

#### **DIVISION IV** FINANCIAL ASSISTANCE RECEIVED WITHOUT ENTITLEMENT

8. The Board will recover all amounts that are unduly paid under this Program where a person benefits from a sum greater than that to which the person is entitled to obtain or benefits from a reimbursement without being entitled to one.

The recovery of amounts unduly paid is prescribed 5 years after the date of reimbursement by the Board. In the case of a false declaration, recovery is prescribed 5 years after the date on which the Board becomes aware of a person's ineligibility to receive a reimbursement, but not later than 10 years after the date of reimbursement.

#### **DIVISION V** PROGRAM MANAGEMENT TERMS AND CONDITIONS

9. The Board assumes the costs of this Program, as well as the actual development and administration fees of the Program.

#### **DIVISION VI** FINAL PROVISIONS

10. The Board and the Minister of Labour, Employment and Social Solidarity publish this Program on their website before 27 August 2021.

11. This Program comes into force on 12 August 2021 and ends on 8 February 2022.

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### **Notice**

Act respecting legal aid and the provision of certain other legal services  
(chapter A-14)

**Agreement to establish the Agreement between the Minister of Justice and the Barreau du Québec respecting the tariff of fees of advocates for legal services provided for in paragraph 1.1 of section 4.7 of the Act respecting legal aid and the provision of certain other legal services and the dispute settlement procedure, and to amend other agreements**

Notice is hereby given that the Agreement to establish the Agreement between the Minister of Justice and the Barreau du Québec respecting the tariff of fees of advocates for legal services provided for in paragraph 1.1

of section 4.7 of the Act respecting legal aid and the provision of certain other legal services and the dispute settlement procedure, and to amend other agreements, appearing below, was entered into on 15 July 2021.

In accordance with section 83.21 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14), the Agreement has force of law and takes effect on the date of its publication in the *Gazette officielle du Québec*.

SIMON JOLIN-BARRETTE  
*Minister of Justice*

### **Agreement to establish the Agreement between the Minister of Justice and the Barreau du Québec respecting the tariff of fees of advocates for legal services provided for in paragraph 1.1 of section 4.7 of the Act respecting legal aid and the provision of certain other legal services and the dispute settlement procedure, and to amend other agreements**

Act respecting legal aid and the provision of certain other legal services  
(chapter A-14, s. 83.21)

**PART I**  
AGREEMENT BETWEEN THE MINISTER OF JUSTICE AND THE BARREAU DU QUÉBEC RESPECTING THE TARIFF OF FEES OF ADVOCATES FOR LEGAL SERVICES PROVIDED FOR IN PARAGRAPH 1.1 OF SECTION 4.7 OF THE ACT RESPECTING LEGAL AID AND THE PROVISION OF CERTAIN OTHER LEGAL SERVICES AND THE DISPUTE SETTLEMENT PROCEDURE

#### **PRELIMINARY**

1. This Agreement establishes the tariff of fees applicable to advocates in private practice to whom a legal aid mandate is assigned for the legal services provided for in paragraph 1.1 of section 4.7 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14).

The Agreement provides for a flat fee for all the legal services provided; no other fee, travel compensation or other expenses are eligible.

The Agreement also establishes rules concerning dispute settlement.

## CHAPTER I TARIFF OF FEES

**2.** For all the legal services provided until a judgment is obtained on an agreement between the parties submitted in a joint application for the review of a judgment, an advocate is entitled to a fee of \$470.

Where legal aid is withdrawn under section 4.11.1 of the Act or the recipients waive legal aid before an agreement between the parties is filed with the court office, an advocate is entitled, for all the services rendered by the advocate, to a fee of \$117.50.

Where legal aid is withdrawn under section 4.11.1 of the Act or the recipients waive legal aid after an agreement between the parties is filed with the court office, an advocate is entitled, for all the services rendered by the advocate, to a fee of \$235.

**3.** Subject to section 81.1 of the Regulation respecting the application of the Act respecting legal aid and the provision of certain other legal services (chapter A-14, r. 4), where more than 1 advocate has rendered services, each advocate is entitled to the portion of the flat fee corresponding to the services the advocate has rendered up to a maximum amount of \$470 that may be paid to all the advocates.

## CHAPTER II DISPUTE SETTLEMENT PROCEDURE

**4.** The dispute settlement procedure provided for in Part III of the Agreement dated 4 December 2020 between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates under the legal aid plan and the dispute settlement procedure (chapter A-14, r. 5.1.1) applies with the necessary modifications.

## CHAPTER III FINAL

**5.** This Agreement replaces the Agreement between the Minister of Justice and the Barreau du Québec respecting the tariff of fees of advocates for legal services provided for in paragraph 1.1 of section 4.7 of the Act respecting legal aid and the provision of certain other legal services and the dispute settlement procedure (A-14, r. 5.01), made on 12 September 2013.

It comes into force on the date of its publication in the *Gazette officielle du Québec* and applies to mandates assigned as of that date.

**6.** This Agreement expires on 30 September 2022. It remains in force after that date until it is replaced by a new agreement or a regulation.

## PART II AMENDING

Agreement dated 4 December 2020 between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates under the legal aid plan and the dispute settlement procedure

**7.** The Agreement dated 4 December 2020 between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates under the legal aid plan and the dispute settlement procedure (chapter A-14, r. 5.1.1) is amended by replacing “following the filing of the appellant’s brief” in section 86 by “following the filing of a notice of appeal”.

**8.** The following is added after section 167:

“**167.1.** For mandates assigned as of 28 July 2021, an advocate who renders services in a region or locality served on an itinerant basis in the judicial district of Abitibi or Mingan receives, in addition to the fee increase in accordance with section 13, an amount of \$25 for each case the advocate sees through.

That measure ends on 30 September 2022 or on any earlier date, on the decision of the Minister of Justice. In the latter case, the measure ends on the thirtieth day after the Minister sends a written notice to the Barreau du Québec and the Commission des services juridiques.”.

Agreement dated 4 December 2020 between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates rendering services in criminal and penal matters and the dispute settlement procedure

**9.** The Agreement dated 4 December 2020 between the Minister of Justice and the Barreau du Québec respecting the tariff of fees and expenses of advocates rendering services in criminal and penal matters and the dispute settlement procedure (chapter A-14, r. 5.3) is amended by adding the following after section 80:

“**80.1.** For mandates assigned as of 28 July 2021, an advocate who renders services in a region or locality served on an itinerant basis in the judicial district of Abitibi or Mingan receives, in addition to the fee increase in accordance with section 15, an amount of \$25 for each case the advocate sees through.

That measure ends on 30 September 2022 or on any earlier date, on the decision of the Minister of Justice. In the latter case, the measure ends on the thirtieth day after the Minister sends a written notice to the Barreau du Québec and the Commission des services juridiques.”.

### PART III FINAL

**10.** This Agreement comes into force on the day of its publication in the *Gazette officielle du Québec*.

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### M.O., 2021

#### Order number 2021-16 of the Minister of Transport dated 13 July 2021

Act respecting transport infrastructure partnerships (chapter P-9.001)

Designation of persons entrusted with the enforcement of the Act respecting transport infrastructure partnerships for the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure

THE MINISTER OF TRANSPORT,

CONSIDERING the first paragraph of section 20 of the Act respecting transport infrastructure partnerships (chapter P-9.001), which provides that the Minister may designate from among the persons who meet the conditions determined by government regulation a person to be entrusted with the enforcement of the Act for the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure (chapter C-25.1);

CONSIDERING paragraph 2 of section 1 of the Ministerial order concerning designation of toll road infrastructures operated under a public-private partnership agreement (chapter P-9.001, r. 1.1), which designates as toll road infrastructure bridge P-10942 of autoroute 30 that crosses the St. Lawrence River;

CONSIDERING section 35 of the Regulation respecting toll road infrastructures operated under a public-private partnership agreement (chapter P-9.001, r. 3), which determines the conditions that a person must meet at the time he or she is designated;

CONSIDERING Order 2012-12 of the Minister of Transport dated 13 December 2012 and Order 2013-11 of the Minister of Transport dated 9 September 2013, which designate the persons entrusted with the enforcement of

the Act respecting transport infrastructure partnerships for the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure;

CONSIDERING that it is no longer expedient to designate those persons;

CONSIDERING that Danièle Farmer, Cynthia Michaud and Fabien Caillette meet the conditions set out in section 35 of the Regulation;

CONSIDERING that it is expedient to designate those persons;

ORDERS AS FOLLOWS:

1. For the purposes of drawing up offence reports referred to in article 62 of the Code of Penal Procedure (chapter C-25.1), the following are hereby designated as persons entrusted with the enforcement of the Act respecting transport infrastructure partnerships (chapter P-9.001), on bridge P-10942 of autoroute 30 that crosses the St. Lawrence River:

- (1) Fabien Caillette;
- (2) Danièle Farmer;
- (3) Cynthia Michaud.

2. Order 2012-12 of the Minister of Transport dated 13 December 2012, as amended by Order 2013-11 of the Minister of Transport dated 9 September 2013, is hereby revoked.

Québec, 13 July 2021

FRANÇOIS BONNARDEL  
*Minister of Transport*

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