

5. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

104140

Gouvernement du Québec

O.C. 1090-2019, 30 October 2019

An Act respecting administrative justice
(chapter J-3)

**Administrative Tribunal of Québec
— Procedure for the recruitment and selection of
persons apt for appointment as members
— Amendment**

CONCERNING the Regulation to amend the Regulation respecting the procedure for the recruitment and selection of persons apt for appointment as members of the Administrative Tribunal of Québec

WHEREAS, under section 42 of the Act respecting administrative justice (chapter J-3), members of the Administrative Tribunal of Québec shall be selected among persons declared apt according to the recruiting and selection procedure established by Government 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 the procedure for the recruitment and selection of persons apt for appointment as members of the Administrative Tribunal of Québec, was published in Part 2 of the *Gazette officielle du Québec* of 1 May 2019 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 this regulation without amendment;

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

THAT the Regulation to amend the Regulation respecting the procedure for the recruitment and selection of persons apt for appointment as members of the Administrative Tribunal of Québec, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting the procedure for the
recruitment and selection of persons
apt for appointment as members of the
Administrative Tribunal of Québec**

An Act respecting administrative justice
(chapter J-3, s. 42)

1. Section 3 of the Regulation respecting the procedure for the recruitment and selection of persons apt for appointment as members of the Administrative Tribunal of Québec (chapter J-3, r. 2) is amended by striking out “, to the ministers responsible for the administration of statutes providing for a recourse before the divisions of the Tribunal for which a member or members are to be recruited,”.

2. The first paragraph of section 4 is amended by replacing, in subparagraph 7, “ruin” by “undermine”.

3. The first paragraph of section 7 is replaced by the following:

“7. Before taking office, the members of the committee must take the following oath: “I, (full name), swear that I will neither reveal nor disclose, without due authorization to do so, anything of which I may gain knowledge in the performance of the duties of my office.”.”

4. The last paragraph of section 17 of the Regulation is replaced by the following:

“This report is submitted to the Associate Secretary General and the Minister of Justice.”

5. Section 22 is amended

(1) by inserting “to be appointed to the Tribunal” after “apt”;

(2) by striking out “and to the ministers responsible for the administration of statutes providing for a recourse before the divisions of the Tribunal in which there is a vacant position”.

6. Section 23 is amended by inserting “declared” in the first paragraph before “apt” and by inserting “of the Tribunal” after “members”.

7. Section 24 is amended

(1) by striking out “, having consulted the ministers responsible for the administration of statutes providing for recourses before the division of the Tribunal where there is a vacant position,” in the first paragraph;

(2) by striking out the last paragraph.

8. This Regulation comes into force on the ninetieth day following the date of its publication in the *Gazette officielle du Québec*.

104141

Gouvernement du Québec

O.C. 1091-2019, 30 October 2019

An Act respecting administrative justice
(chapter J-3)

Administrative Tribunal of Québec
— **Procedure**

CONCERNING the Regulation respecting the procedure of the Administrative Tribunal of Québec

WHEREAS, under the first paragraph of section 109 of the Act respecting administrative justice (chapter J-3), the Administrative Tribunal of Québec may, by a regulation adopted by a majority vote of its members, make rules of procedure specifying the manner in which the rules established in chapter VI of the Act respecting administrative justice or in the special Acts under which proceedings are brought are to be applied;

WHEREAS, under the second paragraph of this section, such rules of procedure may differ according to the divisions or, in the case of the social affairs division, according to the matters to which they apply;

WHEREAS, under the third paragraph of this section the regulation is subject to the approval of the Government;

WHEREAS at its meeting of 11 May 2017, the Tribunal adopted the Regulation respecting the procedure of the Administrative Tribunal of Québec;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting the procedure of the Administrative Tribunal of Québec, was published in Part 2 of the *Gazette officielle du Québec* of 24 April 2019 with a notice that it could be approved by the Government on the expiry of 45 days following that publication;

WHEREAS, it is expedient to approve the Regulation;

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

THAT the Regulation respecting the procedure of the Administrative Tribunal of Québec, attached to this Order in Council, be approved.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation respecting the procedure of the Administrative Tribunal of Québec

An Act respecting administrative justice
(chapter J-3, s. 109)

DIVISION I
PRELIMINARY PROVISIONS

1. This Regulation applies to all proceedings brought before the Administrative Tribunal of Québec, except those within the jurisdiction of the social affairs division acting as a review board within the meaning of the Criminal Code (R.S.C., 1985, c. C-46).

Its purpose is to ensure the simple, flexible and prompt processing of applications, particularly with the cooperation of the parties and their representatives, in accordance with the rules of natural justice.

2. At any stage, the proceedings and the presentation of evidence must be proportionate to the nature and complexity of the matter.

DIVISION II
OFFICE HOURS AND WORKING DAYS

3. The secretariat of the Tribunal is open to the public from Monday to Friday, on working days, from 8:30 a.m. to 4:30 p.m.

4. The following are considered holidays:

- (1) Saturdays and Sundays;
- (2) 1 and 2 January;
- (3) Good Friday;
- (4) Easter Monday;
- (5) the Monday preceding 25 May;
- (6) 24 June;
- (7) 1 July;