

Gouvernement du Québec

O.C. 957-2013, 18 September 2013

An Act respecting legal aid and the provision of certain other legal services (chapter A-14)

Regulation
— **Amendment**

Regulation to amend the Regulation respecting the application of the Act respecting legal aid and the provision of certain other legal services

WHEREAS section 55 of the Act to promote access to justice in family matters (2012, chapter 20) provides that, despite the fourth paragraph of section 80, the first regulation made after the coming into force of sections 29 to 41 of the Act under subparagraphs *e* and *n* of the first paragraph of section 80 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14) must be made by the Government;

WHEREAS, by Order in Council 865-2013 dated 22 August 2013, sections 29 to 41 of the Act to promote access to justice in family matters come into force on 18 September 2013;

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 the application of the Act respecting legal aid and the provision of certain other legal services was published in Part 2 of the *Gazette officielle du Québec* of 3 April 2013 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 the application of the Act respecting legal aid and the provision of certain other legal services, attached to this Order in Council, be made.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the application of the Act respecting legal aid and the provision of certain other legal services

An Act respecting legal aid and the provision of certain other legal services (chapter A-14, s. 80, 1st par., subpars. *e* and *n*; 2012, chapter 20, s. 55)

1. The Regulation respecting the application of the Act respecting legal aid and the provision of certain other legal services (chapter A-14, r. 4) is amended by replacing section 69 by the following:

“**69.** An application for legal aid must be made to the local centre certified under the Act or at the legal aid bureau nearest the applicant’s place of residence. It may also be made with any centre or legal aid bureau if the applicant gives reasons for not applying to the local centre or bureau nearest his or her place of residence. The certificate may then be given by the bureau or local centre to which application was made or by another bureau or local centre if the director general decides that it would be in the applicant’s best interest to do so.”.

2. The first paragraph of section 69.1 is replaced by the following:

“**69.1.** In the judicial districts of Montréal and Québec, the legal aid centres concerned must, in matters lying within the jurisdiction of the Court of Québec, Youth Division, examine the applications for legal aid pertaining thereto and rule in such matters on the eligibility of applicants at the actual premises where the Youth Division sits, during the office hours of the office of the court in the district of Montréal and from 9:00 a.m. to 3:00 p.m. in the district of Québec, unless the applicant elects to make his or her application at the local centre or legal aid bureau nearest his or her place of residence, or at any other centre or bureau in accordance with section 69.”.

3. Section 72 is amended

(1) by replacing subparagraphs *b* and *b.1* of the first paragraph by the following:

“(*b*) the name and address of the recipient or recipients;

(*b.1*) an indication that the recipient is eligible for free legal aid or for contributory legal aid and, in the latter case, an indication of the maximum contribution payable, less the administrative costs paid by the recipient in accordance with the Regulation respecting legal aid (chapter A-14, r. 2), and an indication of the recipient’s

right to apply for a review of the amount of the contribution, unless the certificate is issued for the legal services described in paragraph 1.1 of section 4.7 of the Act, in which case only the fees referred to in section 5.1 of the Act are indicated;”;

(2) by replacing the second paragraph by the following:

“Where contributory legal aid is granted and the certificate of eligibility so indicates, the certificate also indicates that, should the recipient fail to pay the contribution payable, the aid may be suspended or withdrawn and reimbursement of the costs of legal aid may be required of the recipient.”.

4. This Regulation comes into force on 10 October 2013.

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M.O., 2013

Order number 2013-11 of the Minister of Transport dated 9 September 2013

An Act respecting transport infrastructure partnerships (chapter P-9.001)

Designation of persons entrusted with the enforcement of the Act respecting transport infrastructure partnerships for the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure

THE MINISTER OF TRANSPORT,

CONSIDERING the first paragraph of section 20 of the Act respecting transport infrastructure partnerships (chapter P-9.001) which provides that the Minister may designate from among the partner’s employees who meet the conditions determined by government regulation a person to be entrusted with the enforcement of the Act for the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure (chapter C-25.1);

CONSIDERING that the Minister of Transport entered with Nouvelle Autoroute 30, S.E.N.C., Acciona Nouvelle Autoroute 30 Inc. and Iridium Nouvelle Autoroute 30 Inc. into an agreement dated 25 September 2008 entitled “Entente de partenariat visant la conception, la construction, le financement, l’exploitation, l’entretien et la réhabilitation du parachèvement en mode de partenariat public-privé de l’autoroute 30 dans la région de Montréal”;

Considering section 35 of the Regulation respecting toll road infrastructures operated under a public-private partnership agreement (chapter P-9.001, r. 3), which determines the conditions that an employee of the partner must meet at the time he or she is designated;

CONSIDERING Order number 2012-10 of the Minister of Transport dated November 30, 2012 respecting the Designation of toll road infrastructures operated under a public-private partnership agreement;

CONSIDERING Order number 2012-12 of the Minister of Transport dated 13 December 2012 respecting the designation of persons entrusted with the enforcement of the Act respecting transport infrastructure partnerships for the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure;

CONSIDERING that Brigitte Demers and Rachel Leclair are employees of Nouvelle Autoroute 30, S.E.N.C. and that they meet the conditions set out in the Regulation respecting toll road infrastructures operated under a public-private partnership agreement;

CONSIDERING that it is expedient to designate those persons;

ORDERS AS FOLLOWS:

Section 1 of Order number 2012-12 of the Minister of Transport dated 13 December 2012 respecting the designation of persons entrusted with the enforcement of the Act respecting transport infrastructure partnerships for the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure is amended

(1) by replacing “Stéphanie Comtois, an employee of Nouvelle Autoroute 30, S.E.N.C., is hereby designated as the person entrusted with” by “the following persons, employees of Nouvelle Autoroute 30, S.E.N.C., are hereby designated as persons entrusted with”;

(2) by replacing “St. Lawrence River.” by “St. Lawrence River:

(1) Stéphanie Comtois;

(2) Brigitte Demers;

(3) Rachel Leclair.”.

SYLVAIN GAUDREULT,
Minister of Transport

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