

Draft Regulations

Draft Regulation

Court Bailiffs Act
(chapter H-4.1)

Tariff of fees of court bailiffs — 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 Tariff of fees of court bailiffs, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation reviews certain fees for service and introduce fees not provided for in the Tariff.

Further information on the draft Regulation may be obtained by contacting Christine Lavoie, Direction générale des services de justice, Ministère de la Justice, 1200, route de l'Église, 7^e étage, Québec (Québec) G1V 4M1; telephone: 418 644-7700, extension 20154; fax: 418 644-9968; email: christine.lavoie@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^e étage, Québec (Québec) G1V 4M1.

STÉPHANIE VALLÉE,
Minister of Justice

Regulation to amend the Tariff of fees of court bailiffs

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

- 1.** The Tariff of fees of court bailiffs (chapter H-4.1, r. 13.1) is amended by revoking Division I.
- 2.** Section 2 is amended by replacing “68” in the first paragraph by “75”.
- 3.** Section 7 is amended by replacing the first paragraph by the following:

“A bailiff is entitled to the fees for service provided for in this Regulation, which include the fees for drawing up the certificate of service and the fees for delivering a notice of visit. Travelling fees are added to those fees.”.

4. Section 8 is replaced by the following:

“**8.** For the service of a proceeding or of any document not specifically provided for in this Regulation, a bailiff is entitled to a fee of \$23.”.

5. The following is inserted after section 9:

“**9.1.** To designate a person to act in the bailiff’s name and under the bailiff’s authority in accordance with article 117 of the Code of Civil Procedure (chapter C-25.01), a bailiff is entitled only to a fee of \$25.”.

The fees for service and the travelling fees that the designated person may charge may not exceed the fees to which a bailiff would have been entitled under this Regulation.”.

6. Section 11 is revoked.

7. The following is inserted after section 11:

“**11.1.** For the notification by public notice of a proceeding when service is required by law, a bailiff is entitled to a fee of \$25.”.

8. Section 12 is amended by

- (1) replacing “6” in the first paragraph by “15”;
- (2) inserting “, which includes the fee for delivering a notice of visit” at the end of the first paragraph.

9. Section 13 is amended by

- (1) replacing “12” by “15”;
- (2) inserting “, which includes the fee for giving a notice of visit” at the end.

10. Section 33 is amended by inserting the following after paragraph *e*:

“(e.1) \$12 for the publication of the certificate provided for in article 3069 of the Civil Code;”.

11. Section 34 is amended by inserting the following after paragraph *d*:

“(d.1) \$12 for the publication of the certificate provided for in article 3069 of the Civil Code;”.

12. Section 35 is amended by adding the following sentence at the end of the second paragraph: “The bailiff is entitled to travelling fees to travel to the location of the execution where the location is different from the location of service.”.

13. Section 42 is amended in the first paragraph

(1) by replacing “to the following fees:” by “to a fee of \$75.”;

(2) by striking out “Class 1: \$46”;

(3) by striking out “Class 2: \$72”.

14. Section 46 is amended by replacing “10” by “15”.

15. Section 47 is amended

(1) by replacing “to the following fees:” by “to a fee of \$33.”;

(2) by striking out “Class 1: \$33”;

(3) by striking out “Class 2: \$60”.

16. Section 48 is amended by adding the following sentence at the end of the second paragraph: “The bailiff is entitled to travelling fees to travel to the location of the sale.”.

17. 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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Draft Regulation

Cities and Towns Act
(chapter C-19)

Municipal Code of Québec
(chapter C-27.1)

An Act respecting the Communauté métropolitaine de Montréal
(chapter C-37.01)

An Act respecting the Communauté métropolitaine de Québec
(chapter C-37.02)

An Act respecting public transport authorities
(chapter S-30.01)

Expenditure threshold for a contract that may be awarded only after a public call for tenders, minimum time for the receipt of tenders and expenditure ceiling allowing the territory from which tenders originate to be limited

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation ordering the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the territory from which tenders originate to be limited, appearing below, may be made by the Minister on the expiry of 45 days following this publication.

The draft Regulation is the first regulation made by the Minister ordering the expenditure threshold for a contract that may be awarded only after a public call for tenders, the minimum time for the receipt of tenders and the expenditure ceiling allowing the territory from which tenders originate to be limited. The threshold, time and ceiling that currently apply have been in force since 19 April 2018, the date of assent to the Act to amend various legislative provisions concerning municipal affairs (2018, c. 8), owing to a provision in that Act to that effect.

The purpose of this draft Regulation is therefore to include the current standards in the Minister’s regulation.

Is well, an amendment is made to the current standards to order that the territory from which tenders may originate with a view to a possible construction contract involving an expenditure of less than \$252,700 is that of the provinces of Québec, Ontario and New Brunswick.