

## Draft Regulations

### Draft regulation

An Act to establish the new Code of Civil Procedure (2014, chapter 1)

#### Tariff of judicial fees applicable to the recovery of small claims

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Tariff of judicial fees applicable to the recovery of small claims, appearing below, may be made by the government on the expiry of 45 days following this publication.

The draft regulation reflects the changes made in the area of civil procedure by the Act to establish the new Code of Civil Procedure (2014, chapter 1). It specifies the judicial fees payable to file or present an application or other pleading under Title II of Book VI of the new Code, and for the execution of judgments.

The draft regulation replaces the Tariff of Court Fees applicable to the Recovery of Small Claims (chapter C-25, r. 16) by a new Tariff adapted to the terminology and spirit of the Act to establish the new Code of Civil Procedure.

The judicial fees introduced by this draft regulation are comparable to those in the existing Tariff. To date, study of the matter has shown no significant impact on the public or enterprises, including small and medium-sized businesses.

Further information about the draft regulation may be obtained by contacting Mtre. Marc Lahaie, advocate, Ministère de la Justice, at the following address: 1200, route de l'Église, 7<sup>e</sup> étage, Québec (Québec) G1V 4M1; telephone: 418 644-7700, extension 20174; fax: 418 644-9968; E-mail: marc.lahaie@justice.gouv.qc.ca

Any person wishing to comment on the draft regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1.

STÉPHANIE VALLÉE,  
*Minister of Justice*

### Tariff of judicial fees applicable to the recovery of small claims

An Act to establish the new Code of Civil Procedure (2014, c. 1, s. 570)

**1.** The amount of the judicial fee that an applicant must submit or file with an application or cross-application, as the case may be, is established by the following table according to the amount of the claim and according to whether the fee is payable by a natural person or a legal person.

| Amount of the claim     | Judicial fee (natural person) | Judicial fee (legal person) |
|-------------------------|-------------------------------|-----------------------------|
| \$0.01 to \$5,000       | \$100                         | \$150                       |
| \$5,000.01 to \$10,000  | \$185                         | \$250                       |
| \$10,000.01 to \$15,000 | \$200                         | \$300                       |

**2.** The amount of the judicial fee that a defendant must submit or file with a defence is established by the following table according to the amount of the claim entered for recovery by the plaintiff or cross-plaintiff, as the case may be, and according to whether the fee is payable by a natural person or a legal person.

| Amount of the claim     | Judicial fee (natural person) | Judicial fee (legal person) |
|-------------------------|-------------------------------|-----------------------------|
| \$0.01 to \$5,000       | \$100                         | \$150                       |
| \$5,000.01 to \$10,000  | \$185                         | \$250                       |
| \$10,000.01 to \$15,000 | \$200                         | \$300                       |

**3.** The amount of the judicial fee that a party must submit or file with an application for a revocation of judgment is established by the following table according to the amount of the claim, and according to whether the fee is payable by a natural person or a legal person.

| Amount of the claim     | Judicial fee (natural person) | Judicial fee (legal person) |
|-------------------------|-------------------------------|-----------------------------|
| \$0.01 to \$5,000       | \$100                         | \$150                       |
| \$5,000.01 to \$10,000  | \$185                         | \$250                       |
| \$10,000.01 to \$15,000 | \$200                         | \$300                       |

**4.** The amount of the judicial fee that a creditor must pay as execution costs, in addition to bailiff's expenses, is \$43 when the fee is payable by a natural person and \$50 when the fee is payable by a legal person. The judicial fee is payable only for the signing and filing of an initial notice of execution by the clerk and may be claimed from the debtor of the judgment.

**5.** The amount of the judicial fee that a party or a third person must pay to oppose a seizure is \$100 when the fee is payable by a natural person and \$150 when the fee is payable by a legal person, without regard to the value of the right that the opposition is intended to protect or the amount of the judgment. The fee is payable for each opposition filed with the court office.

**6.** This Tariff applies to the State and to state bodies.

**7.** The judicial fees established by this Tariff apply to any applications, pleadings or documents filed or produced on or after the date on which the Tariff comes into force, even in a case commenced prior to that date.

**8.** This Tariff replaces the Tariff of court fees applicable to the recovery of small claims (c. C-25, r. 16).

**9.** This Tariff comes into force on the date of coming into force of the Act to establish the new Code of Civil Procedure (2014, Chapter 1).

102283

## Draft Regulation

Code of Penal Procedure  
(chapter C-25.1)

### Court costs in penal matters applicable to persons under 18 years of age — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation is mainly intended to make necessary amendments to follow up on the passing of the Act to establish the new Code of Civil Procedure (2014, chapter 1). Thus, the draft Regulation amends the costs of execution that are provided for in the Regulation respecting certain

court costs in penal matters applicable to persons under 18 years of age (chapter C-25.1, r. 3) to take into account the new activities to be carried out by the collector when the collector will make a seizure according to the rules relating to the civil execution of the new Code of Civil Procedure.

The draft Regulation also proposes to add certain costs of execution related to activities currently carried out by the collector.

To date, study of the matter has shown that the amendments will have no impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Michel Paquette, Bureau de la sous-ministre du Ministère de la Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1; telephone: 418 643-4090; fax: 418 643-3877; email: michel.paquette@justice.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l'Église, 9<sup>e</sup> étage, Québec (Québec) G1V 4M1.

STÉPHANIE VALLÉE,  
*Minister of Justice*

## Regulation to amend the Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age

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

**1.** The Regulation respecting certain court costs in penal matters applicable to persons under 18 years of age (chapter C-25.1, r. 3) is amended in section 11

(1) by inserting the following after paragraph 3:

“(3.1) for the notification of a notice of execution to the Société de l'assurance automobile du Québec under article 730 of the Code of Civil Procedure (chapter C-25.01): \$8;”;

(2) by replacing paragraph 4 by the following:

“(4) for the filing with the court office of a notice of execution prepared by the collector, regardless of the number of records concerned: \$24;