows the minor to contravene section 18 or 18.1 or tolerates the minor doing so is guilty of an offence and is liable to a fine of \$550 to \$1,100. The same holds for the owner or custodian of the vehicle used by the minor.”

41. Section 67 of the Act is amended by replacing “66.1” by “66”.

HIGHWAY SAFETY CODE

42. Section 1 of the Highway Safety Code (chapter C-24.2) is amended by replacing the third paragraph by the following paragraph:

“This Code applies to off-highway vehicles in the following cases only:

- (1) for the purposes of registration and identification of the vehicle by means of a number affixed to it or when it expressly provides as much;
- (2) to the extent provided for in section 1.1 of the Act respecting off-highway vehicles (chapter V-1.2).”

43. Section 14 of the Code is amended by replacing “on a competition circuit laid out and used for the competition of motor vehicles subject to” in paragraph 3 by “in activities held in compliance with standards prescribed in

a regulation made or approved by the Minister of Education, Recreation and Sports under”.

44. Section 328.1 of the Code is amended by striking out “or off-highway vehicle” in subparagraphs 1 to 3 of the first paragraph.

45. Section 328.5 of the Code is amended by striking out “This paragraph applies, under the same conditions, to the driver of an off-highway vehicle.” in the first paragraph.

46. Section 421.1 of the Code is amended by striking out “, or to operate an off-highway vehicle on a public highway on the conditions set out in that Act” in the second paragraph.

MINISTERIAL ORDER CONCERNING THE PILOT PROJECT CONCERNING ADD-ON SEATS FOR SINGLE-SEAT SNOWMOBILES

47. The Ministerial Order concerning the pilot project concerning add-on seats for single-seat snowmobiles (chapter V-1.2, r. 2) is repealed.

MINISTERIAL ORDER CONCERNING THE PILOT PROJECT CONCERNING TRACK SYSTEMS FOR 4-WHEEL ALL-TERRAIN VEHICLES

48. The Ministerial Order concerning the Pilot project concerning track systems for 4-wheel all-terrain vehicles (chapter V-1.2, r. 3) is repealed.

MINISTERIAL ORDER CONCERNING THE PILOT PROJECT CONCERNING SIDE-BY-SIDE VEHICLES

49. The Ministerial Order concerning the Pilot project concerning side-by-side vehicles (chapter V-1.2, r. 4) is repealed.

REGULATION RESPECTING OFF-HIGHWAY VEHICLE TRAIL SIGNS

50. Section 3 of the Regulation respecting off-highway vehicle trail signs (chapter V-1.2, r. 4.1) is amended

(1) by replacing “motorized all-terrain vehicles equipped with handlebars and two wheels,” in paragraph 8 by “trail bikes”;

(2) by replacing “An all-terrain vehicle silhouette represents motorized all-terrain vehicles equipped with handlebars and at least three wheels,” in paragraph 12 by “A quad bike silhouette represents motorized all-terrain vehicles, other than trail bikes,”;

(3) by adding the following paragraphs at the end:

“(14) A recreational off-highway vehicle silhouette represents recreational off-highway vehicles covered by the Act.



“(15) A quad bike with tracks silhouette represents quad bikes equipped with track systems covered by the Act.



51. Section 9 of the Regulation is amended by replacing the first sentence by the following sentence: “Targeted vehicle tab signs indicate to snowmobilers and drivers of motorized all-terrain vehicles other than trail bikes that a sign concerns them exclusively.”

52. Section 24 of the Regulation is amended by inserting the following signs after sign P-130-59:



P-130-60



P-130-61”.

53. Section 25 of the Regulation is amended by replacing “an all-terrain vehicle” by “a quad bike”.

54. The Regulation is amended by inserting the following section after section 25:

25.1. Sign P-130-64 announcing the authorization to take a trail for certain recreational off-highway vehicles indicates that recreational off-highway vehicles whose overall width, excluding the side rear-view mirror, is less than 1.626 metres are authorized to take the trail.



P-130-64”.

55. Section 33 of the Regulation is amended by adding the following sign after tab sign D-3-P:



Recreational
off-highway
vehicle 1 lane
D-200-P-3”.

56. Section 50 of the Regulation is amended by adding the following subparagraph after subparagraph 8 of the first paragraph:

“(9) a D-200 sign accompanied by a D-200-P-3 tab sign, indicating to a recreational off-highway vehicle operator a narrow passage where the roadway of a bridge is less than 3.048 metres wide.”

57. Section 53 of the Regulation is amended by replacing “8” by “9”.

REGULATION RESPECTING OFF-HIGHWAY VEHICLES

58. Section 1.2 of the Regulation respecting off-highway vehicles (chapter V-1.2, r. 5) is repealed.

59. Section 10 of the Regulation is amended by inserting “equipped with a straddle seat” after “off-highway vehicle”.

60. The Regulation is amended by inserting the following divisions after section 11:

“DIVISION 2.1

“OTHER OBLIGATIONS

“**11.1.** No person may operate a vehicle propelled solely by an electric motor elsewhere than on private land, unless the vehicle is equipped with a triangular orange warning sign having a red reflective edge and complying with Standard ANSI/ASAE S276.6 published in January 2005 by the American Society of Agricultural Engineers or any subsequent amendment to that standard.

The sign must be attached with an angle of the triangle pointing upward, vertically and perpendicular to the direction taken by the vehicle, as close as possible to the rear, at the centre of the vehicle or as close as possible to the left, at a height of not less than 50 centimetres or more than 150 centimetres measured from the ground to the base of the sign.

The sign must be in good condition, securely attached to the vehicle and free from any object or matter that could reduce its visibility up to a distance of 180 metres.

“DIVISION 2.2**“MANDATORY EQUIPMENT STANDARDS**

“11.2. Every all-terrain tire on a recreational off-highway vehicle must bear one of the following markings on its sidewall:

- (1) “AT” or “A/T”;
- (2) “NHS” or “not for highway service”;
- (3) “Not for highway use”.

The dimensions of such a tire must be indicated on the sidewall as follows: its total height, its width and the diameter of the rim on which it can be mounted.”

61. Section 27 of the Regulation is amended by striking out “, 1.2” in the first paragraph.

62. Section 28 of the Regulation is amended by replacing “and 11” by “to 11.1”.

FINAL PROVISION

63. This Act comes into force on 17 December 2014, except:

(1) section 12.1.1 of the Act respecting off-highway vehicles (chapter V-1.2) enacted by section 10, and section 54, which come into force on 1 June 2015;

(2) section 2 when it renders sections 209.1 to 209.2.1.2, 328.2, 422.1, 422.4, 434.2 and 434.5 of the Highway Safety Code (chapter C-24.2) applicable, which comes into force on 17 December 2015; and

(3) paragraph 3 of section 1 and section 43, which come into force on 17 December 2017, unless the Government sets an earlier date or earlier dates for their coming into force.

2014, chapter 13

AN ACT TO AMEND THE ACT RESPECTING THE BARREAU DU QUÉBEC, THE NOTARIES ACT AND THE PROFESSIONAL CODE

Bill 17

Introduced by Madam Stéphanie Vallée, Minister of Justice

Introduced 4 November 2014

Passed in principle 11 November 2014

Passed 2 December 2014

Assented to 3 December 2014

Coming into force: 3 December 2014, except sections 1 to 17, which come into force on 19 May 2015, and paragraph 1 of section 19 and paragraph 1 of section 20, which come into force on the date to be set by the Government

Legislation amended:

Act respecting the Barreau du Québec (chapter B-1)

Professional Code (chapter C-26)

Notaries Act (chapter N-3)

Explanatory notes

This Act amends the Act respecting the Barreau du Québec to redefine the governance of the Order by reducing the number of seats on the board of directors, providing for the Bâtonnier and other directors to be elected for two-year terms, adding a second vice-president and creating a sections council with the power to make recommendations to the board of directors. It also determines the composition of the board of directors and of the new sections council, and specifies the applicable eligibility criteria.

The Notaries Act is amended to reconfigure the pathway for entry into the profession.

The Professional Code is also amended to allow the election of a professional order's president and other directors by a technological means.



Chapter 13

AN ACT TO AMEND THE ACT RESPECTING THE BARREAU DU QUÉBEC, THE NOTARIES ACT AND THE PROFESSIONAL CODE

[Assented to 3 December 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE BARREAU DU QUÉBEC

1. Section 1 of the Act respecting the Barreau du Québec (chapter B-1) is amended by replacing paragraph *b* by the following paragraph:

“(b) “sections council”: the sections council of the Bar, constituted by section 26.1;”.

2. Section 10 of the Act is replaced by the following sections:

“**10.** The Bar is governed by a board of directors composed of

(a) the Bâtonnier of the Province of Québec;

(b) four directors who are members of The Bar of Montréal, elected by the members of that section;

(c) three directors who are members of The Bar of Québec, elected by the members of that section;

(d) four directors who are members of other sections of the Bar, as follows:

(1) in alternation, a director who is a member of The Bar of the Outaouais, The Bar of Laval or The Bar of Laurentides-Lanaudière, elected by the members of those sections;

(2) in alternation, a director who is a member of The Bar of Richelieu, The Bar of Longueuil or The Bar of Arthabaska, elected by the members of those sections;

(3) in alternation, a director who is a member of The Bar of Saint-François, The Bar of the Mauricie or The Bar of Bedford, elected by the members of those sections; and

(4) in alternation, a director who is a member of The Bar of the Bas-Saint-Laurent–Gaspésie–Îles-de-la-Madeleine, The Bar of Abitibi-Témiscamingue,

The Bar of the Côte-Nord or The Bar of Saguenay–Lac-Saint-Jean, elected by the members of those sections; and

(e) four directors appointed by the Office des professions du Québec.

If none of the elected directors are members who have been on the Roll for 10 years or less, the board of directors shall appoint an additional director from among those members, following an invitation for applications within 30 days of the election.

“10.1. All members of the Bar except solicitors and retired advocates are eligible for the offices of Bâtonnier of the Province of Québec and of vice-president of the Bar.

A candidate for the office of Bâtonnier of the Province of Québec must have been a member of the board of directors of the Bar for at least one year. In addition, the candidate must not have held employment with the Bar during the three years preceding nomination for the office nor be the Bâtonnier of a section of the Bar or a director on the council of a section of the Bar.

A candidate for the office of director cannot be a member of the board of directors of a lawyers' organization, a professional association in the legal field or an organization affiliated with the Bar.

“10.2. The Bâtonnier of the Province of Québec is the president of the Bar. The Bâtonnier is elected by a general vote of the members of the Bar.

The board of directors shall elect two vice-presidents of the Bar from among the elected directors. The two vice-presidents must each be from a different section than that of the Bâtonnier, whether The Bar of Montréal, The Bar of Québec or any other section of the Bar. The board may also designate other officers whose duties it determines.

The term of office of a vice-president is one year and may be renewed three times only.”

3. Section 11 of the Act is amended

(1) by replacing the first two sentences of subsection 1 by the following sentence: “The Bâtonnier of the Province of Québec shall exercise a right of general supervision over the affairs of the Bar and shall preside at meetings of the board of directors, meetings of the sections council and general meetings.”;

(2) by inserting “designated for that purpose by the board of directors” after “vice-president” in subsection 3;

(3) by striking out subsections 4 and 5.

4. Section 12 of the Act is replaced by the following section:

“**12.** The term of office of an elected director is two years for a maximum of two terms in the same office. Despite the foregoing, an elected director other than the Bâtonnier who has been in office for two terms may, two years after the expiry of the second term, again hold office as a director.

The term of office of a director appointed in accordance with the second paragraph of section 10 is one year. Such a director cannot be reappointed in that capacity.”

5. Subdivision 2 of Division III of the Act, comprising sections 13 and 14, is repealed.

6. Section 15 of the Act is amended

(1) by replacing “General Council” wherever it appears, except in paragraph *n* of subsection 1, by “board of directors”;

(2) by replacing “executive committee” in paragraph *k* of subsection 1 by “board of directors”;

(3) by replacing “General Council” in paragraph *n* of subsection 1 by “sections council”;

(4) by inserting the following subsections after subsection 1:

“(1.1) The board of directors cannot authorize the substitution of a director.

“(1.2) The board of directors shall take the recommendations of the sections council into consideration. The board of directors must consult the council before making a decision on the following subjects:

(a) strategic planning;

(b) by-laws concerning mandatory continuing education, in particular with regard to mandatory training activities;

(c) professional liability insurance with respect to premiums and insurance coverage; and

(d) any other subject that the board decides to submit to the council by a vote of two thirds of the directors, except for the determination of assessments under section 85.1 of the Professional Code (chapter C-26).”

7. Section 17 of the Act is amended by replacing subsection 1 by the following subsection:

17. (1) Any communication of a notice or call or of information under this Act or a by-law adopted thereunder or under the Professional Code (chapter C-26) is given by mailing a letter, review or newspaper published by the Bar and containing the notice, call or information to the last address known at the head office of the Bar or by electronic means.”

8. The heading of subdivision 4 of Division III as well as sections 19 to 22 of the Act are repealed.

9. Section 22.1 of the Act is amended

(1) by replacing “executive committee” and “exercise of the powers of the General Council” in the first paragraph by “board of directors” and “exercise of its powers”, respectively;

(2) by replacing “General Council” and both occurrences of “executive committee” in the second paragraph by “board of directors”;

(3) by replacing “executive committee” wherever it appears in the third and fourth paragraphs by “board of directors”.

10. Section 23 of the Act is amended

(1) by replacing “General Council” and “who shall act as” in subsection 1 by “board of directors” and “and a”, respectively;

(2) by replacing “He” and “General Council” in subsection 2 by “The executive director” and “board of directors”, respectively;

(3) by replacing subsection 3 by the following subsection:

“(3) The secretary of the Order or the person designated by the board of directors shall act as secretary of the board of directors.”

11. Section 24 of the Act is amended, in subsection 1,

(1) by replacing “General Council and the executive committee. He shall act under the authority of the executive committee” in the portion before paragraph *a* by “board of directors. The executive director shall act under the authority of the board”;

(2) by replacing “of the General Council and of the executive committee” in paragraph *a* by “of the board of directors”;

(3) by replacing “executive committee” in paragraphs *b*, *c* and *e* by “board of directors”.

12. Section 26 of the Act is amended

- (1) by inserting “, the secretary of the Order” after “assistant”;
- (2) by replacing “General Council” by “board of directors”.

13. The Act is amended by inserting the following division after section 26:

“DIVISION III.1

“SECTIONS COUNCIL

“26.1. The sections council is composed of the following members:

- (a) the Bâtonnier of each section of the Bar;
- (b) a representative of each of the 15 sections of the Bar, designated by each section;
- (c) the Bâtonnier of the Province of Québec;
- (d) both vice-presidents of the Bar;
- (e) three members who have been on the Roll for 10 years or less, including a member of The Bar of Montréal, a member of The Bar of Québec and a member from another section of the Bar, designated by the group of members within the respective sections who have been on the Roll for 10 years or less; and
- (f) two directors appointed by the Office des professions du Québec from among those it appoints to the board of directors of the Bar, designated by the board.

The Bâtonniers and the three members who have been on the Roll for 10 years or less have the right to vote. The other members have the right to speak but not to vote.

“26.2. The sections council shall make recommendations to the board of directors when consulted on the subjects referred to in subsection 1.2 of section 15.

The sections council may make recommendations to the board of directors on any other subject.

The sections council shall meet at least twice yearly.”

14. Section 33 of the Act is amended by inserting “, disbarment” after “resignation” in subsection 3.

15. Section 41 of the Act is amended

(1) by replacing subsection 2 by the following subsection:

“(2) The executive director shall make a recommendation to the board of directors and shall inform the section of it, with a notice that the recommendation is to be submitted to the board of directors at its next meeting.”;

(2) by replacing “General Council” in subsection 3 by “board of directors”.

16. Section 48 of the Act is amended

(1) by replacing “appeal from it to the executive committee, and may appeal from the committee’s decision to the Tribunal” in the first paragraph by “appeal from it to the board of directors, and may appeal from the board’s decision to the Professions Tribunal”;

(2) by replacing “executive committee” in the second paragraph by “board of directors”.

17. The Act is amended

(1) by replacing “executive committee” wherever it appears in sections 25, 49, 55, 56, 58, 70, 71, 72, 78, 79, 122 and 140.2 by “board of directors”;

(2) by replacing “General Council” wherever it appears by “board of directors”.

NOTARIES ACT

18. Section 6 of the Notaries Act (chapter N-3) is amended by striking out subparagraph 4 of the first paragraph.

19. Section 8 of the Act is amended

(1) by striking out paragraph 4;

(2) by adding the following paragraph at the end:

“(6) delegate to a committee it creates for that purpose the powers conferred on the executive committee under section 12; the members of such a committee shall take the oath set out in Schedule II to the Professional Code (chapter C-26); however, the oath is not to be construed as prohibiting the sharing of information or documents within the Order for the protection of the public.”

20. Section 12 of the Act is amended

(1) by replacing “for admission to professional training, the outcome, whether passage or failure, of such training, and every application” in the first paragraph by “for admission to the professional training program.”;

(2) by replacing “subparagraph 4 of the first paragraph of section 6” in the third and fourth paragraphs by “paragraph 6 of section 8”.

PROFESSIONAL CODE

21. Section 62.1 of the Professional Code (chapter C-26) is amended by adding the following paragraph at the end:

“(4) choose to hold an election to elect the president and other directors by a technological means, which must ensure the security, secrecy and integrity of the ballot.”

22. The Code is amended by inserting the following section after section 63:

“**63.1.** The board of directors must, to hold an election to elect the president and other directors by a technological means, determine the particulars of the election process in a regulation made under paragraph *b* of section 93. The regulation may adapt the provisions of this Code to allow the implementation of the election.”

23. Section 96 of the Code is replaced by the following section:

“**96.** An executive committee may be established within a professional order.”

24. Section 182.1 of the Code is amended by replacing “executive committee” in subparagraph 2 of the first paragraph by “board of directors”.

25. Section 182.2 of the Code is amended by replacing “executive committee” after “committee, the record and decision of the” in the fifth paragraph by “board of directors”.

TRANSITIONAL AND FINAL PROVISIONS

26. In any regulation, unless the context indicates otherwise, “General Council” is replaced by “board of directors”.

27. In any other document, unless the context indicates otherwise, a reference to the General Council of the Bar is a reference to the board of directors of the Bar.

28. The election of the directors of the first board of directors of the Barreau du Québec constituted after 3 December 2014 is to be held by a technological means in accordance with the particulars set out in a regulation made under paragraph *b* of section 93 of the Professional Code (chapter C-26).

29. Despite section 12 of the Act respecting the Barreau du Québec (chapter B-1), as replaced by section 4, the term of office of the following

directors on the first board of directors of the Barreau du Québec constituted after 3 December 2014 is one year:

(1) two directors from among those who are members of The Bar of Montréal;

(2) one director from among those who are members of The Bar of Québec;

(3) the director who is a member of The Bar of Richelieu, The Bar of Longueuil or The Bar of Arthabaska; and

(4) the director who is a member of The Bar of Saint-François, The Bar of the Mauricie or The Bar of Bedford.

30. This Act comes into force on 3 December 2014, except sections 1 to 17, which come into force on 19 May 2015, and paragraph 1 of section 19 and paragraph 1 of section 20, which come into force on the date to be set by the Government.

2014, chapter 14

**AN ACT TO ADDRESS THE FINDINGS OF THE PANEL
ESTABLISHED UNDER THE AGREEMENT ON INTERNAL
TRADE REGARDING SECTIONS 7.1 AND 7.2 OF
THE FOOD PRODUCTS ACT**

Bill 22

Introduced by Mr. Jacques Daoust, Minister of the Economy, Innovation and Exports

Introduced 12 November 2014

Passed in principle 19 November 2014

Passed 2 December 2014

Assented to 3 December 2014

Coming into force: 3 December 2014

Legislation amended:

Food Products Act (chapter P-29)

Explanatory notes

This Act amends the Food Products Act to withdraw the provisions that prohibit mixing a dairy product or constituent of a dairy product with a dairy product substitute, and preparing, offering for sale, selling, delivering, processing or keeping, displaying or transporting for the purpose of sale any dairy product substitute that is not designated by a regulation of the Government.



Chapter 14

AN ACT TO ADDRESS THE FINDINGS OF THE PANEL ESTABLISHED UNDER THE AGREEMENT ON INTERNAL TRADE REGARDING SECTIONS 7.1 AND 7.2 OF THE FOOD PRODUCTS ACT

[Assented to 3 December 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Sections 7.1 and 7.2 of the Food Products Act (chapter P-29) are repealed.
- 2.** Section 40 of the Act is amended by striking out paragraphs *b.1* and *b.2*.
- 3.** This Act comes into force on 3 December 2014.

2014, chapter 15
**AN ACT TO FOSTER THE FINANCIAL HEALTH AND
SUSTAINABILITY OF MUNICIPAL DEFINED BENEFIT
PENSION PLANS**

Bill 3

Introduced by Mr. Pierre Moreau, Minister of Municipal Affairs and Land Occupancy

Introduced 12 June 2014

Passed in principle 1 October 2014

Passed 4 December 2014

Assented to 5 December 2014

Coming into force: 5 December 2014

Legislation amended: None

Explanatory notes

This Act provides that municipal defined benefit pension plans must be restructured with a view to improving their financial health and ensuring their sustainability.

To that end, pension plans must be amended from 1 January 2014 to provide for the equal sharing of costs and the sharing of future deficiencies for service subsequent to 31 December 2013 between the active members and the municipal body, as well as for the establishment of a stabilization fund. In addition, the current service contribution must not exceed 18% of the overall payroll of the active members or 20% of that of police officers and firefighters. It may be increased to take into account the average age of a pension plan's active members, the rate of representation of women and the plan's funding rate.

The plans must also be amended to provide that deficiencies attributable to members who are active on 1 January 2014, for service accumulated prior to that date, are to be assumed in equal parts by those active members and the municipal body, except if they agree to share the deficiencies in a maximum proportion of 55% for the municipal body and a minimum proportion of 45% for the active members.

(Cont'd on next page)

Explanatory notes (Cont'd)

The municipal body is also authorized to suspend, from 1 January 2017, the automatic indexation of the pension of members who are retired on 31 December 2013 if the pension plan is not fully funded as at 31 December 2015. The value of the indexation suspension represents half of the deficiencies attributable to those members, unless the value of the indexation is insufficient. However, the municipal body may decide to assume a greater portion, up to 55% of the deficiencies. In addition, priority is to be given to resuming indexation of the pension of those members if the financial situation of the pension plan so allows.

An actuarial valuation must be prepared for each plan as at 31 December 2013.

Various conditions are established regarding the amendments to be made to the plans. In particular, the normal pension accumulated by active members as at 1 January 2014 cannot be amended, except for certain particulars. Automatic indexation of the pensions of active members is prohibited but an ad hoc indexation may be paid under certain conditions, if a plan's financial situation so allows. Certain rules are set out regarding the funding of any additional obligations of plans.

The Act establishes a restructuring process with a one-year negotiation period, which can be extended for a three-month period, renewable only once. The parties may also resort to conciliation, and if negotiations fail, the dispute is submitted to an arbitrator. The Act provides that the arbitrator's decision must be rendered within six months and sets out the various factors the arbitrator must take into consideration in rendering the decision. In addition, if the plan is fully funded or if its funding rate reaches at least 80% and it shows certain characteristics, the negotiation process may begin at a later date and the agreement between the parties becomes effective on the expiry of the collective agreement or the expiry of any other agreement providing for the pension plan.

Lastly, miscellaneous and transitional provisions are included in order to require municipal bodies to publicly present the financial situation of any pension plans they have established.



Chapter 15

AN ACT TO FOSTER THE FINANCIAL HEALTH AND SUSTAINABILITY OF MUNICIPAL DEFINED BENEFIT PENSION PLANS

[Assented to 5 December 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PURPOSE AND APPLICATION

1. The purpose of this Act is to require the amendment of any defined benefit pension plan governed by the Supplemental Pension Plans Act (chapter R-15.1) and established by a municipal body, as well as of the Régime de retraite des employés municipaux du Québec, with a view to improving the plans' financial health and ensuring their sustainability.

A process and special rules are provided for restructuring the pension plans.

For the purposes of this Act, a defined benefit-defined contribution pension plan is considered a defined benefit plan. However, only the defined benefit component of such a pension plan is subject to restructuring.

2. For the purposes of this Act, “municipal body” means

(1) a municipality;

(2) any body declared by law to be a mandatary or agent of a municipality and any body whose board of directors is composed in the majority of members of the council of a municipality and whose budget is adopted by that council;

(3) a metropolitan community, an intermunicipal board, a public transit authority, an intermunicipal board of transport and any other public body whose board of directors is composed in the majority of elected municipal officers.

3. Despite the first paragraph of section 1, the Régime complémentaire de retraite pour les employés de la Municipalité de la Baie James is not subject to this Act.

CHAPTER II**RESTRUCTURING OF PENSION PLANS ESTABLISHED BY A MUNICIPAL BODY****DIVISION I****GENERAL PROVISIONS**

4. All pension plans subject to this Act must be the subject of a complete actuarial valuation established on the basis of the data as at 31 December 2013.

The report on the actuarial valuation must be sent to the Régie des rentes du Québec (Board) not later than 31 December 2014.

The valuation must be established using the Canadian Institute of Actuaries' 2014 Public Sector Mortality Table (CPM2014Publ), a maximum interest rate of 6%, and the other demographic assumptions from the previous actuarial valuation. The table may be adjusted to take a pension plan's special characteristics into account. The actuarial report must set out the grounds for any such adjustment.

The portion of any deficiency attributable to members who are retired on 31 December 2013 and the portion attributable to members who are active on 1 January 2014 must be presented separately. To determine the portion of the deficiency attributable to each of these groups, plan assets are apportioned in proportion to the liabilities determined on a funding basis. If a plan includes a defined contribution component, the assets and liabilities of that component are not taken into account for the purposes of the apportionment.

Any member who is not receiving a retirement pension is an active member for the purposes of this Act.

5. For the purpose of calculating the portions of the deficiencies attributable to active members, retired members and municipal bodies under this Act, the gains accumulated in the reserve for service prior to 1 January 2014, the amounts accumulated in the stabilization fund for service subsequent to 31 December 2013 and any amounts accumulated in a stabilization fund referred to in section 61 must be subtracted from the deficiencies identified in the actuarial valuation established on the basis of the data as at 31 December 2013, in the actuarial valuation established on the basis of the data as at 31 December 2014 or in the actuarial valuation established on the basis of the data as at 31 December 2015. However, the stabilization fund established in accordance with subparagraph 3 of the first paragraph of section 7 must not be taken into account in the actuarial valuation established on the basis of the data as at 31 December 2015.

6. The amendments the parties agree to make at the end of the restructuring process undertaken in accordance with this chapter must contain separate provisions for service subsequent to 31 December 2013 and for service ending on that date.

DIVISION II**SERVICE SUBSEQUENT TO 31 DECEMBER 2013**

7. All pension plans must be amended to provide that, from 1 January 2014,

(1) the current service contribution is to be shared equally between the municipal body and the active members;

(2) any related deficiency is to be assumed in equal parts by the municipal body and the active members, except in the case of pension plans that were not accepting new members after 31 December 2013; and

(3) a stabilization fund, funded by a stabilization contribution shared in equal parts between the municipal body and the active members, and aimed at protecting the plan from adverse deviation likely to affect the plan in the future, is to be established.

Despite subparagraph 1 of the first paragraph, if the active members contribute to the current service contribution in a proportion of 35% or less on 31 December 2013, the plan may be amended to provide for an incremental increase of that proportion, which must reach half of the difference between that proportion and 50% of the current service contribution by not later than 1 January 2017, and 50% of the current service contribution by not later than 1 January 2020.

8. On 1 January 2014, the current service contribution must not exceed 18% of the overall payroll of the active members, as it is defined in the pension plan for the purpose of determining the pension. In the case of police officers and firefighters, the contribution cannot exceed 20%.

However, if the average age of a pension plan's active members is over 45 on 31 December 2013, the maximum proportion of the payroll that the current service contribution may reach under the first paragraph can be increased by 0.6% for each full year of deviation. In addition, a maximum increase of 0.5% is allowed if women make up more than 50% of the active members. In the latter case, the report required under the second paragraph of section 4 must show that the increase is necessary to allow the payment of benefits equivalent to those that would have been paid had it not been for that characteristic. For pension plans whose funding level exceeds 100%, an increase of 0.25% is also allowed for each 1% of the assets that exceeds the value of the obligations with respect to the benefits established at the end of the fiscal year covered by the actuarial valuation established as at 31 December 2013.

If the current service contribution established in the actuarial valuation referred to in the second paragraph of section 4 exceeds the maximum proportion of the payroll that the current service contribution may reach under the first paragraph by more than 4%, the percentage by which that current service contribution exceeds that maximum proportion may be reduced by one half on 1 January 2014 and by the remaining half following the subsequent

complete actuarial valuation. The average age of the active members and the proportion of women shown in that actuarial valuation must be taken into account and the maximum proportion of the payroll readjusted accordingly, if applicable.

The amount representing the difference between the current service contribution paid by the municipal body on 31 December 2013 and the current service contribution payable by the municipal body under this section must be paid as an amortization payment in order to accelerate the reimbursement of the deficiencies described in the third paragraph of section 12.

9. The stabilization contribution provided for in subparagraph 3 of the first paragraph of section 7 represents at least 10% of the current service contribution, established without taking into account any margin for adverse deviation provided for by the Canadian Institute of Actuaries. It is paid in equal parts by the municipal body and the active members into the fund described in that subparagraph from the date of any agreement reached or any decision made by the arbitrator under Chapter IV. Actuarial gains generated from 1 January 2014 must also be paid into the fund.

The required value of the stabilization fund must be calculated in the same manner as the provision for adverse deviation established with respect to the plan's obligations prior to 1 January 2014.

10. The municipal body and the active members may cease to pay the stabilization contribution once the stabilization fund reaches the value calculated under the second paragraph of section 9.

11. No pension plan may provide for automatic indexation of pensions at retirement. However, an ad hoc indexation of pension may be provided for in the event that a surplus defined in the second paragraph of section 19 is identified in an actuarial valuation subsequent to that of 31 December 2013.

Any indexation used to calculate the deferred pension or the normal pension is not subject to the first paragraph.

DIVISION III

SERVICE PRIOR TO 1 JANUARY 2014

§1. — Members who are active on 1 January 2014

12. All pension plans must be amended on 1 January 2014 to provide that the active members and the municipal body are to assume, in equal parts, the deficiencies attributable to those members for service accumulated prior to 1 January 2014 and identified as at 31 December 2013. The municipal body and the active members may also agree on an amendment that provides for sharing the deficiencies in a maximum proportion of 55% for the municipal body and a minimum proportion of 45% for the active members.

If a pension plan's membership comprises two or more classes of employees, the deficiencies may be distributed among the classes defined in the pension plan in the manner already agreed on by the active members and the municipal body as soon as a majority of the classes requests it. The pension committee informs the Board of the decision, sends it the data concerning the overall deficiencies and indicates which portion is attributable to each class of employees.

The portion of the deficiencies attributable to the municipal body must be reimbursed over a maximum period of 15 years and the deficiencies cannot be consolidated.

13. No pension plan may provide for automatic indexation of pensions. However, an ad hoc indexation may be provided for in the event that surplus assets defined in the second paragraph of section 19 are identified in an actuarial valuation subsequent to that of 31 December 2013.

Any indexation used to calculate the deferred pension or the normal pension is not subject to the first paragraph.

14. The abolition of the automatic indexation provided for in a pension plan reduces the portion of the deficiencies attributable to the active members. If the abolition of the automatic indexation represents more than the portion of the deficiencies attributable to the active members under the first paragraph of section 12, the surplus amount must be recorded as an actuarial gain in the reserve. Such a gain can only be used for the purpose of an ad hoc pension indexation or, in the absence of such an indexation, for the purposes agreed on by the municipal body and the active members.

If the abolition of the automatic indexation represents less than the portion of the deficiencies attributable to the active members under the first paragraph of section 12 or in the absence of such an indexation, the active members assume the remaining portion through a reduction of their benefits from 1 January 2014, through payment of a contribution representing annually not more than 3% of their payroll, for a maximum period of five years, or through a reduction of their benefits and payment of such a contribution, as provided for in the agreement or by the arbitrator under Chapter IV.

15. Any new deficiency in relation to service prior to 1 January 2014, identified in an actuarial valuation subsequent to 31 December 2013, is borne by the municipal body.

§2. — *Members who are retired on 31 December 2013*

16. The automatic indexation of the pension of members who are retired on 31 December 2013 may be suspended in whole or in part by the municipal body from 1 January 2017 if it is shown in an actuarial valuation established on the basis of the data as at 31 December 2015 that the pension plan is not fully funded. In such a case, the retired members and the municipal body assume

the deficiencies attributable to the retired members in equal parts, except if the municipal body decides to assume a greater portion, up to 55%. If the value of the suspension is greater than the portion of the deficiencies that must be assumed by the retired members, the balance continues to be paid to the retired members in the form of a partial automatic indexation.

If the deficiencies identified in the actuarial valuation established on the basis of the data as at 31 December 2015 are greater than those identified in the actuarial valuation established on the basis of the data as at 31 December 2013, the value of the indexation suspension is based on the latter valuation.

If the automatic indexation of retired members' pensions has been suspended and the surplus assets with respect to service prior to 1 January 2014, defined in the second paragraph of section 19, are identified in an actuarial valuation subsequent to that established on the basis of the data as at 31 December 2015, the pension of the retired members is increased in the year following that actuarial valuation, on the indexation date specified in the pension plan. The increased pension is equal to the pension that would have been paid under the plan had there not been an indexation suspension since the preceding actuarial valuation. If the surplus assets are insufficient to cover the whole increase, the adjustment is to be made on the basis of the surplus available to finance the increase.

If any surplus assets remain after the application of the preceding paragraph, the pension is to be indexed annually, in whole or in part, using the formula in the pension plan on 31 December 2013, until the next complete actuarial valuation, taking into account any partial automatic indexation. At no time may the pension be greater than the pension that would have been paid under the plan if the indexation had not been suspended under this Act.

The indexations under the third and fourth paragraphs must be established at each actuarial valuation subsequent to that established on the basis of the data as at 31 December 2015 if surplus assets defined in the second paragraph of section 19 are identified.

The portion of the deficiencies attributable to the municipal body must be reimbursed over a 15-year period and the deficiencies cannot be consolidated.

Any new deficiency attributable to members who are retired on 31 December 2013, identified in an actuarial valuation subsequent to 31 December 2015, is borne by the municipal body.

17. A municipal body that wishes to avail itself of the first paragraph of section 16 must first inform the retired members of its intention and give them the opportunity to be heard.

To that end, the retired members must be convened to an information meeting organized by the pension committee during which the representatives of the

municipal body must report on the pension plan's situation set out in the actuarial valuation as at 31 December 2015 and on the effort the retired members are being asked to make.

The municipal body sends the Board its decision, with reasons, and a summary of the meeting, for information purposes.

DIVISION IV

IMPLEMENTATION CONDITIONS

18. With respect to active members, a pension plan may provide for the amendment, suspension, abolition or restoration of any benefits, other than the normal pension, from 1 January 2014.

Concerning the normal pension, amendments to the definition of the salary or wages on which that pension is based may be made regarding service prior to 1 January 2014 and service subsequent to 31 December 2013. However, the accrual rate for the normal pension can only be amended for service subsequent to 31 December 2013.

Pensions paid to members who are retired on 31 December 2013 or to their surviving spouse or any other beneficiary under the pension plan cannot be reduced. The same applies to pensions to which spouses and other beneficiaries of members who are retired on 31 December 2013 will be entitled.

The additional pension benefit provided for in section 60.1 of the Supplemental Pension Plans Act must be abolished on 1 January 2014 with respect to active members.

19. The plan must provide that any additional obligation resulting from an amendment to the plan must be paid in full on the day following the date of the actuarial valuation establishing the value of the additional obligation. This value is the higher of the value calculated on a solvency basis and that calculated on a funding basis. Any surplus assets of the pension plan may be allocated to the payment of such an obligation.

The surplus assets represent, with respect to service subsequent to 31 December 2013, the difference between the plan's assets and the sum of its liabilities and the amount corresponding to the prescribed value of the stabilization fund or, with respect to service prior to 1 January 2014, the difference between the plan's assets and the sum of its liabilities and the provision for adverse deviation. The present value of amortization payments relating to the deficiencies referred to in the third paragraph of section 12 or the sixth paragraph of section 16 must be included in the value of the assets.

The amount recorded in the reserve under the first paragraph of section 14 is not taken into account in calculating the surplus assets under the second paragraph.

20. The surplus assets cannot be allocated to the payment of contributions, unless a fiscal rule so requires. The surplus assets must be used separately with respect to service subsequent to 31 December 2013 and to service ending on that date.

For service ending on 31 December 2013, the surplus assets must first be allocated to resuming indexation of the pensions of the members who are retired on 31 December 2013 in accordance with the third and fourth paragraphs of section 16. Once such indexation has resumed, the surplus assets must first be used to constitute a provision equal to the value of the suspended indexation in order to pay an indexation of the pension of the same retired members following subsequent actuarial valuations.

Then, unless the municipal body and the active members have agreed on a different participation and a different order, the surplus assets must be used for the following purposes and in the following order:

- (1) constituting a provision in order to pay an ad hoc indexation to active members, if such an indexation was agreed on under section 13;
- (2) reimbursing the debts contracted by the pension plan toward the municipal body and the members as at 31 December 2013; and
- (3) funding improvements to the pension plan other than an indexation of the pension.

Unless the municipal body and the active members have agreed on a different distribution and a different order, the surplus assets must, with respect to service subsequent to 31 December 2013, be used for the following purposes and in the following order:

- (1) paying into the stabilization fund the amounts required, if an ad hoc indexation of pensions with respect to the members has been agreed on; and
- (2) funding improvements to the pension plan.

21. Sections 20 and 21 of the Supplemental Pension Plans Act do not apply to an amendment made to a plan under this Act.

CHAPTER III

RESTRUCTURING OF THE RÉGIME DE RETRAITE DES EMPLOYÉS MUNICIPAUX DU QUÉBEC

22. The Régime de retraite des employés municipaux du Québec must be the subject of the actuarial valuation required under section 4.

23. The Régime de retraite des employés municipaux du Québec must be amended to provide that, from 1 January 2015,

(1) the current service contribution is to be shared equally between the municipal body and the active members;

(2) a stabilization fund, funded by a stabilization contribution shared equally between the municipal body and the active members and aimed at protecting the plan from adverse deviation likely to affect the plan in the future, is to be established.

The stabilization contribution provided for in subparagraph 2 of the first paragraph represents 10% of the current service contribution, established without taking into account any margin for adverse deviation provided for by the Canadian Institute of Actuaries. However, it may represent a higher percentage of the current service contribution if the bodies that must approve the amendments to the plan so agree. The contribution is paid into the fund from 1 January 2015. Actuarial gains generated from 1 January 2014 must also be paid into the fund.

The required value of the stabilization fund must be calculated in the same manner as the provision for adverse deviation established with respect to the plan's obligations accumulated as at 31 December 2013.

24. Sections 21, 53 and 68 to 74 of this Act apply to the Régime de retraite des employés municipaux du Québec.

CHAPTER IV

RESTRUCTURING PROCESS FOR PENSION PLANS ESTABLISHED BY A MUNICIPAL BODY

DIVISION I

NEGOTIATIONS

25. Negotiations between municipal bodies and active members must be undertaken not later than 1 February 2015 with a view to reaching an agreement for the amendment of the pension plan in accordance with this Act.

Not later than 15 January 2015, the municipal body sends every association representing active members concerned by the plan a written notice of not less than 8 nor more than 15 days stating the date, time and place its representatives will be ready to meet the association's representatives.

A copy of the notice is sent to the Minister. Failing such a notice, negotiations are deemed to have begun on 1 February 2015.

26. Despite section 25, negotiations between municipal bodies and active members must be undertaken not later than 1 January 2016 with respect to any pension plan provided for by an agreement that was in force on 31 December 2013, is still in force on 5 December 2014 and was entered into between the municipal body and all or some of the plan members, if

(1) the pension plan is fully funded, as shown in the actuarial valuation required under section 4; or

(2) the pension plan's funding rate reaches 80%, as shown in the actuarial valuation required under section 4. Furthermore, the actuarial valuation shows that the current service contribution does not exceed 18% of the active members' payroll or 20% of the payroll of firefighters and police officers as increased under the second paragraph of section 8, or the agreement provides either that past deficiencies are to be shared equally, that current service contributions or future current service deficiencies are to be shared equally or that a stabilization fund funded by a contribution is to be established.

The agreement reached between the parties under Chapter IV becomes effective on the expiry of the collective agreement or of any other agreement providing for the pension plan, unless the parties agree that it will become effective on an earlier date.

However, any provision requiring the automatic indexation of pensions with respect to active members is repealed from 1 January 2014 with respect to service subsequent to 31 December 2013 and service prior to 1 January 2014, in accordance with sections 11 and 13. Indexation of the pensions of members who are retired on 31 December 2013 may be suspended in accordance with Division III of Chapter II.

27. If the active members of a plan are represented by more than one association, negotiations are conducted separately or jointly by those associations in accordance with the usual rules.

28. Negotiations must begin and continue diligently and in good faith in order to reach an agreement within 12 months after they began.

29. At the joint request of the parties, the Minister may extend negotiations by three months. This extension may be renewed only once.

30. If the parties reach an agreement, they send the Minister a notice of agreement.

Likewise, the parties inform the Minister if they are unable to reach an agreement, unless a conciliator has been appointed, in which case the notice is sent to the conciliator.

DIVISION II

CONCILIATION

31. The parties may, at any time during the negotiation period, retain the services of a conciliator, to be chosen jointly from a list drawn up by the Minister of Labour.

If the parties disagree, the Minister appoints the conciliator.

32. The conciliation process does not alter the negotiation period.

33. The parties are required to attend all meetings to which they are convened by the conciliator.

34. The conciliator's costs and fees are borne in equal parts by the parties.

The Minister determines the costs and fees of conciliators.

35. If an agreement is reached on all the matters submitted to the conciliator, the conciliator reports on the agreement to the minister responsible for the administration of this Act and sends a copy of the agreement to the Minister of Labour and to the parties.

36. At the expiry of the negotiation period or as soon as it is clear to the conciliator that conciliation will not enable the parties to reach an agreement, the conciliator submits to the parties a report stating the matters on which they agree, those still in dispute and any recommendation the parties failed to implement.

At the same time, the conciliator forwards a copy of the report to the minister responsible for the administration of this Act and to the Minister of Labour.

DIVISION III

ARBITRATION

37. At the expiry of the negotiation period, an arbitrator is appointed to settle the dispute if no agreement has been sent to the Minister.

An arbitrator may also be appointed before the end of such a period at the joint request of the parties or as soon as they receive the conciliator's report provided for in section 36.

38. The Minister draws up a list of arbitrators on the basis of the criteria and the expertise and experience profiles determined by the Minister. This list is published in the *Gazette officielle du Québec*.

The Minister determines the arbitrators' costs and fees, which are borne by the parties.

An arbitrator cannot have any pecuniary interest in the dispute submitted to him or her or have acted as an attorney, adviser or representative of any of the parties.

39. The arbitrator is chosen jointly by the parties from the same list as that provided for in section 38. If the parties cannot agree, the Minister appoints the arbitrator.

40. The arbitrator is assisted by assessors unless the parties reach an agreement to the contrary within 15 days of the arbitrator's appointment.

Within 15 days of the arbitrator's appointment, each party designates an assessor to assist it. If a party does not designate an assessor within the prescribed time, the arbitrator may proceed in the absence of that party's assessor.

The arbitrator may proceed in the absence of an assessor who does not attend after having been convened.

41. Each party pays its assessor's costs and fees.

42. Each party pays the costs and fees of its expert witnesses.

The costs and fees of expert witnesses summoned on the initiative of the arbitrator are borne by the parties.

43. The arbitrator must render a decision within six months after the dispute is referred to him or her.

44. No legal proceedings may be brought against an arbitrator for an act performed in good faith while carrying out the functions of office.

45. The parties may come to an agreement at any time on any of the matters in dispute.

46. The arbitrator renders a decision in accordance with the rules of law.

The arbitrator must take into account, among other considerations, taxpayers' ability to pay, intergenerational equity, the sustainability of the pension plan, compliance with cost-sharing principles and the objectives set out in this Act, contribution holidays and any improvements made to the plan.

In addition, the arbitrator must take into account the past concessions granted by the members with respect to other elements of the overall remuneration.

The arbitrator's decision is binding on the parties from the time it is rendered. No appeal lies from the arbitrator's decision.

47. The arbitrator sends a copy of the decision to the Minister.

48. Chapters V and VI of Title I of Book VII, except articles 945.6 to 945.8, of the Code of Civil Procedure (chapter C-25) apply, with the necessary modifications, to arbitration provided for in this Act.

49. Except on a question of jurisdiction, no recourse under articles 33 and 834 to 846 of the Code of Civil Procedure may be exercised, nor any injunction granted, against an arbitrator acting in his or her official capacity.

DIVISION IV

REGISTRATION OF AMENDMENTS

50. As soon as an agreement has been sent to the Minister under section 30 or 35 or after an arbitration decision has been sent to the Minister under section 47, the resulting amendments to the pension plan are communicated to the Board for registration.

51. A new actuarial valuation established on the basis of the data as at 31 December 2013 must be made taking into account the amendments made to the plan. This actuarial valuation must be sent to the Board at the same time as the amendments to the pension plan under section 50.

52. If the Board is unable to register an amendment to the plan resulting from an agreement or from an arbitrator's decision because of its non-compliance with this Act or the Supplemental Pension Plans Act, the Board must inform the pension committee.

The pension committee notifies the parties to the agreement of the Board's decision and asks them to amend the agreement within 30 days. If the parties fail to come to an agreement, the Minister appoints an arbitrator from the list drawn up under the first paragraph of section 38. The arbitrator must render a decision within three months after being seized of the matter. The second and third paragraphs of section 38 and sections 42, 44 to 47 and 49 apply.

If the amendments result from an arbitrator's decision, the pension committee notifies the arbitrator that rendered the decision of the Board's decision and asks the arbitrator to amend his or her decision within 30 days.

DIVISION V

MISCELLANEOUS PROVISIONS

53. The existence of a collective agreement or any other valid agreement does not preclude the application of this Act.

54. The signing of an agreement may take place only after being authorized by secret ballot by a majority vote of the members of the association representing the active members who exercise their right to vote.

If the negotiations are conducted jointly by two or more associations, the ballot is held in accordance with the usual rules. In the absence of such rules, the signing must be authorized, by secret ballot, by a vote in which the majority

is calculated taking into account all the active members, regardless of which group they belong to.

55. A municipal body must take measures to allow active members who are covered by a pension plan established by a collective agreement, but who are not represented by an association, as well as active members who are covered by a plan established otherwise than by a collective agreement, to submit observations on the proposed amendments to the plan.

If 30% or more of those active members object to the amendments, the amendments cannot be applied, unless a decision of the arbitrator so authorizes.

56. If a collective agreement is in force, any agreement reached or any decision made by the arbitrator under this chapter that amends the terms of the collective agreement has the effect of amending the collective agreement. If negotiations are in progress to renew the collective agreement, the agreement or the decision is, from the date it becomes effective, deemed to be part of the most recent collective agreement.

CHAPTER V

TRANSITIONAL AND FINAL PROVISIONS

57. Not later than 19 January 2015, the council of the municipal body must hold a sitting during which it presents a report, based on the conclusions of the actuarial valuation described in section 4, on the financial situation of each of the pension plans it has established. The report must contain

- (1) a summary of the main provisions of the plan;
- (2) the value of the plan's assets;
- (3) the value of the plan's liabilities;
- (4) the deficiency or surplus attributable to the members who are retired;
- (5) the deficiency or surplus attributable to the active members;
- (6) the current service contribution payable by the municipal body and that payable by the active members, both expressed as a percentage of the overall payroll;
- (7) the amortization payment;
- (8) the overall payroll of the active members; and
- (9) the value of the indexation of the pension of retired members and active members, if applicable.

The municipal body gives public notice of the sitting 14 days before the date on which it is to be held.

58. Any new pension plan established by a municipal body after 31 December 2013 must comply with Division II of Chapter II.

Any pension plan that is the object of a division or merger under Chapter XII of the Supplemental Pension Plans Act (chapter R-15.1) is subject to this Act.

59. Despite section 7 and until an agreement is reached between the municipal body and the active members or until the decision of the arbitrator under Chapter IV, the municipal body assumes any increase in the portion of the current service contribution attributable to active members from 1 January 2014.

The amount by which the value of the current service contribution paid by the municipal body from 1 January 2014 until the date of the agreement or of the arbitrator's decision under Chapter IV exceeds the contribution that should have been paid under section 7, from which the value of the increase in the contribution referred to in the first paragraph must be subtracted, is allocated to the payment of the current service contribution of the municipal body for the following year and, if applicable, for subsequent years.

The amount by which the value of the contributions paid by active members from 1 January 2014 until the date of the agreement or of the arbitrator's decision exceeds the contribution that should have been paid under section 7 is allocated to the payment of the active members' current service contribution for the following year and, if applicable, for subsequent years.

This section applies, with the necessary modifications, to the situations described in section 26, if applicable.

60. For the purposes of the negotiations required under section 26, the reference actuarial valuation is the valuation prepared on the basis of the data as at 31 December 2014, and the deadlines prescribed in Chapter IV apply, with the necessary modifications.

The maximum interest rate applicable to the actuarial valuations referred to in sections 16 and 26 is set by the Minister.

For the purposes of the second paragraph of section 7, the increase of the current service contribution to be made by not later than 1 January 2017 is deferred until the expiry of the collective agreement or of any other agreement providing for the pension plan if its expiry is subsequent to 1 January 2017, in the cases described in section 26.

In addition, the maximum proportion of the payroll that the current service contribution may reach under the first, second and third paragraphs of

section 8 must be increased in the same manner as the rate in the fiscal rule that sets the maximum percentage of the salary or wages that can be contributed to a defined contribution pension plan.

61. If a stabilization fund is established within a pension plan, the fund described in subparagraph 3 of the first paragraph of section 7 is deemed to have been established. The rules set out in this Act apply to such a fund from the effective date of the agreement between the parties or of the arbitrator's decision under Chapter IV.

Service prior to the establishment of the fund is deemed to be the prior service under that plan for the purposes of this Act.

62. For the purposes of this Act, members who have begun receiving a retirement pension or those who filed an application with the plan administrator for that purpose between 1 January 2014 and 12 June 2014 are considered members who are retired on 31 December 2013.

63. Any indexation paid between 31 December 2013 and the date of a suspension under section 16 is deemed to have been validly paid.

64. Any pension plan subject to this Act must be amended to provide that the group composed of active members and the group composed of retired members and of beneficiaries can each designate a member in addition to the one provided for in the first paragraph of section 147.1 of the Supplemental Pension Plans Act. These members may be replaced at an annual meeting held under section 166 of that Act.

65. Any redemption of service entirely paid by the member and made on or after 1 January 2014 must be revised by the pension committee following the coming into force of the agreement between the municipal body and the active members or of the arbitrator's decision in order to ensure that the member benefits from the conditions set at the time of the transaction. The same applies to any agreement for a transfer of service entered into during the same period.

66. The initial deficiencies of the pension plans of Ville de Montréal and Ville de Québec, for which averaging measures over a period of more than 20 years were granted, are not taken into account in calculating the plan's deficiencies for the purposes of this Act.

However, the present value of amortization payments relating to the deficiencies must, from the actuarial valuation subsequent to 1 January 2017, be included in calculating the value of the assets under the second paragraph of section 19 for the sole purpose of determining whether an ad hoc indexation of retired members' pensions can be paid.

67. The amounts paid by a municipal body in excess of the amortization payments required by law, without taking into account funding relief measures, during the three fiscal years preceding the tabling of this bill, must be subtracted

from the pension plan's assets for the purpose of determining its deficiency as at 31 December 2013. These amounts are deemed to have been paid to cover the portion of the deficit borne by the municipal body. They do not constitute a debt contracted by the pension plan towards the municipal body within the meaning of subparagraph 2 of the third paragraph of section 20.

68. The Board may issue technical directives relating to the administration of this Act.

69. For the exercise of the functions assigned to it under this Act, the Board may, in addition to the other powers conferred on it by this Act, the Act respecting the Québec Pension Plan (chapter R-9) and the Supplemental Pension Plans Act, require any document or information it considers necessary for the purposes of this Act from any pension committee or municipal body.

In addition, sections 183 to 193, 246, 247 and 248 of the Supplemental Pension Plans Act apply to this Act, with the necessary modifications.

70. The report on the actuarial valuation required under section 4 is deemed to be the report mentioned in section 119 that is applicable under section 8 of the Regulation respecting the funding of pension plans of the municipal and university sectors (chapter R-15.1, r. 2), when such a report on a complete actuarial valuation established on the basis of the data as at 31 December 2013 is required. If the latter report was sent to the Board, a version of that report amended under the third, fourth and fifth paragraphs of section 4 is deemed to be the report required under section 4.

If a report must be produced under section 16 or 26, the report mentioned in section 119 that is applicable under section 8 of the Regulation respecting the funding of pension plans of the municipal and university sectors is not required.

In a case of failure to produce the report required under the second paragraph of section 4 or section 16 or 26, fees equal to 20% of the fees calculated in the manner prescribed by section 13.0.1 of the Regulation respecting supplemental pension plans (chapter R-15.1, r. 6), taking into account the number of members and beneficiaries indicated in the annual information statement for the last fiscal year of the plan ended on the date of the actuarial valuation, must be paid to the Board for each full month of delay, up to the amount of those fees.

71. This Act applies despite any provision to the contrary.

72. The Minister of Employment and Social Solidarity is responsible for the administration of this Act.

73. The Minister must, not later than 1 December 2019, report to the Government on the implementation of this Act.

The report is tabled in the National Assembly within 30 days or, if the Assembly is not sitting, within 30 days of resumption.

74. This Act comes into force on 5 December 2014.

2014, chapter 16 AN ACT RESPECTING THE SOCIÉTÉ DU PLAN NORD

Bill 11

Introduced by Mr. Pierre Arcand, Minister of Energy and Natural Resources
and Minister responsible for the Northern Plan

Introduced 30 September 2014

Passed in principle 5 November 2014

Passed 4 December 2014

Assented to 5 December 2014

Coming into force: 1 April 2015, except sections 8, 14, 15, 29, 30, 36 to 42, 46, 47, 51 to 55, 70, 92, 100 and 104, which come into force on 4 January 2015

Legislation amended:

Financial Administration Act (chapter A-6.001)

Act to establish the Northern Development Fund (chapter F-3.2.1.1.1)

Act respecting the governance of state-owned enterprises (chapter G-1.02)

Act respecting Investissement Québec (chapter I-16.0.1)

Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001)

Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1)

Act respecting the Ministère de la Culture et des Communications (chapter M-17.1)

Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2)

Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1)

Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2)

Act respecting the Ministère des Transports (chapter M-28)

Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001)

Act respecting the Ministère du Tourisme (chapter M-31.2)

Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2)

Act respecting the Government and Public Employees Retirement Plan (chapter R-10)

Act respecting the Pension Plan of Management Personnel (chapter R-12.1)

Explanatory notes

This Act establishes the Société du Plan Nord (the Company), whose mission is to contribute, in collaboration with the representatives of the regions and the aboriginal nations concerned as well as the private sector, to the integrated and coherent development of the area covered by the Northern Plan, in keeping with the principle of sustainable development and in accordance with the policy directions defined by the Government in relation to the Northern Plan.

(Cont'd on next page)

Explanatory notes (Cont'd)

The Company may, within the scope of its mission, coordinate and contribute to the implementation of the Government's policy directions relating to the Northern Plan. It may coordinate infrastructure projects and develop or operate infrastructures, alone or in partnership. In addition, it may assist and support local and Native communities in their development projects and carry out or contribute to research and development activities as well as activities to acquire knowledge of the area covered by the Northern Plan. Furthermore, the Company is allowed to contribute to setting up mechanisms to allow 50% of that area to be used, by 2035, for purposes other than industrial purposes, for the protection of the environment and for the preservation of biodiversity. It may also contribute to maximizing the economic spinoffs generated by the development of the natural resources in the area, in accordance with Québec's intergovernmental and international trade commitments, advise the Government on any matter the latter submits to it, and carry out any other mandate given to it by the Government.

The Act provides for the establishment of a marketing office whose purpose is to communicate to Québec enterprises the supply and equipment needs of ordering parties operating in the area covered by the Northern Plan.

The Company is required to establish a strategic plan setting out the objectives it is pursuing and the priorities it has established in accordance with the Government's policy directions relating to the Northern Plan. The plan must include the activities of the Company's subsidiaries, is subject to Government approval and must be tabled in the National Assembly.

The sums used to finance the Company's activities are to come from the contributions the Company receives, the monies it collects and the sums from the Northern Plan Fund put at its disposal. The financial contribution by the Company within the framework of its activities may be made in the form of financial assistance or of sums to be allocated to the activities of a government department, in keeping with the strategic plan.

The Act prescribes the organizational and operating rules of the Company, including with respect to the establishment of an Assembly of Partners.

Lastly, the Act provides that employees of the Ministère du Conseil exécutif assigned to the Secrétariat au Plan Nord will be transferred to the Company, and includes transitional and consequential provisions.



Chapter 16

AN ACT RESPECTING THE SOCIÉTÉ DU PLAN NORD

[Assented to 5 December 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

CONSTITUTION

- 1.** A joint stock company to be known as the “Société du Plan Nord” (the Company) is constituted.
- 2.** The Company is a mandatary of the State.

Its property forms part of the domain of the State, but the performance of its obligations may be levied against its property.

The Company binds none but itself when it acts in its own name.

- 3.** The head office of the Company is in the territory of Ville de Québec. Notice of the location or of any change in the location of the head office is published in the *Gazette officielle du Québec*.

The Company also establishes satellite offices to ensure its presence in the area covered by the Northern Plan, more particularly, in the territories of Nunavik, James Bay–Eeyou Istchee, Côte-Nord and northern Saguenay–Lac-Saint-Jean.

CHAPTER II

MISSION, ACTIVITIES AND POWERS

DIVISION I

MISSION

- 4.** The Company’s mission is to contribute, in collaboration with the representatives of the regions and the aboriginal nations concerned as well as the private sector, to the integrated and coherent development of the area covered by the Northern Plan, in keeping with the principle of sustainable development and in accordance with the Government’s policy directions relating to the Northern Plan.

This mission is based, in particular, on the declaration signed by the Northern Plan partners on 9 May 2011. The Company must make the declaration available on its website.

The area covered by the Northern Plan includes all of Québec located north of the 49th degree of north latitude and north of the St. Lawrence River and the Gulf of St. Lawrence.

5. Within the scope of its mission, the Company may

(1) coordinate, and contribute financially or otherwise to, the implementation of the policy directions referred to in section 4;

(2) coordinate infrastructure projects and, if applicable, engage in infrastructure development and operation, alone or in partnership, including as a rail carrier;

(3) assist and support local and Native communities in their community and socio-economic development projects, among others;

(4) carry out or contribute to research and development activities as well as activities to acquire knowledge of the area;

(5) contribute to setting up mechanisms to allow 50% of the area covered by the Northern Plan to be used, by 2035, for purposes other than industrial purposes, for the protection of the environment and for the preservation of biodiversity;

(6) contribute to maximizing the economic spinoffs generated by the development of the natural resources in the area covered by the Northern Plan, in accordance with Québec's intergovernmental and international trade commitments;

(7) advise the Government on any matter the latter submits to it; and

(8) carry out any other mandate given to it by the Government.

6. The Company sets up a marketing office whose object is to communicate to local and regional enterprises as well as to all other Québec enterprises the supply and equipment needs of ordering parties operating in the area covered by the Northern Plan.

7. Any person may use a government-designated infrastructure that is fully or partially privately owned, for which construction began after 1 April 2015 and that is located on public land in the area covered by the Northern Plan.

If the infrastructure owner and a user carrying on industrial or commercial activities cannot reach an agreement regarding the sharing of the infrastructure construction, maintenance and operating costs, the Company acts as a mediator.

If they fail to reach an agreement by the end of the mediation process, the dispute is submitted to arbitration. The arbitrator's decision cannot be appealed.

The Company establishes by regulation the rules for arbitration. Such a regulation must be submitted for approval to the Government, which may approve it with or without amendment.

The Government may make or amend a regulation referred to in this section if the Company does not do so within the time specified by the Government.

8. The government departments and the other public bodies subject to the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), except those listed or referred to in the second paragraph of section 3 of that Act, must inform the Company, at its request, of their actions and projects in the area covered by the Northern Plan.

9. The Company may establish any subsidiary whose object is limited to exercising activities the Company itself can exercise. The same applies to a subsidiary of such a subsidiary.

A subsidiary has the same powers as the Company in exercising its activities, unless its constituting act withdraws or restricts those powers. The subsidiary exercises its activities in accordance with the provisions of this Act that apply to it.

The establishment of a subsidiary by the Company or one of its subsidiaries must be authorized by the Government, on the conditions determined by the latter.

10. For the purposes of this Act, a legal person or partnership controlled by the Company is a subsidiary of the Company.

A legal person is controlled by the Company when the Company holds, directly or through legal persons the Company controls, more than 50% of the voting rights attached to the equity securities of the legal person or is in a position to elect a majority of its directors.

A partnership is controlled by the Company when the Company holds, directly or through legal persons the Company controls, more than 50% of the equity securities. However, a limited partnership is controlled by the Company when the Company or a legal person the Company controls is a general partner of the partnership.

11. The Company and its subsidiaries may not, without the Government's authorization, acquire control of a legal person or a partnership.

The Government may subject its authorization to conditions.

12. Subject to the provisions of a collective agreement, a subsidiary of the Company determines the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions approved by the Government.

13. The Company and its subsidiaries are deemed to be public bodies described in subparagraph 4 of the first paragraph of section 4 of the Act respecting contracting by public bodies (chapter C-65.1).

DIVISION II

STRATEGIC PLAN, CAPITAL PLAN AND OPERATING PLAN

14. The Company establishes, in accordance with the form, content and schedule determined by the Government, a strategic plan setting out the objectives it is pursuing and the priorities it has established in accordance with the Government's policy directions relating to the Northern Plan. The strategic plan must include the activities of the Company's subsidiaries.

The Company sends the plan to the Minister after obtaining the opinion of the Assembly of Partners established under section 51.

15. Planned expenditures and investments for the implementation of the strategic plan must correspond to the contributions the Company receives, the monies it collects and the sums from the Northern Plan Fund put at its disposal during the life of the strategic plan.

16. The Minister submits the strategic plan to the Government for approval, after consulting the Minister of Finance and the ministers concerned whose responsibilities are related to the Company's sectoral activities.

17. The Minister lays the Company's strategic plan before the National Assembly within 15 days after approval of the plan or, if the Assembly is not sitting, within 15 days of resumption.

18. A strategic plan approved by the Government applies until it is replaced by another plan that has been so approved.

19. Each year, the Company sends its capital plan and its operating plan for the next fiscal year to the Minister, at the time and in accordance with the form and content determined by the Minister.

The plans are submitted to the Government for approval.

DIVISION III**FINANCIAL CONTRIBUTION BY COMPANY**

20. A financial contribution by the Company may be made in the form of financial assistance or of sums to be allocated to the activities of a government department, in keeping with the strategic plan referred to in section 14.

21. When granting sums to be allocated to the activities of a government department, the Company and the minister concerned enter into an agreement providing for their allocation. The minister lays the agreement before the National Assembly within 15 days after it is entered into or, if the Assembly is not sitting, within 15 days of resumption.

The minister concerned is accountable before the National Assembly for the obligations incumbent on the minister under the agreement.

22. Sums to be allocated to the activities of a government department are paid into a special fund when permitted by law; otherwise, they are accounted for in a specified purpose account.

A specified purpose account is created by the Government on the sole proposal of the minister concerned. Sections 6 and 7 of the Financial Administration Act (chapter A-6.001) apply, in all other respects, to such an account.

DIVISION IV**ACQUISITION OF PROPERTY**

23. The Company becomes, from the date and on the terms determined by the Government, the owner of the property that is part of the domain of the State and that is transferred to the Company by the Government.

The Government may, for the purposes of this Act, draw up the technical description of the transferred property.

The Company assumes the obligations and acquires the rights of the Government as regards the transferred property.

24. The value of the transferred property is its book value as at the date of the transfer.

25. The Company may request that a transfer of property under section 23 be registered in the land register by means of a notice containing the number of the order authorizing the transfer and the description of the transferred property.

26. For the purposes of this Act, the Minister may acquire by expropriation in favour of the domain of the State any property that the Company cannot otherwise acquire.

The Company acquires the property as soon as the transfer of ownership takes effect in accordance with section 53 of the Expropriation Act (chapter E-24).

27. The Act respecting duties on transfers of immovables (chapter D-15.1) does not apply to transfers of property under this Act.

DIVISION V

LIMITATIONS ON COMPANY'S POWERS

28. The Company may not, without the authorization of the Government,

(1) contract a loan that causes the total of its current outstanding loans to exceed the amount determined by the Government;

(2) make a financial commitment in excess of the limits or in contravention of the terms determined by the Government;

(3) acquire, hold or dispose of assets in excess of the limits or in contravention of the terms determined by the Government; or

(4) accept a gift or legacy to which a charge or condition is attached.

The amounts, limits and terms determined under this section may also apply to the group formed by the Company and its subsidiaries or to one or more members of that group.

This section does not apply to the contracts or other commitments entered into by the Company in carrying out a mandate given to it by the Government.

CHAPTER III

ORGANIZATION AND OPERATION

DIVISION I

BOARD OF DIRECTORS

29. The Company is administered by a board of directors composed of 9 to 15 members, including the chair of the board and the president and chief executive officer.

At least the majority of the board members, including the chair, must qualify as independent directors in the opinion of the Government.

The majority of the board members must be from the area covered by the Northern Plan.

The Government appoints the members of the board of directors, other than the chair and the president and chief executive officer, based on the expertise and experience profiles approved by the board, and on their interest in and knowledge of the northern environment.

Those members are appointed for a term of up to four years.

30. The Government appoints the chair of the board of directors for a term of up to five years. The chair must reside in the area covered by the Northern Plan.

31. At the expiry of their term, the members of the board of directors remain in office until they are replaced or reappointed.

32. Any vacancy during the term of office of a member of the board of directors is filled in the manner prescribed for the appointment of the member to be replaced.

A member's absence from the number of board meetings determined in the Company's by-laws, in the cases and circumstances specified in the by-laws, constitutes a vacancy.

33. On the recommendation of the board of directors, the Government appoints the president and chief executive officer based on the expertise and experience profile approved by the board.

The president and chief executive officer is appointed for a term of up to five years. The office of president and chief executive officer is a full-time position.

The Government determines the remuneration, employee benefits and other conditions of employment of the president and chief executive officer.

34. If the board of directors does not recommend a candidate for the position of president and chief executive officer in accordance with section 33 within a reasonable time, the Government may appoint the president and chief executive officer after notifying the board members.

35. If the president and chief executive officer is absent or unable to act, the board of directors may designate a member of the Company's personnel to exercise the functions of that position.

36. Board members other than the president and chief executive officer receive no remuneration, except in the cases, on the conditions and to the extent determined by the Government. They are, however, entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

37. The quorum at meetings of the board of directors is the majority of its members, including the president and chief executive officer or the chair of the board.

Decisions of the board are made by a majority vote of the members present. In the case of a tie vote, the chair of the meeting has a casting vote.

38. The board of directors of the Company may sit anywhere in Québec.

39. The board members may waive notice of a board meeting. Their attendance at a board meeting constitutes a waiver of notice, unless they are present for the sole purpose of contesting the legality of the meeting.

40. Unless otherwise provided in the by-laws, the board members may, if all consent, participate in a meeting of the board by means of equipment enabling all participants to communicate directly with one another.

In such a case, they are deemed to be present at the meeting.

41. A written resolution, signed by all the board members entitled to vote on that resolution, has the same value as if adopted during a meeting of the board of directors.

A copy of the resolution must be kept with the minutes of the proceedings or any other equivalent record book.

42. The minutes of board meetings, approved by the board and certified true by the chair of the board, the president and chief executive officer or any other person so authorized by the by-laws, are authentic, as are the documents and copies emanating from the Company or forming part of its records if signed or certified true by one of those persons.

43. No act or document binds the Company or may be attributed to it unless it is signed by the chair of the board of directors, the president and chief executive officer or, to the extent determined in the by-laws of the Company, by another member of the Company's personnel.

The by-laws may provide for subdelegation of the power to sign acts and documents, and determine particulars as to how it is to be exercised.

Unless otherwise provided in the by-laws, a signature may be affixed on a document by any means.

A by-law made under this section is published in the *Gazette officielle du Québec*.

44. The Company may, in its by-laws, provide for its internal management and determine a framework of operation for the board of directors, establish

an executive committee or any other committee, and delegate the exercise of its powers to such a committee.

The by-laws may also provide for the delegation of the powers of the board of directors to a member of the Company's personnel.

45. No act or document of the Company or decision of the board of directors is invalid simply because there are fewer independent directors than prescribed by this Act.

46. For the purposes of section 19 of the Act respecting the governance of state-owned enterprises (chapter G-1.02), the board of directors establishes a governance, ethics and human resources committee and an audit committee, each of which is to be composed of a majority of independent directors.

47. The members of the Company's personnel are appointed in accordance with the staffing plan established by the board of directors.

Subject to a collective agreement, the Company determines the standards and scales of remuneration and the employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.

48. The Company adopts standards of ethics and professional conduct for its personnel. The standards must contain provisions that include, as a minimum, the requirements for public servants prescribed by the Public Service Act (chapter F-3.1.1).

49. The Company fulfils the obligations set out in sections 10 and 11 of the Act respecting the governance of state-owned enterprises with respect to any person who acted at its request as a director of a legal person of which the Company is a shareholder or a creditor.

50. Sections 142, 159 to 162, 179, 180 and 184, paragraph *b* of subsection 2 of section 185 and sections 188 and 189 of the Companies Act (chapter C-38) do not apply to the Company.

No by-law or regulation of the Company is subject to shareholder ratification.

DIVISION II

ASSEMBLY OF PARTNERS

51. The Assembly of Partners, whose role is to provide an opinion on any matter the Minister or the Company submits to it in relation to the Company's mission or activities, is established.

The Assembly may also, on its own initiative, submit advice and recommendations to the Minister or the Company.

The opinion of the Assembly of Partners is not binding on the board of directors.

52. In appointing the members of the Assembly of Partners, the Company ensures that it is representative of the local and Native communities in the territories of Nunavik, James Bay–Eeyou Istchee, Côte-Nord and northern Saguenay–Lac-Saint-Jean and the main sectors of activity concerned.

Any vacancy during the term of office of a member of the Assembly of Partners is filled in the manner prescribed for the appointment of the member to be replaced.

At the expiry of their terms, the members of the Assembly of Partners remain in office until they are replaced or reappointed.

53. The Assembly of Partners appoints a president and a vice-president from among its members.

54. The chair of the board of directors and the president and chief executive officer of the Company participate in the meetings of the Assembly of Partners as observers.

55. The Company establishes by by-law the other rules of the Assembly of Partners governing the appointment and term of office of its members and its operation.

CHAPTER IV

FINANCIAL PROVISIONS

DIVISION I

FINANCING OF COMPANY

56. The Company finances its activities out of the contributions it receives, the fees it collects and the sums from the Northern Plan Fund put at its disposal.

57. The Government may, subject to the terms and conditions it determines,

(1) guarantee the payment of the principal and interest of any loan contracted by the Company or one of its subsidiaries and the performance of their obligations;

(2) make any commitment in relation to the realization or financing of a project of the Company or one of its subsidiaries; and

(3) authorize the Minister of Finance to advance to the Company or one of its subsidiaries any amount considered necessary for the pursuit of its mission.

The sums required for the purposes of this section are taken out of the Consolidated Revenue Fund.

58. The Company may, by regulation, set the fees payable for the use of an infrastructure under its responsibility.

A regulation under this section must be submitted for approval to the Government, which may approve it with or without amendment.

The Government may make or amend a regulation referred to in this section if the Company does not do so within the time specified by the Government.

59. Each year, the Company submits its budgetary estimates for the following fiscal year to the Minister, at the time and in accordance with the form and content determined by the Minister.

The estimates are submitted for approval to the Government, which makes them public.

DIVISION II

CAPITAL

60. The authorized capital of the Company is made up of an unlimited number of shares with a par value of \$1,000 each.

61. The Company issues shares each time property with a book value greater than zero is transferred to it in accordance with sections 23 and 26.

No shares may otherwise be issued by the Company.

62. The value of the shares issued by the Company corresponds to the book value of the property transferred to the Company.

However, in the case of property transferred to the Company by expropriation, the value of the shares issued corresponds to the indemnity paid to the expropriated party and the other charges payable in connection with the expropriation.

63. If the book value of property transferred to the Company does not amount to a multiple of 1,000, the Company issues a fractional share so that the value of the shares issued as a result of the transfer of property corresponds to the value of that property.

The same applies if the indemnity paid to an expropriated party and the other charges payable in connection with the expropriation do not amount to a multiple of 1,000.

64. The shares and fractional shares issued by the Company are allotted to the Minister of Finance and form part of the domain of the State.

The Company sends the share certificates to the Minister of Finance as they are issued.

65. The dividends payable by the Company are set by the Government.

CHAPTER V

ACCOUNTS AND REPORTS

66. The fiscal year of the Company ends on 31 March.

67. Not later than 30 June each year, the Company must file its financial statements and an activity report for the preceding fiscal year with the Minister.

The financial statements and activity report must contain all the information required by the Minister and be accompanied by the separate financial statements of each of the Company's subsidiaries. The report must also contain the information the directors are required to provide annually to the shareholders under the Companies Act.

68. The Minister lays the financial statements and activity report of the Company and the separate financial statements of each of its subsidiaries before the National Assembly within 15 days of receiving them or, if the Assembly is not sitting, within 15 days of resumption.

69. The Company must give the Minister or the Minister of Finance any information he or she requires concerning the Company or its subsidiaries.

CHAPTER VI

AMENDING PROVISIONS

FINANCIAL ADMINISTRATION ACT

70. Schedule 2 to the Financial Administration Act (chapter A-6.001) is amended by inserting "Société du Plan Nord" in alphabetical order.

ACT TO ESTABLISH THE NORTHERN DEVELOPMENT FUND

71. The title of the Act to establish the Northern Development Fund (chapter F-3.2.1.1.1) is replaced by the following title:

"An Act to establish the Northern Plan Fund".

72. Section 2 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

“2. The Fund is dedicated to the administration of the Société du Plan Nord and to financing its activities that concern financial assistance for strategic infrastructure, measures promoting the development of the area covered by the Northern Plan, research and development, knowledge acquisition, protection of that area, and social measures aimed, in particular, at meeting the needs of the populations living in that area.”;

(2) by replacing “area open to northern development” in the second paragraph by “area covered by the Northern Plan”.

73. Section 4 of the Act is amended by replacing “area open to northern development” in the second paragraph by “area covered by the Northern Plan”.

74. Section 6 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

“6. The Minister may debit from the Fund the sums the Minister pays to the Société du Plan Nord.”;

(2) by striking out “or transfers” and “and transfers” in the second paragraph;

(3) by striking out the third paragraph.

75. Sections 7 and 8 of the Act are repealed.

ACT RESPECTING THE GOVERNANCE OF STATE-OWNED ENTERPRISES

76. Schedule I to the Act respecting the governance of state-owned enterprises (chapter G-1.02) is amended by inserting “Société du Plan Nord” in alphabetical order.

ACT RESPECTING INVESTISSEMENT QUÉBEC

77. Section 26 of the Act respecting Investissement Québec (chapter I-16.0.1) is amended by replacing paragraph 3.1 by the following paragraph:

“(3.1) the sums paid by the Société du Plan Nord under an agreement providing for their allocation, in accordance with section 21 of the Act respecting the Société du Plan Nord (2014, chapter 16);”.

ACT RESPECTING THE MINISTÈRE DE L'EMPLOI ET DE LA
SOLIDARITÉ SOCIALE AND THE COMMISSION DES PARTENAIRES
DU MARCHÉ DU TRAVAIL

78. Section 60 of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail (chapter M-15.001) is amended by inserting the following subparagraph after subparagraph 3.1 of the first paragraph:

“(3.2) the sums paid into the Fund by the Société du Plan Nord under an agreement providing for their allocation, in accordance with section 21 of the Act respecting the Société du Plan Nord (2014, chapter 16);”.

ACT RESPECTING THE MINISTÈRE DE L'ENSEIGNEMENT
SUPÉRIEUR, DE LA RECHERCHE, DE LA SCIENCE ET DE LA
TECHNOLOGIE

79. Section 18 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1) is amended by adding the following paragraph after paragraph 2:

“(2.1) the sums paid into the Fund by the Société du Plan Nord under an agreement providing for their allocation, in accordance with section 21 of the Act respecting the Société du Plan Nord (2014, chapter 16).”

ACT RESPECTING THE MINISTÈRE DE LA CULTURE ET DES
COMMUNICATIONS

80. Section 22.3 of the Act respecting the Ministère de la Culture et des Communications (chapter M-17.1) is amended by inserting the following paragraph after paragraph 4.1:

“(4.2) the sums paid into the Fund by the Société du Plan Nord under an agreement providing for their allocation, in accordance with section 21 of the Act respecting the Société du Plan Nord (2014, chapter 16);”.

ACT RESPECTING THE MINISTÈRE DE LA SANTÉ ET DES
SERVICES SOCIAUX

81. Section 11.3 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2) is amended by inserting the following paragraph after paragraph 3:

“(3.1) the sums paid into the Fund by the Société du Plan Nord under an agreement providing for their allocation, in accordance with section 21 of the Act respecting the Société du Plan Nord (2014, chapter 16);”.

ACT RESPECTING THE MINISTÈRE DES AFFAIRES MUNICIPALES,
DES RÉGIONS ET DE L'OCCUPATION DU TERRITOIRE

82. Section 21.20 of the Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire (chapter M-22.1) is amended by inserting the following paragraph after paragraph 2:

“(2.1) the sums paid into the Fund by the Société du Plan Nord under an agreement providing for their allocation, in accordance with section 21 of the Act respecting the Société du Plan Nord (2014, chapter 16);”.

ACT RESPECTING THE MINISTÈRE DES RESSOURCES
NATURELLES ET DE LA FAUNE

83. Section 17.3 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2) is amended by inserting the following paragraph after paragraph 5:

“(5.1) the sums paid into the Fund by the Société du Plan Nord under an agreement providing for their allocation, in accordance with section 21 of the Act respecting the Société du Plan Nord (2014, chapter 16);”.

84. Section 17.12.13 of the Act is amended by inserting the following paragraph after paragraph 2:

“(2.1) the sums paid into the Fund by the Société du Plan Nord under an agreement providing for their allocation, in accordance with section 21 of the Act respecting the Société du Plan Nord (2014, chapter 16);”.

85. Section 17.12.17 of the Act is amended by striking out subparagraph 1.1 of the first paragraph.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

86. Section 12.32 of the Act respecting the Ministère des Transports (chapter M-28) is amended by replacing paragraph 2.10 by the following paragraph:

“(2.10) the sums paid into the Fund by the Société du Plan Nord under an agreement providing for their allocation, in accordance with section 21 of the Act respecting the Société du Plan Nord (2014, chapter 16);”.

ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT
DURABLE, DE L'ENVIRONNEMENT ET DES PARCS

87. Section 15.4 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) is amended by replacing paragraph 3.2 by the following paragraph:

“(3.2) the sums paid into the Fund by the Société du Plan Nord under an agreement providing for their allocation, in accordance with section 21 of the Act respecting the Société du Plan Nord (2014, chapter 16);”.

ACT RESPECTING THE MINISTÈRE DU TOURISME

88. Section 21 of the Act respecting the Ministère du Tourisme (chapter M-31.2) is amended by replacing paragraph 2.1 by the following paragraph:

“(2.1) the sums paid into the Fund by the Société du Plan Nord under an agreement providing for their allocation, in accordance with section 21 of the Act respecting the Société du Plan Nord (2014, chapter 16);”.

ACT RESPECTING THE PROCESS OF NEGOTIATION OF THE COLLECTIVE AGREEMENTS IN THE PUBLIC AND PARAPUBLIC SECTORS

89. Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) is amended by inserting “— The Société du Plan Nord” in alphabetical order.

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

90. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended by inserting “the Société du Plan Nord” in paragraph 1 in alphabetical order.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

91. Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended by inserting “the Société du Plan Nord” in paragraph 1 in alphabetical order.

CHAPTER VII

TRANSITIONAL AND FINAL PROVISIONS

DIVISION I

HUMAN RESOURCES

92. The person holding the position of Associate Secretary General at the Ministère du Conseil exécutif, responsible for the Secrétariat au Plan Nord on 4 January 2015, becomes the president and chief executive officer of the Company on the same conditions until appointed as such or replaced by the Government.

During that time, the person is on leave without pay from the public service, if applicable.

93. Subject to the conditions of employment applicable to them, the employees of the Ministère du Conseil exécutif assigned to the Secrétariat au Plan Nord and identified by the Secretary General of the Conseil exécutif before 1 April 2016 become employees of the Company.

94. An employee who, on the date he or she was transferred to the Company under section 93, was a public servant with permanent tenure may apply for a transfer to a position in the public service or enter a competition for promotion in accordance with the Public Service Act (chapter F-3.1.1).

Section 35 of the Public Service Act applies to an employee who participates in such a competition for promotion.

95. An employee described in section 93 who applies for a transfer or enters a competition for promotion may apply to the Chair of the Conseil du trésor for an assessment of the classification that would be assigned to the employee in the public service. The assessment must take into consideration the classification the employee had in the public service on the date of transfer, as well as the years of experience and the formal education acquired while employed by the Company.

If an employee is transferred under section 94, the deputy minister or chief executive officer of the body whom the employee comes under assigns to the employee a classification consistent with the assessment provided for in the first paragraph.

If promoted under section 94, the employee must be given a classification on the basis of the criteria set out in the first paragraph.

96. If some or all of the Company's activities are discontinued, an employee referred to in section 93 who had permanent tenure on the date of his or her transfer to the Company is placed on reserve in the public service with the same classification the employee had on the date of the transfer.

If some of the Company's activities are discontinued, the employee continues to exercise his or her functions within the Company until the Chair of the Conseil du trésor is able to assign the employee a position in accordance with section 100 of the Public Service Act.

When assigning a position to an employee referred to in this section, the Chair of the Conseil du trésor determines the employee's classification on the basis of the criteria set out in the first paragraph of section 95.

97. An employee described in section 93 who, in accordance with the conditions of employment applicable to him or her, refuses to be transferred to the Company, is assigned to the Company until the Chair of the Conseil du

trésor is able to assign the employee to a position in accordance with section 100 of the Public Service Act.

98. Subject to any remedy under a collective agreement, an employee described in section 93 who is dismissed may bring an appeal under section 33 of the Public Service Act if he or she was a public servant with permanent tenure on the date of the transfer.

99. The conditions of employment of employees described in section 93 continue to apply, with the necessary modifications, until they are modified by the Company.

DIVISION II

ORGANIZATION

100. For the appointment of the first board of directors, section 29 is to be read as follows:

“29. The Company is administered by a board of directors composed of 9 to 15 members, including the chair and the president and chief executive officer.

At least the majority of the board members, including the chair, must qualify as independent directors in the opinion of the Government.

The majority of the board members must be from the area covered by the Northern Plan.

The Government appoints the members of the board of directors, other than the chair and the president and chief executive officer, based on their interest in and knowledge of the northern environment.

The majority of the board members, other than the chair and the president and chief executive officer, are appointed for a term of up to two years. The other members are appointed for a term of up to four years.”

101. The files, records and other documents of the Secrétariat au Plan Nord of the Ministère du Conseil exécutif become files, records and other documents of the Company.

102. The acts under sections 6 and 8 of the Act to establish the Northern Development Fund (chapter F-3.2.1.1.1), as they read before 1 April 2015, continue to apply, with the necessary modifications, as though the transfers and payments provided for in those sections were contributions made by the Company under section 21 of this Act.

103. Unless the context indicates otherwise, in any document, a reference to the Northern Development Fund is a reference to the Northern Plan Fund

and a reference to the area open to northern development is a reference to the area covered by the Northern Plan.

DIVISION III

FINAL PROVISIONS

104. The Government appoints the minister responsible for the administration of this Act.

105. The provisions of this Act come into force on 1 April 2015, except sections 8, 14, 15, 29, 30, 36 to 42, 46, 47, 51 to 55, 70, 92, 100 and 104, which come into force on 4 January 2015.

2014, chapter 17

AN ACT RESPECTING WORKFORCE MANAGEMENT AND CONTROL WITHIN GOVERNMENT DEPARTMENTS, PUBLIC SECTOR BODIES AND NETWORKS AND STATE-OWNED ENTERPRISES

Bill 15

Introduced by Mr. Martin Coiteux, Minister responsible for Government Administration and Ongoing Program Review and Chair of the Conseil du trésor

Introduced 9 October 2014

Passed in principle 6 November 2014

Passed 5 December 2014

Assented to 5 December 2014

Coming into force: 5 December 2014, except sections 7 to 10, which come into force on the date to be set by the Government

Legislation amended:

Public Administration Act (chapter A-6.01)

Act respecting the Commission administrative des régimes de retraite et d'assurances (chapter C-32.1.2)

Act respecting contracting by public bodies (chapter C-65.1)

Act respecting occupational health and safety (chapter S-2.1)

Explanatory notes

This Act establishes rules to govern workforce management and control within public bodies mainly to monitor and provide a framework for changes in the workforce.

More specifically, the Act allows the Conseil du trésor and the minister responsible for each public body to obtain information on the workforce of public bodies, in particular through head count and planning mechanisms.

Control measures are provided for in relation to the staffing level of public bodies for each period specified by the Conseil du trésor.

For the purposes of these management and control rules, the Act assigns a leading role to the minister responsible for each public body concerned, in particular by entrusting that minister with the responsibility of collecting various information and distributing the staff assigned by the Conseil du trésor, and with certain auditing and sanction powers.

(Cont'd on next page)

Explanatory notes (Cont'd)

Special measures are also established for service contracts that a public body intends to enter into during the periods subject to workforce control measures, including making such service contracts subject to the authorization of the public body's chief executive officer and giving the Chair of the Conseil du trésor oversight powers.

In addition, the Public Administration Act is amended to confer auditing powers on the Chair of the Conseil du trésor. The Act respecting contracting by public bodies is also amended to specify the measures that the Conseil du trésor may require of a public body following an audit.

Lastly, various consequential and transitional provisions are included.



Chapter 17

AN ACT RESPECTING WORKFORCE MANAGEMENT AND CONTROL WITHIN GOVERNMENT DEPARTMENTS, PUBLIC SECTOR BODIES AND NETWORKS AND STATE-OWNED ENTERPRISES

[Assented to 5 December 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

PURPOSE AND SCOPE

1. The purpose of this Act is to strengthen workforce management and control mechanisms within public bodies so as, in particular, to monitor and provide a framework for changes in the workforce.

2. For the purposes of this Act, the following are public bodies:

(1) government departments, as well as bodies and persons appointed or designated by the Government or a minister and whose personnel is appointed in accordance with the Public Service Act (chapter F-3.1.1);

(2) school boards governed by the Education Act (chapter I-13.3) or the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14) and the Comité de gestion de la taxe scolaire de l'île de Montréal;

(3) general and vocational colleges established under the General and Vocational Colleges Act (chapter C-29);

(4) the Université du Québec and its constituent universities, research institutes and superior schools within the meaning of the Act respecting the Université du Québec (chapter U-1);

(5) health and social services agencies, public institutions and private institutions under agreement governed by the Act respecting health services and social services (chapter S-4.2), as well as the regional council established under the Act respecting health services and social services for Cree Native persons (chapter S-5);

(6) budget-funded bodies and bodies other than budget-funded bodies listed respectively in Schedules 1 and 2 to the Financial Administration Act (chapter A-6.001), including the persons listed in those schedules;

(7) government enterprises listed in Schedule 3 to the Financial Administration Act; and

(8) any other entity designated by the Government.

3. The Government may, on the recommendation of the Conseil du trésor, exempt a public body or class of public bodies referred to in section 2 from the application of all or part of this Act for a determined or undetermined period.

4. The National Assembly, a person appointed or designated by the National Assembly to an office under its jurisdiction together with the personnel directed by that person, and the Commission de la représentation are not subject to this Act except to the extent provided for by law.

CHAPTER II

WORKFORCE MANAGEMENT AND CONTROL

DIVISION I

HEAD COUNT

5. A public body periodically informs the minister responsible of its staffing level and the distribution of its staff by job class. It also sends the minister responsible any other workforce-related information determined by the Conseil du trésor.

The conditions and procedure for sending the information requested are determined by each minister responsible. The intervals at which the information is to be sent may vary depending on the information.

6. Each minister responsible sends the Chair of the Conseil du trésor a report describing the evolution of the workforce within the public bodies under the minister's responsibility. The Conseil du trésor determines the information to be presented in the report and the conditions and procedure for sending it.

The Conseil du trésor may require that special monitoring of a public body's workforce be carried out by a minister responsible.

DIVISION II

PLANNING

7. A three-year workforce plan aimed at optimizing work organization must be drawn up every three years by each public body. The plan is sent to the minister responsible in accordance with the conditions and procedure determined by the minister.

The workforce plan must set out retirement forecasts, workforce and work organization characteristics and any other information determined by the Conseil du trésor.

The minister responsible sends the Chair of the Conseil du trésor the workforce plan of the public bodies designated by the Chair of the Conseil du trésor.

8. If measures are taken under Division III, the public body concerned must, if applicable and as soon as possible, send its revised workforce plan to the minister responsible.

9. Every public body must make its workforce plan and, if applicable, its revised workforce plan, public.

10. Despite section 3, the Conseil du trésor may exempt a public body from the obligations set out in sections 7 and 8, in particular on the basis of the public body's size or available resources.

DIVISION III

CONTROL

§1. — Period of application

11. This division applies only to the periods specified by the Conseil du trésor.

§2. — Measures relating to the workforce

12. The Conseil du trésor establishes the staffing level to be assigned to each minister for all the public bodies under the minister's responsibility that are not subject to the second paragraph of section 32 of the Public Administration Act (chapter A-6.01).

Despite the first paragraph, the Conseil du trésor establishes the staffing level of each public body referred to in paragraph 7 of section 2.

In addition to the information communicated under this chapter, the Conseil du trésor may determine additional information a minister responsible must send for the purposes of this section, as well as the conditions and procedure for sending it. A public body must provide the minister responsible with any information the minister requires to produce that additional information.

13. Each minister responsible distributes all or part of the staff assigned by the Conseil du trésor under the first paragraph of section 12 among the public bodies under the minister's responsibility and informs the Chair of the Conseil du trésor of the distribution carried out. The minister also informs the bodies concerned of the staffing level established under the second paragraph of that section.

14. A public body's workforce must be managed in a manner that maintains the services provided to the public.

A minister responsible may issue a directive to each public body subject to section 12 that the minister identifies with respect to the management of the workforce assigned to it.

§3.—*Measures relating to service contracts*

15. A public body may not enter into a service contract if the contract eludes the workforce-related control measures taken under this Act.

16. To enter into a service contract, a public body must be authorized by its chief executive officer. This power can be delegated by the chief executive officer in the case of a service contract with a natural person involving an expenditure of less than \$10,000 and, in other cases, an expenditure of less than \$25,000.

However, the authorization provided for in the first paragraph is not required if

- (1) the public body, after being designated by the Conseil du trésor, made a directive on service contracts not subject to the authorization of its chief executive officer;
- (2) the object of the service contract is set out in the directive; and
- (3) the contract is entered into with a contractor other than a natural person.

Nor is the authorization provided for in the first paragraph required for a service contract with a natural person who does not operate a sole proprietorship in cases when the contract must be authorized by the Conseil du trésor under a policy or a directive concerning the management of the supply, service and construction contracts of public bodies issued under section 26 of the Act respecting contracting by public bodies (chapter C-65.1).

For the purposes of this Act, the chief executive officer of a public body is the person having the highest administrative authority, such as the deputy minister, the president, the director general or any other person responsible for the day-to-day management of the public body. However, in the case of a public body referred to in any of paragraphs 2 to 4 of section 2, the chief executive officer is the board of directors or, in the case of a school board, the council of commissioners. The board of directors or the council of commissioners may, despite the provisions of the first paragraph regarding delegation of the power to authorize the conclusion of certain service contracts, delegate all or part of the functions conferred on the chief executive officer of a body to its executive committee, the director general or, in the case of a university institution, a member of the senior administrative personnel within the meaning of the Act respecting educational institutions at the university level (chapter E-14.1).

17. A directive concerning service contracts not subject to the authorization of the chief executive officer of the public body must be made public not later than 30 days after it is made. The directive is also sent to the Chair of the Conseil du trésor who may, at any time, require the public body to amend the directive.

18. The chief executive officer of a public body that has a board of directors, other than a public body referred to in paragraph 3 or 4 of section 2, must inform the board of any service contract involving an expenditure of \$25,000 or more at the first meeting after the date the contract is entered into.

19. A public body must, at the request of the Chair of the Conseil du trésor, send the Chair any information the Chair determines regarding service contracts entered into during each reference period preceding a period specified under section 11.

The Chair determines the conditions and procedure for sending the information concerned and the length of any reference period, which cannot, however, exceed 24 months.

DIVISION IV

REPORTING

20. A public body must report on the application of this chapter in its annual report. The report must set out the public body's staffing level and the distribution of its staff by job class.

If a public body was assigned a staffing level under subdivision 2 of Division III, the public body must also

(1) indicate whether the staffing level was complied with and, if not, state the extent of the overstaffing as well as the means it has taken to correct the situation;

(2) include the information determined by the Conseil du trésor regarding service contracts involving an expenditure of \$25,000 or more.

21. A public body must, within 30 days after an authorization is granted by its chief executive officer under section 16, send the Chair of the Conseil du trésor any information the Chair determines regarding each service contract so authorized.

A public body must also send the Chair, at the intervals the Chair determines, any information the Chair determines regarding the other service contracts entered into during a period referred to in section 11 if the contracts involve an expenditure of \$25,000 or more.

The Chair determines the conditions and procedure for sending the information.

DIVISION V

AUDIT

22. Each minister exercises supervision and control, within the public bodies under the minister's responsibility, over compliance with the measures set out in this chapter, other than those relating to service contracts.

In that respect, the minister responsible is competent, in particular, to conduct an audit to verify the information provided by a public body and the public body's compliance with the workforce-related control measures. To that end, the minister responsible may designate a person in writing to conduct the audit.

23. A public body being audited must, at the request of the minister responsible or the person conducting the audit, send or otherwise make available all documents and information considered necessary to conduct the audit.

24. The Chair of the Conseil du trésor is competent to conduct an audit to determine whether the awarding of service contracts by a public body subject to Division III is in compliance with the measures set out in sections 15 to 19. Sections 27.1 to 27.4 of the Act respecting contracting by public bodies apply, with the necessary modifications, to such an audit.

DIVISION VI

CORRECTIVE MEASURES AND SANCTIONS

25. If a minister responsible considers that a public body under the minister's responsibility will not be able to comply with the workforce-related measures set out in Division III, the minister informs the chief executive officer of the body in writing and may require that corrective measures be, within the time the minister determines, drawn up and submitted to the minister for approval, with or without amendment.

26. If a minister considers that a public body under the minister's responsibility has not complied with the workforce management or control measures set out in this chapter, other than those relating to service contracts, or that the corrective measures drawn up under section 25 have not been implemented in a diligent manner, the minister may require the public body to take corrective and appropriate follow-up measures and to comply with any other measure determined by the minister, including oversight or monitoring measures.

27. In the cases referred to in section 26, all or part of a subsidy intended for a public body may be withheld or cancelled.

However, neither a subsidy for the transportation of schoolchildren nor a subsidy provided for in the second paragraph of section 477 of the Education Act or the second paragraph of section 470 of the Act respecting health services and social services may be withheld or cancelled.

28. In the case of a failure to comply with the measures relating to service contracts set out in Division III, the Conseil du trésor may recommend that the competent authority withhold or cancel all or part of a subsidy intended for a public body, other than a subsidy referred to in the second paragraph of section 27, for an amount equal to the value of any contract entered into in contravention of section 15 or 16.

CHAPTER III

AMENDING PROVISIONS

PUBLIC ADMINISTRATION ACT

29. The Public Administration Act (chapter A-6.01) is amended by inserting the following chapter after Chapter VII:

“CHAPTER VII.1

“AUDIT

“**91.1.** The Chair of the Conseil du trésor may conduct an audit to verify a department’s or body’s compliance with this Act. The Chair may designate a person in writing to conduct the audit.

“**91.2.** A department or body being audited must, at the request of the Chair of the Conseil du trésor or the person designated to conduct the audit, send or otherwise make available all documents and information the Chair of the Conseil du trésor or, as applicable, the designated person considers necessary to conduct the audit.

“**91.3.** The Conseil du trésor may require the department or body to take corrective and appropriate follow-up measures and to comply with any other measure determined by the Conseil du trésor, including oversight or monitoring measures.”

ACT RESPECTING THE COMMISSION ADMINISTRATIVE DES RÉGIMES DE RETRAITE ET D’ASSURANCES

30. Section 10 of the Act respecting the Commission administrative des régimes de retraite et d’assurances (chapter C-32.1.2) is replaced by the following section:

10. Chapter II, except section 29, of the Public Administration Act (chapter A-6.01) does not apply to the Commission.”

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

31. Section 27.4 of the Act respecting contracting by public bodies (chapter C-65.1) is amended by adding the following sentence at the end: “The Conseil du trésor may then require the body to take corrective and appropriate follow-up measures and to comply with any other measure it determines, including oversight and monitoring measures, which may include the obligation to obtain the authorization of the Conseil du trésor in order to enter into public contracts.”

ACT RESPECTING OCCUPATIONAL HEALTH AND SAFETY

32. Section 176.0.2 of the Act respecting occupational health and safety (chapter S-2.1) is amended by striking out “and 31, the first paragraph of section 32, sections 33”.

CHAPTER IV

MISCELLANEOUS, TRANSITIONAL AND FINAL PROVISIONS

33. The elements determined by the Conseil du trésor, the Chair of the Conseil du trésor or a minister responsible, as applicable, for the purposes of sections 5 to 7, 12 and 19 to 21 may vary depending on the public body.

34. If the Conseil du trésor establishes a staffing level for public bodies under the second paragraph of section 32 of the Public Administration Act (chapter A-6.01), sections 14 to 21 and 24 to 28 apply, with the necessary modifications, for each period the Conseil du trésor specifies under section 11.

35. Chapter II and section 38 apply despite any provision to the contrary in an Act, regulation, order, order in council, directive, decision, policy, budget rule, agreement, contract or any other similar instrument, subject, however, to the provisions of a collective agreement.

36. For the first application of section 3, the Government is deemed to have, on the recommendation of the Conseil du trésor, exempted the school boards governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14), the Anti-Corruption Commissioner and the public bodies referred to in paragraph 4 of section 2 from the application of Division III of Chapter II of this Act.

37. For the first application of section 11, the Conseil du trésor is deemed to have determined that Division III of Chapter II applies from 1 January 2015 to 31 March 2016.

38. Despite section 12 and unless the Conseil du trésor decides otherwise, the total workforce, for the period from 1 January 2015 to 31 March 2015, of all the public bodies under a minister’s responsibility that are not subject to the second paragraph of section 32 of the Public Administration Act must not exceed their total workforce for the corresponding period in 2014.

Likewise, for that period, the staffing level of each public body referred to in paragraph 7 of section 2 must not exceed its staffing level for the corresponding period in 2014.

For the purposes of section 13, the minister responsible must distribute the staff among the public bodies described in the first paragraph by not later than 15 December 2014.

39. The minister who is Chair of the Conseil du trésor is responsible for the administration of this Act.

40. This Act comes into force on 5 December 2014, except sections 7 to 10, which come into force on the date to be set by the Government.

2014, chapter 18

AN ACT RESPECTING MAINLY THE IMPLEMENTATION OF AGREEMENTS ON LABOUR MATTERS BETWEEN THE GOUVERNEMENT DU QUÉBEC AND THE MOHAWK COUNCIL OF KAHNAWAKE

Bill 21

Introduced by Mr. Geoffrey Kelley, Minister responsible for Native Affairs

Introduced 11 November 2014

Passed in principle 27 November 2014

Passed 4 December 2014

Assented to 5 December 2014

Coming into force: 5 December 2014

Legislation amended:

Act respecting industrial accidents and occupational diseases (chapter A-3.001)

Building Act (chapter B-1.1)

Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)

Act respecting occupational health and safety (chapter S-2.1)

Regulation amended:

Regulation respecting the issuance of competency certificates (chapter R-20, r. 5)

Explanatory notes

The object of this Act is to authorize the implementation of agreements between the Gouvernement du Québec and the Mohawks of Kahnawake permitting the application of a special plan in Kahnawake in matters within the scope of the Act respecting industrial accidents and occupational diseases, the Building Act, the Act respecting labour relations, vocational training and workforce management in the construction industry and the Act respecting occupational health and safety.

More particularly, such agreements must ensure that the Kahnawake plan will have standards similar to those prescribed by the Acts concerned and, unless they provide otherwise, apply despite any provision to the contrary in any of those Acts. The Government is empowered to take, by regulation, any measure necessary to implement the agreements, which are to be posted on the respective websites of the Ministère du Travail, the Ministère du Conseil exécutif and the bodies concerned. The agreements and any regulation made must be examined by the competent committee of the National Assembly.

(Cont'd on next page)

Explanatory notes (Cont'd)

The newly enacted provisions apply to the Entente en matière de travail entre le gouvernement du Québec et le Conseil Mohawk de Kahnawà:ke approved by Order in Council 730-2014 dated 24 July 2014. Three years after this Act is assented to, a report on its implementation is to be tabled in the National Assembly for referral to the competent committee for examination.

Lastly, the corporate name of the Association provinciale des constructeurs d'habitations du Québec inc. (APCHQ) is updated to its current name, the Association des professionnels de la construction et de l'habitation du Québec inc.



Chapter 18

AN ACT RESPECTING MAINLY THE IMPLEMENTATION OF AGREEMENTS ON LABOUR MATTERS BETWEEN THE GOUVERNEMENT DU QUÉBEC AND THE MOHAWK COUNCIL OF KAHNAWAKE

[Assented to 5 December 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

1. Subdivision 4 of Division III of Chapter I of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is replaced by the following subdivision:

“§4. — *Agreements permitting the application of a special plan*

“**24.1.** The purpose of this subdivision is to authorize the implementation of any agreement relating to any matter within the scope of this Act between the Government and the Mohawks of Kahnawake represented by the Mohawk Council of Kahnawake and permitting the application of a special plan.

An agreement under the first paragraph shall ensure that the Kahnawake plan will have similar standards to those of the plan established in this matter by this Act.

“**24.2.** The provisions of an agreement under section 24.1 apply despite any provision to the contrary in this Act unless otherwise provided in the agreement.

“**24.3.** The Government may, by regulation, take any necessary measures to carry out this subdivision, such as providing for any modifications to be applied to an existing Act or statutory instrument to take the existence of an agreement into account.

Any regulation made under the first paragraph requires the prior concurrence of the Mohawks of Kahnawake represented by the Mohawk Council of Kahnawake.

“**24.4.** An agreement under section 24.1 is tabled by the Minister in the National Assembly within 30 days of its signature or, if the Assembly is not sitting, within 30 days of resumption.

The competent committee of the National Assembly must examine the agreement and any regulation made under the first paragraph of section 24.3.

“24.5. An agreement is posted on the respective websites of the Ministère du Travail, the Ministère du Conseil exécutif and the Commission not later than the date of its coming into force and, should it cease to have effect, remains posted for five years after the date of cessation of effect.

“24.6. The Commission may enter into an administrative agreement with the Mohawk Council of Kahnawake to facilitate the application of an agreement under section 24.1.”

BUILDING ACT

2. The Building Act (chapter B-1.1) is amended by inserting the following division after section 6:

“DIVISION 1.1

“AGREEMENTS PERMITTING THE APPLICATION OF A SPECIAL PLAN

“6.1. The purpose of this division is to authorize the implementation of any agreement relating to any matter within the scope of this Act between the Government and the Mohawks of Kahnawake represented by the Mohawk Council of Kahnawake and permitting the application of a special plan.

An agreement under the first paragraph shall ensure that the Kahnawake plan will have similar standards to those of the plan established in this matter by this Act.

“6.2. The provisions of an agreement under section 6.1 apply despite any provision to the contrary in this Act unless otherwise provided in the agreement.

“6.3. The Government may, by regulation, take any necessary measures to carry out this division, such as providing for any modifications to be applied to an existing Act or statutory instrument to take the existence of an agreement into account.

Any regulation made under the first paragraph requires the prior concurrence of the Mohawks of Kahnawake represented by the Mohawk Council of Kahnawake.

“6.4. An agreement under section 6.1 is tabled by the Minister in the National Assembly within 30 days of its signature or, if the Assembly is not sitting, within 30 days of resumption.

The competent committee of the National Assembly must examine the agreement and any regulation made under the first paragraph of section 6.3.

“6.5. An agreement is posted on the respective websites of the Ministère du Travail, the Ministère du Conseil exécutif and the Board not later than the date of its coming into force and, should it cease to have effect, remains posted for five years after the date of cessation of effect.

“6.6. The Commission may enter into an administrative agreement with the Mohawk Council of Kahnawake to facilitate the application of an agreement under section 6.1.”

3. Section 182 of the Act is amended by inserting the following subparagraph after subparagraph 8 of the first paragraph:

“(9) take any necessary measures to carry out Division I.1 of Chapter I, such as providing for any modifications to be applied to an existing Act or statutory instrument to take the existence of an agreement into account.”

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING AND WORKFORCE MANAGEMENT IN THE CONSTRUCTION INDUSTRY

4. Section 1 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is amended by replacing “Association provinciale des constructeurs d’habitations du Québec inc.” in subparagraphs *c.1* and *c.2* of the first paragraph by “Association des professionnels de la construction et de l’habitation du Québec inc.”.

5. The Act is amended by inserting the following division after section 20:

“DIVISION I.1

“AGREEMENTS PERMITTING THE APPLICATION OF A SPECIAL PLAN

“20.1. The purpose of this division is to authorize the implementation of any agreement relating to any matter within the scope of this Act between the Government and the Mohawks of Kahnawake represented by the Mohawk Council of Kahnawake and permitting the application of a special plan.

An agreement under the first paragraph shall ensure that the Kahnawake plan will have similar standards to those of the plan established in this matter by this Act.

“20.2. The provisions of an agreement under section 20.1 apply despite any provision to the contrary in this Act unless otherwise provided in the agreement.

“20.3. The Government may, by regulation, take any necessary measures to carry out this division, such as providing for any modifications to be applied

to an existing Act or statutory instrument to take the existence of an agreement into account.

Any regulation made under the first paragraph requires the prior concurrence of the Mohawks of Kahnawake represented by the Mohawk Council of Kahnawake.

“20.4. An agreement under section 20.1 is tabled by the Minister in the National Assembly within 30 days of its signature or, if the Assembly is not sitting, within 30 days of resumption.

The competent committee of the National Assembly must examine the agreement and any regulation made under the first paragraph of section 20.3.

“20.5. An agreement is posted on the respective websites of the Ministère du Travail, the Ministère du Conseil exécutif and the Commission not later than the date of its coming into force and, should it cease to have effect, remains posted for five years after the date of cessation of effect.

“20.6. The Commission may enter into an administrative agreement with the Mohawk Council of Kahnawake to facilitate the application of an agreement under section 20.1.”

6. Section 123 of the Act is amended by striking out the second paragraph.

ACT RESPECTING OCCUPATIONAL HEALTH AND SAFETY

7. Division II of Chapter II of the Act respecting occupational health and safety (chapter S-2.1) is replaced by the following division:

“DIVISION II

“AGREEMENTS PERMITTING THE APPLICATION OF A SPECIAL PLAN

“8.2. The purpose of this division is to authorize the implementation of any agreement relating to any matter within the scope of this Act between the Government and the Mohawks of Kahnawake represented by the Mohawk Council of Kahnawake and permitting the application of a special plan.

An agreement under the first paragraph shall ensure that the Kahnawake plan will have similar standards to those of the plan established in this matter by this Act.

“8.3. The provisions of an agreement under section 8.2 apply despite any provision to the contrary in this Act unless otherwise provided in the agreement.

“8.4. The Government may, by regulation, take any necessary measures to carry out this division, such as providing for any modifications to be applied

to an existing Act or statutory instrument to take the existence of an agreement into account.

Any regulation made under the first paragraph requires the prior concurrence of the Mohawks of Kahnawake represented by the Mohawk Council of Kahnawake.

“8.5. An agreement under section 8.2 is tabled by the Minister in the National Assembly within 30 days of its signature or, if the Assembly is not sitting, within 30 days of resumption.

The competent committee of the National Assembly must examine the agreement and any regulation made under the first paragraph of section 8.4.

“8.6. An agreement is posted on the respective websites of the Ministère du Travail, the Ministère du Conseil exécutif and the Commission not later than the date of its coming into force and, should it cease to have effect, remains posted for five years after the date of cessation of effect.

“8.7. The Commission may enter into an administrative agreement with the Mohawk Council of Kahnawake to facilitate the application of an agreement under section 8.2.”

REGULATION RESPECTING THE ISSUANCE OF COMPETENCY CERTIFICATES

8. Section 15.7 of the Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) is amended, in the second paragraph,

(1) by replacing subparagraph 1 by the following subparagraphs:

“(1) one member designated by the Fédération des travailleurs et travailleuses du Québec (FTQ-Construction) who shall have 1 voting right worth 2 votes;

“(1.1) one member designated by the Conseil provincial du Québec des métiers de la construction (International) who shall have 1 voting right worth 2 votes;”;

(2) by replacing “Association provinciale des constructeurs d’habitations du Québec” in subparagraph 7 by “Association des professionnels de la construction et de l’habitation du Québec inc.”.

FINAL PROVISIONS

9. The Minister of Labour is responsible for the administration of this Act.

10. Sections 24.1 to 24.6 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), sections 6.1 to 6.6 of the Building Act (chapter B-1.1), sections 20.1 to 20.6 of the Act respecting labour relations,

vocational training and workforce management in the construction industry (chapter R-20) and sections 8.2 to 8.7 of the Act respecting occupational health and safety (chapter S-2.1), as enacted by this Act, apply to the Entente en matière de travail entre le gouvernement du Québec et le Conseil Mohawk de Kahnawà:ke approved by Order in Council 730-2014 dated 24 July 2014.

However, the agreement must be posted as required under certain of those sections on the specified websites not later than 20 December 2014.

11. The Minister must, not later than 5 December 2017, report to the Government on the implementation of this Act and the advisability of amending it.

The report is tabled in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption. The competent committee of the National Assembly examines the report.

12. This Act comes into force on 5 December 2014.

2014, chapter 19

AN ACT TO AMEND THE CHARTER OF VILLE DE MONTRÉAL AS CONCERNS THE COMPOSITION OF THE EXECUTIVE COMMITTEE

Bill 23

Introduced by Mr. Pierre Moreau, Minister of Municipal Affairs and Land Occupancy

Introduced 12 November 2014

Passed in principle 26 November 2014

Passed 4 December 2014

Assented to 5 December 2014

Coming into force: 5 December 2014

Legislation amended:

Charter of Ville de Montréal (chapter C-11.4)

Explanatory notes

This Act removes the provision of the Charter of Ville de Montréal that requires the mayor of Ville de Montréal to designate a minimum of 7 and a maximum of 11 council members to sit on the executive committee.



Chapter 19

AN ACT TO AMEND THE CHARTER OF VILLE DE MONTRÉAL AS CONCERNS THE COMPOSITION OF THE EXECUTIVE COMMITTEE

[Assented to 5 December 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Section 22 of the Charter of Ville de Montréal (chapter C-11.4) is amended by striking out the second sentence of the first paragraph.
- 2.** This Act comes into force on 5 December 2014.

2014, chapter 20

AN ACT TO EXTEND THE TERM OF THE PERSON DESIGNATED TO TEMPORARILY ACT AS CHIEF ELECTORAL OFFICER

Bill 31

Introduced by Mr. Jean-Marc Fournier, Minister responsible for Access to Information and the Reform of Democratic Institutions

Introduced 5 December 2014

Passed in principle 5 December 2014

Passed 5 December 2014

Assented to 5 December 2014

Coming into force: 5 December 2014

Legislation amended: None

Explanatory notes

This Act provides that the term of office of the person designated on 12 July 2014 to temporarily act as Chief Electoral Officer is extended until a Chief Electoral Officer is appointed or until 11 July 2015, whichever occurs first.



Chapter 20

AN ACT TO EXTEND THE TERM OF THE PERSON DESIGNATED TO TEMPORARILY ACT AS CHIEF ELECTORAL OFFICER

[Assented to 5 December 2014]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** Despite the time limit specified in section 483 of the Election Act (chapter E-3.3), the term of office of the person designated on 12 July 2014 to temporarily act as Chief Electoral Officer is extended until a Chief Electoral Officer is appointed or until 11 July 2015, whichever occurs first.
- 2.** This Act comes into force on 5 December 2014.

TABLE OF AMENDMENTS TO PUBLIC ACTS IN 2014

This table contains the amendments made in 2014 to the laws of Québec included in the Compilation of Québec Laws and Regulations and other public Acts without regard to the date of coming into force of the amendments. It includes all legislative amendments but does not include amendments from other sources, such as amendments by order in council. In addition to the reference and title of each Act amended during the year, the table lists each amended section (in bold), followed by a reference to the amending section or sections.

The other public Acts, that is, those not included in the Compilation of Québec Laws and Regulations, follow the laws of Québec included in the Compilation of Québec Laws and Regulations.

The cumulative table of amendments, listing all amendments made since 1977 to the laws of Québec included in the Compilation of Québec Laws and Regulations and other public Acts, is now available on the CD-ROM provided with this volume and is also posted on the website of Les Publications du Québec at the following address:

http://www2.publicationsduquebec.gouv.qc.ca/lois_et_reglements/tab_modifs/AaZ.pdf.

Abbreviations

a. = article	App. = Appendix	s. = section
aa. = articles	c. = chapter	ss. = sections
Ab. = Abrogated	Rp. = Replaced	Sched. = Schedule

Reference	Title Amendments
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1- LAWS OF QUÉBEC INCLUDED IN THE COMPILATION OF QUÉBEC LAWS AND REGULATIONS

c. A-3.001	Act respecting industrial accidents and occupational diseases 24.1 , 2014, c. 18, s. 1 24.2 , 2014, c. 18, s. 1 24.3 , 2014, c. 18, s. 1 24.4 , 2014, c. 18, s. 1 24.5 , 2014, c. 18, s. 1 24.6 , 2014, c. 18, s. 1 24.7 , 2014, c. 18, s. 1 24.8 , 2014, c. 18, s. 1 24.9 , 2014, c. 18, s. 1 24.10 , 2014, c. 18, s. 1 24.11 , 2014, c. 18, s. 1 24.12 , 2014, c. 18, s. 1 24.13 , 2014, c. 18, s. 1
c. A-6.001	Financial Administration Act Sched. 2 , 2014, c. 16, s. 70
c. A-6.002	Tax Administration Act 41 , 2014, c. 1, s. 781
c. A-6.01	Public Administration Act 91.1 , 2014, c. 17, s. 29 91.2 , 2014, c. 17, s. 29 91.3 , 2014, c. 17, s. 29
c. A-13.1.1	Individual and Family Assistance Act 103.1 , 2014, c. 1, s. 811

TABLE OF AMENDMENTS

Reference	Title Amendments
c. A-13.3	Act respecting financial assistance for education expenses 31.0.1 , 2014, c. 1, s. 812
c. A-14	Act respecting legal aid and the provision of certain other legal services 4.6 , 2014, c. 1, s. 813
c. A-29.011	Act respecting parental insurance 31.1 , 2014, c. 1, s. 814
c. A-32	Act respecting insurance 358 , 2014, c. 1, s. 779
c. B-1	Act respecting the Barreau du Québec 1 , 2014, c. 1, s. 815; 2014, c. 13, s. 1 10 , 2014, c. 13, s. 2 10.1 , 2014, c. 13, s. 2 10.2 , 2014, c. 13, s. 2 11 , 2014, c. 13, s. 3 12 , 2014, c. 13, s. 4 13 , Ab. 2014, c. 13, s. 5 14 , Ab. 2014, c. 13, s. 5 15 , 2014, c. 13, s. 6 17 , 2014, c. 13, s. 7 19 , Ab. 2014, c. 13, s. 8 20 , Ab. 2014, c. 13, s. 8 21 , Ab. 2014, c. 13, s. 8 22 , Ab. 2014, c. 13, s. 8 22.1 , 2014, c. 13, s. 9 23 , 2014, c. 13, s. 10 24 , 2014, c. 13, s. 11 25 , 2014, c. 13, s. 17 26 , 2014, c. 13, s. 12 26.1 , 2014, c. 13, s. 13 26.2 , 2014, c. 13, s. 13 33 , 2014, c. 13, s. 14 41 , 2014, c. 13, s. 15 48 , 2014, c. 13, s. 16 49 , 2014, c. 13, s. 17 55 , 2014, c. 13, s. 17 56 , 2014, c. 13, s. 17 58 , 2014, c. 13, s. 17 70 , 2014, c. 13, s. 17 71 , 2014, c. 13, s. 17 72 , 2014, c. 13, s. 17 78 , 2014, c. 13, s. 17 79 , 2014, c. 13, s. 17 122 , 2014, c. 13, s. 17 125 , 2014, c. 1, s. 817 126 , 2014, c. 1, s. 818 127.1 , 2014, c. 1, s. 819 140.2 , 2014, c. 13, s. 17
c. B-1.1	Building Act 6.1 , 2014, c. 18, s. 2 6.2 , 2014, c. 18, s. 2 6.3 , 2014, c. 18, s. 2 6.4 , 2014, c. 18, s. 2 6.5 , 2014, c. 18, s. 2 6.6 , 2014, c. 18, s. 2 146 , 2014, c. 1, s. 781 182 , 2014, c. 18, s. 3

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-11.4	Charter of Ville de Montréal 22 , 2014, c. 19, s. 1 57.1.1 , 2014, c. 3, s. 1 57.1.2 , 2014, c. 3, s. 1 57.1.3 , 2014, c. 3, s. 1 57.1.4 , 2014, c. 3, s. 1 57.1.5 , 2014, c. 3, s. 1 57.1.6 , 2014, c. 3, s. 1 57.1.7 , 2014, c. 3, s. 1 57.1.8 , 2014, c. 3, s. 1 57.1.9 , 2014, c. 3, s. 1 57.1.10 , 2014, c. 3, s. 1 57.1.11 , 2014, c. 3, s. 1 57.1.12 , 2014, c. 3, s. 1 57.1.13 , 2014, c. 3, s. 1 57.1.14 , 2014, c. 3, s. 1 57.1.15 , 2014, c. 3, s. 1 57.1.16 , 2014, c. 3, s. 1 57.1.17 , 2014, c. 3, s. 1 57.1.18 , 2014, c. 3, s. 1 57.1.19 , 2014, c. 3, s. 1 57.1.20 , 2014, c. 3, s. 1 57.1.21 , 2014, c. 3, s. 1 57.1.22 , 2014, c. 3, s. 1 57.1.23 , 2014, c. 3, s. 1 57.1.24 , 2014, c. 3, s. 1 57.1.25 , 2014, c. 3, s. 1
c. C-19	Cities and Towns Act 14.1 , 2014, c. 1, s. 780 468.45.8 , 2014, c. 1, s. 780 568 , 2014, c. 1, s. 780 569 , 2014, c. 1, s. 780 573.3.4 , 2014, c. 1, s. 780
CCQ-1991	Civil Code of Québec 11 , 2014, c. 2, a. 65 12 , 2014, c. 2, a. 66 15 , 2014, c. 2, a. 67 234 , 2014, c. 1, a. 784 237 , 2014, c. 1, a. 785 568 , 2014, c. 1, a. 786 574 , 2014, c. 1, a. 786 596.1 , 2014, c. 1, a. 787 978 , 2014, c. 1, a. 788 1529 , 2014, c. 1, a. 789 1605 , 2014, c. 1, a. 790 1641 , 2014, c. 1, a. 791 1644 , 2014, c. 1, a. 792 1758 , 2014, c. 1, a. 793 2166 , 2014, c. 1, a. 795 2387 , 2014, c. 1, a. 796 2648 , 2014, c. 1, a. 797 2718 , 2014, c. 1, a. 798 2759 , 2014, c. 1, a. 799 2787 , 2014, c. 1, a. 800 2791 , 2014, c. 1, a. 801 2793 , 2014, c. 1, a. 802 2794 , 2014, c. 1, a. 803 2892 , 2014, c. 1, a. 804 2908 , 2014, c. 1, a. 805 2958 , 2014, c. 1, a. 806 2996 , 2014, c. 1, a. 807

TABLE OF AMENDMENTS

Reference	Title Amendments
CCQ-1991	Civil Code of Québec — <i>Cont'd</i> 3000 , 2014, c. 1, a. 808 3017 , 2014, c. 1, a. 809 3069 , 2014, c. 1, a. 810
c. C-23.1	Code of ethics and conduct of the Members of the National Assembly 86 , 2014, c. 1, s. 779
c. C-24.2	Highway Safety Code 1 , 2014, c. 12, s. 42 14 , 2014, c. 12, s. 43 328.1 , 2014, c. 12, s. 44 328.5 , 2014, c. 12, s. 45 421.1 , 2014, c. 12, s. 46
c. C-25	Code of Civil Procedure 75.0.1 , 2014, c. 10, a. 1 776 , 2014, c. 2, a. 68 953 , 2014, c. 10, a. 2 955 , 2014, c. 10, a. 3 994 , 2014, c. 10, a. 4 Rp. , 2014, c. 1, a. 833
c. C-25.1	Code of Penal Procedure 265 , 2014, c. 1, a. 779 291 , 2014, c. 1, a. 779 330 , 2014, c. 1, a. 820 331 , 2014, c. 1, a. 821 367 , 2014, c. 1, a. 779
c. C-26	Professional Code 62.1 , 2014, c. 13, s. 21 63.1 , 2014, c. 13, s. 22 96 , 2014, c. 13, s. 23 182.1 , 2014, c. 13, s. 24 182.2 , 2014, c. 13, s. 25 194 , 2014, c. 1, s. 779
c. C-27	Labour Code 21 , 2014, c. 9, s. 1 111.27 , 2014, c. 9, s. 2 111.28 , 2014, c. 9, s. 2 111.29 , 2014, c. 9, s. 2 111.30 , 2014, c. 9, s. 2 111.31 , 2014, c. 9, s. 2 111.32 , 2014, c. 9, s. 2 138 , 2014, c. 9, s. 3 141 , 2014, c. 9, s. 4
c. C-27.1	Municipal Code of Québec 19 , 2014, c. 1, a. 780 614.8 , 2014, c. 1, a. 780 938.4 , 2014, c. 1, a. 780 1082 , 2014, c. 1, a. 780 1094 , 2014, c. 1, a. 780
c. C-32.1.2	Act respecting the Commission administrative des régimes de retraite et d'assurances 10 , 2014, c. 17, s. 30
c. C-37.01	Act respecting the Communauté métropolitaine de Montréal 118.2 , 2014, c. 1, s. 780

TABLE OF AMENDMENTS

Reference	Title Amendments
c. C-37.02	Act respecting the Communauté métropolitaine de Québec 111.2 , 2014, c. 1, s. 780
c. C-52.1	Act respecting the conditions of employment and the pension plan of the Members of the National Assembly 7 , 2014, c. 5, s. 1
c. C-65.1	Act respecting contracting by public bodies 27.4 , 2014, c. 17, s. 31
c. C-72.01	Act respecting municipal courts 80 , 2014, c. 1, s. 822; 2014, c. 10, s. 5
c. E-2.2	Act respecting elections and referendums in municipalities 37 , 2014, c. 1, s. 781 657 , 2014, c. 1, s. 781
c. E-3.3	Election Act 573 , 2014, c. 1, s. 781
c. E-20.1	Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration 74.4 , 2014, c. 1, s. 779
c. F-3.1.1	Public Service Act 114 , 2014, c. 1, s. 781
c. F-3.2.1.1.1	Act to establish the Northern Development Fund (<i>Act to establish the Northern Plan Fund</i>) Title , 2014, c. 16, s. 71 2 , 2014, c. 16, s. 72 4 , 2014, c. 16, s. 73 6 , 2014, c. 16, s. 74 7 , Ab. 2014, c. 16, s. 75 8 , Ab. 2014, c. 16, s. 75
c. G-1.02	Act respecting the governance of state-owned enterprises Sched. I , 2014, c. 16, s. 76
c. H-4.1	Court Bailiffs Act 13 , 2014, c. 1, s. 823
c. I-16.0.1	Act respecting Investissement Québec 26 , 2014, c. 16, s. 77
c. M-9	Medical Act 31 , 2014, c. 2, s. 69
c. M-15.001	Act respecting the Ministère de l'Emploi et de la Solidarité sociale and the Commission des partenaires du marché du travail 60 , 2014, c. 16, s. 78
c. M-15.1.0.1	Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie 18 , 2014, c. 16, s. 79
c. M-17.1	Act respecting the Ministère de la Culture et des Communications 22.3 , 2014, c. 16, s. 80

TABLE OF AMENDMENTS

Reference	Title Amendments
c. M-19.2	Act respecting the Ministère de la Santé et des Services sociaux 11.3 , 2014, c. 16, s. 81
c. M-22.1	Act respecting the Ministère des Affaires municipales, des Régions et de l'Occupation du territoire 21.20 , 2014, c. 16, s. 82
c. M-25.2	Act respecting the Ministère des Ressources naturelles et de la Faune 17.3 , 2014, c. 16, s. 83 17.12.13 , 2014, c. 16, s. 84 17.12.17 , 2014, c. 16, s. 85
c. M-28	Act respecting the Ministère des Transports 12.32 , 2014, c. 16, s. 86
c. M-30.001	Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs 15.4 , 2014, c. 16, s. 87
c. M-31.2	Act respecting the Ministère du Tourisme 21 , 2014, c. 16, s. 88
c. N-1.1	Act respecting labour standards 3.1 , 2014, c. 3, s. 2 122 , 2014, c. 3, s. 3 140 , 2014, c. 3, s. 4
c. N-3	Notaries Act 6 , 2014, c. 13, s. 18 8 , 2014, c. 13, s. 19 12 , 2014, c. 13, s. 20
c. P-10	Pharmacy Act 17 , 2014, c. 2, s. 70
c. P-27	Special Procedure Act Ab. , 2014, c. 1, s. 824
c. P-29	Food Products Act 7.1 , Ab. 2014, c. 14, s. 1 7.2 , Ab. 2014, c. 14, s. 1 40 , 2014, c. 14, s. 2
c. P-34.1	Youth Protection Act 82 , 2014, c. 1, s. 825 85 , 2014, c. 1, s. 826
c. R-2.1	Act respecting the class action <i>(Act respecting the Fonds d'aide aux actions collectives)</i> Title , 2014, c. 1, s. 827 20 , 2014, c. 1, s. 828
c. R-8.1	Act respecting the Régie du logement 18 , 2014, c. 1, s. 781
c. R-8.2	Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors Sched. C , 2014, c. 16, s. 89

TABLE OF AMENDMENTS

Reference	Title Amendments
c. R-9	Act respecting the Québec Pension Plan 28 , 2014, c. 1, s. 779
c. R-9.1	Act respecting the Pension Plan of Certain Teachers 62 , 2014, c. 11, s. 1
c. R-9.2	Act respecting the Pension Plan of Peace Officers in Correctional Services 9 , 2014, c. 11, s. 2 42.1.1 , 2014, c. 11, s. 3
c. R-10	Act respecting the Government and Public Employees Retirement Plan 134 , 2014, c. 11, s. 4 147 , 2014, c. 11, s. 5 147.0.5 , 2014, c. 11, s. 6 184.1 , 2014, c. 11, s. 7 223.1 , 2014, c. 11, s. 8 Sched. I , 2014, c. 16, s. 90
c. R-11	Act respecting the Teachers Pension Plan 78.1 , 2014, c. 11, s. 9
c. R-12	Act respecting the Civil Service Superannuation Plan 114.1 , 2014, c. 11, s. 10
c. R-12.1	Act respecting the Pension Plan of Management Personnel 10 , 2014, c. 11, s. 11 25 , 2014, c. 11, s. 12 43.1 , 2014, c. 11, s. 13 196.23.1 , 2014, c. 11, s. 14 211 , 2014, c. 11, s. 15 Sched. II , 2014, c. 16, s. 91
c. R-20	Act respecting labour relations, vocational training and workforce management in the construction industry 1 , 2014, c. 18, s. 4 20.1 , 2014, c. 18, s. 5 20.2 , 2014, c. 18, s. 5 20.3 , 2014, c. 18, s. 5 20.4 , 2014, c. 18, s. 5 20.5 , 2014, c. 18, s. 5 20.6 , 2014, c. 18, s. 5 123 , 2014, c. 18, s. 6
c. S-2.1	Act respecting occupational health and safety 8.2 , 2014, c. 18, s. 7 8.3 , 2014, c. 18, s. 7 8.4 , 2014, c. 18, s. 7 8.5 , 2014, c. 18, s. 7 8.6 , 2014, c. 18, s. 7 8.7 , 2014, c. 18, s. 7 8.8 , 2014, c. 18, s. 7 8.9 , 2014, c. 18, s. 7 8.10 , 2014, c. 18, s. 7 8.11 , 2014, c. 18, s. 7 8.12 , 2014, c. 18, s. 7 176.0.2 , 2014, c. 17, s. 32
c. S-4.1.1	Educational Childcare Act 3 , 2014, c. 8, s. 1 93.3 , 2014, c. 8, s. 2 93.4 , 2014, c. 8, s. 2 93.5 , 2014, c. 8, s. 2

TABLE OF AMENDMENTS

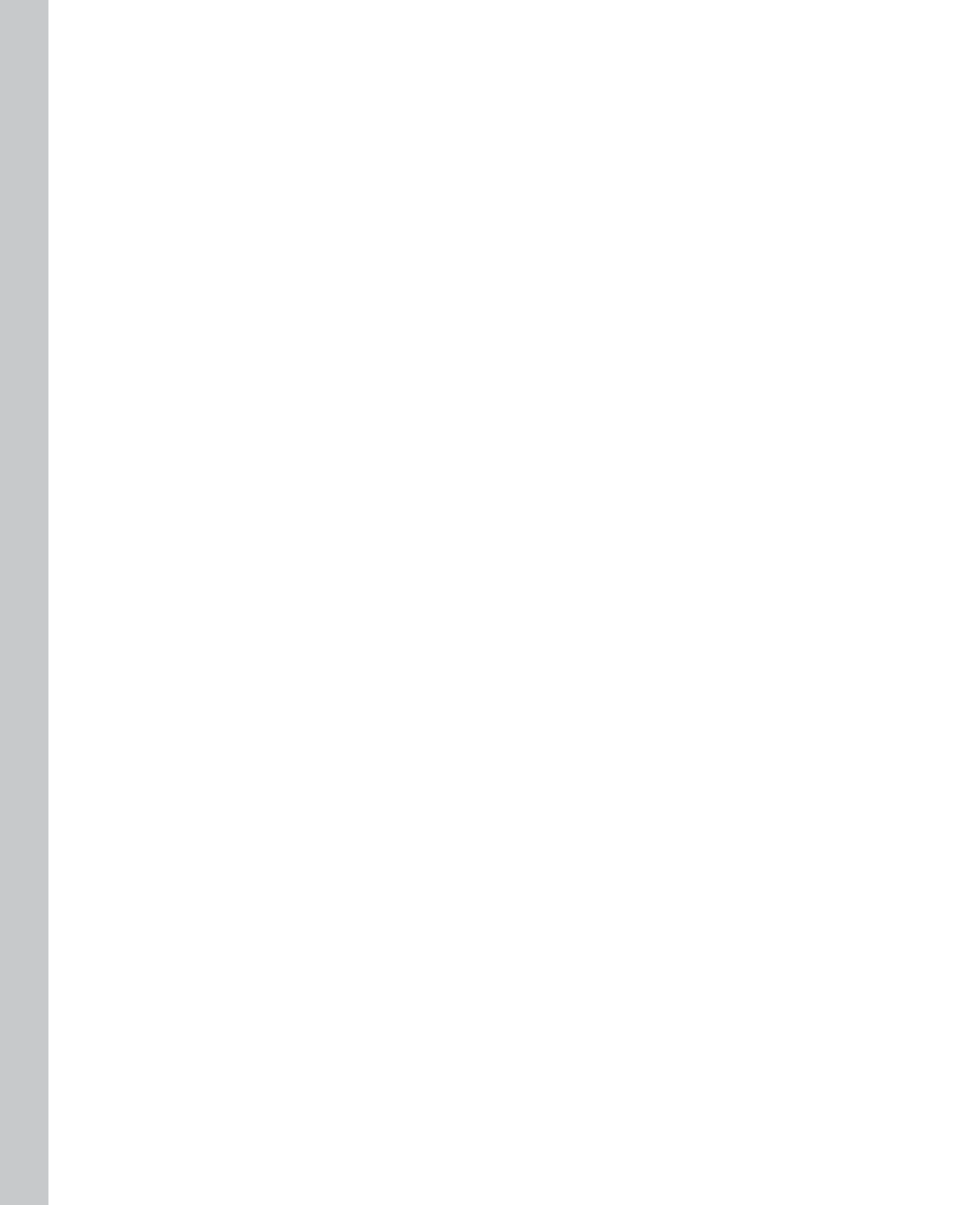
Reference	Title Amendments
c. S-4.1.1	Educational Childcare Act — <i>Cont'd</i> 93.6 , 2014, c. 8, s. 2 93.7 , 2014, c. 8, s. 2 93.8 , 2014, c. 8, s. 2 93.9 , 2014, c. 8, s. 2 93.10 , 2014, c. 8, s. 2 93.11 , 2014, c. 8, s. 2 97 , 2014, c. 8, s. 3
c. S-4.2	Act respecting health services and social services 19 , 2014, c. 2, s. 71
c. S-11.011	Act respecting the Société de l'assurance automobile du Québec 16.1 , 2014, c. 1, s. 779
c. S-29.01	Act respecting trust companies and savings companies 244 , 2014, c. 1, s. 779
c. S-30.01	Act respecting public transit authorities 108.2 , 2014, c. 1, s. 780
c. T-12	Transport Act 86 , 2014, c. 1, s. 781
c. T-14	Municipal Works Act 6 , 2014, c. 1, s. 780
c. T-16	Courts of Justice Act 12 , 2014, c. 1, s. 829 146 , 2014, c. 1, s. 830 147 , 2014, c. 1, s. 831
c. V-1.2	Act respecting off-highway vehicles 1 , 2014, c. 12, s. 1 1.1 , 2014, c. 12, s. 2 2 , 2014, c. 12, s. 3 2.0.1 , 2014, c. 12, s. 4 3 , 2014, c. 12, s. 5 6 , 2014, c. 12, s. 6 7.1 , 2014, c. 12, s. 7 7.2 , 2014, c. 12, s. 7 11 , 2014, c. 12, s. 8 12.1 , 2014, c. 12, s. 9 12.1.1 , 2014, c. 12, s. 10 12.1.2 , 2014, c. 12, s. 10 12.1.3 , 2014, c. 12, s. 10 18 , 2014, c. 12, s. 11 18.1 , 2014, c. 12, s. 12 21.1 , 2014, c. 12, s. 13 21.2 , 2014, c. 12, s. 14 21.3 , 2014, c. 12, s. 14 21.4 , 2014, c. 12, s. 14 21.5 , 2014, c. 12, s. 14 21.6 , 2014, c. 12, s. 14 21.7 , 2014, c. 12, s. 14 21.8 , 2014, c. 12, s. 14 21.9 , 2014, c. 12, s. 14 21.10 , 2014, c. 12, s. 14 23 , 2014, c. 12, s. 15 23.1 , 2014, c. 12, s. 16 27 , 2014, c. 12, s. 17 28 , 2014, c. 12, s. 18

TABLE OF AMENDMENTS

Reference	Title Amendments
c. V-1.2	<p>Act respecting off-highway vehicles — <i>Cont'd</i></p> <p>28.1, 2014, c. 12, s. 19 29, 2014, c. 12, s. 20 46, 2014, c. 12, s. 21 50, 2014, c. 12, s. 22 51, 2014, c. 12, s. 23 52, 2014, c. 12, s. 24 53, 2014, c. 12, s. 25 54, 2014, c. 12, s. 26 55, 2014, c. 12, s. 27 55.1, 2014, c. 12, s. 28 55.2, 2014, c. 12, s. 29 55.3, 2014, c. 12, s. 30 55.4, 2014, c. 12, s. 31 55.5, 2014, c. 12, s. 31 56, 2014, c. 12, s. 32 56.2, 2014, c. 12, s. 33 57, 2014, c. 12, s. 34 58, 2014, c. 12, s. 34 58.1, 2014, c. 12, s. 35 58.2, 2014, c. 12, s. 36 59, 2014, c. 12, s. 37 59.1, 2014, c. 12, s. 38 60, 2014, c. 12, s. 39 66, 2014, c. 12, s. 40 66.1, 2014, c. 12, s. 40 67, 2014, c. 12, s. 41</p>
c. V-5.01	<p>Auditor General Act</p> <p>53, 2014, c. 1, s. 781</p>
c. V-6.1	<p>Act respecting Northern villages and the Kativik Regional Government</p> <p>204, 2014, c. 1, s. 780 358, 2014, c. 1, s. 780</p>
2- ACTS NOT INCLUDED IN THE COMPILATION OF QUÉBEC LAWS AND REGULATIONS	
2010, c. 24	<p>Act authorizing the making of collective agreements with a term of more than three years in the public and parapublic sectors</p> <p>1, 2014, c. 4, s. 1</p>
2011, c. 13	<p>Act to limit oil and gas activities</p> <p>3, 2014, c. 6, s. 1</p>
2013, c. 16	<p>Act respecting mainly the implementation of certain provisions of the Budget Speech of 20 November 2012</p> <p>39, 2014, c. 6, s. 2 40, 2014, c. 6, s. 2</p>
2014, c. 1	<p>Act to establish the new Code of Civil Procedure</p> <p>822, Ab. 2014, c. 10, s. 6</p>

Note: Information on how to use this table may be obtained by phone at 418 643-2840. The cumulative table of amendments, listing all amendments made since 1977 to the laws of Québec included in the Compilation of Québec Laws and Regulations and other public Acts, including amendments made by the Acts passed in 2014, is now available on the CD-ROM provided with this volume and is also posted on the website of Les Publications du Québec at the following address:
http://www2.publicationsduquebec.gouv.qc.ca/lois_et_reglements/tab_modifs/AaZ.pdf.

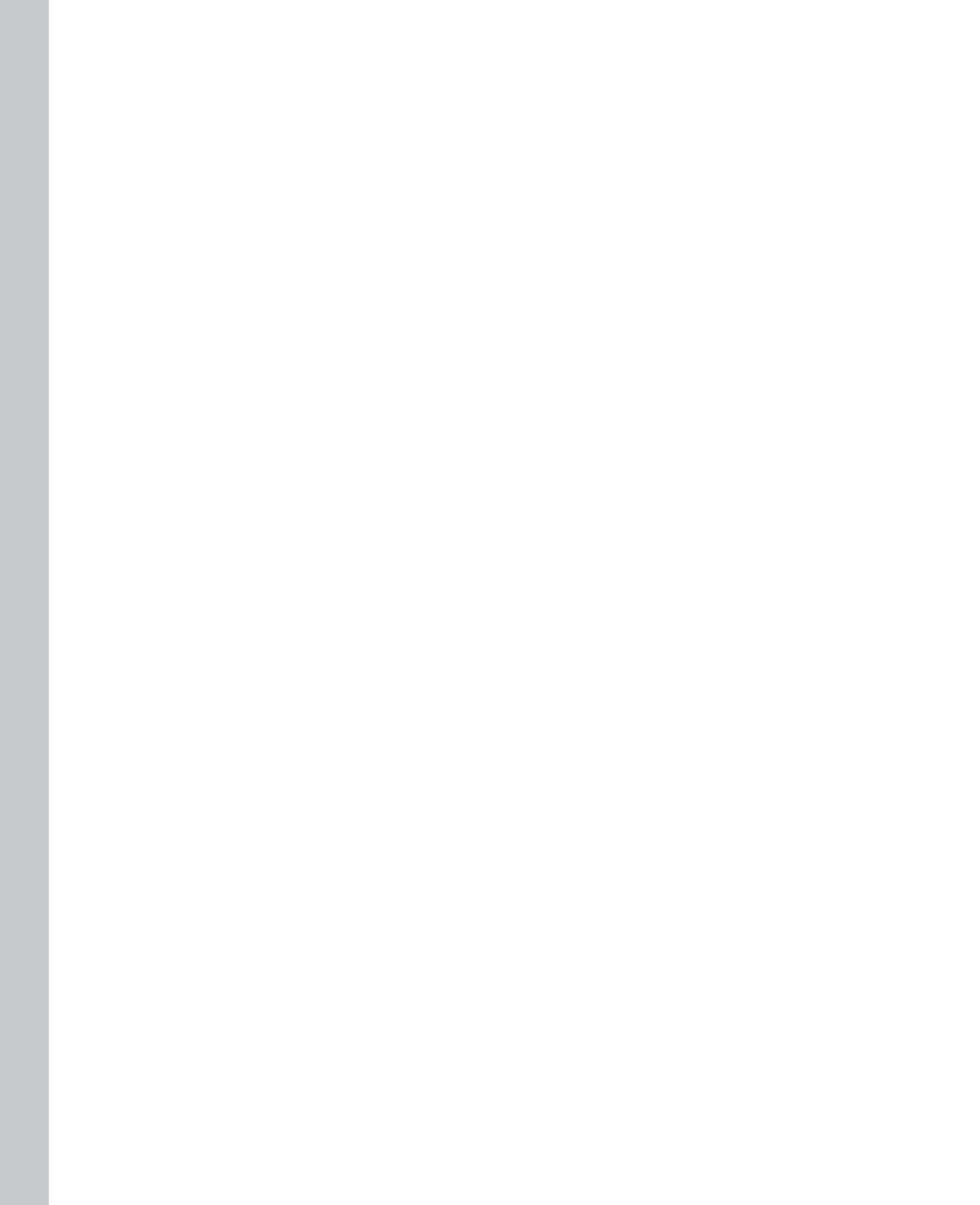
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**TABLE OF GENERAL AMENDMENTS
TO PUBLIC ACTS IN 2014**

The entries below are references to legislative provisions passed in 2014 which amend generally or affect one or several Acts rather than specific sections.

Title	Reference
Act to establish the new Code of Civil Procedure	2014, c. 1, ss. 778, 782
Act to amend the Act respecting the Barreau du Québec, the Notaries Act and the Professional Code	2014, c. 13, s. 17



**ANNUAL STATUTE / STATUTE INCLUDED IN THE COMPILATION
OF QUÉBEC LAWS AND REGULATIONS
TABLE OF CONCORDANCE**

Annual Statute	Statute included in the Compilation of Québec Laws and Regulations
2014, chapter 1	chapter C-25.01
2014, chapter 2	chapter S-32.0001
2014, chapter 15	chapter S-2.1.1
2014, chapter 16	chapter S-16.011
2014, chapter 17	chapter G-1.011



**LIST OF LEGISLATIVE PROVISIONS WHOSE COMING INTO FORCE
HAS BEEN DETERMINED BY PROCLAMATION OR ORDER
IN COUNCIL AS OF 31 DECEMBER 2014**

Reference	Title Date of coming into force
1964	An Act respecting the Revised Statutes, 1964 1965-09-09
1965, c. 10	An Act to amend the Territorial Division Act 1966-04-18 ss. 1-78
1965, c. 11	An Act to amend the Legislature Act and the Executive Power Act 1966-04-18 s. 1
1965, c. 17	An Act to amend the Courts of Justice Act 1966-09-01 ss. 1-4, 22, 26-41
1965, c. 51	An Act to amend the Professional Syndicates Act 1965-11-01 ss. 3, 4
1965, c. 59	Blind Persons Allowances Act 1966-02-14 ss. 1-22
1965, c. 60	Disabled Persons Assistance Act 1966-02-14 ss. 1-21
1965, c. 61	Aged Persons Assistance Act 1966-02-14 ss. 1-21
1965, c. 67	An Act to amend the Education Act 1966-05-15 s. 10
1965, c. 80	Code of Civil Procedure 1966-09-01 ss. 1-951
1966-67, c. 18	An Act to amend the Courts of Justice Act 1968-03-11 ss. 2, 3
1966-67, c. 21	An Act to amend the Liquor Board Act 1968-03-01 ss. 1, 4, 5, 7, 9-11, 12 (par. a), 13-16, 19-22, 24, 26
1966-67, c. 24	Quebec National Library Act 1968-01-01 ss. 1-16
1966-67, c. 61	An Act to again amend the Education Act 1970-09-15 s. 1
1966-67, c. 72	Financial Institutions, Companies and Cooperatives Department Act 1968-05-28 ss. 1-24
1966-67, c. 73	Quebec Deposit Insurance Act 1970-07-01 ss. 23, 24, 29, 33
1968, c. 42	An Act to amend the Animal Health Protection Act 1972-01-01 s. 1

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1968, c. 48	An Act to establish the Office for the Prevention and Treatment of Alcoholism and other Toxicomanias 1970-05-01 ss. 1-17
1968, c. 67	Private Education Act 1969-07-02 ss. 9, 15, 23, 73
1968, c. 82	An Act respecting civil marriage 1969-04-01 ss. 1-15
1969, c. 21	Probation and Houses of Detention Act 1973-10-01 s. 17
1969, c. 51	Manpower Vocational Training and Qualification Act 1971-01-01 ss. 64-95, 99 1971-03-06 ss. 59-61
1969, c. 58	Wild-life Conservation Act 1970-06-15 ss. 1-83
1969, c. 59	An Act to amend the Hotels Act 1975-05-07 ss. 1-9
1969, c. 61	Stuffing and Upholstered and Stuffed Articles Act 1973-01-01 ss. 1-38
1969, c. 63	Social Aid Act 1970-09-10 Div. V, ss. 30-41, 65 1970-11-01 Div. I, II, III, IV, VI, VII, VIII, IX, except ss. 58, 59 1972-05-01 s. 60
1969, c. 67	An Act to amend the Education Act 1970-03-31 ss. 1-9
1970, c. 10	An Act to again amend the Courts of Justice Act 1971-10-30 ss. 1, 2
1970, c. 27	An Act to amend the Mining Act 1971-12-01 ss. 11-18, 20-23, 32
1971, c. 20	Québec Liquor Corporation Act 1993-09-30 s. 25 (3 rd par.), date from which a beer distributor's permit may be issued
1971, c. 33	Petroleum Products Trade Act 1973-01-01 ss. 1-29, 36 1974-05-01 ss. 30-35
1971, c. 47	An Act to amend the Health Insurance Act and the Health Insurance Board Act 1972-05-23 s. 3 1972-08-01 ss. 1, 2, 9-17, exceptions excluded 1974-01-01 ss. 1 (par. <i>f</i> (part)), 2 (2 nd par. (par. <i>b</i>)), 16 (part) 1974-05-01 s. 15 (par. <i>a</i> , subpar. <i>c</i> ¹)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1971, c. 48	An Act respecting health services and social services 1972-06-01 ss. 1-148, 150-168
1971, c. 50	Real Estate Assessment Act 1972-10-15 s. 129 1972-11-30 ss. 130, 132
1971, c. 81	Public Curatorship Act 1972-06-01 ss. 1-48
1972, c. 4	An Act to amend the Territorial Division Act 1973-09-25 ss. 1, 2
1972, c. 14	Legal Aid Act 1973-06-04 ss. 2-10, 22 (par. <i>a, j</i>), 24-28, 50-55, 57, 58, 60, 62-79, 82, 83, 91-94
1972, c. 42	Public Health Protection Act 1974-04-17 ss. 25-35
1972, c. 49	Environment Quality Act 1975-01-22 ss. 54-56, 58, 59, 64, 66, 67 1984-05-16 s. 45
1972, c. 52	An Act respecting the General Investment Corporation of Québec 1973-04-27 ss. 4, 6-9, 12-14
1972, c. 53	An Act to amend the Québec Pension Plan 1973-05-01 ss. 4-8, 66, 68
1972, c. 55	Transport Act 1973-05-24 ss. 52-73, 182, 183 (par. <i>b</i>) 1973-07-09 ss. 98, 101 (part), 102 1973-07-18 s. 101 (part) 1974-05-13 ss. 101 (part), 125 1974-05-27 s. 101 (part) 1974-08-14 ss. 99, 100
1973, c. 26	An Act to amend the Animal Health Protection Act 1987-07-01 s. 31
1973, c. 30	An Act to amend the Health Insurance Act and the Québec Health Insurance Board Act 1974-01-01 s. 15 1975-05-07 s. 17 1975-06-11 ss. 1 (par. <i>a</i>), 2 (par. <i>d</i>), 3-5, 8, 13 (par. <i>e</i>)
1973, c. 37	An Act to amend the Transport Act 1973-08-06 s. 4
1973, c. 38	Expropriation Act 1975-06-19 ss. 68-87, 143, 144, 145 1976-04-01 ss. 34-44, 48-66, 88, 92, 98, 99, 103, 104, 110-112, 114-117, 121, 136, 139-142

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1973, c. 43	Professional Code 1974-09-01 s. 101 1974-10-27 ss. 241-244 1975-02-12 ss. 239, 240
1973, c. 46	Medical Act 1974-09-01 s. 37 (1 st par.)
1973, c. 50	Denturologists Act 1974-06-01 ss. 1-19
1973, c. 54	Hearing-aid Acousticians Act 1974-10-21 s. 17
1973, c. 55	Podiatry Act 1974-10-21 s. 19
1973, c. 56	Chiropractic Act 1974-10-21 s. 15
1974, c. 6	Official Language Act 1976-01-01 ss. 78-99 1976-01-28 s. 34 1976-09-01 ss. 26-29, 39
1974, c. 10	An Act to amend the Civil Service Superannuation Plan 1977-07-01 ss. 2, 4, 5, 6 (s. 16 <i>c</i>), 11, 14, 16, 17 (s. 52 <i>a</i>), 26
1974, c. 13	Bailiffs Act 1975-09-20 ss. 2-21, 26-34, 36, 38
1974, c. 14	An Act to amend the Liquor Permit Control Commission Act 1975-05-26 s. 59 1975-07-01 ss. 1, 8-10, 12, 13 (par. <i>a</i>), 16, 18-22, 23 (par. <i>a, d</i>), 24 (par. <i>c</i>), 30, 32, 39, 40, 56, 64-67, 73, 75, 82
1974, c. 15	Intergovernmental Affairs Department Act 1976-06-01 s. 21
1974, c. 31	Crop Insurance Act 1977-04-15 ss. 23 (1 st par.), 30, 31, 34, 35, 37, 43, 44 (4 th , 5 th par.) 1977-05-18 ss. 32, 33, 36, 38-42, 45 1977-10-19 s. 44 (1 st , 2 nd , 3 rd par.)
1974, c. 33	An Act to amend the Act to promote credit to farm producers 1975-06-01 ss. 1-13
1974, c. 35	Agricultural Products and Food Act 1975-07-15 ss. 1-5, 6 (except 1 st par. (par. <i>b</i>)), 7-42, 44-53
1974, c. 39	Social Affairs Commission Act 1975-08-01 ss. 1-74

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1974, c. 40	An Act to amend the Health Insurance Act and the Québec Health Insurance Board Act 1975-04-11 s. 15 (par. <i>j</i> , except “or research scholarships”, par. <i>k</i>) 1975-05-07 s. 21 1975-06-11 s. 5 1975-07-16 ss. 15 (par. <i>j</i> , “or research scholarships”), 18 1979-04-04 s. 4
1974, c. 42	An Act to amend the Act respecting health services and social services 1980-11-04 s. 66
1974, c. 53	Travel Agents Act 1975-04-30 ss. 1-43
1974, c. 59	An Act respecting the protection of children subject to ill-treatment 1975-04-11 ss. 1 (ss. 14 <i>a</i> -14 <i>g</i> , 14 <i>i</i>), 2-4 1975-10-04 s. 1 (ss. 14 <i>h</i> , 14 <i>j</i> -14 <i>q</i>)
1974, c. 61	An Act to amend the Transport Act 1974-08-14 ss. 1, 2, 4-11 1974-08-28 s. 3
1974, c. 63	An Act to amend the Teachers Pension Plan 1975-07-01 ss. 1 (par. <i>b</i>), 3, 5, 9, 10
1974, c. 67	An Act to amend the Trust Companies Act 1975-09-24 ss. 4, 8
1974, c. 70	An Act respecting insurance 1976-10-20 ss. 1-274, 276-336, 340-481 1979-11-21 s. 275
1975, c. 6	Charter of human rights and freedoms 1976-06-28 ss. 1-56, 66-89, 91-96
1975, c. 7	An Act to amend the Territorial Division Act 1980-01-01 ss. 1-23
1975, c. 12	An Act to constitute the “Société québécoise d’information juridique” 1976-04-01 ss. 1-26
1975, c. 45	An Act to amend the Transport Act and other legislation 1976-05-03 ss. 7, 37 1976-08-04 s. 30
1975, c. 50	An Act to amend the Construction Industry Labour Relations Act 1976-09-15 s. 3 (ss. 32 <i>m</i> , 32 <i>n</i>)
1975, c. 58	An Act to repeal the Health Units Act 1976-04-01 s. 1
1976, c. 22	An Act to amend the Petroleum Products Trade Act 1987-06-10 ss. 1-8

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1976, c. 46	An Act approving the Agreement concerning James Bay and Northern Québec 1977-10-31 ss. 2 (par. 1-5, 7), 3, 4, 5
1976, c. 51	An Act to prolong and amend the Act to promote conciliation between lessees and property-owners 1977-04-01 ss. 2, 3, 8, 10, 11
1976, c. 58	An Act respecting the city of Hull 1981-08-19 ss. 1, 2
1977, c. 20	Youth Protection Act 1979-01-15 ss. 2-11, 23-27, 30, 32-137, 140, 146, 147, 150-153, 155
1977, c. 52	An Act to amend the Cities and Towns Act 1978-08-01 ss. 21, 22
1977, c. 53	An Act to amend the Municipal Code 1978-08-01 s. 37
1977, c. 55	An Act to amend the Environment Quality Act 1984-05-16 ss. 1, 2
1977, c. 60	An Act to facilitate conversion to the international system of units (SI) and to other customary units 1983-11-01 ss. 16, 18, 19
1977, c. 62	An Act to amend the Charter of the Québec Deposit and Investment Fund 1979-04-11 ss. 4, 5, 8-11
1977, c. 68	Automobile Insurance Act 1978-07-05 ss. 140, 236
1978, c. 7	An Act to secure the handicapped in the exercise of their rights 1979-08-01 s. 92 1980-11-15 ss. 68, 69, 70 (2 nd par.) 1983-01-01 s. 63
1978, c. 9	Consumer Protection Act 1979-04-04 ss. 1 (subpar. <i>i, j, l, p</i>), 291-299, 301-304, 350-352, 362 (2 nd , 3 rd par.), 363 1980-04-30 ss. 1 (subpar. <i>a-h, k, m-o</i>), 2-5, 6 (par. <i>a, b</i>), 7-155, 156 (subpar. <i>a-g, i</i>), 157-222, 224-245, 247-255, 257-290, 300, 305-307, 309-349, 353-361, 362 (1 st par.) 1981-03-01 ss. 256, 308 1982-06-02 s. 223
1978, c. 18	An Act respecting certain legislative provisions 1979-04-04 ss. 28, 29, 31, 32, 36, 37 1979-05-09 ss. 14, 15
1978, c. 22	An Act to promote the parole of inmates and to amend the Probation and Houses of Detention Act 1979-04-04 ss. 19-48, 51, 52, 54 1979-05-09 ss. 55, 56

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1978, c. 36	An Act respecting lotteries, racing, publicity contests and amusement machines 1980-07-30 ss. 20 (part), 23 (part), 24-26, 27 (part), 28 (part), 29, 30, 31 (2 nd par.), 34 (part), 36 (part), 38-44, 45 (part), 46, 53 (part), 56, 57, 67 (part), 70 (part), 73, 77 (part), 125 (part)
1978, c. 54	An Act to amend the Electricians and Electrical Installations Act and the Building Contractors Vocational Qualifications Act 1979-03-01 ss. 1-23, 35 1980-04-01 ss. 24-34
1978, c. 55	An Act to amend the Pipe-Mechanics Act and to again amend the Building Contractors Vocational Qualifications Act 1980-04-01
1978, c. 56	An Act to amend the Stationary Enginemen Act 1981-09-01
1978, c. 57	An Act to amend the Workmen's Compensation Act and other legislation 1981-01-01 s. 67 1981-03-11 s. 24
1978, c. 64	An Act to amend the Environment Quality Act 1984-05-16 s. 18
1978, c. 66	An Act to amend the Charter of the General Investment Corporation of Québec 1979-08-15 s. 5
1978, c. 75	An Act to amend the Highway Code 1979-09-17 ss. 2, 3, 5, 7
1978, c. 98	An Act approving the Northeastern Québec Agreement 1979-07-04 ss. 2 (par. 1-5, 7), 3, 4
1979, c. 1	An Act to amend the Health Insurance Act and other legislation 1982-03-24 s. 40 (par. <i>a</i> , <i>b</i>)
1979, c. 17	An Act to amend the Adoption Act 1980-10-08 ss. 3 (s. 37.3), 4 (s. 41 (1 st par., subpar. <i>f</i>)) 1981-04-15 s. 3 (s. 37.2)
1979, c. 25	An Act respecting the legislation provided for in the Northeastern Québec Agreement and amending other legislation 1981-09-10 ss. 105 (s. 31 <i>i</i> (2 nd par.)), 111-114, 116-119, 122-128, 131-139, 142, 145 (ss. 763-765, 790, 792) 1985-07-01 s. 145 (ss. 766-779, 782-789, 791, 793, 794)
1979, c. 27	An Act to amend the Maritime Fisheries Credit Act 1980-03-13 ss. 1-4
1979, c. 31	An Act to amend the Companies Act and other legislation 1980-09-17 ss. 11, 12, 28, 29, 33 1980-12-17 s. 48 1980-12-30 ss. 19 (s. 31.1), 20 (s. 32 (part)), 30 (s. 132.1), 31 (s. 133 (part)), 35, 36, 37 (par. <i>a</i>), 38, 39, 45-47

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1979, c. 45	An Act respecting labour standards 1980-04-16 ss. 1-4, 5 (par. 1-3), 6-28, 29 (par. 1-3, 5), 30-38, 39 (par. 1-5, 8-12), 40-69, 71-74, 76, 77 (part), 78-111, 113-135, 139-171 1981-04-01 s. 75
1979, c. 48	An Act to establish the Régie du logement and to amend the Civil Code and other legislation 1980-03-15 s. 126 1980-07-01 ss. 4, 6, 7, 14, 85, 128 1980-10-01 ss. 1-3, 5, 8-13, 15-84, 86-125, 127, 129, 132-146
1979, c. 51	An Act respecting land use planning and development 1985-06-01 s. 261 (par. 4) 1985-09-01 s. 261 (par. 7) 1993-07-01 s. 261 (par. 6) 1995-01-01 s. 261 (par. 10)
1979, c. 56	Election Act 1980-07-10 ss. 1, 177-215, 220, 231, 232, 238, 239, 289-308, 313, 314 1980-08-15 ss. 2-176, 216-219, 221-230, 233-237, 240-288, 309-312
1979, c. 63	An Act respecting occupational health and safety 1981-01-01 s. 271 1981-01-01 ss. 9-51, 53-57, 62-67, 98-103, 127-136, 178-192, 194-197, 216-222, 227-246, 252, 265, 267, 273, 275, 278-282, 284-286, 289-301, 303-310, 313-324, 326 1981-02-25 ss. 110, 111, 247 (2 nd par.) 1982-05-26 ss. 58-61, 198-203 1982-12-01 ss. 52, 112-126 1983-10-22 ss. 68-86, 268, 327 1984-09-08 ss. 87-97
1979, c. 64	An Act respecting the protection of persons and property in the event of disaster 1980-09-01 ss. 1-16, 18, 19 (1 st par.), 20-22, 24-44, 46, 48-60
1979, c. 67	An Act to amend the Police Act 1980-06-01 ss. 1-50
1979, c. 68	An Act respecting the development of Québec firms in the book industry 1981-02-12 ss. 1, 6-14, 38, 39, 48-50, 52 1981-06-01 ss. 2-5, 15-37, 40-47, 51, schedule
1979, c. 70	An Act respecting the collection of certain debts 1981-04-01 ss. 2-4, 45-63, 65-70 1981-07-01 ss. 1, 5-24, 26-44, 64
1979, c. 71	An Act respecting liquor permits 1980-06-01 ss. 2-24, 42 (par. 1), 64, 86 (1 st par. (subpar. 9), 2 nd par.), 114-118, 120 (par. 1), 121, 122, 128, 132 (par. 2, 4, 5), 133 (par. 3), 137, 141, 144, 146, 148, 149, 160, 163, 164, 165, 169, 170, 172, 173, 175, 176 1980-10-15 ss. 1, 25-41, 42 (par. 2), 43-47, 50, 51 (2 nd par.), 52-63, 65-85, 86 (1 st par. (subpar. 1-8, 10)), 87-113, 119, 120 (par. 2), 123-127, 130, 131, 132 (par. 1, 3 (part)), 133 (par. 2, 4), 134, 135 (part), 136, 138-140, 142, 143, 145, 147, 150-159, 161, 162, 166-168, 171, 174 1981-01-01 ss. 48, 49, 51 (1 st par.), 129, 132 (par. 3 (part)), 133 (par. 1), 135 (part)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1979, c. 73	An Act to amend the Crop Insurance Act and the Act respecting farm income stabilization insurance 1981-01-21 ss. 1-22
1979, c. 75	An Act respecting pressure vessels, and other legislation 1980-04-01 ss. 1-38, 50-52
1979, c. 84	Grain Act 1981-02-01 ss. 1-66
1979, c. 85	An Act respecting child day care 1980-10-16 ss. 1-4, 7-31, 34-45, 74-76, 80-86, 88-96
1979, c. 86	An Act respecting safety in sports 1980-06-25 ss. 1-20, 22-25, 54-57, 71-74 1982-12-30 ss. 21, 26-30, 47-53, 58, 61-65 1987-06-23 ss. 32-38, 40-46, 59, 60, 66-69 1987-09-28 s. 70
1980, c. 11	An Act to amend various legislative provisions 1981-03-01 s. 113
1980, c. 18	An Act to amend the Act respecting the Government and Public Employees Retirement Plan, the Act respecting the Teachers Pension Plan and the Act respecting the Civil Service Superannuation Plan 1981-11-01 ss. 2, 3
1980, c. 27	An Act to amend the Act respecting the Société québécoise d'initiatives pétrolières 1981-04-01 ss. 1-9
1980, c. 29	An Act to amend the Forestry Credit Act 1981-07-09 ss. 1-3
1980, c. 32	An Act respecting the conservation of energy in buildings 1981-11-01 ss. 5, 16, 17 1983-02-01 ss. 1-4, 6-15, 18-26
1980, c. 39	An Act to establish a new Civil Code and to reform family law 1981-04-02 ss. 1 (Civil Code of Québec, aa. 407-422, 440-458, 460-524, 572-594, 633-659), 2-5, 7, 8, 10-32, 34-58, 61, 62, 65-67, 72, 74-79 1982-12-01 ss. 1 (Civil Code of Québec, aa. 406, 431-439, 459, 525-537, 556-559, 568, 570, 595-632), 6, 33, 59, 60, 64 (3 rd par.), 68, 69, 70 (2 nd par.), 71 (1 st par.), 73 1986-06-01 s. 1 (Civil Code of Québec, aa. 547, 549, 550)
1981, c. 2	An Act to amend the Youth Protection Act 1981-08-01 ss. 1-27
1981, c. 3	An Act to amend the Civil Service Act 1981-06-23 ss. 1, 2, 3 (s. 50 (subpar. <i>a</i> and <i>b</i>)) 1982-07-02 s. 5 1982-08-12 s. 3 (par. <i>c</i>)
1981, c. 6	An Act respecting the Société du Palais des congrès de Montréal 1981-07-16 ss. 1-31

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1981, c. 7	Highway Safety Code 1981-11-01 ss. 58, 59, 143, 163-165, 273, 477-479, 510, 511, 562, 563, 568 1982-01-01 ss. 1-57, 60, 61, 63-66, 68, 70-94, 125-129, 132-162, 166-168, 172-179, 512-529, 533-550, 554-561, 564, 565 1982-04-01 ss. 118-124, 194-263, 265-272, 274-476, 482, 484, 486, 489-491, 498-503, 505-509 1982-06-01 ss. 95-117, 169-171, 180-193, 480, 481, 485, 487, 488, 492-497, 504, 530 (1 st par.), 531, 532, 551-553, 556 1983-01-01 s. 69 1984-03-14 ss. 62, 67 1985-07-01 s. 264
1981, c. 8	An Act to amend the Transport Act and other legislation 1981-09-01 ss. 1, 2 (par. 4, 5), 3, 6, 15, 18, 19, 21, 22, 24-28, 31-35, 38 1981-12-16 ss. 4, 20, 36, 37 1982-01-20 ss. 2 (par. 1, 3), 5, 7-11, 13, 14, 16, 17 1982-11-17 ss. 23, 30 1983-08-01 s. 29 (s. 80 (par. a, b)) 1984-01-01 s. 29 (s. 80 (par. c))
1981, c. 10	An Act respecting the Ministère de l'Habitation et de la Protection du consommateur 1981-07-22 s. 28 (2 nd par.)
1981, c. 20	An Act to amend the Civil Service Act 1982-01-08 ss. 1-9
1981, c. 22	An Act to amend various legislation in the field of health and social services 1982-03-24 ss. 1 (s. 2 (10 th par.)), 4, 8, 9, 14-20, 22, 23, 24 (par. 1, 3, 4, 6), 25-29, 33, 35, 36, 40, 42, 43 (ss. 18.1, 18.2, 18.5), 46, 52-55, 57, 59-82, 86-91, 94-96, 100, 102, 113 (3 rd par.), 116 1982-07-01 ss. 1 (s. 3 (9 th , 11 th par.)), 7, 10 1983-02-01 s. 49 1983-04-01 s. 21
1981, c. 23	An Act to amend various legislative provisions 1983-01-01 ss. 16, 17
1981, c. 24	An Act to amend various fiscal laws 1982-01-20 ss. 14, 15
1981, c. 26	An Act to amend the Transport Act and other legislation 1982-03-25 ss. 1-26, 28, 29, 40, 41 1982-04-01 ss. 31, 32, 37 1982-07-01 ss. 27, 30, 33-36, 38, 39
1981, c. 27	An Act respecting school loans 1982-03-08 ss. 1-27
1981, c. 31	An Act respecting the sociétés d'entraide économique and amending various legislation 1982-01-13 ss. 1-15, 16 (part), 17-49, 162-167, 190-195, 201-204, 206 (1 st par.), 207-213, 216-218, 220-223 1982-03-01 ss. 50-52, 53 (par. 1, 2), 54-56, 61-99, 100 (2 nd par.), 104-117, 118 (1 st par.), 119-123, 124 (1 st par., 2 nd par. (par. 1, 2, 4, 5)), 125, 127 (1 st par.), 128, 129 (part), 130-161, 170-181, 189, 198-200, 214, 215 1984-04-01 ss. 53 (par. 3), 60, 100 (1 st par.), 101-103, 118 (2 nd par.) 1984-11-15 ss. 168 (part), 169

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1981, c. 32	An Act to amend the Act to establish the Régie du logement and to amend the Civil Code and other legislation 1982-02-17 ss. 2, 16 1982-06-09 ss. 10, 18
1982, c. 2	An Act to amend various legislative provisions respecting municipalities 1982-08-12 s. 121
1982, c. 8	An Act respecting the Société du Grand Théâtre de Québec 1982-07-01 ss. 1-41
1982, c. 9	An Act respecting the Société de la Place des Arts de Montréal 1982-07-01 ss. 1-43
1982, c. 13	An Act respecting public agricultural lands 1984-07-01 ss. 1-73
1982, c. 17	An Act to provide for the carrying out of the family law reform and to amend the Code of Civil Procedure 1982-12-01 ss. 1, 3-28, 29 (Code of Civil Procedure, aa. 813-817.4, 818.1-819.4, 821-827.1), 30-41, 43-80, 81 (par. 1, 2), 83-87 1983-10-01 ss. 2, 42
1982, c. 26	Cooperatives Act 1983-03-30 ss. 328, 329 1983-06-08 ss. 244, 245, 271, 279, 282 1983-12-21 ss. 1-243, 246-270, 272-278, 280, 281, 283-327
1982, c. 27	An Act respecting the revocation of mining rights and amending the Mining Act 1982-09-15 ss. 1-15
1982, c. 29	An Act to promote the establishment of young farmers 1982-09-01 ss. 1-34
1982, c. 30	An Act respecting Access to documents held by public bodies and the Protection of personal information 1983-10-01 ss. 155-157, 168, 169, 178 1984-07-01 ss. 9-15, 17-68, 71-102, 122-130, 132-154, 158-167, 170-173, 175-177 1985-07-01 ss. 69, 70 1986-01-01 s. 16
1982, c. 31	An Act to amend certain legislation concerning the financing of political parties and concerning municipal elections 1982-06-30 ss. 1-59, 62-118 1982-10-10 ss. 60, 61
1982, c. 32	An Act to amend the Summary Convictions Act, the Code of Civil Procedure and other legislation 1982-06-23 ss. 64-69, 71, 72, 97, 99 1983-01-01 ss. 1-30 1983-04-01 s. 59
1982, c. 33	An Act to amend various legislation respecting pension plans 1982-08-18 ss. 1, 21, 30, 36 (s. 115), 40

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1982, c. 37	An Act to amend the Labour Code, the Code of Civil Procedure and other legislation 1982-06-30 ss. 20-26, 28, 29 1982-08-03 ss. 1, 4, 6 (ss. 111.0.15, 111.0.16, 111.0.18-111.0.26), 17, 27 1982-11-10 s. 6 (ss. 111.0.1-111.0.3, 111.0.5-111.0.7, 111.0.14) 1982-12-01 ss. 2, 3, 5, 6 (ss. 111.0.8-111.0.11, 111.0.13, 111.0.17), 16, 18, 19 1985-06-19 ss. 7-10, 13
1982, c. 38	An Act to amend various fiscal laws 1983-01-01 s. 23
1982, c. 40	An Act to amend the Act to preserve agricultural land 1982-07-01 ss. 1-15
1982, c. 48	Securities Act 1983-01-19 ss. 150, 160, 300, 301, 331-335, 348, 353, 354 1983-04-06 ss. 1-149, 151-159, 161-299, 302-330, 336-338, 340-347, 349-352 1983-12-21 s. 339
1982, c. 49	An Act to amend the Autoroutes Act and other legislation 1983-01-01 ss. 1-10, 12-23 1983-01-20 s. 11
1982, c. 50	An Act respecting the Ministère du Commerce extérieur 1983-01-12 ss. 1-22
1982, c. 51	An Act respecting the abolition of compulsory retirement in the public and parapublic sector pension plans and amending various legislation respecting such plans 1983-01-01 ss. 45, 122
1982, c. 52	An Act respecting the Inspector General of Financial Institutions and amending various legislation 1983-04-01 ss. 1-30, 32-35, 37-43, 45-52, 56-233, 235-263, 266-273, Schedule I 1983-04-01 ss. 264, 265
1982, c. 54	An Act respecting the integration of the administration of the electoral system 1983-01-01 ss. 1-59
1982, c. 55	An Act respecting the transfer of property in stock 1984-07-03 ss. 1-6
1982, c. 58	An Act to amend various legislation 1983-04-01 s. 1 1983-12-21 s. 22 1984-01-18 ss. 75 (s. 178.0.2), 76 (s. 178.1) 1987-03-18 ss. 41, 42, 43
1982, c. 59	An Act to amend the Automobile Insurance Act and other legislation 1983-01-01 ss. 1-4, 5 (par. 1, 3), 12, 15, 19, 20, 24, 27-30, 48, 49, 54, 59-61, 63, 64, 66, 70-73 1983-03-01 ss. 31-35, 62, 67-69 1983-07-01 ss. 6-9, 10 (s. 26 (3 rd par.)), 13, 14, 16-18, 21, 23, 36 (par. 2) 1984-01-01 ss. 25, 26, 47, 53, 55, 56 1984-03-14 ss. 10 (s. 26 (2 nd par.)), 11, 38-41, 50, 52 1984-05-16 ss. 57, 58

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1982, c. 61	An Act to amend the Charter of human rights and freedoms 1983-10-01 ss. 1-4, 5 (s. 18.2), 6 (par. 1), 7-20, 21 (ss. 86.8-86.10), 22, 23, 28, 29, 31-35 1984-06-01 s. 5 (s. 18.1) 1985-06-26 ss. 21 (ss. 86.1, 86.2 (2 nd par.), 86.3-86.7), 24, 26, 27
1982, c. 62	An Act respecting the National Assembly 1983-02-09 ss. 33-36, 38, 40, 41, 42-56, 66, 74, 77-79, 116, 128-132, 133, 134, 136-139, 140, 155 (to the extent that it repeals ss. 14, 16, 27-33 and 37 of the Interpretation Act), 159, Schedule II 1983-05-04 ss. 86-115, 117-127, 147, 164 1983-05-18 ss. 57-65, 67-73, 75, 76, 80-85, 135, 141 (2 nd par.), 167 (1 st par.) 1989-06-07 ss. 37, 39, 155 to the extent that it repeals ss. 15, 20, 21, 23-26, 34-36
1983, c. 7	An Act to amend the Act to promote farm improvement 1983-06-08 ss. 1-6
1983, c. 8	An Act to amend the Act to promote credit to farm producers 1983-06-08 ss. 1-4, 6-8
1983, c. 10	An Act to amend the Deposit Insurance Act 1984-06-01 ss. 2-4, 28, 32 1991-12-01 s. 35
1983, c. 15	An Act to amend the Hydro-Québec Act and the Act respecting the exportation of electric power 1983-06-28 ss. 1-47
1983, c. 16	An Act to promote forest credit by private institutions 1984-06-30 ss. 1-71
1983, c. 20	An Act to amend certain fiscal legislation 1984-01-01 s. 5
1983, c. 21	An Act to amend the Expropriation Act, the Civil Code and the Act respecting the Communauté urbaine de Montréal 1983-10-01 ss. 8, 12, 14, 17, 19-34
1983, c. 23	An Act to promote the advancement of science and technology in Québec 1983-08-17 ss. 1-64, 98-101, 103-109, 111, 113 (s. 55 (par. 16, 18)), 114, 115, 127-131 1984-01-25 ss. 65 (par. 2), 66-79, 81, 83-93, 94 (2 nd par.), 95 (2 nd , 3 rd par.), 96, 97, 113 (s. 55 (par.17)), 116, 119-124 respecting the Fonds de recherche en santé du Québec 1984-01-25 ss. 102, 110 1984-11-28 ss. 65 (par. 1), 66-80, 83-93, 94 (1 st par.), 95 (1 st , 3 rd par.), 96, 97, 117-124 to the extent that they relate to the Fonds pour la formation de chercheurs et l'aide à la recherche 1984-11-28 s. 112
1983, c. 25	An Act to amend the Act respecting assistance for tourist development 1983-09-15 ss. 1-13
1983, c. 26	An Act to amend various legislative provisions respecting housing and consumer protection 1983-09-01 ss. 10, 12 (par. 2)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1983, c. 27	An Act respecting the Société québécoise des transports 1983-07-05 ss. 1-38
1983, c. 28	An Act to amend the Code of Civil Procedure, the Civil Code and other legislation 1983-12-01 ss. 10, 28-35 1985-02-25 s. 43
1983, c. 30	An Act to amend the Act respecting the Société des alcools du Québec and other legislation 1983-10-19 ss. 1-14 (s. 83), 15-28
1983, c. 37	Cinema Act 1983-12-14 ss. 1-8, 15-35, 38, 40-62, 65-75, 123-134, 136, 137, 145-148, 167-172, 185-187, 192, 193, 202, 209-211 1984-02-20 ss. 9-14, 36, 37, 39, 207, 208 1984-04-11 ss. 63, 64, 191 1985-03-13 ss. 76-78, 80-82, 84-90, 135 (1 st par. (subpar. 1, 7), 2 nd par.), 138-144, 149-153, 173-176, 178-181, 195, 196, 200, 201, 203-206 1985-04-01 ss. 100, 197 1985-10-08 s. 83 1988-09-30 ss. 79, 91-96, 97 (1 st par., 2 nd par. (subpar. 1-5, 7)), 98, 99, 101-104, 106-108, 110, 117-122, 135 (1 st par. (subpar. 2, 3, 5, 6)), 154-166, 177, 182-184, 194
1983, c. 38	Archives Act 1987-08-21 ss. 69, 71 1989-08-30 ss. 58, 63, 80 1990-04-02 ss. 73, 81 1991-04-19 s. 79 1992-02-05 s. 72 1993-04-01 s. 70 1994-04-27 ss. 64, 66, 67
1983, c. 39	An Act respecting the conservation and development of wildlife 1984-06-06 ss. 1-25, 27, 28, 31-37, 39, 41, 44, 45, 47, 48, 50, 52-66, 69-74, 77-128, 162, 164-197 1984-06-15 ss. 30, 38, 40, 129-132, 133 (1 st par.), 134-139, 142-146, 150-161, 163 1985-11-27 ss. 140, 141 1988-01-13 s. 148 1988-03-09 ss. 147, 149 1989-03-01 ss. 49, 51, 75, 76 1989-08-23 s. 29 1992-08-06 ss. 42, 67, 68 1993-07-29 s. 26 1999-04-22 s. 43
1983, c. 40	An Act respecting the Société immobilière du Québec 1984-02-15 ss. 1-17, 53, 61, 66, 96, 97, 98 1984-03-14 ss. 18, 22-45, 54-60, 67, 68, 72-76, 79-82, 84, 91, 92 (except Div. II and ss. 19, 20), 93-95 1984-04-01 ss. 85-87 1984-09-25 ss. 19, 21 1984-09-30 ss. 46-52 1984-10-01 ss. 20, 62, 63-65, 69-71, 77, 78, 83, 88-90, 92 (Div. II and ss. 19, 20)
1983, c. 41	An Act respecting the determination of the causes and circumstances of death 1984-11-21 ss. 5-33, 163-169, 183, 184, 189, 212, 213 1986-03-03 ss. 1-4, 34-162, 170-182, 185-188, 190-211

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1983, c. 42	An Act respecting the Agence québécoise de valorisation industrielle de la recherche 1984-01-25 ss. 1-42
1983, c. 47	An Act to amend various fiscal laws in view of instituting a new right of appeal for taxpayers 1984-09-30 ss. 1-10
1983, c. 49	An Act to amend various fiscal laws 1984-01-01 ss. 7-9, 18-21, 23, 36, 37, 39 (in respect of individuals only), 43-45, 49-53 1984-05-01 s. 17 1984-08-08 s. 39 in respect of the department corporations and mandataries
1983, c. 52	National Museums Act 1984-05-16 ss. 1-22, 26-41, 44-52, 55-57 1984-11-09 ss. 23, 24, 25, 42, 43, 53, 54
1983, c. 54	An Act to amend various legislative provisions 1984-03-14 s. 13 1984-04-25 s. 21 (s. 78 (4 th par.)) 1985-01-09 s. 44
1983, c. 55	Public Service Act 1984-02-02 ss. 28, 29, 87-89, 136, 137, 153, 164, 174 1984-03-21 ss. 162, 169-171, 173 1984-04-01 ss. 1-27, 30-41, 51, 52, 54-86, 90-135, 138-152, 154-161, 163, 165-168, 172 1985-02-01 ss. 42-50, 53
1983, c. 56	An Act to amend the Charter of the French language 1984-02-01 ss. 1-53
1984, c. 4	An Act to amend the Youth Protection Act and other legislation 1984-04-04 ss. 3, 15, 20, 21, 22 (par. 1), 26, 27, 33, 38, 44, 46, 62-85 1984-04-16 ss. 1, 2, 4-14, 16-19, 22 (par. 2), 23-25, 28-32 (ss. 57.2, 57.3), 34-37, 39-43, 45, 47-61
1984, c. 8	An Act respecting the Société de développement des coopératives 1984-06-06 ss. 1-51
1984, c. 12	An Act respecting the civil aspects of international and interprovincial child abduction 1984-12-12 ss. 41, 46, 47 1985-01-01 ss. 1-40, 42-45
1984, c. 16	An Act respecting commercial fisheries and aquaculture and amending other legislation 1985-11-15 ss. 1-3, 5-10, 12-68
1984, c. 17	An Act to amend the Act respecting commercial establishments business hours 1984-08-15 ss. 1-8
1984, c. 19	An Act respecting the leasing of water-powers of the Péribonca river to the Aluminum Company of Canada Limited 1984-09-07 ss. 1-10

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1984, c. 23	An Act to amend various legislation respecting transport 1984-12-12 ss. 7, 12, 26-30 1985-03-13 s. 3
1984, c. 26	An Act to amend the Code of Civil Procedure and other legislation 1984-07-03 ss. 34, 35, 36 1984-08-08 ss. 37, 38, 42, 43 1984-11-01 ss. 1-5, 11, 13, 14, 19, 23-28, 30-33, 39, 40 1985-01-01 ss. 6-10, 12, 15-18, 20, 22
1984, c. 27	An Act to amend various legislation 1995-06-30 s. 84
1984, c. 30	An Act respecting beer and soft drinks distributor's permits 1984-06-27 ss. 1, 5, 10, 11, 12 1984-07-15 ss. 2, 3, 4, 6, 7, 8, 9
1984, c. 33	An Act to amend the National Museums Act 1984-12-19 ss. 1, 3, 13, 15 1985-04-01 ss. 2, 4-12, 14
1984, c. 36	An Act respecting the Ministère du Tourisme and amending other legislation 1984-12-20 ss. 1-52
1984, c. 41	An Act to amend the Securities Act 1985-08-01 ss. 8, 14-16, 20, 33 1987-06-04 ss. 1 (par. 2), 36, 37, 40 (ss. 110-118, 120, 123 (1 st par.), 124, 125, 127-142, 145-147.7, 147.8 (part), 147.9-147.12, 147.15, 147.16, 147.19-147.23), 53, 54 1987-07-16 s. 40 (ss. 119, 121, 122, 126, 143, 144, 147.13, 147.14, 147.17, 147.18)
1984, c. 42	An Act respecting the Société de transport de la Ville de Laval 1985-02-01 ss. 1-145
1984, c. 43	An Act respecting the leasing of water-powers of the du Lièvre river to Les Produits forestiers Bellerive Ka'N'Enda Inc. 1985-03-06 ss. 1-10
1984, c. 46	An Act to amend the Civil Code, the Code of Civil Procedure and other legislation 1985-04-01 ss. 5-14
1984, c. 47	An Act to amend various legislation 1985-02-22 ss. 23-25, 191, 192, 195, 196, 197 1985-03-01 s. 137 1985-03-13 s. 22 1985-03-13 ss. 217-225 1985-04-01 s. 207 1985-12-15 ss. 128-132 1986-04-30 s. 31
1984, c. 51	Election Act 1985-03-13 ss. 1-93, 95-563 1985-07-01 s. 94
1984, c. 54	An Act respecting the Société des établissements de plein air du Québec 1985-03-20 ss. 1-56

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1985, c. 9	An Act respecting Québec business investment companies 1985-08-14 ss. 1-19
1985, c. 12	An Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors 1985-06-19 ss. 1-56, 70-91, 93-101, schedules A, B, C 1985-08-01 s. 92 (ss. 111.16-111.20 of the Labour Code) 1985-08-01 ss. 57-69
1985, c. 13	An Act respecting the Société du Parc des expositions agro-alimentaires 1985-07-10 ss. 1-40
1985, c. 14	Cullers Act 1985-09-01 ss. 1-46
1985, c. 15	Restauration Merit Act 1985-12-01 ss. 1-12
1985, c. 16	Fishermen's Merit Act 1985-12-01 ss. 1-12
1985, c. 17	An Act to amend the Act respecting insurance and other legislation 1985-09-11 ss. 1-100
1985, c. 20	An Act to amend the Act respecting the Montréal Museum of Fine Arts 1985-09-01 ss. 1-12
1985, c. 21	An Act respecting the Ministère de l'Enseignement supérieur, de la Science et de la Technologie and amending various legislation 1985-07-15 ss. 1-30, 32, 35-74, 80-85, 96-106 1985-08-15 ss. 31, 33, 34
1985, c. 23	An Act to amend various legislation respecting social affairs 1992-08-01 ss. 1, 2, 4
1985, c. 24	An Act to amend the Cultural Property Act and other legislation 1986-04-02 ss. 1-46
1985, c. 29	An Act to amend various legislation respecting the administration of justice 1985-11-27 ss. 17-19, 42 (s. 103.1), 44-47 1986-03-03 ss. 16, 20, 21, 38-41, 42 (ss. 103.2-103.6), 43 1989-05-01 ss. 7-11
1985, c. 30	An Act to amend various legislation 1985-10-16 ss. 26-28 1985-10-23 ss. 40-52
1985, c. 34	Building Act 1985-10-31 ss. 87-111, 130, 140-149, 154, 156-159, 217, 220, 222, 223, 225 (Title of Div. III.2, ss. 9.14-9.34), 228 (par. 1), 229 (par. 2), 233, 236, 237, 241 (ss. 20.8-21, 21.2-23), 244, 246, 248, 250, 251, 255 (par. 1), 256, 261 (ss. 19.8-20, 20.2-21.2), 298, 300

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1985, c. 34	<p>Building Act – <i>Cont'd</i></p> <p>1986-11-01 ss. 226, 227, 228 (par. 2, 3)</p> <p>1987-01-01 s. 224</p> <p>1988-06-15 ss. 269-273</p> <p>1989-02-01 ss. 221, 225 (s. 9.35), 229 (par. 1)</p> <p>1995-09-01 ss. 151 (par. 6) (in any respect other than the qualification of contractors and owner-builders), 153 (in any respect other than the qualification of contractors and owner-builders)</p> <p>1997-01-15 ss. 160 (par. 1), 165 (par. 1)</p> <p>2000-11-07 ss. 2 (in all respects other than the qualification of contractors and owner-builders), 3, 5, 7 (with regard to the definition of “pressure vessel”), 10, 12-18, 20-23, 36, 112 (in all respects other than the qualification of contractors and owner-builders), 113, 114, 115 (in all respects other than the qualification of contractors and owner-builders), 116, 122-128, 132-139, 151 (par. 1-5) (in all respects other than the qualification of contractors and owner-builders)), 153 (1st par.) (in all respects other than the qualification of contractors and owner-builders)), 194 (par. 3, 6, 6.1, 6.2) (par. 2, 4, 7 (in all respects other than the qualification of contractors and owner-builders)), 198, 199, 210, 282 (with regard to buildings and facilities intended for public use to which Chapter I of the Building Code approved by Order in Council 953-2000 dated 26 July 2000 applies) and 283</p> <p>2002-10-01 ss. 6, 24-27, the heading of Div. I preceding s. 29, 29 (with regard to the plumbing installations, electrical installations and installations intended to use, store or distribute gas), 30-35, the heading of Div. III preceding s. 37, 37, 39, 40, 119, 214 (concerning the Act respecting piping installations (R.S.Q., chapter I-12.1) and the Act respecting electrical installations (R.S.Q., chapter I-13.01)), 230 (par. 1, 2), 239, 245 (par. 2), 259, 260, 291 (1st par. (in all respects other than the qualification of contractors and owner-builders), 2nd par.)</p> <p>2003-01-01 s. 19</p> <p>2003-12-02 s. 214 (concerning the Gas Distribution Act (R.S.Q., chapter D-10))</p> <p>2004-10-21 s. 282 (with regard to mechanical lifts and with regard to elevators and other elevating devices to which Chapter IV of the Construction Code, approved by Order in Council 895-2004 dated 22 September 2004, applies)</p> <p>2005-02-17 s. 38</p> <p>2006-01-01 ss. 29 (with regard to elevators and other elevating devices to which Chapter IV of the Safety Code, approved by Order in Council 896-2004 dated 22 September 2004, applies), 282 (with regard to elevators and other elevating devices to which Chapter IV of the Safety Code, approved by Order in Council 896-2004 dated 22 September 2004, applies)</p> <p>2006-06-21 ss. 215 (1st par., with regard to the provisions of the Regulation respecting safety in public baths (R.R.Q., 1981, c. S-3, r. 3)), 282 (with regard to public baths)</p> <p>2012-05-03 ss. 215 (with regard to amusement rides and devices), 282 (with regard to amusement rides and devices)</p> <p>2012-08-30 s. 214 (as regards the Act respecting the conservation of energy in buildings (chapter E-1.1), in respect of buildings and facilities intended for use by the public to which Part 11 of the Code adopted by Chapter I of the Construction Code applies)</p> <p>2013-03-18 ss. 29 (in all respects), 215 (in all respects), 282 (in all respects)</p>
1985, c. 35	<p>An Act to amend various legislation respecting transport</p> <p>1985-07-10 ss. 3-7, 12 (par. 2), 13 (par. 1), 16-23, 26-29, 31, 33, 36-48, 50-55, 57, 60-73, 75-80</p> <p>1985-10-16 ss. 1, 2, 8-11, 12 (par. 1), 13 (par. 2), 14, 15, 24, 25, 30, 32, 34, 35, 49, 56, 58, 59, 74</p>
1985, c. 36	<p>An Act to repeal the Act respecting corporations for the development of Québec business firms</p> <p>1985-11-01 ss. 1-4</p>

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1985, c. 62	An Act respecting the Société mutuelle de réassurance du Québec 1985-12-16 ss. 1-60
1985, c. 66	An Act respecting a trust created for the benefit of Phyllis Barbara Bronfman 1986-07-23 s. 4 (3 rd par.)
1985, c. 68	An Act respecting the Collège militaire Royal de Saint-Jean 1985-08-28 ss. 1-5
1986, c. 12	An Act to amend the Highway Safety Code 1986-08-29 ss. 1-15
1986, c. 17	An Act to amend the Tobacco Tax Act in order to counter the misappropriation of tax by intermediaries 1986-09-01 ss. 1-10
1986, c. 18	An Act to amend the Fuel Tax Act in order to counter the misappropriation of tax by intermediaries 1986-09-01 ss. 1-12
1986, c. 21	An Act respecting the Coopérative régionale d'électricité de Saint-Jean-Baptiste de Rouville and repealing the Act to promote rural electrification by means of electricity cooperatives 1986-11-05 ss. 1-26
1986, c. 45	An Act to amend the Hotels Act 1986-07-22 ss. 1-9
1986, c. 50	An Act to amend the Act respecting safety in sports 1987-06-23 ss. 1-17
1986, c. 52	An Act respecting the Ministère des Approvisionnements et Services and amending various legislation 1986-07-09 ss. 1-28
1986, c. 53	An Act to amend the Animal Health Protection Act 1986-09-03 ss. 1-20
1986, c. 54	An Act to amend the Act to promote the development of agricultural operations 1986-08-20 ss. 3, 5, 7-10, 13
1986, c. 57	An Act to amend the Act respecting health services and social services 1986-08-09 ss. 1-3, 5-11 1986-11-12 s. 4
1986, c. 58	An Act respecting various financial provisions relating to the administration of justice 1987-01-01 ss. 18, 72
1986, c. 60	An Act respecting the sale of the Raffinerie de sucre du Québec 1986-09-18 ss. 4-9, 11-15, 18
1986, c. 62	An Act to amend the Civil Code, the Registry Office Act and the Territorial Division Act 1986-11-15 ss. 1, 2, 4 (par. 5, 12 except that part which concerns the territory included in the registration division of Montmorency), 5

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1986, c. 62	An Act to amend the Civil Code, the Registry Office Act and the Territorial Division Act – <i>Cont'd</i> 1987-03-14 s. 4 (par. 14, 17) 1987-04-04 s. 4 (par. 2, 6) 1987-06-20 s. 4 (par. 13, 18) 1988-03-31 s. 4 (par. 3, 15) 1988-06-24 s. 4 (par. 9, 10, 11 (Nicolet)) 1988-07-01 s. 4 (par. 11 (Yamaska)) 1988-09-09 s. 4 (par. 16 (Iberville)) 1988-09-16 s. 4 (par. 16 (Napierville))
1986, c. 64	An Act to amend the Act respecting municipal and intermunicipal transit corporations and other legislation respecting public bodies providing public transportation 1986-07-16 ss. 1-30
1986, c. 66	An Act to amend the Act respecting intermunicipal boards of transport in the area of Montréal, the Cities and Towns Act and the Municipal Code of Québec 1986-07-16 ss. 1-18
1986, c. 67	An Act to amend the Transport Act, the Act respecting the Ministère des Transports and the Roads Act 1986-07-16 ss. 1-12
1986, c. 71	An Act to amend the Interpretation Act and to again amend the Act respecting the National Assembly 1989-12-20 s. 2
1986, c. 81	An Act to repeal the Act respecting the Société de cartographie du Québec 1987-05-01 s. 1
1986, c. 82	An Act to repeal the Act respecting the Institut national de productivité 1990-08-29 s. 1
1986, c. 86	An Act respecting the Ministère du Solliciteur général and amending various legislation 1986-12-10 ss. 1-48
1986, c. 91	Highway Safety Code 1987-06-29 ss. 1-10, 12-75, 81-83, 85-104, 107-116, 127-142, 146-150, 167-179, 187, 188, 189 (par. 1, 3), 190, 191, 195-206, 210-331, 333-387, 390-412, 415-495, 497-520, 521 (par. 4, 7-11), 522-602, 612-617, 620-623, 625-638, 640-649, 651-653, 655, 657-659, 661, 664, 665, 668, 669 1987-06-30 ss. 603-611 1987-12-01 ss. 11, 76-80, 105, 106, 117-126, 143-145, 151-166, 180, 181 (1 st par.), 182-186, 192, 193, 207-209, 388, 521 (par. 1, 2, 3, 6), 639, 654, 656, 666, 667, 670, 671 1988-05-01 ss. 181 (2 nd par.), 189 (par. 2) 1988-05-04 ss. 413, 414 1988-06-01 ss. 84, 194 1990-09-01 s. 521 (par. 5) 2008-09-03 s. 332
1986, c. 95	An Act to amend various legislation having regard to the Charter of human rights and freedoms 1987-02-15 ss. 1-30, 32, 34-68, 70, 71, 75, 79-120, 121 (par. 1), 122-229, 231-302, 304-353, 358 1987-04-01 s. 230 1988-08-01 ss. 31, 33, 69, 72-74, 76-78, 121 (par. 2, 3)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1986, c. 97	An Act to again amend the Animal Health Protection Act 1990-06-15 ss. 1-12
1986, c. 104	An Act to amend the Youth Protection Act with reference to international adoptions 1987-08-17 ss. 1-3
1986, c. 106	An Act to again amend the Act respecting health services and social services 1987-01-07 ss. 1-9, 11 1987-10-25 s. 10
1986, c. 107	An Act to amend the Official Time Act 1987-02-01 ss. 1, 2
1986, c. 110	An Act to amend the Act respecting the Société de développement industriel du Québec 1987-03-01 ss. 2, 13, 14
1987, c. 10	An Act to amend the Act respecting the Société d'habitation du Québec 1987-04-01 ss. 1-43
1987, c. 12	Tourist Establishments Act 1991-06-27 ss. 1-55
1987, c. 20	An Act to repeal the Act respecting the Société du Parc des expositions agro-alimentaires 1989-02-01 ss. 1-4
1987, c. 25	An Act to amend the Environment Quality Act 1987-11-01 ss. 2-15
1987, c. 29	Pesticides Act 1988-07-07 ss. 1-10, 14-62, 63 (par. 1), 64-104, 108-134 2003-03-05 ss. 11-13, 63 (par. 2), 105-107
1987, c. 31	An Act respecting the funding of the Fondation pour la conservation et la mise en valeur de la faune et de son habitat 1987-07-17 ss. 1-5
1987, c. 35	An Act to amend the Grain Act and the Farm Products Marketing Act 1987-07-16 ss. 1-16
1987, c. 40	An Act to amend various legislative provisions respecting securities 1987-07-15 ss. 4, 5, 29-31 1988-07-21 ss. 3, 6
1987, c. 44	An Act respecting adoption and amending the Youth Protection Act, the Civil Code of Québec and the Code of Civil Procedure 1987-08-17 ss. 1-17
1987, c. 50	An Act to amend the Courts of Justice Act 1988-09-01 s. 3 (par. 4) 1989-06-14 s. 3 (par. 2)
1987, c. 51	The Marine Products Processing Act 1987-07-22 ss. 1-55

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1987, c. 52	An Act to amend the Territorial Division Act with respect to certain registration divisions 1989-07-04 ss. 1, 2
1987, c. 64	Mining Act 1988-07-06 ss. 273-277 1988-10-24 ss. 1-272, 278-383
1987, c. 65	An Act respecting prearranged funeral services and sepultures 1988-03-01 ss. 1-90
1987, c. 71	An Act to amend the Cinema Act and the Act respecting the Société de développement des industries de la culture et des communications 1988-03-30 ss. 1-4, 15, 17, 34 (par. 1, 3, 4), 35-49, 52-61 1988-09-30 ss. 20-25, 27-33, 34 (par. 2) 1988-10-12 ss. 5-14, 16, 51 1989-03-01 ss. 18, 50
1987, c. 73	An Act respecting the Conseil de la conservation et de l'environnement 1988-04-27 ss. 1-28
1987, c. 80	An Act respecting the use of petroleum products 1991-07-11 ss. 1-82
1987, c. 86	An Act respecting farm financing 1988-07-13 ss. 6, 64, 95, 111, 159, 160 1988-08-11 ss. 1-5, 7-63, 65-94, 96-110, 112-158
1987, c. 94	An Act to amend the Highway Safety Code and other legislation 1988-06-01 ss. 38, 47, 63, 64, 66, 67, 70 (ss. 519.10, 519.13, 519.20, 519.24-519.34, 519.36, 519.37, 519.39-519.41, 519.43, 519.45, 519.48, 519.49, 519.51, 519.52, 519.55-519.62), 79, 82, 100 1988-07-01 ss. 10 (ss. 80.1, 80.2), 13, 17 (s. 94 (2 nd par., par. 1, 2)), 22, 23, 32 (s. 187.1), 36 (par. 1) 1988-12-14 ss. 58 (s. 388 (par. 2)), 106 1989-01-01 ss. 17 (s. 94 (1 st and 2 nd par., par. 3-5)), 104, 105 1989-02-06 s. 70 (ss. 519.9, 519.42) 1989-04-13 ss. 10 (ss. 80.3, 80.4), 32 (s. 187.2), 59, 70 (ss. 519.11, 519.12, 519.21, 519.23, 519.38, 519.44, 519.50, 519.53) 1989-06-01 ss. 34, 48, 70 (ss. 519.4-519.8, 519.15-519.19, 519.22, 519.35, 519.46, 519.47) 1990-06-01 s. 101
1987, c. 95	An Act respecting trust companies and savings companies 1988-05-18 s. 408 1988-06-09 ss. 1-312, 315-407, 409, 410 1989-07-01 ss. 313, 314
1987, c. 96	Code of Penal Procedure 1990-10-01 ss. 1-7, 17-54, 55 (1 st , 2 nd par.), 56-61, 62, 63 (offence reports), 64, 65, 66 (1 st , 2 nd par.), 67-70, 71 (par. 1, 2 except the words "statement of offence or", 3-7), 72-86, 88, 89, 90 (1 st par.), 92-128, 143, 150-155, 169 (1 st , 2 nd par.), 170-173, 174 (par. 1-4, 6-8), 175-179, 181-183, 184 (1 st par. (subpar. 1-3, 5-8)), 184 (2 nd par.), 185 (except the reference to subpar. 4 of s. 184), 186, 189-221, 222 (2 nd par.), 223-229, 231-243, 244 (except the second sentence of the 2 nd par.), 245, 246 (except the words "or under article 165"), 247-249, 250 (1 st par.), 251-256, 257 (1 st par.), 258-260, 265, 266 (except the words "or the proceeds of the sale thereof"), 267, 268 (except the words "or, even if he was not a party to the proceedings, the Attorney General"),

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1987, c. 96	Code of Penal Procedure – <i>Cont'd</i> 269, 270 (1 st par.), 271-290, 291 (except the words “and the Attorney General, even if he was not a party to the proceedings,”), 292, 293, 294 (the following words: “An appeal shall be brought before the Court of Appeal sitting at Montréal or at Québec according to where an appeal from a judgment in a civil matter would lie”), 295-315, 316 (1 st par.), 317-362, 364, 365, 367-386 and the schedule
	1993-11-01 ss. 8-16, 55 (3 rd par.), 62, 63, 66 (3 rd par.), the words “statement of offence or” in 71 (par. 2), 87, 90 (2 nd par.), 91, 129-142, 144-146, 147 (1 st , 3 rd par.), 148, 149, 156-168, 169 (3 rd par.), 174 (par. 5), 180, 184 (1 st par. (subpar. 4)), 185 (reference to subpar. 4 of s. 184), 187 (1 st par.), 188, 222 (1 st , 3 rd par.), 230, 261, 262 (1 st par.), 263, 264, 266 (the words “or the proceeds of the sale thereof” in par. 6), 268 (the words “or, even if he was not a party to the proceedings, the Attorney General”), 291 (the words “and the Attorney General, even if he was not a party to the proceedings,”), 363, 366
	1996-07-15 ss. 187 (2 nd par.), 244 (2 nd par. (2 nd sentence)), 250 (2 nd par.), 257 (2 nd par.), 262 (2 nd par.), 270 (2 nd par.), 294 (the words “or, also, where the judgment was rendered in the judicial district contemplated in the second paragraph of article 187, according to where the appeal from the judgment would lie if it had been rendered in the district where proceedings were instituted”), 316 (2 nd par.)
1987, c. 97	An Act respecting truck transportation 1988-01-13 ss. 1-9, 11-13, 16-50, 52-62, 64-100, 102-130 1988-06-30 ss. 10, 14, 15, 51, 63 1989-02-01 s. 101
1987, c. 103	An Act respecting horse racing 1988-03-31 ss. 1-144
1987, c. 141	An Act respecting Les Clairvoyants, Compagnie Mutuelle d'Assurance de Dommages 1988-04-15 ss. 1-14
1988, c. 3	An Act to amend the Act respecting farm-loan insurance and forestry-loan insurance 1988-08-11 ss. 1-14
1988, c. 6	An Act respecting the Conseil de la famille 1988-09-28 ss. 1-30
1988, c. 8	An Act respecting the Régie des télécommunications 1988-11-09 ss. 1-99
1988, c. 9	An Act to amend the Mining Act 1988-07-06 s. 48 1988-10-24 ss. 1-47, 49-66
1988, c. 14	Roadside Advertising Act 1989-09-15 ss. 1-38
1988, c. 19	An Act respecting municipal territorial organization 1996-09-01 s. 235
1988, c. 21	An Act to amend the Courts of Justice Act and other legislation to establish the Court of Québec 1988-08-17 s. 74 (par. 2) 1988-08-31 ss. 1-16, 19-73, 74 (par. 1), 75-166

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1988, c. 24	An Act to again amend the Act respecting the conservation and development of wildlife with regard to wildlife habitats 1992-08-06 ss. 3, 4 1993-07-29 ss. 1, 2, 5-8
1988, c. 32	An Act respecting the Société de promotion économique du Québec métropolitain and amending the Act respecting the Société Inter-Port de Québec 1988-08-31 ss. 1-45
1988, c. 33	An Act to amend the Act respecting the Communauté urbaine de Québec and other legislation concerning industrial promotion and development 1989-11-01 ss. 3, 5
1988, c. 36	An Act to amend the Hydro-Québec Act 1988-06-30 ss. 1-6
1988, c. 39	An Act to amend the Act respecting the conservation and development of wildlife and the Parks Act 2008-06-25 s. 9
1988, c. 41	An Act respecting the Ministère des Affaires internationales 1988-12-21 ss. 1-103
1988, c. 42	An Act respecting the Bibliothèque nationale du Québec 1989-04-01 ss. 1-62
1988, c. 45	An Act to amend the Consumer Protection Act 1988-12-14 ss. 1, 3-5, 7 1989-08-03 ss. 2, 6, 8-15
1988, c. 46	An Act to amend various legislation respecting public security 1989-01-01 ss. 1, 3-9, 24, 25 1989-04-01 ss. 2, 10-23, 26-31
1988, c. 47	An Act to amend the Act respecting health services and social services and other legislation 1988-12-21 ss. 4 (par. 1), 5 1989-03-08 ss. 2 (ss. 149.1-149.4, 149.6-149.25, 149.27, 149.29, 149.30, 149.33, 149.34), 4 (par. 2, 4), 7, 8, 14, 15, 17-24, 26-30 1989-07-17 ss. 1, 2 (ss. 149.5, 149.26, 149.28, 149.31, 149.32), 3, 4 (par. 3), 6, 9, 16, 25 1990-09-01 ss. 11-13
1988, c. 49	An Act to amend the Environment Quality Act and other legislation 1989-02-22 ss. 1, 2, 4 (par. 1, 3), 5-7, 9 (par. 1, 2), 10, 11, 12 (par. 1), 13-17, 18 (s. 106.1), 19-27, 30-36, 38-57 1993-04-28 ss. 3, 8, 9 (par. 3), 12 (par. 2), 18 (s. 106.2), 28, 29, 37 1993-12-02 s. 4 (par. 2)
1988, c. 51	An Act respecting income security 1989-07-01 ss. 41, 43, 137 1989-08-01 ss. 1-40, 42, 45, 62-84, 86-97, 100-136, 141, 142
1988, c. 52	An Act to repeal the Act respecting the Société du parc industriel et commercial aéroportuaire de Mirabel 1990-10-03 ss. 1, 2

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1988, c. 56	An Act to amend the Code of Civil Procedure in respect of the collection of support payments 1992-01-22 s. 1 (s. 553.10)
1988, c. 57	An Act to ensure safety in guided land transport 1989-05-17 ss. 1-3, 19-22, 24-26, 28, 30-35, 37-43, 48, 69-88 2000-05-01 ss. 50-62, 63 (1 st par.), 64-68 2001-01-01 ss. 4-18, 23, 27, 29, 36, 44-47, 49
1988, c. 61	An Act to amend the Act respecting occupational health and safety 1989-03-22 ss. 1, 2 (ss. 62.2-62.21), 3-6 1989-10-01 s. 2 (s. 62.1)
1988, c. 64	Savings and Credit Unions Act 1989-03-15 ss. 1-344, 346-447, 448 (1 st par.), 449-513, 516-572, 574-593 1990-01-01 ss. 514, 515
1988, c. 65	An Act to amend the Jurors Act 1989-06-15 ss. 1-10
1988, c. 67	An Act to amend the Transport Act 1989-02-08 ss. 1-6, 8-10 1990-06-01 s. 7
1988, c. 69	An Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters 1989-12-01 ss. 8, 10, 29, 43-45, 48, 54
1988, c. 74	An Act respecting certain aspects of the status of municipal judges 1989-05-17 s. 3 (s. 609)
1988, c. 75	An Act respecting police organization and amending the Police Act and various legislation 1989-04-26 ss. 1-13, 20, 27-34, 37-46, 91-100, 104, 135-141, 143, 144, 203, 204, 272 1990-06-27 s. 35 1990-08-31 ss. 14-19, 21-26, 236, 244-254 1990-09-01 ss. 36, 47-88, 108-134, 169-201, 205-210, 212-222, 224-235, 237-240, 242, 243, 255-271, Schedule I, Schedule II 2000-03-29 s. 202
1988, c. 84	Education Act 1997-08-13 ss. 111, 112, 205, 207, 516-521, 523, 524, 526, 527, 530-535, 537-540 1998-01-01 ss. 262, 263, 402
1988, c. 95	An Act respecting Laurentian Mutual Insurance 1988-12-31 ss. 1-27
1989, c. 1	Election Act 1990-04-15 s. 1 (subpar. 4)
1989, c. 7	An Act to amend the Act to preserve agricultural land 1989-07-01 ss. 1, 4, 19 (par. 3), 20, 21, 24, 25, 26, 29, 31, 33 (1 st par.), 35 1989-08-02 ss. 3, 5-18, 19 (par. 1, 2), 22, 23, 27, 28, 30, 32, 33 (2 nd , 3 rd par.), 34
1989, c. 13	An Act respecting the examination of complaints from customers of electricity distributors 1989-07-12 ss. 10, 23, 33 1989-09-01 ss. 1-9, 11-22, 24-32

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1989, c. 22	An Act to amend the Act respecting the National Assembly 1990-05-09 s. 1
1989, c. 25	An Act to amend the Chartered Accountants Act 1990-04-15 s. 1 (par. 1)
1989, c. 36	An Act respecting school elections 1990-04-15 s. 12 (par. 4)
1989, c. 38	Supplemental Pension Plans Act 1990-09-01 ss. 89, 107-110, 244 (1 st par. (subpar. 7)), 264 (1 st par. (subpar. 3))
1989, c. 47	An Act to amend the Automobile Insurance Act 1990-01-01 ss. 1-10, 11 (except for the words “and the amount of his indemnity” in the 2 nd par. of s. 179.3), 12-15
1989, c. 48	An Act respecting market intermediaries 1989-07-12 ss. 30, 39, 115-135, 184-203, 210-212, 215-221, 254-256, 259-262 1989-09-20 s. 204 1989-10-01 ss. 91-114 1989-11-01 ss. 58-90, 136-160 1991-05-01 ss. 1 (def. of “market intermediary in insurance business”, “market intermediary in damage insurance” and “market intermediary in insurance of persons”), 2 (1 st par.), 14 (1 st par.) 1991-09-01 ss. 1 (definitions not in force), 2 (2 nd par.), 3-13, 14 (2 nd , 3 rd , 4 th par.), 15-25, 27, 28, 29 (except second sentence of 1 st par.), 31-38, 40-48, 161-183, 205-209, 213, 214, 222-253, 257, 258
1989, c. 51	An Act to amend the Charter of human rights and freedoms concerning the commission and establishing the Tribunal des droits de la personne 1990-06-27 ss. 14, 15 1990-09-01 ss. 16 (ss. 100-102), 22 1990-12-10 ss. 1-13, 16 (ss. 103-133), 17-21
1989, c. 52	An Act respecting municipal courts and amending various legislation 1991-04-01 ss. 1-66, 68-205, 207-218, Schedule I (par. 1-59, 62-130)
1989, c. 54	An Act respecting the Public Curator and amending the Civil Code and other legislative provisions 1990-04-15 ss. 1-154, 156-207
1989, c. 55	An Act to amend the Civil Code of Québec and other legislation in order to favour economic equality between spouses 1989-07-01 ss. 1-47
1989, c. 57	An Act to amend the Bailiffs Act 1989-09-13 ss. 1-22, 24-35, 38 1990-02-14 ss. 23, 36, 37
1989, c. 66	An Act to amend the Act respecting electrical installations 1990-08-02 s. 12
1989, c. 114	An Act to amend the Act to incorporate the Roberval and Saguenay Railway Company 1989-12-13 ss. 1-4

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1990, c. 4	An Act to amend various legislative provisions respecting the implementation of the Code of Penal Procedure 1990-10-01 ss. 1-292, 294-590, 592-743, 746-1126, 1128-1258 1993-11-01 ss. 744, 745, 1127
1990, c. 5	An Act to amend various legislation for the purposes of partition and assignment between spouses of benefits accrued under a pension plan 1990-09-01 ss. 1-53
1990, c. 13	An Act respecting the marketing of agricultural, food and fish products and amending various legislation 1990-09-12 ss. 1-229
1990, c. 29	An Act respecting adoption and amending the Civil Code of Québec, the Code of Civil Procedure and the Youth Protection Act 1990-09-24 ss. 1-16
1990, c. 32	An Act to amend various legislative provisions respecting the pension plans of the public and parapublic sectors 1990-09-01 s. 46 (par. 2)
1990, c. 38	An Act to amend the Act respecting the Ministère des Transports 1991-04-01 ss. 1-3
1990, c. 41	An Act respecting the Conseil métropolitain de transport en commun and amending various legislation 1994-07-20 ss. 72, 82, 86-97, 99
1990, c. 54	An Act to amend the Act respecting the Barreau du Québec 1991-09-30 ss. 2, 78, 81 1994-01-06 s. 43
1990, c. 60	An Act to amend the Retail Sales Tax Act and other fiscal legislation 1991-01-01 ss. 1-63
1990, c. 64	An Act respecting the Ministère des Forêts 1991-01-30 ss. 1-43
1990, c. 71	An Act to repeal the Act respecting the Agence québécoise de valorisation industrielle de la recherche 1991-04-01 ss. 1-6
1990, c. 75	An Act to amend the Pharmacy Act 1998-07-01 ss. 1-10
1990, c. 77	An Act to amend the Securities Act 1991-03-15 ss. 1, 2, 5-10, 12-28, 31-58 1991-08-01 ss. 4, 29 1992-04-15 s. 30
1990, c. 78	An Act to amend the Education Act and the Act respecting private education 1997-08-13 s. 18
1990, c. 80	An Act to amend the Agricultural Products, Marine Products and Food Act 1992-01-01 s. 5 (par. 2, subpar. <i>m</i> and <i>n</i>)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1990, c. 81	An Act to amend the Act respecting the Société québécoise d'initiatives agro-alimentaires 1991-03-15 ss. 1-3
1990, c. 82	An Act to amend the Act respecting transportation by taxi 1991-05-01 ss. 2 (par. 2), 6, 7, 12 (par. 4), 13
1990, c. 83	An Act to amend the Highway Safety Code and other legislative provisions 1991-02-01 ss. 2 (par. 1, 2, 4-7), 15-17, 20-23, 25, 48, 49, 62, 67, 92, 94, 96-111, 113-128, 130-138, 141-147, 149, 150, 158, 161, 163, 164, 167-171, 172 (ss. 473, 473.1), 173-186, 188, 189, 191-195, 203, 205, 207, 211, 212, 218, 224, 232, 235, 238, 240, 254 1991-11-13 ss. 209, 213 1991-11-14 ss. 3-6, 8-11, 13, 14, 18, 19, 24, 26-29, 31-34, 36, 37 (par. 2), 43 (par. 1), 44-47, 51 (par. 1), 52, 53 (par. 1, 3), 54, 56, 60, 61, 69, 70, 75-79, 81-85, 87-91, 93, 95, 214 (par. 1), 216 (s. 553 (1 st par.)), 217 (par. 1), 220 (par. 1), 226 (par. 1-11), 227 (par. 1, 2, 4, 6, 9), 227 (par. 3 concerning par. 6 and 6.4 of s. 619), 228, 231, 242 (par. 1), 244-250, 261, 262 1999-08-01 s. 241 (as regards s. 645.3 of the Highway Safety Code (R.S.Q., chapter C-24.2)) 2000-01-27 s. 140 (par. 1, 3)
1990, c. 86	An Act to amend the Act respecting insurance and other legislation 1991-03-15 ss. 1-5, 6 (par. 2), 7, 12, 14 (ss. 93.154-93.154.3), 16 (ss. 93.238-93.238.3), 20, 22-35, 38, 39 (ss. 285.1-285.3, 285.5-285.11, 285.17-285.26), 45-56, 61, 63, 64 1991-07-01 ss. 6 (par. 1), 8-11, 13, 14 (s. 93.154.4), 15, 16 (s. 93.238.4), 17-19, 21, 36, 37, 39 (ss. 285.4, 285.12-285.16), 40-44, 57-60, 62
1990, c. 88	An Act to again amend the Financial Administration Act 1991-01-16 s. 2 1991-04-24 s. 1
1990, c. 91	An Act to amend the Charter of the city of Québec 1990-10-01 s. 12
1990, c. 98	An Act respecting The Laurentian Mutual Management Corporation and The Laurentian Life Insurance Company Inc. 1991-01-01 ss. 1-31
1991, c. 13	An Act to amend the Act respecting the Québec Pension Plan and other legislation 1991-10-25 ss. 1-7
1991, c. 15	An Act to amend the Fuel Tax Act 1991-09-01 ss. 1 (par. 3, 4, 6 to the extent that s. 23 of the Fuel Tax Act (R.S.Q., chapter T-1), as enacted by s. 10, applies to an importer, 7, 8 to the extent that the abovementioned s. 23, as enacted by s. 10, applies to a refiner, 9 to the extent that par. 10 uses the word "vehicle", and par. 10 except, with respect to par. 10, to the extent that the abovementioned s. 23, as enacted by s. 10, applies to a motor vehicle), 8 (par. 1, 2, 4), 10 to the extent that it enacts ss. 23, 23.1, 25, 28 excluding the words "or to a wholesale dealer who does not hold a collection officer's permit required by section 27", 30 excluding: in that part preceding subparagraph a of the first paragraph, the words "or a permit, or refuse to renew the permit"; in subparagraph c of the first paragraph, the words "or a permit"; subparagraph g of the first paragraph; in subparagraph h of the first paragraph, the words "a permit or"; in subparagraph i of the first paragraph, the words "permit or"; in the second paragraph, the words "or the permit"; s. 31.1 excluding, in the first paragraph, the words "or of a permit"; s. 31.2 excluding: in the first paragraph, the words "or permit";

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1991, c. 15	An Act to amend the Fuel Tax Act – <i>Cont'd</i> in the fifth paragraph, the words “or permit”; s. 31.3, s. 31.4 excluding the words “or permit” and s. 31.5 excluding, in the first paragraph, the words “or permit” of the Fuel Tax Act (R.S.Q., chapter T-1), and s. 20 to the extent that it enacts s. 43.2 of the Fuel Tax Act (R.S.Q., chapter T-1)
	1992-04-01 ss. 1 (except par. 3, 4 and 6-10, to the extent that they were put into force by O.C. 1205-91), 2-7, 8 (par. 3), 9, 10 (except ss. 23, 23.1, 25, 28, 30 and 31.1-31.5 of R.S.Q., chapter T-1 that it enacts, to the extent that they were put into force by O.C. 1205-91), 11-19, 20 (except s. 43.2 of R.S.Q., chapter T-1 that it enacts), 21-34
1991, c. 16	An Act to amend the Tobacco Tax Act
	1991-10-09 ss. 1, where it replaces or enacts the definitions of the words: “manufacturer”, “package” and “tobacco”, but to the extent that s. 13.1 of the Tobacco Tax Act (R.S.Q., chapter I-2), as amended by s. 7, uses the words “package” and “tobacco”; “retail vendor” to the extent that s. 13.1 of the Tobacco Tax Act (R.S.Q., chapter I-2), as amended by s. 7, and s. 17.10 of the Tobacco Tax Act (R.S.Q., chapter I-2), as enacted by s. 21, apply to a retail vendor; “retail sale” to the extent that s. 13.1 of the Tobacco Tax Act (R.S.Q., chapter I-2), as amended by s. 7, applies to a retail sale, 7, 14 to the extent that it enacts that part preceding par. <i>a</i> and par. <i>b</i> and <i>e</i> of s. 14.2 of the Tobacco Tax Act (R.S.Q., chapter I-2), and s. 21 to the extent that it enacts ss. 17.10 and 17.11 of the Tobacco Tax Act (R.S.Q., chapter I-2)
	1992-03-01 ss. 1 (except the definitions of the words “manufacturer”, “package”, “tobacco”, “retail vendor” and “retail sale”), 2-6, 8-13, 14 (except for that part preceding par. <i>a</i> , <i>b</i> and <i>e</i> of s. 14.2), 15-20, 21 (except for ss. 17.10 and 17.11), 22-24
1991, c. 20	An Act to repeal the Stamp Act and amending various legislative provisions
	1992-05-01 ss. 1-11
1991, c. 21	An Act to amend the Cinema Act
	1991-09-18 s. 52 (s. 168 (1 st par. (subpar. 2), 2 nd par.))
	1991-10-22 ss. 6-9, 28, 29
	1992-01-01 ss. 2-5, 10, 11, 14 (ss. 83, 83.1)
	1992-04-01 ss. 14 (s. 81), 15 (ss. 86, 86.1)
	1992-06-15 ss. 1, 12, 13, 14 (ss. 82, 82.1), 15 (ss. 85, 86.2), 16-27, 30-51, 52 (ss. 167, 168 (1 st par. (subpar. 1, 3-11))), 53-62
1991, c. 23	An Act to amend the Mining Act
	1991-11-14 ss. 1, 2, 3, 5, 8
	1995-03-09 ss. 4, 6, 7, 9, 10
1991, c. 24	An Act to amend the Consumer Protection Act
	1992-05-15 ss. 14, 15, 18
	1992-06-30 ss. 1-13, 16, 17, 19
1991, c. 26	An Act to amend various legislative provisions respecting the establishment of the register fund of the Ministère de la Justice
	1992-01-01 ss. 1-7
1991, c. 28	An Act respecting the energy efficiency of electrical or hydrocarbon-fuelled appliances
	1992-10-01 ss. 1-19
1991, c. 33	An Act to amend the amount of fines in various legislation
	1991-11-15 ss. 1-145

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1991, c. 37	Real Estate Brokerage Act 1991-09-11 ss. 64-66, 68, 69, 74-78, 80, 88-92, 94-96, 101-106, 142-155, 158-162, 165, 166, 176, 177, 186-190 1993-05-17 ss. 178-181 1993-12-15 s. 184 1994-01-15 ss. 1-63, 67, 70-73, 81-87, 93, 97-100, 107-141, 156, 157, 163, 164, 167-175, 182, 183, 185 1994-08-01 s. 79
1991, c. 42	An Act respecting health services and social services and amending various legislation 1992-06-17 ss. 478 (assistance to victims of violence), 479, 480, 481, 482, 484 1992-07-01 s. 148 (2 nd , 3 rd , 4 th par.) 1992-08-01 ss. 571, 572, 583 1992-09-30 ss. 559, 560, 569, 574 (par. 1), 577 (par. 1), 581 (par. 1, 2, 3), 592 1992-10-01 ss. 1-108, 110-118, 148 (1 st par.), 160-164, 166-172, 173 (par. 2-5), 174-192, 194-213, 214 (except subpar. d of subpar. 7 of 1 st par.), 215-258, 260-338, 340, 343-359, 367, 368, 369 (except subpar. 3 of 1 st par.), 370-396, 405 (1 st par., 2 nd par. (par. 1, 2, 4)), 406-413, 415-417, 419 (par. 3, 4), 431-477, 478 (with exceptions), 485-504, 508-520, 531-555, 558 (par. 1), 578, 594, 620 1993-01-20 ss. 588, 590 1993-04-01 ss. 259 (1 st sentence), 568 1993-09-01 s. 564 1993-09-01 ss. 109, 214 (subpar. d of subpar. 7 of 1 st par.), 360 (1 st par.), 361-366, 369 (1 st par. (subpar. 3)), 565, 566, 581 (par. 5, 6), 582, 584
1991, c. 43	An Act to amend the Act to promote the parole of inmates and the Act respecting probation and houses of detention 1992-04-01 ss. 1, 2 1992-06-15 ss. 3-23
1991, c. 49	An Act to amend the Tourist Establishments Act 1993-11-10 ss. 1, 4 (par. 2), 10 (par. 1, 6), 12, 13
1991, c. 51	An Act to amend the Act respecting liquor permits and the Act respecting the Société des alcools du Québec 1992-01-15 ss. 4, 5 (par. 1, 2), 6, 7, 10, 12, 13 (par. 1, 2), 14, 15, 17, 18, 21, 22 (par. 1), 24, 25, 26 (par. 3), 27, 28, 30-34 1992-05-20 s. 20 1992-08-27 ss. 1, 3, 5 (par. 3), 8, 9, 11, 13 (par. 3), 16, 19, 22 (par. 2, 3), 23, 26 (par. 1, 2), 29, 35
1991, c. 53	An Act to repeal the Act to ensure continuity of electrical service by Hydro-Québec 1992-04-15 s. 1
1991, c. 58	An Act to amend the Automobile Insurance Act and the Act to amend the Automobile Insurance Act and other legislation 1993-07-01 s. 14
1991, c. 59	An Act to amend the Transport Act 1993-05-31 s. 4
1991, c. 62	An Act to amend the Act respecting the Société d'habitation du Québec and other legislation 1993-07-07 ss. 3, 6, 7
1991, c. 64	Civil Code of Québec 1994-01-01 ss. 1-3168

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1991, c. 72	An Act to amend the Act respecting the Ministère des Approvisionnements et Services and other legislation 1992-04-01 ss. 4 (par. 2 to the extent that it concerns the mail and messenger services fund) (par. 3 relating to the supplies and services fund to the extent that it concerns goods supplied by the General Purchasing Director), 15 1992-04-01 ss. 4 (par. 1, 3 with respect to the provisions not affected by O.C. 305-92), 16 1993-08-18 ss. 1 (ss. 7.2-7.5), 18
1991, c. 73	An Act to amend the Financial Administration Act and other legislation 1993-08-18 ss. 1-13
1991, c. 74	An Act to amend the Building Act and other legislation 1995-09-01 ss. 68 (par. 5) (in any respect other than the qualification of contractors and owner-builders), 70 (par. 2) (in any respect other than the qualification of contractors and owner-builders) 1997-01-15 ss. 72 (par. 2), 73 (par. 2) 2000-11-07 ss. 2 (in all respects other than the qualification of contractors and owner-builders), 3, 5, 6, 8, 9 (to the extent that it enacts section 11.1 of the Building Act (R.S.Q., chapter B-1.1) in all respects other than the qualification of contractors and owner-builders), 10-12, 14, 15, 52-55, 56 (to the extent that it enacts sections 128.1, 128.4 (with regard to the revocation of the recognition of a person referred to in section 16 of the Act), 128.5 and 128.6 of the Building Act), 60, 61, 93 (par. 1, 2), 97, 98, 100 (in all respects other than the qualification of contractors and owner-builders), 116 (to the extent that it replaces section 282 of the Building Act with regard to buildings and facilities intended for public use to which Chapter I of the Building Code approved by Order in Council 953-2000 dated 26 July 2000 applies and to the extent that it replaces section 283 of the Building Act in all respects) and section 169 to the extent that it refers to sections 20, 26, 27, 33, 34, 113, 114, 116, 119, 123-128, 132-134, 139 of the Building Act 2002-10-01 ss. 16, 17, 20-23, 24 (to the extent that it refers to ss. 37-37.4, 38.1 and 39 of the Building Act (R.S.Q., chapter B-1.1)), 50, 51, 56 (to the extent that it enacts ss. 128.3, 128.4 (with regard to the revocation of the recognition of a person referred to in s. 35) of the Building Act) 2003-01-01 s. 13 (with regard to electrical installations to which Chapter V of the Construction Code approved by Order in Council 961-2002 dated 21 August 2002 applies) 2004-10-21 s. 116 (to the extent that it replaces s. 282 of the Building Act (R.S.Q., chapter B-1.1) with regard to mechanical lifts and with regard to elevators and other elevating devices to which Chapter IV of the Construction Code, approved by Order in Council 895-2004 dated 22 September 2004, applies) 2005-02-17 s. 24 (to the extent that it refers to s. 38 of the Building Act (R.S.Q., chapter B-1.1)) 2006-01-01 s. 116 (to the extent that it replaces s. 282 of the Building Act (R.S.Q., chapter B-1.1) with regard to elevators and other elevating devices to which Chapter IV of the Safety Code, approved by Order in Council 896-2004 dated 22 September 2004, applies) 2006-06-21 s. 116 (with regard to public baths) 2012-05-03 s. 116 (with regard to amusement rides and devices) 2013-03-18 s. 116 (in all respects)
1991, c. 80	An Act to amend the Environment Quality Act 1993-06-09 ss. 1 (par. 4), 6 (s. 70.19) 1997-12-01 ss. 1 (par. 1, 2, 3), 2-5, 6 (with respect to ss. 70.1-70.18 of R.S.Q., chapter Q-2), 7-16
1991, c. 82	An Act to amend the charter of the city of Montréal 1993-01-11 ss. 6, 11-26, 29-32

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1991, c. 84	An Act to amend the Charter of the city of Québec 1994-04-15 ss. 39-41, 43, 45 (s. 601 <i>b</i> (1 st par.)), 47
1991, c. 85	An Act to amend the charter of the city of Longueuil 1993-05-31 ss. 1-3
1991, c. 87	An Act respecting the city of Saint-Hubert 1993-05-01 s. 48
1991, c. 106	An Act respecting Aéroports de Montréal 1992-08-29 ss. 1-7
1992, c. 5	An Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration 1992-05-19 ss. 1-12
1992, c. 11	An Act to amend the Act respecting industrial accidents and occupational diseases, the Act respecting occupational health and safety and the Health Insurance Act 1992-09-23 ss. 29, 30, 44 (par. 3), 45, 83 1992-10-01 ss. 4, 8 (par. 1, 3), 32 (par. 1), 40, 43, 44 (par. 1), 48, 65-69, 71 (s. 176.7.1), 72-74, 75 (ss. 176.16, 176.16.1 (1 st par.)), 76, 84, 86 1992-10-28 ss. 49-64, 88, 89 1992-11-01 ss. 1-3, 5-7, 10-28, 31, 32 (par. 2), 33-39, 41, 42, 44 (par. 2), 46, 47, 70, 71 (ss. 176.7.2, 176.7.3, 176.7.4), 75 (s. 176.16.1 (2 nd par.)), 77, 78, 80-82, 85, 87
1992, c. 17	An Act to amend the Act respecting the Société des alcools du Québec and other legislation 1992-06-30 ss. 1-20
1992, c. 18	An Act to amend the Financial Administration Act and the Act respecting municipal debts and loans 1992-08-19 ss. 1-6
1992, c. 20	An Act to amend the Courts of Justice Act and to make various provisions respecting the establishment of the judicial district of Laval 1992-08-31 ss. 1-11
1992, c. 21	An Act to amend various legislative provisions concerning the application of the Act respecting health services and social services and amending various legislation 1992-09-30 ss. 104, 381 1992-10-01 ss. 2-9, 17-20, 22-40, 46-52, 56, 59-61, 68 (ss. 619.2-619.4, 619.8-619.15, 619.18-619.46, 619.48-619.68), 69-77, 79-81, 83-100, 101 (par. 1, 2, 4), 102, 103, 106-110, 114, 116-299, 300 (par. 1, 2), 311 (par. 1), 320 (par. 2), 322, 327 (par. 1), 328, 329 (par. 2), 330, 333-364, 370-375 1993-04-28 s. 68 (s. 619.27 (2 nd par.); date of application) 1993-04-28 ss. 78, 82, 300 (par. 3, 4), 301-310, 311 (par. 2), 312-319, 320 (par. 1), 321, 323-326, 327 (par. 2), 329 (par. 1), 331, 332 1993-05-01 s. 68 (s. 619.13 (1 st par.)) 1993-07-01 ss. 268-273 1993-09-01 s. 113
1992, c. 24	An Act to amend various legislative provisions concerning regional affairs 1993-04-01 s. 7 (Note: Section 6 repealing the Act respecting the Office de planification et de développement du Québec (R.S.Q., chapter O-3) comes into force on 1 April 1993, by virtue of the same Order in Council)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1992, c. 32	An Act respecting the Société de financement agricole and amending other legislative provisions 1993-06-17 ss. 1-52
1992, c. 44	An Act respecting the Société québécoise de développement de la main-d'œuvre 1992-09-01 ss. 1-15, 47-54, 67-69, 71 (par. 2), 73 (par. 2), 74, 81, 95, 96 1993-03-24 ss. 21, 23, 30, 39, 77, 78 (1 st par.), 84-91, 94 1993-04-01 ss. 16-20, 22, 24-29, 31-38, 40-46, 55-66, 70, 71 (par. 1), 72, 73 (par. 1), 75, 76, 78 (2 nd par.), 79, 80, 82, 83, 92, 93
1992, c. 50	An Act to amend the Financial Administration Act and the Act respecting the Ministère des Approvisionnements et Services 1993-08-18 ss. 1-3
1992, c. 56	An Act to amend the Environment Quality Act 1993-02-15 s. 14
1992, c. 57	An Act respecting the implementation of the reform of the Civil Code 1994-01-01 ss. 1-716, 719
1992, c. 61	An Act respecting the implementation of certain provisions of the Code of Penal Procedure and amending various legislative provisions 1993-11-01 ss. 1-8, 10-25, 27-34, 36-40, 43, 44, 47-49, 51-54, 56, 58, 60-64, 67, 71, 75-88, 91, 93-99, 101-128, 131-168, 171-174, 178-193, 195-197, 200, 201, 204, 205, 207-210, 213, 216, 218-234, 237, 239-245, 248, 250-253, 255-260, 262, 264, 266, 267, 269-273, 276, 277, 279, 280, 282, 283, 285-293, 295-301, 303, 304, 309-316, 319, 320, 322-325, 328-330, 332, 334-344, 346-348, 350, 351, 353-376, 378, 380-382, 384-387, 389-392, 396, 397, 399, 400, 402-404, 407-412, 414-416, 418-422, 424-426, 428-439, 443-446, 449-456, 458-467, 471-474, 476-479, 483-490, 492, 496-498, 500-506, 508-510, 514-516, 518, 520-525, 527, 528, 530-533, 535-538, 540, 542-544, 546-550, 552, 553, 555-560, 562, 565, 566, 568-570, 572-582, 584, 586, 587, 589, 591, 593-597, 600-608, 610-620, 622-624, 626-639, 641-645, 647-656, 658, 662-678, 680-690, 692-699, 701-704
1992, c. 63	An Act to amend the Code of Civil Procedure with respect to the recovery of small claims 1993-11-01 ss. 1-20
1992, c. 64	An Act respecting the Conseil des aînés 1993-10-27 ss. 1-24
1992, c. 66	An Act respecting the Conseil des arts et des lettres du Québec 1993-07-07 ss. 1-50
1993, c. 1	An Act to amend the Code of Civil Procedure regarding family mediation 1997-05-01 s. 4 (to the extent that that section enacts the first sentence of a. 827.2 of the Code of Civil Procedure)
1993, c. 3	An Act to amend the Act respecting land use planning and development and other legislative provisions 1997-04-16 s. 31 (par. 3)
1993, c. 12	An Act to amend the Act respecting transportation by taxi 1996-01-01 ss. 2, 4, 24 (ss. 90.6, 91.1), 27

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1993, c. 17	An Act respecting the protection of personal information in the private sector 1994-01-01 ss. 1-4, 10-21, 22 (1 st par. (subpar. 1, 3), 2 nd par.), 23 (1 st par.), 27-114 1994-07-01 ss. 5-9, 22 (1 st par. (subpar. 2)), 23 (2 nd par.), 24-26
1993, c. 18	An Act to amend the Animal Health Protection Act 2004-12-08 ss. 6-8
1993, c. 21	An Act to amend the Agricultural Products, Marine Products and Food Act and to repeal the Act respecting the bread trade 1993-11-10 ss. 2, 4
1993, c. 22	An Act to amend the Tourist Establishments Act and to repeal certain legislative provisions 1993-11-10 ss. 1-7
1993, c. 23	An Act to amend the Financial Administration Act, the Act respecting the Ministère des Approvisionnements et Services and other legislative provisions 1993-08-18 ss. 1-9
1993, c. 25	An Act to amend the General and Vocational Colleges Act and other legislative provisions 1993-07-14 s. 11 (s. 18 (3 rd par. (subpar. e))) 1993-08-31 s. 11 (s. 18 (4 th par.))
1993, c. 26	An Act respecting the Commission d'évaluation de l'enseignement collégial and amending certain legislative provisions 1993-07-14 ss. 1-30, 31 (par. 2, 3, 4), 32-48 1993-08-31 s. 31 (par. 1)
1993, c. 29	An Act to amend the Act respecting Attorney General's prosecutors 1993-08-11 s. 3
1993, c. 30	An Act to amend the Code of Civil Procedure and the Charter of human rights and freedoms 1994-01-01 ss. 2-4, 6-8, 10-16, 18
1993, c. 34	An Act respecting the Société du Centre des congrès de Québec 1994-05-30 s. 32
1993, c. 37	An Act respecting the conditions of employment in the public sector and the municipal sector 1993-09-15 ss. 1-19, 26, 27, 29-39, 43-55, 57 1993-10-01 ss. 20-25, 28, 40-42, 56
1993, c. 38	An Act to amend the Professional Code and the Nurses Act 1993-09-15 ss. 2 (par. 20), 3 (par. 2), 5 (par. 1), 7
1993, c. 39	An Act respecting the Régie des alcools, des courses et des jeux and amending various legislative provisions 1993-07-14 ss. 1-22, 23 (par. 1, 2, 4, 5, 6), 24, 25 (par. 1, 2, 3, 7), 26-40, 48-55, 56 (ss. 52.1-52.11, 52.13-52.15), 57-75, 77-97, 100 (1 st par.), 101, 102, 104-107, 109-111, 114-117 1993-10-27 ss. 23 (par. 3), 25 (par. 4, 5, 6), 41-47, 76, 98, 99, 100 (2 nd par.), 103, 108
1993, c. 40	An Act to amend the Charter of the French language 1993-12-22 ss. 1-69

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1993, c. 42	An Act to amend the Highway Safety Code 1993-09-01 ss. 1-28, 30-32 1993-11-01 s. 29
1993, c. 45	An Act to amend the Supplemental Pension Plans Act 1998-02-25 s. 1
1993, c. 48	An Act respecting the legal publicity of sole proprietorships, partnerships and legal persons 1993-12-15 ss. 58-60, 63-65, 97-99, 537-539 1994-01-01 ss. 1-57, 61, 62, 66-96, 100-519, 521-526, 528-536 1994-07-01 ss. 520, 527
1993, c. 49	An Act to amend the Act respecting the Société québécoise d'initiatives agro-alimentaires 1994-01-01 ss. 1-5, 7-12 1994-04-27 s. 6
1993, c. 55	An Act to amend the Forest Act and to repeal various legislative provisions 1994-05-04 s. 30 (par. 1) 1994-09-07 ss. 27, 30 (par. 2)
1993, c. 58	An Act to amend the Act respecting health services and social services 1995-04-01 s. 1 (ss. 530.40, 530.41) 1995-05-01 s. 1 (ss. 530.1-530.10, 530.16, 530.18, 530.20-530.24, 530.27-530.29, 530.31-530.39, 530.42)
1993, c. 61	An Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry and other legislative provisions 1994-01-01 ss. 11 (par. 1), 89, 90 1994-07-01 ss. 1 (par. 3, 5, 7), 19, 21-33, 35, 40, 43-47, 57 (par. 1, 2) 1995-01-01 ss. 1 (par. 4, 6, 8, 9), 4 (par. 1, 2, 4), 6, 11 (par. 3), 13-18, 20, 34, 36-39, 41, 42, 51, 52, 53 (par. 1) [except for the amendment concerning the second paragraph of the section it amends], 53 (par. 2), 54, 55, 58, 61, 62, 79 1999-01-20 ss. 11 (par. 2), 48, 49, 50, 53 (par. 1, for the amendment concerning the second paragraph of the section it amends), 53 (par. 3), 59, 60
1993, c. 70	An Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration 1994-10-31 ss. 2, 3 (par. 2), 4, 6, 10, 11 (par. 4, 10) 1996-10-01 ss. 11 (par. 1), 12 2006-09-13 ss. 5, 11 (par. 6)
1993, c. 71	An Act to amend the Act respecting the Régie des alcools, des courses et des jeux and various Acts concerning the activities under its supervision 1994-02-03 provisions concerning the activities under the supervision of the Régie 1994-10-01 provisions respecting the renewal of amusement machine licences or registrations and the revocation of such licences or registrations
1993, c. 72	An Act to amend the Code of Civil Procedure and various legislative provisions 1995-05-11 ss. 17, 18, 19
1993, c. 77	An Act to amend the Pesticides Act 1997-04-23 ss. 1-8, 10 (in respect of the repeal of s. 108 of R.S.Q., chapter P-9.3), 12, 13

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1994, c. 2	An Act respecting the Conservatoire de musique et d'art dramatique du Québec 1994-11-01 s. 28 2007-03-31 ss. 6, 13 (2 nd par.), 14-16, 19-27, 52-54, 56-75, 77-80, 83-88, 96-98 2007-09-01 ss. 31-36, 40-46 2007-12-01 ss. 37-39, 47-51
1994, c. 21	An Act respecting the Société de développement des entreprises culturelles 1994-10-19 ss. 1-16, 28, 29 (1 st par. (subpar. 1)), 30 (1 st par.), 40, 41, 65 1995-04-01 ss. 17-27, 29 (1 st par. (subpar. 2), 2 nd par.), 30 (2 nd , 3 rd par.), 31-39, 42-64
1994, c. 23	An Act to amend the Act respecting health services and social services and other legislative provisions 1995-05-01 ss. 4, 6, 8-15, 17-21, 23
1994, c. 24	An Act to amend the Supplemental Pension Plans Act 1995-08-17 s. 7 1995-12-31 ss. 13, 14
1994, c. 28	An Act to amend the Code of Civil Procedure 1995-10-01 ss. 1-26, 28-42
1994, c. 30	An Act to amend the Act respecting municipal taxation and other legislative provisions 1994-12-15 ss. 8, 29-32, 36, 41 (par. 2, 3), 42, 55 (par. 1, 2), 57, 83
1994, c. 35	An Act to amend the Youth Protection Act 1994-09-01 ss. 1-43, 45-51, 52 (par. 1), 54-60, 61 (par. 1, 2), 62-67, 70 1995-09-28 ss. 44, 61 (par. 3)
1994, c. 37	An Act respecting acupuncture 1994-10-15 ss. 46-50 1995-07-01 ss. 2, 5, 8-20, 22-25, 28-33, 36-45
1994, c. 40	An Act to amend the Professional Code and other Acts respecting the professions 1994-10-15 ss. 1-199, 200 (except where it repeals ss. 10 (par. <i>b, c, d, f</i>), 11 of the Architects Act (R.S.Q., chapter A-21)), 201-207, 208 (par. 1), 209-211, 212 (except where it repeals s. 37 (1 st par. (subpar. <i>c, d, e, f, g, h</i>), 2 nd par.) of the Land Surveyors Act (R.S.Q., chapter A-23)), 213-237, 238 (except where it repeals s. 43 (1 st par. (subpar. <i>d</i>)) of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1)), 239-243, 244 (except where it repeals ss. 50 (1 st par. (subpar. <i>b, c, d</i>)), 51, 54 of the Act respecting the Barreau du Québec), 245-277, 279-293, 294 (except where it repeals ss. 21 (1 st par., 2 nd par. except the words “, provided that they are Canadian citizens or comply with section 44 of the Professional Code (chapter C-26)”), 22 (1 st par., 2 nd par. (subpar. <i>a, c, d, e</i>)) of the Chartered Accountants Act (R.S.Q., chapter C-48)), 295-342, 343 (except where it repeals ss. 14, 15 (subsect. 2, except the words “any Canadian citizen and any candidate who fulfils the conditions prescribed by section 44 of the Professional Code”) of the Engineers Act (R.S.Q., chapter I-9)), 344, 345 (except where it repeals s. 17 (1 st par., except the word “Canadian”) of the Engineers Act), 346-405, 406 (except where it repeals ss. 107-112, 113 (par. <i>c, d, e</i>), 114, 118 of the Notarial Act (R.S.Q., chapter N-2)), 407-435, 437-470 1995-11-30 s. 406 (where it repeals ss. 107-112, 113 (par. <i>c, d, e</i>), 114, 118 of the Notarial Act (R.S.Q., chapter N-2)) 1996-07-04 ss. 238 (where it repeals s. 43 (1 st par. (subpar. <i>d</i>)) of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1)), 244 (where it repeals ss. 50 (1 st par. (subpar. <i>b, c, d</i>)), 51, 54 of the Act respecting the Barreau du Québec)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1994, c. 40	An Act to amend the Professional Code and other Acts respecting the professions – <i>Cont'd</i> 1998-07-01 s. 436 (s. 37.1 of the Pharmacy Act (R.S.Q., chapter P-10)) 2002-03-27 ss. 343 (where it repeals ss. 14, 15 (subsect. 2, except the words “any Canadian citizen and any candidate who fulfils the conditions prescribed by section 44 of the Professional Code”) of the Engineers Act (R.S.Q., chapter I-9)), 345 (where it repeals s. 17 (1 st par., except the word “Canadian”) of the Engineers Act) 2011-01-06 ss. 208 (par. 2), 212 (insofar as it repeals s. 37 (1 st par. (subpar. c, d, e, f, g, h), 2 nd par.) of the Land Surveyors Act (R.S.Q., chapter A-23))
1994, c. 41	An Act to amend the Environment Quality Act and other legislative provisions 1996-06-01 s. 21
1995, c. 5	An Act to amend the Hydro-Québec Act 1995-04-03 ss. 1-9
1995, c. 6	An Act to again amend the Highway Safety Code 1995-04-12 s. 16 1995-04-24 ss. 1-15
1995, c. 8	An Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry and other legislative provisions 1995-06-28 ss. 5, 6, 51-53
1995, c. 9	An Act to amend the Act respecting the Caisse de dépôt et placement du Québec 1995-03-31 ss. 1-9
1995, c. 12	An Act to amend the Police Act and the Act respecting police organization as regards Native police 1995-04-05 ss. 1-5
1995, c. 18	An Act to facilitate the payment of support 1995-12-01 ss. 1-79, 81 (where the collector of support payments is charged with compulsory execution of a judgment awarding support), 82-84, 86, 89-95, 96 (where the collector of support payments is charged with compulsory execution of a judgment awarding support), 99 (except for 1 st par. (subpar. 1)), 101 1996-05-16 ss. 81 and 96 (where the collector of support is charged with compulsory execution of a judgment awarding support), 97, 98, 99 (1 st par. (subpar. 1)) 1997-04-01 ss. 80, 85, 87, 88, 100
1995, c. 23	An Act to establish the permanent list of electors and amending the Election Act and other legislative provisions 1996-05-01 ss. 12 (where it enacts sections 40.2, 40.3 and 40.4 except, in the 3 rd line of the 1 st par., the words “by electors and on the basis of the information transmitted” and except, in the 2 nd and 3 rd lines of the 2 nd par., the words “or by the person responsible for a municipal poll”, 40.7-40.9, 40.11, 40.12, 40.39-40.42), 91 1997-05-31 ss. 12 (where it enacts sections 40.1, 40.4 (in the 3 rd line of the 1 st par., the words “by electors and on the basis of the information transmitted”), 40.5, 40.6), 51, and the amendment appearing in the schedule opposite s. 570 1997-06-01 ss. 12 (where it enacts sections 40.4 (in the 2 nd and 3 rd lines of the 2 nd par., the words “or by the person responsible for a municipal poll”), 40.10), 57-76, 84-90 1997-10-15 ss. 77, 78, 79 (where it enacts s. 39), 80-83

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1995, c. 27	An Act respecting the Commission des droits de la personne et des droits de la jeunesse 1995-11-29 ss. 1-23, 25-41
1995, c. 33	An Act to amend the Act respecting the implementation of the reform of the Civil Code and other legislative provisions as regards security and the publication of rights 2000-11-07 s. 17
1995, c. 38	An Act to amend the Consumer Protection Act 1995-09-20 ss. 1, 2, 3 (par. 2), 4-8, 9 (R.S.Q., chapter P-40.1 (s. 302, 1 st sentence)), 10,11 1997-08-20 ss. 3 (par. 1), 9 (the second sentence of s. 302 of the Consumer Protection Act (R.S.Q., chapter P-40.1) enacted by s. 9)
1995, c. 39	An Act to amend the Code of Civil Procedure and the Act respecting the Régie du logement 1995-09-01 ss. 1-22
1995, c. 41	Court Bailiffs Act 1995-10-01 ss. 1-37
1995, c. 51	An Act to amend the Code of Penal Procedure and other legislative provisions 1996-03-01 ss. 1, 3, 5, 7-9, 12, 13 (par. 2, 3, 4, 5), 15, 16, 19, 20, 22, 27, 31, 33-45, 47-49 1996-07-15 ss. 4, 17, 23, 24 1997-10-01 ss. 6 (s. 62.1 (1 st par.) of the Code of Penal Procedure), 18, 21, 32
1995, c. 55	An Act to amend the Act respecting the Québec Pension Plan and the Automobile Insurance Act 1996-06-01 ss. 1-9
1995, c. 61	An Act to amend the Act respecting the Régie du logement and the Civil Code of Québec 1996-09-01 ss. 1, 2
1995, c. 67	An Act to amend the Cooperatives Act and other legislative provisions 1997-02-14 ss. 1-149, 151-201
1995, c. 69	An Act to amend the Act respecting income security and other legislative provisions 1996-03-01 ss. 10, 14, 21, 26 1996-04-01 ss. 3-7, 9, 17, 23, 25 1996-04-01 ss. 1 (par. 2), 20 (par. 2, 6), 24 1996-07-18 ss. 11, 20 (par. 4 and 7 [but solely in respect of s. 91 (subpar. 24.1 of 1 st par.) of the Act respecting income security]) 1996-07-18 s. 20 (par. 7 [in respect of s. 91 (subpar. 23 and 24 of 1 st par.) of the Act respecting income security]) 1996-08-01 ss. 1 (par. 1), 20 (par. 1) 1996-10-01 ss. 18, 20 (par. 4 [but solely in respect of s. 91 (subpar. 24.2 of 1 st par.) of the Act respecting income security]) 1997-01-01 ss. 12, 13, 20 (par. 5, 8, 9)
1996, c. 6	An Act respecting the implementation of international trade agreements 1996-07-10 ss. 1-10
1996, c. 8	An Act to amend the Act respecting lotteries, publicity contests and amusement machines in respect of international cruise ships 1999-09-08 s. 1

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 18	An Act to amend the Act respecting the conservation and development of wildlife 1998-04-29 s. 7
1996, c. 20	An Act respecting the Société de télédiffusion du Québec and amending the Act respecting educational programming and other legislative provisions 1996-12-18 ss. 1-41
1996, c. 21	An Act respecting the Ministère des Relations avec les citoyens et de l'Immigration and amending other legislative provisions 1996-09-04 ss. 1-74
1996, c. 23	An Act to amend the Legal Aid Act 1996-07-17 s. 59 1996-08-28 ss. 42, 43 1996-09-26 ss. 1-5, 6 (ss. 4, 4.1, 4.4-4.13), 7-41, 44-58, 60 1997-01-01 s. 6 (ss. 4.2, 4.3)
1996, c. 24	An Act to amend the Act respecting the Société de récupération, d'exploitation et de développement forestiers du Québec 1996-11-13 s. 8
1996, c. 26	An Act to amend the Act to preserve agricultural land and other legislative provisions in order to promote the preservation of agricultural activities 1997-06-20 ss. 1-89
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions 1996-08-01* ss. 3 (except the words “, or by the insurers insuring transacting group insurance or the administrators of private-sector employee benefit plans,”), 5, 8 (1 st par. except the words “ in Québec”), 9, 11 (1 st , 3 rd par.) (4 th par. except the words “or by an insurer or employee benefit plan, as the case may be”), 12, 13 (1 st sentence which reads: “The maximum contribution for a reference period of one year shall not exceed \$750 per adult;”), 14, 15 (par. 1 except the words “who are not members of a group insurance contract or employee benefit plan that is applicable to a group of persons determined on the basis of current or former employment status, profession or any other habitual occupation and that includes basic plan coverage, and who are not beneficiaries under such a contract or plan;”), 15 (par. 2, 3), 22 (1 st par.) (2 nd par. except the words “ and, with respect to medications provided by an institution, according to the price established in that list”), 31 (*The coming into force of the provisions of the sections referred to in the preceding paragraph have effect: — from 1996-08-01, in respect of the persons referred to in s. 15 (par. 1 to 3) of 1996, c. 32; — on the date or dates determined by the Government, in respect of the other persons eligible for the basic prescription drug insurance plan.) 1996-08-01 ss. 1, 51-82, 87, 88, 89 (par. 1 (3 rd par. of s. 3 of the Health Insurance Act except, in the introductory sentence, the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance and amending various legislative provisions”, except, in subpar. a of 3 rd par. the words “and is not a member of a group insurance contract or employee benefit plan that is applicable to a group of persons determined on the basis of current or former employment status, profession or any other habitual occupation and that includes basic plan coverage, and is not a beneficiary under such a plan”, and except subpar. c of 3 rd par.)), 89 (par. 2 (4 th par. of s. 3 of the Health Insurance Act except the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 32	<p data-bbox="419 297 1243 342">An Act respecting prescription drug insurance and amending various legislative provisions – <i>Cont'd</i></p> <p data-bbox="554 351 1243 413">accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance and amending various legislative provisions”), 89 (par. 3), 90, 92-94, 98-105, 109-116, 118</p> <p data-bbox="419 413 525 437">1996-09-01</p> <p data-bbox="554 413 1243 521">ss. 17, 19 (1st par.), 20, 21, 43 (2nd par.) (*The provisions of 1996, c. 32 that came into force on 1996-08-01 and that have effect only in respect of the persons referred to in s. 15 (par. 1-3) have effect, from 1997-01-01, in respect of every person eligible for the basic prescription drug insurance plan.)</p> <p data-bbox="419 530 525 553">1997-01-01</p> <p data-bbox="554 530 1243 826">ss. 3 (except the words “, or by the insurers insuring transacting group insurance or the administrators of private-sector employee benefit plans,”), 5, 8 (1st par. except the words “in Québec”), 9, 11 (1st, 3rd par.) (4th par. except the words “or by an insurer or employee benefit plan, as the case may be”), 12, 13 (1st sentence which reads: “The maximum contribution for a reference period of one year shall not exceed \$750 per adult.”), 14, 15 (par. 1 except the words “who are not members of a group insurance contract or employee benefit plan that is applicable to a group of persons determined on the basis of current or former employment status, profession or any other habitual occupation and that includes basic plan coverage, and who are not beneficiaries under such a contract or plan.”), 15 (par. 2, 3), 22 (1st par.) (2nd par. except the words “and, with respect to medications provided by an institution, according to the price established in that list”), 31</p> <p data-bbox="419 826 525 849">1997-01-01</p> <p data-bbox="554 826 1243 1614">ss. 2,3 (the words “or by the insurers transacting group insurance or the administrators of private sector employee benefit plans”), 4, 6, 7, 8 (1st par., the words “in Québec”) (2nd par., 3rd par. except the words “or any other institution recognized for that purpose by the Minister that is situated outside Québec in a region bordering on Québec”), 10, 11 (2nd par.) (4th par., the words “, or by an insurer or employee benefit plan, as the case may be”), 13 (2nd sentence which reads “this amount includes any amounts paid by the adult as a deductible amount and coinsurance payment for a child of the adult or a person suffering from a functional impairment who is domiciled with the adult.”), 15 (par. 1, the words “who are not members of a group insurance contract or employee benefit plan applicable to a group of persons determined on the basis of current or former employment status, profession or habitual occupation and that includes basic plan coverage, and who are not beneficiaries under such a contract or plan”), 15 (par. 4), 16, 18, 19 (2nd par.), 22 (2nd par., the words “and, with respect to medications provided by an institution, according to the price established in that list”), 23-30, 32-37, 38 (except, in subpar. 2 of 1st par., the words “otherwise binding the policy-holder” and except, in subpar. 3 of 1st par., the words “administered by or on behalf of the policy-holder”), 39 (except, in subpar. 2 of 1st par., the words “otherwise binding the plan administrator”) and except, in subpar. 3 of 1st par., the words “binding the plan administrator”), 41, 42, 43 (1st par.), 44, 45 (except, in the first sentence, the words “or the plan member” and except the second sentence, which reads “Any notice of non-renewal or of a change in the premium or assessment from the insurer must be sent to the last known address of the plan member not later than 30 days preceding the date of expiry.”), 46-50, 83-86, 89 (par. 1, introductory sentence of 3rd par. of s. 3 of the Health Insurance Act, the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance and amending various legislative provisions”), 89 (par. 1, subpar. a of 3rd par. of s. 3 of the Health Insurance Act, the words “and is not a member of a group insurance contract or employee benefit plan applicable to a group of persons determined on the basis of current or former employment status, profession, or habitual occupation and that includes basic plan coverage, and is not a beneficiary under such a plan”), 89 (par. 1, subpar. c of 3rd par. of s. 3 of the Health Insurance</p>

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions – <i>Cont'd</i> Act), 89 (par. 2, 4 th par. of s. 3 of the Health Insurance Act, the words “and, where applicable, the cost of medications provided as part of the services provided by an institution in accordance with the third paragraph of section 8 of the Act respecting prescription drug insurance and amending various legislative provisions”), 91 (except 3 rd par. of s. 10 of the Health Insurance Act, introduced by par. 2), 95 (s. 22.1.0.1 of the Health Insurance Act, except, in 3 rd par., the words “or institution”), 96, 97, 106-108, 117
1996, c. 44	An Act to amend the Act respecting the Société générale de financement du Québec 2001-03-31 s. 6 (when it enacts s. 8.1)
1996, c. 51	An Act respecting reserved designations and amending the Act respecting the marketing of agricultural, food and fish products 1997-10-15 ss. 1-27
1996, c. 54	An Act respecting administrative justice 1997-09-24 ss. 16, 17, 61, 63, 64, 68, 69, 70, 79, 80, 86 (1 st par.), 98, 199 1997-09-24 s. 14 (1 st par.) [for the sole purposes of the preceding sections] 1998-04-01 ss. 1-13, 14 (in all other respects), 15, 18-60, 62, 65-67, 71-78, 81-85, 86 (2 nd par.), 87-92, 99-164, 177, 178, 182-198, schedules
1996, c. 56	An Act to amend the Highway Safety Code and other legislative provisions 1997-12-01 ss. 46, 51, 156 1998-12-24 ss. 103, 104 (par. 1), 106, 107 1999-07-01 ss. 99, 121, 137 (par. 6) 1999-07-15 s. 53 1999-08-01 ss. 118, 119 2000-01-27 ss. 82, 93, 149, 150
1996, c. 60	An Act respecting off-highway vehicles 1997-10-02 ss. 1-10, 11 (1 st , 2 nd par. (subpar. 1, 2, 4, 5, 6), 3 rd par.), 12-17, 18 (1 st , 3 rd par.), 19-26, 28-82, 84-87 1998-02-02 ss. 11 (par. 3), 27 1999-09-01 s. 18 (2 nd par.)
1996, c. 61	An Act respecting the Régie de l'énergie 1997-02-05 ss. 8, 165 1997-05-01 s. 134 (with the exception of s. 16 (1 st par.) of R.S.Q., chapter S-41) 1997-05-13 ss. 6, 7, 9, 10, 12, 60-62, 122, 135, 148, 171 1997-06-02 ss. 4, 13-15, 19-22 1997-06-02 ss. 2, 3, 5, 11, 16, 17, 18 (1 st par.), 23, 26-30, 31 (2 nd par.), 33, 34, 37-41, 63-71, 77-79, 81-85, 104-109, 113, 115, 128, 129, 132, 142-144, 146, 157-159, 161, 162, 166, 170; and, as they apply to natural gas, ss. 1, 25, 31 (1 st par., subpar. 1, 2, 4, 5), 32, 35, 36, 42-54, 73-75, 80, 86-103, 110-112, 114 (par. 1-6), 116, 117, 147 1997-10-15 ss. 24, 127, 130, 131, 149-156, 168, and, as they do not apply to natural gas, ss. 1, 25 (1 st par. (subpar. 3), 2 nd par.), 35, 36, 42-47, 75, 87-89, 110-112, 116 (2 nd par., subpar. 4), 117 1997-11-01 ss. 137, 138, 140, 141, and, as they apply to petroleum products, ss. 55-58, 116 1998-01-01 as they do not apply to natural gas, ss. 102, 103 1998-02-11 ss. 18 (2 nd par.), 59, 118, 139 (s. 45.1, par. d of subpar. 1 of 3 rd par. of R.S.Q., chapter U-1.1), 160, 167 (1 st par.), 169, and, as they do not apply to natural gas, ss. 25 (1 st par., subpar. 2), 31 (1 st par., subpar. 4), 86, 90-101, 147

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 61	<p>An Act respecting the Régie de l'énergie – <i>Cont'd</i></p> <p>1998-03-18 ss. 31 (1st par. (subpar. 2, 5)), 32 (par. 3), 114 (par. 4) [as they do not apply to natural gas]</p> <p>1998-05-02 ss. 121, 123, 125, 133, 1st par. of s. 16 of R.S.Q., chapter S-41, as enacted by s. 134, 136, 145, 164 and, as they do not apply to natural gas, subpar. 1 of 1st par. of s. 25, subpar. 1 of 1st par. of s. 31, par. 1 and 4 of s. 32, 48-51, 53, 54 and, as it does not apply to natural gas and petroleum products, subpar. 1 of 2nd par. of s. 116</p> <p>1998-08-11 s. 114 (par. 7) and, as it does not apply to natural gas, s. 114 (par. 6)</p> <p>1998-11-01 ss. 31 (1st par. (subpar. 3)), 72, 76, 119, 120, 124 and, as they apply to steam, ss. 55-58 and, as they do not apply to natural gas, ss. 32 (par. 2), 73, 74, 80, 114 (par. 1-3, 5) and, as they do not apply to natural gas and petroleum products, s. 116 (1st par., 2nd par. (subpar. 2))</p>
1996, c. 68	<p>An Act to amend the Civil Code of Québec and the Code of Civil Procedure as regards the determination of child support payments</p> <p>1997-05-01 ss. 1-4</p>
1996, c. 69	<p>An Act to amend the Savings and Credit Unions Act</p> <p>1997-02-15* ss. 1-3, 7-13, 14 (par. 1), 15, 16 (par. 1), 17 (par. 1, 3), 18, 19, 20 (par. 1), 21-165, 167-182, 184 (*Subject to the following provisions which come into force 1997-02-15:</p> <p style="padding-left: 2em;">Provisions relating to the structure of credit unions and federations</p> <ol style="list-style-type: none"> 1. The new provisions relating to the structure of credit unions and federations whose fiscal period ended before 1 February 1997, and that therefore have eight months in which to hold their annual meeting, apply thereto from the time at which their respective annual meeting is held. Pending the annual meeting, such credit unions and federations may hold a special meeting for the purpose of determining the interest that is payable on permanent shares following the allocation of the annual surplus earnings. In such case, the new provisions relating to structure apply thereto only from the time at which the annual meeting is held. Credit unions and federations that do not take advantage of that extended time period may postpone until a later special meeting, held before 1 October 1997, the election of the members of their board of directors and board of audit and ethics, in which case the new provisions relating to structure will apply thereto only from the time at which that meeting is held. 2. In the case of credit unions and federations whose fiscal period ends between 1 February 1997 and 31 May 1997 and that must therefore hold their annual meeting before 1 October 1997, the same provisions will apply from the time at which their respective annual meeting are held. 3. In the case of credit unions and federations whose fiscal period ends between 1 June 1997 and 31 August 1997 and that therefore are not obliged to hold their annual meeting before 1 October 1997, the same provisions will apply, from the latter date, except where such credit unions or federations hold a special meeting before that time, in which case those same provisions apply thereto from the time at which that meeting is held. 4. Notwithstanding the foregoing, where, on 15 February 1997, credit unions are involved in a process of amalgamation, the new provisions relating to structure will apply thereto from the time at which the amalgamation becomes effective, if the amalgamation agreement complies with those provisions.

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1996, c. 69	<p>An Act to amend the Savings and Credit Unions Act – <i>Cont'd</i></p> <p style="padding-left: 40px;">Where the agreement does not comply, the amalgamating credit unions have until 30 September 1997 to remedy the situation at a single special meeting of all the members of the credit unions that are being amalgamated.</p> <p style="padding-left: 40px;">Provisions relating to administration</p> <ol style="list-style-type: none"> 5. Decisions rendered by credit committees before they were abolished may be reviewed by any employee who is appointed for that purpose and whose position allows him to grant credit. 6. Representatives of legal persons who are members of a credit union and have been acting as directors or members of the board of supervision shall continue to act in that capacity until the end of their term of office. 7. The provisions of section 54 of the Act to amend the Savings and Credit Unions Act apply immediately to officers who, on 15 February 1997, are under suspension from duty. 8. Credit unions, federations and confederations have 18 months from the coming into force of paragraph 4 of section 36 of that Act to provide liability insurance for directors and officers. 9. The reports on activities that would have been submitted by the credit committees and ethics committees, had they not been abolished, shall be drafted by the boards of audit and ethics.)
1996, c. 70	<p>An Act to amend the Act respecting industrial accidents and occupational diseases and the Act respecting occupational health and safety</p> <p>1997-10-01 ss. 9 (insofar as it enacts s. 284.2 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 39 (insofar as it enacts the second paragraph of s. 357.1 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 40, 44 (par. 2, insofar as it enacts subpar. 4.2 of the first paragraph of s. 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001))</p> <p>1998-01-01 ss. 8, 10-18, 19 (par. 2), 20 (par. 1), 24, 25, 28, 30, 34 (par. 1), 38, 44 (par. 2, insofar as it enacts subpar. 4.3 of the first paragraph of s. 454 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 44 (par. 3-5)</p> <p>1999-01-01 ss. 4, 19 (par. 1), 20 (par. 2), 22, 23, 26, 27, 29, 31, 32, 33, 39 (insofar as it enacts the first paragraph of s. 357.1 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 41-43, 44 (par. 6-11, 13)</p>
1996, c. 74	<p>An Act to amend various legislative provisions relating to the construction industry</p> <p>1997-01-15 ss. 2, 10 (par. 4), 15-27</p> <p>1997-01-15 ss. 7, 8</p>
1996, c. 78	<p>An Act to amend the Act respecting income security</p> <p>1997-04-01 ss. 2-5, 6 (par. 2, 3, 4)</p> <p>1997-10-01 ss. 1, 6 (par. 1)</p>
1996, c. 79	<p>An Act to amend the Act respecting financial assistance for students and the General and Vocational Colleges Act</p> <p>1997-02-06 ss. 1, 2, 3, 4, 8, 9, 10, 12, 13, 14, 15, 17</p> <p>1997-04-01 ss. 6, 16</p> <p>1997-05-01 ss. 7, 11</p> <p>1997-07-01 s. 5</p>

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1997, c. 8	An Act to amend the Election Act and other legislative provisions as regards the permanent list of electors 1998-10-21 ss. 10 (par. 4), 11 (par. 1, the words “and a list of the addresses for which no electors’ names are entered”), 13 (where it enacts s. 198.1 of the Election Act (R.S.Q., chapter E-3.3)) 1999-09-22 ss. 5, 8 (except for the words “as such information appears in the register kept under section 54 of the Public Curator Act (chapter C-81)” in section 40.7.1 enacted by section 8)
1997, c. 16	An Act respecting the Saguenay—St. Lawrence Marine Park 1998-06-12 ss. 1-26
1997, c. 20	An Act to amend the Act to foster the development of manpower training and other legislative provisions 1998-04-01 s. 8 (s. 23.1 of R.S.Q., chapter D-7.1) 1998-02-04 ss. 13, 15 1998-04-01 s. 16
1997, c. 23	An Act to amend the Act respecting the Conseil consultatif du travail et de la main-d’œuvre 1997-11-26 ss. 1, 2
1997, c. 24	An Act to amend the Charter of the French language 1997-09-01 ss. 1, 2, 7-21, 23-26 1998-01-01 ss. 3-6, 22
1997, c. 27	An Act to establish the Commission des lésions professionnelles and amending various legislative provisions 1997-10-29 ss. 24 (enacting ss. 429.1, 429.5 (1 st par.), 429.12 of R.S.Q., chapter A-3.001), 30 (enacting s. 590 of R.S.Q., chapter A-3.001) [for the sole purpose of declaring the Minister of Labour responsible for the provisions of the latter Act concerning the Commission des lésions professionnelles], 62 1998-04-01 ss. 1-23, 24 (ss. 367-429, 429.2-429.4, 429.5 (2 nd par.), 429.6-429.11, 429.13-429.59), 25-29, 31-61, 63-68
1997, c. 29	An Act respecting the Centre de recherche industrielle du Québec 1997-06-30 ss. 1-42
1997, c. 37	An Act to amend the Act respecting safety in sports 2002-04-01 s. 2 (ss. 46.17, 46.18 of the Act respecting safety in sports (R.S.Q., chapter S-3.1))
1997, c. 39	An Act respecting certain flat glass setting or installation work 1997-07-09 ss. 1-3
1997, c. 43	An Act respecting the implementation of the Act respecting administrative justice 1997-09-24 ss. 845 (2 nd par.), 848-850 (as regards persons governed by s. 853), 853 (except the words “Until 1 December 1997”) 1997-09-24 s. 14 (1 st par.) [for the sole purposes of the preceding sections] 1997-10-29 s. 866 (s. 58.1 of the Act to establish the Commission des lésions professionnelles and amending various legislative provisions (1997, chapter 27))

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1997, c. 43	An Act respecting the implementation of the Act respecting administrative justice – <i>Cont'd</i> 1998-04-01 ss. 1-10, 14-105, 111 (par. 1), 121 (par. 1), 124-184, 186-211, 216-337, 340-360, 362, 364-404, 410-565, 567 (par. 3), 568, 576 (par. 1), 577 (par. 1, 3, 4), 578-759, 761-824, 826-832, 833 (except the provisions of the second paragraph respecting proceedings already before the Commission municipale du Québec, in matters of real estate or business tax exemptions), 835-844, 845 (1 st par.), 846, 847, 848-850 (as regards the persons governed by s. 841), 851, 852, 855-864 1998-04-01 ss. 11, 12, 13, 865, 867, 876 (par. 4)
1997, c. 44	An Act respecting the Commission de développement de la métropole 1997-06-20 s. 103
1997, c. 47	An Act to amend the Education Act, the Act respecting school elections and other legislative provisions 1997-08-13 ss. 2, 3, 16, 17, 25, 29-50, 52, 54-59, 61-63, 67-71 1998-07-01 ss. 1, 4-15, 18-24, 26, 27, 28 (subject to s. 68), 51, 53, 60, 64-66
1997, c. 49	An Act to amend the Act respecting the Société de l'assurance automobile du Québec and other legislative provisions 1998-07-02 ss. 4-7, 9
1997, c. 50	An Act to amend various legislative provisions of the pension plans in the public and parapublic sectors 1997-03-22 ss. 52, 53 (effective date)
1997, c. 53	An Act to amend various legislative provisions concerning municipal affairs 1998-07-01 ss. 7 (par. 3), 18 (par. 3), 24 (par. 2), 29 (par. 2), 33 (par. 2), 36 (par. 3), 42 (par. 2), 47 (par. 2), 52 (par. 4)
1997, c. 54	An Act to amend the Act respecting lotteries, publicity contests and amusement machines 1997-09-24 ss. 1-9
1997, c. 55	An Act respecting the Agence de l'efficacité énergétique 1997-10-22 ss. 1-11, 14, 15, 35 1997-12-03 ss. 12, 13, 16-31, 34
1997, c. 58	An Act respecting the Ministère de la Famille et de l'Enfance and amending the Act respecting child day care 1997-07-02 ss. 1-19, 21 (par. 4), 24 (par. 3), 25-41, 44, 52, 59 (par. 4), 68, 98, 106 (par. 1), 121, 133, 134, 135 (par. 3), 136 (par. 3), 142-155
1997, c. 63	An Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail 1997-09-10 ss. 16, 17 (1 st par. (the part preceding subpar. 1, subpar. 8)), 21-29, 31, 32 1997-12-17 ss. 37, 38 (the part preceding par. 1, par. 2, 5), 40-46 1997-12-17 ss. 58-68, 107 (par. 4), 110, 119 (the part preceding par. 1, par. 2), 135, 145, 147 1998-01-01 ss. 17 (1 st par. (subpar. 1-7)), 18-20, 30, 33-36, 38 (par. 1, 3, 4, 6, 7), 39, 120-123, 136, 137 1998-04-01 ss. 17 (2 nd par.), 69-96, 97 (par. 2, 3), 98-105, 107 (par. 1, 2), 108, 111-118, 119 (par. 1), 125, 127, 129-134, 138 (par. 4), 140-143, 146

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1997, c. 64	An Act to amend the Act respecting the use of petroleum products and other legislative provisions 1999-02-24 ss. 1, 2 (enact. ss. 5, 7, 8 (2 nd par.), 14 (2 nd par.), 22 (subpar. 3), 23, 25 (subpar. 2, 5), 27 (3 rd par.), 37, 39, 41, 50, 51, 54, 59), 14 (enact. ss. 96, 97, 114, 115, 116), 15, 17, 18, 25 (3 rd par.) 1999-04-30 ss. 2 (enact. ss. 1-4, 6, 8 (1 st par.), 9-13, 14 (1 st par.), 15-21, 22 (subpar. 2 of 1 st par., 2 nd par.), 24, 25 (subpar. 1, 4 of 1 st par., 2 nd par.), 26, 27 (1 st , 2 nd , 4 th par.), 28-30, 32-38, 40, 42-49, 52, 53, 55-58, 60-66), 3-13, 14 (enact. ss. 98-113), 16, 19-24, 25 (1 st , 2 nd par.) 1999-07-01 s. 2 (enact. ss. 22 (subpar. 1), 25 (subpar. 3), 31)
1997, c. 75	An Act respecting the protection of persons whose mental state presents a danger to themselves or to others 1998-06-01 ss. 1-60
1997, c. 77	An Act to amend the Public Health Protection Act 1998-02-15 ss. 3-7
1997, c. 78	An Act to amend the Act to ensure safety in guided land transport 2000-01-01 ss. 1, 2, 4, 7, 15-18 2000-05-01 ss. 3, 5, 6, 8-12, 13 (par. 2), 14 (par. 1), 19
1997, c. 80	An Act to amend the Public Curator Act and other legislative provisions relating to property under the provisional administration of the Public Curator 1998-12-16 ss. 36, 37 1999-06-01 s. 31 1999-07-01 ss. 1-27, 29, 30, 33-35, 39-43, 45-61, 62 except as regards funds held in trust by the Joint Committee of the women's clothing industry for the payment of compensation for annual vacation with pay provided for in sections 8.00 to 8.06 of the Decree respecting the women's clothing industry (R.R.Q., 1981, chapter D-2, r. 26), 63-78, 81 2000-10-01 s. 62 as regards funds held in trust by the Joint Committee of the women's clothing industry for the payment of compensation for annual vacation with pay provided for in sections 8.00 to 8.06 of the Decree respecting the women's clothing industry (R.R.Q., 1981, chapter D-2, r. 26)
1997, c. 83	An Act to abolish certain bodies 1998-03-18 ss. 25, 31, 32, 33, 38 (par. 1), 41, 42, 43, 44, 49 (par. 3), 50 (par. 3), 56 (par. 3) 2002-10-01 ss. 29, 30
1997, c. 85	An Act to again amend the Taxation Act, the Act respecting the Québec sales tax and other legislative provisions 1998-09-16 ss. 5-9, 395-399
1997, c. 87	An Act to amend the General and Vocational Colleges Act and other legislative provisions 1998-03-11 ss. 1-5, 7-11, 14, 21, 23-28, 34, 35 1998-07-01 ss. 6, 12, 13, 16-19, 22, 29-33 1999-01-01 ss. 15, 20
1997, c. 90	An Act to amend the Act respecting financial assistance for students 1998-04-01 ss. 1, 2, 3, 13, 14 1998-05-01 ss. 4, 5, 6, 7, 8, 9, 10, 11, 12
1997, c. 91	An Act respecting the Ministère des Régions 1998-04-01 ss. 1-7, 16-66, 68

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1997, c. 96	An Act to amend the Education Act and various legislative provisions 1998-04-01 ss. 107, 109-111, 126 (par. 2), 131, 163, 178, 180-183, 187-191
1998, c. 3	An Act to amend the Act respecting stuffing and upholstered and stuffed articles 2005-10-13 ss. 1-10
1998, c. 5	An Act to amend the Civil Code and other legislative provisions as regards the publication of personal and movable real rights and the constitution of movable hypothecs without delivery 1999-09-17 ss. 1-9, 12, 13, 19, 21, 23, 24, 25
1998, c. 15	An Act to amend the Act respecting immigration to Québec and other legislative provisions 1998-09-07 ss. 8, 10 (par. 8)
1998, c. 17	An Act respecting Investissement-Québec and Garantie-Québec 1998-08-21 ss. 1-83
1998, c. 19	An Act respecting Société Innovatech du Grand Montréal 1998-06-30 ss. 1-45
1998, c. 20	An Act respecting Société Innovatech Régions ressources 1998-06-30 ss. 1-42
1998, c. 21	An Act respecting Société Innovatech Québec et Chaudière-Appalaches 1998-06-30 ss. 1-45
1998, c. 22	An Act respecting Société Innovatech du sud du Québec 1998-06-30 ss. 1-45
1998, c. 24	An Act to amend the Mining Act and the Act respecting the lands in the public domain 1999-12-01 s. 82 (s. 169.2, except par. 3) 2000-11-22 ss. 1 (par. 2), 3 (par. 1), 4-51, 56-70, 75 (par. 3), 102 (par. 2), 103 (except with respect to applications for a licence or lease relating to petroleum, natural gas, brine or underground reservoirs), 105-109, 113 (par. 2), 114, 116, 117 (par. 2, 3), 118-120, 122, 124-126, 127 (par. 1, 3, 4), 128 (par. 1, 3-9, 12 (except with respect to applications for a licence or lease relating to petroleum, natural gas, brine or underground reservoirs)), 129, 130, 133, 134, 136, 142-145, 148-152, 158 2010-01-21 ss. 1 (par. 1), 2, 3 (par. 2-4), 71-74, 75 (par. 1, 2), 76-81, 82 (to the extent that it enacts ss. 169.1 and 169.2 (par. 3)), 83-101, 102 (par. 1), 103 (with respect to applications for a licence or lease relating to petroleum, natural gas or underground reservoirs, and authorizations to produce brine), 104, 113 (par. 1), 115, 117 (par. 1), 123, 127 (par. 2), 128 (par. 2, 10, 11, 12 (with respect to applications for a licence or lease relating to petroleum, natural gas or underground reservoirs, and authorizations to produce brine)), 131, 132, 154-157
1998, c. 27	An Act to amend the Act to promote the parole of inmates 1999-01-27 s. 13
1998, c. 30	An Act to amend the Act respecting municipal courts and the Courts of Justice Act 1998-09-09 ss. 6, 7, 14, 16, 21 1998-10-15 ss. 4, 5, 8-13, 18, 19, 22-28, 30, 31, 36, 40-42, 44 2001-03-28 ss. 15, 37, 38, 39

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1998, c. 33	Tobacco Act 1998-10-01 ss. 67, 71 1998-11-01 ss. 32-40, 55-57
1998, c. 36	An Act respecting income support, employment assistance and social solidarity 1998-08-05 s. 203 1999-10-01 ss. 1-19, 20 (1 st par.), 21-26, 27 (1 st , 2 nd par.), 28-31, 33-55, 58, 67, 68 (except 2 nd par. (subpar. 4, what follows the word “work”)), 69-74, 75 (except 2 nd par. (subpar. 4, what follows the words “Insurance Act”)), 76-78, 79 (except 1 st par., last sentence), 80-95, 96 (1 st , 3 rd par.), 97-155, 156 (par. 1-6, 8-23, 25-30), 158 (1 st par. (subpar. 1-13), 2 nd par.), 159-175, 178-186, 189-202, 204, 206, 209-212, 216, 217, 219-226, 228 (except for the provisions of the first paragraph concerning the report on the implementation of the provisions pertaining to the payment of part of the benefit relating to lodging to the lessor), 229 2000-01-01 ss. 68 (2 nd par. (subpar. 4, what follows the word “work”)), 75 (2 nd par. (subpar. 4, what follows the words “Insurance Act”)), 79 (1 st par., last sentence), 96 (2 nd par.), 158 (1 st par. (subpar. 14)) 2000-11-01 ss. 56, 57, 156 (par. 31)
1998, c. 37	An Act respecting the distribution of financial products and services 1998-08-26 ss. 158-184, 194, 229, 231, 244-248, 251-255, 256 (1 st , 2 nd par.), 257, 284-287, 288 (1 st par.), 296 (2 nd par.), 297 (2 nd par.), 299, 302-311, 312 (1 st par.), 323-326, 504-506, 510, 568, 572, 577, 579, 581 1999-02-24 ss. 1-11, 13 (2 nd par.), 58, 59, 61-65, 70, 72, 185, 189, 190, 193, 195, 196, 200-217, 223-228, 232, 233 (1 st par.), 258-273, 274 (3 rd par.), 279-283, 312 (2 nd par.), 313, 314, 315 (2 nd par.), 316, 319, 321, 322, 327, 328, 331-333, 351, 352, 355-358, 364, 365, 366, 370, 408 (2 nd par.), 411-414, 416, 423, 424, 426, 440, 443, 503, 543, 573 (2 nd par.) 1999-07-19 ss. 45, 57, 66, 67, 73-79, 82 (1 st par.), 104 (1 st par.), 128, 130-134, 144 (1 st par.), 146-157, 197, 218-222, 234-239, 249, 250, 274 (2 nd par. (subpar. 1)), 395-407, 418, 427, 428, 445, 447, 449, 450, 451 (1 st par.), 452, 458, 459, 484, 485, 487, 502, 517-521, 534-542, 544-546, 549 (1 st par.), 550-553, 566, 569, 570, 571, 574, 576 1999-10-01 ss. 12, 13 (1 st par.), 14-16, 18-25, 27, 29, 30, 33-39, 41-44, 46-56, 60, 68, 69, 71, 80, 81, 82 (2 nd par.), 83-103, 104 (2 nd , 3 rd par.), 105-127, 129, 135-143, 144 (2 nd , 3 rd par.), 145, 186-188, 191, 192, 198, 199, 230, 233 (2 nd par.), 240-243, 256 (3 rd par.), 274 (1 st par., 2 nd par. (subpar. 2)), 275-278, 288 (2 nd par.) 289-295, 296 (1 st par.), 297 (1 st par.), 298, 300, 301, 315 (1 st par.), 317, 318, 320, 329, 330, 334-350, 353, 354, 359-363, 367-369, 371-394, 408 (1 st par.), 409, 410, 415, 417, 419-422, 425, 429-439, 441, 442, 444, 446, 448, 451 (2 nd par.), 453-457, 460-483, 486, 488-501, 507-509, 511-516, 522-533, 547, 548, 549 (2 nd , 3 rd par.), 554, 557-565, 567, 573 (1 st par.), 575, 578, 580, 582 1999-10-01 ss. 555, 556 2003-01-01 ss. 17, 26, 31, 32
1998, c. 38	An Act to establish the Grande bibliothèque du Québec 1998-08-05 ss. 1-3, 4 (1 st par. (subpar. 1, 3), 2 nd par.), 5-22, 24-33 1999-05-05 ss. 4 (1 st par. (subpar. 2)), 23
1998, c. 39	An Act to amend the Act respecting health services and social services and amending various legislative provisions 1999-04-01 ss. 171, 207, 208 1999-03-31 ss. 139, 141-149, 202 2001-04-01 ss. 63 (par. 2), 94-97, 160

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1998, c. 40	An Act respecting owners and operators of heavy vehicles 1998-07-21 ss. 1-4, 6-14, 19, 20, 22-46, 48, 49, 51, 54, 55 (par. 1), 55 (par. 2, as regards the definition of “tool vehicle”), 58, 59, 62, 65, 66, 69, 71-76, 78, 79, 94, 117, 120-123, 125, 126, 128 (par. 1), 144 (par. 7, 8, 12), 146-148, 150 (par. 1, 2), 154-162, 171, 172, 174-182 1998-11-27 s. 144 (par. 9, 10) 1998-12-24 ss. 130, 131, 132 1999-02-24 ss. 15 (1 st , 3 rd par.), 16 (1 st par.), 17, 18 1999-04-01 ss. 5, 21, 50, 55 (par. 2 (as regards the definition of “heavy vehicle”)), 56, 57, 60, 61, 63, 67, 70, 77, 80, 82, 84, 85, 86, 88-93, 95, 96, 98, 103, 107, 108, 109 (par. 1 (except as regards the deletion of ss. 413 and 471), par. 3)), 111, 114, 124 (par. 2, 3), 127, 128 (par. 2), 129, 133-140, 149, 151, 163-170, 173 1999-04-29 s. 112 1999-07-01 ss. 15 (2 nd par.), 16 (2 nd par.), 47 1999-06-02 ss. 83, 144 (par. 1-6, 11, 13-18, 20, 21, 23) 1999-07-01 ss. 52, 53, 64, 68, 81, 99-102, 104-106, 109 (par. 2), 118, 119, 124 (par. 1), 141-143, 144 (par. 19, 22, 24), 145, 150 (par. 3), 152, 153 1999-11-01 ss. 115, 116 2000-12-14 ss. 109 (par. 1 (as regards the striking out of section 471)), 110, 113
1998, c. 41	An Act respecting Héma-Québec and the haemovigilance committee 1998-07-08 ss. 1, 2, 4-54, 56-75 1998-09-28 ss. 3, 55
1998, c. 42	An Act respecting Institut national de santé publique du Québec 1998-10-08 ss. 1-3, 4 (1 st par. (subpar. 5), 2 nd par.), 5-48 1999-09-12 s. 4 (1 st par. (subpar. 2, 3, 4)) 2000-04-01 s. 4 (1 st par. (subpar. 1))
1998, c. 44	An Act respecting the Institut de la statistique du Québec 1998-10-14 ss. 1, 14-19, 21-24, 63 1999-04-01 ss. 2-13, 20, 25-62
1998, c. 46	An Act to amend various legislative provisions relating to building and the construction industry 1998-09-08 ss. 1, 3, 25, 41, 42 (par. 1), 43-50, 58, 60-63, 68-70, 81, 82, 84-86, 88-100, 110-113, 120, 122 (par. 1) [which enacts s. 123 (par. 8.4) of the Act respecting labour relations, vocational training and manpower management in the construction industry], 122 (par. 2), 125-135 2000-11-07 ss. 4-7, 9, 30-32, 37 2002-10-01 ss. 8, 10-13 2002-11-20 ss. 71, 73, 75, 76, 78, 80
1998, c. 47	An Act respecting certain facilities of Ville de Montréal 1998-09-25 ss. 1-42
1998, c. 51	An Act to amend the Code of Civil Procedure and other legislative provisions in relation to notarial matters 1999-05-13 ss. 1-25, 27, 29 2000-01-01 s. 26
1998, c. 52	An Act to amend the Election Act, the Referendum Act and other legislative provisions 1999-09-22 ss. 46, 47, 55, 56, 81, 94 (par. 3, 4)
1999, c. 11	An Act respecting Financement-Québec 1999-10-01 ss. 1-68

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1999, c. 13	An Act to amend various legislative provisions relating to building and the construction industry 1999-09-08 ss. 1, 8, 10, 13
1999, c. 14	An Act to amend various legislative provisions concerning de facto spouses 1999-07-01 ss. 18, 19 (on the date of the coming into force of ss. 35 and 65 of 1997, c. 73, under the provisions of s. 98 (par. 2) of that Act) 1999-10-01 ss. 34 (on the date of the coming into force of the provisions of s. 19 of 1998, c. 36 (subpar. 3 of 1 st par.)), 35 (on the date of the coming into force of the provisions of s. 28 of 1998, c. 36 (subpar. 4 of 1 st par.))
1999, c. 16	An Act respecting Immobilière SHQ 1999-12-15 ss. 1-38
1999, c. 26	An Act respecting the Société nationale du cheval de course 1999-09-01 ss. 1-20
1999, c. 30	An Act to amend certain legislative provisions respecting the Public Curator 2000-04-01 ss. 7-15, 17, 18, 19 (par. 1, 3, 4), 20, 24
1999, c. 32	An Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec 1999-08-04 ss. 1, 2 (1 st par., 2 nd par. (subpar. 2)), 3-15, 18-30, 33 2001-09-13 ss. 2 (2 nd par. (par. 1)), 16, 17, 31, 32
1999, c. 34	An Act respecting the Corporation d'hébergement du Québec 1999-12-01 ss. 1-26, 28-40, 42-55, 56 (par. 1), 57-61, 63-77 2000-01-05 ss. 27, 62 2000-04-01 ss. 41, 56 (par. 2)
1999, c. 36	An Act respecting the Société de la faune et des parcs du Québec 1999-09-08 ss. 1-3, 5-23, 33, 35, 36, 169, 170 1999-12-01 ss. 4, 24-32, 34, 37-168
1999, c. 37	An Act to amend the Act respecting prescription drug insurance 1999-09-01 ss. 1, 4-8
1999, c. 38	An Act respecting the transport of bulk material under municipal contracts 2000-09-20 ss. 1-3
1999, c. 41	An Act respecting the Société de développement de la Zone de commerce international de Montréal à Mirabel 2000-03-30 ss. 1-50
1999, c. 45	An Act to amend the Act respecting health services and social services as regards access to users' records 2000-01-01 ss. 1-5
1999, c. 46	An Act to amend the Code of Civil Procedure 2000-02-01 ss. 1-19
1999, c. 47	An Act to amend the Civil Code as regards names and the register of civil status 2002-05-01 s. 8

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1999, c. 49	An Act to amend the Civil Code as regards publication of certain rights by means of a notice 2000-01-01 s. 1
1999, c. 50	An Act to repeal the Grain Act and to amend the Act respecting the marketing of agricultural, food and fish products and other legislative provisions 2002-03-27 ss. 30 (to the extent that it enacts ss. 149.2-149.5 of the Act respecting the marketing of agricultural, food and fish products (R.S.Q., chapter M-35.1)), 31, 47 (to the extent that it repeals ss. 19-22 of the Dairy Products and Dairy Products Substitutes Act (R.S.Q., chapter P-30)), 74
1999, c. 52	An Act to amend the Act respecting labour standards and other legislative provisions concerning work performed by children 2000-07-20 ss. 11 (where it enacts sections 84.6, 84.7 of the Act respecting labour standards), 12
1999, c. 53	An Act to provide for the implementation of agreements with Mohawk communities 1999-11-24 ss. 1-21
1999, c. 65	An Act to amend the Act respecting the Ministère du Revenu and other legislative provisions of a fiscal nature 2000-02-02 ss. 1-4, 6, 7, 9 (par. 1, 2, 3), 11, 13-16, 17 (par. 2), 18, 19, 27, 28 (par. 1), 29 (par. 1, 2, 5), 30-32, 46, 49-53, 54 (par. 2), 55-63, 65-71, 74-76 2002-02-02 ss. 28 (par. 2, 3, 4), 29 (par. 3, 4)
1999, c. 66	An Act to amend the Highway Safety Code and other legislative provisions 2000-04-01 ss. 8, 9, 12, 13, 22-24, 30, 31 2000-12-14 ss. 18, 26 (par. 1), 29 2001-03-01 s. 20 2003-09-03 s. 15 2008-04-01 ss. 10, 26 (par. 2)
1999, c. 69	An Act to again amend the James Bay Region Development Act 2000-09-27 ss. 1-16
1999, c. 75	An Act to amend the Environment Quality Act and other legislation as regards the management of residual materials 2000-05-01 ss. 1-13 (subsections 1, 3, 4, 5 (heading) of Division VII of Chapter I of the Environment Quality Act), 14-54 2001-01-01 subsection 2 of Division VII of Chapter I of the Environment Quality Act, enacted by section 13
1999, c. 77	An Act respecting the Ministère des Finances 2000-11-15 ss. 1-56
1999, c. 84	An Act to delimit the high water mark of the St. Lawrence River in the territory of Municipalité régionale de comté de La Côte-de-Beaupré 2002-10-03 ss. 1-4
1999, c. 89	An Act to amend the Health Insurance Act and other legislative provisions 2000-03-01 ss. 1 (par. 1, 3 (the replacement of “beneficiary” by “insured person”), 4, 5), 2, 3, 8, 11-17, 19, 20, 22-29, 31-37, 38 (par. 3-6), 39-56 2001-05-31 ss. 1 (par. 2, 3 (the replacement of “deemed” by “temporary”)), 4-7, 9, 10 (except the new s. 9.6 of the Health Insurance Act (R.S.Q., chapter A-29) that it introduces), 18, 21, 30, 38 (par. 1, 2)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
1999, c. 90	An Act to amend various legislative provisions respecting municipal affairs 2001-01-31 ss. 22-26, 31
2000, c. 8	Public Administration Act 2000-09-06 s. 144 2000-10-01 ss. 1, 2, 12-23, 29-36, 38-56, 58-76, 77 (par. 1-3, 5-10, 12), 78-92, 93 (except to the extent that it repeals sections 22, 49.6 of the Financial Administration Act (R.S.Q., chapter A-6) and Division IX of that Act comprising sections 83-85), 94-98, 100, 103-105, 109, 120-123, 125-143, 145-149, 152, 153, 157-173, 175, 178-182, 186, 188, 191, 201, 219, 221, 222, 224-228, 230, 231, 236, 238, 239, 240 (with the exception of the number and word "10.2 and" in paragraph 3 and paragraphs 4 and 5), 242, 243 (with the exception of the word and number "and 49.6"), 244-253 2001-04-01 ss. 6, 7, 28, 57, 93 (to the extent that it repeals section 49.6 and Division IX comprising sections 83-85 of the Financial Administration Act), 192, the number and word "10.2 and" in paragraph 3 of section 240, and the word and number "and 49.6" in section 243 of that Act 2001-06-20 ss. 37, 93 (to the extent that it repeals s. 22 of the Financial Administration Act (R.S.Q., chapter A-6)), 99, 101, 102, 106-108, 110-119, 124, 150, 151, 154-156, 174, 176, 177, 183-185, 187, 189, 190, 193-200, 202-218, 220, 223, 229, 232-235, 237, 241 2002-04-01 ss. 24-27
2000, c. 9	Dam Safety Act 2002-04-11 ss. 1-18, 19 (1 st , 2 nd , 3 rd , 5 th par.), 20-49
2000, c. 10	An Act to amend the Tourist Establishments Act 2001-12-01 ss. 1-4, 6-33
2000, c. 13	An Act to amend the Professional Code and other legislative provisions 2000-07-12 ss. 1-95
2000, c. 15	Financial Administration Act 2000-11-15 ss. 1-14, 20-32, 46-57, 77-163, 165, 166 (except to the extent that the latter replaces sections 8, 22, 36-36.2, 47, 48, 49.6, 59-69.0.7, 69.5 and Division IX comprising sections 83-85 of the Financial Administration Act (R.S.Q., chapter A-6)), 167 2001-03-01 ss. 67, 68, 69 and 166 (to the extent that it replaces sections 59, 68 and 69 of the Financial Administration Act (R.S.Q., chapter A-6)) 2002-03-01 ss. 15-19, 61-66, 70-76, 164, 166 (to the extent that the latter replaces ss. 8, 36-36.2, 47, 48, 60-67, 69.0.1-69.0.7, 69.5 of the Financial Administration Act (R.S.Q., chapter A-6))
2000, c. 18	An Act respecting the Office Québec-Amériques pour la jeunesse 2000-09-13 ss. 1-34
2000, c. 20	Fire Safety Act 2000-09-01 ss. 1-6, 8-38 (1 st par.), 39-152, 154-185 2001-04-01 ss. 7, 153
2000, c. 21	An Act to amend the Cinema Act 2001-01-01 ss. 1-8
2000, c. 22	An Act to amend the Act respecting the Régie de l'énergie and other legislative provisions 2000-11-15 ss. 68, 69 2001-09-20 ss. 58, 59, 65 2004-03-24 ss. 45 (par. 2), 50 (par. 1 (except the words "the registration fees and"), 2)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2000, c. 28	An Act respecting Nasdaq stock exchange activities in Québec 2000-10-19 ss. 1, 9
2000, c. 29	An Act respecting financial services cooperatives 2000-10-04 ss. 641, 642 2001-07-01 ss. 1-640, 643-683, 685-693, 695-698, 700-701, 704-711, 712 (1 st par.), 713-717, 719-723, 725-728, 730
2000, c. 35	An Act to amend the Transport Act 2000-06-30 ss. 2, 4, 5, 6, 7
2000, c. 36	An Act to amend the Act respecting the Ministère du Revenu as regards the suspension of recovery measures 2000-10-01 ss. 1-14
2000, c. 40	An Act to amend the Animal Health Protection Act and other legislative provisions and to repeal the Bees Act 2004-12-08 ss. 28-33 2005-05-11 s. 4 (to the extent that it introduces s. 3.0.1 (1 st par.) of the Animal Health Protection Act (R.S.Q., chapter P-42))
2000, c. 42	An Act to amend the Civil Code and other legislative provisions relating to land registration 2001-10-09 ss. 1, 2, 10, 11, 13-21, 24-26, 28-32, 41 (where it amends a. 2999.1 (1 st par.) of the Civil Code), 42, 43 (except where it deals with the information referred to in a. 3005 of the Civil Code, on the geodesic reference and geographic coordinates making it possible to describe an immovable), 44-52, 54-58, 60-62, 64, 65, 69, 71-78, 81, 83-86, 88, 89 (except where it strikes out s. 146 (2 nd par.) of the Act respecting the implementation of the reform of the Civil Code), 90, 91 (except where it repeals ss. 151 (1 st sentence), 152 (2 nd par.), 153 (par. 2) of the Act respecting the implementation of the reform of the Civil Code), 92 (except where it repeals s. 155 (par. 2.3, 2.4) of the Act respecting the implementation of the reform of the Civil Code), 93, 96-98, 100-107, 117, 119-127, 129-133, 136, 138-143, 148-153, 155, 157-185, 188, 197-209, 212-214, 216, 218-225, 229-236, 238, 241-245
2000, c. 44	Notaries Act 2002-01-01 ss. 1-25, 27-58, 60, 61, 93-105, 106 (except where it replaces the provisions of the Notarial Act (R.S.Q., chapter N-2) respecting the preservation of notarial acts <i>en minute</i> , the keeping, surrender, deposit and provisional custody of notarial records, the issue of copies and extracts from notarial acts <i>en minute</i> and the seizure of property related to the practice of the notarial profession), 107
2000, c. 45	An Act respecting equal access to employment in public bodies and amending the Charter of human rights and freedoms 2001-04-01 ss. 1-34
2000, c. 46	An Act respecting the exercise of the fundamental rights and prerogatives of the Québec people and the Québec State 2001-02-28 ss. 1-13
2000, c. 48	An Act to amend the Act respecting the conservation and development of wildlife and the Act respecting hunting and fishing rights in the James Bay and New Québec territories 2008-06-25 s. 14 (par. 2)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2000, c. 49	An Act respecting transport infrastructure partnerships 2007-08-15 ss. 23-27, 29
2000, c. 53	An Act respecting La Financière agricole du Québec 2001-04-01 ss. 1, 2, 3 (1 st , 3 rd par.), 4-18, 82, 83 2001-04-17 ss. 3 (2 nd par.), 19-69, 70 (1 st par.), 71-77, 78 (to the extent that it governs the regulations made under the Act respecting the Société de financement agricole (R.S.Q., chapter S-11.0101)), 79-81 2001-09-05 s. 70 (2 nd par.)
2000, c. 57	An Act to amend the Charter of the French language 2001-06-18 ss. 1-5, 6 (except the words “, Cree School Board, Kativik School Board” in s. 29.1 enacted by par.1), 7-15
2000, c. 61	An Act to amend the Maritime Fisheries Credit Act 2001-05-02 ss. 1-7
2000, c. 62	An Act respecting the Société d’Investissement Jeunesse 2001-02-28 ss. 1-4
2000, c. 68	An Act respecting La Société Aéroportuaire de Québec 2000-10-25 ss. 1-7
2000, c. 77	An Act respecting the Mouvement Desjardins 2001-07-01 ss. 1-62, 64, 66, 68, 71 (s. 689 of the Act respecting financial services cooperatives (2000, c. 29))
2001, c. 2	An Act to amend the Election Act and other legislative provisions 2001-05-02 ss. 1-12, 14-21, 23-25, 32-37, 38 (par. 1), 40-44, 48, 50-57
2001, c. 6	An Act to amend the Forest Act and other legislative provisions 2001-06-27 ss. 3-25, 27-29, 31, 34, 35 (to the extent that it enacts s. 43.2), 37, 48, 49, 53, 55, 56 (par. 2, 3), 59, 61, 64-69, 70 (par. 1), 71 (except for s. 84.8 that it enacts), 74-76, 78 (except for ss. 92.0.5 and 92.0.6 that it enacts), 79-90, 91 (except for s. 104.1 that it enacts), 92-98, 99 (par. 1), 100-102, 104-118, 119 (par. 1-4, 8), 120, 121, 122 (except for ss. 184 (2 nd par.), 186.7 (1 st par. (subpar. 3)) and 186.9 that it enacts), 123-129, 131-154, 157 (par. 1), 159, 160, 162, 163, 168, 170-172, 174-176, 182-188 2001-09-01 s. 169 2002-01-01 ss. 164-167, 173 2002-04-01 ss. 1, 54, 58, 158 2002-09-01 ss. 26, 161 2005-11-24 ss. 119 (par. 7), 122 (to the extent that it enacts s. 186.9) 2007-03-31 ss. 70 (par. 4), 91 (to the extent that it enacts s. 104.1), 122 (to the extent that it enacts s. 186.7 (1 st par. (subpar. 3))) 2008-04-01 ss. 60, 77, 130
2001, c. 9	An Act respecting parental insurance 2005-01-10 ss. 82 (to the extent that it concerns the Conseil de gestion de l’assurance parentale), 85 (to the extent that it concerns the Conseil de gestion de l’assurance parentale), 89, 90, 91 (except 2 nd par. (subpar. 2)), 92-110, 111 (except par. 1), 112-120, 152 2005-08-22 any portion not yet in force of s. 88 2005-10-19 s. 150 2005-11-16 any portion not yet in force of s. 82 2006-01-01 any portion not yet in force of ss. 3, 4, 7, 8, 16, 18-21, 23, 26, 34, 38, 82*, 83, 85, 91, 111 2006-01-01 any other section not yet in force * Order in Council 1102-2005 sets 16 November 2005 as the date of coming into force of any portion not yet in force of section 82.

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2001, c. 11	An Act respecting the Bibliothèque nationale du Québec and amending various legislative provisions 2002-03-04 ss. 1-34
2001, c. 12	Geologists Act 2001-08-22 ss. 1-24
2001, c. 15	An Act respecting transportation services by taxi 2002-05-15 ss. 10 (3 rd par.), 79 (1 st par. (subpar. 4, 8)) 2002-06-05 ss. 12 (4 th par.), 88 2002-06-30 ss. 1-9, 10 (1 st , 2 nd par.), 11, 12 (1 st , 2 nd , 3 rd par.), 13-17, 18 (except 3 rd par. (subpar. 1)), 19-25, 26 (except 1 st par. (subpar. 3)), 27-34, 48-71, 79 (1 st par. (subpar. 1-3, 5-7, 9-12), 2 nd , 3 rd , 4 th par.), 80-87, 89-134, 139-151
2001, c. 19	An Act concerning the organization of police services 2001-10-10 s. 1 (par. 1)
2001, c. 23	An Act respecting public transit authorities 2002-02-13 s. 208
2001, c. 24	An Act to amend the Act respecting health services and social services and other legislative provisions 2001-06-29 ss. 6, 7 (to the extent that it introduces s. 126.2 (2 nd par.) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 8, 11 2001-12-19 ss. 1, 2, 55, 56, 58-61, 63, 65, 66, 67 (to the extent that it replaces s. 397.3 of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 68-78, 80-82, 85, 87, 92, 106, 108, 109 2002-04-01 s. 64 2002-05-01 ss. 36-38 2002-08-01 ss. 5, 7 (to the extent that it introduces s. 126.2 (3 rd par.) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 9, 10, 12-34, 39-42, 46, 47, 50-52, 84, 90, 91, 94-101, 104, 107
2001, c. 26	An Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions 2002-02-13 ss. 63 (where it enacts ss. 137.11-137.16 of the Labour Code (R.S.Q., chapter C-27)), 207 2002-10-02 s. 63 (where it enacts ss. 137.17-137.39 of the Labour Code) 2002-10-23 ss. 63 (where it enacts ss. 113, 137.62, 137.63 of the Labour Code), 139, 209, 220 2002-11-25 s. 63 (where it enacts s. 112 of the Labour Code) 2002-11-25 ss. 1-11, 12 (par. 1), 13-24, 25 (par. 2, 3), 26-30, 32 (where it enacts ss. 45.1, 45.2 of the Labour Code), 33-41, 43, 46, 48, 49, 52-56, 59, 63 (where it enacts ss. 114 (except with respect to a complaint, other than that provided for in s. 47.3 of the Labour Code, alleging a contravention of s. 47.2 of the Code), 115, 116 (1 st par.), 117-132, 134-137.10, 137.40-137.61 of the Labour Code), 64 (except par. 3 where it enacts s. 138 (1 st par. (subpar. g, h)) of the Labour Code), 65-72, 83-92, 94-125, 127, 131, 140-150, 151 (par. 1-23, 25), 152-157, 160-172, 174-181, 182 (par. 1, 2, 4), 183-201, 203-205, 208, 210, 212-219 2003-04-01 s. 138 2003-09-01 s. 63 (where it enacts s. 133 of the Labour Code) 2004-01-01 s. 63 (where it enacts ss. 114 (with respect to a complaint, other than that provided for in s. 47.3 of the Labour Code, alleging a contravention of s. 47.2 of the Code), 116 (2 nd par.) of the Labour Code)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2001, c. 29	An Act to amend the Highway Safety Code as regards alcohol-impaired driving 2002-04-21 ss. 3, 4, 21 2002-10-27 ss. 12, 13, 15
2001, c. 32	An Act to establish a legal framework for information technology 2001-10-17 s. 104 2001-11-01 ss. 1-103
2001, c. 35	An Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions 2004-07-15 s. 35 2004-12-08 s. 30 2005-05-11 s. 29 (par. 2)
2001, c. 36	An Act constituting Capital régional et coopératif Desjardins 2001-07-01 s. 32 (s. 689 of the Act respecting financial services cooperatives (2000, c. 29))
2001, c. 38	An Act to amend the Securities Act 2003-06-27 ss. 8-11, 15-17, 18 (par. 2), 19, 20, 24-33, 35-52, 54, 59, 60, 82, 100 2005-06-01 s. 22
2001, c. 43	An Act respecting the Health and Social Services Ombudsman and amending various legislative provisions 2002-04-01 ss. 7-9, 12-28, 38, 39, 41 (ss. 33, 35-40, 44-50, 52-61, 66, 68-72, 76.8-76.14 of the Act respecting health services and social services (R.S.Q., chapter S-4.2))
2001, c. 60	Public Health Act 2003-02-26 ss. 7-17, 18 (the words “as provided in the national public health program”), 19-32, 146, 163 (s. 371 (par. 3, 4) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 164
2001, c. 64	An Act to amend the Act respecting the Barreau du Québec and the Stenographers’ Act 2006-05-01 ss. 2, 5-8
2001, c. 75	An Act to amend certain legislative provisions concerning the conclusion and signing of borrowing transactions and financial instruments 2002-03-01 ss. 1-7
2001, c. 78	An Act to amend various legislative provisions as regards the disclosure of confidential information to protect individuals 2002-03-13 s. 16
2002, c. 17	An Act to amend the Act respecting childcare centres and childcare services and the Act respecting the Ministère de la Famille et de l’Enfance 2004-06-01 ss. 1, 8-11, 13, 14, 18 (par. 1-3, 7), 20, 23
2002, c. 21	An Act to amend the Act respecting municipal courts, the Courts of Justice Act and other legislative provisions 2002-06-26 s. 18 2002-07-01 ss. 1-8, 10-17, 19-53, 55-68 2002-09-01 ss. 9, 54

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2002, c. 22	An Act to amend the Act respecting administrative justice and other legislative provisions 2002-10-02 ss. 32-34 (s. 137.27 of the Labour Code (R.S.Q., chapter C-27) enacted by 2001, c. 26, s. 63) 2005-10-01 s. 7
2002, c. 23	Lobbying Transparency and Ethics Act 2002-11-28 ss. 8-18 (Div. I of Chap. II), 19 (2 nd par.), 20-24, 25, 49-51, 56, 60 (insofar as it relates to a provision of Div. I of Chap. II), 61 (insofar as it relates to s. 25), 69
2002, c. 24	An Act respecting the Québec correctional system 2007-02-05 ss. 1-4, 6-15, 17-58, 59 (except to the extent that it deals with a temporary absence for a family visit), 60-118, 119 (except to the extent that it deals with a temporary absence for a family visit), 120-139, 143-159, 160 (except to the extent that it deals with a temporary absence for a family visit), 161-174, 175 (except to the extent that it deals with a temporary absence for a family visit and to the extent that it deals with communication of the date of the offender's eligibility for a temporary absence for reintegration purposes), 176 (except to the extent that it deals with a temporary absence for a family visit), 177-210 2007-06-04 ss. 59 (to the extent that it deals with a temporary absence for a family visit), 119 (to the extent that it deals with a temporary absence for a family visit), 140-142, 160 (to the extent that it deals with a temporary absence for a family visit), 175 (to the extent that it deals with a temporary absence for a family visit and to the extent that it deals with communication of the date of the offender's eligibility for a temporary absence for reintegration purposes), 176 (to the extent that it deals with a temporary absence for a family visit) 2008-03-03 s. 5
2002, c. 25	An Act to ensure the implementation of the Agreement Concerning a New Relationship Between le Gouvernement du Québec and the Crees of Québec 2003-09-15 s. 17 (to the extent that it enacts ss. 95.11-95.24 of the Forest Act (R.S.Q., chapter F-4.1))
2002, c. 27	An Act to amend the Act respecting prescription drug insurance and other legislative provisions 2002-06-26 s. 15 2002-12-01 ss. 12, 47 2003-01-01 s. 5 2003-02-26 ss. 14, 16, 17, 18, 20, 21, 22 (par. 1), 23 (par. 1), 25, 27, 29, 31 (2 nd par.), 32 (2 nd par.), 41 (par. 2), 42-44 2003-03-01 s. 10 (par. 1, 3) 2005-06-30 ss. 1 (par. 2), 22 (par. 3)
2002, c. 28	An Act to amend the Charter of the French language 2002-10-01 ss. 2-10, 18-24, 43-48
2002, c. 29	An Act to amend the Highway Safety Code and other legislative provisions 2002-09-03 ss. 1, 3-6, 33, 34, 36, 39, 40, 42, 43 (regarding the reference to ss. 251 and 274.2), 45, 46, 53, 55, 56, 57 (regarding s. 492.2), 59-61, 67-70, 72-74, 77, 78 2002-10-27 ss. 2, 7-9, 13-17, 20 (except the reference to s. 202.2.1 in subpar. 1 of 1 st par. and except the 2 nd par.), 21-24, 25 (except par. 2), 26-28, 30-32, 35, 37, 41, 43 (regarding the reference to s. 233.2), 47-52, 54, 57 (regarding s. 492.3), 58, 62-66, 71, 75, 76 2002-12-16 ss. 10-12, 79, 80

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2002, c. 30	An Act to amend the pension plans of the public and parapublic sectors 2003-02-20 ss. 6 (to the extent that it enacts s. 17.2 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2)) except in respect of the category of employees comprised of employees on leave without pay, 10 (par. 3) except in respect of the category of employees comprised of employees on leave without pay, 18 except in respect of the category of employees comprised of employees on leave without pay
2002, c. 33	An Act to amend the Professional Code and other legislative provisions as regards the health sector 2003-01-30 ss. 1 (except where it replaces s. 37 (par. <i>c</i> , <i>m</i> , <i>n</i> and <i>o</i>) of the Professional Code (R.S.Q., chapter C-26)), 2 (except where it adds s. 37.1 (par. 1, 2, 3 (except subpar. <i>i</i>), 4) of the Professional Code), 3, 4 (except where it adds, in s. 39.2 of the Professional Code, a reference to par. 24, 34-36 of its schedule I as well as s. 39.10 of the Professional Code), 5-9, 11, 12 (except where it adds s. 36 (2 nd par. (subpar. 14)) of the Nurses Act (R.S.Q., chapter I-8)), 13-16, 17 (except where it adds s. 31 (2 nd par. (subpar. 10)) of the Medical Act (R.S.Q., chapter M-9)), 18-33 2003-06-01 ss. 1 (where it replaces s. 37 (par. <i>c</i> , <i>m</i> , <i>n</i> and <i>o</i>) of the Professional Code (R.S.Q., chapter C-26)), 2 (where it adds s. 37.1 (par. 1, 2, 3 (except subpar. <i>i</i>), 4) of the Professional Code), 4 (where it adds, in s. 39.2 of the Professional Code, a reference to par. 24, 34-36 of its schedule I as well as s. 39.10 of the Professional Code), 12 (where it adds s. 36 (2 nd par. (subpar. 14)) of the Nurses Act (R.S.Q., chapter I-8)), 17 (where it adds s. 31 (2 nd par. (subpar. 10)) of the Medical Act (R.S.Q., chapter M-9)) 2008-05-29 s. 10 2014-06-25 s. 2 (where it adds s. 37.1 (par. 3 (subpar. <i>i</i>)) of the Professional Code (chapter C-26))
2002, c. 34	An Act respecting the Commission des droits de la personne et des droits de la jeunesse 2008-10-29 s. 1
2002, c. 41	An Act respecting the Observatoire québécois de la mondialisation 2003-01-15 ss. 1-35
2002, c. 45	An Act respecting the Autorité des marchés financiers 2003-02-06 ss. 116 (1 st par., 3 rd par.), 117-152, 153 (except 5 th par.), 154-156, 485, 689 (par. 3) 2003-04-16 ss. 1-3, 20-22, 25-32, 33 (1 st par.), 36, 39-47 2003-12-03 ss. 92, 95, 97-102, 106, 108-115 2004-02-01 ss. 4-19, 23, 24, 33 (2 nd par.), 34, 35, 37, 38, 48-62, 64-91, 93, 94, 96, 103, 104 (2 nd par.), 105, 107, 157-178, 179 (par. 1, 3), 180-196, 197 (par. 1, 3), 198-212, 214 (par. 1, 2), 215-219, 221 (par. 1, 2), 222-230, 231 (par. 1), 232, 240, 241, 243, 244, 246-263, 264 (to the extent that it enacts s. 7 of the Fish and Game Clubs Act (R.S.Q., chapter C-22)), 265, 266 (to the extent that it enacts s. 11 of the Amusement Clubs Act (R.S.Q., chapter C-23)), 267-274, 276-279, 280 (to the extent that it enacts s. 14 of the Cemetery Companies Act (R.S.Q., chapter C-40)), 281, 282 (to the extent that it enacts s. 52 of the Act respecting Roman Catholic cemetery corporations (R.S.Q., chapter C-40.1)), 283, 284, 285 (to the extent that it enacts s. 98 of the Gas, Water and Electricity Companies Act (R.S.Q., chapter C-44)), 286, 288, 289, 291-293, 294 (to the extent that it enacts s. 15 of the Act respecting the constitution of certain Churches (R.S.Q., chapter C-63)), 295-305, 307, 308, 310 (par. 2), 311-314, 316-333, 336, 338, 339, 340 (to the extent that it enacts s. 19 of the Religious Corporations Act (R.S.Q., chapter C-71)), 341, 344-346, 348, 349, 351, 352, 354, 355, 357 (par. 1), 358 (par. 2), 360, 363-372, 374 (par. 1), 375, 376, 379-382, 385, 386, 388, 389, 391-399, 401, 402, 404-406, 407 (par. 4), 408, 410-415, 417, 419-444, 446-458, 460-470, 472-482, 486-489, 492-501, 502 (to the extent that it enacts s. 22 of the Roman Catholic Bishops Act (R.S.Q., chapter E-17)), 503, 505-508, 509 (to the extent that it enacts s. 75 of the Act respecting fabriques (R.S.Q., chapter F-1)), 510, 512, 513, 515-538,

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2002, c. 45	<p>An Act respecting the Autorité des marchés financiers – <i>Cont'd</i></p> <p>540, 542, 543, 544 (to the extent that it enacts s. 34 of the Winding-up Act (R.S.Q., chapter L-4)), 545-547, 549-551, 554-558, 559 (par. 2), 560-562, 564-566, 568, 569 (par. 2), 570-581, 583-588, 589 (par. 2), 590 (par. 2), 591 (par. 1), 594-596, 598, 599, 601-604, 610, 611, 613, 614 (to the extent that it enacts s. 7 of the National Benefit Societies Act (R.S.Q., chapter S-31)), 615, 616 (to the extent that it enacts s. 4 of the Act respecting societies for the prevention of cruelty to animals (R.S.Q., chapter S-32)), 617-619, 620 (to the extent that it enacts s. 30 of the Professional Syndicates Act (R.S.Q., chapter S-40)), 621, 622, 624 (par. 3), 629, 631, 638, 639, 642-652, 654-685, 687, 688, 689 (par. 1, 2, 4, 5), 695-703, 705-726, 731, 739, 740, 742-744</p> <p>Note: Sections 694 and 741 came into force on the date of coming into force of section 7.</p> <p>2004-06-01 ss. 358 (par. 1), 359 (par. 2), 373, 374 (par. 2), 445, 730</p> <p>2004-08-01 s. 104 (1st par.)</p> <p>2010-01-01* ss. 342, 343, 361, 378, 384, 390, 400, 403, 416, 418, 483, 484, 491, 727-729 (*Order in Council 1282-2009 postponed the coming into force of those sections.)</p>
2002, c. 50	<p>An Act to amend the General and Vocational Colleges Act and the Act respecting the Commission d'évaluation de l'enseignement collégial</p> <p>2004-04-07 s. 7</p>
2002, c. 51	<p>An Act to amend the Act respecting income support, employment assistance and social solidarity and the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail</p> <p>2003-01-01 ss. 1-31</p>
2002, c. 53	<p>An Act to amend the Environment Quality Act and other legislative provisions</p> <p>2008-06-01 ss. 1, 2 (par. 2), 3-5, 9-14, 18</p>
2002, c. 55	<p>An Act to amend the Travel Agents Act and the Consumer Protection Act</p> <p>2003-01-29 s. 22</p> <p>2004-11-11 ss. 18 (par. 2), 25 (par. 2, 6), 26</p>
2002, c. 56	<p>An Act to secure the supply of hogs to a slaughterhouse enterprise in the Abitibi-Témiscamingue region</p> <p>2004-07-21 s. 1</p>
2002, c. 61	<p>An Act to combat poverty and social exclusion</p> <p>2003-03-05 ss. 1 (1st par, 2nd par. (except the second sentence)), 2-20, 21 (1st par.), 61, 62 (except as regards ss. 58 and 60), 64, 66, 69</p> <p>2003-04-01 ss. 1 (3rd par.), 46-57, 67</p> <p>2005-10-17 ss. 1 (2nd par. (2nd sentence), to the extent that that provision applies in respect of the advisory committee on the prevention of poverty and social exclusion), 21 (2nd par., except the words "and those of the indicators proposed by the Observatoire de la pauvreté et de l'exclusion sociale that were retained"), 22-30, 31 (except 3rd par.), 32 (except 2nd par. (2nd sentence)), 33, 34, 58 (except the words "and those of the indicators proposed by the Observatoire de la pauvreté et de l'exclusion sociale retained by the Minister"), 59 (except the words " , taking into account in particular the indicators proposed by the observatory,"), 60, 62 (to the extent that it concerns ss. 58 and 60), 63, 65 (1st par.), 68</p>
2002, c. 62	<p>An Act to amend the Highway Safety Code and the Act respecting the Ministère du Revenu</p> <p>2003-03-05 s. 4 (to the extent that it replaces s. 359.1 (2nd par.) of the Highway Safety Code (R.S.Q., chapter C-24.2))</p> <p>2003-04-13 s. 4 (to the extent that it replaces s. 359.1 (1st par.) of the Highway Safety Code (R.S.Q., chapter C-24.2))</p>

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2002, c. 66	An Act to amend the Act respecting health services and social services as regards the medical activities, the distribution and the undertaking of physicians 2003-07-01 ss. 5-11, 13, 15 (par. 2, 3), 16-20, 22-24, 29 2003-09-01 s. 28
2002, c. 69	An Act respecting pre-hospital emergency services and amending various legislative provisions 2011-05-31 ss. 63, 67, 69-75, 170, 171
2002, c. 70	An Act to amend the Act respecting insurance and other legislative provisions 2003-02-12 ss. 1-38, 39 (except s. 88.1 of the Act respecting insurance (R.S.Q., chapter A-32) which it replaces), 40-78, 79 (except Div. III.1 of Chapter V of Title III of the Act respecting insurance comprising ss. 200.0.4-200.0.13), 80-147, 149-157, 163, 164, 169, 173-175, 177, 179-186, 188, 189, 191-204 2003-02-26 s. 148 2003-06-25 ss. 170-172
2002, c. 71	An Act to amend the Act respecting health services and social services as regards the safe provision of health services and social services 2011-05-01 s. 15 (s. 431 (2 nd par. (par. 6.2)) of the Act respecting health services and social services (R.S.Q., chapter S-4.2))
2002, c. 78	An Act to amend the Code of Penal Procedure 2003-07-01 ss. 1-7
2003, c. 5	An Act to amend the Highway Safety Code and the Code of Penal Procedure as regards the collection of fines 2004-05-16 ss. 1-7, 8 (except to the extent that it enacts s. 194.3 of the Highway Safety Code (R.S.Q., chapter C-24.2)), 9-30 2004-12-05 s. 8 (to the extent that it enacts s. 194.3 of the Highway Safety Code (R.S.Q., chapter C-24.2))
2003, c. 17	An Act to amend the Act respecting financial assistance for education expenses 2004-05-01 ss. 1-43
2003, c. 18	An Act to amend the Cooperatives Act 2005-11-17 ss. 1-108, 109 (except to the extent that the provisions enact s. 221.2.3 of the Cooperatives Act (R.S.Q., chapter C-67.2)), 110-164, 166-185
2003, c. 23	An Act respecting commercial aquaculture 2004-09-01 ss. 1-80
2003, c. 25	An Act respecting bargaining units in the social affairs sector and amending the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors 2005-08-24 ss. 12-51
2003, c. 29	An Act respecting the Ministère du Développement économique et régional et de la Recherche 2004-03-23 ss. 1-134, 135 (except par. 7-17, 20, 21, 24, 25 (to the extent that it amends s. 35 of the Winding-up Act (R.S.Q., chapter L-4)), 30, 31, 35-37), 136-178

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2004, c. 2	An Act to amend the Highway Safety Code and other legislative provisions 2005-01-01 ss. 6, 8, 12, 15, 30, 41, 55, 62, 76, 77, 79 2006-03-27 ss. 10, 16, 57, 58 (to the extent that it enacts the first paragraph of section 520.2 of the Highway Safety Code (R.S.Q., chapter C-24.2)), 61, 63-65 2007-06-15 ss. 35-39, 42-52, 54, 56 2007-10-01 ss. 33, 34 2008-06-18 ss. 27, 29 2008-10-28 ss. 7, 11, 14 2010-12-16 ss. 2, 5, 21-24, 28, 59 2013-12-01 s. 25
2004, c. 3	An Act to implement the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption and to amend various legislative provisions in relation to adoption 2004-09-01 ss. 26, 27 (par. 1), 28-30 2006-02-01 ss. 1-25, 27 (par. 2), 31-35
2004, c. 6	An Act to amend the Forest Act 2006-05-01 s. 6
2004, c. 11	An Act to repeal the Act respecting the Société de la faune et des parcs du Québec and to amend other legislative provisions 2004-06-30 ss. 1-80
2004, c. 12	An Act to amend the Courts of Justice Act and other legislative provisions as regards the status of justices of the peace 2007-02-21 ss. 1 (ss. 175-177, 178 (2 nd par.), 179 of the Courts of Justice Act (R.S.Q., chapter T-16)), 2-8
2004, c. 25	An Act to amend the Act respecting the Bibliothèque nationale du Québec, the Archives Act and other legislative provisions 2005-12-21 s. 22, except for the amendments in paragraphs 1 and 4 concerning the replacement of the words “the library” 2006-01-31 ss. 1-4, 5 (par. 1), 6-21, 22 (par. 1 concerning the replacement of the words “the library”, 2, 3, 4 concerning the replacement of the words “the library”, 5-7), 23-72, 74-79 2007-11-07 s. 5 (par. 2-4)
2004, c. 30	An Act respecting Services Québec 2005-05-02 ss. 1-3, 19-36, 38-44, 50, 58, 60 2005-06-22 ss. 4-18, 37, 45-49, 51, 53-56, 59
2004, c. 31	An Act to amend the Act to secure the handicapped in the exercise of their rights and other legislative provisions 2006-04-01 ss. 3 (par. 1), 29, 33
2004, c. 32	An Act respecting the Agence des partenariats public-privé du Québec 2005-04-18 ss. 1-3, 19-36, 38-46, 53, 56-69, 71 2005-05-18 ss. 4-18, 37, 47-52, 54, 55, 70
2004, c. 37	An Act to amend the Securities Act and other legislative provisions 2005-03-16 s. 46 2005-09-14 ss. 1 (par. 2-4), 3 (par. 1-4, 6), 4 (par. 2), 7, 8, 9 (par. 1), 10 (par. 3), 11-13, 22, 23 (par. 2), 31 (par. 2), 37 (par. 2, 3), 38 (par. 4) 2009-09-28 s. 32 (to the extent that it enacts s. 308.2 of the Securities Act (R.S.Q., chapter V-1.1))

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2004, c. 39	An Act to amend the Act respecting the Pension Plan of Peace Officers in Correctional Services and other legislative provisions 2006-01-01 ss. 68, 101, 122, 176, 192, 210, 236 2008-04-02 ss. 6 (to the extent that it enacts subdivision 4 of Division IV of Chapter II of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2)), 47 (par. 3) (to the extent that it refers to s. 41.7), 124 (to the extent that it enacts Division III.3 of Chapter VI of Title I of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10)), 136, 137 (par. 7) (to the extent that it refers to s. 109.8 of the Act respecting the Government and Public Employees Retirement Plan), 255 (to the extent that it enacts Division I.3 of Chapter VI of the Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1)), 262, 263 (par. 3) (to the extent that it refers to s. 138.7 of the Act respecting the Pension Plan of Management Personnel)
2004, c. 40	An Act to repeal the Act respecting the establishment of a steel complex by Sidbec and the Act respecting the Société du parc industriel et portuaire Québec-Sud 2005-03-23 ss. 1-17
2005, c. 7	An Act respecting the Centre de services partagés du Québec 2005-06-27 ss. 1-3, 18-36, 38, 39, 45-48, 54, 107, 109 2005-12-06 ss. 4-17, 37, 40-44, 49-53, 55-79, 80 (to the extent that it enacts the first sentence of s. 13 of the Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1)), 81-106, 108
2005, c. 10	An Act to amend the Act respecting petroleum products and equipment, the Building Act and other legislative provisions 2007-04-01 ss. 1-83
2005, c. 13	An Act to amend the Act respecting parental insurance and other legislative provisions 2005-08-22 any portion not yet in force of s. 50 2005-11-16 s. 70 (to the extent that it concerns s. 82 of the Act respecting parental insurance (2001, c. 9)) 2006-01-01 any portion not yet in force of ss. 2, 4-6, 10, 15, 20, 47, 102, 105 2006-01-01 any other section not yet in force
2005, c. 15	Individual and Family Assistance Act 2005-10-01 s. 191 2007-01-01 ss. 1-63, 64 (except 1 st par., second sentence), 65-73, 84-107, 109-136, 137 (except for the part concerning the Youth Alternative Program and a specific program), 138-156, 157 (except par. 2), 158-175, 180-190, 192, 193, 195, 198, 199 2007-04-01 ss. 74-83, 108, 137 (for the part concerning the Youth Alternative Program and a specific program)
2005, c. 16	An Act to amend the Education Act and the Act respecting private education 2005-11-01 ss. 6-9 2006-09-01 ss. 1-5, 10-14
2005, c. 17	An Act to amend the Act respecting administrative justice and other legislative provisions 2006-01-01 ss. 1-16, 18-30, 32, 48 2006-07-01 ss. 17, 31, 33-42, 44, 45, 49 2007-01-01 ss. 46, 47
2005, c. 18	An Act respecting the Health and Welfare Commissioner 2006-08-14 ss. 2, 14, 17-21, 23, 28, 33, 34, 36, 38-44 2007-10-04 s. 15

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2005, c. 18	An Act respecting the Health and Welfare Commissioner – <i>Cont'd</i> 2008-06-01 ss. 22, 45 2008-09-30 s. 16
2005, c. 19	An Act to amend the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs and other legislative provisions 2005-08-31 s. 2 (to the extent that it introduces s. 17.1.1 (2 nd par.) of the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., chapter M-25.2)) 2005-12-08 s. 2 (other than the provisions introducing s. 17.1.1 (2 nd par.) of the Act respecting the Ministère des Ressources naturelles, de la Faune et des Parcs (R.S.Q., chapter M-25.2))
2005, c. 22	An Act to amend the Building Act and other legislative provisions 2005-12-01 ss. 10 (par. 2, 3), 11, 12 (par. 1), 15-28, 30-38, 40, 41, 45 (par. 5, 6), 46-49, 54, 55 2008-06-25 ss. 1-9, 10 (par. 1, 4), 12 (par. 2), 13, 14, 29, 39, 42-44, 45 (par. 1-4), 50-53
2005, c. 27	An Act to amend the Code of Penal Procedure and the Courts of Justice Act 2006-10-02 ss. 1-21, 23
2005, c. 32	An Act to amend the Act respecting health services and social services and other legislative provisions 2007-02-01 ss. 139, 140 (par. 2), 141 2007-02-14 ss. 244-246, 339 2009-02-01 s. 220 2010-01-01 s. 240 (the words “or a health professional”, “or professional” and “or person to whom the health professional provides health services” in the paragraph introduced by paragraph 2)
2005, c. 33	An Act to amend the Environment Quality Act 2006-01-19 ss. 1-5
2005, c. 34	An Act respecting the Director of Criminal and Penal Prosecutions 2006-02-01 ss. 5 (solely for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director), 89 (solely for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director), 90 (1 st par., solely for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director) 2006-04-01 ss. 2, 3 (except for “During the year that precedes the end of the Director’s term or as soon as the office becomes vacant.”) 2007-03-05 ss. 1 (1 st par.), 4, 6-8, 10-12, 18, 22, 57 (par. 2) 2007-03-15 ss. 5 (for all matters other than those contemplated by Order in Council 53-2006 dated 1 February 2006), 90 (1 st par.) (for all matters other than those contemplated by Order in Council 53-2006 dated 1 February 2006) 2007-03-15 ss. 1 (2 nd par., 3 rd par.), 3 (the words “During the year that precedes the end of the Director’s term or as soon as the office becomes vacant.”), 9, 13-17, 19-21, 23-56, 57 (par. 1), 58-88, 90 (2 nd par., 3 rd par.), 91-94
2005, c. 39	An Act to amend the Act respecting owners and operators of heavy vehicles and other legislative provisions 2011-01-01 s. 3 (insofar as it replaces s. 2 (1 st par. (subpar. 3 (subpar. a))) of the Act respecting owners, operators and drivers of heavy vehicles (R.S.Q., chapter P-30.3) and insofar as it enacts s. 2 (1 st par. (subpar. 4)))

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2005, c. 40	An Act to amend the Act respecting prescription drug insurance and other legislative provisions 2006-04-12 ss. 1, 2, 19, 22 (par. 1), 27 (par. 2), 30, 33-37 2006-08-30 ss. 3-7, 12, 13, 18, 21, 25 (to the extent that it enacts the title of Division III.1 and section 70.3 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 26, 29, 32, 39-41, 46, 47 2007-01-01 s. 14 2007-04-11 ss. 9, 15-17, 20, 22 (par. 3), 23 (to the extent that it enacts ss. 60.1-60.3 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 28 (to the extent that it enacts ss. 84.1, 84.2, 84.4 of the Act respecting prescription drug insurance), 38, 42, 44, 45 2007-10-01 s. 8 2008-04-21 ss. 10, 22 (par. 2), 24, 27 (par. 1) 2009-01-01 ss. 25 (to the extent that it enacts ss. 70.1 and 70.2 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 28 (to the extent that it enacts ss. 84.3 and 84.5 of the Act respecting prescription drug insurance)
2005, c. 41	An Act to amend the Courts of Justice Act and the Act respecting municipal courts 2008-02-13 s. 20
2005, c. 44	An Act to abolish certain public bodies and transfer administrative responsibilities 2007-02-05 ss. 28-34
2006, c. 4	An Act respecting reserved designations and added-value claims 2006-11-06 ss. 7, 8, 12-14, 16-29, 71, 79 2007-12-31 ss. 9 (par. 1, 2, 5 (to the extent that it concerns reserved designations)), 58, 74 2008-06-15 ss. 1-6, 9 (par. 3, 4, 5 (to the extent that it concerns added-value claims)), 10, 11, 15, 30-57, 59-70, 72, 73, 75-78
2006, c. 17	An Act to amend the Election Act to encourage and facilitate voting 2007-02-15 s. 15 (insofar as it enacts ss. 301.19-301.22) 2007-02-15 ss. 13 (insofar as it enacts s. 204 (only for the purposes of the implementation of s. 301.19 (par. 3))), 15 (insofar as it enacts s. 263 (only for the purposes of the implementation of s. 301.21)) 2011-10-26 s. 15 (insofar as it enacts s. 297)
2006, c. 18	An Act to amend the Act respecting the Office Québec-Amériques pour la jeunesse and the Act respecting the Office franco-québécois pour la jeunesse 2006-08-01 ss. 1-15
2006, c. 23	Private Security Act 2006-09-15 ss. 39, 40, 43-68, 83-89, 107-113, 133 2010-03-03 ss. 1 (par. 1, 2), 2, 4, 5 (1 st par. (subpar. 1, 2)), 6-15, 27-29, 31-33, 35-38, 41 (par. 2 (except the words “and agent licences”)), 42, 69-77, 79-82, 90-106, 114, 115, 118-122, 123 (as regards the provisions respecting agencies), 125, 126, 128, 129, 130 (insofar as the latter section applies to agency licences) 2010-07-22 ss. 1 (par. 3-6), 3, 5 (1 st par. (subpar. 3-5), 2 nd par.), 16-26, 30, 34, 41 (par. 2 (the words “and agent licences”)), 78, 116, 117, 123 (as regards the provisions concerning agents), 124, 127, 130 (insofar as the latter section applies to agent licences), 131, 132
2006, c. 26	An Act to amend the Act respecting the Conservatoire de musique et d’art dramatique du Québec 2007-03-31 ss. 3, 4, 7, 8, 10, 11, 13, 16, 19, 20 2007-09-01 ss. 5, 6

COMING INTO FORCE DETERMINED

Reference	Title	Date of coming into force
2006, c. 29	An Act respecting contracting by public bodies	2008-10-01 ss. 1-59
2006, c. 34	An Act to amend the Youth Protection Act and other legislative provisions	2007-07-09 ss. 1-7, 9, 10 (except par. 3), 11-32, 33 (except. par. 1), 34, 37, 38, 40-69, 71-75, 78 2007-11-01 ss. 8, 35, 70 (insofar as it enacts s. 132 (1 st par. (subpar. k)) of the Youth Protection Act (R.S.Q., chapter P-34.1)) 2008-07-07 ss. 10 (par. 3), 33 (par. 1), 36, 70 (insofar as it enacts s. 132 (1 st par. (subpar. i)) of the Youth Protection Act (R.S.Q., chapter P-34.1)) 2009-05-14 ss. 39 (insofar as it enacts ss. 72.9 and 72.10 of the Youth Protection Act (R.S.Q., chapter P-34.1)), 70 (insofar as it enacts s. 132 (1 st par. (subpar. j)) of the Youth Protection Act)
2006, c. 41	An Act to amend the Crime Victims Compensation Act and other legislative provisions	2007-01-16 ss. 2 (to the extent that it enacts s. 5.2 of the Crime Victims Compensation Act (R.S.Q., chapter I-6)), 3, 4, 9 (to the extent that it concerns the amendment made to s. 6 of the Crime Victims Compensation Act by s. 3 of the Act to amend the Crime Victims Compensation Act and other legislative provisions), 10 2007-03-22 ss. 1, 2 (except to the extent that it enacts s. 5.2 of the Crime Victims Compensation Act (R.S.Q., chapter I-6), already in force), 5-8, 9 (except to the extent that it concerns the amendment made to s. 6 of the Crime Victims Compensation Act by s. 3 of the Act to amend the Crime Victims Compensation Act and other legislative provisions, already in force)
2006, c. 43	An Act to amend the Act respecting health services and social services and other legislative provisions	2007-03-01 ss. 1, 3, 7, 8, 15, 17, 32, 53 2008-01-01 ss. 2, 4, 5 (except s. 108 (2 nd par.) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)), 6, 9-14, 16, 18-31, 33-43, 45-52, 54-57
2006, c. 49	An Act respecting the Commission administrative des régimes de retraite et d'assurances	2007-05-09 ss. 11-26, 135
2006, c. 50	An Act to amend the Securities Act and other legislative provisions	2008-02-01 ss. 28 (par. 3), 30 (par. 2), 36 (to the extent that it enacts s. 89 of the Securities Act (R.S.Q., chapter V-1.1)), 41, 61 (par. 4), 62 (par. 1), 67 (par. 1, 3), 68, 71, 72 (par. 2), 73, 74, 78 (par. 1, 2), 80, 108 (par. 13, 14) 2008-03-17 ss. 16-20, 23, 24, 35 (to the extent that it repeals ss. 84 and 85 of the Securities Act (R.S.Q., chapter V-1.1)), 61 (par. 2), 66 (par. 2), 108 (par. 5 (to the extent that it introduces s. 331.1 (par. 6.1) of the Securities Act)) 2008-06-01 ss. 33, 34, 38 (to the extent that it repeals s. 99 of the Securities Act (R.S.Q., chapter V-1.1)), 39, 61 (par. 3), 88, 108 (par. 10) 2009-09-28 s. 108 (par. 5 (to the extent that it introduces s. 331.1 (par. 6.2) of the Securities Act (R.S.Q., chapter V-1.1))) 2010-04-30 ss. 2, 36 (to the extent that it enacts ss. 89.1 to 89.3 of the Securities Act (R.S.Q., chapter V-1.1)), 37, 38 (to the extent that it repeals ss. 100, 102 and 103 of the Securities Act), 56, 58, 108 (par. 9)
2006, c. 51	An Act to amend the Act respecting school elections and the Education Act	2009-09-01 ss. 1-3, 5, 6
2006, c. 53	An Act to amend the Act respecting industrial accidents and occupational diseases and the Workers' Compensation Act	2011-01-01 ss. 6-14, 16, 17 (insofar as it enacts ss. 323.2-323.5 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001)), 26 (par. 2), 27 (par. 1, 3)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2006, c. 55	An Act to amend various legislative provisions concerning retirement 2008-04-02 ss. 6, 26, 53
2006, c. 57	An Act respecting the Centre de la francophonie des Amériques 2008-03-19 ss. 1-44
2006, c. 58	An Act to amend the Labour Code and other legislative provisions 2008-04-01 ss. 1, 16, 27-30, 34 (par. 1-4), 35-39, 43, 44, 46-58, 63-65, 73-83
2006, c. 59	An Act respecting the governance of state-owned enterprises and amending various legislative provisions 2011-11-30 s. 43 (par. 1)
2007, c. 2	An Act to implement the Convention on International Interests in Mobile Equipment and the Protocol to the Convention on International Interests in Mobile Equipment on Matters Specific to Aircraft Equipment 2013-04-01 ss. 1-5
2007, c. 3	An Act to amend the Act to foster the development of manpower training and other legislative provisions 2008-01-01 ss. 5 (par. 2), 7, 8, 14, 15 (par. 3), 17, 18, 23 (par. 2) (to the extent that it enacts s. 27 (par. 5) of the Act to promote workforce skills development and recognition (R.S.Q., chapter D-7.1)), 55
2007, c. 21	An Act to amend the Act respecting the Régie de l'assurance maladie du Québec and to amend other legislative provisions 2009-04-15 s. 32
2007, c. 32	An Act to amend the Act respecting Services Québec and other legislative provisions 2008-02-20 ss. 1-4 2008-04-01 ss. 5-15
2007, c. 38	An Act to promote the maintenance and renewal of public infrastructures 2008-04-30 ss. 1-8
2007, c. 40	An Act to amend the Highway Safety Code and the Regulation respecting demerit points 2008-09-03 ss. 41, 45-51, 53-57, 72, 73 that relates to s. 597.1 (1 st par.) of the Highway Safety Code (R.S.Q., chapter C-24.2), 82, 83, 87, 88 (except “, except fines belonging to a municipality in accordance with an agreement under the second paragraph of section 597.1 of that Code” in par. 1 of s. 12.39.1 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28)), 103 2008-09-17 ss. 59, 64 2008-12-07 ss. 1, 7, 20, 34, 36 (except s. 202.4 (3 rd par.) of the Highway Safety Code (R.S.Q., chapter C-24.2) that it enacts), 37-39, 40 (except s. 209.2.1 (1 st par, subpar. 1) of that Code that it enacts), 42-44, 52, 60, 63, 74, 78 2009-01-01 s. 66 2009-07-01 s. 67 2009-08-19 s. 105 2009-12-06 ss. 8, 9, 12, 13, 15, 16 (par. 2 (except for “79,” and “, 185 and 191.2”)), 18, 19, 27, 29, 30, 32, 33, 35 (par. 2), 40 (s. 209.2.1 (1 st par. (subpar. 1)) of the Highway Safety Code (R.S.Q., chapter C-24.2) that it enacts), 68-71, 75, 76, 84-86, 96 2010-01-17 ss. 10, 11 (except for “, a moped”), 17 2010-05-02 s. 11 (the words “, a moped”) 2011-06-19 ss. 14, 16 (par. 2 (with respect to “79,” and “, 185 and 191.2”)), 21-26, 28, 31, 35 (par. 1), 92, 93

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2007, c. 41	An Act to amend the Financial Administration Act and the Act respecting the Ministère des Finances 2008-10-08 ss. 1, 2 (to the extent that it enacts ss. 77.3 to 77.7), 5, 6 2008-12-15 ss. 2 (to the extent that it enacts ss. 77.1 and 77.2), 3, 4
2007, c. 43	An Act to amend various legislative provisions concerning pension plans in the public sector 2008-04-02 ss. 40, 81, 158 2008-05-07 ss. 7, 9, 11, 33, 34, 36, 39 (par. 2) (to the extent that it concerns par. 7.3.2), 59-62, 82 (par. 2), 104-107, 110, 117, 119-121, 128, 144-147, 159 (par. 1) 2010-04-01 ss. 4, 13, 23, 24, 27-29, 53, 54, 68, 75, 76, 89, 94, 98, 100, 101, 115, 125, 126, 129, 140, 150, 151, 160, 169 2010-06-07 ss. 6, 8, 25, 26 (par. 2), 35, 37, 39 (par. 2) (to the extent that it concerns s. 130 (par. 7.3.1) of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2)), 41, 63, 64, 71, 77 (par. 2), 80, 82 (par. 3, 4), 83, 90, 91, 148, 149, 152, 153, 154 (par. 2), 157, 159 (par. 2), 161, 167, 168, 170
2008, c. 7	An Act to amend the Act respecting the Autorité des marchés financiers and other legislative provisions 2011-01-01 ss. 109-118, 122, 128, 129, 133 (par. 3), 171
2008, c. 9	Real Estate Brokerage Act 2010-05-01 ss. 1, 2, 3 (except par. 14), 4-128, 130-160, 161 (except 2 nd par.)
2008, c. 11	An Act to amend the Professional Code and other legislative provisions 2008-10-15 ss. 1-30, 32-57, 59-117, 118 (par. 1), 119, 121-226 2009-01-31* ss. 31, 58, 118 (par. 2), 120 (*Order in Council 75-2009 postponed the coming into force of ss. 118 (par. 2) and 120.) 2010-04-01 ss. 118 (par. 2), 120
2008, c. 12	An Act to amend the Financial Administration Act 2008-10-08 ss. 1, 2
2008, c. 13	An Act to amend the Police Act and other legislative provisions 2009-02-11 s. 13 2009-04-01 ss. 1, 2, 5-11, 14, 15
2008, c. 14	An Act to again amend the Highway Safety Code and other legislative provisions 2008-09-03 ss. 98 (par. 1), 118 2008-09-17 s. 48 2008-11-05 s. 136 2008-12-07 ss. 5, 13, 14 (par. 1), 31, 32, 41, 42, 87, 92, 93, 97, 116 2009-12-06 ss. 11 (par. 2), 58 2010-12-01 ss. 15, 16, 17, 103-110 2011-01-01 ss. 25, 44, 72 (par. 2) 2011-05-01 s. 37 2013-04-07 ss. 2 (par. 1), 18, 19, 21, 22, 91, 95
2008, c. 18	An Act to amend various legislative provisions respecting municipal affairs 2009-06-01 ss. 91-94, 106 2009-12-01 s. 80 2010-12-30 ss. 88, 108 (Division II.1 of Chapter IV of the Civil Protection Act (R.S.Q., chapter S-2.3)) 2011-03-02 s. 135

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2008, c. 24	Derivatives Act 2009-02-01 ss. 1-54, 56, 57, 60-81, 82 (except 2 nd par.), 86-174, 175 (except 1 st par. (subpar. 21, 22)), 176-179, 182-222, 224-239 2009-09-28 ss. 55, 58, 59 2012-04-13 ss. 82 (2 nd par.), 83-85, 175 (1 st par. (subpar. 21, 22))
2008, c. 25	An Act to amend the Act respecting the Government and Public Employees Retirement Plan and other legislation concerning pension plans in the public sector 2010-06-07 ss. 22, 96
2008, c. 29	An Act to amend the Education Act and other legislative provisions 2009-02-11 ss. 26, 30, 35 2009-07-01 ss. 1-8, 19, 20, 22-25, 28, 29, 31-33, 54 2009-09-01 ss. 37, 38 2011-01-01* ss. 36, 39-53 2011-11-06* ss. 9-18, 21, 34 (*Order in Council 813-2010 postponed the coming into force of ss. 9-18, 21, 34, 36, 39-53) 2014-01-01 ss. 36, 39-53 2014-11-02 ss. 9-18, 21, 34
2009, c. 6	An Act respecting the Institut national des mines 2010-06-28 ss. 1-36
2009, c. 8	An Act to amend the Courts of Justice Act and the Act respecting the Ministère de la Justice 2011-04-14 ss. 4, 13
2009, c. 19	An Act to modify the occupational health and safety regime, particularly in order to increase certain death benefits and fines and simplify the payment of the employer assessment 2009-06-18 ss. 1-6, 8-11, 17-20, 29 2011-01-01 ss. 7, 22, 23 (insofar as it replaces s. 315.1 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001) and insofar as it enacts ss. 315.3 and 315.4 of that Act), 24-27
2009, c. 21	An Act to affirm the collective nature of water resources and provide for increased water resource protection 2009-06-18 preamble, ss. 1-17 2011-09-01 ss. 18, 19 (ss. 31.74, 31.88-31.94, 31.96, 31.98-31.108 of the Environment Quality Act (R.S.Q., chapter Q-2)), 21, 22 (s. 46 (par. s (subpar. 2.3, 2.4, 2.6)) of the Environment Quality Act) enacted by par. 2, 26, 27, 30-32, 39, 40 2014-08-14 ss. 19 (ss. 31.75-31.87, 31.95, 31.97 of the Environment Quality Act (chapter Q-2)), 20, 22 (s. 46 (par. s (subpar. 1-2.2, 2.7)) of the Environment Quality Act) enacted by par. 2, 22 (par. 3), 23-25, 28, 29, 33-38
2009, c. 22	An Act to amend the Act respecting tourist accommodation establishments and other legislative provisions 2011-01-01 ss. 1-18
2009, c. 24	An Act respecting the representation of family-type resources and certain intermediate resources and the negotiation process for their group agreements, and amending various legislative provisions 2010-01-01 ss. 72, 73, 92, 93 2010-03-31 ss. 32-52, 55-57, 60, 64, 69 2012-01-01 ss. 74-88, 90, 91, 94-111, 122, 128 2013-10-01 s. 119

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2009, c. 25	An Act to amend the Securities Act and other legislative provisions 2009-09-28 ss. 1-3, 5, 8-32, 34-46, 52-58, 60, 62, 63, 65-75, 77, 79-104, 106-112, 115, 117-135 2010-05-01 s. 113 2010-05-01 s. 116
2009, c. 26	An Act to amend various legislative provisions respecting municipal affairs 2011-01-01 s. 114
2009, c. 28	An Act to amend the Professional Code and other legislative provisions in the field of mental health and human relations 2010-06-23 s. 11 (ss. 187.3.1, 187.3.2, 187.5 - 187.5.6 of the Professional Code (R.S.Q., chapter C-26)) 2012-06-21 s. 11 (ss. 187.1, 187.2, 187.3, 187.4, 187.4.1, 187.4.2, 187.4.3 of the Professional Code (chapter C-26)) 2012-09-20 ss. 1-10, 12-18
2009, c. 30	An Act respecting clinical and research activities relating to assisted procreation 2010-08-05 ss. 1-7, 9-16, 17 (except 1 st par. (subpar. 2,3)), 18-29, 30 (except par. 3), 31-60
2009, c. 33	An Act to amend the Environment Quality Act and other legislative provisions in relation to climate change 2011-12-14 ss. 1 (ss. 46.5-46.17 of the Environment Quality Act (R.S.Q., chapter Q-2)), 2, 6
2009, c. 35	An Act to amend the Professional Code and other legislative provisions 2010-04-01 ss. 19, 20
2009, c. 36	An Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements, and amending various legislative provisions 2009-10-21 ss. 30-48, 56, 57
2009, c. 45	An Act to amend various legislative provisions concerning health 2011-05-31 ss. 4, 6, 39, 43
2009, c. 52	Business Corporations Act 2011-02-14 ss. 1-728
2009, c. 53	An Act respecting Infrastructure Québec 2010-03-17 ss. 1-64
2009, c. 58	An Act to amend various legislative provisions principally to tighten the regulation of the financial sector 2010-05-01 ss. 139-153 2010-07-15 s. 13 2012-04-13 ss. 158, 159, 177 2012-04-20 ss. 91, 100, 111, 138 (par. 2)
2010, c. 3	Sustainable Forest Development Act 2012-05-30 ss. 315, 320 2012-11-14 ss. 116, 126
2010, c. 4	An Act to amend the Cadastre Act and the Civil Code 2011-06-06 ss. 1, 2, 3

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2010, c. 5	<p>An Act giving effect to the Economic Statement delivered on 14 January 2009, to the Budget Speech delivered on 19 March 2009 and to certain other budget statements</p> <p>2010-09-01 ss. 227 (when it enacts ss. 350.50 and 350.51 of the Act respecting the Québec sales tax (R.S.Q., chapter T-0.1)), 243, 245</p> <p>2011-11-01* ss. 197-200, 202, 227 (when it enacts ss. 350.52-350.55 of the Act respecting the Québec sales tax (R.S.Q., chapter T-0.1)) (*Note: That 1 November 2011 or, if prior to that date, the first of the dates set in accordance with the following paragraphs <i>a</i> to <i>c</i> in respect of each operator of an establishment providing restaurant services to which the paragraphs apply, be set as the date of coming into force of sections 197 to 200, 202 and section 227, when it enacts sections 350.52 to 350.55 of the Act respecting the Québec sales tax (R.S.Q., chapter T-0.1): (a) the date on which an operator activates in an establishment, after 31 August 2010, a device referred to in section 350.52 of the Act respecting the Québec sales tax, in respect of that establishment; (b) the date on which an operator makes the first supply of a meal in an establishment if the supply is made after 31 August 2010 and is the first supply made in connection with the operation of the establishment, in respect of that establishment; or (c) the date that is 60 days after the date of a notice sent to an operator to the effect that the operator committed an offence against a fiscal law after 20 April 2010; the notice is signed by a public servant who is the head of the Service d'implantation et de suivi des modules d'enregistrement des ventes in the Direction générale adjointe de la recherche fiscale within the Direction générale de la planification, de l'administration et de la recherche of the Ministère du Revenu).</p>
2010, c. 7	<p>An Act respecting the legal publicity of enterprises</p> <p>2010-11-17 ss. 75-78, 176-178, 180-183, 186-190, 191 (par. 1), 193, 196-198, 200-210, 221, 223-225, 228-231, 235-240, 255, 258, 260, 263, 276-279, 284, 295 (where it replaces Div. III of the Regulation respecting the application of the Act respecting the publicity of sole proprietorships, partnerships and legal persons (R.R.Q., chapter P-45, r. 1)), 301, Schedules I, II and IV</p> <p>2011-02-14 ss. 1-74, 79-175, 179, 191 (par. 2, 3), 192, 194, 195, 199, 211-220, 222, 226, 227, 232, 233, 241-254, 256, 257, 259, 261, 262, 264-275, 280-283, 285-294, 295 (except where it replaces Div. III of the Regulation respecting the application of the Act respecting the publicity of sole proprietorships, partnerships and legal persons (R.R.Q., chapter P-45, r.1)), 296, 297, 299, Schedules III and V</p>
2010, c. 11	<p>An Act to amend the Act respecting the Pension Plan of Management Personnel and other legislation establishing pension plans in the public sector</p> <p>2010-09-22 ss. 5 (to the extent that it concerns s. 22.1 of the Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1)), 10, 12, 14 (to the extent that it concerns par. 3.3 of Schedule II to that Act), 24 (to the extent that it concerns s. 6.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10)), 25, 26, 31, 33, 35 (to the extent that it concerns par. 2.3 of Schedule I to that Act)</p>
2010, c. 12	<p>An Act to provide a framework for mandatory state financing of certain legal services</p> <p>2010-08-18 s. 36</p> <p>2010-09-07 ss. 1-35, 37</p>
2010, c. 15	<p>An Act respecting the Institut national d'excellence en santé et en services sociaux</p> <p>2011-01-19 ss. 4-9, 12, 13, 54, 56-74, 76, 77, 81-87, 89-93</p>

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2010, c. 18	An Act to amend various legislative provisions respecting municipal affairs 2010-12-30 s. 83
2010, c. 30	Code of ethics and conduct of the Members of the National Assembly 2012-01-01 ss. 10-36, 41, 43-50, 56-61, 79, 91-107, 114-129
2010, c. 34	An Act to amend the Highway Safety Code and other legislative provisions 2012-04-15 ss. 28, 35 (par. 2), 102
2010, c. 39	An Act to tighten the regulation of educational childcare 2011-10-15 ss. 14 (to the extent that it enacts ss. 101.3 to 101.20 of the Educational Childcare Act (R.S.Q., chapter S-4.1.1)), 15 (to the extent that it refers to s. 105.2 of the Educational Childcare Act), 23 (to the extent that it refers to s. 105.2 of the Educational Childcare Act), 29
2010, c. 40	An Act to enact the Money-Services Businesses Act and to amend various legislative provisions 2012-01-01 ss. 15, 16 (to the extent that it enacts ss. 22.1 to 22.6 of the Real Estate Brokerage Act (R.S.Q., chapter C-73.2)), 17, 21-24 2014-07-01 ss. 25 (par. 1), 28, 29 (par. 2-4, except where par. 2 and 3 of that section cause "particularly" to be struck from s. 17 (1 st par. (subpar. 7 and 8)) of the Act respecting the legal publicity of enterprises (chapter P-44.1)), 30, 31 (par. 2), 32, 33 (par. 5), 35, 37-42, 44 (par. 4, 6), 47-49, 51, 52, 58
2010, c. 40, Schedule I	Money-Services Businesses Act 2012-04-01 ss. 1 (except 2 nd par. (subpar. 5)), 2, 3 (except to the extent that it concerns the operation of automated teller machines), 4 (except 1 st par. (subpar. 5), 2 nd par.), 5, 6 (except 3 rd par.), 7-57, 59-85 2013-01-01 ss. 1 (2 nd par. (subpar. 5)), 3 (to the extent that it concerns the operation of automated teller machines), 4 (1 st par. (subpar. 5), 2 nd par.), 6 (3 rd par.), 58
2011, c. 10	Unclaimed Property Act 2012-01-01 ss. 30, 57, 64, 81, 92
2011, c. 15	An Act to improve the management of the health and social services network 2013-02-01 ss. 41, 45
2011, c. 17	Anti-Corruption Act 2012-06-01 ss. 41, 43-47, 49, 63, 64
2011, c. 18	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 17 March 2011 and the enactment of the Act to establish the Northern Plan Fund 2011-08-29 ss. 60-63, 317 (except as concerns the replacement of the Tariff of fees respecting land registration (R.R.Q., chapter B-9, r. 1) by Schedule I to the Act respecting registry offices (R.S.Q., chapter B-9))
2011, c. 22	An Act to prohibit the resale of tickets at a price above that authorized by the producer of the event 2012-06-07 s. 1
2011, c. 26	An Act to amend various legislative provisions mainly concerning the financial sector 2012-04-13 ss. 42, 43 (ss. 82.1-82.7 of the Derivatives Act (2008, chapter 24)), 44, 59, 60, 61 (s. 175 (1 st par. (subpar. 21.1, 22.1) of the Derivatives Act (2008, chapter 24)) 2013-12-31 s. 61 (par. 1)

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2011, c. 30	An Act to eliminate union placement and improve the operation of the construction industry 2012-05-02 ss. 3-5, 7 2012-09-01 ss. 25-28 2012-11-28 s. 57 (to the extent that it concerns ss. 107.3-107.6 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20))
2011, c. 35	An Act to prevent, combat and punish certain fraudulent practices in the construction industry and make other amendments to the Building Act 2011-12-14 ss. 22, 29, 30 2014-01-01 ss. 12, 13 2015-01-01 s. 11
2011, c. 37	An Act to amend the Pharmacy Act 2013-09-03* ss. 1-5 *Order in council 871-2013 postponed the coming into force of ss. 1 to 5.
2012, c. 3	An Act to establish the Access to Justice Fund 2012-11-05 ss. 1 (s. 32.0.3 (par. 2) of the Act respecting the Ministère de la Justice (chapter M-19)), 4
2012, c. 9	An Act to dissolve the Société de gestion informatique SOGIQUE 2013-01-01 ss. 1-7
2012, c. 10	An Act respecting the professional recognition of medical electrophysiology technologists 2012-09-20 s. 11 2012-11-21 ss. 1-10, 12-20
2012, c. 16	An Act to prevent skin cancer caused by artificial tanning 2013-02-11 ss. 1-25
2012, c. 20	An Act to promote access to justice in family matters 2012-12-01 ss. 46-50, 54 2013-09-18 ss. 29-41 2014-04-01 ss. 1-28, 42, 45, 51, 53, 56
2012, c. 23	An Act respecting the sharing of certain health information 2012-07-04 ss. 1-6, 120, 121, 130, 132-135, 147-150, 163-166, 168-175, 178, 179 2012-12-01 s. 176 2013-04-15 ss. 153-159 2013-06-20 ss. 7-10, 11 (except 1 st par. (subpar. 4-6)), 12-21, 23, 25 (except "or sold under pharmaceutical control" in par. 1 and par. 2, 3), 26 (except "and, in the case of a collective prescription, the date it was filled" in par. 4, "and, in the case of a collective prescription, of the health professional who filled it" in par. 13 and "and, in the case of a collective prescription, where it was filled" in par. 14), 27, 28 (except "or a person or partnership"), 29, 30, 31 (except "or a person or partnership operating a medical imaging laboratory or a medical diagnostic radiology laboratory"), 32 (1 st par.), 33-36, 46-49, 51-54, 55 (1 st par.), 56-58, 59 (except "or fill a collective prescription for medication"), 60-74, 75 (except "and any other person for whom an entry is requested"), 76-78, 79 (except par. 10), 80-82, 83 (1 st par.), 84-105, 109-119, 122, 123 (except "40 or 43, the second paragraph of section 50"), 124 (except "or 108"), 125-129, 131 (except "40,"), 136-146, 151, 152, 160, 161 (except par. 4), 162, 167, 177 2013-11-27 ss. 37, 38

COMING INTO FORCE DETERMINED

Reference	Title Date of coming into force
2012, c. 25	Integrity in Public Contracts Act 2014-11-05 s. 23
2012, c. 30	An Act to amend various legislative provisions concerning municipal affairs 2013-06-26 ss. 2, 4-22, 24-32
2012, c. 31	An Act to establish the Health and Social Services Information Resources Fund 2013-01-01 ss. 1-6
2013, c. 5	An Act to amend the Election Act with regard to on-campus voting by students in vocational training centres and post-secondary educational institutions 2013-11-04 ss. 1, 2, 5 (par. 1, 2), 9, 11, 12, 15 (the words “ or in a vocational training centre or a post-secondary educational institution where they exercise their right to vote under section 301.25”)
2013, c. 15	An Act to amend the Act respecting school elections and other legislative provisions 2013-12-11 s. 4 2014-11-02 ss. 5, 6
2013, c. 18	An Act to amend various legislative provisions mainly concerning the financial sector 2014-01-15 ss. 77, 78
2013, c. 23	An Act respecting the governance of public infrastructures, establishing the Société québécoise des infrastructures and amending various legislative provisions 2013-11-06 ss. 96, 97, 104-111, 118-126, 137-139, 141 2013-11-13 ss. 1-10, 14-95, 98-103, 112-117, 127-136, 140, 142-168 2014-12-01 ss. 11-13
2013, c. 26	Voluntary Retirement Savings Plans Act 2014-04-16 ss. 14, 28, 29, 31, 39-41, 107-109, 114, 115, 143
2013, c. 27	An Act to amend the Civil Code as regards civil status, successions and the publication of rights 2014-03-01 ss. 1, 2, 5 2014-09-17 s. 29



**LIST OF LEGISLATIVE PROVISIONS WHOSE COMING INTO FORCE
HAS YET TO BE DETERMINED BY PROCLAMATION OR ORDER
IN COUNCIL AS OF 31 DECEMBER 2014**

Provisions not in force on 31 December 2014 and rendered inapplicable or obsolete following the coming into force of other provisions are not included in this table.

Reference	Title
1969, c. 51	Manpower Vocational Training and Qualification Act s. 62
1971, c. 48	An Act respecting health services and social services s. 149
1972, c. 55	Transport Act ss. 126, 151 (par. <i>a</i>), 155 (par. <i>a</i>)
1977, c. 68	Automobile Insurance Act s. 93
1978, c. 7	An Act to secure the handicapped in the exercise of their rights s. 71
1978, c. 9	Consumer Protection Act s. 6 (par. <i>c</i> , <i>d</i>)
1979, c. 45	An Act respecting labour standards ss. 5 (par. 4), 29 (par. 4, 6), 39 (par. 6, 7), 112, 136-138
1979, c. 63	An Act respecting occupational health and safety ss. 204-215
1979, c. 64	An Act respecting the protection of persons and property in the event of disaster ss. 17, 19 (2 nd par.), 23, 45, 47
1979, c. 85	An Act respecting child day care ss. 5, 6, 97
1979, c. 86	An Act respecting safety in sports ss. 31, 39
1980, c. 39	An Act to establish a new Civil Code and to reform family law ss. 63, 64 (1 st , 2 nd par.), 70 (1 st par.)
1981, c. 31	An Act respecting the sociétés d'entraide économique and amending various legislation ss. 57-59, 124 (2 nd par. (par. 3)), 126, 127 (2 nd par.), 129 (the word and figure "or 126"), 168 (1 st par., subpar. 4 (the words "matters provided for by section 107, paragraph 3 of section 108, section 115 and paragraphs 1 to 3, 5 and")), 182-188
1982, c. 17	An Act to provide for the carrying out of the family law reform and to amend the Code of Civil Procedure s. 81 (par. 3)
1982, c. 25	An Act to amend the Environment Quality Act and other legislation ss. 27-34

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1982, c. 61	An Act to amend the Charter of human rights and freedoms ss. 6 (par. 2), 21 (R.S.Q., chapter C-12, s. 86.2 (former), 1 st par.), 25, 30
1983, c. 23	An Act to promote the advancement of science and technology in Québec ss. 66-79, 83-93, 94 (1 st par.), 95 (1 st , 3 rd par.), 96 and 97, to the extent that they relate to the Fonds established by par. 3 of s. 65 and ss. 65 (par. 3), 82, 125, 126
1983, c. 38	Archives Act s. 82
1983, c. 39	An Act respecting the conservation and development of wildlife s. 46
1983, c. 43	An Act respecting restaurant and hotel workers who derive income from gratuities ss. 1, 3-6, 8, 10, 11, 12, to the extent that they refer to an allocation of gratuities or to gratuities that are allocated
1983, c. 53	An Act to amend the Agricultural Products, Marine Products and Food Act s. 3 (par. 2, 3)
1983, c. 54	An Act to amend various legislative provisions s. 81 (R.S.Q., chapter S-25.1, s. 53 (par. 3))
1984, c. 16	An Act respecting commercial fisheries and aquaculture and amending other legislation ss. 4, 11
1984, c. 41	An Act to amend the Securities Act s. 19
1985, c. 26	An Act to amend the Act to preserve agricultural land ss. 12, 17
1985, c. 34	Building Act ss. 120, 121, 214 (except with regard to the Gas Distribution Act (chapter D-10), the Act respecting piping installations (chapter I-12.1), the Act respecting electrical installations (chapter I-13.01), the Act respecting building contractors vocational qualifications (chapter Q-1) and the Act respecting the conservation of energy in buildings (chapter E-1.1), in respect of buildings and facilities intended for use by the public to which Part 11 of the Code adopted by Chapter I of the Construction Code applies)), 218, 219, 263-267, 274-279, 284, 291 (1 st par. (except with regard to a licence issued under the Act respecting building contractors vocational qualifications and except in all respects other than the qualification of contractors and owner-builders))
1986, c. 60	An Act respecting the sale of the Raffinerie de sucre du Québec ss. 16, 17, 19
1986, c. 62	An Act to amend the Civil Code, the Registry Office Act and the Territorial Division Act s. 4 (par. 12 (Montmorency))
1986, c. 91	Highway Safety Code s. 496
1986, c. 109	An Act to amend the Act respecting the conservation and development of wildlife and the Parks Act s. 21

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1987, c. 25	An Act to amend the Environment Quality Act s. 1
1987, c. 36	An Act to again amend the Act respecting probation and houses of detention in respect of close supervision ss. 1-3
1987, c. 94	An Act to amend the Highway Safety Code and other legislation ss. 49, 50, 62, 70 (R.S.Q., chapter C-24.2, s. 519.14), 77, 78
1987, c. 102	An Act to amend the Act respecting land use planning and development, the Cities and Towns Act and the Municipal Code of Québec s. 22
1988, c. 39	An Act to amend the Act respecting the conservation and development of wildlife and the Parks Act s. 12
1988, c. 47	An Act to amend the Act respecting health services and social services and other legislation s. 10
1988, c. 51	An Act respecting income security s. 85
1988, c. 56	An Act to amend the Code of Civil Procedure in respect of the collection of support payments ss. 1 (R.S.Q., chapter C-25, ss. 553.3-553.9), 2-10, 12
1988, c. 57	An Act to ensure safety in guided land transport s. 63 (2 nd par.)
1988, c. 75	An Act respecting police organization and amending the Police Act and various legislation ss. 211, 223, 241
1988, c. 84	Education Act ss. 123, 124, 131, 137, 139, 206, 210, 354, 355, 509-515, 522, 525, 528, 529, 536
1988, c. 86	An Act to amend the charter of the city of Montréal s. 2 (par. 1)
1989, c. 7	An Act to amend the Act to preserve agricultural land s. 2
1989, c. 15	An Act to amend the Automobile Insurance Act and other legislation s. 1 (R.S.Q., chapter A-25, s. 72)
1989, c. 47	An Act to amend the Automobile Insurance Act s. 11 (R.S.Q., chapter A-25, s. 179.3, the words “and the amount of his indemnity”)
1989, c. 48	An Act respecting market intermediaries s. 26
1989, c. 52	An Act respecting municipal courts and amending various legislation s. 67, Sched. I (par. 60, 61, 131)

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1989, c. 59	An Act to amend the Act respecting child day care s. 4
1990, c. 26	An Act to amend the Environment Quality Act s. 4 (R.S.Q., chapter Q-2, ss. 31.46-31.51)
1990, c. 77	An Act to amend the Securities Act ss. 3, 11
1990, c. 78	An Act to amend the Education Act and the Act respecting private education ss. 3, 13-17, 19-22
1990, c. 80	An Act to amend the Agricultural Products, Marine Products and Food Act s. 5 (par. 1, 2 (R.S.Q., chapter P-29, s. 9 (1 st par., par. <i>k, l, l.1, o, p</i>)), 3)
1990, c. 83	An Act to amend the Highway Safety Code and other legislative provisions ss. 2 (par. 3), 40-42, 129, 140 (par. 2, 4), 166, 187, 190, 241 (except as regards s. 645.3 of the Highway Safety Code (R.S.Q, chapter C-24.2)), 257
1991, c. 6	An Act respecting the construction and putting into operation of power control and transformer stations and an aluminium plant in the Deschambault-Portneuf industrial park ss. 3, 4
1991, c. 27	An Act amending the Education Act and amending the Act respecting private education s. 4
1991, c. 42	An Act respecting health services and social services and amending various legislation ss. 259 (2 nd sentence), 360 (2 nd par.), 483, 570, 573, 574 (par. 2), 575, 581 (par. 4)
1991, c. 74	An Act to amend the Building Act and other legislation ss. 13 (except with regard to electrical installations to which Chapter V of the Building Code, approved by Order in Council 961-2002 dated 21 August 2002, applies), 49 (except with regard to the qualification of contractors and owner-builders), 56 (to the extent that it enacts s. 128.4 (except with regard to the revocation of the recognition of a person referred to in s. 16 and except with regard to the revocation of the recognition of a person referred to in s. 35) of the Building Act (chapter B-1.1)), 68 (par. 1-4 (except with regard to the qualification of contractors and owner-builders)), 70 (par. 1 (except with regard to the qualification of contractors and owner-builders)), 93 (par. 3 (except with regard to the qualification of contractors and owner-builders)), 106 (par. 1), 109, 114, 123 (except to the extent that it does not apply to the Bureau des examinateurs électriciens and the Bureau des examinateurs en tuyauterie), 124, 125 (par. 2), 130, 133-135, 138, 163-165
1991, c. 83	An Act to amend the charter of the city of Laval ss. 5-7
1991, c. 84	An Act to amend the Charter of the city of Québec ss. 45 (s. 601 <i>b</i> (2 nd par.)), 50, 54-56
1991, c. 104	An Act respecting Cooperants, Mutual Life Insurance Society ss. 1-13, 14 (2 nd , 3 rd par.), 15-39
1992, c. 21	An Act to amend various legislative provisions concerning the application of the Act respecting health services and social services and amending various legislation ss. 365-369, 378

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1992, c. 29	An Act to amend the Act to promote the reform of the cadastre in Québec and other legislative provisions ss. 2 (par. 2), 3
1992, c. 35	An Act to amend the Securities Act ss. 2, 13
1992, c. 36	An Act to amend the Act respecting child day care s. 3
1992, c. 43	An Act respecting the Institut québécois de réforme du droit ss. 1-19
1992, c. 56	An Act to amend the Environment Quality Act ss. 1-13, 15-23
1992, c. 61	An Act respecting the implementation of certain provisions of the Code of Penal Procedure and amending various legislative provisions s. 499
1993, c. 1	An Act to amend the Code of Civil Procedure regarding family mediation ss. 1-3, 4 (R.S.Q., chapter C-25, s. 827.4), 5
1993, c. 3	An Act to amend the Act respecting land use planning and development and other legislative provisions s. 69
1993, c. 18	An Act to amend the Animal Health Protection Act s. 1
1993, c. 39	An Act respecting the Régie des alcools, des courses et des jeux and amending various legislative provisions s. 56 (R.S.Q., chapter L-6, s. 52.12 (1 st par.))
1993, c. 45	An Act to amend the Supplemental Pension Plans Act ss. 2, 3
1993, c. 54	An Act respecting assistance and compensation for victims of crime ss. 1-225
1993, c. 61	An Act to amend the Act respecting labour relations, vocational training and manpower management in the construction industry and other legislative provisions ss. 1 (par. 2), 12, 63
1993, c. 70	An Act to amend the Act respecting the Ministère des Communautés culturelles et de l'Immigration ss. 3 (par. 1), 8, 9, 11 (par. 2, 8, 9)
1993, c. 71	An Act to amend the Act respecting the Régie des alcools, des courses et des jeux and various Acts concerning the activities under its supervision ss. 4, 5 (par. 2, 3), 16 (par. 1), 26 (par. 2 (subpar. <i>i.1</i>)), 29 (par. 2-4), 30, 39-45, 47
1993, c. 72	An Act to amend the Code of Civil Procedure and various legislative provisions ss. 10, 11 (par. 2-4), 14-16, 20, 21

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1993, c. 77	An Act to amend the Pesticides Act ss. 9, 10 (as regards the repeal of s. 103 of R.S.Q., chapter P-9.3), 11
1994, c. 2	An Act respecting the Conservatoire de musique et d'art dramatique du Québec ss. 29, 30, 55, 76
1994, c. 8	An Act to amend the Health Insurance Act and the Act respecting the Régie de l'assurance-maladie du Québec ss. 2 (par. 5), 7, 9 (par. 2), 10, 15 (par. 6, 8), 21 (par. 1, 3)
1994, c. 40	An Act to amend the Professional Code and other Acts respecting the professions ss. 200 (where it repeals ss. 10 (par. <i>b, c, d, f</i>), 11 of the Architects Act (R.S.Q., chapter A-21)), 278, 294 (where it repeals ss. 21 (1 st par., 2 nd par., except the words “, provided that they are Canadian citizens or comply with section 44 of the Professional Code (chapter C-26)”), 22 (1 st par., 2 nd par. (subpar. <i>a, c, d, e</i>)) of the Chartered Accountants Act (R.S.Q., chapter C-48))
1994, c. 41	An Act to amend the Environment Quality Act and other legislative provisions ss. 1-20, 22-33
1995, c. 23	An Act to establish the permanent list of electors and amending the Election Act and other legislative provisions s. 79 (where it enacts s. 39.1)
1995, c. 51	An Act to amend the Code of Penal Procedure and other legislative provisions ss. 2, 6 (except s. 62.1 (1 st par.) of the Code of Penal Procedure), 10, 11, 13 (par. 1, 6), 14, 25, 26, 28-30
1995, c. 52	An Act to amend the Transport Act s. 2
1995, c. 65	An Act respecting the Agence métropolitaine de transport and amending various legislative provisions s. 159
1995, c. 67	An Act to amend the Cooperatives Act and other legislative provisions s. 150
1995, c. 69	An Act to amend the Act respecting income security and other legislative provisions ss. 2, 8, 20 (par. 3)
1996, c. 12	An Act to amend the Financial Administration Act and other legislative provisions ss. 1, 2, 9
1996, c. 18	An Act to amend the Act respecting the conservation and development of wildlife ss. 4, 13
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions ss. 8 (3 rd par., the words “or any other institution recognized for that purpose by the Minister that is situated outside Québec in a region bordering on Québec”), 38 (in subpar. 2 of 1 st par., the words “otherwise binding the policy-holder”) (in subpar. 3 of 1 st par., the words “administered by or on behalf of the policy-holder”), 39 (in subpar. 2 of 1 st par., the words “otherwise binding the plan administrator”) (in subpar. 3 of 1 st par., the words “binding the plan administrator”), 40, 45 (in 1 st sentence, the words “or the plan member” and the 2 nd sentence, which reads: “Any notice of non-renewal or of a

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1996, c. 32	An Act respecting prescription drug insurance and amending various legislative provisions – <i>Cont'd</i> change in the premium or assessment from the insurer must be sent to the last known address of the plan member not later than 30 days preceding the date of expiry.”), 89 (par. 1 (subpar. <i>b</i>)), 91 (3 rd par. of s. 10 of the Health Insurance Act, introduced by par. 2)
1996, c. 50	An Act to amend the Agricultural Products, Marine Products and Food Act and the Environment Quality Act s. 2
1996, c. 53	An Act respecting the Commission administrative des régimes de retraite et d’assurances and amending various legislative provisions as regards pension plans ss. 2, 9, 13 (par. 1)
1996, c. 54	An Act respecting administrative justice Sched. IV (par. 27)
1996, c. 56	An Act to amend the Highway Safety Code and other legislative provisions ss. 84, 108
1996, c. 62	An Act to amend the Act respecting the conservation and development of wildlife s. 1 (par. 1)
1996, c. 69	An Act to amend the Savings and Credit Unions Act ss. 4, 5, 6, 14 (par. 2), 16 (par. 2), 17 (par. 2), 20 (par. 2), 166
1996, c. 71	An Act to amend the Act respecting collective agreement decrees ss. 17, 41 (2 nd , 3 rd , 4 th , 5 th par.)
1997, c. 8	An Act to amend the Election Act and other legislative provisions as regards the permanent list of electors s. 8 (the words “as such information appears in the register kept under section 54 of the Public Curator Act (chapter C-81)” in section 40.7.1)
1997, c. 43	An Act respecting the implementation of the Act respecting administrative justice ss. 106-110, 111 (par. 2), 112-115, 116 (par. 2), 117-120, 121 (par. 2), 122, 123, 833 (2 nd par.) [those provisions respecting proceedings already before the Commission municipale du Québec, in matters of real estate or business tax exemptions], 834, 853 (the words “Until 1 December 1997” of the second and third paragraphs), 854 (the words “until 1 December 1997” of the second paragraph)
1997, c. 59	An Act to amend the Act respecting the Agence métropolitaine de transport s. 1 (s. 21.2)
1997, c. 72	An Act to again amend the Act respecting labour standards ss. 5, 6
1997, c. 77	An Act to amend the Public Health Protection Act ss. 1, 2, 8, 9, 10
1997, c. 78	An Act to amend the Act to ensure safety in guided land transport ss. 13 (par. 1), 14 (par. 2)
1997, c. 123	An Act respecting the Association de villégiature du Mont Sainte-Anne ss. 1-9, schedule

COMING INTO FORCE TO BE DETERMINED

Reference	Title
1998, c. 18	An Act to amend the Professional Code with respect to the title of psychotherapist ss. 1, 2, 3 (ss. 187.1, 187.4)
1998, c. 35	An Act to amend the Roads Act and other legislative provisions ss. 12-14, 16
1998, c. 37	An Act respecting the distribution of financial products and services ss. 28, 40
1998, c. 40	An Act respecting owners and operators of heavy vehicles ss. 87, 97, 109 (par. 1 (as regards the striking out of section 413))
1998, c. 46	An Act to amend various legislative provisions relating to building and the construction industry ss. 29, 35 (par. 1), 36, 38, 39, 40 (to the extent that the provisions do not apply to the vocational qualification of contractors and owner-builders), 55 (to the extent that the provisions do not apply to the vocational qualification of contractors and owner-builders)
1999, c. 14	An Act to amend various legislative provisions concerning de facto spouses ss. 32, 33 (on the date of coming into force of the provisions they amend, that is: s. 76 of 1993, c. 54 (in the definition of "spouse"); s. 197 of 1993, c. 54 (par. 2 of the definition of "spouse"))
1999, c. 35	An Act respecting environmental assessment of the proposed Churchill River hydroelectric development ss. 1-4
1999, c. 50	An Act to repeal the Grain Act and to amend the Act respecting the marketing of agricultural, food and fish products and other legislative provisions ss. 61, 65-67
1999, c. 51	An Act respecting the flag and emblems of Québec ss. 11, 12
1999, c. 79	An Act to amend the Act respecting the Régie des installations olympiques s. 1
1999, c. 88	An Act respecting the amalgamation of Municipalité de Mont-Tremblant, Ville de Saint-Jovite, Municipalité de Lac-Tremblant-Nord and Paroisse de Saint-Jovite ss. 5 and 8 (which come into force on the date on which the order made under s. 3 of that Act comes into force)
1999, c. 89	An Act to amend the Health Insurance Act and other legislative provisions s. 10 (new s. 9.6 of the Health Insurance Act (R.S.Q., chapter A-29) that it introduces)
2000, c. 8	Public Administration Act s. 240 (par. 4, 5)
2000, c. 9	Dam Safety Act s. 19 (4 th par.)
2000, c. 15	Financial Administration Act ss. 33-45, 58-60
2000, c. 20	Fire Safety Act s. 38 (2 nd par.)

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2000, c. 22	An Act to amend the Act respecting the Régie de l'énergie and other legislative provisions ss. 45 (par. 1), 50 (par. 1 (the words "the registration fees and"))
2000, c. 26	An Act to amend the Agricultural Products, Marine Products and Food Act and other legislative provisions ss. 11, 13 (par. 1, 3, 5, 7), 38, 77
2000, c. 28	An Act respecting Nasdaq stock exchange activities in Québec ss. 2-8
2000, c. 35	An Act to amend the Transport Act s. 1
2000, c. 40	An Act to amend the Animal Health Protection Act and other legislative provisions and to repeal the Bees Act ss. 4 (except to the extent that it introduces s. 3.0.1 (1 st par.) of the Animal Health Protection Act (R.S.Q., chapter P-42)), 14 (to the extent that it introduces s. 22.5), 15-18
2000, c. 42	An Act to amend the Civil Code and other legislative provisions relating to land registration ss. 43 (where it deals with the information referred to in a. 3005 of the Civil Code, on the geodesic reference and geographic coordinates making it possible to describe an immovable), 67
2000, c. 44	Notaries Act ss. 26, 59, 62-92, 106 (where it replaces the provisions of the Notarial Act (R.S.Q., chapter N-2) respecting the preservation of notarial acts en minute, the keeping, surrender, deposit and provisional custody of notarial records, the issue of copies and extracts from notarial acts <i>en minute</i> and the seizure of property related to the practice of the notarial profession)
2000, c. 48	An Act to amend the Act respecting the conservation and development of wildlife and the Act respecting hunting and fishing rights in the James Bay and New Québec territories s. 14 (par. 1)
2000, c. 53	An Act respecting La Financière agricole du Québec s. 78 (to the extent that it does not govern the regulations made under the Act respecting the Société de financement agricole (R.S.Q., chapter S-11.0101))
2000, c. 54	An Act to again amend various legislative provisions respecting municipal affairs ss. 3, 6
2000, c. 57	An Act to amend the Charter of the French language s. 6 (the words " Cree School Board, Kativik School Board" in s. 29.1 enacted by par. 1)
2001, c. 6	An Act to amend the Forest Act and other legislative provisions ss. 57, 99 (par. 2), 119 (par. 6)
2001, c. 15	An Act respecting transportation services by taxi ss. 18 (3 rd par. (subpar. 1)), 26 (1 st par. (subpar. 3))
2001, c. 26	An Act to amend the Labour Code, to establish the Commission des relations du travail and to amend other legislative provisions ss. 25 (par. 1), 64 (par. 3 where it enacts s. 138 (1 st par. (subpar. <i>g</i> , <i>h</i>)) of the Labour Code (R.S.Q., chapter C-27)), 135

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2001, c. 29	An Act to amend the Highway Safety Code as regards alcohol-impaired driving ss. 14, 16
2001, c. 35	An Act to amend the Act respecting the preservation of agricultural land and agricultural activities and other legislative provisions s. 29 (par. 1)
2001, c. 38	An Act to amend the Securities Act ss. 5 (par. 3), 12, 13, 23, 58, 64
2001, c. 57	An Act to amend the Act respecting off-highway vehicles ss. 1-3
2001, c. 58	An Act to amend the Act respecting immigration to Québec ss. 1-4
2001, c. 60	Public Health Act ss. 61-68
2002, c. 5	An Act to amend the Act respecting the Ministère du Revenu and other legislative provisions as regards the protection of confidential information ss. 12 (s. 69.1 (2 nd par, subpar. <i>n</i> (the words “or the Act respecting parental insurance (2001, chapter 9)”))), 13 (s. 69.4 (the words “or the Act respecting parental insurance (2001, chapter 9)”))
2002, c. 6	An Act instituting civil unions and establishing new rules of filiation ss. 228 (on the date of coming into force of 1993, c. 54, s. 76), 229 (on the date of coming into force of 1993, c. 54, s. 197)
2002, c. 22	An Act to amend the Act respecting administrative justice and other legislative provisions ss. 8, 10 (to the extent that it enacts s. 119.4 of the Act respecting administrative justice (R.S.Q., chapter J-3)), 24, 35
2002, c. 24	An Act respecting the Québec correctional system s. 16
2002, c. 25	An Act to ensure the implementation of the Agreement Concerning a New Relationship Between le Gouvernement du Québec and the Crees of Québec ss. 1-15
2002, c. 27	An Act to amend the Act respecting prescription drug insurance and other legislative provisions s. 19
2002, c. 28	An Act to amend the Charter of the French language s. 1
2002, c. 29	An Act to amend the Highway Safety Code and other legislative provisions ss. 18, 19, 20 (1 st par. (subpar. 1 (regarding the reference to s. 202.2.1)), 2 nd par.), 25 (par. 2), 29
2002, c. 30	An Act to amend the pension plans of the public and parapublic sectors ss. 6 (to the extent that it enacts s. 17.2 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (R.S.Q., chapter R-9.2)) with regard to the category of employees comprised of employees on leave without pay, 10 (par. 3) with regard to the category of employees comprised of employees on leave without pay, 18 with regard to the category of employees comprised of employees on leave without pay

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2002, c. 45	An Act respecting the Autorité des marchés financiers ss. 116 (2 nd par.), 153 (5 th par.), 264 (except to the extent that it enacts s. 7 of the Fish and Game Clubs Act (R.S.Q., chapter C-22)), 266 (except to the extent that it enacts s. 11 of the Amusement Clubs Act (R.S.Q., chapter C-23)), 275, 280 (except to the extent that it enacts s. 14 of the Cemetery Companies Act (R.S.Q., chapter C-40)), 282 (except to the extent that it enacts s. 52 of the Act respecting Roman Catholic cemetery corporations (R.S.Q., chapter C-40.1)), 285 (except to the extent that it enacts s. 98 of the Gas, Water and Electricity Companies Act (R.S.Q., chapter C-44)), 287, 290, 294 (except to the extent that it enacts s. 15 of the Act respecting the constitution of certain Churches (R.S.Q., chapter C-63)), 340 (except to the extent that it enacts s. 19 of the Religious Corporations Act (R.S.Q., chapter C-71)), 342, 343, 347, 361, 378, 384, 390, 400, 403, 416, 418, 483, 484, 491, 502 (except to the extent that it enacts s. 22 of the Roman Catholic Bishops Act (R.S.Q., chapter E-17)), 509 (except to the extent that it enacts s. 75 of the Act respecting fabriques (R.S.Q., chapter F-1)), 539, 544 (except to the extent that it enacts s. 34 of the Winding-up Act (R.S.Q., chapter L-4)), 548, 552, 614 (except to the extent that it enacts s. 7 of the National Benefit Societies Act (R.S.Q., chapter S-31)), 616 (except to the extent that it enacts s. 4 of the Act respecting societies for the prevention of cruelty to animals (R.S.Q., chapter S-32)), 620 (except to the extent that it enacts s. 30 of the Professional Syndicates Act (R.S.Q., chapter S-40)), 727-729
2002, c. 61	An Act to combat poverty and social exclusion ss. 1 (2 nd par. (2 nd sentence), except to the extent that that provision applies in respect of the advisory committee on the prevention of poverty and social exclusion), 21 (2 nd par. (the words “and those of the indicators proposed by the Observatoire de la pauvreté et de l’exclusion sociale that were retained”)), 31 (3 rd par.), 32 (2 nd par. (2 nd sentence)), 35-45, 58 (the words “and those of the indicators proposed by the Observatoire de la pauvreté et de l’exclusion sociale retained by the Minister”), 59 (the words “, taking into account in particular the indicators proposed by the observatory,”), 65 (except 1 st par.)
2002, c. 66	An Act to amend the Act respecting health services and social services as regards the medical activities, the distribution and the undertaking of physicians ss. 1-4, 12, 14, 15 (par. 1), 21
2002, c. 70	An Act to amend the Act respecting insurance and other legislative provisions ss. 39 (where it replaces s. 88.1 of the Act respecting insurance (R.S.Q., chapter A-32)), 79 (where it enacts Division III.1 of Chapter V of Title III of the Act respecting insurance comprising ss. 200.0.4-200.0.13), 158-162, 165-168, 190
2002, c. 80	An Act to amend the Act respecting labour standards and other legislative provisions ss. 23, 32, 57 (par. 3 (s. 89 (par. 6 (insofar as it concerns paternity leave), 6.1) of the Act respecting labour standards (R.S.Q., chapter N-1.1))), 66 (par. 2) which come into force on the date of coming into force of 2001, c. 9, s. 9
2003, c. 18	An Act to amend the Cooperatives Act ss. 109 (to the extent that the provisions enact s. 221.2.3 of the Cooperatives Act (R.S.Q., chapter C-67.2)), 165
2003, c. 29	An Act respecting the Ministère du Développement économique et régional et de la Recherche s. 135 (par. 7-17, 20, 21, 24, 25 (to the extent that it amends s. 35 of the Winding-up Act (R.S.Q., chapter L-4)), 30, 31, 35-37)
2004, c. 2	An Act to amend the Highway Safety Code and other legislative provisions ss. 58 (except to the extent that it enacts s. 520.2 (1 st par.) of the Highway Safety Code (chapter C-24.2)), 73-75

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2004, c. 12	An Act to amend the Courts of Justice Act and other legislative provisions as regards the status of justices of the peace s. 1 (to the extent that it enacts s. 174 of the Courts of Justice Act (R.S.Q., chapter T-16))
2004, c. 18	An Act to amend the Act respecting immigration to Québec ss. 2, 6, 10 (par. 5)
2004, c. 25	An Act to amend the Act respecting the Bibliothèque nationale du Québec, the Archives Act and other legislative provisions s. 73
2004, c. 30	An Act respecting Services Québec ss. 52, 57
2004, c. 31	An Act to amend the Act to secure the handicapped in the exercise of their rights and other legislative provisions ss. 60, 65, 66, 68 (to the extent that it refers to par. 5 of Schedule 1 to the Act respecting administrative justice (R.S.Q., chapter J-3)), 70 (par. 2)
2004, c. 37	An Act to amend the Securities Act and other legislative provisions ss. 15, 25, 26, 29, 30, 32 (except to the extent that it enacts s. 308.2 of the Securities Act (R.S.Q., chapter V-1.1)), 43 (par. 3), 56, 58, 61, 86
2005, c. 7	An Act respecting the Centre de services partagés du Québec s. 80 (except to the extent that it enacts the first sentence of s. 13 of the Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1))
2005, c. 12	An Act respecting the reciprocal issue and enforcement of support orders ss. 1-41
2005, c. 15	Individual and Family Assistance Act s. 64 (1 st par., second sentence)
2005, c. 17	An Act to amend the Act respecting administrative justice and other legislative provisions s. 43
2005, c. 27	An Act to amend the Code of Penal Procedure and the Courts of Justice Act s. 24
2005, c. 32	An Act to amend the Act respecting health services and social services and other legislative provisions ss. 25 (par. 4), 50, 184 (par. 3), 189, 221, 228, 229, 239 (1 st par., 3 rd par., 4 th par.), 240 (the words “of a health communication centre or of a podiatrist or midwife operating a private health facility, or the local files or index” in the paragraph proposed by par. 5), 287 (par. 1), 288 (ss. 2.0.1-2.0.5), 295, 302, 303, 304, 308 (par. 39), 322
2005, c. 34	An Act respecting the Director of Criminal and Penal Prosecutions s. 89 (except for the purpose of permitting the application of the rules that relate to the selection and appointment of a Deputy Director)
2005, c. 38	Budget Act giving effect to the Budget Speech delivered on 21 April 2005 and to certain other budget statements ss. 283, 284

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2005, c. 39	An Act to amend the Act respecting owners and operators of heavy vehicles and other legislative provisions ss. 4 (par. 2), 27 (insofar as it enacts s. 48.3), 30-47
2005, c. 40	An Act to amend the Act respecting prescription drug insurance and other legislative provisions ss. 23 (except to the extent that it enacts ss. 60.1-60.3 of the Act respecting prescription drug insurance (R.S.Q., chapter A-29.01)), 31, 43
2006, c. 11	An Act to facilitate organ donation ss. 1-4
2006, c. 17	An Act to amend the Election Act to encourage and facilitate voting ss. 2, 3, 4, 13 (except insofar as it enacts s. 204 (only for the purposes of the implementation of s. 301.19 (par. 3))), 14 (insofar as it enacts, in s. 227 (1 st par.), the words “and including particulars about voting in the advance poll and at the returning officer’s office”), 15 (insofar as it enacts ss. 262 (1 st par. (subpar. 1), 2 nd par., 3 rd par.), 263 (except for the purposes of the implementation of s. 301.21), 264-280, 301.18 (2 nd par.)), 19 (insofar as it enacts, in s. 327 (1 st par.), the words “and at the returning officer’s office”), 21, 24
2006, c. 24	An Act to reduce the debt and establish the Generations Fund s. 3 (1 st par. (subpar. 3))
2006, c. 38	An Act to amend the Act respecting the enterprise registrar and other legislative provisions ss. 52, 53 (par. 1), 54, 57, 61, 62, 65, 79, 82, 95, 96
2006, c. 50	An Act to amend the Securities Act and other legislative provisions ss. 11, 21, 22, 26, 38 (except to the extent that it repeals ss. 99, 100, 102 and 103 of the Securities Act (R.S.Q., chapter V-1.1)), 65, 70 (par. 3), 89, 108 (par. 4)
2007, c. 21	An Act to amend the Act respecting the Régie de l’assurance maladie du Québec and to amend other legislative provisions s. 10
2007, c. 31	An Act to amend the Act respecting the Régie de l’assurance maladie du Québec, the Health Insurance Act and the Act respecting health services and social services s. 6 comes into force on the date of coming into force of s. 520.9 (1 st par. (subpar. 2)) of the Act respecting health services and social services (R.S.Q., chapter S-4.2)
2007, c. 39	An Act to amend the Forest Act and other legislative provisions s. 34
2007, c. 40	An Act to amend the Highway Safety Code and the Regulation respecting demerit points ss. 6, 36 (s. 202.4 (3 rd par.) of the Highway Safety Code (R.S.Q., chapter C-24.2) that it enacts), 73 (except to the extent that it relates to s. 597.1 (1 st par.) of the Highway Safety Code), 77, 88 (the words “, except fines belonging to a municipality in accordance with an agreement under the second paragraph of section 597.1 of that Code” in s. 12.39.1 (par. 1) of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28)), 95, 97-101
2008, c. 7	An Act to amend the Act respecting the Autorité des marchés financiers and other legislative provisions ss. 47, 76, 82, 83, 131 (insofar as it enacts s. 349.3), 161, 162 (insofar as it repeals s. 297.6), 169
2008, c. 8	An Act to amend the Act respecting health services and social services, the Health Insurance Act and the Act respecting the Régie de l’assurance maladie du Québec ss. 1-26

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2008, c. 9	Real Estate Brokerage Act ss. 3 (par. 14), 129, 161 (2 nd par.)
2008, c. 14	An Act to again amend the Highway Safety Code and other legislative provisions ss. 1 (except par. 2), 6, 9 (except par. 1), 14 (except par. 1), 20, 26, 27, 29, 33, 49 (except par. 2, 3), 50 (except par. 2), 51 (except par. 2), 53 (except par. 2), 54 (except par. 3), 72 (except par. 2), 79, 80, 86 (except par. 2-4), 100, 101, 111-115, 119, 124, 126-131
2008, c. 18	An Act to amend various legislative provisions respecting municipal affairs ss. 77, 78, 82, 86 (par. 2), 95, 130, 131
2008, c. 25	An Act to amend the Act respecting the Government and Public Employees Retirement Plan and other legislation concerning pension plans in the public sector ss. 17, 18, 20
2009, c. 10	An Act to regularize and provide for the development of local slaughterhouses and to amend the Food Products Act s. 30 (par. 3, which comes into force on the date of coming into force of subparagraph <i>n.3</i> of the first paragraph of section 9 of the Food Products Act (R.S.Q., chapter P-29), introduced by paragraph 5 of section 13 of the Act to amend the Agricultural Products, Marine Products and Food Act and other legislative provisions (2000, chapter 26)
2009, c. 17	An Act to amend the Act respecting transportation services by taxi ss. 8 (ss. 34.1, 34.2 (2 nd par. (subpar. 2))) of the Act respecting transportation services by taxi (R.S.Q., chapter S-6.01)), 21
2009, c. 19	An Act to modify the occupational health and safety regime, particularly in order to increase certain death benefits and fines and simplify the payment of the employer assessment s. 23 (except insofar as it replaces s. 315.1 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001) and it enacts ss. 315.3 and 315.4 of that Act)
2009, c. 25	An Act to amend the Securities Act and other legislative provisions ss. 6, 48-51, 105
2009, c. 27	An Act to amend the Act respecting financial services cooperatives and other legislative provisions ss. 2, 8, 10, 11
2009, c. 30	An Act respecting clinical and research activities relating to assisted procreation ss. 8, 17 (1 st par. (subpar. 2, 3)), 30 (par. 3)
2009, c. 51	An Act to amend the Consumer Protection Act and other legislative provisions ss. 1-34
2009, c. 58	An Act to amend various legislative provisions principally to tighten the regulation of the financial sector ss. 5 (par. 1), 18 (to the extent that it enacts s. 40.2.1 (2 nd par.) of the Deposit Insurance Act (chapter A-26)), 75, 92
2010, c. 3	Sustainable Forest Development Act ss. 5, 13-35, 38-44, 60-87, 115, 117, 118, 127-306, 310-314, 316-319, 321-335, 362, 371 come into force on 1 April 2013 or on any earlier date or dates set by the Government

COMING INTO FORCE TO BE DETERMINED

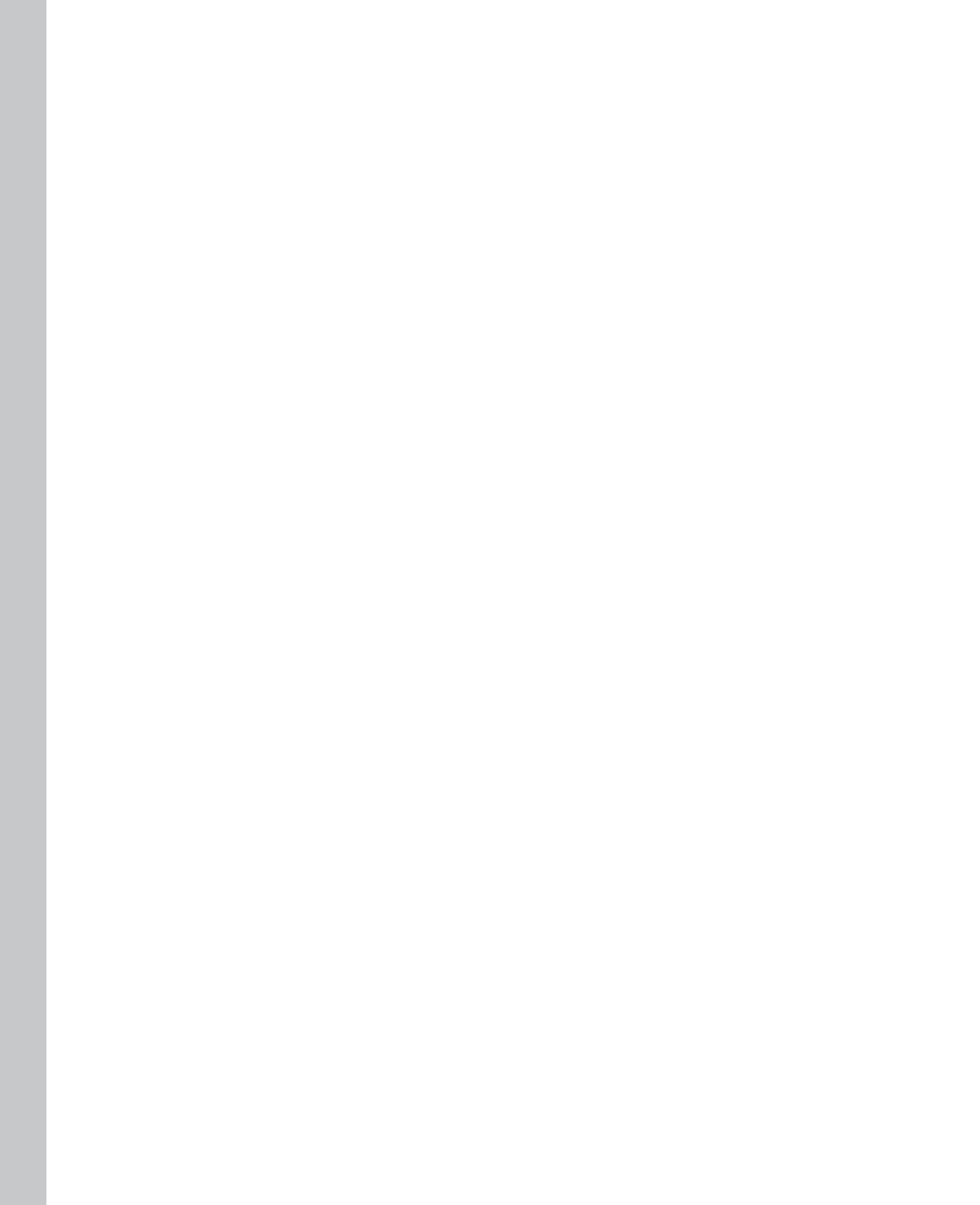
Reference	Title
2010, c. 7	An Act respecting the legal publicity of enterprises ss. 184 (on the date of coming into force of s. 200.0.9 of the Act respecting insurance (R.S.Q., chapter A-32)), 185 (on the date of coming into force of s. 200.0.11 of the Act respecting insurance)
2010, c. 10	An Act to amend the Act respecting land use planning and development and other legislative provisions concerning metropolitan communities ss. 155 (on 1 April 2013 or on the earlier date set by the Government for the coming into force of s. 138 of the Sustainable Forest Development Act (2010, chapter 3)), 156 (on 1 April 2013 or on the earlier date set by the Government for the coming into force of s. 150 of the Sustainable Forest Development Act)
2010, c. 20	An Act to implement certain provisions of the Budget Speech of 30 March 2010, reduce the debt and return to a balanced budget in 2013-2014 s. 39 (par. 2) (on the date of coming into force of s. 54 (par. 1) of the Act to again amend the Highway Safety Code and other legislative provisions (2008, chapter 14))
2011, c. 20	An Act to amend the Environment Quality Act in order to reinforce compliance ss. 47, 48, 49 come into force respectively on the date or dates of coming into force of ss. 35, 36 and 37 of the Act to affirm the collective nature of water resources and provide for increased water resource protection (R.S.Q., chapter C-6.2)
2011, c. 26	An Act to amend various legislative provisions mainly concerning the financial sector ss. 20 (insofar as it enacts s. 115.2 (2 nd par.) of the Act respecting the distribution of financial products and services (chapter D-9.2)), 61 (except par. 1, 5, 6)
2011, c. 30	An Act to eliminate union placement and improve the operation of the construction industry ss. 8 (insofar as it concerns the labour-referral service for the construction industry), 44, 55, 56, 57 (except insofar as it concerns ss. 107.3 to 107.6 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20)), 62 come into force on 9 September 2013, unless their coming into force is set by the Government for an earlier date or dates; s. 48 insofar as it concerns the employee's photo comes into force on the date to be set by the Government
2011, c. 37	An Act to amend the Pharmacy Act ss. 1-5
2012, c. 15	An Act to modify the rules governing the use of photo radar devices and red light camera systems and amend other legislative provisions s. 21 (par. 3, 5) comes into force on the date or dates to be set by the Government, which may not be earlier than the date that is six months after the date on which the first report referred to in section 36 is tabled in the National Assembly
2012, c. 23	An Act respecting the sharing of certain health information ss. 11 (1 st par. (subpar. 4-6)), 22, 24, 25 ("or sold under pharmaceutical control" in par. 1 and par. 2, 3), 26 ("and, in the case of a collective prescription, the date it was filled" in par. 4, "and, in the case of a collective prescription, of the health professional who filled it" in par. 13 and "and, in the case of a collective prescription, where it was filled" in par. 14), 28 ("or a person or partnership"), 31 ("or a person or partnership operating a medical imaging laboratory or a medical diagnostic radiology laboratory"), 32 (except 1 st par.), 39-45, 50, 55 (except 1 st par.), 59 ("or fill a collective prescription for medication"), 75 ("and any other person for whom an entry is requested"), 79 (par. 10), 83 (except 1 st par.), 106-108, 123 ("40 or 43, the second paragraph of section 50"), 124 ("or 108"), 131 ("40,"), 161 (par. 4)
2012, c. 25	Integrity in Public Contracts Act ss. 3, 4, 5, 9, 13 (par. 6), 14, 16, 18 (par. 1), 24, 31-39, 43-45, 47, 48, 51, 52, 56, 69, 71-75, 78, 79, 81, 82

COMING INTO FORCE TO BE DETERMINED

Reference	Title
2012, c. 28	An Act to amend the Act respecting the Québec sales tax and other legislative provisions ss. 6, 13, 22
2013, c. 6	An Act to amend the Police Act as concerns independent investigations ss. 3 (to the extent that it enacts ss. 289.1 to 289.3 and 289.19 to 289.22 of the Police Act (chapter P-13.1)), 4, 5
2013, c. 11	An Act to amend the Act respecting Héma-Québec and the haemovigilance committee s. 8
2013, c. 12	An Act to amend the Professional Code with respect to disciplinary justice ss. 1, 3 (except to the extent that it concerns s. 115.2 of the Professional Code (chapter C-26), insofar as that section refers to the selection procedure for chairs, and ss. 115.3 and 115.5 of the Code), 4, 5 (except to the extent that it concerns ss. 117.2 and 117.3 of the Code), 6-21, 23-25, 29-32
2013, c. 16	An Act respecting mainly the implementation of certain provisions of the Budget Speech of 20 November 2012 ss. 53 (to the extent that it enacts subparagraph 6 of the first paragraph of s. 17.12.12 of the Act respecting the Ministère des Ressources naturelles et de la Faune (chapter M-25.2)), 54 (to the extent that it inserts a reference to s. 17.12.20 of that Act), 55 (to the extent that it enacts s. 17.12.20 of that Act), 58 (to the extent that it applies to the mining activity management component of the Natural Resources Fund), 158-166
2013, c. 18	An Act to amend various legislative provisions mainly concerning the financial sector ss. 92, 97 (par. 3)
2013, c. 25	An Act to amend the Public Service Act mainly with respect to staffing ss. 1, 3-8, 10-13, 14 (except where it enacts subparagraph 11 of the first paragraph of s. 50.1), 15-17, 19, 22 (par. 1-5), 24, 25, 27 (where it enacts s. 116.5), 32, 34-36, 39
2013, c. 27	An Act to amend the Civil Code as regards civil status, successions and the publication of rights ss. 3, 4
2013, c. 30	An Act to amend various legislative provisions concerning municipal affairs s. 13
2013, c. 32	An Act to amend the Mining Act ss. 35, 38, 108
2014, c. 1	An Act to establish the new Code of Civil Procedure ss. 1-27, 29-302, 303 (except 1 st par. (subpar. 7)), 304-835
2014, c. 2	An Act respecting end-of-life care ss. 52 (2 nd par.), 57, 58 (to the extent that it concerns the advance medical directives register), 63, 64
2014, c. 13	An Act to amend the Act respecting the Barreau du Québec, the Notaries Act and the Professional Code ss. 19 (par. 1), 20 (par. 1)
2014, c. 17	An Act respecting workforce management and control within government departments, public sector bodies and networks and state-owned enterprises ss. 7-10

INFORMATION REQUIRED BY LAW TO BE PUBLISHED

None in 2014.



2014, chapter 21
AN ACT RESPECTING MUNICIPALITÉ DE LAC-SIMON

Bill 200

Introduced by Mr. Alexandre Iracà, Member for Papineau

Introduced 11 June 2014

Passed in principle 5 December 2014

Passed 5 December 2014

Assented to 5 December 2014

Coming into force: 5 December 2014

Legislation amended: None



Chapter 21

AN ACT RESPECTING MUNICIPALITÉ DE LAC-SIMON

[Assented to 5 December 2014]

AS it is expedient to validate certain urban planning by-laws of Municipalité de Lac-Simon;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** By-laws U-2012, U-12, U-13, U-14 and U-15 of Municipalité de Lac-Simon are validated so far as the notice of motion that preceded each by-law was given at the same sitting as that at which the by-law was passed, contrary to article 445 of the Municipal Code of Québec (chapter C-27.1).
- 2.** By-laws U-12 and U-13 of Municipalité de Lac-Simon are also validated so far as the certificate of conformity was issued in respect of each by-law by the secretary-treasurer of the regional county municipality and transmitted to the municipality before the by-laws were approved by qualified voters, contrary to section 137.3 of the Act respecting land use planning and development (chapter A-19.1).
- 3.** This Act comes into force on 5 December 2014.

2014, chapter 22
AN ACT RESPECTING VILLE DE WESTMOUNT

Bill 201

Introduced by Mr. David Birnbaum, Member for D'Arcy-McGee

Introduced 12 November 2014

Passed in principle 5 December 2014

Passed 5 December 2014

Assented to 5 December 2014

Coming into force: 5 December 2014

Legislation amended: None



Chapter 22

AN ACT RESPECTING VILLE DE WESTMOUNT

[Assented to 5 December 2014]

AS Ville de Westmount has had an advisory committee on matters of urban planning and architecture since at least 1916;

AS the built environment of Ville de Westmount has great heritage value;

AS it is in the interest of Ville de Westmount that it be granted a power to appoint members to its planning advisory committee regardless of their place of residence to ensure that it has appropriate access to the best urban planning, architectural and heritage resources;

AS it is in the interest of Ville de Westmount that it be possible to appoint the committee members for a renewable term of office of up to four years;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Despite section 146 of the Act respecting land use planning and development (chapter A-19.1), the planning advisory committee of Ville de Westmount may include, in addition to members who are resident in the territory of the city, a single member who is not resident there.

The non-resident committee member must have special qualifications in architecture or urban planning or have heritage expertise.

The term of office of the committee members may not exceed four years and may be renewed.

2. This Act comes into force on 5 December 2014.

2014, chapter 23

**AN ACT RESPECTING THE RÉGIE INTERMUNICIPALE DE
VALORISATION DES MATIÈRES ORGANIQUES DE
BEAUHARNOIS-SALABERRY ET DE ROUSSILLON**

Bill 202

Introduced by Mr. Stéphane Billette, Member for Huntingdon

Introduced 13 November 2014

Passed in principle 5 December 2014

Passed 5 December 2014

Assented to 5 December 2014

Coming into force: 5 December 2014

Legislation amended: None



Chapter 23

AN ACT RESPECTING THE RÉGIE INTERMUNICIPALE DE VALORISATION DES MATIÈRES ORGANIQUES DE BEAUHARNOIS-SALABERRY ET DE ROUSSILLON

[Assented to 5 December 2014]

AS the Régie intermunicipale de valorisation des matières organiques de Beauharnois-Salaberry et de Roussillon was created for the purpose of designing, building, financing, operating and maintaining a bio-methanization and organic waste composting plant;

AS the Régie intends to give a single mandate for designing, building, operating and maintaining the plant to a third party;

AS, for the purpose of awarding this mandate, it would be appropriate for the Régie to be allowed to avail itself of the existing system for awarding a contract for the operation of a park, a facility or place designed for the practice of cultural, recreational or community activities, a convention centre or an exhibition centre, which provides that the opening of tenders may be followed by discussions to further define the project and that the outcome of the discussions may be taken into account in finalizing the tenders;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. If the Régie intermunicipale de valorisation des matières organiques de Beauharnois-Salaberry et de Roussillon so decides, sections 573.1.0.5 to 573.1.0.12 of the Cities and Towns Act (chapter C-19) apply, with the necessary modifications, to the process for awarding a single contract for the design, construction, operation and maintenance of a bio-methanization and organic waste composting plant.

In such a case, the Régie must comply with all the provisions of those sections.

2. This Act comes into force on 5 December 2014.

2014, chapter 24

AN ACT RESPECTING THE SALE OF AN IMMOVABLE SITUATED ON THE LA GRAVE HERITAGE SITE

Bill 203

Introduced by Mr. Germain Chevarie, Member for Îles-de-la-Madeleine

Introduced 13 November 2014

Passed in principle 5 December 2014

Passed 5 December 2014

Assented to 5 December 2014

Coming into force: 5 December 2014

Legislation amended: None



Chapter 24

AN ACT RESPECTING THE SALE OF AN IMMOVABLE SITUATED ON THE LA GRAVE HERITAGE SITE

[Assented to 5 December 2014]

AS, on 28 January 1985, Les Crustacés Des Îles Inc. acquired from National Sea Products Ltd. an immovable known and designated as lot 520 of the cadastre of Île-du-Havre-Aubert, registration division of Îles-de-la-Madeleine, including the buildings erected on it;

AS the deed of sale was registered at the registry office of the registration division of Îles-de-la-Madeleine on 4 February 1985 under number 25 341;

AS, on 17 May 1990, Sablemer Inc. acquired from Les Crustacés Des Îles Inc. an immovable known and designated as lot 520 of the cadastre of Île-du-Havre-Aubert, registration division of Îles-de-la-Madeleine, including the buildings erected on it;

AS the deed of sale, signed before notary Jacques Forest under number 18 366 of his minutes, was registered at the registry office of the registration division of Îles-de-la-Madeleine on 18 May 1990 under number 32 542;

AS, on 12 January 2012, the immovable was parcelled out by the creation on part of it of lots 520-1 and 520-2 of the cadastre of Île-du-Havre-Aubert;

AS, on 20 February 2012, by the coming into force of the new cadastre, lots 520-1, 520-2 and the remainder of lot 520 became lots 4 274 864, 4 275 479, 4 275 480 and 4 275 481 of the cadastre of Québec, registration division of Îles-de-la-Madeleine;

AS, on 27 June 2012, Laurent Bourgeois acquired from Sablemer Inc. an immovable known and designated as lot 4 275 479 of the cadastre of Québec, registration division of Îles-de-la-Madeleine, including the building erected on it, bearing civic number 979 chemin de La Grave;

AS the deed of sale, signed before notary Annie Leblanc under number 6 375 of her minutes, was entered in the land register of the registration division of Îles-de-la-Madeleine on 28 June 2012 under number 19 212 207;

AS, on 18 February 2013, Le P'tit Mondrain Inc. acquired from Sablemer Inc. an immovable known and designated as lot 4 275 480 of the cadastre of Québec, registration division of Îles-de-la-Madeleine, including the building erected on it, bearing civic numbers 981 and 983 chemin de La Grave;

AS the deed of sale, signed before notary André Pierre Renaud under number 13 294 of his minutes, was entered in the land register of the registration division of Îles-de-la-Madeleine on 19 February 2013 under number 19 748 953;

AS the immovables are situated on the La Grave heritage site, which was classified as such on 7 September 1983 and for which a notice of classification was registered at the registry office of the registration division of Îles-de-la-Madeleine on 19 September 1983 under number 23 309;

AS, at the time of the sale by National Sea Products Ltd. to Les Crustacés Des Îles Inc. registered on 4 February 1985 under number 25 341, the notices required under sections 20 and 23 of the Cultural Property Act (chapter B-4) were not given;

AS section 56 of the Cultural Property Act states that any alienation made contrary to that Act is absolutely null;

AS it is important for Sablemer Inc. that the absence of notices and authorization affecting the immovables known and designated from now on as lots 4 274 864, 4 275 479, 4 275 480 and 4 275 481 of the cadastre of Québec, registration division of Îles-de-la-Madeleine, be remedied;

As, on 19 October 2012, the Cultural Property Act was replaced by the Cultural Heritage Act (chapter P-9.002);

AS the Minister of Culture and Communications was informed of the introduction of this Act and did not object to it;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Despite section 56 of the Cultural Property Act (chapter B-4), the alienation by National Sea Products Ltd. to Les Crustacés Des Îles Inc. arising from the deed a copy of which was registered at the registry office of the registration division of Îles-de-la-Madeleine on 4 February 1985 under number 25 341 may not be cancelled on the ground that the notices were not given as required under sections 20 and 23 of that Act.

2. This Act must be registered at the registry office, in the index of immovables, under lot numbers 4 274 864, 4 275 479, 4 275 480 and 4 275 481 of the cadastre of Québec, registration division of Îles-de-la-Madeleine.

3. This Act comes into force on 5 December 2014.

INDEX

“See” before a chapter number means that the entry opposite does not refer to the main subject of that chapter, but rather to an Act, regulation, order in council or ministerial order amended, replaced, repealed or enacted by that chapter.

Page numbers refer to the first page of the chapter.

Subject	Chapter	Page
A		
Agreement on Internal Trade, food products.....	14	379
Agreement relating to the conduct of proceedings in the National Assembly and in parliamentary committees as well as to parliamentary offices and budgetary aspects for the duration of the 41st Legislature	5	269
Agreements on labour matters between the Gouvernement du Québec and the Mohawk Council of Kahnawake	18	437
Appropriation Act No. 1, 2014-2015	7	277
Auditor General.....	See 1	1
B		
Barreau du Québec	See 1	1
	13	369
Budget Speech of 20 November 2012	See 6	273
Building Act	See 1	1
	See 18	437
C		
Charter of Ville de Montréal.....	See 3	251
Charter of Ville de Montréal, composition of executive committee	19	445
Chief Electoral Officer, Term of the person designated to temporarily act as.....	20	449
Cities and towns	See 1	1
Civil Code of Québec.....	See 1	1
	See 2	229
Civil Service Superannuation Plan.....	See 11	347
Class action	See 1	1
Code of Civil Procedure	See 1	1
	See 2	229
	10	341
Code of Civil Procedure, new Code	1	1
	See 10	341
Code of ethics and conduct of Members of National Assembly	See 1	1
Code of Penal Procedure.....	See 1	1

Index

Subject	Chapter	Page
Collective agreements with a term of more than three years in public and parapublic sectors	4	265
Commission administrative des régimes de retraite et d'assurances	See 17	425
Communauté métropolitaine de Montréal	See 1	1
Communauté métropolitaine de Québec	See 1	1
Conditions of employment and pension plan of Members of National Assembly	See 5	269
Contracting by public bodies	See 17	425
Court bailiffs	See 1	1
Courts of justice	See 1	1
D		
Defined benefit pension plans, Financial health and sustainability of municipal	15	383
E		
Educational childcare	8	333
Elections	See 1	1
Elections and referendums in municipalities	See 1	1
Employees of farming businesses, Labour Code	9	337
End-of-life care	2	229
Executive committee, Charter of Ville de Montréal	19	445
F		
Farming businesses, Labour Code	9	337
Financial administration	See 16	403
Financial assistance for education expenses	See 1	1
Financial health and sustainability of municipal defined benefit pension plans	15	383
Food products	See 14	379
G		
Gouvernement du Québec and the Mohawk Council of Kahnawake, Agreements on labour matters between the	18	437
Governance of state-owned enterprises	See 16	403
Government and Public Employees Retirement Plan	See 11	347
	See 16	403
Government departments, public sector bodies and networks and state-owned enterprises, Workforce management and control within	17	425

Index

Subject	Chapter	Page
H		
Handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration.....	See 1	1
Health services and social services	See 2	229
Heritage site, Sale of an immovable situated on the La Grave	24	571
Highway Safety Code.....	See 12	353
I		
Immovable situated on the La Grave heritage site, Sale of an	24	571
Individual and family assistance	See 1	1
Industrial accidents and occupational diseases.....	See 18	437
Inspector general of Ville de Montréal.....	3	251
Insurance	See 1	1
Investissement Québec	See 16	403
K		
Kahnawake, Agreements on labour matters between the Gouvernement du Québec and the Mohawk Council of.....	18	437
L		
La Grave heritage site, Sale of an immovable situated on the.....	24	571
Labour Code, employees of farming businesses	9	337
Labour matters between the Gouvernement du Québec and the Mohawk Council of Kahnawake, Agreements on	18	437
Labour relations, vocational training and workforce management in construction industry	See 18	437
Labour standards.....	See 3	251
Lac-Simon	21	559
Legal aid and provision of certain other legal services.....	See 1	1
M		
Medical Act.....	See 2	229
Ministère de l'Emploi et de la Solidarité sociale and Commission des partenaires du marché du travail.....	See 16	403
Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie.....	See 16	403
Ministère de la Culture et des Communications	See 16	403
Ministère de la Santé et des Services sociaux.....	See 16	403
Ministère des Affaires municipales, des Régions et de l'Occupation du territoire.....	See 16	403
Ministère des Ressources naturelles et de la Faune	See 16	403
Ministère des Transports	See 16	403

Index

Subject	Chapter	Page
Ministère du Développement durable, de l'Environnement et des Parcs	See 16	403
Ministère du Tourisme	See 16	403
Ministerial Order concerning the pilot project concerning add-on seats for single-seat snowmobiles	See 12	353
Ministerial Order concerning the Pilot project concerning side-by-side vehicles	See 12	353
Ministerial Order concerning the Pilot project concerning track systems for 4-wheel all-terrain vehicles	See 12	353
Mohawk Council of Kahnawake, Agreements on labour matters between the Gouvernement du Québec and the	18	437
Montréal, Charter of Ville de	19	445
Montréal, Inspector general of Ville de	3	251
Municipal Code of Québec	See 1	1
Municipal courts	See 1	1
	See 10	341
Municipal defined benefit pension plans, Financial health and sustainability of	15	383
Municipal works	See 1	1

N

National Assembly and in parliamentary committees as well as to parliamentary offices and budgetary aspects for the duration of the 41st Legislature, Agreement relating to the conduct of proceedings in the	5	269
Northern Development Fund	See 16	403
Northern villages and Kativik Regional Government	See 1	1
Notaries	13	369

O

Occupational health and safety	See 17	425
	See 18	437
Off-highway vehicles	12	353
Oil and gas activities	6	273

P

Parental insurance	See 1	1
Pension committee of pension plans in public sector	11	347
Pension Plan of Certain Teachers	See 11	347
Pension Plan of Management Personnel	See 11	347
	See 16	403
Pension Plan of Peace Officers in Correctional Services	See 11	347
Pension plans in public sector, Pension committee of	11	347
Pension plans, Financial health and sustainability of municipal defined benefit	15	383

Index

Subject	Chapter	Page
Pharmacy.....	See 2	229
Process of negotiation of collective agreements in public and parapublic sectors.....	See 16	403
Professional Code.....	See 1	1
	13	369
Public administration.....	See 17	425
Public and parapublic sectors, Collective agreements with a term of more than three years in	4	265
Public sector bodies and networks and state-owned enterprises, Workforce management and control within government departments,	17	425
Public sector, Pension committee of pension plans in.....	11	347
Public service.....	See 1	1
Public transit authorities.....	See 1	1

Q

Québec and the Mohawk Council of Kahnawake, Agreements on labour matters between the Gouvernement du	18	437
Québec Pension Plan	See 1	1

R

Régie du logement	See 1	1
Régie intermunicipale de valorisation des matières organiques de Beauharnois-Salaberry et de Roussillon	23	567
Regulation respecting off-highway vehicle trail signs	See 12	353
Regulation respecting off-highway vehicles	See 12	353
Regulation respecting the issuance of competency certificates	See 18	437

S

Sale of an immovable situated on the La Grave heritage site.....	24	571
Société de l'assurance automobile du Québec	See 1	1
Société du Plan Nord.....	16	403
Special Procedure Act	See 1	1
State-owned enterprises, Workforce management and control within government departments, public sector bodies and networks and	17	425
Sustainability of municipal defined benefit pension plans, Financial health and	15	383

T

Tariff of Court Fees applicable to the Recovery of Small Claims.....	See 10	341
Tariff of Judicial Fees of Advocates.....	See 1	1

Index

Subject	Chapter	Page
Tax administration	See 1	1
Teachers Pension Plan	See 11	347
Term of the person designated to temporarily act as Chief Electoral Officer	20	449
Transport	See 1	1
Trust companies and savings companies	See 1	1

W

Westmount	22	563
Workforce management and control within government departments, public sector bodies and networks and state-owned enterprises	17	425

Y

Youth protection	See 1	1
-------------------------------	-------------	---