

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.

5349

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.

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^e étage, Sainte-Foy (Québec) G1V 4M1.

PAUL BÉGIN,
Minister of Justice

Tariff of fees of bailiffs and advocates for a small claim

Code of Civil Procedure
(R.S.Q., c. C-25, a. 997, par. *a*; 2002, c. 7, ss. 148 and 172)

1. In addition to the amounts prescribed pursuant to section 13 of the Court Bailiffs Act (R.S.Q., c. H-4.1), a bailiff is entitled to fees of \$20.00 for the execution of charges referred to in article 966 of the Code of Civil Procedure (R.S.Q., c. C-25), replaced by section 148 of chapter 7 of the Statutes of 2002.

2. The fees of a bailiff or an advocate paid by the creditor, under article 993 of the Code of Civil Procedure, replaced by section 148 of chapter 7 of the Statutes of 2002, for the execution of a judgment rendered according to the provisions of Book VIII of the Code or a decision of the Régie du logement relating to an application for the recovery of a debt referred to in section 73 of the Act respecting the Régie du logement (R.S.Q., c. R-8.1) shall be limited to 25% of the amount of the judgment to be executed and of the costs awarded per judgment. Those fees shall not exceed \$100.00.

Despite any provision to the contrary, the fees referred to in the first paragraph that may be claimed from the debtor, in accordance with article 993 of the Code of Civil Procedure, shall be the only fees payable for all the proceedings referred to in this section.

3. The fees prescribed in section 2 shall apply to proceedings filed or issued from 1 January 2003, even in a matter commenced before that date.

4. This Tariff comes into force on 1 January 2003.

5350

Draft Regulation

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

Recovery of small claims — Tariff of legal costs applicable

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 legal costs applicable to the recovery of small claims, 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 amendments made by the new Book VIII entitled Actions Involving Small Claims.

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^e étage, Sainte-Foy (Québec) G1V 4M1.

PAUL BÉGIN,
Minister of Justice

Tariff of legal costs applicable to the recovery of small claims

Code of Civil Procedure
(R.S.Q., c. C-25, a. 997, par. *a*; 2002, c. 7, s. 148)

1. This Tariff fixes the amount of the legal costs referred to in article 996 of the Code of Civil Procedure (R.S.Q., c. C-25) replaced by section 148 of chapter 7 of the Statutes of 2002.

2. The amount of legal costs to be sent or deposited by the creditor of a small claim with the proceeding introductive of suit is fixed in the following table, determined according to the amount of the claim and according to whether the costs are payable by a natural person or a legal person.