



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 596

**An Act to amend the Civil Code to make
judicial remedies for victims of sexual
aggression imprescriptible**

Introduction

**Introduced by
Mr. Simon Jolin-Barrette
Member for Borduas**

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EXPLANATORY NOTES

The purpose of this bill is to provide that an action for damages for injury resulting from a sexual aggression cannot be prescribed or extinguished by the lapse of time.

Under the transitional provisions included in the bill, no prescriptive period applies even when the events occurred before the coming into force of this Act.

LEGISLATION AMENDED BY THIS BILL:

- Civil Code of Québec.

Bill 596

AN ACT TO AMEND THE CIVIL CODE TO MAKE JUDICIAL REMEDIES FOR VICTIMS OF SEXUAL AGGRESSION IMPRESCRIPTIBLE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Article 2926.1 of the Civil Code of Québec is replaced by the following article:

“2926.1. An action for damages for injury resulting from a sexual aggression cannot be prescribed.

Any other action for damages for bodily injury resulting from an act which could constitute a criminal offence is prescribed by 10 years from the date the victim becomes aware that the injury suffered is attributable to that act. However, the prescriptive period is 30 years if the injury results from violent behaviour suffered during childhood or the violent behaviour of a spouse or former spouse.

Despite the first and second paragraphs, if the victim or the author of the act dies, the prescriptive period, if not already expired, is reduced to three years and runs from the date of death.”

2. The first paragraph of article 2926.1 of the Civil Code of Québec, as enacted by section 1 of this Act, is declaratory.

3. This Act comes into force on (*insert the date of assent to this Act*).

