

Regulations and other Acts

Gouvernement du Québec

O.C. 1233-2019, 11 December 2019

Courts of Justice Act
(chapter T-16)

Schedule IV — Amendment

Regulation to amend Schedule IV to the Courts of Justice Act

WHEREAS, under section 160 of the Courts of Justice Act (chapter T-16), administrative justices of the peace are to exercise only the powers and functions determined in Schedule IV for the class assigned to them in their notice of appointment;

WHEREAS, under the first paragraph of section 181 of the Act, the Government may, by regulation, amend in particular Schedule IV to modify, add to or reduce the functions and powers of administrative justices of the peace;

WHEREAS, under the second paragraph of section 181 of the Act, despite sections 11 and 17 of the Regulations Act (chapter R-18.1), the regulation may be made after the expiry of 15 days from the publication of the draft regulation in the *Gazette officielle du Québec* and comes into force on the date of its publication in the *Gazette officielle du Québec* or any later date specified in the regulation;

WHEREAS, in accordance with section 10 of the Regulations Act and section 181 of the Courts of Justice Act, a draft of the Regulation to amend Schedule IV to the Courts of Justice Act was published in Part 2 of the *Gazette officielle du Québec* of 18 September 2019 with a notice that it could be made by the Government on the expiry of 15 days following that publication;

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 Schedule IV to the Courts of Justice Act, attached to this Order in Council, be made.

YVES OUELLET,
Clerk of the Conseil exécutif

Regulation to amend Schedule IV to the Courts of Justice Act

Courts of Justice Act
(chapter T-16, s. 181)

1. The Courts of Justice Act (chapter T-16) is amended in Schedule IV

(1) by adding “and declarations of a person named as a surety” after “informations” in the first dash of paragraph 1 and by striking out “, undertakings and recognizances”;

(2) by adding “and declarations of a person named as a surety” after “informations” in the fifth dash of paragraph 1 and by striking out “, undertakings and recognizances”;

(3) by replacing “of ordering an interim release” in the tenth dash of paragraph 1 by “of making a release order”, and by striking out “on an undertaking or a recognizance,”;

(4) by striking out the eleventh dash of paragraph 1;

(5) by striking out “and search warrants” in the twelfth dash of paragraph 1;

(6) by replacing the nineteenth dash of paragraph 1 by the following:

“confirming or cancelling appearance notices and undertakings, and issuing a summons if necessary (section 508 of the Criminal Code); ”;

(7) by adding “and declarations of a person named as a surety” after “informations” in the first dash of paragraph 2 and by striking out “, undertakings and recognizances”;

(8) by replacing “of ordering an interim release” in the sixth dash of paragraph 2 by “of making a release order”, and by striking out “on an undertaking or a recognizance,”;

(9) by striking out the seventh dash of paragraph 2;

(10) by replacing the tenth dash of paragraph 2 by the following:

“confirming or cancelling appearance notices and undertakings, and issuing a summons if necessary (section 508 of the Criminal Code);”;

(11) by adding “and declarations of a person named as a surety” after “informations” in the eleventh dash of paragraph 2 and by striking out “, undertakings and recognizances”;

(12) by replacing “of ordering an interim release” in the sixteenth dash of paragraph 2 by “of making a release order”, and by striking out “on an undertaking or a recognizance,”;

(13) by striking out the seventeenth dash of paragraph 2;

(14) by striking out “and search warrants” in the eighteenth dash of paragraph 2;

(15) by replacing the twenty-fourth dash of paragraph 2 by the following:

“confirming or cancelling appearance notices and undertakings, and issuing a summons if necessary (section 508 of the Criminal Code);”.

2. This Regulation comes into force on 18 December 2019.

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