

Regulations and other acts

Gouvernement du Québec

O.C. 1155-98, 9 September 1998

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10)

Amendment to Schedule I to the Act

Amendment to Schedule I to the Act respecting the Government and Public Employees Retirement Plan

WHEREAS under section 1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the retirement plan applies to employees and persons designated in Schedule I, and employees and persons designated in Schedule II who were not members of a retirement plan on 30 June 1973 or who were appointed or engaged after 30 June 1973;

WHEREAS under the first paragraph of section 220 of the Act, the Government may, by order, amend Schedules I, II, II.1, II.2, III, III.1 and VI and any such order may have effect 12 months or less before it is made;

IT IS ORDERED, therefore, upon the recommendation of the Minister for Administration and the Public Service and Chairman of the Conseil du trésor:

THAT the Amendment to Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), attached hereto, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Amendment to Schedule I to the Act respecting the Government and Public Employees Retirement Plan (*)

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 220)

1. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) is amended by inserting the words “the Syndicat des enseignantes et enseignants de Charlevoix” in paragraph 1, in alphabetical order.

2. This Order in Council comes into force on the date it is made by the Government but takes effect 12 months before that date.

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Gouvernement du Québec

O.C. 1163-98, 9 September 1998

Criminal Code
(R.S.C., 1985, c. C-46)

Tariff in criminal matters

Tariff in criminal matters

WHEREAS under section 809 of the Criminal Code (R.S.C., 1985, c. C-46), the summary conviction court may in its discretion award and order such costs as it

* Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10) was amended, since the last update of the Revised Statutes of Québec, on 1 March 1997, by Orders in Council 629-97 dated 13 May 1997 (1997, *G.O.* 2, 2243), 788-97 dated 18 June 1997 (1997, *G.O.* 2, 3338), 1105-97 dated 28 August 1997 (1997, *G.O.* 2, 4561), 1652-97 dated 17 December 1997 (1997, *G.O.* 2, 6287), 296-98 dated 18 March 1998 (1998, *G.O.* 2, 1425) and 297-98 dated 18 March 1998 (1998, *G.O.* 2, 1426), 730-98 dated 3 June 1998 (1998, *G.O.* 2, 2207) and 764-98 dated 10 June 1998 (1998, *G.O.* 2, 2289) and by sections 35 of Chapter 26 of the Statutes of 1997, 33 of Chapter 27 of the Statutes of 1997, 13 of Chapter 36 of the Statutes of 1997, 631 of Chapter 43 of the Statutes of 1997, 57 of Chapter 50 of the Statutes of 1997, 121 of Chapter 63 of the Statutes of 1997, 52 of Chapter 79 of the Statutes of 1997 and 37 of Chapter 83 of the Statutes of 1997.

considers reasonable and not inconsistent with such of the fees established by section 840 of the Code as may be taken or allowed in proceedings before that summary conviction court, to be paid by a party;

WHEREAS under paragraph 2 of section 840 of the Code, amended by section 114 of Chapter 18 of the Statutes of 1997, the lieutenant-governor in council of a province may order that all or any of the fees and allowances mentioned in the Schedule to Part XXVII of the Code shall not be taken or allowed in proceedings in that province;

WHEREAS under that provision, the lieutenant-governor in council of a province may, in addition, order that fees and allowances mentioned in the Schedule to that Part of the Code be replaced;

WHEREAS it is expedient to order that such fees and allowances as are mentioned in the Schedule to Part XXVII of the Code not be taken or allowed and that they will be replaced by those provided for in the Tariff in criminal matters attached to this Order in Council;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the Tariff in criminal matters was published in Part 2 of the *Gazette officielle du Québec* of 13 May 1998 with a notice that, upon the expiry of 45 days following that publication, it could be made by the Government;

WHEREAS during that period, requests for further information and comments in writing were made to the Minister of Justice;

WHEREAS it is expedient to make the Tariff in criminal matters, with amendments;

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

THAT the Tariff in criminal matters, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Tariff in criminal matters

Criminal Code
(R.S.C., 1985, c. C-46, subsection 840(2);
S.C., 1997, c. 18, s. 114)

1. The fees and allowances mentioned in the Schedule to Part XXVII of the Criminal Code and prescribed under section 840 of that Code shall not be taken or

allowed in Québec in proceedings before summary conviction courts and before justices and are instead replaced by the following:

(1) fees and allowances that may be charged by summary conviction courts and justices:

(a) for the issue of a summons or a warrant for arrest in first instance or to confirm an appearance notice, a promise or a recognizance to appear: \$26.00;

(b) for a promise made or a recognizance entered into before a justice for the purposes of provisional release: \$26.00;

(c) for a warrant of committal upon conviction, a remand warrant or a warrant for arrest for failure to appear in or to attend court: \$26.00;

(d) for each witness summoned: \$12.00;

(e) for a subpoena to a witness where the court finds that the testimony could have been given by filing a document in lieu of testimony, in addition to the costs provided for in a tariff of court costs for the subpoena and travel expenses of such witness: \$31.00;

(f) for filing a motion or application in writing: \$16.00;

(g) for an adjournment granted at the defendant's request: \$23.00;

(h) for a judgment convicting the defendant, following an *ex parte* hearing or a plea of guilty: \$46.00;

(i) for a judgment convicting the defendant, rendered during a contested trial: \$71.00;

(j) for a copy of an audio or video tape or another object that cannot be photocopied, the actual cost;

(k) for a notice to the Société de l'assurance automobile du Québec of any conviction or any order prohibiting driving: \$26.00;

(2) fees and allowances that may be granted to bailiffs:

(a) for serving a summons, a subpoena on a witness and any notice, the tariff prescribed in the Tariff of fees and transportation expenses of bailiffs (R.R.Q., 1981, c. H-4, r.3, as amended);

(b) for the arrest or imprisonment of a person, except for default of payment of a fine (subsection 734 (7)) and for the execution of a warrant for witness, the Tariff of fees and transportation expenses of bailiffs (R.R.Q., 1981, c. H-4, r.3, as amended).

2. The amounts mentioned in this Regulation shall be increased on 1 April 1999 and thereafter every 3 years on 1 April, as follows:

(1) where the amount applicable on the preceding 31 March is equal to or greater than \$35, it shall be increased on the basis of the cumulative rate of increase in the general Consumer Price Index for Canada, as determined by Statistics Canada for a 3-year period ending on 31 December of the preceding year;

(2) where the amount applicable on the preceding 31 March is less than \$35, the increase shall be carried out by applying to the amount exigible on the date of coming into force of this Regulation the cumulative rate of increase in the general Consumer Price Index for Canada, as determined by Statistics Canada for the period beginning on 1 January of the year preceding the year of the coming into force of such provision and ending on 31 December of the year preceding that increase.

The amounts indexed in the prescribed manner shall be reduced to the nearest dollar where they contain a fraction of a dollar less than \$0.50; they shall be increased to the nearest dollar where they contain a fraction of a dollar equal to or greater than \$0.50.

The Minister of Justice shall inform the public, through the *Gazette officielle du Québec* and by such other means as he considers appropriate, of the indexing calculated under this section.

3. 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. 1184-98, 16 September 1998

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1)

Part of the fees that an agency must pay to a legal person certified under section 106.3 of the Act

Regulation respecting the part of the fees that an agency must pay to a legal person certified under section 106.3 of the Act respecting the conservation and development of wildlife

WHEREAS under section 106.6 of the Act respecting the conservation and development of wildlife (R.S.Q.,

c. C-61.1), introduced by section 4 of Chapter 95 of the Statutes of 1997, the Government shall determine by regulation the part of the fees to be paid by an agency from the fees that devolve to it, as a contribution toward the financing of a legal person, where that agency is a party to a memorandum of agreement and on whose behalf a legal person certified by the Minister acts as a representative, including the terms and conditions of payment for a period of three years from the date determined by the Government;

WHEREAS under section 9 of the Act to again amend the Act respecting the conservation and development of wildlife (1997, c. 95), a regulation made under section 106.6 of the Act respecting the conservation and development of wildlife is not subject to the publication requirements set out in section 8 of the Regulations Act (R.S.Q., c. R-18.1);

WHEREAS it is expedient to make the Regulation respecting the part of the fees that an agency must pay to a legal person certified under section 106.3 of the Act respecting the conservation and development of wildlife attached to this Order in Council;

IT IS ORDERED, therefore, upon the recommendation of the Minister of the Environment and Wildlife:

THAT the Regulation respecting the part of the fees that an agency must pay to a legal person certified under section 106.3 of the Act respecting the conservation and development of wildlife, attached to this Order in Council, be made.

MICHEL NOËL DE TILLY,
Clerk of the Conseil exécutif

Regulation respecting the part of the fees that an agency must pay to a legal person certified under section 106.3 of the Act respecting the conservation and development of wildlife

An Act respecting the conservation and development of wildlife
(R.S.Q., c. C-61.1, s. 106.6; 1997, c. 95, s. 4)

1. In this Regulation,

“agency” means an agency which is a signatory to a memorandum of agreement on the management of a controlled zone with the Minister of the Environment and Wildlife, pursuant to section 106 of the Act respecting the conservation and development of wildlife (R.S.Q., c. C-61.1).