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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 25

**An Act to amend the Crime Victims  
Compensation Act and other legislative  
provisions**

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**Introduction**

**Introduced by  
Mr. Yvon Marcoux  
Minister of Justice**

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## **EXPLANATORY NOTES**

*This bill amends the Crime Victims Compensation Act, among other things, to make it possible, in certain cases, for close relations of victims to access psychotherapeutic rehabilitation services, and to increase the indemnities paid for funeral expenses.*

*The bill also amends the Workers' Compensation Act and the Act respecting administrative justice to provide for an examination, review and contestation process relating to decisions on the admissibility of an application for psychotherapeutic rehabilitation services made by a close relation of a crime victim.*

## **LEGISLATION AMENDED BY THIS BILL:**

- Workers' Compensation Act (R.S.Q., chapter A-3);
- Crime Victims Compensation Act (R.S.Q., chapter I-6);
- Act respecting administrative justice (R.S.Q., chapter J-3).

## Bill 25

### AN ACT TO AMEND THE CRIME VICTIMS COMPENSATION ACT AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Section 1 of the Crime Victims Compensation Act (R.S.Q., chapter I-6) is amended by replacing “or, if he” in the first line of paragraph *c* by “, a close relation referred to in section 5.1 or, if the victim”.

**2.** The Act is amended by inserting the following sections after section 5:

**“5.1.** The Commission may, in accordance with government regulations,

(1) take the necessary measures to contribute to the psychotherapeutic rehabilitation of a close relation of the crime victim if it considers such rehabilitation conducive to the rehabilitation of the victim; and

(2) take the necessary measures to contribute to the psychotherapeutic rehabilitation of a close relation of the victim of a homicide or kidnapping who sustains psychological injury as a result of the crime.

**“5.2.** The Government may, by regulation, define the terms and expressions used in section 5.1 or their scope, determine the persons who are qualified to provide services under the measures taken under that section, set the conditions such persons must meet, establish the tariff of fees payable by the Commission and set the maximum number of sessions the Commission may authorize.”

**3.** Section 6 of the Act is amended

(1) by replacing “\$600” in the third line by “\$3,000”;

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

“The amount of the indemnity for 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).”

**4.** Section 20 of the Act is amended by replacing subparagraph *c* of the first paragraph by the following subparagraph:

“(c) to a claimant who was a party to the offence or who, through his gross fault, contributed to the injuries or death of the victim;”.

**5.** Section 63 of the Workers’ Compensation Act (R.S.Q., chapter A-3) is amended by replacing “and the degree of impairment of earning capacity” in subsection 4 by “, the degree of impairment of earning capacity and the admissibility of an application for psychotherapeutic rehabilitation services made by a close relation of a crime victim referred to in section 5.1 of the Crime Victims Compensation Act (chapter I-6)”.

**6.** Schedule I to the Act respecting administrative justice (R.S.Q., chapter J-3), amended by section 130 of chapter 9 of the statutes of 2001, section 70 of chapter 31 of the statutes of 2004, section 306 of chapter 1 of the statutes of 2005, section 158 of chapter 15 of the statutes of 2005, section 14 of chapter 16 of the statutes of 2005, section 27 of chapter 17 of the statutes of 2005, section 246 of chapter 32 of the statutes of 2005 and section 143 of chapter 47 of the statutes of 2005, is again amended by inserting the following paragraph after paragraph 2 of section 5:

“(2.1) proceedings against decisions pertaining to the admissibility of an application by a close relation of a crime victim referred to in section 5.1 of the Crime Victims Compensation Act for psychotherapeutic rehabilitation services, brought under section 65 of the Workers’ Compensation Act for the purposes of the Crime Victims Compensation Act;”.

**7.** A provision of this Act applies only in the case of criminal offences committed on or after the date of coming into force of that provision.

**8.** The provisions of this Act come into force on the date or dates set by the Government.