

However, in reviewable or reassessable matters and, in non-contentious cases, notices, certificates, minutes, inventories, medical and psychosocial evidence, affidavits, statements, declarations and documents made enforceable by a judgment, including any child support determination form attached to a judgment, cannot be removed from the record or destroyed.”.

12. Article 134 of the Code:

“**134.** Notification by a technological means is proved by the transmission slip or, failing that, by ~~an affidavit~~ a declaration of the sender, deemed to be an affidavit.”

The transmission slip must set out the nature of the document, the court record number, the names and contact information of the sender and the addressee, and the place, date, hour and minute of sending; unless the document was sent by a bailiff, the transmission slip must also contain the information needed to enable the addressee to make sure that the entire document was sent. The transmission slip is filed with the court office only if a party so requests.”.

13. Article 309 of the Code:

“**309.** The court ascertains that the application presented before it has been served on the person concerned and notified to the interested persons, and that the necessary opinions, reports and expert reports have been filed in the record.

The court may order that the application be notified to any person whom it considers to have an interest, call a meeting of relatives, persons connected by marriage or civil union, or friends, or request the opinion of a tutorship council; it may also require the complementary opinions, reports or expert reports it considers necessary and, if applicable, order an appraisal by an independent expert designated by the court if it has reason to believe the appraisal attached to the application does not reflect the value of the property. The court may also authorize an interested person to produce evidence in support of the view that person intends to assert. The court may take any other appropriate case management measure.

The applicant, the person concerned or another interested person may make their proof by affidavit, by a declaration, deemed to be an affidavit, attesting to the truth of the facts alleged, by testimony or by means of documents or real evidence. The evidence so submitted may pertain to any relevant fact, even one that has arisen since the application was instituted.”.

CHAPTER 4
TRANSITIONAL AND FINAL

14. Only an application filed on or after the date on which this Regulation comes into force is subject to the pilot project in the judicial district concerned.

15. Despite section 2, an application referred to the court under section 304 or 317 of the Code of Civil Procedure remains subject to the pilot project.

16. The provisions of this Regulation come into force on the date or dates set by the Minister having regard to each judicial district, except the second paragraph of section 3, which comes into force on the date set by ‘the Minister.

105818

Draft Regulation

Courts of Justice Act
(chapter T-16)

Tariff of judicial fees in civil matters
—Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Tariff of judicial fees in civil matters, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation makes terminological amendments and specifies the judicial fees payable for the presentation of an application referred to in the Code of Civil Procedure (chapter C-25.01) concerning the temporary representation of an incapable person of full age, the whole as a result of the amendments made to this code by the Act to amend the Civil Code, the Code of Civil Procedure, the Public Curator Act and various provisions as regards the protection of persons (2020, chapter 11).

Further information on the draft Regulation may be obtained by contacting Lorie Pépin, Direction du soutien juridique aux services de justice, Ministère de la Justice, 1200, route de l’Église, 7^e étage, Québec (Québec) G1V 4M1; email: lorie.pepin@justice.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Justice, 1200, route de l’Église, 9^e étage, Québec (Québec) G1V 4M1.

SIMON JOLIN-BARRETTE
Minister of Justice

Regulation to amend the Tariff of judicial fees in civil matters

Courts of Justice Act
(chapter T-16, s. 224).

1. The Tariff of judicial fees in civil matters (chapter T-16, r. 10) is amended in section 15

(1) by replacing paragraph 4 by the following:

“(4) tutorship to an absentee, a minor or a person of full age, the emancipation of a minor, a protection mandate or the temporary representation of an incapable person of full age;”;

(2) by replacing “the protective supervision of a person of full age” in paragraph 5 by “tutorship to a person of full age, a protection mandate, the temporary representation of an incapable person of full age”.

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

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