

1982, chapter 16

AN ACT TO AMEND THE PROFESSIONAL CODE AND THE LABOUR CODE

Bill No. 61

Introduced by Mr Marc-André Bédard, Minister of Justice

First reading: 29 April 1982

Second reading: 11 May 1982

Third reading: 11 May 1982

Assented to: 11 May 1982

Coming into force: 11 May 1982

Acts amended:

Professional Code (R.S.Q., chapter C-26)

Labour Code (R.S.Q., chapter C-27)



CHAPTER 16

An Act to amend the Professional Code and the Labour Code

[Assented to 11 May 1982]

HER MAJESTY, with the advice and consent of the National Assembly of Québec, enacts as follows:

R.S.Q., c.
C-26, s.
175, am.

1. Section 175 of the Professional Code (R.S.Q., chapter C-26) is amended by striking out the third paragraph.

R.S.Q., c.
C-26, s.
194,
replaced.

2. Section 194 of the said Code is replaced by the following section:

Prohibited
recourses.

“194. Except on a question of jurisdiction, no extraordinary recourse contemplated in articles 834 to 850 of the Code of Civil Procedure shall be exercised and no injunction granted against the persons mentioned in section 193 acting in their official capacities.”

R.S.Q., c.
C-26, s.
195,
replaced.

3. Section 195 of the said Code is replaced by the following section:

Exception.

“195. Except on a question of jurisdiction, article 33 of the Code of Civil Procedure does not apply to the persons mentioned in section 193 acting in their official capacities.”

R.S.Q., c.
C-27, s.
120,
repealed.

4. Section 120 of the Labour Code (R.S.Q., chapter C-27) is repealed.

R.S.Q., c.
C-27, s.
139,
replaced.

5. Section 139 of the said Code is replaced by the following section:

Prohibited
recourses.

“139. Except on a question of jurisdiction, no extraordinary recourse contemplated in articles 834 to 850 of the Code of Civil Procedure shall be exercised and no injunction granted against any council of arbitration, court of arbitration, certification agent, labour commissioner or the Court acting in their official capacities.”

R.S.Q., c.
C-27, s.
139.1,
added.

Exception.

6. The said Code is amended by adding, after section 139, the following section:

“139.1. Except on a question of jurisdiction, article 33 of the Code of Civil Procedure does not apply to any person, body or agency mentioned in section 139 acting in their official capacities.”

R.S.Q., c.
C-27, s.
140,
replaced.

Annulment
of writ,
order or
injunction.

7. Section 140 of the said Code is replaced by the following section:

“140. A judge of the Court of Appeal may annul summarily, upon petition, any writ, order or injunction issued or granted contrary to sections 139 and 139.1.”

Extension
of the
period for
appeal.

8. A judge of the Professions Tribunal may, upon a motion of a party concerned by a decision rendered by a committee on discipline between 20 October 1981 and 11 May 1982, extend the time limit provided in the first paragraph of section 164 of the Professional Code.

Declara-
tory
effect.
Coming
into force.

9. This Act is declaratory.

10. This Act comes into force on the day of its sanction.