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**Summary**

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## Regulations and other Acts

Gouvernement du Québec

### O.C. 135-2019, 20 February 2019

Code of Civil Procedure  
(chapter C-25.01)

Court Bailiffs Act  
(chapter H-4.1)

#### Tariff of fees of court bailiffs — Amendment

Regulation to amend the Tariff of fees of court bailiffs

WHEREAS, under paragraph 1 of article 570 of the Code of Civil Procedure (chapter C-25.01), the Government, by regulation, may establish a tariff of professional fees payable to bailiffs by debtors;

WHEREAS, under section 13 of the Court Bailiffs Act (chapter H-4.1), a bailiff may not charge, in particular to execute judicial decisions that are executory, fees and costs other than those fixed in the tariff established by regulation of the Government;

WHEREAS the Government made the Tariff of fees of court bailiffs (chapter H-4.1, r. 13.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Tariff of fees of court bailiffs was published in Part 2 of the *Gazette officielle du Québec* of 18 July 2018 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice :

THAT the Regulation to amend the Tariff of fees of court bailiffs, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Tariff of fees of court bailiffs

Code of Civil Procedure  
(chapter C-25.01, art. 570, par. 1)

Court Bailiffs Act  
(chapter H-4.1, s. 13)

**1.** The Tariff of fees of court bailiffs (chapter H-4.1, r. 13.1) is amended by adding the following after section 45:

“**§16.** *Execution of a judgment relating to a modest debt*

**45.1.** Despite what is provided for in this Regulation, the bailiff who, for the purpose of executing a judgment rendered by the Small Claims Division of the Court of Québec and ordering payment of \$2,000 or less for the benefit of a natural person who does not operate an enterprise or a partnership, seizes movable property or sums of money in the hands of a third person, other than income, is entitled to only \$200 as professional fees and expenses when there is no property to seize.

Those fees and expenses are payable only once per case and are paid by the Minister.

**45.2.** The bailiff who claims the fees and expenses provided for in section 45.1 may not require other professional fees or expenses, except, where applicable, those provided for in sections 18 and 27 of this Regulation.”

**2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* and subdivision 16, as introduced by section 1, ceases to have effect on 20 September 2020.

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## O.C. 136-2019, 20 February 2019

Court Bailiffs Act  
(chapter H-4.1)

### Tariff of fees of court bailiffs — Amendment

Regulation to amend the Tariff of fees of court bailiffs

WHEREAS, under section 13 of the Court Bailiffs Act (chapter H-4.1), a bailiff may not charge, for acts described in section 8, including for the administration of sums of money, income and other property seized and for the management of instalment payments, fees or costs other than those fixed in the tariff established by regulation of the Government;

WHEREAS the Government made the Tariff of fees of court bailiffs (chapter H-4.1, r. 13.1);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Tariff of fees of court bailiffs was published in Part 2 of the *Gazette officielle du Québec* of 18 July 2018 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Justice:

THAT the Regulation to amend the Tariff of fees of court bailiffs, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

### Regulation to amend the Tariff of fees of court bailiffs

Court Bailiffs Act  
(chapter H-4.1, s. 13)

- 1.** The Tariff of fees of court bailiffs (chapter H-4.1, r. 13.1) is amended by revoking Division I.
- 2.** Section 2 is amended by replacing “68” in the first paragraph by “75”.
- 3.** Section 7 is amended by replacing the first paragraph by the following:

“7. A bailiff is entitled to the fees for service provided for in this Regulation, which include the fees for drawing up the certificate of service and the fees for delivering a notice of visit. Travelling fees are added to those fees.”.

**4.** Section 8 is replaced by the following:

“8. For the service of a proceeding or of any document not specifically provided for in this Regulation, a bailiff is entitled to a fee of \$23.”.

**5.** The following is inserted after section 9:

“9.1. To designate a person to act in the bailiff’s name and under the bailiff’s authority in accordance with article 117 of the Code of Civil Procedure (chapter C-25.01), a bailiff is entitled only to a fee of \$25.

The fees for service and the travelling fees that the designated person may charge may not exceed the fees to which a bailiff would have been entitled under this Regulation.”.

**6.** Section 11 is revoked.

**7.** The following is inserted after section 11:

“11.1. For the notification by public notice of a proceeding when service is required by law, a bailiff is entitled to a fee of \$25.”.

**8.** Section 12 is amended by

- (1) replacing “6” in the first paragraph by “15”;
- (2) inserting “, which includes the fee for delivering a notice of visit” at the end of the first paragraph.

**9.** Section 13 is amended by

- (1) replacing “12” by “15”;
- (2) inserting “, which includes the fee for giving a notice of visit” at the end.

**10.** Section 33 is amended by inserting the following after paragraph *e*:

“(e.1) \$12 for the publication of the certificate provided for in article 3069 of the Civil Code;”.

**11.** Section 34 is amended by inserting the following after paragraph *d*:

“(d.1) \$12 for the publication of the certificate provided for in article 3069 of the Civil Code;”.

**12.** Section 35 is amended by adding the following sentence at the end of the second paragraph: “The bailiff is entitled to travelling fees to travel to the location of the execution where the location is different from the location of service.”

**13.** Section 42 is amended in the first paragraph

(1) by replacing “to the following fees:” by “to a fee of \$75.”;

(2) by striking out “Class 1: \$46”;

(3) by striking out “Class 2: \$72”.

**14.** Section 46 is amended by replacing “10” by “15”.

**15.** Section 47 is amended

(1) by replacing “to the following fees:” by “to a fee of \$33.”;

(2) by striking out “Class 1: \$33”;

(3) by striking out “Class 2: \$60”.

**16.** Section 48 is amended by adding the following sentence at the end of the second paragraph: “The bailiff is entitled to travelling fees to travel to the location of the sale.”

**17.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

## O.C. 150-2019, 20 February 2019

An Act respecting occupational health and safety  
(chapter S-2.1)

### Occupational health and safety in mines — Amendment

Regulation to amend the Regulation respecting occupational health and safety in mines

WHEREAS, under subparagraph 7 of the first paragraph of section 223 of the Act respecting occupational health and safety (chapter S-2.1), the Commission des normes, de

l'équité, de la santé et de la sécurité du travail may make regulations prescribing measures for the supervision of the quality of the work environment and standards applicable to every establishment or construction site in view of ensuring the health, safety and physical well-being of workers, particularly with regard to work organization, lighting, heating, sanitary installations, quality of food, noise, ventilation, variations in temperature, quality of air, access to the establishment, means of transportation used by workers, eating rooms and cleanliness of a workplace, and determining the hygienic and safety standards to be complied with by the employer where the employer makes premises available to workers for lodging, meal service or leisure activities;

WHEREAS, under subparagraph 19 of the first paragraph of section 223 of the Act, the Commission may make regulations prescribing standards respecting the safety of such products, processes, equipment, materials, contaminants or dangerous substances as it specifies, indicating the directions for their use, maintenance and repair, and prohibiting or restricting their use;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting occupational health and safety in mines was published in Part 2 of the *Gazette officielle du Québec* of 1 November 2017 with a notice that it could be made by the Commission and submitted to the Government for approval on the expiry of 45 days following that publication;

WHEREAS, at its sitting of 28 March 2018, the Commission made the Regulation to amend the Regulation respecting occupational health and safety in mines;

WHEREAS, under section 224 of the Act respecting occupational health and safety, every draft regulation made by the Commission under section 223 of the Act is submitted to the Government for approval;

WHEREAS it is expedient to approve the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Labour, Employment and Social Solidarity:

THAT the Regulation to amend the Regulation respecting occupational health and safety in mines, attached to this Order in Council, be approved.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

## Regulation to amend the Regulation respecting occupational health and safety in mines

An Act respecting occupational health and safety (chapter S-2.1, s. 223, 1st par., subpars. 7 and 19)

**1.** The Regulation respecting occupational health and safety in mines (chapter S-2.1, r. 14) is amended by inserting the following after section 27.4:

“**27.5.** Hoistmen must receive training on the characteristics of a hoist before using it. The training, offered by the employer or the person designated by the employer, must in particular cover the following elements:

- (1) the safety devices of the hoist;
- (2) the operation of the braking systems and the brake test procedure;
- (3) the procedures for using the single-drum hoist;
- (4) the hoist registers;
- (5) the procedures and directives related to the hoist;
- (6) the safety rules, measures and procedures, including those provided for in section 117;
- (7) the signal and communications systems;
- (8) the operating functions of the hoist.”

**2.** Section 200.1 is revoked.

**3.** The following is inserted after section 200.1:

“**200.2.** A worker is allowed to board a locomotive or mechanical haulage equipment if the worker stands on a foot-step, at the back of the locomotive that is not connected to a mine car, or at the back of the mechanical haulage equipment, if the following conditions are met:

- (1) the locomotive or mine car is equipped with handles and a foot-step allowing the worker to stand;
- (2) the clearance above the top of the foot-step is at least 2 m (6.6 ft);
- (3) the foot-step is used by a maximum of 2 workers.

For the purposes of the first paragraph, the back is determined by the direction opposite the direction of travel.”

**4.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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