

AM 1  
s. 7 (535.4)

Bill 8

**An Act to improve justice efficiency and  
accessibility, in particular by promoting  
mediation and arbitration and by  
simplifying civil procedure in the  
Court of Québec**

Section 7

**AMENDMENT:**

Replace "30" in proposed article 535.4 by "20".

*Adopté SM*

AM 2  
s. 7 (535.6)

Bill 8

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Section 7

**AMENDMENT:**

Replace “85” in the first paragraph of proposed article 535.6 by “95”.

*Adopté SM*

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Section 7

**AMENDMENT:**

Replace “A case management conference is held after the complete record of the defence is filed but within 100 days after service of the summons,” in the first paragraph of proposed article 535.8 by “Not later than 110 days after service of the summons, a case management conference is held”.

*Adopté STJ*

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Section 7

**AMENDMENT:**

Replace “after the complete record of the defence is filed, not earlier than 120 days, nor later than 150 days, from service of the summons” in the first paragraph of proposed article 535.12 by “not earlier than 130 days, nor later than 160 days, from service of the summons”.

Adopté SM

AM 5  
s. 7 (535.7)

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Section 7

**AMENDMENT:**

Amendment 5 has been withdrawn and renamed amendment *c*.

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Section 2

**AMENDMENT:**

Replace by:

2. Article 7 of the Code is amended by adding the following paragraphs at the end:

“If the parties exercise their right to act before the courts, the application then instituted in any matter other than a family matter is tried by preference provided it is accompanied by a certificate issued by a certified mediator or a body offering mediation in civil matters, and confirming that the parties resorted to a private dispute prevention and resolution process, or by evidence that the parties agreed to a pre-court protocol.

In the same matters, the application of the party who files with the court office a certificate confirming that they have gone to an assistance organization for persons who are victims that is recognized by the Minister of Justice for help as a person who is a victim of domestic or sexual violence on the part of the other party is also tried by preference. That certificate is confidential.

The Minister determines, by regulation, the conditions to be met by a body which may issue a certificate attesting participation in a private dispute prevention and resolution process, as well as the other cases where the application of a person who is a victim may be tried by preference and the applicable terms and conditions.”

Adopté SM

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Section 13

**AMENDMENT:**

Add at the end of proposed article 556:

“ The arbitration award is public. The arbitrator sends it to the parties and files it with the court office.”

Adopté SM

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Section 14

**AMENDMENT:**

Replace "\$3,000" in proposed article 561.1 by "\$15,000".

*Adopté SM*

AM 9  
s. 9 (539.1)

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Section 9

**AMENDMENT:**

Insert "561.1," after "550," in proposed article 539.1.

Adopté SM

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Section 15

**AMENDMENT:**

Add at the end:

(4) by adding the following paragraph at the end:

“Mediation cannot be mandatory where one of the parties files with the court office a certificate confirming that they have gone to an assistance organization for persons who are victims that is recognized by the Minister of Justice for help as a person who is a victim of domestic or sexual violence on the part of the other party. That certificate is confidential.”

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Section 5.1

**AMENDMENT:**

Insert after section 5:

**5.1.** Article 211 of the Code is amended by adding the following paragraph at the end:

“A judgment rendered on one of the applications resulting from the splitting of a proceeding may only be appealed as of the date of the notice of the judgment terminating the proceeding or as of the date of the judgment if it was rendered at the hearing.”

*Adapté SM*

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Section 19.1

**AMENDMENT:**

Insert after section 19:

CHARTER OF HUMAN RIGHTS AND FREEDOMS

**19.1.** Section 114 of the Charter of human rights and freedoms (chapter C-12) is amended by adding the following paragraph at the end:

“An originating application is accompanied by a notice. It must be served on the defendant and, where applicable, on the other parties. The originating application and the notice shall include the content prescribed by the tribunal regulations.”

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Section 19.2

**AMENDMENT:**

Insert after section 19.1 introduced by amendment:

**19.2.** Section 115 of the Charter is replaced by the following section:

“**115.** Within 45 days of the service of an originating application, the defendant may file a defence that includes the content prescribed by the tribunal regulations and must, where applicable, notify it to all the parties. Within that same period, parties other than the plaintiff and the defendant may file their views in writing and must, where applicable, notify them to all the parties.

The 45-day period shall not be extended unless the interests of justice so require.”

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Section 19.3

**AMENDMENT:**

Insert after section 19.2 introduced by amendment:

PROFESSIONAL CODE

**19.3.** Section 164 of the Professional Code (chapter C-26) is amended

(1) by adding the following subparagraph at the end of the first paragraph:

“(2) any other decision of the disciplinary council, with leave of the tribunal, if the latter considers that the decision determines part of the dispute or causes irremediable injury to a party, including if it allows an objection to evidence.”;

(2) by inserting the following paragraph after the first paragraph

“Any other decision of the disciplinary council rendered in the course of a trial, except one that allows an objection to evidence, may only be challenged on an appeal against the decision on the merits.”;

(3) by striking out “from a decision referred to in subparagraph 1 or 1.1 of the first paragraph” in the second paragraph.

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Section 21.1

**AMENDMENT:**

Insert after section 21:

**ACT RESPECTING OCCUPATIONAL HEALTH AND SAFETY**

**21.1.** Section 179.1 of the Act respecting occupational health and safety (chapter S-2.1) is amended by inserting “or a presiding justice of the peace” before “having” in the second paragraph.

*Adopté SM*

AM 1 6  
s. 36 (281.3)

Bill 8

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Section 36

**AMENDMENT:**

Replace, “at least every five years” in the second paragraph of proposed section 281.3 by “each year and whenever so ordered by the Government”.

Adepté SM

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Section 41

**AMENDMENT:**

Insert after paragraph 2:

(2.1) sections 19.1 and 19.2, which come into force on the date of coming into force of the first regulation made under sections 114 and 115 of the Charter of human rights and freedoms, proposed by sections 19.1 and 19.2 of this Act, respectively;

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Section 7

**AMENDMENT:**

In proposed section 535.7:

1. Replace “within 45 days after notification of the originating application or of the declaration of intervention” by “within 95 days after service of the summons”.
2. Add the following paragraph at the end:

However, where the originating application or the declaration of intervention is notified more than 50 days after service of the summons, the intervenor or the impleaded party files the same documents within 45 days.

Adopté SM