

**M.O., 2002-015****Order of the Minister of Health and Social Services to designate breast cancer detection centres dated 4 December 2002**

Health Insurance Act  
(R.S.Q., c. A-29)

THE MINISTER OF STATE FOR HEALTH AND SOCIAL SERVICES AND MINISTER OF HEALTH AND SOCIAL SERVICES,

CONSIDERING subparagraph *b.3* of the first paragraph of section 69 of the Health Insurance Act (R.S.Q., c. A-29);

CONSIDERING subparagraph *ii* of paragraph *o* of section 22 of the Regulation respecting the application of the Health Insurance Act (R.R.Q., 1981, c. A-29, r.1);

CONSIDERING the designation of a breast cancer detection centre by Minister's Order dated 28 April 1998;

CONSIDERING it is expedient to replace that Minister's Order and to designate as breast cancer detection centres the Pavillon de Hull and Pavillon de Gatineau of the Centre hospitalier des Vallées de l'Outaouais;

ORDERS :

THAT the Minister's Order dated 28 April 1998 be replaced by this Order;

THAT the following breast cancer detection centres be designated for the Outaouais region :

“Centre hospitalier des Vallées de l'Outaouais  
Pavillon de Hull  
116, boulevard Lionel-Émond  
Hull (Québec)  
J8Y 1W7;

Centre hospitalier des Vallées de l'Outaouais  
Pavillon de Gatineau  
909, boul. de La Vérendrye Ouest  
Gatineau (Québec)  
J8P 7H2.”.

Québec, 4 December 2002

FRANÇOIS LEGAULT,  
*Minister of State for Health and Social Services  
and Minister of Health and Social Services*

**M.O., 2002****Order number 2128 of the Minister of Justice dated 5 December 2002**

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

Notice to the defendant, notice to the defendant in family matters, notice to the debtor, and notice setting out options available to the defendant, pursuant to articles 119, 580.1, 813, and 964 of the Code of Civil Procedure

WHEREAS, under the first paragraph of article 119 of the Code of Civil Procedure (R.S.Q., c. C-25), replaced by section 16 of chapter 7 of the Statutes of 2002, the motion to institute proceedings must be accompanied by a notice to the defendant to appear within the time limit indicated in order to file an answer to the action or application;

WHEREAS, under the fourth paragraph of that article, the notice must reproduce the text determined by the Minister of Justice;

WHEREAS, under article 580.1 of the Code, amended by section 99 of chapter 7 of the Statutes of 2002, the writ must also contain, in easily legible type, the text determined by the Minister of Justice;

WHEREAS, under article 813 of the Code, replaced by section 121 of chapter 7 of the Statutes of 2002, except where otherwise provided in the Title, applications based on Book Two of the Civil Code or on the Divorce Act (Revised Statutes of Canada, 1985, chapter 3, 2nd Supplement) follow the general rules applicable to other actions and applications;

WHEREAS, under the first paragraph of article 964 of the Code, replaced by section 148 of chapter 7 of the Statutes of 2002, the clerk notifies a copy of the statement of claim to the defendant, together with a notice setting out the options available to the defendant;

WHEREAS, under the second paragraph of that article, the notice must reproduce the text determined by the Minister of Justice;

CONSIDERING that it is expedient to determine the texts of the notice to the defendant, notice to the defendant in family matters, notice to the debtor, and notice setting out the options available to the defendant;

THEREFORE, the Minister of Justice

DETERMINE :

THAT, commencing on 1 January 2003, the texts of the notice to the defendant, notice to the defendant in family matters, notice to the debtor, and notice setting out the options available to the defendant, pursuant to articles 119, 580.1, 813, and 964 of the Code of Civil Procedure (R.S.Q., c. C-25), shall reproduce the texts provided for in Schedules 1, 2, 3, and 4 attached to this Order.

Québec, 5 December 2002

NORMAND JUTRAS,  
*Minister of Justice*

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### SCHEDULE 1

(s. 119, CCP)

#### NOTICE TO DEFENDANT

Take notice that the plaintiff has filed this action or application in the office of the \_\_\_\_\_ (Name of court) of the judicial district of \_\_\_\_\_.

To file an answer to this action or application, you must first file an appearance, personally or by advocate, at the courthouse of \_\_\_\_\_ located at \_\_\_\_\_ within 10 days of service of this motion.

If you fail to file an appearance within the time limit indicated, a judgment by default may be rendered against you without further notice upon the expiry of the 10-day period.

If you file an appearance, the action or application will be presented before the court on \_\_\_\_\_, at \_\_\_\_\_, in room \_\_\_\_\_ of the courthouse. On that date, the court may exercise such powers as are necessary to ensure the orderly progress of the proceeding or the court may hear the case, unless you make a written agreement with the plaintiff or the plaintiff's advocate on a timetable for the orderly progress of the proceeding. The timetable must be filed in the office of the court.

In support of the motion to institute proceedings, the plaintiff discloses the following exhibits :

These exhibits are available on request.

### Request for transfer of a small claim

If the amount claimed by the plaintiff does not exceed \$7,000 and if you could have filed such an action as a plaintiff in Small Claims Court, you may make a request to the clerk for the action to be disposed of pursuant to the rules of Book VIII of the Code of Civil Procedure (R.S.Q., c. C-25). If you do not make such a request, you could be liable for costs higher than those provided for in Book VIII of the Code.

### SCHEDULE 2

(s. 119 and 813, CCP)

#### NOTICE TO DEFENDANT IN FAMILY MATTERS

Take notice that the plaintiff has filed this application in the office of the Superior Court of the judicial district of \_\_\_\_\_.

To file an answer to this application, you must file an appearance, personally or by advocate, at the courthouse of \_\_\_\_\_ located at \_\_\_\_\_ within 20 days of service of this motion or, if service is effected outside Québec, within 40 days of service.

If you fail to file an appearance within the time limit indicated, a judgment by default may be rendered against you without further notice upon the expiry of the 20-day period or the 40-day period.

If you file an appearance, the application will be presented before the court on \_\_\_\_\_, at \_\_\_\_\_ in room \_\_\_\_\_ of the courthouse. On that date, the court may exercise such powers as are necessary to ensure the orderly progress of the proceeding or the court may hear the case, unless you make a written agreement with the plaintiff or the plaintiff's advocate on a timetable for the orderly progress of the proceeding. The timetable must be filed in the office of the court.

In support of the motion to institute proceedings, the applicant discloses the following exhibits :

These exhibits are available on request.

**SCHEDULE 3**

(s. 580.1, CCP)

**NOTICE TO DEBTOR**

You have not paid the debt you owe your creditor. The property you possess is therefore seized and is entrusted to you until judicial sale, unless the court entrusts it to the custody of another person.

You may withdraw from seizure the movable property which furnishes your main residence, used by and necessary for the life of the household, up to a market value of \$6,000 determined by the seizing officer, and the instruments of work needed for the personal exercise of a professional activity, unless such movables are seized for sums owed on the price or seized by a creditor holding a hypothec thereon.

If you have any right to assert against the seizure, you may subsequently oppose it.

As guardian of the property under seizure, you have the obligation to keep it and take good care of it until the sale. If you do not comply with this obligation, you may be found guilty of contempt of court, which can entail a fine or imprisonment; you may also be ordered to pay damages as compensation for the injury your creditor might suffer.

The property seized will be sold at a public auction and the debt will be paid to the creditor out of the proceeds of that sale up to the amount of the debt.

It is in your interest, therefore, to prevent the sale of your property, to make whatever arrangements are necessary with whomever it may concern.

For further information, we suggest that you consult an advocate.

**SCHEDULE 4**

(s. 964, CCP)

**NOTICE OF DEFENDANT'S OPTIONS**

The plaintiff has filed this statement of claim in the office of the Small Claims Division of the Civil Division of the Court of Québec.

Take notice that you have the following options and that if you fail to indicate an option to the clerk within 20 days of this notification, judgment may be rendered against you without further notice or extension:

— you may pay the amount claimed and the plaintiff's disbursements, either to the clerk or to the plaintiff, in the latter case, forwarding proof of payment or the acquittance obtained from the plaintiff to the clerk;

— you may make a settlement with the plaintiff and send a copy of the agreement signed by the plaintiff and yourself to the clerk; or

— you may contest the merits of the action and so advise the clerk, specifying the grounds for the contestation. In that case, you may: request that the dispute be referred to mediation; apply for the referral of the case to another judicial district or to another court, specifying the grounds for your request; request that another person be impleaded to allow a complete resolution of the dispute, in which case you must inform the clerk of the person's name and last known address; and make a counter-claim against the plaintiff provided it arises out of the same source as the plaintiff's claim or from a related source and is admissible under the Book respecting small claims.

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