

THAT the measures set out in this Ministerial Order take effect on 7 December 2020, except as concerns the measures set out in subparagraph *k* of subparagraph 5 and subparagraphs 17 to 28 of the tenth paragraph of the operative part of Order in Council 1020-2020 dated 30 September 2020, amended by Ministerial Orders 2020-074 dated 2 October 2020, 2020-077 dated 8 October 2020, 2020-079 dated 15 October 2020, 2020080 dated 21 October 2020, 2020081 dated 22 October 2020, 2020-084 dated 27 October 2020, 2020-085 dated 28 October 2020, 2020-086 dated 1 November 2020, 2020-087 dated 4 November 2020, 2020-090 dated 11 November 2020, 2020-91 dated 13 November 2020 and 2020-093 dated 17 November 2020, and by Order in Council 1039-2020 dated 7 October 2020, which will take effect on 9 December 2020.

Québec, 5 December 2020

CHRISTIAN DUBÉ,
Minister of Health and Social Services

104774

M.O., 2020

Ministerial Order 2020-4380 of the Minister of Justice dated 9 December 2020

An Act respecting the Ministère de la Justice (chapter M-19)

Measures for ensuring the proper administration of justice amid the COVID-19 pandemic situation

THE MINISTER OF JUSTICE,

CONSIDERING section 5.1 of the Act respecting the Ministère de la Justice (chapter M-19), enacted by section 67 of chapter 12 of the Statutes of 2020, which provides that, in a state of emergency declared by the Government, the Minister of Justice may, if necessary for the proper administration of justice, amend any rule of procedure, introduce a new one or provide for any other measure;

CONSIDERING that that section provides that the measures are to be published in the *Gazette officielle du Québec* and may take effect on the date on which the state of emergency is declared or on any later date specified in the measures, and they are applicable for the period determined by the Minister of Justice, which may not exceed one year after the end of the state of emergency;

CONSIDERING that that section provides that, before adopting the measures, the Minister must take into consideration their effects on the rights of individuals and obtain the agreement of the Chief Justice of Québec and the Chief Justice of the Superior Court or the Chief Judge of the Court of Québec, according to their jurisdiction, and the Minister must also take into consideration the opinion of the Barreau du Québec and, if applicable, the Chambre des notaires du Québec or the Chambre des huissiers de justice du Québec;

CONSIDERING section 12 of the Regulations Act (chapter R-18.1), which provides that a proposed regulation may be made without having been published as provided for in section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

CONSIDERING section 13 of that Act, which provides that the reason justifying the absence of prior publication must be published with the regulation;

CONSIDERING section 27 of that Act, which provides that a regulation may take effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made or approved expressly provides therefor;

CONSIDERING Order in Council 177-2020 dated 13 March 2020 declaring a public health emergency throughout Québec for a period of 10 days;

CONSIDERING that the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020, until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020, until 20 May 2020 by Order in Council 509-2020 dated 13 May 2020, until 27 May 2020 by Order in Council 531-2020 dated 20 May 2020, until 3 June 2020 by Order in Council 544-2020 dated 27 May 2020, until 10 June 2020 by Order in Council 572-2020 dated 3 June 2020, until 17 June 2020 by Order in Council 593-2020 dated 10 June 2020, until 23 June 2020 by Order in Council 630-2020 dated 17 June 2020, until 30 June 2020 by Order in Council 667-2020 dated 23 June 2020, until 8 July 2020 by Order in Council 690-2020 dated 30 June 2020, until 15 July 2020 by Order in Council 717-2020 dated 8 July 2020, until 22 July 2020 by Order in Council 807-2020 dated 15 July 2020, until 29 July 2020

by Order in Council 811-2020 dated 22 July 2020, until 5 August 2020 by Order in Council 814-2020 dated 29 July 2020, until 12 August 2020 by Order in Council 815-2020 dated 5 August 2020, until 19 August 2020 by Order in Council 818-2020 dated 12 August 2020, until 26 August 2020 by Order in Council 845-2020 dated 19 August 2020, until 2 September 2020 by Order in Council 895-2020 dated 26 August 2020, until 9 September 2020 by Order in Council 917-2020 dated 2 September 2020, until 16 September 2020 by Order in Council 925-2020 dated 9 September 2020, until 23 September 2020 by Order in Council 948-2020 dated 16 September 2020; until 30 September 2020 by Order in Council 965-2020 dated 23 September 2020, until 7 October 2020 by Order in Council 1000-2020 dated 30 September 2020, until 14 October 2020 by Order in Council 1023-2020 dated 7 October 2020, until 21 October 2020 by Order in Council 1051-2020 dated 14 October 2020, until 28 October 2020 by Order in Council 1094 dated 21 October 2020, until 4 November 2020 by Order in Council 1113-2020 dated 28 October 2020, until 11 November 2020 by Order in Council 1150-2020 dated 4 November 2020, until 18 November 2020 by Order in Council 1168-2020 dated 11 November 2020, until 25 November 2020 by Order in Council 1210-2020 dated 18 November 2020, until 2 December 2020 by Order in Council 1242-2020 dated 25 November 2020 and until 9 December 2020 by Order in Council 1272-2020 dated 2 December 2020;

CONSIDERING that it is necessary to enact measures to ensure the proper administration of justice in the context of the COVID-19 pandemic;

CONSIDERING that the measures will have a beneficial effect on the rights of individuals;

CONSIDERING that the urgency to enact the measures in the context of the COVID-19 pandemic justifies the absence of prior publication of this Order and its taking effect on the date on which the state of emergency is declared or on any later date, as permitted by section 5.1 of the Act respecting the Ministère de la Justice;

CONSIDERING that the Chief Justice of Québec, the Chief Justice of the Superior Court and the Chief Judge of the Court of Québec have given their agreement on the portion of the operative part of this Order that concerns them;

CONSIDERING that the opinion of the Barreau du Québec, the Chambre des notaires du Québec and the Chambre des huissiers de justice du Québec has been taken into consideration;

ORDERS AS FOLLOWS:

THAT a notice of presentation, rather than a summons, accompany an application for the forced surrender of property, revendication of property or recovery of rent under a lease other than a lease of a dwelling referred to in article 1892 of the Civil Code;

THAT such an application be presented to the court on the date appearing in the notice of presentation, which cannot be less than 15 days after service of the application, without it being necessary to file a case protocol and a request to have the case set down for trial and judgment;

THAT the time period within which a family mediator must comply with the conditions of his or her undertaking pursuant to section 1 of the Regulation respecting family mediation (chapter C-25.01, r. 0.7), including any extension under section 4.1 of that Regulation, be suspended from 15 March 2020 until 15 March 2021;

THAT the first two paragraphs of the operative part of this Order come into force on 1 January 2021 and cease to have effect on 1 January 2022.

Quebec, 9 December 2020

SIMON JOLIN-BARRETTE,
Minister of Justice

104777