

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Section 3

AMENDMENT:

Replace the first paragraph of proposed section 6.1 by:

“6.1. Despite section 2, the costs for cleaning the crime scene in a private residence are paid back by the Commission to the natural person who assumed them, if the victim died following the commission of the criminal offence and the services of a specialized cleaning firm were required.

Adopted

SAM 1
AM 1
s. 3 (6.1)

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Section 3

AMENDMENT:

Replace "the commission of the criminal offence" in the amendment to proposed section 6.1 by "the crime".

Adopted

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Section 3

AMENDMENT:

Strike out "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," in the first paragraph of proposed section 6.2.

Adopte au

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Section 3

AMENDMENT:

Add after proposed section 6.2:

“6.3. The rental costs incurred by the victim of a criminal offence listed in the schedule to this Act in vacating a dwelling otherwise than pursuant to article 1974.1 of the Civil Code may be paid by the Commission up to the equivalent of three months’ rent if the victim must pay rent for another dwelling as well.

In each case, the Commission assesses whether the victim’s relocation is required to facilitate rehabilitation.”

Adopted

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Section 3

AMENDMENT:

In proposed section 6.3:

- (1) Add "and the victim's relocation is required to facilitate rehabilitation" at the end of the first paragraph.
- (2) Strike out the second paragraph.

Adopted

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Section 5

AMENDMENT:

Replace section 5 by:

5. Section 11 of the Act is amended
 - (1) by replacing "one year" in the first paragraph by "two years";
 - (2) by inserting the following paragraph after the first paragraph:

"For the purposes of the first paragraph, the occurrence of an injury is the moment the victim becomes aware of the damage suffered and of its probable connection with the criminal offence."

Adopté au

SAM 1
AM 4
s. 5 (11)

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Section 5

AMENDMENT:

Add at the end of section 5:

(3) by adding the following sentence at the end of the second paragraph: "This presumption may be rebutted if, among other things, it is shown that it was impossible for the victim to act."

Adopted

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Section 4

AMENDMENT:

In proposed section 7:

- (1) Strike out subparagraph 2 of the second paragraph.
- (2) Add "or has abandoned the dependent person" at the end of subparagraph 3 of the second paragraph.
- (3) Insert the following paragraph after the second paragraph:

If one of the parents entitled to the indemnity fails to submit a claim within the time prescribed in section 11, the Commission pays an additional indemnity of \$6,000 to the other parent provided that person submitted a claim within the required time.

- (4) Replace "in the first and second paragraphs" in the last paragraph by "in this section".

Adopted

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Sections 5.1 and 5.2

AMENDMENT:

Insert after section 5:

ACT TO PROMOTE GOOD CITIZENSHIP

5.1. Section 2 of the Act to promote good citizenship (chapter C-20) is amended

- (1) by replacing "The person" at the beginning of the second paragraph by "A natural person";
- (2) by replacing "\$600" in the second paragraph by "\$5,000";
- (3) by adding the following paragraph at the end:

"The amount set out in the second paragraph for the reimbursement of funeral expenses 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 amount of the revalorized indemnity in the *Gazette officielle du Québec*."

5.2. Section 3 of the Act is amended by replacing "one year" wherever it appears in the first paragraph by "two years".

FINAL PROVISIONS

Adapté

SAM 1
AM 6
ss. 5.1 and 5.2

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Sections 5.1 and 5.2

AMENDMENT:

Strike out "FINAL PROVISIONS" after section 5.2.

Adopted

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Section 7

AMENDMENT:

Replace section 7 by:

7. This Act comes into force on *(insert the date that occurs 30 days after the date of assent to this Act)*.

Adopted

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Section 7

AMENDMENT:

Replace section 7, as amended, by:

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

Adopted

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Sections 5.01, 5.02, 5.03, 5.3 and 5.4

AMENDMENT:

(1) Insert the following after section 5:

CIVIL CODE OF QUÉBEC

5.01 Article 2905 of the Civil Code of Québec is amended by replacing the second paragraph by the following paragraph:

“Nor does it run against a minor or a person of full age under curatorship or tutorship with respect to remedies they may have against their representative or against the person entrusted with their custody, or with respect to remedies they may have against any person for bodily injury resulting from an act which could constitute a criminal offence.”

5.02. The Code is amended by inserting the following article after article 2926:

“**2926.1.** An action in 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 20 years if the injury results from a sexual aggression, violent behaviour suffered during childhood, or the violent behaviour of a spouse or former spouse.

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.”

5.03. Article 2930 of the Code is replaced by the following article:

“**2930.** Notwithstanding any provision to the contrary, where an action is based on the obligation to make reparation for bodily injury caused to another, the requirement that notice be given prior to bringing the action or that the action be instituted within a period of less than 3 years, 10 years or 20 years, as the case may be, cannot affect a prescriptive period provided for in this Book.”

(2) Insert the following after section 5.2:

TRANSITIONAL AND FINAL PROVISIONS

5.3. Suspension of prescription provided for in article 2905 of the Civil Code of Québec, enacted by section 5.01, applies to existing juridical situations only as of the coming into force of section 5.01.

5.4. The prescriptive periods provided for in article 2926.1 of the Civil Code of Québec, enacted by section 5.02, apply to existing juridical situations taking into account the time already elapsed.

The provisions of article 2926.1 of the Civil Code concerning the starting point of prescriptive periods are declaratory.

Adopté

SAM 1
AM 8
ss.5.01, 5.02, 5.03, 5.3 and 5.4
(2926.1, 2930)

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Sections 5.01, 5.02, 5.03, 5.3 and 5.4

AMENDMENT:

- (1) Replace "20" in proposed article 2926.1 by "30".
- (2) Replace "20" in proposed article 2930 by "30".

Adopted

Bill 22

**An Act to amend the Crime Victims
Compensation Act**

Title

AMENDMENT:

Replace the title of the bill by:

An Act to amend the Crime Victims Compensation Act, the Act to promote good citizenship and certain provisions of the Civil Code concerning prescription

Adopted