

Regulations and other acts

Gouvernement du Québec

O.C. 378-2002, 27 March 2002

Jurors Act
(R.S.Q., c. J-2)

Jurors

— **Indemnities and allowances**
— **Amendments**

Regulation to amend the Regulation respecting indemnities and allowances to jurors

WHEREAS under subparagraph *a* of the first paragraph of section 46 of the Jurors Act (R.S.Q., c. J-2), the Government may by regulation determine the indemnities and allowances of jurors;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of the Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to following circumstances justifies the absence of prior publication and such coming into force:

— the purpose of the amendments provided for in the Regulation attached to this Order in Council is to increase the indemnities and allowances granted to jurors, as soon as possible, to avoid requests for dispensation from the regulations now in force, which could entail iniquity in the treatment of jurors;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting indemnities and allowances to jurors, attached hereto, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting indemnities and allowances to jurors*

Jurors Act
(R.S.Q., c. J-2, s. 46)

1. The Regulation respecting indemnities and allowances to jurors is amended by substituting the following for section 1:

“**1.** When a jury is formed, a juror who is a member thereof is entitled to an indemnity of \$90 for each day or part of a day of hearings or deliberations.

Where there are evening hearings or deliberations, the juror is entitled to an additional indemnity of \$45.

Where the deliberations of the jury continue into the night and on to the following day, the indemnity prescribed for the night is \$90.

A juror is also entitled to an indemnity of \$90 per entire day falling on a non-judicial day for as long as he or she is member of a jury and remains confined to the premises designated by the sheriff.”

2. The following are substituted for sections 2 to 4 of the Regulation:

“**2.** A juror is entitled to an allowance for meals, accommodation and transportation corresponding to that granted to members of the staff appointed in accordance with the Public Service Act (R.S.Q., c. F-3.1.1) and provided for in the Directive sur les frais remboursables lors d’un déplacement et autres frais inhérents, made by Decision C.T. 194603 of the Conseil du trésor dated 30 March 2000, as it reads at the time it applies.

* The Regulation respecting indemnities and allowances to jurors (R.R.Q., 1981, c. J-2, r. 1) was last amended by the Regulation made by Order in Council 59-96 dated 16 January 1996 (1996, G.O. 2, 999).

3. A juror is entitled, on order of the judge, to an allowance for the care of children or other dependents.

That allowance is payable on a weekly basis, on the presentation of vouchers, up to:

(1) \$101 where the juror takes care of one person provided for in the first paragraph;

(2) \$132 where the juror takes care of two persons provided for in the first paragraph;

(3) \$166 where the juror takes care of three persons provided for in the first paragraph; or

(4) \$198 where the juror takes care of four persons or more provided for in the first paragraph.

That allowance shall be revalorized in accordance with Chapter VIII of Title II of the Automobile Insurance Act (R.S.Q., c. A-25). The Minister of Justice shall inform the public of the result of this revalorization, through the *Gazette officielle du Québec* or by any other means he deems appropriate.

4. A juror is entitled, on order of the judge, on the presentation of vouchers, to an allowance for psychological treatment, up to a maximum amount of \$65 per hour of treatment and up to 15 hours of treatment per prescription.”.

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

4961

Gouvernement du Québec

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

Code of Civil Procedure
(R.S.Q., c. C-25)

An Act respecting payment of certain witnesses
(R.S.Q., c. P-2.1)

Courts of justice Indemnities and allowances payable to witnesses summoned before courts — Amendments

Regulation to amend the Regulation respecting indemnities and allowances payable to witnesses summoned before courts of justice

WHEREAS, under paragraph 7 of section 367 of the Code of Penal Procedure (R.S.Q., c. C-25.1), the Government may, by regulation, fix the allowances payable to witnesses;

WHEREAS, under section 321 of the Code of Civil Procedure (R.S.Q., c. C-25), the Government may, by regulation, fix the allowances payable to witnesses;

WHEREAS, under subsection 1 of section 2 of the Act respecting payment of certain witnesses (R.S.Q., c. P-2.1), the Government shall determine by regulation, for each district, the allowance which each prosecution witness shall receive, according to such special circumstances as it may deem it should take into account;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published as provided for in section 8 of that Act if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS, under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force shall be published with the regulation;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

— the purpose of the amendments provided for in the Regulation attached to this Order in Council is to increase the allowances granted to witnesses, as soon as possible, to avoid requests for dispensation from the regulations now in force, which could entail iniquity in the treatment of witnesses;

WHEREAS it is expedient to make the Regulation;

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

THAT the Regulation to amend the Regulation respecting indemnities and allowances payable to witnesses summoned before courts of justice, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif