



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 1096

**An Act to promote participatory justice
by facilitating use of a dispute
prevention and resolution process**

Introduction

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

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EXPLANATORY NOTES

The purpose of this bill is to promote participatory justice by facilitating use of a dispute prevention and resolution process. To that end, the bill provides that a person can make an apology in connection with an event secure in the knowledge that the apology does not constitute an admission of fault or liability and is not admissible in court as evidence of either. In addition, the bill stipulates that an apology does not void or reduce the insurance coverage to which an insured is entitled.

Bill 1096

AN ACT TO PROMOTE PARTICIPATORY JUSTICE BY FACILITATING USE OF A DISPUTE PREVENTION AND RESOLUTION PROCESS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The purpose of this Act is to promote participatory justice by facilitating use of a dispute prevention and resolution process to make the Québec justice system more effective.

To that end, the Act provides that a natural or legal person can make an apology in connection with an event secure in the knowledge that the apology does not constitute evidence by which fault or liability can be proved.

For the purposes of this Act, “apology” means an expression of regret or sympathy, a statement that one is sorry or any other words or acts indicating contrition or commiseration, whether or not the words or acts constitute an express or implied admission of fault or liability in connection with an event.

2. Despite any contrary provision, an apology made under this Act does not constitute an express or implied admission of fault or liability and is not admissible in a court as evidence of a person’s fault or liability.

In this Act, “court” means a civil court or administrative tribunal, an arbitrator or any other person or body exercising judicial or quasi-judicial functions.

3. Despite any contrary provision in an insurance contract and despite any other enactment, an apology does not void or reduce the insurance coverage to which an insured is entitled.

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

