

Regulations and other acts

Gouvernement du Québec

O.C. 1277-2005, 21 December 2005

Legal Aid Act
(R.S.Q., c. A-14)

Legal aid — Amendments

Regulation to amend the Regulation respecting legal aid

WHEREAS, under subparagraphs *a.4* and *a.5* of the first paragraph of section 80 of the Legal Aid Act (R.S.Q., c. A-14), the Government may, by regulation, fix the level of income below which a person is financially eligible for gratuitous or contributory legal aid and determine the contribution payable;

WHEREAS the Government made the Regulation respecting legal aid by Order in Council 1073-96 dated 28 August 1996, which determines the thresholds of eligibility for gratuitous or contributory legal aid;

WHEREAS it is expedient to make amendments to the Regulation in order to increase those thresholds;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft Regulation to amend the Regulation respecting legal aid was published in Part 2 of the *Gazette officielle du Québec* of 26 October 2005, with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting legal aid, attached to this Order in Council, be made.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting legal aid*

Legal Aid Act
(R.S.Q., c. A-14, s. 80, 1st par. subpars. *a.4* and *a.5*)

1. The Regulation respecting legal aid is amended in section 18 by replacing paragraph 1 by the following :

“(1) his annual income, within the meaning of section 17, and that of the other persons whose income is considered under this Regulation does not exceed, among the following levels, the level corresponding to the class applicable to the applicant :

Class of applicants	Maximum annual level
In the case of a single person	\$9,695
In the case of an applicant whose family is composed of:	
– an adult and 1 child	\$13,186
– an adult and 2 children or more	\$15,403
– spouses without children	\$13,622
– spouses with 1 child	\$16,057
– spouses with 2 children or more	\$18,274.”

2. Section 20 is replaced by the following :

“**20.** An applicant who is not financially eligible for gratuitous legal aid under section 18, but whose annual income within the meaning of section 17 and that of the other persons whose income is considered under this Regulation, including their deemed income under section 19, does not exceed, among the following levels, the level corresponding to the class applicable to the applicant, is financially eligible for contributory legal aid :

* The Regulation respecting legal aid, made by Order in Council 1073-96 dated 28 August 1996 (1996, *G.O.* 2, 3949), was last amended by section 165 of chapter 60 of the Statutes of 2001. For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2005, updated to 1 September 2005.

Class of applicants	Maximum annual level
In the case of a single person	\$13,816
In the case of an applicant whose family is composed of:	
– an adult and 1 child	\$18,790
– an adult and 2 children or more	\$21,949
– spouses without children	\$19,412
– spouses with 1 child	\$22,881
– spouses with 2 children or more	\$26,041.”.

3. Section 21 is replaced by the following :

“**21.** Subject to the provisions of section 23, an applicant who is financially eligible for legal aid under section 20 is required to pay the contribution established in the following table that corresponds to the class applicable to the applicant and to the income considered for eligibility purposes pursuant to section 20 :

Class of applicants	Income	Level of contribution
Single person	\$9,696 to \$10,210	\$100
	\$10,211 to \$10,725	\$200
	\$10,726 to \$11,240	\$300
	\$11,241 to \$11,755	\$400
	\$11,756 to \$12,270	\$500
	\$12,271 to \$12,785	\$600
	\$12,786 to \$13,300	\$700
	\$13,301 to \$13,816	\$800

Class of applicants	Income	Level of contribution
Family composed of an adult and 1 child	\$13,187 to \$13,886	\$100
	\$13,887 to \$14,587	\$200
	\$14,588 to \$15,287	\$300
	\$15,288 to \$15,988	\$400
	\$15,989 to \$16,688	\$500
	\$16,689 to \$17,388	\$600
	\$17,389 to \$18,089	\$700
	\$18,090 to \$18,790	\$800

Class of applicants	Income	Level of contribution
Family composed of an adult and 2 children or more	\$15,404 to \$16,221	\$100
	\$16,222 to \$17,039	\$200
	\$17,040 to \$17,857	\$300
	\$17,858 to \$18,676	\$400
	\$18,677 to \$19,494	\$500
	\$19,495 to \$20,312	\$600
	\$20,313 to \$21,130	\$700
	\$21,131 to \$21,949	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses without children	\$13,623 to \$14,346	\$100
	\$14,347 to \$15,069	\$200
	\$15,070 to \$15,793	\$300
	\$15,794 to \$16,517	\$400
	\$16,518 to \$17,240	\$500
	\$17,241 to \$17,964	\$600
	\$17,965 to \$18,687	\$700
\$18,688 to \$19,412	\$800	

Class of applicants	Income	Level of contribution
Family composed of spouses with 1 child	\$16,058 to \$16,910	\$100
	\$16,911 to \$17,763	\$200
	\$17,764 to \$18,616	\$300
	\$18,617 to \$19,469	\$400
	\$19,470 to \$20,321	\$500
	\$20,322 to \$21,174	\$600
	\$21,175 to \$22,027	\$700
	\$22,028 to \$22,881	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses with 2 children or more	\$18,275 to \$19,245	\$100
	\$19,246 to \$20,216	\$200
	\$20,217 to \$21,186	\$300
	\$21,187 to \$22,157	\$400
	\$22,158 to \$23,128	\$500
	\$23,129 to \$24,099	\$600
	\$24,100 to \$25,069	\$700
	\$25,070 to \$26,041	\$800.”.

4. The Regulation respecting legal aid is amended in section 18 by replacing paragraph 1 by the following :

“(1) his annual income, within the meaning of section 17, and that of the other persons whose income is considered under this Regulation does not exceed, among the following levels, the level corresponding to the class applicable to the applicant :

Class of applicants	Maximum annual level
In the case of a single person	\$10,295
In the case of an applicant whose family is composed of:	
– an adult and 1 child	\$13,588
– an adult and 2 children or more	\$15,501
– spouses without children	\$14,424
– spouses with 1 child	\$16,750
– spouses with 2 children or more	\$18,663.”.

5. Section 20 is replaced by the following :

“**20.** An applicant who is not financially eligible for gratuitous legal aid under section 18, but whose annual income within the meaning of section 17 and that of the other persons whose income is considered under this Regulation, including their deemed income under section 19, does not exceed, among the following levels, the level corresponding to the class applicable to the applicant, is financially eligible for contributory legal aid :

Class of applicants	Maximum annual level
In the case of a single person	\$14,670
In the case of an applicant whose family is composed of :	
– an adult and 1 child	\$19,363
– an adult and 2 children or more	\$22,088
– spouses without children	\$20,554
– spouses with 1 child	\$23,869
– spouses with 2 children or more	\$26,595.”.

6. Section 21 is replaced by the following :

“**21.** Subject to the provisions of section 23, an applicant who is financially eligible for legal aid under section 20 is required to pay the contribution established in the following table that corresponds to the class applicable to the applicant and to the income considered for eligibility purposes pursuant to section 20 :

Class of applicants	Income	Level of contribution
Single person	\$10,296 to \$10,842	\$100
	\$10,843 to \$11,389	\$200
	\$11,390 to \$11,935	\$300
	\$11,936 to \$12,482	\$400
	\$12,483 to \$13,029	\$500
	\$13,030 to \$13,576	\$600
	\$13,577 to \$14,122	\$700
	\$14,123 to \$14,670	\$800

Class of applicants	Income	Level of contribution
Family composed of an adult and 1 child	\$13,589 to \$14,310	\$100
	\$14,311 to \$15,032	\$200
	\$15,033 to \$15,753	\$300
	\$15,754 to \$16,475	\$400
	\$16,476 to \$17,197	\$500
	\$17,198 to \$17,919	\$600
	\$17,920 to \$18,640	\$700
	\$18,641 to \$19,363	\$800

Class of applicants	Income	Level of contribution
Family composed of an adult and 2 children or more	\$15,502 to \$16,324	\$100
	\$16,325 to \$17,148	\$200
	\$17,149 to \$17,971	\$300
	\$17,972 to \$18,794	\$400
	\$18,795 to \$19,617	\$500
	\$19,618 to \$20,441	\$600
	\$20,442 to \$21,264	\$700
	\$21,265 to \$22,088	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses without children	\$14,425 to \$15,190	\$100
	\$15,191 to \$15,956	\$200
	\$15,957 to \$16,722	\$300
	\$16,723 to \$17,489	\$400
	\$17,490 to \$18,255	\$500
	\$18,256 to \$19,021	\$600
	\$19,022 to \$19,787	\$700
	\$19,788 to \$20,554	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses with 1 child	\$16,751 to \$17,640	\$100
	\$17,641 to \$18,530	\$200
	\$18,531 to \$19,419	\$300
	\$19,420 to \$20,309	\$400
	\$20,310 to \$21,199	\$500
	\$21,200 to \$22,089	\$600
	\$22,090 to \$22,978	\$700
	\$22,979 to \$23,869	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses with 2 children or more	\$18,664 to \$19,654	\$100
	\$19,655 to \$20,646	\$200
	\$20,647 to \$21,637	\$300
	\$21,638 to \$22,629	\$400
	\$22,630 to \$23,620	\$500
	\$23,621 to \$24,611	\$600
	\$24,612 to \$25,603	\$700
	\$25,604 to \$26,595	\$800.”.

7. The Regulation respecting legal aid is amended in section 18 by replacing paragraph 1 by the following :

“(1) his annual income, within the meaning of section 17, and that of the other persons whose income is considered under this Regulation does not exceed, among the following levels, the level corresponding to the class applicable to the applicant :

Class of applicants	Maximum annual level
In the case of a single person	\$10,894
In the case of an applicant whose family is composed of:	
– an adult and 1 child	\$13,990
– an adult and 2 children or more	\$15,598
– spouses without children	\$15,226
– spouses with 1 child	\$17,443
– spouses with 2 children or more	\$19,052.”.

8. Section 20 is replaced by the following :

“**20.** An applicant who is not financially eligible for gratuitous legal aid under section 18, but whose annual income within the meaning of section 17 and that of the other persons whose income is considered under this Regulation, including their deemed income under section 19, does not exceed, among the following levels, the level corresponding to the class applicable to the applicant, is financially eligible for contributory legal aid :

Class of applicants	Maximum annual level
In the case of a single person	\$15,524
In the case of an applicant whose family is composed of:	
– an adult and 1 child	\$19,935
– an adult and 2 children or more	\$22,227
– spouses without children	\$21,697
– spouses with 1 child	\$24,856
– spouses with 2 children or more	\$27,149.”.

9. Section 21 is replaced by the following :

“**21.** Subject to the provisions of section 23, an applicant who is financially eligible for legal aid under section 20 is required to pay the contribution established in the following table that corresponds to the class applicable to the applicant and to the income considered for eligibility purposes pursuant to section 20 :

Class of applicants	Income	Level of contribution
Single person	\$10,895 to \$11,473	\$100
	\$11,474 to \$12,051	\$200
	\$12,052 to \$12,630	\$300
	\$12,631 to \$13,209	\$400
	\$13,210 to \$13,787	\$500
	\$13,788 to \$14,366	\$600
	\$14,367 to \$14,944	\$700
	\$14,945 to \$15,524	\$800

Class of applicants	Income	Level of contribution
Family composed of an adult and 1 child	\$13,991 to \$14,733	\$100
	\$14,734 to \$15,476	\$200
	\$15,477 to \$16,219	\$300
	\$16,220 to \$16,962	\$400
	\$16,963 to \$17,705	\$500
	\$17,706 to \$18,448	\$600
	\$18,449 to \$19,191	\$700
\$19,192 to \$19,935	\$800	

Class of applicants	Income	Level of contribution
Family composed of an adult and 2 children or more	\$15,599 to \$16,427	\$100
	\$16,428 to \$17,255	\$200
	\$17,256 to \$18,084	\$300
	\$18,085 to \$18,912	\$400
	\$18,913 to \$19,741	\$500
	\$19,742 to \$20,569	\$600
	\$20,570 to \$21,398	\$700
	\$21,399 to \$22,227	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses without children	\$15,227 to \$16,035	\$100
	\$16,036 to \$16,844	\$200
	\$16,845 to \$17,652	\$300
	\$17,653 to \$18,461	\$400
	\$18,462 to \$19,270	\$500
	\$19,271 to \$20,079	\$600
	\$20,080 to \$20,887	\$700
	\$20,888 to \$21,697	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses with 1 child	\$17,444 to \$18,370	\$100
	\$18,371 to \$19,296	\$200
	\$19,297 to \$20,223	\$300
	\$20,224 to \$21,149	\$400
	\$21,150 to \$22,076	\$500
	\$22,077 to \$23,002	\$600
	\$23,003 to \$23,929	\$700
	\$23,930 to \$24,856	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses with 2 children or more	\$19,053 to \$20,064	\$100
	\$20,065 to \$21,076	\$200
	\$21,077 to \$22,088	\$300
	\$22,089 to \$23,100	\$400
	\$23,101 to \$24,112	\$500
	\$24,113 to \$25,124	\$600
	\$25,125 to \$26,136	\$700
	\$26,137 to \$27,149	\$800.”.

10. Section 18 is amended by replacing paragraph 1 by the following:

“(1) his annual income, within the meaning of section 17, and that of the other persons whose income is considered under this Regulation does not exceed, among the following levels, the level corresponding to the class applicable to the applicant:

Class of applicants	Maximum annual level
In the case of a single person	\$11,494
In the case of an applicant whose family is composed of:	
– an adult and 1 child	\$14,391
– an adult and 2 children or more	\$15,696
– spouses without children	\$16,027
– spouses with 1 child	\$18,136
– spouses with 2 children or more	\$19,440.”.

11. Section 20 is replaced by the following:

“**20.** An applicant who is not financially eligible for gratuitous legal aid under section 18, but whose annual income within the meaning of section 17 and that of the other persons whose income is considered under this Regulation, including their deemed income under section 19, does not exceed, among the following levels, the level corresponding to the class applicable to the applicant, is financially eligible for contributory legal aid:

Class of applicants	Maximum annual level
In the case of a single person	\$16,379
In the case of an applicant whose family is composed of:	
– an adult and 1 child	\$20,508
– an adult and 2 children or more	\$22,366
– spouses without children	\$22,839
– spouses with 1 child	\$25,844
– spouses with 2 children or more	\$27,703.”.

12. Section 21 is replaced by the following:

“**21.** Subject to the provisions of section 23, an applicant who is financially eligible for legal aid under section 20 is required to pay the contribution established in the following table that corresponds to the class applicable to the applicant and to the income considered for eligibility purposes pursuant to section 20:

Class of applicants	Income	Level of contribution
Single person	\$11,495 to \$12,105	\$100
	\$12,106 to \$12,715	\$200
	\$12,716 to \$13,326	\$300
	\$13,327 to \$13,936	\$400
	\$13,937 to \$14,547	\$500
	\$14,548 to \$15,157	\$600
	\$15,158 to \$15,768	\$700
	\$15,769 to \$16,379	\$800

Class of applicants	Income	Level of contribution
Family composed of an adult and 1 child	\$14,392 to \$15,156	\$100
	\$15,157 to \$15,920	\$200
	\$15,921 to \$16,685	\$300
	\$16,686 to \$17,449	\$400
	\$17,450 to \$18,214	\$500
	\$18,218 to \$18,978	\$600
	\$18,979 to \$19,743	\$700
	\$19,744 to \$20,508	\$800

Class of applicants	Income	Level of contribution
Family composed of an adult and 2 children or more	\$15,697 to \$16,530	\$100
	\$16,531 to \$17,363	\$200
	\$17,364 to \$18,197	\$300
	\$18,198 to \$19,031	\$400
	\$19,032 to \$19,864	\$500
	\$19,865 to \$20,698	\$600
	\$20,699 to \$21,531	\$700
	\$21,532 to \$22,366	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses without children	\$16,028 to \$16,878	\$100
	\$16,879 to \$17,730	\$200
	\$17,731 to \$18,581	\$300
	\$18,582 to \$19,433	\$400
	\$19,434 to \$20,284	\$500
	\$20,285 to \$21,135	\$600
	\$21,136 to \$21,987	\$700
	\$21,988 to \$22,839	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses with 1 child	\$18,137 to \$19,099	\$100
	\$19,100 to \$20,063	\$200
	\$20,064 to \$21,026	\$300
	\$21,027 to \$21,990	\$400
	\$21,991 to \$22,953	\$500
	\$22,954 to \$23,916	\$600
	\$23,917 to \$24,880	\$700
	\$24,881 to \$25,844	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses with 2 children or more	\$19,441 to \$20,473	\$100
	\$20,474 to \$21,506	\$200
	\$21,507 to \$22,538	\$300
	\$22,539 to \$23,571	\$400
	\$23,572 to \$24,604	\$500
	\$24,605 to \$25,637	\$600
	\$25,638 to \$26,669	\$700
	\$26,670 to \$27,703	\$800.”.

13. Section 18 is amended by replacing paragraph 1 by the following :

“(1) his annual income, within the meaning of section 17, and that of the other persons whose income is considered under this Regulation does not exceed, among the following levels, the level corresponding to the class applicable to the applicant :

Class of applicants	Maximum annual level
In the case of a single person	\$12,093
In the case of an applicant whose family is composed of:	
– an adult and 1 child	\$14,793
– an adult and 2 children or more	\$15,793
– spouses without children	\$16,829
– spouses with 1 child	\$18,829
– spouses with 2 children or more	\$19,829.”.

14. Section 20 is replaced by the following :

“**20.** An applicant who is not financially eligible for gratuitous legal aid under section 18, but whose annual income within the meaning of section 17 and that of the other persons whose income is considered under this Regulation, including their deemed income under section 19, does not exceed, among the following levels, the level corresponding to the class applicable to the applicant, is financially eligible for contributory legal aid :

Class of applicants	Maximum annual level
In the case of a single person	\$17,233
In the case of an applicant whose family is composed of:	
– an adult and 1 child	\$21,081
– an adult and 2 children or more	\$22,505
– spouses without children	\$23,982
– spouses with 1 child	\$26,831
– spouses with 2 children or more	\$28,257.”.

15. Section 21 is replaced by the following :

“**21.** Subject to the provisions of section 23, an applicant who is financially eligible for legal aid under section 20 is required to pay the contribution established in the following table that corresponds to the class applicable to the applicant and to the income considered for eligibility purposes pursuant to section 20 :

Class of applicants	Income	Level of contribution
Single person	\$12,094 to \$12,735	\$100
	\$12,736 to \$13,378	\$200
	\$13,379 to \$14,020	\$300
	\$14,021 to \$14,663	\$400
	\$14,664 to \$15,305	\$500
	\$15,306 to \$15,947	\$600
	\$15,948 to \$16,590	\$700
	\$16,591 to \$17,233	\$800

Class of applicants	Income	Level of contribution
Family composed of an adult and 1 child	\$14,794 to \$15,579	\$100
	\$15,580 to \$16,365	\$200
	\$16,366 to \$17,151	\$300
	\$17,152 to \$17,937	\$400
	\$17,938 to \$18,722	\$500
	\$18,723 to \$19,508	\$600
	\$19,509 to \$20,294	\$700
	\$20,295 to \$21,081	\$800

Class of applicants	Income	Level of contribution
Family composed of an adult and 2 children or more	\$15,794 to \$16,632	\$100
	\$16,633 to \$17,471	\$200
	\$17,472 to \$18,310	\$300
	\$18,311 to \$19,149	\$400
	\$19,150 to \$19,987	\$500
	\$19,988 to \$20,826	\$600
	\$20,827 to \$21,665	\$700
	\$21,666 to \$22,505	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses without children	\$16,830 to \$17,723	\$100
	\$17,724 to \$18,617	\$200
	\$18,618 to \$19,511	\$300
	\$19,512 to \$20,405	\$400
	\$20,406 to \$21,299	\$500
	\$21,300 to \$22,193	\$600
	\$22,194 to \$23,087	\$700
	\$23,088 to \$23,982	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses with 1 child	\$18,830 to \$19,829	\$100
	\$19,830 to \$20,829	\$200
	\$20,830 to \$21,829	\$300
	\$21,830 to \$22,830	\$400
	\$22,831 to \$23,830	\$500
	\$23,831 to \$24,830	\$600
	\$24,831 to \$25,830	\$700
	\$25,831 to \$26,831	\$800

Class of applicants	Income	Level of contribution
Family composed of spouses with 2 children or more	\$19,830 to \$20,882	\$100
	\$20,883 to \$21,936	\$200
	\$21,937 to \$22,989	\$300
	\$22,990 to \$24,043	\$400
	\$24,044 to \$25,096	\$500
	\$25,097 to \$26,149	\$600
	\$26,150 to \$27,203	\$700
	\$27,204 to \$28,257	\$800.

16. The following section is inserted after section 21:

“**21.0.1.** The maximum annual levels of income under paragraph 1 of section 18 and section 20, and the income under section 21 are increased on 1 January of each year at the same rate of increase as the benefits under the Employment Assistance Program paid pursuant to the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001) to persons who have a severely limited capacity for employment.

The amounts so increased are rounded off to the nearest dollar.

The Minister of Justice is to inform the public of the results of the increase by publishing a notice in the *Gazette officielle du Québec* showing, in a table, the financial eligibility thresholds thus increased for the year in question and giving the date of effect. The Minister may also make that information available using any other means the Minister considers appropriate.”

17. As of 1 January 2007 and until the coming into force of section 16 of this Regulation, the annual levels of income provided for in paragraph 1 of section 18 and in section 20 and the income provided for in section 21 of the Regulation respecting legal aid, as established for 2007 to 2010 by sections 4 to 15 of this Regulation, are increased on 1 January of each year according to the same rate of increase as the benefits paid by the Employment Assistance Program pursuant to the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001) to persons who have a severely limited capacity for employment.

The amounts established by section 4 to 15 of this Regulation are, for the year of the increase and the following years until 2010, indexed accordingly, to take that increase into account.

The amounts so increased are rounded off to the nearest dollar.

The Minister of Justice is to inform the public of the results of the increase by publishing a notice in the *Gazette officielle du Québec* showing, in a table, the financial eligibility thresholds thus increased for the year in question and giving the date of effect. The Minister may also make that information available using any other means the Minister considers appropriate.”

18. The provisions of this Regulation come into force on the following dates:

— sections 1 to 3 come into force on the fifteenth day following the date of publication of the Regulation in the *Gazette officielle du Québec*;

— sections 4 to 6 and section 17 come into force on 1 January 2007;

— sections 7 to 9 come into force on 1 January 2008;

— sections 10 to 12 come into force on 1 January 2009;

— sections 13 to 15 come into force on 1 January 2010;

— section 16 comes into force on 1 January 2011.

7376

Gouvernement du Québec

O.C. 1279-2005, 21 December 2005

Professional Code
(R.S.Q., c. C-26)

Chiropractors
— Code of ethics
— Amendment

Regulation to amend the Code of ethics of chiropractors

WHEREAS, under the first paragraph of section 87 of the Professional Code (R.S.Q., c. C-26), the Bureau of a professional order must make, by regulation, a code of