



Part 2

LAWS AND REGULATIONS

30 October 2024 / Volume 156

Summary

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Treasury Board

Legal deposit – 1st Quarter 1968
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Part 2 – LAWS AND REGULATIONS

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Regulation respecting the *Gazette officielle du Québec*, section 4

Part 2 shall contain:

- (1) Acts assented to;
- (2) proclamations and Orders in Council for the coming into force of Acts;
- (3) regulations and other statutory instruments whose publication in the *Gazette officielle du Québec* is required by law or by the Government;
- (4) regulations made by courts of justice and quasi-judicial tribunals;
- (5) drafts of the texts referred to in paragraphs (3) and (4) whose publication in the *Gazette officielle du Québec* is required by law before they are made, adopted or issued by the competent authority or before they are approved by the Government, a minister, a group of ministers or a government body; and
- (6) any other document published in the French Edition of Part 2, where the Government orders that the document also be published in English.

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Gouvernement du Québec

O.C. 1509-2024, 16 October 2024

Act respecting municipal taxation
(chapter F-2.1)

Compensations in lieu of taxes — Amendment

Regulation to amend the Regulation respecting compensations in lieu of taxes

WHEREAS, under subparagraph *a.1* of subparagraph 2 of the first paragraph of section 262 of the Act respecting municipal taxation (chapter F-2.1), the Government may by regulation amend the rules for establishing the amount of money paid by the Government in respect of an immovable or business establishment referred to in the first paragraph of section 255 of the Act whose owner or occupant is the State;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting compensations in lieu of taxes was published in Part 2 of the *Gazette officielle du Québec* of 10 July 2024 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs:

THAT the Regulation to amend the Regulation respecting compensations in lieu of taxes, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting compensations in lieu of taxes

Act respecting municipal taxation
(chapter F-2.1, s. 262, 1st par., subpar. 2, subpar. *a.1*).

1. The Regulation respecting compensations in lieu of taxes (chapter F-2.1, r. 2) is amended by adding the following after section 27:

“DIVISION 6 APPLICATION OF SECTION 255 OF THE ACT

28. The amount to stand in lieu of any tax or compensation that the Government must pay to any local municipality in respect of an immovable or business establishment referred to in the first paragraph of section 255 of the Act whose owner or occupant is the State is equal to the product obtained by multiplying the non-taxable value of the immovable for the preceding fiscal year by 135% of the aggregate taxation rate of the local municipality established under section 2.”.

2. This Regulation comes into force on 1 January 2025.

107073



Gouvernement du Québec

O.C. 1510-2024, 16 October 2024

Act respecting municipal taxation
(chapter F-2.1)

Municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies

— **Amendment**

Regulation to amend the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies

WHEREAS, under the second paragraph of section 210 of the Act respecting municipal taxation (chapter F-2.1), the Government may, by regulation, to the extent and on the conditions it determines, undertake to pay to the local municipality, school service centre or school board an amount to stand in lieu of any tax or compensation from which the Government has exempted an immovable, a government or body under the first paragraph of section 210 of the Act;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies was published in Part 2 of the *Gazette officielle du Québec* of 10 July 2024 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Municipal Affairs:

THAT the Regulation to amend the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies

Act respecting municipal taxation
(chapter F-2.1, s. 210, 2nd par.).

1. The Regulation respecting the municipal and school tax system applicable to the governments of the other provinces, foreign governments and international bodies (chapter F-2.1, r. 12) is amended by replacing section 6 by the following:

“**6.** For every recognized immovable under section 5 of which a foreign government, only for the residence of the head of its permanent representation established at the International Civil Aviation Organization, a government of a Canadian province, a political division of a foreign State or a non-governmental international organization is the owner, lessee or occupant, the Government pays

(1) to any school service centre or school board a sum equal to the amount of any tax or compensation of which it is deprived by reason of an exemption covered by Division I;

(2) to any local municipality a sum equal to the amount of the product obtained by multiplying an immovable’s non-taxable value for the preceding fiscal year by 370% of a local municipality’s aggregate taxation rate established under Division 2 of the Regulation respecting compensations in lieu of taxes (chapter F-2.1, r. 2).”.

2. This Regulation comes into force on 1 January 2025.

107074



Gouvernement du Québec

O.C. 1519-2024, 16 October 2024

Insurers Act
(chapter A-32.1)

Act respecting financial services cooperatives
(chapter C-67.3)

Deposit Institutions and Deposit Protection Act
(chapter I-13.2.2)

Trust Companies and Savings Companies Act
(chapter S-29.02)

Acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed

—Amendment

Regulation to amend mainly the Regulation respecting the acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed

WHEREAS, under section 84 of the Insurers Act (chapter A-32.1), section 28.31 of the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) and section 68 of the Trust Companies and Savings Companies Act (chapter S-29.02), no authorized Québec insurer, authorized Québec deposit institution or authorized Québec trust company may acquire or hold contributed capital securities issued by a legal person or a partnership or participations in a trust in excess of 30% of the value of those securities or participations or of the number of those securities or participations allowing it to exercise more than 30% of the voting rights and nor may an insurer, deposit institution or company be the co-owner of property if its share of the right of ownership is greater than 30% without exceeding 50%, alone or together with the shares of groups affiliated with it;

WHEREAS, under section 473 of the Act respecting financial services cooperatives (chapter C-67.3), no financial services cooperative may acquire or hold contributed capital securities issued by a legal person or a partnership or participations in a trust in excess of 30% of the value of those securities or participations or the number of those securities or participations allowing it to exercise more than 30% of the voting rights and nor may a financial services cooperative be the co-owner of property if its

share of the right of ownership is greater than 30% without exceeding 50, alone or together with the shares of groups in the same financial group.

WHEREAS, under the first paragraph of section 85 of the Insurers Act, despite section 84 of this act, an authorized Québec insurer acquire and hold up to all the contributed capital securities issued by a legal person or a partnership or up to all the participations in a trust or a share of a right of ownership in cases where the insurer will be the holder of control of the person, partnership, trust or property after the acquisition or, in the case of a share of a right of ownership in an immovable, at least 50% of that right, and in the cases determined by government regulation;

WHEREAS, under section 474 of the Act respecting financial services cooperatives, section 28.32 of the Deposit Institutions and Deposit Protection Act and section 69 of the Trust Companies and Savings Companies Act, despite, as the case may be, sections 473, 28.31 or 68 of those act, a financial services cooperative, an authorized Québec deposit institution or an authorized Québec trust company may acquire and hold up to all the contributed capital securities issued by a legal person or a partnership, up to all the participations in a trust or a share of a right of ownership in cases where the cooperative, deposit institution or company will be the holder of control of the person, partnership, trust or property after the acquisition and in the cases determined by government regulation.

WHEREAS, under subparagraph 10° of the first paragraph of section 599 of the Act respecting financial services cooperatives, the Government may, by regulation, determine the cases where, despite section 473 of this act, a financial services cooperative may acquire and hold up to all the contributed capital securities issued by a legal person or a partnership, up to all the participations in a trust or a share of a right of ownership;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Regulation to amend mainly the Regulation respecting the acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed was published in Part 2 of the *Gazette officielle du Québec* of 26 June 2024 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance:

THAT the Regulation to amend mainly the Regulation respecting the acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed, attached to this Order in Council, be made.

DOMINIQUE SAVOIE
Clerk of the Conseil exécutif

Regulation to amend mainly the Regulation respecting the acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed

Insurers Act
(chapter A-32.1, s. 85, 1st par.).

Act respecting financial services cooperatives
(chapter C-67.3, s. 474, 1st par., and s. 599, 1st par., subpar. 10).

Deposit Institutions and Deposit Protection Act
(chapter I-13.2.2, s. 28.32).

Trust Companies and Savings Companies Act
(chapter S-29.02, s. 69).

1. The Regulation respecting the acquisition and holding of securities or participations or a share of a right of ownership by certain financial institutions in excess of the limits imposed (chapter A-32.1, r. 0.1) is amended by inserting the following after section 1:

“**1.1.** The purpose of this Regulation is to determine the cases, other than those provided by the Insurers Act (chapter A-32.1), the Act respecting financial services cooperatives (chapter C-67.3), the Deposit Institutions and Deposit Protection Act (chapter I-13.2.2) and the Trust Companies and Savings Companies Act (chapter S-29.02), in which an authorized financial institution may acquire and hold contributed capital securities issued by a legal person or partnership or participations in a trust or a share of a right of ownership, in excess of the limits imposed in the Acts referred to in section 1.”

2. Section 2 is replaced by the following:

“**2.** An authorized financial institution may acquire and hold contributed capital securities issued by a legal person or partnership or participations in a trust or a share of a right of ownership if this is done through a limited partnership or a trust of which it is the holder of control, but whose financial information is not consolidated or combined with its own, in accordance with the Acts referred to in section 1.

“**2.1.** An authorized financial institution may acquire and hold contributed capital securities of a legal person if

(1) the legal person’s principal activity is the offering or the soliciting of shares in investment portfolios, the making of loans, the distribution of securities, including bonds or contributed capital securities of legal persons, factoring, leasing, the offering of computing services or actuarial advisory services;

(2) the legal person’s principal activity is the purchase, holding, leasing, sale, operation or administration of an immovable;

(3) the legal person’s principal activity is complementary to the distribution of certain insurance products such as travel assistance, legal assistance and road assistance;

(4) the legal person is registered as a firm under the Act respecting the distribution of financial products and services (chapter D-9.2);

(5) the legal person offers financial products and services only outside Québec; or

(6) the legal person is registered as a mutual fund dealer under the Securities Act (chapter V-1.1) or registered as such under extra-provincial securities laws within the meaning of section 305.1 of that Act.

An authorized financial institution may also acquire and hold contributed capital securities of a partnership or participations in a trust if the principal activity of the trust or partnership corresponds to one of the activities referred to in subparagraphs 1 to 3 of the first paragraph as well as, in cases where that partnership is a limited partnership, the contributed capital securities of its general partner.

“**2.2.** An authorized financial institution other than a mutual company that is a member of a federation may acquire and hold contributed capital securities of a legal

person or a partnership or participations in a trust if the legal person, partnership or trust operates a residential and long-term care center.

“**2.3.** An authorized financial institution may, where it acquires or holds contributed capital securities of a legal person whose principal activity corresponds to the activity referred to in subparagraph 2 of the first paragraph of section 2.1, acquire and hold a share of a right of ownership in an immovable referred to in that subparagraph.

“**2.4.** An authorized financial institution may acquire and hold a share of a right of ownership in an immovable if the immovable comprises units to be sold or leased, or in land, if the acquisition and holding are done for the purposes of building such an immovable.

“**2.5.** An authorized financial institution may acquire and hold a share of a right of ownership in an immovable or another asset if the immovable or other asset is of public utility.

“**2.6.** An authorized financial institution may acquire and hold a share of a right of ownership in a contract if the contract pertains to an immovable or an asset referred to in any of sections 2.3 to 2.5.”.

3. Sections 38 and 39 of the Regulation under the Act respecting insurance (chapter A-32.1, r. 1) are revoked.

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

107075



Notice

Agreement dated 11 October 2024 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

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

Notice is hereby given that the Agreement dated 11 October 2024 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 11 October 2024.

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 dated 11 October 2024 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).

1. This Agreement establishes the tariff of fees applicable to advocates in private practice who render services in criminal and penal matters to persons who receive legal aid or other legal services under the Act respecting legal aid and the provision of certain other legal services (chapter A-14), except advocates who have entered into a professional services contract with the Commission des services juridiques.

The Agreement also establishes rules dealing with expenses and dispute settlement.

PART I TARIFF OF FEES

CHAPTER I GENERAL

2. A day comprises a maximum of three work periods, one in the morning, one in the afternoon and one in the evening. Morning ends at 1:00 p.m. and evening starts at 5:30 p.m.

A preparation period, a period of participation in a conference ordered or convened by a judge and a hearing period are work periods.

3. For the purposes of this Agreement,

(1) a trial begins with the presentation of the prosecutor's evidence when it is held before judge only, and a trial held before a jury begins by jury selection; and

(2) a trial ends with a decision on a conviction.

4. The fees applicable to services rendered by an advocate are as follows:

(1) if the court refuses or is unable to proceed in the presence of the parties on the very day set for the hearing: \$106 per period;

(2) services related to an application to extend the time limits for execution of a sentence or an order of the court: \$158;

(3) if, to cease representing, the advocate must file a motion: \$65;

(4) if the advocate is replaced at a hearing: \$65.

(5) services related to an application for relief from default: \$106.

5. For services rendered during a facilitation conference or a case management conference in criminal and penal matters, the fees are \$290 per period.

For any participation of the advocate in other case management proceedings, convened by the court or requested by a party, the fees are \$70 per period.

6. The Commission determines the fees applicable to services not included in the tariff taking into account, if applicable, the fees set in this Agreement for similar services.

CHAPTER II SPECIAL RULES

DIVISION I

FEES APPLICABLE UNDER THE LEGAL AID PLAN AND FOLLOWING A COURT DESIGNATION ORDER ISSUED PURSUANT TO THE CRIMINAL CODE (R.S.C., 1985, C. C-46) OR FOLLOWING A DETERMINATION BY THE COMMISSION PURSUANT TO SECTION 83.12 OF THE ACT RESPECTING LEGAL AID AND THE PROVISION OF CERTAIN OTHER LEGAL SERVICES

§1. *General*

7. Subject to section 27, a flat fee includes up to two hearing periods on the same day, one in the morning and one in the afternoon.

If, once under way, the hearing or conference is unable to end before 5:30 p.m. on the same day, an advocate is entitled, for the evening and for each additional work period, to fees of,

- (1) in first instance, \$290; and
- (2) in appeal, \$300.

8. An advocate who receives a mandate during the proceedings and who sees a case through is entitled to full remuneration where a flat fee is provided for and no other advocate has rendered services in the case.

Where a mandate is assigned following an order issued pursuant to the Criminal Code (R.S.C., 1985, c. C-46), an advocate is entitled to the full flat-rate remuneration on completion of the mandate.

9. Where a flat fee is set for services and more than one advocate has rendered services, each advocate, if in private practice, is entitled to the part of the flat rate corresponding to the services personally rendered, subject to sections 81.1 and 104 of the Regulation respecting the application of the Act respecting legal aid and the provision of certain other legal services (chapter A-14, r. 4).

10. Where a recipient's legal aid is suspended or withdrawn or a recipient ceases to be eligible for legal aid or waives it, an advocate is remunerated for the services rendered until receipt of the notice referred to in section 74 of the Regulation respecting the application of the Act respecting legal aid and the provision of certain other legal services (chapter A-14, r. 4) and for the legal services rendered subsequently for the performance of conservatory acts necessary to safeguard the recipient's rights or required by the court.

11. Services rendered on a finding or a plea of guilty to a lesser and included offence are remunerated according to the tariff applicable in respect of the charge as laid.

12. Where an advocate represents a client indicted by more than one information and the trial or a hearing during which the accused pleads guilty to the various charges is held in the same court and on the same day, the advocate is entitled to full remuneration for the highest paid information and to one-half of the set tariff for each other information.

13. An advocate who represents two or more persons charged with the same offence or with a like offence arising from the same course of events and for which the proceedings are held in the same court at or about the same time is entitled to the remuneration applicable to a mandate, increased by the following percentage according to the number of persons represented:

- (1) two persons: 50%;
- (2) three persons: 100%;
- (3) four persons: 150%;
- (4) five persons or more: 200%.

14. Where the mandate is of an exceptional nature owing to the circumstances of the work or the complexity of the case, an advocate may submit an application for special consideration to have the Commission determine the excess fees.

15. The fees of an advocate who renders services in a region or locality served on an itinerant basis in the judicial district of Abitibi or Mingan are increased by 5%.

16. Where an advocate must, at the director general's request, justify in writing an application for a legal aid mandate, fees in the amount of \$80 are payable to the advocate if the mandate is assigned.

17. For all services rendered under a consultation mandate or a mandate that ends with a consultation, the fees are \$70.

For all services rendered under a mandate related to a proposal to participate in the program for the non-judicial treatment of certain criminal offences or if alternative measures are used, in particular because of the absence of sufficient evidence, the fees are \$290.

18. To represent, for appearance, a person arrested under a warrant issued in another judicial district, regardless of the technological means used, the fees are \$106.

19. To represent a detained person for the purposes of section 503 of the Criminal Code (R.S.C., 1985, c. C-46), where the appearance is held using technological means, outside regular court house hours and under a presiding justice of the peace, the fees are \$158.

20. For a release hearing actually held and a hearing actually held before the Court of Québec pursuant to articles 524 and 525 of the Criminal Code, the fees are \$158.

20.1. For a release order with conditions issued without an investigation and for any modification, of consent, of a release order with conditions, the fees are \$106.

20.2. For a modification of an undertaking or an appearance notice, the fees are \$106.

21. For all services related to a granted request to change location, if the advocate subsequently ceases to act, the fees are \$84.

22. Where an advocate pleads in writing, at the court's request or under its authorization, the fees are \$290.

23. An advocate rendering services to a beneficiary, including a young person within the meaning of the Youth Criminal Justice Act (S.C. 2002, c. 1), taking part in the Alternative Measures Program or the Alternative Measures Program in Aboriginal communities is entitled to additional fees of \$200.

24. An advocate rendering services to a beneficiary taking part in the Court of Québec Addiction Treatment Program or the Justice and Mental Health Support Program, or any other similar therapy program, is entitled to additional fees of \$400.

§2. Fees for certain services in first instance

25. For all services rendered to persons charged with a summary conviction offence under Part XXVII of the Criminal Code (R.S.C., 1985, c. C-46), until sentencing, where applicable, the fees are \$400, and \$550 when a trial is actually held.

26. For all services rendered to persons charged with an indictable offence under section 553 of the Criminal Code (R.S.C., 1985, c. C-46) or charged with an offence that may be prosecuted by indictment or by summary conviction, the fees are \$415, and \$565 when a trial is actually held.

27. For all services rendered to persons charged with an indictable offence other than an offence referred to in section 26 or in sections 234 and 239 of the Criminal Code (R.S.C., 1985, c. C-46), or with an offence under the jurisdiction of the Superior Court under section 469 of the Code, or with an offence referred to in section 752 of the Code, except the offences under section 266, paragraph 270 (1)(a), subsection 279 (2), subsections 320.14(1) and (2), subsections 320.15(1), (2) and (4), and sections 320.16 and 320.17, or for an application to find that an offender is a dangerous offender or a long-term offender provided for in Part XXIV of the Code, until sentencing, where applicable, the fees are \$600, and \$750 when a trial is actually held.

The tariff includes up to two hearing periods for the trial, if the hearings are held on the same day and before the evening. For the other hearing periods, the fees are \$290 each for the preliminary inquiry and for trial before judge only and \$420 each for trial before judge and jury.

By exception, the tariff set in this section is also applicable to the services referred to in section 26 when they are rendered to a person liable to a minimum term of imprisonment or charged with a sexual offence.

§3. Fees for services rendered to persons charged with indictable offences under section 234 or 239 of the Criminal Code or offences within the exclusive jurisdiction of the Superior Court under section 469 of the Code or offences referred to in section 752 of the Code, except offences under section 266, paragraph 270(1)(a), subsection 279(2), subsections 320.14(1) and (2), subsections 320.15(1), (2) and (4), and sections 320.16 and 320.17, or for applications for finding that an offender is a dangerous offender or long-term offender under Part XXIV of the Code

28. Sections 13, 14 and 20 do not apply to this subdivision.

29. For preparation of hearings and pre-trial conferences, and during the hearings and conferences, the fees are \$290 per period.

The number of preparation periods payable to an advocate is limited to five periods per application heard by the court.

30. For preparation of the trial, the fees are \$290 per period.

The number of preparation periods for the trial payable to an advocate is limited

(1) to three periods for each day of hearing scheduled for presentation of the prosecution's evidence, as established at the pre-trial conference or as indicated in the court record; and

(2) to one period for each day of hearing during the trial.

31. If the trial is interrupted for more than three consecutive weeks, a maximum of eight additional preparation periods to be worked during the interruption are payable to the advocate.

32. Where an advocate represents more than one accused in the same trial, the number of preparation periods to which the advocate is entitled is established by subparagraph 1 of the second paragraph of section 30, increased by 50%, regardless of the number of accused the advocate represents.

33. The Commission must, at an advocate's request, reconsider the number of preparation periods to which the advocate was entitled under subparagraph 1 of the second paragraph of section 30 or section 32 if the number of hearing days actually held for the trial is greater than one and one-half the number of hearing days scheduled for presentation of the prosecution's evidence.

The advocate submits the request in the final statement of fees.

34. Where during the proceedings an advocate replaces an advocate whose remuneration is governed by this subdivision, the advocate must provide the Commission with an application detailing the preparation time the advocate considers necessary to represent the client.

The Commission examines the application taking into account the circumstances of the case and determines the maximum number of preparation periods available to the advocate in place of the preparation periods provided for in subparagraph 1 of the second paragraph of section 30 or in section 32.

35. During the trial, the fees are \$420 per hearing period.

36. For services rendered during representations on sentence, the fees are \$290 per period.

§4. Fees for services other than in criminal and penal matters

37. Where a judgment orders an attorney be appointed, the fees are \$158.

38. For all services rendered before the Review Board under sections 672.38 et seq. of the Criminal Code (R.S.C., 1985, c. C-46), the fees are \$525.

39. For all services rendered until sentencing, where applicable, the fees are as follows for hearings held

(1) under section 742.6 of the Criminal Code (R.S.C., 1985, c. C-46), if there is a hearing on the merits: \$290;

(1.1) under section 742.6 of the Criminal Code, if there is no challenge leading to a hearing on the merits: \$210;

(2) under sections 110, 111, 112 and subsections 810.01 (5) and 810.2 (5) of the Criminal Code: \$210.

40. In matters of extraordinary remedies provided for in the Criminal Code (R.S.C. 1985, c. C-46), the fees are as follows:

(1) or preparation and service of the proceeding: \$580;

(2) per hearing period: \$290.

41. For services rendered following an order made under section 486.3 of the Criminal Code (R.S.C., 1985, c. C-46), the fees are \$290 per work period. An advocate is entitled to three preparation periods per day of hearing already held at the time the mandate is assigned to the advocate and to a maximum of four additional preparation periods.

For all services rendered following an order made under section 672.24 of the Criminal Code, the fees are \$400.

42. For all services rendered for an application for release from custody or for review of the decision rendered on release addressed to a judge of the Superior Court, the fees are \$860

43. In matters of preventive detention,

(1) for preparation of the record for a contestation of an application for preventive detention under Part XXIV of the Criminal Code (R.S.C., 1985, c. C-46), including interviews and other necessary services, the fees are \$1,050; and

(2) per hearing period, the fees are \$290.

44. For all services rendered for an application for a change to a probation order under section 732.2(5) of the Criminal Code (R.S.C., 1985, c. C-46), the fees are \$158.

45. For all services rendered for an application for the issue of a warrant of committal or an order of imprisonment for default of payment of fines under section 734.7 of the Criminal Code (R.S.C., 1985, c. C-46) or article 346 of the Code of Penal Procedure (chapter C-25.1), the fees are \$232.

45.1. For all services rendered in respect of an application for the restitution of property seized or for an order of forfeiture of such property, the fees are \$290.

46. For all services rendered until sentencing, where applicable, under the Youth Criminal Justice Act (S.C. 2002, c. 1), the fees are as follows:

(1) on an application for review under subsection 59(1) of the Act: \$195;

(2) on an application under subsection 64(1) of the Act: \$450;

(3) for a transfer to a correctional facility for adults under section 89(2) of the Act: \$106.

§5. Fees for services rendered in appeal

47. For an appeal on extraordinary remedies, an appeal in matters of preventive detention or an appeal from the decision on a conviction, sentence or both, the fees are as follows:

(1) preparation of all proceedings preliminary to the appeal, including drafting and filing of the notice of appeal: \$1,260;

(2) hearing of the application for leave to appeal: \$464;

(3) motion for extension of the time to appeal: \$420;

(4) preparation of the factum: \$1,680;

(5) hearing of the appeal: \$1,680.

For an appeal before the Court of Appeal, those fees are increased by 25%.

48. For all services rendered for an application for release from custody until a decision on the appeal, the fees are \$570.

48.1. For all services rendered in respect of a change to a release from custody order pending the determination of an appeal, the fees are \$290.

49. For services rendered following an order made under section 684 of the Criminal Code (R.S.C., 1985, c. C-46), the fees are \$1,680 for the hearing at the Court of Appeal. An advocate is entitled to a maximum of four preparation periods remunerated at \$600 each.

50. For an appeal to the Supreme Court, the fees are as follows:

(1) preparation of all proceedings preliminary to the appeal, including drafting and filing of the notice of appeal or the application for leave to appeal: \$6,300;

(2) preparation of the factum: \$6,300;

(3) hearing of the appeal: \$8,400.

51. For services rendered following an order made under section 694.1 of the Criminal Code (R.S.C. 1985, c. C-46), the fees are \$4,200 for the hearing at the Supreme Court. An advocate is entitled to a maximum of eight preparation periods remunerated at \$600 each.

DIVISION II

FEEES APPLICABLE IN A LENGTHY AND COMPLEX CASE, FOLLOWING A DETERMINATION BY THE COMMISSION PURSUANT TO SECTION 83.12 OF THE ACT RESPECTING LEGAL AID AND THE PROVISION OF CERTAIN OTHER LEGAL SERVICES

52. Section 14 does not apply to this Division.

53. For preparation of hearings and pre-trial conferences, and at the hearings or conferences, the fees are \$290 per period.

The number of preparation periods payable to an advocate is limited to five periods per application heard by the court.

54. For preparation of the trial, the fees are \$290 per period.

The number of preparation periods payable to an advocate is limited

(1) to three periods for each day of hearing scheduled for presentation of the prosecution's evidence, as established at the pre-trial conference or as indicated in the court record; and

(2) to one period for each day of hearing during the trial.

55. If the trial is interrupted for more than three consecutive weeks, a maximum of eight additional preparation periods to be worked during the interruption are payable to the advocate.

56. Where an advocate represents more than one accused in the same trial, the number of preparation periods to which the advocate is entitled is established by subparagraph 1 of the second paragraph of section 54, increased by 50%, regardless of the number of accused the advocate represents.

57. The Commission must, at the advocate's request, reconsider the number of preparation periods to which the advocate was entitled under subparagraph 1 of the second paragraph of section 54 or section 56 if the number of hearing days actually held for the trial is greater than one and one-half the number of hearing days scheduled for presentation of the prosecution's evidence.

The advocate submits the request in the final statement of fees.

58. Where an advocate replaces an advocate whose remuneration was governed by this Division, or where an advocate's remuneration becomes governed by this Division during the proceedings, the advocate must provide the Commission with an application detailing the preparation time the advocate considers necessary to represent the client.

The Commission examines the application taking into account the circumstances of the case and determines the maximum number of preparation periods available to the advocate in place of the preparation periods provided for in subparagraph 1 of the second paragraph of section 54 or in section 56.

59. During the trial, the fees are \$420 per hearing period.

60. Where an advocate pleads in writing, at the court's request or under its authorization, the fees are \$290 per work period, for a maximum of ten periods.

61. For preparation and hearings of representations on sentence, the fees are \$290 per period.

The number of preparation periods is limited to 15 periods.

62. Subdivision 5 of Division I of this Chapter applies to appeals, with the necessary modifications.

PART II EXPENSES

63. Expenses include travel allowances and costs authorized by the director general or the Commission, as applicable, in particular expert fees and other costs pertaining to the cases and proceedings incidental to the mandate.

The fees of legal counsel are treated as expert fees and are authorized by the director general or the Commission, as applicable. The same applies to fees pertaining to the professional services of an advocate assisting during hearing of the trial, which are limited to \$185 per hearing period and are eligible only for the services rendered for mandates assigned in accordance with Chapter II of the Act respecting legal aid and the provision of certain other legal services (chapter A-14).

64. An advocate is entitled to reimbursement of \$0.10 per page for photocopies made during written proceedings or to reproduce authorities.

65. At the end of a legal aid mandate, an advocate who sees a case through receives \$50 as reimbursement of administrative overhead costs, except for consultation mandates and mandates that end with a consultation.

65.1. For services rendered in urgent cases to persons who are victims of sexual violence or domestic violence, the advocate is entitled to a reimbursement of \$200 in administrative costs if following the issue of a conditional certificate of eligibility under section 67 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14) legal aid is refused under section 70 of the Act.

66. An advocate is entitled to a travel allowance only if the destination is farther than a radius of 25 km from the advocate's office.

When using a personal motor vehicle, an advocate is entitled to the travel allowance per kilometre provided for in section 8 of the Directive sur les frais remboursables lors d'un déplacement et autres frais inhérents (C.T. 216155 dated 22 March 2016) as established under the Public Administration Act (chapter A-6.01), subject to the following special rules:

(1) based on the distance actually travelled, if the travel is within the boundaries of the judicial district of the advocate's office;

(2) based on the distance actually travelled up to a maximum of 200 km, if the travel is outside the boundaries of the judicial district of the advocate's office;

(3) based on the distance actually travelled if the travel is to the Supreme Court of Canada, the Court of Appeal of Québec, the Federal Court or to any court, tribunal or body having jurisdiction outside the boundaries of the judicial district of the advocate's office. If an advocate's office is in a judicial district other than the district where the legal aid centre that issued the mandate is located, the advocate receives either the allowance under subparagraph 2, or an allowance established on the basis of the distance between the place where the mandate was issued and the place where the relevant court, tribunal or body sits, at the advocate's option; and

(4) based on the distance actually travelled, with the authorization of the director general of the legal aid centre, if the travel is outside the boundaries of the judicial district of the advocate's office and the nature or complexity of the matter requires that the mandate be assigned to that advocate.

An advocate entitled to a kilometric allowance is also entitled to reimbursement of any parking expenses incurred.

67. Subject to sections 64 and 65, expenses cannot exceed the actual amount incurred by the advocate; they are paid on presentation of supporting documents.

PART III DISPUTE SETTLEMENT PROCEDURE

CHAPTER I SUBMITTING OF A DISPUTE AND CONCILIATION

68. A dispute means any disagreement concerning the interpretation or application of this Agreement, including any disagreement concerning a claim for fees for a service not included in the tariff or an application for special consideration, and any disagreement concerning a statement of fees or expenses submitted pursuant to the Regulation respecting the report relating to the services rendered by certain advocates and notaries (chapter A-14, r. 8).

A dispute must be submitted within six months after receipt of the notice referred to in section 8 of that Regulation.

69. A dispute is submitted by an advocate by means of a notice addressed to the regional centre or to the Commission, as applicable. The notice must contain a summary of the facts and the relief sought.

70. The regional centre or the Commission, as applicable, provides a written reply to the notice of dispute it receives.

71. Before submitting a dispute, an advocate may resort to conciliation by means of written notice to the director general of the regional centre, to the Commission and to the section of the Barreau du Québec to which the advocate belongs.

72. Resorting to conciliation interrupts the six-month prescription.

73. Within 15 days after receiving the notice referred to in section 71, the director general of the regional centre and the bâtonnier of the section each designate an advocate.

74. Within 30 days of their designation, the advocates so appointed and the advocate who applied for conciliation meet and endeavour to come to an agreement.

CHAPTER II ARBITRATION

75. An advocate who submitted a dispute may, if no reply is received within 30 days after sending the notice, or the advocate is dissatisfied with the reply, refer the dispute to arbitration.

Resorting to arbitration is prescribed by six months.

An application for arbitration is made by a letter addressed to the chief judge of the Court of Québec, and is also sent to the regional centre, to the Commission and to the Barreau du Québec.

The chief judge designates one of the judges of that court to act as arbitrator.

76. After giving at least 30 days' notice to the Commission, the Barreau du Québec may either intervene or take up the defence of an advocate who refers a dispute to arbitration.

77. Stenography fees and fees to reproduce a recording of the hearings, if any, are borne by the regional centre or by the Commission, as applicable.

78. The arbitrator has jurisdiction, to the exclusion of any court or tribunal, to decide a dispute within the meaning of this Agreement. The arbitrator may uphold, vary or rescind the disputed decision and, under the terms of the arbitration award, order payment or determine compensation, restore a right or issue any order considered by the arbitrator to be fair in the circumstances.

The arbitration award is final and binding on the parties.

79. The arbitrator may issue an interim award at any time.

80. The arbitrator sends every arbitration award to the parties and to the Barreau du Québec.

PART IV
MISCELLANEOUS, TRANSITIONAL AND FINAL

81. This Agreement replaces 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).

It comes into force on the day of its publication in the *Gazette officielle du Québec* and applies to services rendered in connection with legal aid mandates assigned since 1 October 2023.

82. The maximum level of the fees payable to an advocate who renders services under the legal aid plan is set at \$140,000 for mandates assigned to the advocate between 1 April and 31 March of the years covered by this Agreement. Beyond that amount, the fees paid to the advocate are reduced by 35% for each mandate.

83. This Agreement ends on 31 March 2025. It remains in force after that date until it is replaced by a new agreement or by a regulation.

107080



Notice

Agreement dated 11 October 2024 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

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

Notice is hereby given that the Agreement dated 11 October 2024 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, appearing below, was entered into on 11 October 2024.

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 dated 11 October 2024 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

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

1. This Agreement establishes the tariff of fees applicable to advocates in private practice to whom a legal aid mandate is assigned, except for services rendered in criminal and penal matters.

The Agreement also establishes rules dealing with expenses and dispute settlement.

PART I **TARIFF OF FEES**

CHAPTER I **GENERAL**

2. A day comprises a maximum of three work periods, one in the morning, one in the afternoon and one in the evening. Morning ends at 1:00 p.m. and evening starts at 5:30 p.m.

Work periods are preparation periods, periods spent participating in prevention and dispute resolution processes or hearing periods.

3. Unless provided otherwise, a flat fee includes up to two work periods on the same day, one in the morning and one in the afternoon.

If, once under way, the hearing, conference or conciliation or mediation session does not end before 5:30 p.m. the same day, an advocate is entitled, for the evening and for each additional work period, to fees of,

- (1) in first instance: \$290; and
- (2) in appeal: \$300.

4. Where flat-rate fees are set for services and more than one advocate has rendered services, each advocate, if in private practice, is entitled to the part of the flat rate corresponding to the services personally rendered, subject to section 81.1 of the Regulation respecting the application of the Act respecting legal aid and the provision of certain other legal services (chapter A-14, r. 4).

5. Where legal aid of a recipient is suspended or withdrawn or where a recipient is no longer eligible for or waives legal aid, an advocate is remunerated for the services rendered up to receipt of the notice referred to in section 74 of the Regulation respecting the application of the Act respecting legal aid and the provision of certain other legal services (chapter A-14, r. 4) and for the legal services subsequently rendered for the performance of conservatory acts necessary to safeguard the recipient's rights or required by the court.

6. The Commission des services juridiques determines the fees applicable to services not included in the tariff taking into account, if applicable, the fees set in this Agreement for similar services.

7. Where the mandate is of an exceptional nature owing to the circumstances of the work or the complexity of the matter, an advocate may submit an application for special consideration to have the Commission determine the excess fees.

8. Where an advocate must, at the director general's request, justify in writing an application to obtain a legal aid mandate, fees in the amount of \$80 are payable to the advocate if the mandate is assigned.

9. The fees for all services rendered under a consultation mandate are \$70. If the advocate's mandate is to prepare a formal notice, a letter or a notice, the fees are \$106.

10. The fees applicable to services rendered by an advocate are as follows:

(1) if the court refuses or is unable to proceed in the presence of the parties on the very day set for the hearing: \$106 per period;

(2) for a formal notice to appoint a new advocate: \$106;

(3) if the advocate must submit or file a notice of substitution of attorney or withdrawal of mandate, or a statement or an application to cease representing: \$65.

11. Where an advocate pleads in writing, at the court's request or under its authorization, fees of \$290 are payable.

12. For an advocate's participation in a settlement conference, a special case management conference or a pre-trial conference referred to in article 179 of the Code of Civil Procedure (chapter C-25.01) (C.C.P.), the fees are \$290 per period.

For any participation of the advocate in other case management proceedings, convened by the court or requested by a party, the fees are \$70 per period.

13. The fees of an advocate who renders services in a region or locality served on an itinerant basis in the judicial district of Abitibi or Mingan are increased by 5%.

14. No fees set under this Agreement are payable to an advocate who instigated a judicial application or any other pleading that has been declared abusive, in particular pursuant to articles 51 et seq. of the C.C.P.

CHAPTER II TARIFF IN CIVIL MATTERS

DIVISION I GENERAL

15. For the purposes of this Chapter, unless the context indicates otherwise, a settlement is considered to be reached when there is a discontinuance of an application, a transaction takes place or there is full acquiescence in an application. Cases that come to an end following a bankruptcy proceeding are also considered settled.

16. For a declaration of intervention referred to in article 186 of the C.C.P, the fees are \$315 if there is no opposition and \$370 if there is opposition.

17. Where two or more defendants file separate contestations, the advocate of the plaintiff receives, for each additional contestation, half of the fees set in section 40 or section 43, according to the stage of the proceedings

For the purposes of this provision, an intervenor, an impleaded party and a defendant in warranty, if they ask for dismissal of the principal action, are each considered to be a defendant filing a separate contestation.

18. Where two or more incidental applications can be framed in a single proceeding, the fees are payable only once despite the multiplicity of proceedings.

19. An advocate must apply for costs in the application.

20. Where legal costs are owed to the recipient by an adverse party who is not a recipient, the advocate prepares a bill of costs and sends it to the legal aid body from which the advocate received the mandate, which is subrogated to the rights of the recipient up to the amount appearing in the bill of costs.

The advocate is entitled to fees of \$53, unless the bill of costs is contested, in which case the fees are \$122.

DIVISION II CLASSES OF ACTIONS

21. Actions are classed as follows:

Class I: actions whose amount or value in dispute is \$85,000 or less, or whose amount or value in dispute is undeterminable or inexistent;

Class II: actions whose amount or value in dispute is greater than \$85,000 but less than \$200,000;

Class III: actions whose amount or value in dispute is \$200,000 or greater and applications for judicial review under the C.C.P.

22. The Class II tariff applies for the following actions and proceedings:

- (1) actions for declaration or denial of a servitude;
- (2) proceedings relating to filiation, including adoption;
- (3) proceedings relating to disavowal and deprivation of parental authority;
- (4) boundary delimitation, possessory and petitory proceedings;
- (5) proceedings provided for in the C.C.P. relating to legal persons.

23. In the matter of a determination of an issue of law and a declaratory judgment, the interest in dispute, if it can be evaluated in money, determines the class of the action; otherwise, the fees are those set for Class II actions.

24. An injunction applied for with no conclusion other than that of article 509 of the C.C.P. is considered to be a Class III action in first instance and a Class II action in appeal.

If other conclusions are sought, the tariff is that of Class III in first instance and Class II in appeal.

25. For the procedure governing the sale of the property of another referred to in article 307 of the C.C.P., the class of action is determined by the value of the property.

26. In expropriation proceedings, the class of action is determined by the amount of the indemnity.

Contestation of the right to expropriation is a separate proceeding and the tariff set for Class II actions applies.

27. Hypothecary actions are considered to be purely personal actions and the class of action is determined by the balance of the obligation.

28. In matters of judicial partition and licitation, the class of action is determined by the value of the matter in dispute.

29. In an action in which a creditor exercises a right to become the absolute owner of an immovable, the class of action is determined by the value of the immovable.

30. Unless otherwise provided by law, every action to set aside a contract or a will is classed according to the value of the contract or the succession; if in addition a sum of money is claimed, the class of action is determined by the total value of the application.

31. Where a cross-application is presented, an advocate receives only one amount of fees and the class of action is determined by the highest of the amounts granted.

DIVISION III TARIFF FOR NON-CONTENTIOUS PROCEEDINGS, FOR PRIVATE DISPUTE PREVENTION AND RESOLUTION PROCESSES AND FOR PROCEEDINGS IN FIRST INSTANCE

32. For an application to have a change entered in the register of civil status, the fees are \$122.

For other applications dealt with under non-contentious proceedings, the fees are \$200, with the exception of the procedure governing the sale of property of another, for which the class is determined in accordance with section 25.

33. For a notice or formal notice preceding service of the originating application:

- (1) required by law: \$106;
- (2) not required by law: \$106.

The fees in subparagraph 2 are payable only once per mandate.

34. For services rendered within a collaborative law process, the fees are \$290 per period, for a maximum of two periods.

Collaborative law means participation in negotiation in view of a settlement before the filing of an originating application, governed by a protocol and where the advocates discontinue the matter if there is no settlement.

If there is a settlement, additional fees of \$106 are payable.

35. For services rendered at a mediation session in which the advocate assists the recipient, the fees are \$290, for a maximum of two periods.

- 36.** For a seizure before judgment: \$106.
- 37.** Where a settlement is reached before or after an originating application but before notification of an answer, the fees are as follows:
- Class I: \$290;
 - Class II: \$475;
 - Class III: \$575.
- 38.** Where a judgment on the merits, by default to answer the summons or to plead is rendered, the fees are as follows:
- Class I: \$400;
 - Class II: \$540;
 - Class III: \$640.
- 39.** For the examination on discovery of a party, excluding an examination during an incidental measure or the trial, the fees are \$290.
- 40.** Where a settlement is reached after notification of an answer or where an application is dismissed following an application for dismissal, the fees are as follows:
- Class I: \$625;
 - Class II: \$880;
 - Class III: \$980.
- 41.** For all services rendered in matters of incidental proceedings if there is contestation, the fees are \$115.
- If the incidental proceedings terminate the dispute, the following additional fees are payable:
- Class I: \$400;
 - Class II: \$540;
 - Class III: \$640.
- 42.** For the preparation and registration in the land register of a prior claim, legal hypothec or formal demand, as required by article 1743 of the Civil Code: \$115.
- 43.** Where a judgment on the merits is rendered in a contested action, or for any judgment, contested or not, in the context of proceedings relating to disavowal and deprivation of parental authority, the fees are as follows:
- Class I: \$750;
 - Class II: \$1,565;
 - Class III: \$1,725.
- Those fees also apply to a judgment on an application for an interlocutory injunction that terminates the action or to a judgment on an application for a permanent injunction that was not preceded by a judgment on an interlocutory injunction.
- 44.** The fees set in section 43 are increased by 50% if a judgment on an application for a permanent injunction is rendered following a judgment on an interlocutory injunction.
- 45.** For the filing of a declaration of voluntary deposit and for a claim on seizure of salary or wages or on voluntary deposit, the fees are \$53.
- 46.** For services rendered to obtain the issue of a writ of execution, whatever its nature, the fees are \$53.
- 47.** For examination of the debtor after judgment, the fees are \$80.
- 48.** For a judgment by default against a garnishee or on the garnishee's declaration, the fees are \$53.
- 49.** In adoption proceedings, an application for a declaration of eligibility for adoption, an application for placement of a child and an application for adoption constitute separate proceedings. Any other application constitutes an incidental proceeding and is remunerated as such.
- Where an advocate submits separate applications for two or more children in the same family and the grounds for the various applications are identical, the fees payable for each additional application are set at \$106.
- 50.** In expropriation proceedings, the fees are as follows:
- (1) for any proceeding commenced under the Act respecting expropriation (chapter E-25) before a court other than the Administrative Tribunal of Québec, immovable property division: \$106;

(2) for any uncontested proceeding relating to payment of the money awarded: \$106.

Additional fees of 1% of the indemnity are added to the fees under the first paragraph if it is demonstrated to the satisfaction of the Administrative Tribunal of Québec, on a motion accompanied by an affidavit of the advocate, that the advocate's services during the preparation of the case or at the hearing, or during the negotiations leading to a transaction, so justify.

51. Where an advocate represents a minor following an order issued pursuant to article 90 of the C.C.P. or for an application presented before a judge of the Court of Québec Youth Division concerning child custody, emancipation, the exercise of parental authority, suppletive tutorship or tutorship requested by the director of youth protection, the fees are \$315 if not contested and \$370 if contested.

Those fees apply for every judgment ruling on the minor's rights and privileges and that required the intervention or presence of the advocate.

By exception, in the case of a judgment extending the application of measures ordered by the preceding judgment or renewing it, the fees are \$90, for a maximum of two judgments in a same case.

By exception, if no judgment is rendered under the advocate's mandate, the fees are \$185 for all services.

52. For the purposes of section 51, if an advocate represents two or more minors in the same case, the fees set for representing a minor are increased by the following percentage according to the number of minors represented:

- (1) two minors: 50%;
- (2) three minors: 100%;
- (3) four minors: 150%;
- (4) five minors or more: 200%.

53. In matters concerning confinement in an establishment and psychiatric evaluation, the fees are:

- (1) \$100 if there is discontinuance of suit;
- (2) \$310 if a judgment on the merits is rendered.

DIVISION IV **TARIFF FOR PROCEEDINGS IN APPEAL**

54. For an application for leave to appeal, an application for dismissal of an appeal or any other contested incidental proceeding, the fees are \$630.

55. For services rendered in appeal from any judgment rendered in the course of a proceeding, excluding an injunction, judicial review and habeas corpus, the fees applicable are one-half of the fees set for a judgment on the merits, according to the class of action determined by the amount in dispute.

56. For all services rendered when an appeal is not heard following the filing of a notice of appeal, the fees are as follows:

Class I: \$1,120;

Class II: \$1,900;

Class III: \$2,100.

57. For an application for extension of the time limit for filing a brief, the fees are \$360.

58. For the filing of an additional brief on request by the court, the fees are \$590.

59. For all services rendered when an appeal is not heard following the filing of the appellant's brief, including when a settlement is reached, the fees are as follows:

Class I: \$2,100;

Class II: \$2,640;

Class III: \$3,200.

60. For all services rendered when an appeal is not heard following the filing of the respondent's brief, including when a settlement is reached, the fees are as follows:

Class I: \$2,240;

Class II: \$2,800;

Class III: \$3,400;

61. Where a judgment of the Court of Appeal on an action for a permanent injunction is rendered after a judgment from that Court on an action for an interlocutory injunction, the fees are as follows:

Class I: \$1,600;

Class II: \$1,900;

Class III: \$2,240.

62. Where a judgment on the merits is rendered, the fees are as follows:

Class I: \$3,200;

Class II: \$3,800;

Class III: \$4,480.

Those fees are also applicable to a judgment of the Court of Appeal rendered on an application for an interlocutory injunction that terminates the case or to a judgment from that Court on an action for a permanent injunction that was not preceded by a judgment it would have rendered on an interlocutory application.

63. For an appeal to the Supreme Court, the fees are as follows:

(1) for the preparation of all proceedings preliminary to the appeal, including drafting and filing of the notice of appeal or application for leave to appeal: \$6,300;

(2) for preparation of the factum: \$6,300;

(3) for the appeal hearing: \$8,400.

CHAPTER III SPECIAL TARIFF FOR CERTAIN PROCEEDINGS IN FAMILY MATTERS

64. The tariff in civil matters provided for in Chapter II applies to the proceedings to which this Chapter applies, subject to the special provisions set forth therein.

For a psychosocial evaluation report order, a request for a referral to another district or an application to reopen an investigation, if the requests are not contested, the fees are \$70.

For all the services rendered in a request to appoint a lawyer for a child, the fees of the parent's advocate are \$115.

DIVISION I

APPLICATIONS BASED ON THE DIVORCE ACT (R.S.C., 1985, C. 3 (2ND SUPPL.)) OR ON TITLES 1 AND 1.1 OF BOOK 2 OF THE CIVIL CODE

65. An advocate who files evidence by affidavit without being present at the evidence stage is entitled to the fees set in subdivisions 1 to 4.

§1. Originating applications

66. Where there is reconciliation, abandonment or discontinuance of proceedings, the fees are as follows:

(1) after the filing of the originating application with the Court: \$250;

(2) in an action by agreement, payable to the advocate representing both parties: \$400.

67. Where there is reconciliation, abandonment or discontinuance of proceedings after notification of a contestation and before judgment on the merits, the fees are \$450.

68. Where a judgment by default to answer a summons or to plead is rendered, the fees are \$650.

69. Where a judgment confirms an agreement filed in a joint application, the fees of the advocate representing both parties are \$925.

70. Where a judgment on the merits is rendered in a contested action, the fees are \$2,500, and when a judgment on the merits is rendered after an agreement is concluded, the fees are \$1,500.

§2. Safeguard orders and provisional measures

71. For the first judgment on the measures applicable during the proceedings, whether a safeguard order or a judgment on provisional measures, and for every judgment that amends those measures, the fees are \$350 if there is no investigation, and \$475 if there is an investigation.

Those fees also apply if the special clerk refuses to confirm an agreement or a transaction and refers the parties to the judge.

72. For a judgment rendered on measures applicable during the proceedings that extends application of the measures ordered by the preceding judgment, or renewing the preceding judgment, an advocate is entitled to the following fees for a maximum of two judgments in a single case: \$90.

73. If, for the same provisional measure or safeguard order, a separate application is filed by each party, a single amount of fees is payable regardless of the number of applications.

74. The fees of an advocate to whom a mandate is assigned to represent an applicant in proceedings for separation from bed and board or for divorce are reduced by half if the advocate has previously represented the party in similar proceedings in the course of the previous year.

§3. Execution of judgments

75. For a seizure of movables and immovables after judgment, the fees are \$80.

76. For a judgment for seizure by garnishment after judgment, the fees are \$106.

77. For registration of a judgment at the registry office, the fees are \$53.

§4. Applications subsequent to judgment on merits

78. The fees applicable for the appointment of a practitioner, the homologation of a practitioner's report or for inscription following a homologated report are \$53.

79. For every judgment

(1) relating to an application for variation of support, child custody rights, visiting and outing rights, if there is no hearing, the fees are \$350; and;

(2) relating to an application to vary the measures referred to in subparagraph 1, if there is a hearing, the fees are \$475.

This provision applies subject to section 72.

79.1. By exception, if no judgment is rendered under the advocate's mandate, the fees are \$310 for all services.

80. For drafting and registration of a declaration of family residence in the land register, the fees are \$106.

DIVISION II

OTHER PROCEEDINGS IN FAMILY MATTERS AND FOR AN APPLICATION PRESENTED BEFORE A JUDGE OF THE COURT OF QUÉBEC YOUTH DIVISION CONCERNING CHILD CUSTODY, EMANCIPATION, THE EXERCISE OF PARENTAL AUTHORITY, SUPPLETIVE TUTORSHIP OR TUTORSHIP REQUESTED BY THE DIRECTOR OF YOUTH PROTECTION

81. For a judgment ordering measures applicable during the proceedings:

(1) after an agreement or transaction, the fees are \$350;

(2) after presentation of evidence, the fees are \$475.

82. For a judgment on the action on the merits, an advocate is entitled to the following fees, only once per case:

(1) without presentation of evidence: \$470;

(2) after presentation of evidence: \$620.

83. For a judgment extending the application during the proceedings of the measures ordered by the preceding judgment, or renewing the preceding judgment without amending it, an advocate is entitled to the following fees for a maximum of two judgments in a single case: \$90.

83.1. Where a judgment on the merits is rendered after an application is made under article 412 of the Code of Civil Procedure (chapter C-25.01) and an agreement is concluded, the fees are \$1,500.

83.2. By exception, if no judgment is rendered under the advocate's mandate, the fees are \$310 for all services.

DIVISION III

PROCEEDINGS IN APPEAL IN FAMILY MATTERS

84. For an application for leave to appeal, for dismissal of an appeal or any other contested incidental proceeding, the fees are \$600.

85. For an appeal from a judgment in the course of a proceeding, the fees are \$1,700.

86. For all services rendered where an appeal is not heard following the filing of a notice of appeal, including when a settlement is reached, the fees are \$850.

87. For the filing of an additional brief on request by the court, the fees are \$590.

88. For all services rendered where an appeal is not heard after the appellant's brief has been filed,

(1) the fees of the advocate representing the appellant are \$2,100; and

(2) the fees of the advocate representing the respondent are \$1,320.

89. For all services rendered where an appeal is not heard after the respondent's brief has been filed and before the hearing, the fees are \$2,240.

90. Where a judgment on the merits is rendered, the fees are \$3,200.

CHAPTER IV TARIFF FOR MISCELLANEOUS MATTERS

DIVISION I GENERAL

91. Where an advocate represents two or more recipients who are legally or de facto joined and are parties to a dispute based on a cause of action of the same nature and heard before the same court or the same administrative body at or about the same time, the fees of the advocate are limited to those set for the services rendered to a recipient.

92. For an appeal heard in the Court of Québec, the fees are based on those set for Class I of the tariff in civil matters in first instance.

93. For an appeal heard in the Superior Court, the fees are based on those set for Class II of the tariff in civil matters in first instance.

94. For an appeal heard in the Court of Appeal, the fees are based on those set for Class I of the tariff in civil matters for appeal proceedings.

DIVISION II PROCEEDINGS IN MATTERS OF YOUTH PROTECTION

95. For the presence of an advocate during an intervention with the director of youth protection, including an intervention with a view to reaching an agreement on the voluntary measures prior to the judicial intervention: \$290.

96. For participation in a conciliation or mediation procedure, the fees are

(1) \$500 if the procedure settles the dispute at the first session; and

(2) \$290 per period if the procedure does not settle the dispute, for a maximum of three periods.

97. Where the court hears together the cases of two or more children concerned by the proceedings of the director of youth protection, an advocate who represents more than one child from the same parent or who represents a party is entitled to the remuneration set for representing one person, increased by the following percentage:

(1) if there are two children: 50%;

(2) if there are three children: 100%;

(3) if there are four children: 150%;

(4) if there are five children or more: 200%.

98. The following fees apply when the presence of an advocate is required:

(1) for a postponement, after being called by a party: \$27;

(2) for the rendering of a judgment: \$290.

99. For all services related to an application for intervention provided for in section 81 of the Youth Protection Act (chapter P-34.1), the fees are \$148 if the judgement is rendered without contestation and \$315 if there is contestation.

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.

100. For all services related to an application for provisional measures or foster care, or related to an application to extend immediate protective measures under section 47 or 76.1 of the Youth Protection Act (chapter P-34.1), the fees are as follows:

(1) if there is discontinuance: \$84;

(2) if a decision is rendered and is not contested: \$175;

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

101. For all services rendered, including in connection with measures on an application to have a child declared to be in danger under section 74.1 of the Youth Protection Act (chapter P-34.1) or an application for the review or extension of a decision or order under section 95 of that Act, the fees are as follows:

- (1) if there is discontinuance: \$190;
- (2) if a final decision is rendered and is not contested: \$450;
- (3) if a final decision is rendered following a contestation: \$600.

DIVISION III PROCEEDINGS IN MATTERS OF HOUSING

102. This Division applies solely to proceedings in matters of housing undertaken pursuant to the Act respecting the Administrative Housing Tribunal (chapter T-15.01).

102.1. Where an advocate represents two or more recipients who are legally or de facto joined and are parties to a dispute based on a cause of action of the same nature and heard before the same court or the same administrative body at or about the same time, the fees set for representing one recipient are increased by the following percentage:

- (1) if there are two recipients: 50%;
- (2) if there are three recipients: 100%;
- (3) if there are four recipients: 150%;
- (4) if there are five or more recipients: 200%.

103. For participation in a conciliation procedure, the fees are

- (1) \$865 if the procedure settles the dispute;
- (2) \$320 per period, if the procedure does not settle the dispute.

104. For an incidental application, the fees are \$110.

105. For all the other services rendered,

- (1) if there is discontinuance, conclusion of an agreement or the decision is rendered without contestation, the fees are \$415;

- (2) if a final decision is rendered after contestation, the fees are \$865.

106. For an application for provisional execution of a decision of the Administrative Housing Tribunal, the fees are \$235.

107. For an application for revocation of a decision of the Administrative Housing Tribunal, the fees are \$245.

108. For all services related to an application for review under section 90 of the Act respecting the Administrative Housing Tribunal (chapter T-15.01):

- (1) if there is discontinuance or an agreement is concluded, the fees are \$245;

- (2) if a final decision is rendered, the fees are \$575.

109. For all services related to an application for leave to appeal to the Court of Québec under section 91 of the Act respecting the Administrative Housing Tribunal (chapter T-15.01):

- (1) if an agreement is concluded before the hearing, the fees are \$350;

- (2) if a final decision is rendered, the fees are \$460.

110. For an application to suspend the execution of a decision of the Administrative Housing Tribunal, the fees are \$145.

DIVISION IV PROCEEDINGS RELATED TO ADMINISTRATIVE DECISIONS

111. This Division applies to the services for which legal aid is granted pursuant to section 44 of the Regulation respecting legal aid (chapter A-14, r. 2) and to property assessment proceedings.

111.1. Where an advocate represents two or more recipients who are legally or de facto joined and are parties to a dispute based on a cause of action of the same nature and heard before the same court or the same administrative body at or about the same time, the fees set for representing one recipient are increased by the following percentage:

- (1) if there are two recipients: 50%;
- (2) if there are three recipients: 100%;

- (3) if there are four recipients: 150%;
- (4) if there are five or more recipients: 200%.

112. For all services related to an application for review of a decision of an administrative officer, until the final decision, the fees are \$385.

113. For all services related to a recourse exercised before an administrative tribunal of last instance, if there is discontinuance or conclusion of an agreement before the hearing, the fees are \$1,115 following a conciliation procedure and \$835 in the absence of a conciliation procedure.

114. For all services related to a recourse exercised before an administrative tribunal of last instance if there is a hearing, the fees are as follows:

- (1) following a conciliation procedure: \$1,115, plus \$290 per period of hearing as of the first period;
- (2) in the absence of a conciliation procedure: \$1,115.

115. For all services related to an application for leave to appeal to the Court of Québec, the fees are as follows:

- (1) if an agreement is concluded before the hearing: \$350;
- (2) if a judgment is rendered: \$470.

DIVISION V **BANKRUPTCY PROCEEDINGS**

116. For all services related to an application for discharge until judgment on the merits, the fees are as follows:

- (1) if not contested: \$116;
- (2) if contested: \$343.

117. For an incidental application, the fees are \$63.

118. For all services related to the contestation of an application for an order requiring payment of a part of salary to the trustee, until judgment on the merits, the fees are \$116.

119. For all services related to an application to withdraw property from the assets assigned to the creditors, the fees are \$116.

DIVISION VI **ASYLUM AND IMMIGRATION PROCEEDINGS**

§1. Department of Citizenship and Immigration Canada and Canada Border Services Agency

120. For a meeting with the claimant and preparation of the asylum claim, the fees are \$245.

Additional fees of \$120 per person in the same family if Schedules A and 12 are filled out for that person.

121. For preparation of the form to apply for permanent residence on humanitarian and compassionate or public policy grounds, the fees are \$370.

For the filing of each additional written submission, the fees are \$480.

§2. Immigration and Refugee Board

122. For preparation of the pre-removal risk assessment form and danger opinions, the fees are \$330 for the pre-removal risk assessment, per person covered by the form, and \$350 for a danger opinion.

For the filing of additional written submissions, the fees are \$295.

123. For preparation of the Personal Information Form, the fees are \$300 for the refugee status claimant and \$180 for each other member of the family in the same file.

124. For all services rendered, until the final decision, the fees are \$595. If a final decision is rendered following the holding of an actual hearing, the fees are \$745. That tariff includes one hearing period.

125. For services rendered before the Immigration Division during a hearing concerning detention, the fees are \$290.

126. For all services rendered before the Immigration Appeal Division, the fees are as follows:

- (1) if there is discontinuance: \$370;
- (2) if there is a final decision: \$600.

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

126.1. For all services rendered before the Refugee Appeal Division, the fees are as follows for each claimant:

- (1) for the preparation of the application: \$680;
- (2) for the preparation of the hearing on the merits: \$615;
- (3) for the hearing on the merits: \$290;
- (4) for the preparation of the hearing on the merits, if the hearing is required by the authorities: \$290.

127. For participation in a conciliation or mediation procedure, the fees are \$320 per period.

§3. Federal Court

128. For preparation of an application for authorization to institute judicial review proceedings, the fees are \$605.

129. For preparation of the hearing on the merits, the fees are \$680.

130. For an application for stay, the fees are as follows:

- (1) for the preparation of the application: \$605;
- (2) for the preparation of the hearing on the merits: \$680;
- (3) for the hearing on the merits: \$320.

131. For a contested incidental proceeding, the fees are \$140.

132. For the hearing on the merits, the fees are \$320 per period.

§4. Federal Court of Appeal

133. For all services rendered if the appeal is heard, the fees are \$1,310.

If there is no hearing after the notice of appeal has been filed, the fees are \$495.

133.1. For a complaint before the United Nations Committees, the fees are \$720.

DIVISION VII PAROLE PROCEEDINGS

§1. Commission québécoise des libérations conditionnelles

134. For all services related to an application for examination of conditional release, an application for review of a condition or an application for re-examination (post suspension), until the final decision:

- (1) rendered following a standard hearing:
 - (a) for preparation, the fees are \$200;
 - (b) for the hearing, the fees are \$320 per period;
- (2) rendered following a hearing on the record, the fees are \$260.

135. For all services rendered during a review, the fees are \$480.

136. For an application for judicial review of a decision of the Commission québécoise des libérations conditionnelles, the fees are based on those set for Class II of the tariff in civil matters in first instance.

§2. National Parole Board

137. For all services related to an application for the examination of parole or an application for the review of a condition, until the final decision:

- (1) rendered following a standard hearing:
 - (a) for preparation, the fees are \$440;
 - (b) for the hearing, the fees are \$320 per period;
- (2) rendered following a hearing on the record, the fees are \$550.

138. For all services related to an application for re-examination (post suspension), until the final decision:

- (1) rendered following a standard hearing:
 - (a) for preparation, the fees are \$150;
 - (b) for the hearing, the fees are \$320 per period;
- (2) rendered following a hearing on the record, the fees are \$265.

139. For a postponement,

(1) if the National Parole Board has not begun to hear the case, the fees are \$35;

(2) if the Board has begun to hear the case, the fees are \$320 per hearing period.

140. For all services rendered during an appeal, the fees are \$1,000.

141. For services related to an application for judicial review by the Federal Court of a decision of the National Parole Board or Correctional Service Canada, including its disciplinary tribunal:

(1) for preparation, the fees are \$1,155;

(2) for any presence required before the Court, including to present the file, the fees are \$320 per period;

(3) for the examination or cross-examination of a declarant, the fees are \$175.

142. For all services related to an application for judicial review concerning a reduction in the number of years of imprisonment without eligibility for parole made pursuant to subsection 745.6(1) of the Criminal Code (R.S.C. 1985, c. C-46), the fees are \$290.

For all services related to a proceeding under section 745.61 of the Criminal Code, the fees are \$640.

If applicable, additional fees of \$460 apply per period of additional hearing.

DIVISION VIII **PROCEEDINGS IN CORRECTIONAL LAW**

143. For a disciplinary hearing or an application or an application for a review before the temporary absence examining board, the fees are as follows:

(1) for preparation: \$165;

(2) for the hearing: \$165.

However, if an advocate represents a recipient in respect of offences that are related to each other, the fees for the services rendered during the hearings, in each file, are reduced by half as of the second file if the hearings take place during the same period and before the same administrative authority.

144. The postponement rules set out in section 139 apply, with the necessary modifications.

145. For contestation of a detainee's transfer, the fees are \$230.

145.1. For services rendered in provincial disciplinary matters, before the classification or segregation review committee, or the Comité de travail, de visite ou de soins de santé or any other application or contestation of placement in a detention unit, the fees are \$115.

DIVISION IX **OTHER PROCEEDINGS**

146. For a hearing before the review committee of the Commission des services juridiques, if the advocate is successful, the fees are \$116.

147. For an administrative application for a change of name, the fees are \$116.

PART II **EXPENSES**

148. Expenses include travel allowances and costs authorized by the director general, in particular expert fees and other costs pertaining to the cases and proceedings incidental to the mandate.

The services of legal counsel are treated as expert fees and, if applicable, authorized by the director general or the Commission. The same applies to fees for the professional services of an advocate assisting during the hearing referred to in section 142, which are limited to \$185 per hearing period.

149. For each mandate assigned to an advocate, an amount of \$11 is paid as reimbursement of photocopy, fax, courier and postage expense.

150. At the end of the mandate, an advocate who sees a case through receives \$50 as reimbursement of administrative overhead costs, except for consultation and formal demand mandates and those that end with a consultation.

150.1. For services rendered in urgent cases to persons who are victims of sexual violence or domestic violence, the advocate is entitled to a reimbursement of \$200 in administrative costs if following the issue of a conditional certificate of eligibility under section 67 of the Act respecting legal aid and the provision of certain other legal services (chapter A-14) legal aid is refused under section 70 of the Act.

151. An advocate is entitled to a travel allowance only if the destination is farther than a radius of 25 km from the advocate's office.

When using a personal motor vehicle, an advocate is entitled to the travel allowance per kilometre provided for in section 8 of the Directive sur les frais remboursables lors d'un déplacement et autres frais inhérents (C.T. 216155 dated 22 March 2016) as established under the Public Administration Act (chapter A-6.01), subject to the following special rules:

(1) based on the distance actually travelled, if the travel is within the boundaries of the judicial district of the advocate's office;

(2) based on the distance actually travelled up to a maximum of 200 km, if the travel is outside the boundaries of the judicial district of the advocate's office;

(3) based on the distance actually travelled if the travel is to the Supreme Court of Canada, the Court of Appeal of Québec, the Federal Court or to any court, tribunal or body having jurisdiction outside the boundaries of the judicial district of the advocate's office. If an advocate's office is in a judicial district other than the district where the legal aid centre that issued the mandate is located, the advocate receives either the allowance under subparagraph 2, or an allowance established on the basis of the distance between the place where the mandate was issued and the place where the relevant court, tribunal or body sits, at the advocate's option; and

(4) based on the distance actually travelled, with the authorization of the director general of the legal aid centre, if the travel is outside the boundaries of the judicial district of the advocate's office and the nature or complexity of the matter requires that the mandate be assigned to that advocate.

An advocate entitled to a kilometric allowance is also entitled to reimbursement of any parking expenses incurred.

152. Subject to sections 149 and 150, expenses cannot exceed the actual amount incurred by the advocate; they are paid on presentation of supporting documents.

PART III **DISPUTE SETTLEMENT PROCEDURE**

CHAPTER I **SUBMITTING OF A DISPUTE AND** **CONCILIATION**

153. A dispute means any disagreement concerning the interpretation or application of this Agreement, including any disagreement concerning a claim for fees for a service not included in the tariff or an application for special consideration, and any disagreement concerning a statement of fees or expenses submitted pursuant to the Regulation respecting the report relating to the services rendered by certain advocates and notaries (chapter A-14, r. 8).

A dispute must be submitted within six months after receipt of the notice referred to in section 8 of that Regulation.

154. A dispute is submitted by an advocate by means of a notice addressed to the regional centre or to the Commission, as applicable. The notice must contain a summary statement of the facts and the relief sought.

155. The regional centre or the Commission, as applicable, provides a written reply to the notice of dispute it receives.

156. Before submitting a dispute, an advocate may resort to conciliation by means of a written notice to the director general of the regional centre, to the Commission and to the section of the Barreau du Québec to which the advocate belongs.

157. Resorting to conciliation interrupts the six-month prescription.

158. Within 15 days after receiving the notice referred to in section 156, the director general of the regional centre and the bâtonnier of the section each designate an advocate.

159. Within 30 days of their designation, the advocates so appointed and the advocate who applied for conciliation meet and endeavour to come to an agreement.

CHAPTER II **ARBITRATION**

160. An advocate who submitted a dispute may, if no reply is received within 30 days after sending the notice, or the advocate is dissatisfied with the reply, refer the dispute to arbitration.

Resorting to arbitration is prescribed by six months.

An application for arbitration is made by a letter addressed to the chief judge of the Court of Québec, and is also sent to the regional centre, to the Commission and to the Barreau du Québec.

The chief judge designates one of the judges of that court to act as arbitrator.

161. After giving at least 30 days' notice to the Commission, the Barreau du Québec may either intervene or take up the defence of an advocate who refers a dispute to arbitration.

162. Stenography fees and fees to reproduce a recording of the hearings, if any, are borne by the regional centre or by the Commission, as applicable.

163. The arbitrator has jurisdiction, to the exclusion of any court or tribunal, to decide a dispute within the meaning of this Agreement. The arbitrator may uphold, vary or rescind the disputed decision and, under the terms of the arbitration award, order payment or determine compensation, restore a right or make any order considered by the arbitrator to be fair in the circumstances.

The arbitration award is final and binding on the parties.

164. The arbitrator may issue an interim award at any time.

165. The arbitrator sends every arbitration award to the parties and to the Barreau du Québec.

PART IV MISCELLANEOUS, TRANSITIONAL AND FINAL

166. This Agreement replaces 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).

It comes into force on the day of its publication in the *Gazette officielle du Québec* and applies to services rendered in connection with legal aid mandates assigned since 1 October 2023.

167. The maximum level of the fees payable to an advocate who renders services under the legal aid plan is set at \$140,000 for mandates assigned to the advocate between 1 April and 31 March of the years covered by this Agreement. Beyond that amount, the fees paid to the advocate are reduced by 35% for each mandate.

168. This Agreement ends on 31 March 2025. It remains in force after that date until it is replaced by a new agreement or by a regulation.

107081



Draft Regulation

Act respecting end-of-life care
(chapter S-32.0001)

Conditions for accessing and operating the advance medical directives register — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the conditions for accessing and operating the advance medical directives register, appearing below, may be made by the Minister of Health on the expiry of 45 days following this publication.

The draft Regulation prescribes the conditions for accessing the advance medical directives register and the advance requests for medical aid in dying filed in the register as well as the conditions for its operation. The proposed amendments are consequential to certain amendments made to the Act respecting end-of-life care (chapter S-32.0001) by the Act to amend the Act respecting end-of-life care and other legislative provisions (2023, chapter 15).

Further information on the draft Regulation may be obtained by contacting France Morissette, project manager, Direction des soins et services infirmiers, Ministère de la Santé et des Services sociaux, 2021, avenue Union, 12^e étage, Montréal (Québec) H3A 2S9; email: france.morissette.contractuel@msss.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister Responsible for Seniors and Minister for Health, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1; email: ministre.deleguee@msss.gouv.qc.ca.

SONIA BÉLANGER
Minister Responsible for Seniors
and Minister for Health

CHRISTIAN DUBÉ
Minister of Health

Regulation to amend the Regulation respecting the conditions for accessing and operating the advance medical directives register

Act respecting end-of-life care
(chapter S-32.0001, s. 64).

1. The Regulation respecting the conditions for accessing and operating the advance medical directives register (chapter S-32.0001, r. 0.1) is amended in the title by replacing “and operating the advance medical directives register” by “the advance medical directives register and advance requests for medical aid in dying and operation of the register”.

2. Section 1 is amended by striking out “advance medical directives”.

3. The heading of Chapter II is amended by striking out “ADVANCE MEDICAL DIRECTIVES”.

4. The heading of Division I of Chapter II is amended by inserting “AUTHORIZATIONS” after “ACCESS”.

5. Section 2 is amended

(1) in the first paragraph,

(a) by replacing “give” by “assign”;

(b) by replacing “advance medical directives register” by “register, except where such an access is otherwise authorized by this Regulation”;

(2) by striking out “advance medical directives” in the second paragraph.

6. The following is inserted after the heading of Division II of Chapter II:

“§1. *Advance medical directives*”.

7. Section 6 is amended by replacing “An authorization for access to the advance medical directives register” in the portion before paragraph 1 by “With respect to advance medical directives, an authorization for access to the register”.

8. Section 7 is amended by striking out “advance medical directives”.

9. The following is inserted after section 7:

“§2. *Advance requests for medical aid in dying*

7.1. With respect to advance requests for medical aid in dying,

(1) a competent professional is an intervening party who is authorized to have access to the register;

(2) a person employed by the register manager to whom the Minister entrusted the management of the register, if applicable, is an intervening party who may be assigned authorizations for access to the register.

Section 7 applies, with the necessary adaptations, to the assignment of an access authorization to an intervening party referred to in subparagraph 2 of the first paragraph.”

10. The heading of Chapter III is amended by striking out “ADVANCE MEDICAL DIRECTIVES”.

11. Section 8 is amended by striking out “advance medical directives”.

12. The heading of Division II of Chapter III is replaced by the following:

“ADVANCE MEDICAL DIRECTIVES”.

13. The following is inserted after the heading of Division II of Chapter III:

“§1. *Recording of advance medical directives*”.

14. Division III of Chapter III is amended by replacing the portion before section 12 by the following:

“§2. *Modification of advance medical directives*”.

15. Division IV of Chapter III is amended by replacing the portion before section 13 by the following:

“§3. *Revocation of advance medical directives*”.

16. Section 13 is amended by replacing “advance medical directives register” in the third paragraph by “register”.

17. Division V of Chapter III is amended by replacing the portion before section 14 by the following:

“§4. *Withdrawal of advance medical directives*”.

18. Division VI of Chapter III is amended by replacing the portion before section 16 by the following:

“§5. *Consultation of the register and advance medical directives*”.

19. Section 16 is amended by striking out “advance medical directives”.

20. Section 17 is amended by replacing “advance medical directives register to verify the existence of such directives” in the portion before paragraph 1 by “register to verify the existence of advance medical directives”.

21. Section 18 is amended

(1) by replacing “advance medical directives register” in the first paragraph by “register”;

(2) by replacing “filed” in the second paragraph by “recorded”.

22. The following is added after section 18:

“DIVISION III

ADVANCE REQUESTS FOR MEDICAL AID IN DYING

§1. *Recording an advance request*

18.1. The competent professional who provided assistance to the patient who made an advance request or the notary who receives such a request by notarial act *en minute* must send the request to the Minister.

18.2. Upon receipt of an advance request, the Minister records it in the register after ascertaining the unique identification of the person who made it, in particular by means of the person’s

- (1) name;
- (2) date of birth;
- (3) sex; and
- (4) health insurance number.

Similarly, the Minister must ensure that

- (1) the request is legible;

(2) the person making the request was an insured person within the meaning of the Health Insurance Act (chapter A-29) on the date that the person signed the request; and

(3) the request is signed and dated by the competent professional, the person who made the advance request or, where applicable, by a third person referred to in the second paragraph of section 29.2 of the Act and, as the case may be, by 2 witnesses and by any trusted third person designated in the request.

18.3. The Minister will refuse to record an advance request in the register if the Minister is unable to ascertain one of the elements provided for in the second paragraph of section 18.2. In such a case, the Minister returns the advance request to the competent professional concerned specifying the reasons why the Minister refused to record it in the register.

§2. Modification of an advance request

18.4. Where an advance request is sent to the Minister and such a request has already been recorded in the register for the same person who is making the request, the Minister withdraws the previous request and replaces it by the most recent one.

§3. Withdrawal of an advance request

18.5. The competent professional who provided assistance to a patient who wants to withdraw an advance request must send the Minister the withdrawal form prescribed by the Minister pursuant to the first paragraph of section 29.11 of the Act.

Upon receipt of the withdrawal form, the Minister removes the advance request from the register.

18.6. Once the advance request is removed from the register, the Minister records the withdrawal form after ascertaining

(1) the unique identification of the person who made the advance request by means of the information provided for in the first paragraph of section 18.2;

(2) that the form is signed and dated by the competent professional and the person who made the advance request or, where applicable, by a third person referred to in the second paragraph of section 29.2 of the Act.

§4. Consultation of the register and an advance request

18.7. When an intervening party asks to access the register, a verification is made of the intervening party's title as a competent professional or other access authorizations, as applicable.

18.8. An intervening party who consults the register to verify the existence of an advance request must use the following information relating to the person who made the request:

- (1) name;
- (2) date of birth;
- (3) sex; and
- (4) health insurance number.

18.9. Where an advance request was recorded in the register, the intervening party consulting that request files it in the patient's record, unless the request is already in the record.

Where an advance request was removed from the register, the register indicates that an advance request was removed and the date of its removal.

Where no advance request was recorded in the register, the register indicates that no advance request exists.”

23. Section 19 is amended by striking out “advance medical directives”.

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

107072



Draft Regulation

Consumer Protection Act
(chapter P-40.1)

Regulation — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the application of the Consumer Protection Act, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation amends the Regulation respecting the application of the Consumer Protection Act (chapter P-40.1, r. 3) to determine the duties to be paid by a person applying for a road vehicle dealer's permit or by a person applying simultaneously for a road vehicle dealer's permit and a road vehicle recycler's permit. The draft Regulation also provides for consequential amendments with respect to the duties to be paid by a person applying for a road vehicle recycler's permit or the renewal of a road vehicle recycler's permit.

The draft Regulation will result in additional expenses of almost \$1M for Québec road vehicle dealers as a whole, most of whom are small or medium-sized businesses; this represents an average expense of \$166 per road vehicle dealer.

Further information on the draft Regulation may be obtained by contacting Valérie Roy, advocate, Direction des affaires juridiques, Office de la protection du consommateur, 400, boulevard Jean-Lesage, bureau 450, Québec (Québec) G1K 8W4; email: consultationOPC@opc.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Denis Marsolais, President, Office de la protection du consommateur, 400, boulevard Jean-Lesage, bureau 450, Québec (Québec) G1K 8W4; email: presidenceOPC@opc.gouv.qc.ca. The comments will be forwarded by the Office to the Minister of Justice.

SIMON JOLIN-BARRETTE
Minister of Justice

Regulation to amend the Regulation respecting the application of the Consumer Protection Act

Consumer Protection Act
(chapter P-40.1, s. 350, par. n).

1. The Regulation respecting the application of the Consumer Protection Act (chapter P-40.1, r. 3) is amended in section 108.1.1

(1) by replacing the first paragraph by the following:

“The duties to be paid by an applicant for a road vehicle dealer's permit per establishment used for the trade of road vehicles are based on the number of vehicles sold at that establishment during the calendar year preceding the application and are fixed as follows:

Number of vehicles sold per establishment	Duties
0 to 100 vehicles sold	\$900
More than 100 vehicles sold	\$1,300

Despite the first paragraph, the duties to be paid for an initial application are those for the 0 to 100 vehicles sold category.”;

(2) by replacing “second paragraph” in subparagraph *b* of the second paragraph by “third paragraph”;

(3) by replacing “second paragraph” wherever it appears in the fourth paragraph by “third paragraph”.

2. Section 108.1.2 is amended by replacing the first paragraph by the following:

“The duties to be paid by an applicant for a road vehicle recycler's permit per establishment used for the trade of disused road vehicles, vehicle carcasses or parts and the duties to be paid for the renewal of the road vehicle recycler's permit per establishment used for that purpose are fixed as follows:

Periods	Issue	Renewal
As of 1 July 2024	\$918	\$694”.

3. Section 108.1.3 is amended by replacing the first paragraph by the following:

“For simultaneous applications for a road vehicle dealer’s permit and a road vehicle recycler’s permit, the duties to be paid by the applicant per establishment used for the trade of road vehicles, disused road vehicles, vehicle carcasses or parts are based on the number of vehicles sold at that establishment during the calendar year preceding the application and are fixed as follows:

Number of vehicles sold per establishment	Duties
0 to 100 vehicles sold	\$1,350
More than 100 vehicles sold	\$1,925

Despite the first paragraph, the duties to be paid for an initial application are those for the 0 to 100 vehicles sold category.”.

4. Despite section 165.1 of the Regulation respecting the application of the Consumer Protection Act (chapter ‘P-40.1, r. 3), the duties fixed in the first paragraph of section 108.1.1 of that Regulation, as replaced by paragraph 1 of section 1 of this Regulation, are not indexed on 1 July 2025. The same applies to the duties fixed in the first paragraph of section 108.1.3 of that Regulation, as replaced by section 3 of this Regulation.

5. This Regulation comes into force on 1 April 2025.

107076



Draft Regulation

Act respecting industrial accidents and occupational diseases
(chapter A-3.001)

Occupational diseases — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting occupational diseases, appearing below, may be made by the Commission des normes, de l'équité, de la santé et de la sécurité du travail and submitted to the Government for approval, in accordance with the first paragraph of section 455 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), on the expiry of 45 days following this publication.

The draft Regulation adds diseases to the Regulation respecting occupational diseases (chapter A-3.001, r. 8.1) for the purposes of the presumption of an occupational disease provided for in section 29 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), along with the special conditions in relation to the diseases. More specifically, the draft Regulation adds the following oncological diseases to the Regulation: brain cancer, colorectal cancer, leukemia, esophageal cancer, breast cancer and testicular cancer. The draft Regulation also determines as special conditions in relation to the new oncological diseases, in particular, that the worker must be or have been a full-time or part-time operational firefighter, employed by a city or municipality.

The draft Regulation will result in implementation costs of \$7.5M for enterprises during the first three years following the addition of the oncological diseases to the Regulation respecting occupational diseases (chapter A-3.001, r. 8.1), followed by recurring annual costs of \$1.5M in the subsequent years. The occupational health and safety regime is financed by employers.

Further information on the draft Regulation may be obtained by contacting Mireille Huot, strategic advisor and executive assistant, Commission des normes, de l'équité, de la santé et de la sécurité du travail, 1600, avenue D'Estimauville, 6^e étage, Québec (Québec), G1J 0H7; email: DGIR-bureaudedirection@cnesst.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Claude Beauchamp, vice-president for compensation and work reintegration, Commission des normes, de

l'équité, de la santé et de la sécurité du travail, 1600, avenue d'Estimauville, 7^e étage, Québec (Québec) G1J 0H7; email: VPIRT-Bureau_VPIRT@cnesst.gouv.qc.ca.

MARIE-HÉLÈNE MARCHAND

Acting Secretary General, Commission des normes, de l'équité, de la santé et de la sécurité du travail

Regulation to amend the Regulation respecting occupational diseases

Act respecting industrial accidents and occupational diseases
(chapter A-3.001, s. 454.1, par. 1).

I. The Regulation respecting occupational diseases (chapter A-3.001, r. 8.1) is amended in Schedule A by adding the following diseases and special conditions at the end of Division VIII:

DIVISION VIII — ONCOLOGICAL DISEASES

DISEASE	SPECIAL CONDITIONS
Brain cancer	Having carried on any work involving exposure to gas and smoke from a fire during operations to control them or during the clearing or investigation after they have been suppressed, and being or having been a full-time or part-time operational firefighter, employed by a city or municipality. The diagnosis must have been made after an employment period of not less than 10 years.
Colorectal cancer	Having carried on any work involving exposure to gas and smoke from a fire during operations to control them or during the clearing or investigation after they have been suppressed, and being or having been a full-time or part-time operational firefighter, employed by a city or municipality. The diagnosis must have been made after an employment period of not less than 20 years.
Leukemia	Having carried on any work involving exposure to gas and smoke from a fire during operations to control them or during the clearing or investigation after they have been suppressed, and being or having been a full-time or part-time operational firefighter, employed by a city or municipality. The diagnosis must have been made after an employment period of not less than 5 years.

DISEASE	SPECIAL CONDITIONS
Esophageal cancer	<p>Having carried on any work involving exposure to gas and smoke from a fire during operations to control them or during the clearing or investigation after they have been suppressed, and being or having been a full-time or part-time operational firefighter, employed by a city or municipality.</p> <p>The diagnosis must have been made after an employment period of not less than 20 years.</p>
Breast cancer	<p>Having carried on any work involving exposure to gas and smoke from a fire during operations to control them or during the clearing or investigation after they have been suppressed, and being or having been a full-time or part-time operational firefighter, employed by a city or municipality.</p> <p>The diagnosis must have been made after an employment period of not less than 10 years.</p>
Testicular cancer	<p>Having carried on any work involving exposure to gas and smoke from a fire during operations to control them or during the clearing or investigation after they have been suppressed, and being or having been a full-time or part-time operational firefighter, employed by a city or municipality.</p> <p>The diagnosis must have been made after an employment period of not less than 10 years.</p>

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

107078



Draft Regulation

Professional Code
(chapter C-26)

Professional activities that may be engaged in by persons other than dental prosthesis and appliance technologists

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the professional activities that may be engaged in by persons other than dental prosthesis and appliance technologists, made by the board of directors of the Ordre des technologues en prothèses et appareils dentaires du Québec and appearing below, is published as a draft and may be examined by the Office des professions du Québec then submitted to the Government which may approve it, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation determines, among the professional activities that may be engaged in by dental prosthesis and appliance technologists, those that may be engaged in by persons other than dental prosthesis and appliance technologists.

The draft Regulation has no impact on the public or on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Annie Bilodeau, Director general and Secretary, Ordre professionnel des technologues en prothèses et appareils dentaires du Québec, 1200, avenue McGill College, bureau 1500, Montréal (Québec) H3B 4G7; telephone: 514 447-7593, extension 101; email: dg@otpadq.com.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Jean Gagnon, Acting secretary, Office des professions du Québec, 800, place D'Youville, 10^e étage, Québec (Québec) G1R 5Z3; email: secretariat@opq.gouv.qc.ca. The comments may be forwarded by the Office to the Minister Responsible for Government Administration and Chair of the Conseil du trésor, and may also be sent to the Ordre professionnel des technologues en prothèses et appareils dentaires du Québec and to interested persons, departments and bodies.

JEAN GAGNON
Acting secretary,
Office des professions du Québec

Regulation respecting the professional activities that may be engaged in by persons other than dental prosthesis and appliance technologists

Professional Code
(chapter C-26, s. 94, 1st par., subpar. h).

1. The purpose of this Regulation is to determine, among the professional activities that may be engaged in by dental prosthesis and appliance technologists, those that, in accordance with the terms and conditions it determines, may be engaged in by

(1) a person registered in a program of studies leading to a diploma giving access to the permit issued by the Ordre des technologues en prothèses et appareils dentaires du Québec; or

(2) a person taking training or serving a training period to obtain equivalence recognition in accordance with the Règlement sur les normes d'équivalence de diplôme et de la formation aux fins de la délivrance d'un permis de l'Ordre des technologues en prothèses et appareils dentaires du Québec (chapter C-26, r. 231.01).

2. A person referred to in section 1 may engage in the professional activities that may be engaged in by dental prosthesis and appliance technologists.

3. A person who engages in professional activities under this Regulation must

(1) be duly listed in the register kept for that purpose by the Order;

(2) engage in those activities under the supervision of a professional authorized to engage in them who

(a) is present on the premises where those activities are exercised so as to be available to intervene on short notice; and

(b) has not been the subject, in the 5 years preceding the supervision,

i. of a decision of the disciplinary council of an order or of the Professions Tribunal imposing a penalty; or

ii. of a decision of the board of directors of an order imposing a refresher training period or course, a restriction or suspension of the right to engage in professional activities, the striking off the roll or the revocation of the person's permit; and

(3) engage in those activities in compliance with the regulatory standards applicable to dental prosthesis and appliance technologists, including those relating to ethics and the keeping of records, and in compliance with the professional standards of the profession of dental prosthesis and appliance technologist.

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

107079



Gouvernement du Québec

T.B. 231346, 15 October 2024

Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2)

Regulation
— **Amendment**

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

WHEREAS, under subparagraph 2 of the first paragraph of section 130 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2), the Government may, by regulation, determine the bonuses, allowances, compensations or other additional remuneration which are included in the basic salary defined in section 9 of the Act;

WHEREAS the Government made the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2, r. 1) by Order in Council 1842-88 dated 14 December 1988;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under the first paragraph of section 130 of the Act, the Government exercises the regulatory powers provided for therein after Retraite Québec has consulted the pension committee referred to in section 139.3 of the Act;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS those consultations have taken place;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
LOUIS TREMBLAY

Regulation to amend the Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services

Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2, s. 130, 1st par., subpar. 2).

1. The Regulation under the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2, r. 1) is amended in section 2 by replacing “under the job title “2697 Sociothérapeute” at the Institut Philippe-Pinel de Montréal” in paragraph 3.1 by “, for a Santé Québec employee working within the Institut national de psychiatrie légale Philippe-Pinel, under the job title “2697 Sociothérapeute””.

2. This Regulation comes into force on 1 December 2024.

107069



Gouvernement du Québec

T.B. 231347, 15 October 2024

Act respecting the Pension Plan of Peace Officers in Correctional Services
(chapter R-9.2)

Designation of classes of employees and the determination of special provisions applicable to employees of the Institut Philippe-Pinel
— Amendment

Regulation to amend the Regulation respecting the designation of classes of employees and the determination of special provisions applicable to employees of the Institut Philippe-Pinel

WHEREAS, under paragraph 4 of section 1 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2), the Pension Plan of Peace Officers in Correctional Services applies, from 1 January 1992, to every person belonging to certain classes of employees of the Institut Philippe Pinel, as determined by regulation, subject to paragraph 5 of section 3 of the Act;

WHEREAS, under subparagraph 0.1 of the first paragraph of section 130 of the Act, the Government may, by regulation, determine, for the purposes of paragraph 4 of section 1 of the Act, the classes of employees of the Institut Pinel who are members of this plan and the special provisions applicable to them;

WHEREAS the Conseil du trésor made the Regulation respecting the designation of classes of employees and the determination of special provisions applicable to employees of the Institut Philippe-Pinel (chapter R-9.2, r. 2);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under the first paragraph of section 130 of the Act, the Government exercises the regulatory powers provided for therein after Retraite Québec has consulted the pension committee referred to in section 139.3 of the Act;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS the consultations have taken place;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation respecting the designation of classes of employees and the determination of special provisions applicable to employees of the Institut Philippe-Pinel, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
LOUIS TREMBLAY

Regulation to amend the Regulation respecting the designation of classes of employees and the determination of special provisions applicable to employees of the Institut Philippe-Pinel

Act respecting the Pension Plan of Peace Officers in Correctional Services
(chapter R-9.2, s. 1, par. 4, and s. 130, 1st par, subpar. 0.1).

1. The Regulation respecting the designation of classes of employees and the determination of special provisions applicable to employees of the Institut Philippe-Pinel (chapter R-9.2, r. 2) is amended in the title, section 1 and the first paragraph of section 4 by replacing “the Institut Philippe-Pinel” by “Santé Québec working within the Institut national de psychiatrie légale Philippe-Pinel”.

2. This Regulation comes into force on 1 December 2024.

107070



Gouvernement du Québec

T.B. 231348, 15 October 2024

Act respecting the Government and Public Employees Retirement Plan
(chapter R-10)

Regulation
— **Amendment**

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan

WHEREAS, under subparagraph 25 of the first paragraph of section 134 of the Act respecting the Government and Public Employees Retirement Plan (chapter R 10), the Government may, by regulation, determine the conditions which permit a body, according to the category determined by regulation, to be designated by order in Schedule I or II.1 to the Act;

WHEREAS the Government made the Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2) by Order in Council 1845-88 dated 14 December 1988;

WHEREAS it is expedient to amend the Regulation;

WHEREAS, under the first paragraph of section 134 of the Act, the Government exercises the regulatory powers provided for therein after Retraite Québec has consulted the pension committee referred to in section 163 of the Act;

WHEREAS, under section 40 of the Public Administration Act (chapter A-6.01), the Conseil du trésor exercises, after consulting the Minister of Finance, the powers conferred on the Government by an Act that establishes a pension plan applicable to personnel of the public and parapublic sectors, except certain powers;

WHEREAS those consultations have taken place;

THE CONSEIL DU TRÉSOR DECIDES:

THAT the Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan, attached to this Decision, is hereby made.

Le greffier du Conseil du trésor,
LOUIS TREMBLAY

Regulation to amend the Regulation under the Act respecting the Government and Public Employees Retirement Plan

Act respecting the Government and Public Employees Retirement Plan
(chapter R-10, s. 134, 1st par., subpar. 25).

1. The Regulation under the Act respecting the Government and Public Employees Retirement Plan (chapter R-10, r. 2) is amended in section 51 by replacing subparagraph *c* of subparagraph 1 of the first paragraph by the following:

“(c) subparagraph 3 or subparagraph 5 of the fourth paragraph of section 1 of that Act;”.

2. This Regulation comes into force on 1 December 2024.

107071

