

## Regulations and other Acts

**M.O., 2023**

**Order 5041 of the Minister of Justice dated  
28 July 2023**

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 Order 4841 dated 24 August 2022 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 for one more year, that is, from 1 September 2022 to 31 August 2023;

CONSIDERING that the proper administration of justice requires the extension of the measures provided for in the second, third, fourth and fifth paragraphs of the operative part of Order 2020-4304 dated 31 August 2020, in particular to ensure the continuity of 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 second, third, fourth and fifth paragraphs of the operative part of Order 2020-4304 dated 31 August 2020 be extended for one more year, that is, from 1 September 2023 to 31 August 2024.

Québec, 28 July 2023

SIMON JOLIN-BARRETTE  
*Minister of Justice*

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