

Regulations and other acts

Gouvernement du Québec

O.C. 811-2002, 26 June 2002

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

Penal matters

— Tariff of court costs

Regulation to amend the Tariff of court costs in penal matters

WHEREAS, under paragraph 1 of article 223 of the Code of Penal Procedure (R.S.Q., c. C-25.1), the judge may, when rendering judgment, order the defendant to pay the costs fixed by regulation where he convicts him of an offence and imposes a fine on him;

WHEREAS, under paragraph 11 of article 367 of the Code, the Government may, by regulation, fix the costs of execution of the judgment that may be awarded against a party;

WHEREAS section 13 of the Tariff of court costs in penal matters made by Order in Council 1412-93 dated 6 October 1993 provides for the costs of execution of the judgment that may be awarded against a party;

WHEREAS it is expedient to amend the Tariff of court costs in penal matters to include in the disbursements made by the collector for the recovery of a sum due in the costs of execution of the judgment that may be awarded against a party:

— the fees provided for in the agreement entered into between the Régie de l'assurance maladie du Québec and the Ministère de la Justice, under section 65.0.2 of the Health Insurance Act (R.S.Q., c. A-29) for manual retrieval and the transmission of information concerning a person who has failed to pay a sum due;

— the fees paid by the collector under the Act to promote the reform of the cadastre in Québec (R.S.Q., c. R-3.1; 2000, c. 42; 2001, c. 62), the fees paid by the collector for the registration of a legal hypothec and the other fees paid by the collector in accordance with the tariff adopted in accordance with the Act respecting registry offices (R.S.Q., c. B-9; 2000, c. 42 and c. 53);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Regulation to amend the Tariff of court costs in penal matters was published on page 1617 of Part 2 of the *Gazette officielle du Québec* of 20 March 2002 with a notice that it could be made by the Government upon the expiry of a 45-day period following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Tariff of court costs in penal matters, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Tariff of court costs in penal matters¹

Code of Penal Procedure
(R.S.Q., c. C-25.1, s. 367, par. 11)

1. Section 13 of the Tariff of court costs in penal matters is amended by adding the following after paragraph 11:

“(12) For any disbursement made by a collector to recover a sum due:

(a) the fees provided for in the agreement entered into between the Régie de l'assurance maladie du Québec and the Minister of Justice under section 65.0.2 of the Health Insurance Act (R.S.Q., c. A-29), for manual retrieval and transmission of information concerning a person who has not paid a sum due within the meaning of the Code of Penal Procedure within the prescribed time;

¹ The Tariff of court costs in penal matters, made by Order in Council 1412-93 dated 6 October 1993 (1993, *G.O.* 2, 5554), was last amended by the Regulation made by Order in Council 1210-96 dated 25 September 1996 (1996, *G.O.* 2, 4096).

(b) in addition to the fees provided for in section 8.1 of the Act to promote the reform of the cadastre in Québec (R.S.Q., c. R-3.1; 2000, c. 42, s. 211; 2001, c. 62), the fees paid by the collector for the registration of a legal hypothec provided for

i. in the Tariff of fees respecting publication by registration in the land register and the application of certain transitional provisions relating to the former registers of registry offices, made by Order in Council 1597-93 dated 17 November 1993;

ii. in the Tariff of fees respecting land registration, made by Order in Council 1074-2001 dated 12 September 2001;

(c) the fees paid by the collector in accordance with the Tariff of fees respecting the register of personal and movable real rights, made by Order in Council 1595-93 dated 17 November 1993.”

2. 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. 846-2002, 26 June 2002

Highway Safety Code
(R.S.Q., c. C-24.2)

World Youth Day activities
— Daily log to be kept by school bus drivers
when carrying participants

Regulation respecting the daily log to be kept by school bus drivers when carrying participants to World Youth Day activities

WHEREAS, under paragraph 39 of section 621 of the Highway Safety Code (R.S.Q., c. C-24.2), the Government may by regulation determine the form, content and rules for the retention of the reports, daily logs, files or other documents referred to in Title VIII.1 of the Code;

WHEREAS, under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without the prior publication provided for in section 8 of that Act where 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, in the opinion of the Government, the urgency due to the following circumstances justifies the absence of prior publication and such coming into force:

— the World Youth Day will take place in Toronto on 28 July 2002; several dioceses will welcome young people from several countries; those youth and pilgrims from Québec will have to go to Toronto by bus, including school bus or minibus; it is necessary to simplify the information to be entered in the daily log of driving time and work time of bus drivers for the carrying of those people between 20 July and 31 July 2002;

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

THAT the Regulation respecting the daily log to be kept by school bus drivers when carrying participants to World Youth Day activities, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation respecting the daily log
to be kept by school bus drivers when
carrying participants to World Youth
Day activities

Highway Safety Code
(R.S.Q., c. C-24.2, s. 621, par. 39)

1. Despite the provisions of section 9 of the Regulation respecting hours of driving, hours of work and the heavy vehicle driver's record, made under O.C. 389-89 dated 15 March 1989, a driver who carries participants by chartered school bus or minibus to World Youth Day activities in Toronto between 20 July 2002 and 31 July 2002 satisfies the requirement to keep a daily log of driving time and work time by entering the following: