



NATIONAL ASSEMBLY

FIRST SESSION

FORTIETH LEGISLATURE

Bill 22

An Act to amend the Crime Victims Compensation Act

Introduction

**Introduced by
Mr. Bertrand St-Arnaud
Minister of Justice**

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EXPLANATORY NOTES

This bill increases the lump sum indemnity that parents of a deceased dependent person may receive. It also raises the amount which may be reimbursed to the person who paid for a victim's funeral expenses.

In addition, provisions are introduced for the payment, under certain circumstances, of crime scene cleaning costs and, in the case of a victim of spousal violence or sexual aggression, for the payment of certain expenses incurred for the resiliation of a residential lease.

Lastly, the time in which to apply for benefits is extended from one to two years.

LEGISLATION AMENDED BY THIS BILL:

- Crime Victims Compensation Act (chapter I-6).

Bill 22

AN ACT TO AMEND THE CRIME VICTIMS COMPENSATION ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CRIME VICTIMS COMPENSATION ACT

1. Section 1 of the Crime Victims Compensation Act (chapter I-6) is amended by replacing “the person referred to in section 6” in paragraph *c* by “the persons referred to in sections 6 and 6.1”.

2. Section 6 of the Act is amended

(1) by replacing “Notwithstanding section 2, the person who” at the beginning of the first paragraph by “Despite section 2, a natural person who”;

(2) by replacing “\$3,000” in the first paragraph by “\$5,000”;

(3) by adding the following sentence at the end of the second paragraph: “The Minister publishes the indemnity amount so revalorized in the *Gazette officielle du Québec*.”

3. The Act is amended by inserting the following sections after section 6:

“6.1. Despite section 2, the costs for cleaning the crime scene following the commission, in a private residence, of a criminal offence described in the schedule to this Act are paid by the Commission to the natural person who assumed them, if the crime victim is deceased and the services of a specialized cleaning enterprise were required.

The cleaning costs are paid up to an amount of \$3,200, revalorized on 1 January of each year in accordance with sections 119 to 123 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001). The Minister publishes the indemnity amount so revalorized in the *Gazette officielle du Québec*.

“6.2. The costs incurred under article 1974.1 of the Civil Code for the resiliation of a residential lease by the victim of a spouse’s or former spouse’s violent behaviour or by the victim of a sexual aggression, even by a third party, are paid by the Commission up to the equivalent of two months’ rent, without exceeding \$1,000 per month.

The maximum amount referred to in the first paragraph is revalorized on 1 January of each year in accordance with sections 119 to 123 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001). The Minister publishes the indemnity amount so revalorized in the *Gazette officielle du Québec*.”

4. Section 7 of the Act is replaced by the following section:

“**7.** Despite section 2, the father and mother of a dependent person may invoke this Act to obtain an indemnity of \$6,000 each if the person died in circumstances to which this Act applies.

However, only one of the parents is entitled to an indemnity of \$12,000 in the following cases:

- (1) that parent is the only parent who may claim benefits under this Act;
- (2) the other parent failed to submit a claim within the time prescribed in section 11; or
- (3) the other parent is deprived of parental authority.

The indemnity amounts referred to in the first and second paragraphs are revalorized on 1 January of each year in accordance with sections 119 to 123 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001). The Minister publishes the indemnity amounts so revalorized in the *Gazette officielle du Québec*.”

5. Section 11 of the Act is amended by replacing “one year” in the first paragraph by “two years”.

6. Section 5 of this Act applies in respect of a person who, on or after (*insert the date of coming into force of that section*), becomes a crime victim within the meaning of section 3 of the Crime Victims Compensation Act (chapter I-6).

7. This Act comes into force on the date or dates to be set by the Government.