

Regulation to amend the Tariff of Court Fees applicable to the Recovery of Small Claims

Code of Civil Procedure
(chapter C-25, art. 997)

1. The Tariff of Court Fees applicable to the Recovery of Small Claims (chapter C-25, r. 16) is amended by revoking sections 8 and 9.

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. 1163-2012, 5 December 2012

Code of Penal Procedure
(chapter C-25.1)

Tariff of court costs in penal matters — Amendment

Exemption of the costs in the Tariff of court costs in penal matters from the adjustment provided for in section 83.3 of the Financial Administration Act

Regulation to amend the Tariff of court costs in penal matters and exemption of the costs in the Tariff of court costs in penal matters from the adjustment provided for in section 83.3 of the Financial Administration Act

WHEREAS the Government may, by regulation, determine the costs and fees payable under paragraphs 2, 3, 4, 6 and 8 to 11 of article 367 of the Code of Penal Procedure (chapter C-25.1);

WHEREAS the Government made the Tariff of court costs in penal matters (chapter C-25.1, r. 6);

WHEREAS it is expedient to amend the Tariff;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Tariff of court costs in penal matters was published in Part 2 of the *Gazette officielle du Québec* of 16 May 2012 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 and no comments were received before the expiry of that period;

WHEREAS it is expedient to make the Regulation without amendment;

WHEREAS the Regulation provides for a new adjustment rule applicable, on 1 January of each year, to the costs and fees in the Tariff of court costs in penal matters;

WHEREAS those costs and fees are also to be adjusted on 1 January 2013 under section 83.3 of the Financial Administration Act (chapter A-6.001);

WHEREAS the fourth paragraph of section 83.4 of that Act provides that the Government may, on the recommendation of the Minister of Finance, exempt a fee or a set of fees from being adjusted under section 83.3;

WHEREAS it is expedient to exempt from the adjustment provided for in section 83.3 of the Financial Administration Act, the costs and fees in the Tariff of court costs in penal matters so that only the new adjustment rule introduced by the Regulation made by this Order in Council apply on 1 January 2013;

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

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

THAT the costs and fees in the Tariff of court costs in penal matters be exempted, on 1 January 2013, from the adjustment applicable under section 83.3 of the Financial Administration Act (chapter A-6.001).

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Tariff of court costs in penal matters

Code of Penal Procedure
(chapter C-25.1, art. 367)

1. The Tariff of court costs in penal matters (chapter C-25.1, r. 6) is amended by replacing section 16 by the following:

“**16.** The costs and fees provided for in this Regulation are adjusted on 1 January of each year based on the same rate as the rate resulting from the application of section 83.3 of the Financial Administration Act (chapter A-6.001).

The costs and fees thus adjusted are reduced to the nearest dollar where they contain a fraction of a dollar less than \$0.50; they are increased to the nearest dollar where they contain a fraction of a dollar equal to or greater than \$0.50.

Where the costs and fees are reduced to the nearest dollar, the dollar fraction less than \$0.50 by which the costs and fees are reduced is deferred until it can form, in a later adjustment, a dollar fraction equal to or greater than \$0.50 with one or several other fractions less than \$0.50.

The Minister of Justice is to inform the public of the adjustment under this section through the *Gazette officielle du Québec* or by such other means as the Minister considers appropriate.”

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. 1164-2012, 5 December 2012

Code of Penal Procedure
(chapter C-25.1)

Certain court costs in penal matters applicable to persons under 18 years of age — Amendment

Exemption of the costs in the Regulation from the adjustment provided for in section 83.3 of the Financial Administration Act

Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age and exemption of the costs in the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age from the adjustment provided for in section 83.3 of the Financial Administration Act

WHEREAS paragraph 14 of article 367 of the Code of Penal Procedure (chapter C-25.1) provides that the Government may, by regulation, determine the costs and fees payable under paragraphs 2, 3, 4, 8 to 11 and 13 of that section which apply to a person under 18 years of age, the amounts payable by such a person and the costs and fees from which the person is exempted;

WHEREAS the Government made the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age (chapter C-25.1, r. 3);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age was published in Part 2 of the *Gazette officielle du Québec* of 16 May 2012 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 and no comments were received before the expiry of that period;

WHEREAS it is expedient to make the Regulation without amendment;

WHEREAS the Regulation provides for a new adjustment rule applicable, on 1 January of each year, to the costs and fees in the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age;

WHEREAS those costs and fees are also to be adjusted on 1 January 2013 under section 83.3 of the Financial Administration Act (chapter A-6.001);

WHEREAS the fourth paragraph of section 83.4 of that Act provides that the Government may, on the recommendation of the Minister of Finance, exempt a fee or a set of fees from being adjusted under section 83.3;

WHEREAS it is expedient to exempt from the adjustment provided for in section 83.3 of the Financial Administration Act, the costs and fees in the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age so that only the new adjustment rule introduced by the Regulation made by this Order in Council apply on 1 January 2013;

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

THAT the Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age, attached to this Order in Council, be made;

THAT the costs and fees in the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age be exempted, on 1 January 2013, from the adjustment applicable under section 83.3 of the Financial Administration Act (chapter A-6.001).

JEAN ST-GELAIS,
Clerk of the Conseil exécutif