

Draft Regulations

Notice

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

Draft Order of the Minister of Justice concerning the extension of certain measures for ensuring the proper administration of justice

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Order appearing below may be made by the Minister of Justice on the expiry of 45 days following this publication.

The draft Order extends, among the measures for ensuring the proper administration of justice amid the COVID-19 pandemic situation provided for in Order 2020-4304 of the Minister of Justice dated 31 August 2020, the measures concerning the territorial jurisdiction of administrative justices of the peace, officers of justice, and the staff of the Superior Court and the Court of Québec, as well as the measures concerning the closing of a notarial act *en minute* using a technological medium.

Further information on the draft Order may be obtained by contacting Véronique Morin, Secretary General, Direction du Bureau de la sous-ministre et du Secrétariat général, Ministère de la Justice, 1200, route de l'Église, 9^e étage, Québec (Québec) G1V 4M1; email: veronique.morin@justice.gouv.qc.ca.

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

SIMON JOLIN-BARRETTE
Minister of Justice

Draft Order of the Minister of Justice

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

Extension of measures for ensuring the proper administration of justice

THE MINISTER OF JUSTICE,

CONSIDERING section 5.1 of the Act respecting the Ministère de la Justice (chapter M-19), which provides that, in a state of emergency declared by the Government or in a situation where it is impossible in fact to comply with the rules of the Code of Civil Procedure (chapter C-25.01) or of the Code of Penal Procedure (chapter C-25.1), 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 section 5.1 of the Act provides that the measures are to be published in the *Gazette officielle du Québec*, may take effect on the date on which the state of emergency is declared or the situation occurs or on any later date specified in the measures, and 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 or of the situation;

CONSIDERING that section 5.1 of the Act provides that the Minister of Justice may, each year for five years, extend the period before it expires if necessary for the proper administration of justice;

CONSIDERING that section 5.1 of the Act provides that, before extending the measures, the Minister must take into consideration their effects on the rights of individuals, 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 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 27 of the Regulations Act (chapter R-18.1), 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 that Order 2020-4304 dated 31 August 2020 provides for measures for ensuring the proper administration of justice amid the COVID-19 pandemic situation;

CONSIDERING that Order 2021-4556 dated 20 August 2021 provides that the effective period of the measures provided for in the first five paragraphs of the operative part of Order 2020-4304 dated 31 August 2020 is extended by one year, that is, from 1 September 2021 to 31 August 2022;

CONSIDERING that the measures provided for in Order 2020-4304 dated 31 August 2020, whose effective period was extended by Order 2021-4556 dated 20 August 2021, cease to have effect on 1 September 2022;

CONSIDERING that the proper administration of justice requires the extension of those measures, in particular to ensure the continuity of judicial and notarial services;

CONSIDERING that those measures have and continue to have a beneficial effect on the rights of individuals;

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 extension of the measures provided for in this Order;

CONSIDERING that the Barreau du Québec and the Chambre des notaires du Québec have been consulted and their opinion has been taken into consideration;

ORDERS AS FOLLOWS:

THAT the effective period of the measures provided for in the first five paragraphs of the operative part of Order 2020-4304 dated 31 August 2020 be extended by one year, that is, from 1 September 2022 to 31 August 2023.

SIMON JOLIN-BARRETTE
Minister of Justice

105855

Draft Regulation

Health Insurance Act
(chapter A-29)

Regulation — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the draft regulation to amend the Regulation respecting the application of the Health Insurance Act, the text of which appears hereafter, may be made by the Government on the expiry of the 45-day period following this publication.

This draft regulation aims to ensure that services provided by correspondence or telecommunication are no longer services that should not be considered insured services for the purposes of the Health Insurance Act (chapter A-29), with the exception of services provided remotely under a group insurance contract whose main purpose is not the provision of these services.

This draft regulation would have positive effects on insured persons within the meaning of the Health Insurance Act, would not entail any additional costs for enterprises, in particular, on small or medium-sized enterprises, and would not affect the level of employment in Québec.

Additional information concerning this draft regulation is available by contacting Lucie Poitras, Assistant Director General, Direction générale adjointe des services hospitaliers, du médicament et de la pertinence clinique, Ministère de la Santé et des Services sociaux, 2021, avenue Union, Montréal (Québec) H3A 2S9, telephone: 514 873-3010, email: lucie.poitras@msss.gouv.qc.ca.

Anyone wishing to comment on this draft regulation may write, before the expiry of the 45-day period mentioned above, to the Minister of Health and Social Services, at 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

CHRISTIAN DUBÉ
Minister of Health and Social Services