



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 64

**An Act to amend the Courts of Justice
Act and the Act respecting municipal
courts**

Introduction

**Introduced by
Madam Linda Goupil
Minister of Justice**

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EXPLANATORY NOTE

This bill amends the Courts of Justice Act and the Act respecting municipal courts in order to ensure the implementation of certain recommendations of the committee that examined the remuneration of the judges of the Court of Québec and the municipal courts.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting municipal courts (R.S.Q., chapter C-72.01);
- Courts of Justice Act (R.S.Q., chapter T-16).

Bill 64

AN ACT TO AMEND THE COURTS OF JUSTICE ACT AND THE ACT RESPECTING MUNICIPAL COURTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 92 of the Courts of Justice Act (R.S.Q., chapter T-16) is amended by replacing the second paragraph by the following paragraph :

“A judge who has held the office of chief judge, senior associate chief judge or associate chief judge for at least seven years is entitled to a leave of absence with pay to be devoted to studies, research or any other legal activity compatible with the judicial function. The chief judge and the senior associate chief judge are entitled to a leave of absence of one year and an associate chief judge is entitled to a leave of absence of six months.”

2. The said Act is amended by inserting the following section after section 121 :

“121.1. A judge who, upon being appointed to the office of chief judge or senior associate chief judge, resides elsewhere than in the territory of Ville de Québec or in the immediate vicinity thereof, is entitled to a working residence allowance for the duration of the judge’s term of office as chief judge or senior associate chief judge. The amount and terms and conditions of payment of the allowance shall be established by order of the Government.”

3. Section 122 of the said Act is amended by striking out “chief judge, senior associate chief judge, associate chief judge,” in the third and fourth lines of the fourth paragraph.

4. The said Act is amended by inserting the following section after section 122 :

“122.0.1. The chief judge may, if consistent with the proper administration of justice, grant a leave without pay or a leave with deferred pay to a judge who applies for such a leave.”

5. Section 231 of the said Act is amended by striking out “chief judge, senior associate chief judge, associate chief judge,” in the sixth line of the second paragraph.

6. The English text of section 246.43 of the said Act, enacted by section 5 of chapter 84 of the statutes of 1997, is amended by replacing “30”, wherever it appears in the second paragraph, by “10”.

7. Section 51 of the Act respecting municipal courts (R.S.Q., chapter C-72.01), amended by section 16 of chapter 30 of the statutes of 1998, is again amended by replacing “any later date” by “any earlier or later date”.

8. The provisions of this Act come into force on (*insert here the date of assent to this Act*).