

Replacement Regulations

Gouvernement du Québec

O.C. 688-2024, 27 March 2024

Replacement of certain Orders in Council

WHEREAS, under the first paragraph of section 3 of the Act respecting judgments rendered by the Supreme Court of Canada on the language of statutes and other instruments of a legislative nature (chapter J-1.1), in the case of a regulation or other instrument of a legislative nature which was required to be published in French and in English and was not, the authority empowered to make, issue or publish the instrument, as the case may be, may replace the instrument with a text which reproduces it, without amendment, this time in French and in English, and once the text is published in the *Gazette officielle du Québec*, each provision of the text may have effect on the same date as that provided for the corresponding provision of the replaced instrument;

WHEREAS the Government made the Règlement sur la rémunération des coroners à temps partiel et des coroners auxiliaires by Order in Council 1687-87 dated 4 November 1987, and the Regulation came into force on 5 December 1987;

WHEREAS the Government made the Règlement modifiant le Règlement sur la rémunération des coroners à temps partiel et des coroners auxiliaires by Order in Council 1050-95 dated 2 August 1995, and that Regulation came into force on 26 August 1995;

WHEREAS the Government made the Règlement modifiant le Règlement sur la rémunération des coroners à temps partiel by Order in Council 849-96 dated 3 July 1996, and that Regulation came into force on 27 July 1996;

WHEREAS the Government made the Règlement modifiant le Règlement sur la rémunération des coroners à temps partiel by Order in Council 841-2002 dated 26 June 2002, and that Regulation came into force on 25 July 2002;

WHEREAS the Government made the Règlement modifiant le Règlement sur la rémunération des coroners à temps partiel by Order in Council 41-2008 dated 31 January 2008, and that Regulation came into force on 28 February 2008;

WHEREAS the Government made the Règlement modifiant le Règlement sur la rémunération des coroners à temps partiel by Order in Council 686-2014 dated 9 July 2014, and that Regulation came into force on 2 August 2014;

WHEREAS the Government made the Règlement modifiant le Règlement sur la rémunération des coroners à temps partiel by Order in Council 963-2015 dated 28 October 2015, and that Regulation came into force on 28 November 2015;

WHEREAS it is expedient to replace those Orders in Council by texts that reproduce them;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT Order in Council 1687-87 dated 4 November 1987 making the Règlement sur la rémunération des coroners à temps partiel et des coroners auxiliaires, be replaced by the text of Schedule I to this Order in Council and have effect from 5 December 1987;

THAT Order in Council 1050-95 dated 2 August 1995 making the Règlement modifiant le Règlement sur la rémunération des coroners à temps partiel et des coroners auxiliaires, be replaced by the text of Schedule II to this Order in Council and have effect from 26 August 1995;

THAT Order in Council 849-96 dated 3 July 1996 making the Règlement modifiant le Règlement sur la rémunération des coroners à temps partiel, be replaced by the text of Schedule III to this Order in Council and have effect from 27 July 1996;

THAT Order in Council 841-2002 dated 26 June 2002 making the Règlement modifiant le Règlement sur la rémunération des coroners à temps partiel, be replaced by the text of Schedule IV to this Order in Council and have effect from 25 July 2002;

THAT Order in Council 41-2008 dated 31 January 2008 making the Règlement modifiant le Règlement sur la rémunération des coroners à temps partiel, be replaced by the text of Schedule V to this Order in Council and have effect from 28 February 2008;

THAT Order in Council 686-2014 dated 9 July 2014 making the Règlement modifiant le Règlement sur la rémunération des coroners à temps partiel, be replaced by the text of Schedule VI to this Order in Council and have effect from 2 August 2014;

THAT Order in Council 963-2015 dated 28 October 2015 making the Règlement modifiant le Règlement sur la rémunération des coroners à temps partiel, be replaced by the text of Schedule VII to this Order in Council and have effect from 28 November 2015.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

SCHEDULE I

Regulation respecting the remuneration of part-time coroners and assistant coroners

WHEREAS under subparagraph 1 of the first paragraph of section 168 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2), the Government may, by regulation, after consultation with the Chief Coroner, adopt a tariff establishing the remuneration of part-time coroners and assistant coroners;

WHEREAS under the second paragraph of that section, the Government may also, by regulation, determine in which cases, on what conditions and to which categories of persons the tariffs apply;

WHEREAS it is expedient to make a Regulation respecting the remuneration of part-time coroners and assistant coroners;

WHEREAS the Chief Coroner has been consulted concerning the Regulation;

IT IS ORDERED as proposed by the Solicitor General:

THAT the Regulation respecting the remuneration of part-time coroners and assistant coroners, attached to this Order in Council, be made.

Regulation respecting the remuneration of part-time coroners and assistant coroners

Act respecting the determination of the causes and circumstances of death
(R.S.Q., c. R-0. 2, s. 168, subpar. 1)

DIVISION 1 INVESTIGATION BY A PART-TIME CORONER

1. A part-time coroner investigating the death of a person and providing the Chief Coroner with a report is entitled to remuneration of \$160.00.

However, following a notice given under paragraph 1 of section 37 of the Act respecting the determination of the causes and circumstances of death, for a death the probable causes of which could not be established and the circumstances of which are neither obscure nor violent or under section 43, a part-time coroner investigating and providing the Chief Coroner with a report is entitled to remuneration of \$60.00.

2. A part-time coroner investigating the death of several persons which occurred in the same event and providing the Chief Coroner with a report is entitled to remuneration of \$160.00 and to remuneration of \$20.00 for each additional report provided to the Chief Coroner.

Where, in the circumstances referred to in the first paragraph, one or more persons die more than 24 hours after the event occurred, the part-time coroner is entitled to remuneration of \$160.00 for each such death.

3. A part-time coroner investigating but not completing an investigation is entitled to remuneration of \$85.00.

A part-time coroner completing an investigation begun by another coroner and providing the Chief Coroner with a report is entitled to remuneration of \$85.00.

4. A part-time coroner completing an investigation begun by an assistant coroner and providing the Chief Coroner with a report is entitled to remuneration of \$160.00 or of \$60.00, according to the cases described in section 1.

5. Where the time required for an investigation exceeds four hours, a part-time coroner is entitled to remuneration of \$50.00 for each additional hour.

DIVISION II

INQUEST BY A PART-TIME CORONER

6. A part-time coroner holding an inquest and providing the Chief Coroner with a report is entitled to remuneration of \$350.00.

The part-time coroner is entitled, in addition, to remuneration of \$50.00 for each hour spent conducting the inquest.

7. A part-time coroner holding an inquest into the death of several persons which occurred in the same event or a series of similar events and providing the Chief Coroner with a report is entitled to remuneration of \$350.00 and to remuneration of \$20.00 for each additional report provided to the Chief Coroner.

8. A part-time coroner holding an inquest but who is replaced before providing a report to the Chief Coroner is entitled to remuneration of \$175.00.

A part-time coroner completing an inquest begun by another coroner and providing the Chief Coroner with a report is entitled to remuneration of \$350.00.

A part-time coroner conducting only part of an inquest is entitled, in addition, to remuneration of \$50.00 for each hour spent conducting the inquest.

DIVISION III

INVESTIGATION BY AN ASSISTANT CORONER

9. An assistant coroner investigating the death of a person and providing the Chief Coroner with a report is entitled to remuneration of \$40.00.

Where the time required for an investigation exceeds two and one-half hours, an assistant coroner is entitled, in addition, to remuneration of \$25.00 for each additional hour spent investigating.

10. An assistant coroner investigating but not completing an investigation is entitled to remuneration of \$25.00.

An assistant coroner completing an investigation begun by another assistant coroner and providing the Chief Coroner with a report is entitled to remuneration of \$25.00.

Where the time required for an investigation exceeds two and one-half hours, the assistant coroner is entitled to remuneration of \$25.00 for each additional hour.

DIVISION IV

SPECIAL REMUNERATION

11. At the request of the Chief Coroner, a part-time coroner may receive an assignment to conduct investigations or to further investigations.

The remuneration to which a part-time coroner is entitled during such an assignment is \$250.00 per day and, for each report provided to the Chief Coroner, \$30.00 in the case of an investigation referred to in the second paragraph of section 1 and \$80.00 in all other cases.

12. At the request of the Chief Coroner, an assistant coroner may receive an assignment to conduct investigations or to further investigations.

The remuneration to which an assistant coroner is entitled during such an assignment is \$125.00 per day and \$20.00 for each report provided to the Chief Coroner.

DIVISION V

REMUNERATION FOR TRAINING

13. A part-time coroner who, at the request of the Chief Coroner, attends training sessions is entitled to remuneration of \$200.00 per day and to be reimbursed for travel and accommodation expenses.

14. An assistant coroner who, at the request of the Chief Coroner, attends training sessions is entitled to remuneration of \$100.00 per day in addition to travel and accommodation expenses.

DIVISION VI

FINAL

15. This Regulation replaces sections 1 to 5 and section 7 of the *Tariff respecting coroners' investigations and inquests* made by Order in Council 1376-83 dated 22 June 1983.

Despite the foregoing, those sections continue to apply to an investigation or inquest begun under the *Coroners Act* (R.S.Q., c. C-68).

16. This Regulation comes into force on the tenth day following its publication in the *Gazette officielle du Québec*.

SCHEDULE II

Regulation to amend the Regulation respecting the remuneration of part-time coroners and assistant coroners

WHEREAS under subparagraph 1 of the first paragraph of section 168 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2), the Government may, by regulation, after consultation with the Chief Coroner, adopt a tariff establishing the remuneration of part-time coroners and assistant coroners;

WHEREAS under the second paragraph of that section, the Government may also, by regulation, determine in which cases, on what conditions and to which categories of persons the tariffs apply;

WHEREAS the Government made the Regulation respecting the remuneration of part-time coroners and assistant coroners by Order in Council 1687-87 dated 4 November 1987;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Chief Coroner has been consulted;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting the remuneration of part-time coroners and assistant coroners, attached to this Order in Council, be made.

Regulation to amend the Regulation respecting the remuneration of part-time coroners and assistant coroners

Act respecting the determination of the causes and circumstances of death
(R.S.Q., c. R-0.2, s. 168, subpar. 1 and 2nd par.)

1. The Regulation respecting the remuneration of part-time coroners and assistant coroners, made by Order in Council 1687-87 dated 4 November 1987, is amended by replacing the title by the following:

“Regulation respecting the remuneration of part-time coroners.”.

2. Section 1 of the Regulation is replaced by the following:

“1. A part-time coroner investigating the death of a person and providing the Chief Coroner with a report is entitled to remuneration as follows:

(1) \$210 for a death having a direct or indirect cause resulting from trauma or poisoning;

(2) \$160 for a death the cause of which is illness; or

(3) \$60 for a death for which a notice is given under section 43 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2).”.

3. Section 2 of the Regulation is amended

(1) by replacing “\$160.00” in the first paragraph “\$210.00”;

(2) by striking out the second paragraph.

4. Section 3 of the Regulation is amended by replacing “\$85.00” in the second paragraph by “\$210.00”.

5. Sections 4 and 5 of the Regulation are replaced by the following:

“4. A part-time coroner who is notified of the death of a person is entitled to remuneration of \$15.00 where he does not investigate because a summary examination of the facts establishes the probable causes of the death or the death does not appear to him to have occurred in obscure or violent circumstances.

However, the coroner may claim payment of the amounts owing to him under the first paragraph only on 31 March of each year.

In addition, where the total number of deaths during the same fiscal year is greater than 2,000 for all the part-time coroners who submitted a claim, the remuneration is reduced to the amount obtained when \$30,000.00 is divided by the total number of deaths referred to in the first paragraph.”.

6. Section 6 of the Regulation is replaced by the following:

“6. A part-time coroner holding an inquest is entitled to remuneration as follows:

(1) \$100.00 per hour for each hour of hearing presided over; and

(2) \$50.00 per hour for each hour spent for case preparation and advisement and for drafting the report.”.

7. Sections 7, 8 and Division III comprising sections 9 and 10 of the Regulation are revoked.

8. Sections 11 and 12 of the Regulation are replaced by the following:

“11. A part-time coroner asked in writing by the Chief Coroner for a consultation on a matter related to the application of the Act respecting the determination of the causes and circumstances of death is entitled to remuneration of \$50 per hour for each hour spent and to be reimbursed for travel and accommodation expenses.”.

9. Section 14 of the Regulation is revoked.

10. This Regulation comes into force on the tenth day following its publication in the *Gazette officielle du Québec*.

SCHEDULE III

Regulation to amend the Regulation respecting the remuneration of part-time coroners

WHEREAS under subparagraph 1 of the first paragraph of section 168 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2), the Government may, by regulation, after consultation with the Chief Coroner, adopt a tariff establishing the remuneration of part-time coroners;

WHEREAS under the second paragraph of that section, the Government may also, by regulation, determine in which cases, on what conditions and to which categories of persons the tariffs apply;

WHEREAS the Government made the Regulation respecting the remuneration of part-time coroners by Order in Council 1687-87 dated 4 November 1987, amended by Order in Council 1050-95 dated 2 August 1995;

WHEREAS it is expedient to again amend the Regulation;

WHEREAS the Chief Coroner has been consulted;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting the remuneration of part-time coroners, attached to this Order in Council, be made.

Regulation to amend the Regulation respecting the remuneration of part-time coroners

Act respecting the determination of the causes and circumstances of death
(R.S.Q., c. R-0. 2, s.168, 1st par., subpar.1 and 2nd par., and s. 169).

1. The Regulation respecting the remuneration of part-time coroners, made by Order in Council 1687-87 dated 4 November 1987, amended by the Regulation made by Order in Council 1050-95 dated 2 August 1995, is again amended by replacing “\$20.00” in section 2 by “\$100.00”.

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

SCHEDULE IV

Regulation to amend the Regulation respecting the remuneration of part-time coroners

WHEREAS under subparagraph 1 of the first paragraph of section 168 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2), the Government may, by regulation, after consultation with the Chief Coroner, adopt a tariff establishing the remuneration of part-time coroners;

WHEREAS under the second paragraph of that section, the Government may also, by regulation, determine in which cases, on what conditions and to which categories of persons the tariffs apply;

WHEREAS the Regulation respecting the remuneration of part-time coroners was made by Order in Council 1687-87 dated 4 November 1987;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Chief Coroner has been consulted;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting the remuneration of part-time coroners, attached to this Order in Council, be made.

Regulation to amend the Regulation respecting the remuneration of part-time coroners*¹

Act respecting the determination of the causes and circumstances of death
(R.S.Q., c. R-0. 2, s.168, 1st par., subpar.1 and 2nd par.)

1. Section 1 of the Regulation respecting the remuneration of part-time coroners is amended

- (1) by replacing “\$210” in paragraph 1 by “\$294”;
- (2) by replacing “\$160” in paragraph 2 by “\$179”.

2. Section 2 of the Regulation is amended by replacing “\$210” by “\$294”.

3. Section 3 of the Regulation is amended

- (1) by replacing “\$85” in the first paragraph by “\$95”;
- (2) by replacing “\$210” in the second paragraph by “\$294”.

4. This Regulation comes into force on the tenth day following its publication in the *Gazette officielle du Québec*.

SCHEDULE V

Regulation to amend the Regulation respecting the remuneration of part-time coroners

WHEREAS under subparagraph 1 of the first paragraph of section 168 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2), the Government may, by regulation, after consultation with the Chief Coroner, adopt a tariff establishing the remuneration of part-time coroners;

WHEREAS under the second paragraph of that section, the Government may also, by regulation, determine in which cases, on what conditions and to which categories of persons the tariffs apply;

WHEREAS the Regulation respecting the remuneration of part-time coroners was made by Order in Council 1687-87 dated 4 November 1987;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Chief Coroner has been consulted;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting the remuneration of part-time coroners, attached to this Order in Council, be made.

Regulation to amend the Regulation respecting the remuneration of part-time coroners*²

Act respecting the determination of the causes and circumstances of death
(R.S.Q., c. R-0. 2, s.168, 1st par., subpar.1 and 2nd par.)

1. The Regulation respecting the remuneration of part-time coroners is amended by replacing sections 1 and 2 by the following:

“1. The hourly remuneration of a part-time coroner for an investigation into the death of a person is calculated according to the following formulas:

For a part-time coroner who is an advocate or notary:

$$A + (20\% \text{ of } A) \div 261 \div 7 = \text{hourly rate}$$

For a part-time coroner who is a physician:

$$B + (20\% \text{ of } B) \div 261 \div 7 = \text{hourly rate, where}$$

“A” is the maximum of the annual salary scale set under Order in Council 450-2007 dated 20 June 2007 applicable to full-time level 3 members of public bodies of the government;

“B” is the maximum of the annual salary scale set under Order in Council 450-2007 dated 20 June 2007 applicable to full-time level 3 physician members of public bodies of the government.

A part-time coroner must provide the detail of all hours worked when submitting a claim for fees to the Chief Coroner.

1. The Règlement sur la rémunération des coroners à temps partiel, made by Order in Council 1687-87 dated 4 November 1987 (1987, G.O. 2, 6492), was last amended by the Regulation made by Order in Council 849-96 dated 3 July 1996 (1996, G.O. 2, 4124). For previous amendments, refer to the *Tableau des modifications et Index Sommaire*, Québec Official Publisher, 2002, updated to 1 March 2002.

2. The Règlement sur la rémunération des coroners à temps partiel, made by Order in Council 1687-87 dated 4 November 1987 (1987, G.O. 2, 6492), was last amended by the Regulation made by Order in Council 841-2002 dated 26 June 2002 (2002, G.O. 2, 4852). For previous amendments, refer to the *Tableau des modifications et Index Sommaire*, Québec Official Publisher, 2007, updated to 1 September 2007.

2. A part-time coroner who conducted an investigation and provided a report to the Chief Coroner is entitled to hourly remuneration for a duration not to exceed

- (1) three hours for a death the cause of which is illness;
- (2) six hours for a death for which the direct or indirect cause is the result of trauma or poisoning;
- (3) six hours for an investigation into the death of several persons which occurred in the same event and to additional remuneration of two hours for each additional report provided to the Chief Coroner;
- (4) \$0.75 per hour, or \$60 if the latter amount is greater, for a death for which a notice is given under section 43 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2).

In addition, the part-time coroner is entitled to additional hourly remuneration for a duration not to exceed one hour if he conducts an internal examination of the body.

2.1. A part-time coroner is entitled, for secretarial work, to hourly remuneration for a duration of 1.5 hours per investigation for which a report was provided to the Chief Coroner. The remuneration is calculated according to the following formula:

$$A + (12\% \text{ of } A) \div 261 \div 7 = \text{hourly rate, where}$$

“A” is the maximum of the annual salary scale established by the Government for class 10 secretarial personnel.”

2. Section 3 of the Regulation is amended

- (1) by replacing “remuneration of \$95” in the first paragraph by “hourly remuneration for a duration of one hour or \$95 if the latter amount is greater”;
- (2) by replacing “of \$294” by “established in accordance with section 2”.

3. Section 4 of the Regulation is amended

- (1) by replacing “remuneration of \$15” in the first paragraph by “hourly remuneration for a duration of a quarter of an hour”;
- (2) by striking out the second and third paragraphs.

4. Section 6 of the Regulation is replaced by the following:

“6. A part-time coroner holding an inquest is entitled to hourly remuneration calculated in accordance with section 1 for each hour of hearing presided over and for each hour spent for case preparation and advisement and for drafting the report.”

5. Section 11 of the Regulation is amended by replacing “remuneration of \$50 per hour” by “hourly remuneration calculated in accordance with section 1”.

6. Section 13 of the Regulation is amended by replacing “\$200” by “\$500”.

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

SCHEDULE VI

Regulation to amend the Regulation respecting the remuneration of part-time coroners

WHEREAS under subparagraph 1 of the first paragraph of section 168 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2), the Government may, by regulation, after consultation with the Chief Coroner, adopt a tariff establishing the remuneration of part-time coroners;

WHEREAS under the second paragraph of that section, the Government may also, by regulation, determine in which cases, on what conditions and to which categories of persons the tariffs apply;

WHEREAS the Regulation respecting the remuneration of part-time coroners was made by Order in Council 1687-87 du 4 November 1987 and amended by Orders in Council 1050-95 dated 2 August 1995, 849-96 dated 3 July 1996, 841-2002 dated 26 June 2002 and 41-2008 dated 31 January 2008;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Chief Coroner has been consulted;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting the remuneration of part-time coroners, attached to this Order in Council, be made.

Regulation to amend the Regulation respecting the remuneration of part-time coroners

Act respecting the determination of the causes and circumstances of death
(R.S.Q., c. R-0. 2, s.168, 1st par., subpars.1 and 2nd par., and s. 169)

1. Section 13 of the Regulation respecting the remuneration of part-time coroners is replaced by the following:

“**13.** A part-time coroner who, at the request of the Chief Coroner, attends training sessions is entitled to be reimbursed for travel and accommodation expenses.”.

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

SCHEDULE VII

Regulation to amend the Regulation respecting the remuneration of part-time coroners

WHEREAS under subparagraph 1 of the first paragraph of section 168 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., c. R-0.2), the Government may, by regulation, after consultation with the Chief Coroner, adopt a tariff establishing the remuneration of part-time coroners;

WHEREAS under the second paragraph of that section, the Government may also, by regulation, determine in which cases, on what conditions and to which categories of persons the tariffs apply;

WHEREAS the Regulation respecting the remuneration of part-time coroners was made by Order in Council 1687-87 dated 4 November 1987 and amended by Orders in Council 1050-95 dated 2 August 1995, 849-96 dated 3 July 1996, 841-2002 dated 26 June 2002, 41-2008 dated 31 January 2008 and 686-2014 dated 9 July 2014;

WHEREAS it is expedient to amend the Regulation;

WHEREAS the Chief Coroner has been consulted as required by the Act;

IT IS ORDERED, therefore, on the recommendation of the Minister of Public Security:

THAT the Regulation to amend the Regulation respecting the remuneration of part-time coroners, attached to this Order in Council, be made.

Regulation to amend the Regulation respecting the remuneration of part-time coroners

Act respecting the determination of the causes and circumstances of death
(R.S.Q., c. R-0. 2, s.168, 1st par., subpar.1 and 2nd par., and s. 169)

1. Section 1 of the Regulation respecting the remuneration of part-time coroners is amended by replacing “level 3” wherever appearing by “level 4”.

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

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