

Regulations and other Acts

Notice

Agreement to amend, first, 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 and, second, 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 — Amendment

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

Notice is hereby given that the Agreement to amend, first, 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 and, second, 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, appearing below, was entered into on 25 August 2022.

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 amend, first, 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 and, second, 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

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

PART I

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

1. 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, in section 54, by replacing “\$315” by “\$630”.

2. Section 56 is amended

- (1) by replacing “\$560” by “\$1,120”;
- (2) by replacing “\$950” by “\$1,900”;
- (3) by replacing “\$1 050” by “\$2,100”.

3. Section 57 is amended by replacing “\$180” by “\$360”.

4. Section 58 is amended by replacing “\$295” by “\$590”.

5. Section 59 is amended

(1) in paragraph 1,

(a) by replacing “\$1,050” by “\$2,100”;

(b) by replacing “\$1,320” by “\$2,640”;

(c) by replacing “\$1,600” by “\$3 200”;

(2) in paragraph 2,

(a) by replacing “\$660” by “\$1,320”;

(b) by replacing “\$850” by “\$1,700”;

(c) by replacing “\$1,050” by “\$2,100”.

6. Section 60 is amended

(1) by replacing “\$1,120” by “\$2,240”;

(2) by replacing “\$1,400” by “\$2,800”;

(3) by replacing “\$1,700” by “\$3,400”.

7. Section 61 is amended

(1) by replacing “\$800” by “\$1,600”;

(2) by replacing “\$950” by “\$1,900”;

(3) by replacing “\$1,120” by “\$2,240”.

8. Section 62 is amended, in the first paragraph,

(1) by replacing “\$1,600” by “\$3,200”;

(2) by replacing “\$1,900” by “\$3,800”;

(3) by replacing “\$2,240” by “\$4 480”.

9. Section 63 is amended

(1) by replacing “\$3,150” in paragraphs 1 and 2 by “\$6 300”;

(2) by replacing “\$4,200” in paragraph 3 by “\$8,400”.

10. Section 70 is amended

(1) by replacing “or” by “; the fees are \$2,500, and when a judgment on the merits is rendered after”;

(2) by replacing “\$925” by “\$1,500”.

11. Section 71 is amended by adding “if there is no investigation, and \$475 if there is an investigation” at the end of the first paragraph.

12. The following is inserted after section 83:

«**83.1.** Where a judgment on the merits is rendered after an application is made under article 412 of the Code of Civil Procedure and an agreement is concluded, the fees are \$1,500.”

13. Section 84 is amended by replacing “\$300” by “\$600”.

14. Section 85 is amended by replacing “\$850” by “\$1,700”.

15. Section 86 is amended by replacing “\$425” by “\$850”.

16. Section 87 is amended by replacing “\$295” by “\$590”.

17. Section 88 is amended

(1) by replacing “\$1,050” in paragraph 2 by “\$2,100”;

(2) by replacing “\$660” in paragraph 2 by “\$1,320”.

18. Section 89 is amended by replacing “\$1,120” by “\$2,240”.

19. Section 90 is amended by replacing “\$1,600” by “\$3,200”.

20. The following is inserted after section 99:

«**99.1.** For all services related to an application to reopen an investigation, an application raising an encroachment of rights, and applications made under section 35.2 or 35.3 of the Youth Protection Act (chapter P-34.1), the fees are \$290.”

21. Section 100 is amended

(1) by inserting “and is not contested” after “rendered” in paragraph 2;

(2) by adding the following paragraph:

“(3) if a final decision is rendered following a contestation: \$350.”

22. Section 101 is amended

(1) by inserting “and is not contested” after “rendered” in paragraph 2;

(2) by adding the following paragraph:

“(3) if a final decision is rendered following a contestation: \$600.”

23. Section 109 is amended

(1) by replacing “\$175” in paragraph 1 by “\$350”;

(2) by replacing “\$230” in paragraph 2 by “\$460”.

24. Section 115 is amended

(1) by replacing “\$175” in paragraph 1 by “\$350”;

(2) by replacing “\$235” in paragraph 2 by “\$470”.

25. Section 126 is amended by adding the following paragraph at the end:

“If applicable, fees of \$290 are added for each period of hearing exceeding one half-day.”

26. The following is inserted after section 126:

« **126.1.** For all services rendered before the Refugee Appeal Division, the fees are as follows:

(1) for the preparation of the application: \$550;

(2) for the preparation of the hearing on the merits: \$615;

(3) for the hearing on the merits: \$290.”

27. Section 130 is amended

(1) by replacing “\$500” by “as follows.”;

(2) by adding the following paragraphs:

”(1) for the preparation of the application: \$550;

(2) for the preparation of the hearing on the merits: \$615;

(3) for the hearing on the merits: \$290.”

PART II

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

28. 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, in section 25, by adding “, and \$550 when a trial is actually held” at the end.

29. Section 26 is amended by adding “, and \$565 when a trial is actually held” at the end.

30. Section 27 is amended by adding “, and \$565 when a trial is actually held” at the end of the first paragraph.

31. The heading of subdivision 3 is amended by adding “or offences referred to in section 752 of that Code, except offences under section 266, paragraph 270(1)(a), subsection 279(2), section 320.13, section 320.14, section 320.15, section 320.16 or section 320.17, or applications for finding that an offender is a dangerous offender or long-term offender under Part XXIV of that Code” after “that Code”.

32. Section 40 is amended by replacing “\$315” in paragraph 1 by “\$580”.

33. Section 42 is amended by replacing “\$210” by “\$860”.

34. Section 47 is amended

- (1) by replacing “\$630” in paragraph 1 by “\$1,260”;
- (2) by replacing “\$232” in paragraph 2 by “\$464”;
- (3) by replacing “\$210” in paragraph 3 by “\$420”;
- (4) by replacing “\$840” in paragraphs 4 and 5 by “\$1,680”.

35. Section 48 is amended by replacing “\$285” by “\$570”.**36.** Section 49 is amended

- (1) by replacing “\$840” by “\$1,680”;
- (2) by replacing “\$300” by “\$600”.

37. Section 50 is amended

- (1) by replacing “\$3,150” in paragraphs 1 and 2 by “\$6,300”;
- (2) by replacing “\$4 200” in paragraph 3 by “\$8 400”.

38. Section 51 is amended

- (1) by replacing “\$2,100” by “\$4 200”;
- (2) by replacing “\$300” by “\$600”.

PART III

FINAL PROVISIONS

39. Sections 1 to 30 and 32 to 38 of this Agreement apply to services rendered under legal aid mandates assigned during the period from 6 June 2022 to 30 September 2023, unless the Minister of Justice and the Barreau du Québec agree to extend that period.

40. Section 31 of this Agreement applies from the date of publication of the Agreement in the *Gazette officielle du Québec*.

105982