

Draft Regulations

Draft Regulation

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

Certain court costs

— Persons under 18 years of age — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to replace the indexing clause provided for in section 13 of the Regulation, as amended by Order in Council 1283-96 dated 9 October 1996 so as to allow for the indexing of the costs and fees added by that Order in Council that could not be increased on 1 April 1999.

Section 13 of the Regulation provides that the costs and fees shall be increased on 1 April 1999 and thereafter every three 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.

Subparagraph 2 of the first paragraph of section 16 of the Tariff of court costs in penal matters provides that fees and costs of less than \$35 shall be increased by applying to the amount of the costs and fees exigible on a certain date in 1993 the cumulative rate of increase in the general Consumer Price Index for Canada for the period beginning on 1 January of the year preceding the year of coming into force of such provision and ending on 31 December of the year preceding that increase.

That reference creates application difficulties since it involves costs and fees existing on a certain date in 1993. Consequently, the costs and fees of less than \$35 added by Order in Council 1283-96 could not be increased on 1 April 1999. It is also impossible to increase future costs and fees.

Further information may be obtained by contacting Mr. Conrad Breton, Direction générale des services de justice, 1200, route de l'Église, 7^e étage, Sainte-Foy (Québec) G1V 4M1; tel. (418) 644-7703, fax: (418) 644-9968.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Justice, 1200, route de l'Église, 9^e étage, Sainte-Foy (Québec) G1V 4M1.

LINDA GOUPIL,
Minister of Justice

Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age¹

Code of Penal Procedure
(R.S.Q., c. C-25.1, art. 261 and art. 367,
pars. 2, 3, 4, 8 to 11, 13 and 14)

1. The following is substituted for section 13 of the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age:

“13. The costs and fees shall be increased on 1 April 2002 and thereafter every three years on 1 April, in the manner provided for in section 16 of the Tariff of court costs in penal matters, as amended.”

2. The costs and fees which were not increased on 1 April 1999 because they came into force after 1 November 1993 shall be increased on 1 January 2000 in the manner provided for in subparagraph 2 of the first paragraph of section 16 of the Tariff of court costs in penal matters.

3. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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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 (1994, *G.O.* 2, 657), was amended by Order in Council 1283-96 dated 9 October 1996 (1996, *G.O.* 2, 4307).