

Any person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 45-day period, to Marc Ledoux, Associate Deputy Minister for Forests, Ministère des Ressources naturelles, 880, chemin Sainte-Foy, 10<sup>e</sup> étage, Québec (Québec) G1S 4X4.

FRANÇOIS GENDRON,  
*Minister of Natural Resources*

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## Regulation to amend the Regulation respecting operating permits for wood processing plants\*

Forest Act  
(R.S.Q., c. F-4.1, s. 172, pars. 16 and 17)

**1.** Section 1 of the Regulation respecting operating permits for wood processing plants is amended

(1) by substituting “wood processing industries for energy production or metallurgical purposes and industries” for “cogeneration industries and wood-based or wood-waste-based energy product industries” in paragraph 6;

(2) by inserting the following after paragraph 6:

“(6.1) industries for processing shrubs or half-shrubs and branches from shrubs or half-shrubs for the production of substances intended for pharmaceutical use;”;  
and

(3) by striking out “and chips for shipment outside Québec or for use for energy or metallurgical purposes” in paragraph 7.

**2.** Section 2 is amended by adding “where such authorization is required” at the end of paragraph 2.

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

5341

## Draft Regulation

Civil Code of Québec  
(1991, c. 64)

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

Courts of Justice Act  
(R.S.Q., c. T-16)

## Tariff of Court Costs in Civil Matters and Court Office Fees

Regulation to amend the Tariff of Court Costs in Civil Matters and Court Office Fees

Notice is hereby given, in accordance with sections 10 and 13 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Tariff of Court Costs in Civil Matters and Court Office Fees, the text of which appears below, may be made by the Government upon the expiry of 20 days following this publication.

Under section 12 of that Act, the draft Regulation may be made within a shorter period than the 45 days provided for in section 11 of the Act, because the urgency due to the following circumstances requires it:

— the Act to reform the Code of Civil Procedure (2002, c. 7) will come into force on 1 January 2003 and amendments must be made to the Tariff before that date in order to apply the tariff to each class of actions brought using the new institution of action as well as the review of the amounts of the tariff.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 20-day period, to the Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Sainte-Foy (Québec) G1V 4M1.

PAUL BÉGIN,  
*Minister of Justice*

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\* The Regulation respecting operating permits for wood processing plants, made by Order in Council 908-88 dated 8 June 1988 (1988, *G.O.* 2, 2351), was last amended by the Regulation made by Order in Council 1400-94 dated 7 September 1994 (1994, *G.O.* 2, 4166). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Éditeur officiel du Québec, 2002, updated to 1 March 2002.

## Regulation to amend the Tariff of Court Costs in Civil Matters and Court Office Fees \*

Civil Code of Québec  
(1991, c. 64, a. 376)

Code of Civil Procedure  
(R.S.Q., c. C-25, a. 659.10)

Courts of Justice Act  
(R.S.Q., c. T-16, s. 224)

**1.** Section 1 of the Tariff of Court Costs in Civil Matters and Court Office Fees is amended by substituting the following for paragraph 6:

“(6) Class VI: applications for separation as to bed and board, for divorce or for dissolution of a civil union.”.

**2.** Section 2 is amended

(1) by substituting “834.1 to 846” for “834 to 850” in the second paragraph; and

(2) by striking out “whether they are applied for by action or by motion and” in the second paragraph.

**3.** The following is substituted for section 4:

“**4.** This Tariff groups proceedings into three stages and the following fees are payable for such proceedings:

(1) Stage I: Proceedings introductive of suit and similar proceedings:

(a) for an application introductive of suit governed by Book II of the Code of Civil Procedure, except the applications referred to in section 6, or for the issue of the first writ and for an opposition or an intervention, one of the amounts fixed in the following table, according to the class of the application and according to whether the amount is payable by a natural person or a legal person:

Class of application	Natural person	Legal person
Class I	\$50	\$59
Class II	\$98	\$114
Class III	\$184	\$224
Class IV	\$295	\$352
Class V	\$583	\$698
Class VI	\$141	

(b) for a cross demand, \$84 or, where the amount is payable by a legal person, \$105, for any class of application; and

(c) for any proceeding introductive of suit or any proceeding in non-contentious matters not specified in this Tariff, \$42 or, where the amount is payable by a legal person, \$50, for any class of application.

(2) Stage II: Appearance and any similar proceeding:

for a written appearance or any proceeding of a like nature and for the revocation of a judgment or an opposition by a third party, one of the amounts fixed in the following table, according to the class of application and according to whether the amount is payable by a natural person or a legal person:

Class of application	Natural person	Legal person
Class I	\$32	\$38
Class II	\$50	\$59
Class III	\$97	\$114
Class IV	\$149	\$178
Class V	\$295	\$352
Class VI	\$77	

(3) Stage III: Execution:

one of the amounts fixed in the following table, according to the class of application and according to whether the amount is payable by a natural person or a legal person:

\* The Tariff of Court Costs in Civil Matters and Court Office Fees, made by Order in Council 256-95 dated 1 March 1995 (1995, G.O. 2, 918), was last amended by the Regulation made by Order in Council 916-2002 dated 21 August 2002 (2002, G.O. 2, 4551) and has not been amended since.

Class of application	Natural person	Legal person
Class I	\$42	\$50
Class II	\$77	\$94
Class III	\$142	\$168
Class IV	\$222	\$263
Class V	\$438	\$528
Class VI	\$105	

The value of the right that the opposition referred to in clause *a* of subparagraph 1 of the first paragraph is intended to protect determines the class if that value is stated in the opposition or in the affidavit in support thereof; otherwise, the amount set by the judgment determines the class of the proceeding.

In cases referred to in subparagraph 3 of the first paragraph, the class is determined according to the value of obligation in respect of which application has been made for compulsory execution.

Costs are payable only for the first proceeding included in stages I and III.

Despite clause *a* of subparagraph 1 of the first paragraph, no costs are payable for an application to cause a person to undergo a psychiatric examination where the person refuses to submit to such examination or for a person to be kept against his or her will by an institution covered by the laws respecting health services and social services.”.

**4.** Section 5 is revoked.

**5.** The following is substituted for section 6:

“6. Costs of \$103 are payable for any application for review of accessory measures ordered by a judgment granting a separation as to bed and board, a divorce, the dissolution of a civil union or nullity of a marriage or civil union as well as any proceeding introductive of suit relating to child custody or support obligations or for any application for review of a judgment concerning child custody or support obligations.”.

**6.** Section 7 is amended by substituting “\$33” for “\$28” and “\$40” for “\$34”.

**7.** The following is substituted for section 8:

“8. In matters concerning immovables, the following costs are payable:

(1) for the performance of the sheriff’s duties from receipt of the record until the sale, \$125 or, where the amount is payable by a legal person, \$147, for any class of application;

(2) for the performance of the clerk’s duties from receipt of the record until the judgment of homologation inclusively, one of the amounts fixed in the following table, determined according to the class of application and according to whether the amount is payable by a natural person or a legal person:

Class of application	Natural person	Legal person
Class I	\$125	\$147
Class II	\$177	\$214
Class III	\$229	\$277
Class IV	\$366	\$436
Class V	\$725	\$870
Class VI	\$212	

(3) in the case of a contestation of a scheme of collocation, one of the amounts fixed in the following table, determined according to the class of application and according to whether the amount is payable by a natural person or a legal person:

Class of application	Natural person	Legal person
Class I	\$32	\$38
Class II	\$50	\$59
Class III	\$98	\$114
Class IV	\$149	\$178
Class V	\$295	\$352
Class VI	\$77	

Payment of costs prescribed in subparagraph 2 of the first paragraph entitles each interested party to obtain a copy of the judgment of homologation.

In the case referred to in subparagraph 2 of the first paragraph, the class of application is determined according to the selling price.

In the case referred to in subparagraph 3 of the first paragraph, the class of application is determined according to the amount claimed by the contesting party.”

**8.** Section 11 is amended by substituting “\$32” for “\$27” and “\$38” for “\$32”.

**9.** Section 14 is amended by substituting “\$84” for “\$71” in paragraphs 1 and 2.

**10.** Section 15 is amended

(1) by substituting “\$165” for “\$139” in paragraph 1; and

(2) by substituting “\$84” for “\$71” in paragraphs 2 and 3.

**11.** Section 16 is amended

(1) by substituting “\$94” for “\$79” in paragraph 1; and

(2) by substituting “\$84” for “\$71” in paragraph 2.

**12.** Section 17 is amended by substituting “\$84” for “\$71” and “\$93” for “\$90”.

**13.** Section 18 is amended by substituting “\$58” for “\$49”.

**14.** Section 19 is amended

(1) by substituting “tout acte de procédure assimilé” for “toute procédure assimilée” in paragraph 1 of the French text;

(2) by substituting “\$256” for “\$215” and “\$310” for “\$261” in subparagraph *a* of paragraph 1;

(3) by substituting “\$184” for “\$155” and “\$224” for “\$188” in subparagraph *b* of paragraph 1; and

(4) by substituting “\$125” for “\$105” and “\$147” for “\$124” in paragraph 2.

**15.** Section 20 is amended

(1) by substituting “\$42” for “\$35” and “\$50” for “\$42” in paragraph 1; and

(2) by substituting “\$32” for “\$27” and “\$38” for “\$32” in paragraph 2.

**16.** Section 23 is amended

(1) by substituting “\$42” for “\$35” in subparagraph 1 of the first paragraph; and

(2) by substituting “\$19” for “\$16” and “\$4” for “\$3” in subparagraph 3 of the first paragraph.

**17.** Section 24 is amended by substituting the following for the first paragraph:

“**24.** The fee payable for the solemnization of a civil marriage or union is \$212, to which is added a fee of \$70 when the marriage or civil union is solemnized at a place other than the courthouse.”

**18.** The costs and fees fixed in this Regulation apply to proceedings or documents filed or issued from 1 January 2003, even in a matter commenced before that date.

**19.** This Regulation comes into force on 1 January 2003.

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## Draft Regulation

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

### Bailiffs and advocates

#### — Tariff of fees for a small claim

Notice is hereby given, in accordance with sections 10 and 13 of the Regulations Act (R.S.Q., c. R-18.1), that the Tariff of fees of bailiffs and advocates for a small claim, the text of which appears below, may be made by the Government upon the expiry of 20 days following this publication.

Under section 12 of that Act, the draft Regulation may be made within a shorter period than the 45 days provided for in section 11 of the Act, because the urgency due to the following circumstances requires it:

— the Act to reform the Code of Civil Procedure (2002, c. 7) will come into force on 1 January 2003 and a new tariff must be made before that date to take into account the new duties that will be entrusted to bailiffs for the recovery of small claims and for the execution of a judgment resulting from small claims or a decision of the Régie du logement by a bailiff or an advocate.