

27. The judicial fees and court fees established by this Tariff apply to any pleadings and documents filed, produced or issued on or after the date of its coming into force, even in a case commenced prior to that date.

28. This Tariff replaces the Tariff of court costs in civil matters and court office fees (chapter T-16, r.9).

However, the former Tariff continues to apply to the execution, if already under way, of a judgment, of a decision or of a juridical act that has the same force and effect as a judgment, except in the case of execution proceedings already under way in accordance with the rules governing voluntary deposit.

29. This Tariff comes into force on 1 January 2016.

102420

Gouvernement du Québec

O.C. 1095-2015, 9 December 2015

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

Tariff of judicial fees applicable to the recovery of small claims

Tariff of judicial fees applicable to the recovery of small claims

WHEREAS, under article 570 of the Act to establish the new Code of Civil Procedure (2014, c. 1), the Government may, by regulation, establish a tariff of courts costs and fees for the recovery of small claims;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), the draft regulation appended hereto was published in Part 2 of the *Gazette officielle du Québec* of 23 September 2015, with a notice that it could be made by the government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Tariff with amendments;

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

THAT the Tariff of judicial fees applicable to the recovery of small claims, attached hereto, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Tariff of judicial fees applicable to the recovery of small claims

Act to establish the new Code of Civil Procedure (2014, chapter 1, a. 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 creditor must also, where applicable, pay \$6 as the fee for a search via SOQUIJ to verify the execution proceedings already carried out against the defendant.

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 1 January 2016.

102421

Gouvernement du Québec

O.C. 1096-2015, 9 December 2015

Court Bailiffs Act
(chapter H-4.1)

Tariff of fees of court bailiffs

Tariff of fees of court bailiffs

WHEREAS, under section 13 of the Court Bailiffs Act (chapter H-4.1), a bailiff may charge, to serve written proceedings, to execute judicial decisions and to perform any other duty assigned to a bailiff by law or by a court, only the fees or costs fixed in the tariff established by regulation of the Government;

WHEREAS the Government made the Tariff of fees of court bailiffs (chapter H-4.1, r. 14);

WHEREAS it is expedient to replace the Tariff;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Tariff of fees of court bailiffs was published in Part 2 of the *Gazette officielle du Québec* of 23 September 2015 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Tariff with amendments;

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

THAT the Tariff of fees of court bailiffs, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Tariff of fees of court bailiffs

Court Bailiffs Act
(chapter H-4.1, s. 13)

DIVISION I CLASSES OF PROCEEDINGS

1. In this Regulation, the classes of proceedings referred to correspond to

(a) Class 1

i. a proceeding that comes under the jurisdiction of the Court of Québec or of a municipal court, a proceeding founded on the Code of Penal Procedure (chapter C-25.1) or on the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) where no amount is involved or the amount involved does not exceed \$500;

ii. a proceeding issuing from a person or body having judicial or administrative powers;

(b) Class 2

i. a proceeding that comes under the jurisdiction of the Court of Québec or of a municipal court, a proceeding founded on the Code of Penal Procedure or on the Criminal Code, and not included in Class 1;

ii. a proceeding that comes under the jurisdiction of the Superior Court, the Court of Appeal, the Supreme Court or the Federal Court, or a court of another province or country.

DIVISION II GENERAL RULES

§1. Hourly fees

2. Where this Regulation provides that a bailiff is entitled to hourly fees, the fees are established at \$68 per hour.

The bailiff is not entitled to hourly fees while travelling.