



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 29

An Act to establish the Access to Justice Fund

Introduction

**Introduced by
Mr. Jean-Marc Fournier
Minister of Justice**

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EXPLANATORY NOTES

This bill proposes the creation of the Access to Justice Fund within the Ministère de la Justice, to be dedicated to financing projects or activities aimed at enhancing the public's knowledge and understanding of Québec law and Québec's legal system and helping the public to better navigate the system.

Provision is made for the sums to be credited to and debited from the Fund.

The Code of Penal Procedure is amended to raise the contribution payable by offenders under the statutes and regulations of Québec from \$10 to \$14, with the increase to be credited to the Fund.

LEGISLATION AMENDED BY THIS BILL:

- Code of Penal Procedure (R.S.Q., chapter C-25.1);
- Act respecting the Ministère de la Justice (R.S.Q., chapter M-19).

Bill 29

AN ACT TO ESTABLISH THE ACCESS TO JUSTICE FUND

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE MINISTÈRE DE LA JUSTICE

1. The Act respecting the Ministère de la Justice (R.S.Q., chapter M-19) is amended by inserting the following division after Division III:

“DIVISION III.0.1

“ACCESS TO JUSTICE FUND

“32.0.1. The Access to Justice Fund is hereby established within the department.

The purpose of this special fund is to support actions that enhance the public’s knowledge and understanding of Québec law and Québec’s legal system and help the public to better navigate the system.

“32.0.2. The Fund is dedicated to financing projects or activities organized by the department or another body and geared to the public, in order to further any of the following objectives:

- (1) knowledge and comprehension of legislation applicable in Québec;
- (2) knowledge of Québec’s network of courts of justice and administrative tribunals, and a better understanding of how it works and of legal and administrative proceedings;
- (3) the use of various means of preventing or resolving disputes and of more easily obtaining or enforcing judicial decisions;
- (4) the drafting and dissemination of legal information in simple and clear language or language adapted to a specific clientele;
- (5) the creation, distribution and use of legal instruments or referral services;
- (6) the optimal use of legal services;

(7) research on access to the law or the justice system and on the public's expectations in that regard; and

(8) any other improvements to enhance the public's experience with the legal system.

“32.0.3. The following are credited to the Fund:

(1) the sums transferred to it by the Minister of Justice out of the appropriations granted for that purpose by Parliament;

(2) the sums collected under article 8.1 of the Code of Penal Procedure (chapter C-25.1), in the proportion determined in that article;

(3) the sums transferred to it by the Minister of Justice out of the sums credited to the general fund up to the amount of the sums paid by the Government of Canada under cost-sharing agreements related to projects or activities financed by the Fund;

(4) the sums transferred to it by the Minister of Finance under section 53 or 54 of the Financial Administration Act (chapter A-6.001);

(5) the gifts, legacies and other contributions paid into it to further the purpose of the Fund; and

(6) the revenues generated by the sums credited to the Fund.

“32.0.4. The following are debited from the Fund:

(1) financial assistance granted by the Minister under section 32.0.5; and

(2) any other expenditure or any financial commitment relating to an investment required to achieve the purpose of the Fund.

“32.0.5. To facilitate the carrying out of projects or activities described in section 32.0.2, the Minister may grant financial assistance to any person or body that meets the conditions determined by the Minister.”

2. The heading of Division III.1 of the Act is replaced by the following heading:

“REGISTER FUND OF THE MINISTÈRE DE LA JUSTICE”.

3. Section 32.1 of the Act, amended by section 190 of chapter 18 of the statutes of 2011, is again amended by inserting “within the department” after “established”.

CODE OF PENAL PROCEDURE

4. Article 8.1 of the Code of Penal Procedure (R.S.Q., chapter C-25.1) is amended

(1) by replacing “\$10” in the first paragraph by “\$14”;

(2) by replacing “shall be used to provide assistance to victims of crime to the extent determined by the Government” in the last paragraph by “shall, in a proportion of 10/14, be used to provide assistance to victims of crime and, in a proportion of 4/14, be credited to the Access to Justice Fund established under the Act respecting the Ministère de la Justice”.

5. This Act comes into force on 1 April 2012, except paragraph 2 of section 32.0.3, enacted by section 1, and section 4, which come into force at a later date determined by the Government.

