



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 420
(1998, chapter 28)

**An Act to amend the Act respecting
correctional services and other
legislative provisions**

**Introduced 14 May 1998
Passage in principle 3 June 1998
Passage 17 June 1998
Assented to 17 June 1998**

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EXPLANATORY NOTE

The main object of this bill is to harmonize the Act respecting correctional services with the new federal provisions relating to the determination of penalties for offences under the Criminal Code or another federal Act. In addition, the bill proposes to offer the same protection, rights and exemptions to a person who performs community work, whether under a probation order or a suspension order. Lastly, the bill recognizes non-profit community resources engaged in the social rehabilitation of criminal offenders as partners of the correctional services.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001);
- Act respecting the Ministère de la Sécurité publique (R.S.Q., chapter M-19.3);
- Act respecting correctional services (R.S.Q., chapter S-4.01).

Bill 420

AN ACT TO AMEND THE ACT RESPECTING CORRECTIONAL SERVICES AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Act respecting correctional services (R.S.Q., chapter S-4.01) is amended by inserting, after section 4, the following :

“4.1. The Minister shall recognize non-profit community resources engaged in the social rehabilitation of criminal offenders as partners of the correctional services.”

2. Section 9 of the said Act is amended by replacing “community work” by “community service”.

3. Section 12.1 of the said Act is amended

(1) by replacing “an order for community work” in the portion before paragraph *a* by “an order involving the performance of hours of community service”;

(2) by replacing “for community work” in paragraph *a* by “involving the performance of hours of community service”;

(3) by replacing “consents to work without remuneration, under the supervision of a probation officer, for a community resource” in paragraph *b* by “agrees to perform, without remuneration and under the supervision of a probation officer, community service with a community resource”;

(4) by replacing “for community work” in paragraph *c* by “involving the performance of hours of community service”;

(5) by replacing “contemplated for community work” in paragraph *d* by “concerned for community service”;

(6) by replacing “to be worked” and “limit for carrying out the work” in paragraph *e* by “of community service to be performed” and “within which the hours of community service are to be performed”;

(7) by replacing “mode of execution of the community work proposed to him” in paragraph *f* by “conditions established for the performance of the hours of community service”.

4. Section 12.2 of the said Act is amended by replacing “the order for community work” by “an order involving the performance of hours of community service”.

5. Section 12.3 of the said Act is amended by replacing “for community work” by “involving the performance of hours of community service”.

6. Section 19.6.1 of the said Act is amended by replacing “executes a probation order involving community work” in subparagraph 2 of the first paragraph by “performs hours of community service under a probation order or a suspension order”.

7. Section 19.7 of the said Act is amended by replacing paragraph 3 by the following :

“(3) hours of community service under a probation order or a suspension order.”

8. Section 22.2 of the said Act is amended by replacing “having served one-third of such term” in the third paragraph by “becoming eligible for parole”.

9. Section 22.5 of the said Act is amended

(1) by replacing “fifteen” by “60”;

(2) by adding, at the end, the following :

“A period of absence may, after re-examination of the record, be extended by one or more periods of not more than 60 days.”

10. Section 22.16 of the said Act is amended by replacing “of them” in the last line by “term of imprisonment”.

11. Section 23 of the said Act, amended by section 717 of chapter 43 of the statutes of 1997, is again amended by replacing “for community work” in paragraph w by “involving the performance of hours of community service”.

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

12. Section 11 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001) is amended by replacing paragraph 2 by the following :

“(2) a person who performs hours of community service under a probation order or a suspension order;”.

ACT RESPECTING THE MINISTÈRE DE LA SÉCURITÉ PUBLIQUE

13. Section 9 of the Act respecting the Ministère de la Sécurité publique (R.S.Q., chapter M-19.3) is amended by inserting, after paragraph 5, the following:

“(5.1) to ensure the availability of supervisors’ services and to supervise the carrying out of suspension orders;”.

14. This Act comes into force on 17 June 1998.