

for which the provincial director has authorized detention of the young person under subsection 30(8) of the Youth Criminal Justice Act following an arrest without a warrant.

29. When a young person is charged with an offence listed in section 23 and the aggravating circumstances of the offence are such that the use of an extrajudicial sanction would be inconsistent with the principles and objectives of this program, the criminal and penal prosecuting attorney may, exceptionally and with the agreement of the provincial director, start judicial proceedings in respect of the offence.

30. If an offence listed in section 23 is replaced or amended by the Parliament of Canada, the criminal and penal prosecuting attorney may, until the date of coming into force of a new agreement concerning this program, refer a case to the provincial director or start judicial proceedings in respect of any new offence created or amended that concerns the same subject-matter as the offence initially listed in that section.

31. When a young person not permanently resident in Québec is alleged to have committed an offence, the criminal and penal prosecuting attorney may start judicial proceedings in respect of any offence if he or she is of the opinion that it would not be feasible to have an assessment conducted by the provincial director or an agreement made concerning an extrajudicial sanction.

32. When a young person resident in Canada but not permanently resident in Québec is alleged to have committed an offence, the provincial director may, after assessing the situation and reaching an agreement with the young person's province of residence, transfer the assessment or administration of the extrajudicial sanction to that province.

33. After the case of a young person has been referred to the provincial director, the criminal and penal prosecuting attorney may, after consulting the provincial director, authorize proceedings in respect of any offence allegedly committed after the recall date referred to in section 5.

CHAPTER VI OTHER PROVISION

34. A subcommittee, under the responsibility of the YCJA intersectoral committee made up of representatives from the Ministère de la Justice, the Ministère de la Santé et des Services sociaux, the provincial director, the Director of Criminal and Penal Prosecutions and certain organizations sitting on the intersectoral committee on the

application of the YCJA, will monitor the application of this extrajudicial sanctions program and propose amendments to it as required.

CHAPTER VII COMING INTO FORCE

35. This program comes into force on the day of its authorization.

Pursuant to Décret 480-2003 made by the Gouvernement du Québec, the Minister of Justice and the Minister of Health and Social Services jointly authorize this extrajudicial sanctions program for young persons who have committed certain offences; it replaces the alternative measures program authorized on 7 January 1994.

104735

M.O., 2020

Order 4367 of the Minister of Justice and the Minister of Health and Social Services dated 23 November 2020

Youth Criminal Justice Act
(S.C. 2002, c. 1)

Amendment to the extrajudicial sanctions program for young persons authorized under the Youth Criminal Justice Act (S.C. 2002, c. 1)

THE MINISTER OF JUSTICE AND THE MINISTER OF HEALTH
AND SOCIAL SERVICES,

WHEREAS paragraph *a* of subsection 2 of section 10 of the Youth Criminal Justice Act (S.C. 2002, c. 1) provides that an extrajudicial sanction may be used for young persons who have committed certain offences if the sanction is part of a program of sanctions that may be authorized by the Attorney General or authorized by a person, or a member of a class of persons, designated by the lieutenant governor in council of the province;

WHEREAS, under Décret 480-2003 dated 31 March 2003, the Minister of Justice and the Minister of Health and Social Services were designated to jointly authorize an extrajudicial sanctions program for young persons who have committed certain offences, in accordance with that Act;

CONSIDERING that the extrajudicial sanctions program for young persons who have committed certain offences was authorized by Arrêté 3739 dated 21 April 2016 (*G.O.* 2, 2570) made in accordance with the Youth Criminal Justice Act;

CONSIDERING that Arrêté 3739 dated 21 April 2016 was replaced by Order 4366 dated 23 November 2020 in accordance with the first paragraph of section 3 of the Act respecting judgments rendered by the Supreme Court of Canada on the language of statutes and other instruments of a legislative nature (chapitre J-1.1);

CONSIDERING that an amendment must be made to the extrajudicial sanctions program;

ORDER AS FOLLOWS:

1. Order 4366 dated 23 November 2020 is amended in section 14

(1) by replacing paragraph *c* by the following:

“(c) the time allowed for the completion of the extrajudicial sanction used with respect to the young person may not exceed 6 months beginning on the date on which the young person consents to be subject to the sanction, except if the time allowed may not be complied with owing to a public health emergency declared by the Government or a situation that makes it impossible, following the recommendations of the public health authorities, to have access to the program or its application in which case the time period is extended by that much from the end of the public health emergency or the impossibility, whichever occurs first.”;

(2) by adding the following paragraph at the end:

“Before extending the time period provided for in paragraph *c*, the provincial director must assess the possibility of applying measures other than those initially provided for the completion of extrajudicial sanctions and, where applicable, take the necessary means to allow the young person to complete them.”.

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

Québec, 23 November 2020

SIMON JOLIN-BARRETTE,
Minister of Justice

CHRISTIAN DUBÉ,
*Minister of Health and
Social Services*

104736

M.O., 2020

Order number 4370 of the Minister of Justice dated 30 November 2020

Code of Civil Procedure
(chapter C-25.01)

Regulation to amend the Regulation respecting the Basic Parental Contribution Determination Table

MINISTER OF JUSTICE,

CONSIDERING the second paragraph of article 443 of the Code of Civil Procedure (chapter C-25.01), which provides that the Minister of Justice prescribes and publishes a table determining the combined basic child support contribution payable by the parents on the basis of their disposable income and the number of children they have;

CONSIDERING the publication of a draft Regulation to amend the Regulation respecting the Basic Parental Contribution Determination Table in Part 2 of the *Gazette officielle du Québec* of 23 September 2020, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1) with a notice that it could be made by the Minister on the expiry of 45 days following that publication;

CONSIDERING that it is expedient to make the Regulation;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting the Basic Parental Contribution Determination Table, attached to this Order, is made.

Québec, 30 November 2020

SIMON JOLIN-BARRETTE
Minister of Justice

Regulation to amend the Regulation respecting the Basic Parental Contribution Determination Table

Code of Civil procedure
(chapter C-25.01, a. 443, 2nd par.)

1. The Regulation respecting the Basic Parental Contribution Determination Table (chapter C-25.01, r. 12) is amended by replacing Schedule I by Schedule I attached to this Regulation.

2. This Regulation comes into force on 1 January 2021.