

Regulations and other acts

Gouvernement du Québec

O.C. 1283-96, 9 October 1996

Code of Penal Procedure
(R.S.Q., c. C-25.1)

Certain court costs

— Persons under 18 years of age — Amendments

Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age

WHEREAS under article 166.2 of the Code of Penal Procedure (R.S.Q., c. C-25.1), introduced by section 22 of Chapter 51 of the Statutes of 1995, the Government may, by regulation, prescribe the amount of additional costs payable by a defendant who enters a plea of guilty or pays the whole amount of the fine and costs requested in the statement of offence before the trial;

WHEREAS under article 261 of the Code, the Government may, by regulation, fix the minimum amount of costs that may be reduced upon demand by the defendant who has been convicted by default of an offence, even if he pleads guilty to the offence;

WHEREAS under paragraph 14 of article 367 of the Code, the Government may, by regulation, determine the costs payable under paragraphs 2, 3, 4, 8 to 11 and 13 of that article which apply to a person under 18 years of age, the amounts payable by such a person and the costs and fees from which he is exempted;

WHEREAS under paragraphs 2 and 3 of article 367 of the Code, the Government may, by regulation:

— fix the court fees payable under the Code;

— fix the costs that may be awarded against a party in first instance or in appeal;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age was published on page 2893 of Part 2 of the *Gazette officielle du Québec* of 3 July 1996, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age

Code of Penal Procedure
(R.S.Q., c. C-25.1, a. 166.2, 261 and 367, pars. 2, 3, 4, 8 to 11 and 14; 1995, c. 51, s. 22)

1. The Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age, made by Order in Council 40-94 dated 10 January 1994, is amended by substituting the following for paragraph 6 of section 2:

“(6) for the sending of a plea of guilty or the sending of the total amount of the fine and costs without a plea:

(a) where the fine requested is equal to or less than \$10.00 \$5.00;

(b) where the fine requested is greater than \$10.00 but less than \$50.00 \$12.00;

(c) where the fine requested is equal to or greater than \$50.00 without exceeding \$100.00 \$18.00;

(7) for the amount of supplementary costs payable by a defendant who, having entered a plea of not guilty, amends it before the trial, either to enter a plea of guilty or to pay the total amount of the fine and costs requested in the statement of offence \$12.00

2. The following is substituted for paragraphs 1 and 2 of section 3:

“(1) for a judgment of guilty rendered by default:

(a) where the fine requested is equal to or less than \$10.00 \$21.00;

(b) where the fine requested is greater than \$10.00 but less than \$50.00 \$28.00;

(c) where the fine requested is equal to or greater than \$50.00 without exceeding \$100.00 \$34.00;

(2) for a judgment of guilty rendered during the contested trial or for the contestation of the greater sentence requested:

(a) where the fine requested is equal to or less than \$10.00 \$33.00;

(b) where the fine requested is greater than \$10.00 but less than \$50.00 \$40.00;

(c) where the fine requested is equal to or greater than \$50.00 without exceeding \$100.00 \$46.00;”.

3. The following is substituted for section 7:

“7. The minimum amount of the costs payable upon an order to reduce costs is the amount of the costs provided for in paragraph 6 of section 2.”.

4. Paragraph 1 of section 11 is amended in its English version by substituting the word “requested” for the word “claimed”.

5. The following is substituted for section 13:

“13. The costs and fees shall be increased on 1 April 1999 and thereafter every 3 years on 1 April, in the manner provided for in section 16 of the Tariff of court costs in penal matters, made by Order in Council 1412-93 dated 6 October 1993.”.

6. The following is substituted for section 14:

“14. The total amount of the costs and fees payable by a person under 18 years of age shall not exceed \$100.00.”.

7. 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. 1288-96, 9 October 1996

An Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32)

Health insurance

— Regulation respecting the application of the Act — Amendments

Regulation to amend the Regulation respecting the application of the Health Insurance Act

WHEREAS by Order in Council 845-96 dated 3 July 1996, sections 78, 79, 101 and 114 of the Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32) came into force on 1 August 1996;

WHEREAS under subparagraph 3 of the first paragraph of section 78 of that Act, the Government may, after consulting the Régie de l'assurance-maladie du Québec, make regulations to determine the cases, conditions and therapeutic indications in and for which the cost of certain medications included in the list drawn up by the Minister of Health and Social Services under section 60 of that Act is covered by the basic plan;

WHEREAS under section 79 of that Act, a regulation made under subparagraph 3 of the first paragraph of section 78 of that Act is not subject to the requirements concerning publication and date of coming into force contained in sections 8 and 17 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS paragraph 3 of section 101 of the Act respecting prescription drug insurance and amending various legislative provisions has stricken out subparagraph *u* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29), which authorized the Government to make regulations, after consultation with the Board or upon its recommendation, to determine the conditions required for the cost of medications to be assumed by the Board;

WHEREAS under section 114 of the Act respecting prescription drug insurance and amending various legislative provisions, the provisions of the regulations made by the Government under subparagraph *u* of the first paragraph of section 69 of the Health Insurance Act that are repealed by the Act respecting prescription drug insurance and amending various legislative provisions shall continue to have effect until they are amended, replaced or repealed under that Act;