

Bill 51

**An Act mainly to make the
administration of justice more efficient
and fines for minors more deterrent**

Section 39.1

AMENDMENT:

Insert after section 39:

39.1. Three years after the coming into force of section 27, the Fonds d'aide aux recours collectifs must report to the Minister of Justice on the carrying out of section 43 of the Act respecting the class action (chapter R-2.1) and the advisability of amending it.

The report is tabled by the Minister in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days after resumption. The competent committee of the National Assembly examines the report in the year after its tabling.

Adopté ae

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Section 29

AMENDMENT:

Replace “may be held” by “may occasionally be held”.

Adopted

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Section 6

AMENDMENT:

Replace "telewarrant" by "applied for a telewarrant".

Adopted

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Section 20

AMENDMENT:

Replace "or removed from office" by ", removed from office or suspended".

Adopted

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Section 20.1

AMENDMENT:

Insert after section 20:

20.1. The Code is amended by inserting the following section after section 139:

“**139.1.**The disciplinary council chair or, if the latter has not yet been designated, the senior chair may adjourn a hearing if the circumstances so warrant, on the conditions the chair determines.”

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Section 22

AMENDMENT:

Replace by:

22. Section 167 of the Act respecting administrative justice (chapter J-3), amended by section 169 of chapter 15 of the statutes of 2015, is again amended by inserting the following paragraphs after paragraph 8:

“(8.1) the senior chair of the Bureau des présidents des conseils de discipline;

“(8.2) a disciplinary council chair other than the deputy senior chair of the Bureau des présidents des conseils de discipline, chosen after consultation with all the chairs appointed to the Bureau; and”.

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Section 23

AMENDMENT:

Replace by:

23. Section 168 of the Act, amended by section 170 of chapter 15 of the statutes of 2015, is again amended by replacing “paragraphs 2, 4, 8 and 9” and “paragraphs 1 to 8” in the first paragraph by “paragraphs 2, 4, 8, 8.2 and 9” and “paragraphs 1 to 8.2”, respectively.

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Section 23.2

AMENDMENT:

Insert after section 23.1:

23.2. Section 184.2 of the Act, amended by section 171 of chapter 15 of the statutes of 2015, is again amended

- (1) by replacing “five” in the first paragraph by “seven”;
- (2) by replacing “Two” in the second paragraph by “Three”;
- (3) by replacing “three” in the third paragraph by “five”.

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Section 23.3

AMENDMENT:

Insert after section 23.2:

23.3. Section 186 of the Act is amended by adding the following paragraph after the third paragraph:

“If the complaint is lodged against a president or chair or a vice-president or vice-chair of a body of the Administration whose president or chair is a member of the council, the third member of the inquiry committee shall be chosen from among the council members or from a list of names drawn up by the presidents and chairs of those bodies. The third member must not be a member of the body whose president or chair or vice-president or vice-chair is the subject of the complaint.”

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Section 23.1

AMENDMENT:

Insert after section 23:

23.1. Section 184 of the Act is amended by adding the following paragraph after the first paragraph:

“If the complaint is lodged against a president or chair who is a member of the council, that president or chair cannot take part in the council’s sittings as long as a final decision has not been rendered on the complaint, and must be replaced in the meantime by the vice-president or vice-chair of the body of which the president or chair concerned is a member.”

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Section 38.1

AMENDMENT:

Insert after section 38:

REGULATION RESPECTING TOLL ROAD INFRASTRUCTURES
OPERATED UNDER A PUBLIC-PRIVATE PARTNERSHIP AGREEMENT

38.1. Section 35 of the Regulation respecting toll road infrastructures operated under a public-private partnership agreement (chapter P-9.001, r. 3) is amended

(1) by replacing “An employee of the partner designated” in the first paragraph by “A person designated”;

(2) by replacing “majeur” in paragraph 1 of the French text by “majeure”;

(3) by replacing paragraph 2 by the following paragraph:

“(2) not have, in the last 5 years, been found guilty of or pleaded guilty to a criminal offence related to the activities he or she will have the authority to perform under that designation, unless he or she has obtained a pardon;”.

*Adopté
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Section 18

AMENDMENT:

Replace "\$1,000" by "\$750".

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Section 0.1

AMENDMENT:

Insert after introductory clause:

CODE OF CIVIL PROCEDURE

0.1. Article 339 of the Code of Civil Procedure (chapter C-25.01) is amended by adding the following paragraphs at the end:

“A party to a proceeding may, given their financial situation, apply to be exempted from paying the costs prescribed for each hearing day required to try the merits of a case. Such an exemption is exceptionally granted by the court, in whole or in part, taking into account any appropriate factor, including such factors as may be specified by government regulation, if it is shown to the court that paying those costs would result, for that party, in difficulties so excessive that the party would not be able to effectively conduct its case.

An application for such an exemption may be made at any time during the proceeding. It suspends the obligation to pay the costs concerned until the court rules on the application. The decision of the court cannot be appealed. The court may, however, even on its own initiative, revoke an exemption it has granted or review its decision to refuse an exemption if a significant change in the party’s financial situation justifies doing so.

The court may not, however, grant such an exemption if it is related to a judicial application or pleading by the party that is clearly unfounded, frivolous or intended to delay or is otherwise abusive.”

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Section 40

AMENDMENT:

1. Replace "1 to 3" in paragraph 1 by "0.1 to 3".
2. Replace "22 and 23," in paragraph 1 by "22, 23 and 23.2,".

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