

AM 1
s. 1

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 1

AMENDMENT:

Replace “facilitating their access” by “entitling them”

Adopté sn

AM 2
s. 2

Bill 84

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Section 2

AMENDMENT:

Insert "physical or mental" before "integrity"

Adopte S91

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Section 2

AMENDMENT:

Insert "against them or another person" after "criminal offence"

Adopté SM

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Section 10

AMENDMENT:

Replace the second paragraph by:

A witness referred to in subparagraph 7 of the first paragraph includes

(1) any person referred to in any of subparagraphs 2 to 6 of that paragraph who is a witness to the physical place where the criminal offence was committed against the person mentioned in those subparagraphs who is deceased or suffers the interference while the latter person and a police officer, peace officer, firefighter, pre-hospital emergency service ambulance technician or any other first responder are still at that place;

(2) any witness who is not at the scene when the offence is committed but who is nonetheless a witness due to being in communication with the person who is a victim referred to in subparagraph 1 of the first paragraph or with the perpetrator of the offence, provided the communication

(a) is made using a technological means;

(b) involves an active exchange between the witness and the person who is a victim or the perpetrator of the offence;

(c) is made without any interruptions other than the intervals required to prepare and send or receive the next element of the exchange; and

(d) allows the witness to observe the offence, at the time of its commission, either visually, auditorily or through reading.

The intact scene corresponds to the physical place where a criminal offence was committed, as it is before a first responder mentioned in subparagraph 1 of the second paragraph arrives at that place.

Adopted

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Section 11

AMENDMENT:

Add the following paragraph at the end:

For the purposes of the provisions of this Act that apply to the persons referred to in this section, whenever one of those provisions deals with the commission of a criminal offence, the intervention described in subparagraph 1 or 2 of the first paragraph is deemed to be that commission.

Adopté SM

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Section 13

AMENDMENT:

Strike out the following in the first paragraph:

“**intact scene**” means the physical place where a criminal offence was committed, as it is before a police officer, peace officer, firefighter, pre-hospital emergency service ambulance technician or any other first responder arrives at that place;

Adopte S71

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Section 13

AMENDMENT:

Strike out “, unless otherwise indicated,” in the definition of “criminal offence” in the first paragraph.

Adopté SM

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Section 14

AMENDMENT:

Add the following paragraph at the end:

Subject to section 66, a person has the right to consult any health professional, provided the person's choice complies with the regulatory provisions.

Adopte ST

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Section 17

AMENDMENT:

Replace “no person receives the same type of assistance for more than one category at a time” by “it is payable with regard to only one category and the person who is a victim is entitled to the most advantageous assistance”.

Adopté SD

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Section 20

AMENDMENT:

1. Replace “if it is shown, among other things, that it was impossible for the person to act” in the second paragraph by “if the person demonstrates reasonable cause to explain the delay”.
2. Replace “a sexual aggression” in the third paragraph by “sexual violence”.

Adoption

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Section 20

AMENDMENT:

Strike out the sixth paragraph.

Adopte sn

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Section 16

AMENDMENT:

Replace by:

16. No person who is a victim is entitled to financial assistance under this Title if they were a party to the commission of the criminal offence of which they are a victim or of which a person referred to in subparagraph 1 of the first paragraph of section 10 is a victim, or if they contributed, by committing a gross fault, to the interference with their integrity or to the death or interference with the integrity of that person, except

(1) if the person who is a victim was a party to the commission of the offence or contributed, by committing a gross fault, to the interference with their integrity or to the death or interference with the integrity of another person because the person who is a victim was experiencing violence or a threat of violence; or

(2) in the case of a child under 12 years of age, an incapable child or an incapable dependant of a person who is a victim who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the latter.

The spouse or close relation of a person who is a victim or the parent of a person of full age who is a victim is not entitled to any financial assistance provided for in this Title if the person who is a victim who is deceased or suffers interference with their integrity due to the commission of a criminal offence was a party to the commission of that offence or contributed, by committing a gross fault, to the interference with their integrity or to their death. However, such a spouse, close relation or parent remains eligible for financial assistance if they were experiencing violence or a threat of violence.

This section does not apply to a person who files an application due to the spousal violence or sexual violence of which they are a victim.

Adopté SN

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Section 22

AMENDMENT:

Replace by:

22. The qualification of a person who is a victim allows them to be granted any financial assistance for which they are eligible under this Title on meeting the prescribed conditions.

Adopté S91

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Section 27

AMENDMENT:

1. Replace “civil proceedings” in the first paragraph by “a judicial application”.
2. Replace “the civil proceedings or to the right to such proceedings” in the second paragraph by “a judicial application or to the right to such an application”.

Adopté SM

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Section 27

AMENDMENT:

Add the following paragraph at the end:

Before exercising the recourse as subrogee provided for by this section to recover an amount the Minister paid to a person referred to in subparagraph 10 of the first paragraph of section 10 who was a victim of spousal violence or sexual violence, the Minister must obtain the consent of the person who is a victim, unless the person is deceased.

Adopté SM

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Section 28

AMENDMENT:

1. Replace “civil action” in the first paragraph by “judicial application”.
2. Replace “a sexual aggression” in the third paragraph by “sexual violence”.
3. Replace “civil action” in the fifth paragraph by “judicial application”.

Adopté 591

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Section 28

AMENDMENT:

Replace “becomes” in the last paragraph by “may become”.

Adopte SM

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Section 29

AMENDMENT:

1. Replace “child or the child’s tutor or curator” in the first paragraph by “child or the child’s tutor”.

2. Replace the second paragraph by:

If the parent, person having parental authority or tutor is the perpetrator of the criminal offence that led to the entitlement to the financial assistance, that assistance is paid solely to the other parent, to another person having parental authority or to another tutor or, if there is no such other person, to another person of full age designated by the Minister. The designated person has, with respect to the administration of the financial assistance, the powers and duties of a tutor.

3. Replace “person’s tutor or curator” in the third paragraph by “person’s tutor, curator or mandatary”.

Adopté S91

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Section 33

AMENDMENT:

Replace “that are temporary” in the second paragraph by “that were temporary”.

Adopté 57

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Section 34

AMENDMENT:

Replace "lump sum indemnity" in the second paragraph by "lump sum".

Adopte SM

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Section 36

AMENDMENT:

1. Replace the introductory clause of the first paragraph by:
36. The following qualified persons who are victims are, in accordance with a government regulation, eligible for payment of financial assistance compensating a loss of income or financial assistance compensating certain disabilities:
2. Insert “or financial assistance compensating certain disabilities” at the end of the second paragraph.

Adopté SM

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Section 33

AMENDMENT:

Insert the following paragraph after the first paragraph:

In the case of a lump sum for the sequelae of injuries, the lump sum is established and paid for each sequela after the health assessment has confirmed that improvement of the sequela is impossible.

Adopté 501

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Section 37.1

AMENDMENT:

Insert after section 37:

37.1. A person who is a victim mentioned in section 36 is eligible for financial assistance compensating certain disabilities if

(1) at the time of the health assessment mentioned in subparagraph 2, they were in none of the situations referred to in subparagraphs *a* to *c* of paragraph 1 of section 37;

(2) a health assessment confirms that, due to the commission of the criminal offence of which they are a victim, they are unable to perform the majority of their usual activities as described in a government regulation and they meet the other conditions prescribed in that regulation; and

(3) the application for financial assistance compensating certain disabilities is filed within 12 months after the health assessment.

Adopté s/n

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Section 38

AMENDMENT:

1. Replace the first paragraph by:

38. Financial assistance compensating a loss of income is established considering, as applicable, according to the most advantageous situation and subject to the conditions prescribed by a government regulation,

(1) the net annual income the person who is a victim earned, at the time of the health assessment, from their employment, work or occupation;

(2) the net income the person obtained during the 12 months preceding the health assessment; or

(3) the net annual income the person would earn from their employment if, at the time of the health assessment, they had held the employment for which they have an employment relationship with an employer and for which the first day of employment or day of return to work was foreseeable;

(4) the income determined by a government regulation.

2. Replace “the first” in the second paragraph by “any of subparagraphs 1 to 3 of the first”.

3. Replace “3” in the fifth paragraph by “2”.

Adopté sn

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Section 38

AMENDMENT:

Insert “, as chosen by the person, made immediately or” after “a loss of income is”
in the last paragraph.

Adopted

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Section 38.1

AMENDMENT:

Insert after section 38:

38.1. Financial assistance compensating certain disabilities is established considering the income determined by a government regulation.

Adopté SM

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Section 39

AMENDMENT:

Insert “, under any of subparagraphs 1 to 3 of the first paragraph of section 38,”
after “establishing the financial assistance” in the first paragraph.

Adopté sn

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Section 40

AMENDMENT:

1. Replace “net income of the person who is a victim, as” in the first paragraph by “income”.
2. Replace “exceeds \$78,500, the financial assistance is equivalent to 90% of the net income established on the basis of that gross income” in the second paragraph by “, used to calculate the net income provided for in any of subparagraphs 1 to 3 of the first paragraph of section 38, exceeds the amount determined by a government regulation, the financial assistance is equivalent to 90% of the net income established on the basis of that amount”.
2. Replace the third, fourth, fifth and sixth paragraphs by the following paragraph:

The Government determines, by regulation, the amount provided for in the second paragraph and it may prescribe by regulation the method for indexing the amount it determines.

Adopted

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Section 40.1

AMENDMENT:

Insert after section 40:

40.1. Financial assistance compensating certain disabilities is annual and is equivalent to 90% of the income determined in accordance with section 38.1.

Adopté ST

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Section 41

AMENDMENT:

1. Insert after the first paragraph:

Financial assistance compensating certain disabilities is paid once every two weeks from the date of the health assessment. However, if a person continued, despite that assessment, to perform the majority of their usual activities referred to in paragraph 2 of section 37.1, the financial assistance is paid from the time they actually ceased to perform those activities.

2. Replace “the first paragraph” and “by section 40; consequently, the third, fourth, fifth and sixth paragraphs of that section apply to the indexation” in the second paragraph by “this section” and “by a government regulation”, respectively.

Adopté SN

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Section 29.1

AMENDMENT:

Insert after section 29:

29.1. The financial assistance paid under this Title or under Title IV is unassignable and unseizable.

However, financial assistance compensating a loss of income or financial assistance compensating certain disabilities paid to a person who is a victim is deemed to be their salary and is seizable as a support debt in accordance with articles 694 and following of the Code of Civil Procedure (chapter C-25.01), with the necessary modifications.

Adopté 571

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Section 42

AMENDMENT:

1. Insert “or financial assistance compensating certain disabilities” after “Financial assistance compensating a loss of income” in the first and second paragraphs.
2. Replace “a sexual aggression” in subparagraph 2 of the third paragraph by “sexual violence”.
3. Insert “or for financial assistance compensating certain disabilities” after “financial assistance compensating a loss of income” in the fourth paragraph.

Adopté SM

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Section 43

AMENDMENT:

Replace what precedes paragraph 2 by:

43. Despite section 42, a person who is a victim ceases to be entitled to financial assistance compensating a loss of income or to financial assistance compensating certain disabilities or incurs a suspension of that assistance

(1) if they are in either of the following situations:

(a) they become able to hold an employment, perform work or assume the functions of an occupation from which they derive at least the same income that they derived from their employment, work or occupation before the health assessment referred to in paragraph 2 of section 37, subject to cases where they may continue to benefit from that financial assistance within the context of their vocational rehabilitation; or

(b) they are in none of the situations referred to in subparagraphs *a* to *c* of paragraph 1 of section 37 and become once again able to perform the majority of their usual activities;

Adopté SR

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Section 44

AMENDMENT:

Add the following paragraph:

If a person who is a victim begins or resumes holding employment, performing work or assuming the functions of an occupation from which they derive a lower income than they derived from their employment, work or occupation before the health assessment referred to in paragraph 2 of section 37, the financial assistance compensating a loss of income may continue to be paid to the person as prescribed by a government regulation.

Adepte SM

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Heading of Chapter III of Title III

AMENDMENT:

Add “OR FINANCIAL ASSISTANCE COMPENSATING CERTAIN
DISABILITIES” at the end of the heading of Chapter III of Title III.

Adopté SM

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Heading of Division II of Chapter III of Title III

AMENDMENT:

Add "OR OF FINANCIAL ASSISTANCE COMPENSATING CERTAIN
DISABILITIES" at the end of the heading of Division II of Chapter III of Title III.

Adopté SM

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Section 51

AMENDMENT:

Strike out “vocational training” in subparagraph 2 of the second paragraph.

Adopté SM

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Section 53

AMENDMENT:

Insert “and the resiliation of a residential lease under article 1974.1 of the Civil Code” at the end of subparagraph 1 of the second paragraph.

Adepté SM

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Section 55

AMENDMENT:

Insert “, except the health insurance plan and the basic prescription drug insurance plan” after “public plan” in the introductory clause of the first paragraph.

Adopté SR

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Section 56

AMENDMENT:

1. Replace the first paragraph by:

A person who provides for the support needs of a child whose conception results from a sexual aggression is eligible for payment of financial assistance.

2. Strike out the second paragraph.

Adopté sn

Bill 84

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Heading of Chapter IX of Title III

AMENDMENT:

Replace “SUPPORT FOR” in the heading of Chapter IX of Title III by “THE NEEDS OF”.

Adopted on

Bill 84

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Section 58

AMENDMENT:

Insert “, even if they suffer no interference with their integrity” at the end of subparagraph 1 of the first paragraph.

Adopte sn

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Section 59

AMENDMENT:

Replace by:

59. If the circumstances surrounding the commission of a criminal offence give rise to the application of both the Automobile Insurance Act (chapter A-25) and this Act, the person must choose the application of the whole of either one plan or the other. That choice must be made in accordance with a government regulation.

If the circumstances surrounding the commission of a criminal offence give rise to the application of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the person who is a victim must file an application for compensation under that Act.

If a person is declared eligible for an indemnity, benefit or other pecuniary advantage under the Automobile Insurance Act or the Act respecting industrial accidents and occupational diseases, that eligibility makes them ineligible for any financial assistance under this Title.

If financial assistance is granted under the Individual and Family Assistance Act (chapter A-13.1.1), it is not considered assistance paid under another public plan for the purposes of this section and sections 46, 49, 51, 53 and 55. In addition, at the request of the Minister of Labour, Employment and Social Solidarity, any amount repayable under section 90 of the Individual and Family Assistance Act is deducted from the financial assistance paid under this Title and remitted to that minister.

If the circumstances surrounding the commission of a criminal offence give rise to the application of the Act respecting the conservation and development of wildlife (chapter C-61.1) and a person who is a victim receives an indemnity under section 79 of that Act, that indemnity is deducted from the financial assistance paid to that person under this Title.

If a person who is a victim is already receiving financial assistance or an indemnity, benefit or other pecuniary advantage under this Title or under any of the compensation plans provided for in the Automobile Insurance Act or the Act respecting industrial accidents and occupational diseases and is eligible, with regard to other circumstances, for financial assistance or an indemnity, benefit or other pecuniary advantage under another of those plans, the decision under those plans must be rendered jointly and must distinguish between the financial assistance, indemnity, benefit or other pecuniary advantage payable under each of the Acts concerned by those plans.

Adopté SR

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Section 60

AMENDMENT:

Insert “the sixth paragraph of” after “under” in the first paragraph.

Adopté SN

Bill 84

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Section 63

AMENDMENT:

In the first paragraph:

1. Insert “or have any other status determined by a government regulation” after “(Statutes of Canada, 2001, chapter 27)” in subparagraph 1.
2. Replace “have been domiciled in Québec for at least six consecutive months” in subparagraph 2 by “be domiciled in Québec”.
3. Insert “, subject to the exceptions that may be provided for by a government regulation” at the end of subparagraph 3.
4. Strike out subparagraph 5.

Adopté 57

Bill 84

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Section 66

AMENDMENT:

Insert "after consulting with the person" at the end.

Adopté 5/1

Bill 84

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Section 70

AMENDMENT:

Insert “promptly and” after “rendered” in the first paragraph.

Adopted 5/11

Bill 84

**An Act to assist persons who are victims
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Section 70

AMENDMENT:

Add the following paragraph at the end:

The Minister must also assist an applicant who requests help in understanding the decision.

Adopte sn

Bill 84

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their recovery**

Section 71

AMENDMENT:

Insert "or after" before "a qualification application" in the first paragraph.

Adopted on

Bill 84

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their recovery**

Section 73

AMENDMENT:

Strike out subparagraph 3 of the first paragraph.

Adopté *SR*

Bill 84

**An Act to assist persons who are victims
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Section 73.1

AMENDMENT:

Insert after section 73:

73.1. At any time, the Minister may render a new decision if there is a change in circumstances that affects the qualification of a person, the person's entitlement to financial assistance or the establishment of the financial assistance.

Adopté SN

Bill 84

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Section 75

AMENDMENT:

Replace “60” in the first paragraph by “90”.

Adopted

Bill 84

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Section 77

AMENDMENT:

Replace “serious and valid reasons” by “reasonable cause”.

Adopté SN

Bill 84

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Section 79

AMENDMENT:

Add the following sentence at the end: "The designated person who renders the decision must assist an applicant who requests help in understanding the decision."

Adopté SM

Bill 84

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Section 80.1

AMENDMENT:

Insert after section 80:

80.1. If, following an application for review or a contestation before the Administrative Tribunal of Québec, the Minister or the Tribunal recognizes the entitlement of a person who is a victim to financial assistance that was initially refused, or increases the amount of assistance, the Minister or the tribunal orders, in all cases, that interest be paid to the person.

The interest is calculated from the date of the decision refusing the financial assistance or refusing to increase the amount of assistance, as applicable.

The Government may prescribe, by regulation, other cases giving rise to the payment of interest by the Minister.

The applicable interest rate is the rate determined under the second paragraph of section 28 of the Tax Administration Act (chapter A-6.002).

Adopté S77

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Section 81

AMENDMENT:

Replace “may establish” in the introductory clause by “establishes”.

Adopté S77

AM 57
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Section 82

AMENDMENT:

Withdraw.

Adopted 57

Bill 84

**An Act to assist persons who are victims
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Section 95

AMENDMENT:

Replace “financial assistance” in the first paragraph by “an application”.

Adopte SR

Bill 84

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Section 95

AMENDMENT:

Replace the third paragraph by:

Investigators must not disclose the information obtained during the investigation, except in the performance of their functions or with the authorization of the Minister or a court, or on the order of a coroner in the exercise of the coroner's functions.

Adopté SA

Bill 84

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Section 109

AMENDMENT:

Insert "or financial assistance compensating certain disabilities" after "financial assistance compensating a loss of income".

Adopted 5/11

Bill 84

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Section 111

AMENDMENT:

Insert “or financial assistance compensating certain disabilities” after “financial assistance compensating a loss of income” in paragraph 1.

Adapted

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Section 117

AMENDMENT:

Insert “or financial assistance compensating certain disabilities” after “financial assistance compensating a loss of income” in paragraph 1.

Adopté SN

Bill 84

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Section 120

AMENDMENT:

Insert “or financial assistance compensating certain disabilities” after “financial assistance compensating a loss of income” in the first paragraph of proposed section 83.67.1.

Adopté 5/11

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Section 121

AMENDMENT:

Withdraw.

Adopte 5/1

Bill 84

**An Act to assist persons who are victims
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Section 122

AMENDMENT:

Withdraw.

Adepté 591

Bill 84

**An Act to assist persons who are victims
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Section 122.1

AMENDMENT:

Insert after section 122:

122.1. Section 65 of the Act is amended by inserting “the Ministère de la Justice,” after “Faune,” in the seventh paragraph.

Adepté SM

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Section 127.1

AMENDMENT:

Insert after section 127:

127.1. Section 18 of the Act is replaced by the following section:

“**18.** An application validly made under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25) or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (*insert the year and chapter number of this Act*) and refused on the ground that it should have been made under this Act is nevertheless deemed to have been validly made under this Act.”

Adopté 577

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Section 128

AMENDMENT:

Replace by:

128. Sections 19 and 20 of the Act are repealed.

Adopté SN

Bill 84

**An Act to assist persons who are victims
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Section 128.1

AMENDMENT:

Insert after section 128:

128.1. Section 21 of the Act is amended

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

“No financial assistance shall be granted under this Act if the rescuer has suffered interference with his physical or mental integrity or died in circumstances that give rise to the application of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Act to assist persons who are victims of criminal offences and to facilitate their recovery (*insert the year and chapter number of this Act*) or an Act other than an Act of the Parliament of Québec.”;

(2) by replacing “or a dependent” in the second paragraph by “or any other person mentioned in section 2”.

Adopté sn

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Section 128.2

AMENDMENT:

Insert after section 128.1:

128.2. Section 21.1 of the Act is amended

(1) by replacing “an injury sustained by a rescuer or of a death occurring thereafter” in the first paragraph by “the interference with a rescuer’s integrity or of the death that results from it”;

(2) by replacing both occurrences of “compensation” in the first paragraph, and “benefit” in the second paragraph, by “financial assistance”.

Adopted

Bill 84

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Section 128.3

AMENDMENT:

Insert after section 128.2:

128.3. Section 22 of the Act is amended by replacing “a claimant” and “any indemnity” by “a rescuer or a person mentioned in section 2” and “any financial assistance”, respectively.

Adopté sn

Bill 84

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Section 128.4

AMENDMENT:

Insert after section 128.3:

128.4. Sections 23 to 26 of the Act are repealed.

Adopté 97

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 129

AMENDMENT:

1. Insert after proposed section 27.1:

“27.1.1. The Minister may, in accordance with the law, enter into an agreement relating to assistance for rescuers with a government in Canada or abroad, with a department or body of such a government or with an international organization or a body of such an organization.

2. Insert after proposed section 27.2:

“27.2.1. The Minister shall enter into an agreement with the Société de l’assurance automobile du Québec and the Commission des normes, de l’équité, de la santé et de la sécurité du travail to establish a procedure for processing financial assistance applications filed under this Act regarding which the circumstances involve situations or matters also covered by the Automobile Insurance Act or the Act respecting industrial accidents and occupational diseases.

Such an agreement must make it possible

(1) to distinguish between the types of impairment, injury and sequelae governed by any of those Acts;

(2) to determine entitlement to and the amount of the financial assistance, indemnities, benefits or other pecuniary advantages payable under each of the applicable Acts;

(3) to determine the financial assistance, indemnities, benefits or other pecuniary advantages to be paid by each of the authorities concerned and specify the cases, amounts and terms of repayment between the authorities; and

(4) to settle disputes regarding the application of the plans under those Acts that may arise between the Minister and the bodies mentioned in the first paragraph.

1/2

3. Replace proposed section 27.4 by:

“27.4. The Minister may investigate any matter relating to an application provided for by this Act and designate investigators for that purpose.

In exercising those powers, the Minister or any designated investigator has, for the purposes of the investigation, the powers and immunities of a commissioner appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

Investigators must not disclose the information obtained during the investigation, except in the performance of their functions or with the authorization of the Minister or a court, or on the order of a coroner in the exercise of the coroner's functions.

Adopté SN

AM 74
s. 130 (417)

Bill 84

**An Act to assist persons who are victims
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Section 130

AMENDMENT:

Withdraw.

Adopté SN

Bill 84

**An Act to assist persons who are victims
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their recovery**

Section 141

AMENDMENT:

Insert “or financial assistance compensating certain disabilities” after “financial assistance compensating a loss of income”.

Adopté SM

AM 76
s. 142 (21)

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 142

AMENDMENT:

Insert “, financial assistance compensating certain disabilities” after “financial assistance compensating a loss of income”.

Adopté SM

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 143

AMENDMENT:

Insert “, financial assistance compensating certain disabilities” after “financial assistance compensating a loss of income”.

Adopté 577

AM 78
s. 144 (60)

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 144

AMENDMENT:

Insert “, financial assistance compensating certain disabilities” after “financial assistance compensating a loss of income”.

Adopte SN

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 145

AMENDMENT:

Insert “, financial assistance compensating certain disabilities” after “financial assistance compensating a loss of income”.

Adopté sn

AM 80
s. 151 (30)

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 151

AMENDMENT:

Insert “or financial assistance compensating certain disabilities” after “financial assistance compensating a loss of income” in paragraph 1.

Adopté

AM 81
s. 163 (12.0.3)

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 163

AMENDMENT:

Insert “or compensating certain disabilities” after “financial assistance compensating a loss of income”.

Adopté SM

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 164

AMENDMENT:

Insert “or compensating certain disabilities” after “financial assistance compensating a loss of income”.

Adopté SM

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 166

AMENDMENT:

Replace paragraph 3 by :

(3) by replacing “victim” in the second paragraph of article 226 of the Code of Civil Procedure (chapter C-25.01) by “person who is a victim”, and by replacing “a victim assistance organization” and “victim” in the second paragraph of article 417 of that Code by “an assistance organization for persons who are victims that is” and “person who is a victim”, respectively.

Adopté S7

Bill 84

**An Act to assist persons who are victims
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their recovery**

Section 99.1

AMENDMENT:

Insert after section 99:

99.1. For the purpose of calculating a benefit granted under the provisions of the Individual and Family Assistance Act (chapter A-13.1.1), a lump sum paid under Chapter II of Title III of this Act is excluded in accordance with the provisions of the Individual and Family Assistance Act or the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1).

adopté SM

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 168

AMENDMENT:

Replace “an enforceable decision” in the introductory clause by “a decision that has not been the subject of an application for review or a contestation before the Administrative Tribunal of Québec or with regard to which the time limit to apply for a review or file a contestation is expired and that”.

Adopté SM

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 170

AMENDMENT:

Insert “or declared eligible as a close relation under section 5.1 of that Act” after “*this Act*),” in subparagraph 3 of the fourth paragraph.

Adopté SN

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 171

AMENDMENT:

In subparagraph 2 of the first paragraph:

1. Insert “the application was filed by a person who would have been eligible under subparagraph *a* of the first paragraph of section 3 of the Crime Victims Compensation Act, as it read on (*insert the date preceding the date of coming into force of this Act*), and,” at the beginning.
2. Replace “a sexual aggression” by “sexual violence”.

Adopte SN

Bill 84

**An Act to assist persons who are victims
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Section 172

AMENDMENT:

Replace “second and third” in the second paragraph by “second, third and fourth”.

Adopté SM

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 173

AMENDMENT:

Withdraw.

Adopte sn

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 175

AMENDMENT:

Replace “a sexual aggression” in subparagraph 1 of the first paragraph by “sexual violence”.

Adopté SN

Bill 84

**An Act to assist persons who are victims
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their recovery**

Section 178

AMENDMENT:

Replace “filed after (*insert the date of coming into force of this Act*) and” in the first paragraph by “filed with the Commission des normes, de l’équité, de la santé et de la sécurité du travail before (*insert the date of coming into force of this Act*) that has not been the subject of a decision on eligibility, as well as any application”.

Adopté 587

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 179

AMENDMENT:

Replace “second and third” in the second paragraph by “second, third and fourth”.

Adopté SN

AM 93
s. 180

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 180

AMENDMENT:

Withdraw.

Adopté SM

Bill 84

**An Act to assist persons who are victims
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their recovery**

Section 185.1

AMENDMENT:

Insert after section 185:

185.1. Any agreement entered into for the application, by the Commission des normes, de l'équité, de la santé et de la sécurité du travail, of the Act to promote good citizenship (chapter C-20) or the Crime Victims Compensation Act (chapter I-6), that is in force on the date preceding the date of coming into force of this Act, is maintained in force for the application of this Act or the Act to promote good citizenship, as applicable and with the necessary modifications, until resiliated or replaced by a new agreement. Such an agreement is deemed to be entered into under section 93 of this Act or section 27.2 of the Act to promote good citizenship, as applicable.

Unless the context indicates otherwise, a reference to the Commission des normes, de l'équité, de la santé et de la sécurité du travail in an agreement referred to in the first paragraph is replaced by a reference to the Minister of Justice and a reference to the Crime Victims Compensation Act is replaced by a reference to this Act, with the necessary modifications.

Adopté SM

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 4

AMENDMENT:

Add "of, among other things," at the end of the introductory clause.

Adopted 5/1

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 4

AMENDMENT:

Add “or by any other Act” at the end of paragraph 2.

Adopte SR

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 6

AMENDMENT:

In the first paragraph:

1. Add before subparagraph 1:

(0.1) to receive, in a prompt and fair manner, reparation for the interference suffered or financial assistance, if applicable;

2. Insert “or under any other provision of that Code that prescribes the consideration of a statement of the person who is the victim” at the end of subparagraph 10.

3. Insert after subparagraph 10:

(10.1) to have a court consider making a restitution order against the perpetrator of the criminal offence in accordance with section 737.1 of the Criminal Code;

Adopté S07

AM 98
s. 7

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 7

AMENDMENT:

Withdraw.

Adopte sn

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 8

AMENDMENT:

Add the following sentence at the end: "The Minister may also recognize other organizations having a similar mission."

Adopté 87

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 9

AMENDMENT:

1. Replace “furthers the development of assistance or support services for persons who are victims of criminal offences, in particular by ensuring that recognized assistance centres are established and maintained” in the first paragraph by “promotes the development and maintenance of services and programs offered to persons who are victims of criminal offences”.

2. Replace the second paragraph by:

The Minister may also grant a subsidy to any person or organization that meets the conditions prescribed by a government regulation and that promotes research on any matter pertaining to assistance or support for, or the exercise of the rights of, persons who are victims of criminal offences or that promotes support for such persons as well as the development and implementation of information, awareness and training programs.

Adopté SM

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 9.1

AMENDMENT:

Insert after section 9:

9.1. Any government department or any body that meets the conditions prescribed by a government regulation must adopt a statement that sets out each of the services it offers to persons who are victims or each of the activities that cause it to intervene with such persons. That statement must comply with the conditions prescribed by the regulation.

In addition, the government department or the body must establish a procedure for receiving and examining complaints filed by persons who are victims regarding the services it offers or the activities mentioned in the first paragraph, and include the procedure in its service statement. The procedure identifies a person responsible for receiving complaints.

The government department or the body makes the statement available at all times by publishing it on its website or, if it does not have a website, by providing a copy of the statement to any person who requests it. The government department or the body must inform any person who is a victim of the existence of the service statement and of the complaint processing procedure that it includes.

On the adoption of its statement, the government department or the body sends a copy of it to the office dedicated to assisting persons who are victims of criminal offences established under section 9.2.

Not later than the date set in a government regulation, the government department or the body sends the office the number of complaints received for the year preceding that date as well as the nature and outcome of the complaints. The sending must be done as prescribed by the regulation and provide the information required, including information making it possible to know the changes made by the government department or the body following a complaint.

1/2

The Minister may verify a government department's or a body's compliance with its obligations to adopt the service statement and establish the complaint processing procedure required under this section. The Minister may also designate a person in writing to conduct the verification.

The government department or the body being verified must, at the request of the Minister or the person designated to conduct the verification, send or otherwise make available to the Minister or the designated person all documents or information considered necessary for the purposes of the verification.

The Minister may, in writing, require the government department or the body to take corrective measures within the time the Minister specifies, conduct any appropriate follow-up or comply with other measures, including oversight or support measures.

Adopte SM

2/2

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 9.2

AMENDMENT:

Insert after section 9.1, introduced by amendment:

9.2. An office dedicated to assisting persons who are victims of criminal offences is established at the Ministère de la Justice. The office is composed of public servants designated by the Minister.

The mandate of the office is to promote the rights of persons who are victims of criminal offences as well as the assistance and support services offered to them under this Title and to see to the protection of the rights of such persons.

To carry out its mandate, the office may

- (1) promote the rights of persons who are victims of criminal offences;
- (2) facilitate the transmission of information to persons who are victims of criminal offences;
- (3) assist the government departments and the bodies referred to in section 9.1 in developing their service statement and complaint processing procedure;
- (4) see to it that those government departments and those bodies comply with their obligation to disseminate their service statement in accordance with the third paragraph of section 9.1;
- (5) assist persons who are victims of criminal offences during their complaint process with regard to those government departments and those bodies;
- (6) develop, implement, evaluate and review programs and services;
- (7) advise the Minister on any matter concerning assistance or support for persons who are victims of criminal offences;

1/2

(8) disseminate documentation and establish information, awareness and training programs or activities pertaining to the rights and needs of persons who are victims and the services available to them, as well as facilitate such dissemination and establishment by third parties;

(9) see to the coordination of programs and services and to concerted action between persons, government departments and bodies;

(10) facilitate the carrying out and dissemination of research, studies and analyses under a subsidy program to promote research, information, awareness and training pertaining to assistance for persons who are victims of criminal offences; and

(11) promote and coordinate the creation and development of assistance centres for persons who are victims of criminal offences, including by providing community groups or organizations with the technical and professional support required for their establishment and operation.

In addition, the office carries on any activity entrusted to it by the Minister with a view to facilitating the application of this Act.

Adopté SM

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 9.3

AMENDMENT:

Insert after section 9.2, introduced by amendment:

9.3. A fund dedicated to assistance for persons who are victims of criminal offences is established at the Ministère de la Justice to finance assistance and support programs and services under this Title for persons who are victims of criminal offences.

Adopté SR

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 9.4

AMENDMENT:

Insert after section 9.3, introduced by amendment:

9.4. The following sums are credited to the fund:

- (1) the sums transferred to it by the Minister out of the appropriations granted for that purpose by Parliament;
- (2) the victim surcharges collected under section 737 of the Criminal Code;
- (3) the sums collected under article 8.1 of the Code of Penal Procedure (chapter C-25.1), to the extent determined by the Code;
- (4) the gifts, legacies and other contributions paid into the fund to further the achievement of its objects;
- (5) the sums transferred to the fund by the Minister of Finance under section 54 of the Financial Administration Act (chapter A-6.001);
- (6) the sums transferred to the fund by the Minister of Finance under section 9.6;
- (7) the sums from the sharing of proceeds of crime or goods confiscated by the State following a civil forfeiture of property derived from unlawful activity under the Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activity (chapter C-52.2); and
- (8) the revenues generated by the sums credited to the fund, except the sums referred to in paragraphs 1 and 6.

Adopté sur

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 9.5

AMENDMENT:

Insert after section 9.4, introduced by amendment:

9.5. The following sums are debited from the fund:

- (1) the sums required for the financing of assistance and support programs and services under this Title for persons who are victims ;
- (2) the subsidies granted by the Minister under section 9; and
- (3) the payment of any expense necessary for the carrying out of a function entrusted to the office dedicated to assistance for persons who are victims of criminal offences.

Adopté SM

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 9.6

AMENDMENT:

Insert after section 9.5, introduced by amendment:

9.6. The Minister of Finance transfers to the fund, out of the sums credited to the general fund, at the intervals the Minister determines, the sums sufficient to make up the difference between the sums necessary for the administration of the provisions of this Title and the sums in the fund.

Adopté SM

AM 107
s. 100

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 100

AMENDMENT:

Withdraw.

Adopte 571

AM 108
s. 101

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 101

AMENDMENT:

Withdraw.

Adepta SM

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 102

AMENDMENT:

Withdraw.

Adopté son

AM 110
s. 103

Bill 84

**An Act to assist persons who are victims
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their recovery**

Section 103

AMENDMENT:

Withdraw.

Adopte S01

Bill 84

**An Act to assist persons who are victims
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their recovery**

Section 104

AMENDMENT:

Withdraw.

Adopte S11

Bill 84

**An Act to assist persons who are victims
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their recovery**

Section 184

AMENDMENT:

Replace “100” by “9.2”.

Adopté SM

Bill 84

**An Act to assist persons who are victims
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their recovery**

Section 185

AMENDMENT:

Replace “101” in the first paragraph by “9.3”.

Adopté S91

Bill 84

**An Act to assist persons who are victims
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their recovery**

Section 188

AMENDMENT:

Replace by:

188. The Minister tables a report in the National Assembly on the Minister's activities under this Act for each fiscal year, not later than 30 September following the end of that year. If the Assembly is not sitting, the Minister tables the report within 30 days after the opening of the next session or resumption.

The Minister includes in the report the information the Minister received from a government department or a body referred to in section 9.1 under the fifth paragraph of that section and that concerns the complaints the government department or the body received in accordance with that section.

In addition, not later than five years after this Act comes into force, the Minister reports on its implementation. The report is tabled in the National Assembly within the following 30 days if the Assembly is in session or, if it is not sitting, within 30 days after the opening of the next session or resumption.

Adopté SM

Bill 84

**An Act to assist persons who are victims
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their recovery**

Section 4

AMENDMENT:

Add the following paragraph at the end:

(4) any complaint processing procedure referred to in section 9.1 and the outcome of their complaint, if applicable.

Adopte s81

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Section 6

AMENDMENT:

Add after subparagraph 12 of the first paragraph:

(12.1) to be informed of any review provided for by the Corrections and Conditional Release Act that concerns the conditional release of the offender responsible for the offence and to be informed of the time and conditions of that release.

Adopté S91

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Omnibus

AMENDMENT:

Replace all occurrences of “section 11” by “the first paragraph of section 11” in the following provisions:

- (1) sections 12 and 17;
- (2) subparagraphs 7 to 12 of the first paragraph of section 30;
- (3) subparagraphs 4 and 5 of the first paragraph of section 36;
- (4) subparagraph 2 of the first paragraph of section 42;
- (5) subparagraphs 3 and 4 of the first paragraph of section 49;
- (6) subparagraphs 4 and 5 of the first paragraph of section 51;
- (7) subparagraphs 4 and 5 of the first paragraph of section 53;
- (8) subparagraphs 3 and 4 of the first paragraph of section 55;
- (9) subparagraphs 4 and 5 of the first paragraph of section 57;
- (10) subparagraphs 1 and 2 of the first paragraph of section 58;
- (11) section 2 of the Act to promote good citizenship, proposed by section 125;
- (12) subparagraph 5 of the fourth paragraph of section 170.

Adopté SN

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Heading of Chapter I of Title I

AMENDMENT:

Insert before section 2:

CHAPTER I
RIGHTS OF PERSONS WHO ARE VICTIMS

Adopte S91

Bill 84

**An Act to assist persons who are victims
of criminal offences and to facilitate
their recovery**

Heading of Chapter II of Title II

AMENDMENT:

Insert before section 8:

CHAPTER II
SUPPORT SERVICES FOR PERSONS WHO ARE VICTIMS

Adopté SM