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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-FOURTH LEGISLATURE

Bill 12

**An Act to amend various legislative provisions respecting the carrying out of the Code of Penal Procedure**

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**Introduction**

**Introduced by  
Mr Gil Rémillard  
Minister of Justice**

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## EXPLANATORY NOTES

*The object of this bill is to ensure the carrying out of most of the provisions of the Code of Penal Procedure.*

*First, the bill makes a certain number of amendments to the Code, particularly by inserting transitional provisions into it with a view to allowing the greater part of its provisions to come into force. It also reiterates certain rules of penal procedure which are presently in force, in order to permit a smooth transition until the Code of Penal Procedure comes fully into force.*

*The bill also contains a mass of amending provisions designed first of all to strike out provisions of the public Acts and municipal charters that have become inconsistent, obsolete or redundant, with the introduction of the Code of Penal Procedure. This regards, particularly, references to the Summary Convictions Act, the taxing of costs, imprisonment for failure to pay fines and the procedure for the recovery of fines.*

*These amending provisions also remove sentences of imprisonment from the statutes of Québec, except where these sanction certain offences regarding the environment, taxation and wildlife protection.*

*These legislative amendments are also intended to standardize procedure, particularly with respect to appeals and revocation of judgment, while taking certain special cases into account.*

*Finally, these amendments standardize the language used in penal procedure, in order to avoid certain difficulties of interpretation.*

### ACTS REPEALED OR REPLACED BY THIS BILL:

- Penal Actions Act (R.S.Q., chapter A-5);
- Criminal Cases Recognizance Act (R.S.Q., chapter C-7);

- Summary Convictions Act (R.S.Q., chapter P-15).

#### **ACTS AND CHARTERS AMENDED BY THIS BILL**

- Bees Act (R.S.Q., chapter A-1);
- Agricultural Abuses Act (R.S.Q., chapter A-2);
- An Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1);
- Workmen's Compensation Act (R.S.Q., 1977, chapter A-3);
- An Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001);
- An Act respecting the acquisition of farm land by non-residents (R.S.Q., chapter A-4.1);
- Financial Administration Act (R.S.Q., chapter A-6);
- An Act respecting the Agence québécoise de valorisation industrielle de la recherche (R.S.Q., chapter A-7.1);
- An Act respecting detective or security agencies (R.S.Q., chapter A-8);
- Travel Agents Act (R.S.Q., chapter A-10);
- An Act respecting assistance for tourist development (R.S.Q., chapter A-13.1);
- Legal Aid Act (R.S.Q., chapter A-14);
- An Act respecting family assistance allowances (R.S.Q., chapter A-17);
- An Act respecting pressure vessels (R.S.Q., chapter A-20.01);
- Architects Act (R.S.Q., chapter A-21);
- Archives Act (R.S.Q., chapter A-21.1);
- Land Surveyors Act (R.S.Q., chapter A-23);
- An Act respecting prearranged funeral services and sepultures (R.S.Q., chapter A-23.001);

- An Act respecting the National Assembly (R.S.Q., chapter A-23.1);
- Automobile Insurance Act (R.S.Q., chapter A-25);
- Deposit Insurance Act (R.S.Q., chapter A-26);
- Hospital Insurance Act (R.S.Q., chapter A-28);
- Health Insurance Act (R.S.Q., chapter A-29);
- Crop Insurance Act (R.S.Q., chapter A-30);
- An Act respecting farm income stabilization insurance (R.S.Q., chapter A-31);
- An Act respecting insurance (R.S.Q., chapter A-32);
- An Act respecting the Barreau du Québec (R.S.Q., chapter B-1);
- Building Act (R.S.Q., chapter B-1.1);
- Cultural Property Act (R.S.Q., chapter B-4);
- An Act respecting tear bombs (R.S.Q., chapter B-6);
- An Act respecting the Bureau de la statistique (R.S.Q., chapter B-8);
- Registry Office Act (R.S.Q., chapter B-9);
- An Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2);
- An Act respecting certain caisses d'entraide économique (R.S.Q., chapter C-3.1);
- An Act respecting truck transportation (R.S.Q., chapter C-5.1);
- Farmers' Clubs Act (R.S.Q., chapter C-9);
- Charter of the French language (R.S.Q., chapter C-11);
- Charter of human rights and freedoms (R.S.Q., chapter C-12);
- Colonization Roads Act (R.S.Q., chapter C-13);
- Railway Act (R.S.Q., chapter C-14);

- Non-Catholic Cemeteries Act (R.S.Q., chapter C-17);
- Cinema Act (R.S.Q., chapter C-18.1);
- Cities and Towns Act (R.S.Q., chapter C-19);
- Amusement Clubs Act (R.S.Q., chapter C-23);
- Highway Safety Code (R.S.Q., chapter C-24.1);
- Highway Safety Code (R.S.Q., chapter C-24.2);
- Code of Civil Procedure (R.S.Q., chapter C-25);
- Professional Code (R.S.Q., chapter C-26);
- Labour Code (R.S.Q., chapter C-27);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- Safe-Deposit Boxes Act (R.S.Q., chapter C-28);
- General and Vocational Colleges Act (R.S.Q., chapter C-29);
- Peddlers Act (R.S.Q., chapter C-30);
- Petroleum Products Trade Act (R.S.Q., chapter C-31);
- An Act respecting the bread trade (R.S.Q., chapter C-32);
- An Act respecting the Communauté régionale de l'Outaouais (R.S.Q., chapter C-37.1);
- An Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2);
- An Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3);
- Companies Act (R.S.Q., chapter C-38);
- Timber-Driving Companies Act (R.S.Q., chapter C-42);
- Gas, Water and Electricity Companies Act (R.S.Q., chapter C-44);
- Telegraph and Telephone Companies Act (R.S.Q., chapter C-45);
- Extra-Provincial Companies Act (R.S.Q., chapter C-46);

- Mining Companies Act (R.S.Q., chapter C-47);
- An Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1);
- An Act to promote housing construction (R.S.Q., chapter C-64.01);
- Referendum Act (R.S.Q., chapter C-64.1);
- Cooperatives Act (R.S.Q., chapter C-67.2);
- An Act respecting security fund corporations (R.S.Q., chapter C-69.1);
- An Act respecting municipal and intermunicipal transit corporations (R.S.Q., chapter C-70);
- Municipal Courts Act (R.S.Q., chapter C-72);
- Real Estate Brokerage Act (R.S.Q., chapter C-73);
- Insurance Brokers Act (R.S.Q., chapter C-74);
- Forestry Credit Act (R.S.Q., chapter C-78);
- An Act to promote forest credit by private institutions (R.S.Q., chapter C-78.1);
- Public Curatorship Act (R.S.Q., chapter C-80);
- Companies and Partnerships Declaration Act (R.S.Q., chapter D-1);
- An Act respecting collective agreement decrees (R.S.Q., chapter D-2);
- Deposit Act (R.S.Q., chapter D-5);
- An Act respecting municipal and school debts and loans (R.S.Q., chapter D-7);
- An Act respecting the development of Québec firms in the book industry (R.S.Q., chapter D-8.1);
- An Act to promote the advancement of science and technology in Québec (R.S.Q., chapter D-9.1);
- Gas Distribution Act (R.S.Q., chapter D-10);

- Business Concerns Records Act (R.S.Q., chapter D-12);
- An Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., chapter D-13.1);
- Amusement Tax Act (R.S.Q., chapter D-14);
- Mining Duties Act (R.S.Q., chapter D-15);
- An Act respecting the conservation of energy in buildings (R.S.Q., chapter E-1.1);
- An Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2);
- Fire Investigations Act (R.S.Q., chapter E-8);
- An Act respecting private education (R.S.Q., chapter E-9);
- Executive Power Act (R.S.Q., chapter E-18);
- An Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1);
- An Act respecting explosives (R.S.Q., chapter E-22);
- National Holiday Act (R.S.Q., chapter F-1.1);
- An Act respecting municipal taxation (R.S.Q., chapter F-2.1);
- Public Service Act (R.S.Q., chapter F-3.1.1);
- Forest Act (R.S.Q., chapter F-4.1);
- An Act respecting manpower vocational training and qualification (R.S.Q., chapter F-5);
- Grain Act (R.S.Q., chapter G-1.1);
- An Act respecting commercial establishments business hours (R.S.Q., chapter H-2);
- Hotels Act (R.S.Q., chapter H-3);
- Bailiffs Act (R.S.Q., chapter H-4);
- Retail Sales Tax Act (R.S.Q., chapter I-1);
- Tobacco Tax Act (R.S.Q., chapter I-2);
- Taxation Act (R.S.Q., chapter I-3);

- Crime Victims Compensation Act (R.S.Q., chapter I-6);
- An Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1);
- Engineers Act (R.S.Q., chapter I-9);
- Forest Engineers Act (R.S.Q., chapter I-10);
- Burial Act (R.S.Q., chapter I-11);
- An Act respecting the Inspector General of Financial Institutions (R.S.Q., chapter I-11.1);
- An Act respecting piping installations (R.S.Q., chapter I-12.1);
- An Act respecting electrical installations (R.S.Q., chapter I-13.01);
- Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., chapter I-14);
- Interpretation Act (R.S.Q., chapter I-16);
- Newspaper Declaration Act (R.S.Q., chapter J-1);
- Jurors Act (R.S.Q., chapter J-2);
- An Act to promote the parole of inmates (R.S.Q., chapter L-1.1);
- Freedom of Worship Act (R.S.Q., chapter L-2);
- Licenses Act (R.S.Q., chapter L-3);
- An Act respecting lotteries, racing, publicity contests and amusement machines (R.S.Q., chapter L-6);
- Master Electricians Act (R.S.Q., chapter M-3);
- Master Pipe-Mechanics Act (R.S.Q., chapter M-4);
- An Act respecting stuffing and upholstered and stuffed articles (R.S.Q., chapter M-5);
- Stationary Enginemen Act (R.S.Q., chapter M-6);
- Cullers Act (R.S.Q., chapter M-12.1);

- An Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., chapter M-14);
- An Act respecting the Ministère de la Main-d'oeuvre et de la Sécurité du revenu (R.S.Q., chapter M-19.1);
- An Act respecting the Ministère des Communautés culturelles et de l'Immigration (R.S.Q., chapter M-23.1);
- An Act respecting the Ministère des Transports (R.S.Q., chapter M-28);
- An Act respecting the Ministère du Revenu (R.S.Q., chapter M-31);
- Farm Products Marketing Act (R.S.Q., chapter M-35);
- An Act respecting the mode of payment for electric and gas service in certain buildings (R.S.Q., chapter M-37);
- Electricity Municipalization Act (R.S.Q., chapter M-38);
- An Act to authorize municipalities to collect duties on transfers of immoveables (R.S.Q., chapter M-39);
- An Act respecting labour standards (R.S.Q., chapter N-1.1);
- Notarial Act (R.S.Q., chapter N-2);
- An Act respecting the payment of fines (R.S.Q., chapter P-2);
- Crown Witnesses Payment Act (R.S.Q., chapter P-4);
- An Act respecting Mauricie Park and its surroundings (R.S.Q., chapter P-7);
- Parks Act (R.S.Q., chapter P-9);
- An Act respecting commercial fisheries and aquaculture (R.S.Q., chapter P-9.01);
- An Act respecting liquor permits (R.S.Q., chapter P-9.1);
- An Act respecting beer and soft drink distributors' permits (R.S.Q., chapter P-9.2);
- Police Act (R.S.Q., chapter P-13);
- Special Corporate Powers Act (R.S.Q., chapter P-16);

- Student Loans and Scholarships Act (R.S.Q., chapter P-21);
- Fire Prevention Act (R.S.Q., chapter P-23);
- An Act respecting prevention of disease in potatoes (R.S.Q., chapter P-23.1);
- An Act respecting the sales price of pulpwood sold by farmers (R.S.Q., chapter P-25);
- An Act respecting probation and houses of detention (R.S.Q., chapter P-26);
- Farm Producers Act (R.S.Q., chapter P-28);
- The Agricultural Products, Marine Products and Food Act (R.S.Q., chapter P-29);
- Dairy Products and Dairy Products Substitutes Act (R.S.Q., chapter P-30);
- An Act respecting educational programming (R.S.Q., chapter P-30.1);
- Bicycle Ownership Act (R.S.Q., chapter P-31);
- Public Protector Act (R.S.Q., chapter P-32);
- Youth Protection Act (R.S.Q., chapter P-34.1);
- Public Health Protection Act (R.S.Q., chapter P-35);
- Thoroughbred Cattle Act (R.S.Q., chapter P-36);
- An Act respecting the protection of non-smokers in certain public places (R.S.Q., chapter P-38.01);
- An Act respecting the protection of persons and property in the event of disaster (R.S.Q., chapter P-38.1);
- Plant Protection Act (R.S.Q., chapter P-39);
- Consumer Protection Act (R.S.Q., chapter P-40.1);
- Mental Patients Protection Act (R.S.Q., chapter P-41);
- An Act to preserve agricultural land (R.S.Q., chapter P-41.1);
- Animal Health Protection Act (R.S.Q., chapter P-42);

- An Act respecting the artificial inducement of rain (R.S.Q., chapter P-43);
- An Act respecting building contractors vocational qualifications (R.S.Q., chapter Q-1);
  - Environment Quality Act (R.S.Q., chapter Q-2);
- An Act respecting the determination of the causes and circumstances of death (R.S.Q., chapter R-0.2);
- An Act respecting the collection of certain debts (R.S.Q., chapter R-2.2);
- An Act respecting the Régie de l'assurance automobile du Québec (R.S.Q., chapter R-4);
- An Act respecting the Régie du logement (R.S.Q., chapter R-8.1);
- An Act respecting the Québec Pension Plan (R.S.Q., chapter R-9);
  - Watercourses Act (R.S.Q., chapter R-13);
- An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20);
- An Act respecting real estate tax refund (R.S.Q., chapter R-20.1);
  - Companies Information Act (R.S.Q., chapter R-22);
  - An Act respecting ecological reserves (R.S.Q., chapter R-26);
  - Public Streets Act (R.S.Q., chapter R-27);
- An Act respecting the salaries of officers of justice (R.S.Q., chapter S-2);
- An Act respecting occupational health and safety (R.S.Q., chapter S-2.1);
  - Public Building Safety Act (R.S.Q., chapter S-3);
  - An Act respecting safety in sports (R.S.Q., chapter S-3.1);

- An Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec (R.S.Q., chapter S-3.2);
- An Act respecting child day care (R.S.Q., chapter S-4.1);
- An Act respecting health services and social services (R.S.Q., chapter S-5);
- An Act respecting the Société d'habitation du Québec (R.S.Q., chapter S-8);
- An Act respecting the Société de développement industriel du Québec (R.S.Q., chapter S-11.01);
- An Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13);
- An Act respecting the Société des loteries et courses du Québec (R.S.Q., chapter S-13.1);
- An Act respecting the Société nationale de l'amiante (R.S.Q., chapter S-18.2);
- Agricultural Societies Act (R.S.Q., chapter S-25);
- An Act respecting the sociétés d'entraide économique (R.S.Q., chapter S-25.1);
- Butter and Cheese Societies Act (R.S.Q., chapter S-29);
- An Act respecting Attorney General's prosecutors (R.S.Q., chapter S-35);
- An Act respecting work income supplement (R.S.Q., chapter S-37.1);
- Fuel Tax Act (R.S.Q., chapter T-1);
- Broadcast Advertising Tax Act (R.S.Q., chapter T-2);
- Meals and Hotels Tax Act (R.S.Q., chapter T-3);
- Telecommunications Tax Act (R.S.Q., chapter T-4);
- An Act respecting agricultural lands in the public domain (R.S.Q., chapter T-7.1);
- An Act respecting the lands in the public domain (R.S.Q., chapter T-8.1);

- Stamp Act (R.S.Q., chapter T-10);
- The Marine Products Processing Act (R.S.Q., chapter T-11.01);
- An Act respecting transportation by taxi (R.S.Q., chapter T-11.1);
- Transport Act (R.S.Q., chapter T-12);
- Municipal Works Act (R.S.Q., chapter T-14);
- Public Works Act (R.S.Q., chapter T-15);
- Courts of Justice Act (R.S.Q., chapter T-16);
- Securities Act (R.S.Q., chapter V-1.1);
- The Cree Villages and the Naskapi Village Act (R.S.Q., chapter V-5.1);
- An Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);
- Roads Act (R.S.Q., chapter V-8);
- Beach Hay Act (R.S., 1964, chapter 131);
- Public Charities Act (R.S., 1964, chapter 216);
- Aged Persons Assistance Act (R.S., 1964, chapter 226);
- Interior Decorators Act (R.S., 1964, chapter 270);
- Blind Persons Allowances Act (1965, 1<sup>st</sup> session, chapter 59);
- Disabled Persons Assistance Act (1965, 1<sup>st</sup> session, chapter 60);
- An Act respecting the neighbourhood of Mont Sainte-Anne park (1971, chapter 58);
- An Act to promote special credit to consumer-egg producers (1972, chapter 40);
- An Act respecting the Olympic Village (1976, chapter 43);
- An Act to favour the pursuit of the objects of LA LIGUE DE TAXIS DE MONTRÉAL INC. (1982, chapter 24);

- An Act to amend the Environment Quality Act and other legislation (1982, chapter 25);
- An Act respecting the Société de transport de la Ville de Laval (1984, chapter 42);
- An Act respecting the Société de transport de la rive sud de Montréal (1985, chapter 32);
- An Act to ensure that essential services are maintained in the health and social services sector (1986, chapter 74);
- Tourist Establishments Act (1987, chapter 12);
- Pesticides Act (1987, chapter 29);
- Mining Act (1987, chapter 64);
- An Act respecting the professional status and conditions of engagement of performing, recording and film artists (1987, chapter 72);
- An Act respecting the use of petroleum products (1987, chapter 80);
- An Act to establish the Commission des relations du travail and to amend various legislation (1987, chapter 85);
- An Act respecting farm financing (1987, chapter 86);
- An Act to amend the Highway Safety Code and other legislation (1987, chapter 94);
- An Act respecting trust companies and savings companies (1987, chapter 95);
- An Act respecting horse racing (1987, chapter 103);
- An Act respecting the Régie des télécommunications (1988, chapter 8);
- Roadside Advertising Act (1988, chapter 14);
- An Act respecting the Régie du gaz naturel (1988, chapter 23);
- An Act respecting the Bibliothèque nationale du Québec (1988, chapter 42);
- An Act respecting income security (1988, chapter 51);

- Savings and Credit Unions Act (1988, chapter 64);
- An Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters (1988, chapter 69);
- An Act respecting police organization and amending the Police Act and various legislation (1988, chapter 75);
- Education Act (1988, chapter 84);
- Election Act (1989, chapter 1);
- An Act respecting educational institutions at the university level (1989, chapter 18);
- An Act respecting school elections (1989, chapter 36);
- An Act respecting threatened or vulnerable species and amending the Act respecting the conservation and development of wildlife (1989, chapter 37);
- An Act respecting municipal courts and amending various legislation (1989, chapter 52);
- An Act to replace the Act respecting La Confédération des caisses populaires et d'économie Desjardins du Québec (1989, bill 279);
- Civil Code of Lower Canada;
- Charter of the town of Acton Vale;
- Charter of the town of Asbestos;
- Charter of the town of Baie d'Urfée;
- Charter of the city of Beauharnois;
- Charter of the town of Bedford;
- Charter of the town of Berthierville;
- Charter of the town of Black Lake;
- Charter of the city of Chambly;
- Charter of the city of Côte Saint-Luc;
- Charter of the town of Cowansville;
- Charter of the town of East-Angus;

- Charter of the city of Granby;
- Charter of the city of Hull;
- Charter of the city of Lachine;
- Charter of the town of La Prairie;
- Charter of the city of LaSalle;
- Charter of the town of La Tuque;
- Charter of the city of Longueuil;
- Charter of the town of Macamic;
- Charter of the town of Mont-Joli;
- Charter of the town of Nicolet;
- Charter of the city of Outremont;
- Charter of the city of Pierrefonds;
- Charter of the town of Port-Cartier;
- Charter of the town of Richmond;
- Charter of the city of Rimouski;
- Charter of the town of Rosemere;
- Charter of the town of Sainte-Agathe des Monts;
- Charter of the town of Sainte-Geneviève;
- Charter of the town of Saint-Hubert;
- Charter of the city of Saint-Laurent;
- Charter of the city of Sainte-Thérèse;
- Charter of the city of Salaberry-de-Valleyfield;
- Charter of the city of Shawinigan;
- Charter of the city of Sorel;
- Charter of the city of Thetford Mines;
- Charter of the city of Trois-Rivières;

- Charter of the city of Verdun;
- Charter of the town of Victoriaville;
- Charter of the town of Waterloo;
- Charter of the city of Westmount;
- Charter of the town of Windsor;
- An Act to authorize the construction of a toll bridge across the River St. Francis, between the town of Richmond and the village or township of Melbourne (1902, chapter 91);
- An Act to grant certain powers to the corporation of the village of Bernierville (1955-56, chapter 117);
- An Act respecting the municipality of the village of Pointe Calumet (1952-53, chapter 110);
- Charter of the City of Laval;
- Charter of the city of Montréal;
- Charter of the city of Québec.

## Bill 12

### **An Act to amend various legislative provisions respecting the carrying out of the Code of Penal Procedure**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** The object of the provisions of this Act is to permit the carrying out of articles 1 to 7, 17 to 54, the first and second paragraphs of article 55, articles 56 to 61, the provisions of articles 62 and 63 respecting offence reports, articles 64 and 65, the first and second paragraphs of article 66, articles 67 to 70, paragraph 1 of article 71, paragraph 2 of article 71 except the words “statement of offence or”, paragraphs 3 to 7 of article 71, articles 72 to 86, 88 and 89, the first paragraph of article 90, articles 92 to 128, 143, 150 to 155, the first and second paragraphs of article 169, articles 170 to 173, paragraphs 1 to 4 and 6 to 8 of article 174, articles 175 to 179 and 181 to 183, subparagraphs 1 to 3 and 5 to 8 of the first paragraph of article 184, the second paragraph of article 184, article 185 except the reference to paragraph 4 of article 184, articles 186, 189 to 221, the second paragraph of article 222, articles 223 to 229 and 231 to 243, article 244 except the second sentence of the second paragraph, article 245, article 246 except the words “or under article 165”, articles 247 to 249, the first paragraph of article 250, articles 251 to 256, the first paragraph of article 257, articles 258 to 260, article 265, article 266 except the words “or the proceeds of the sale thereof” in the first and second lines of paragraph 6, article 267, article 268 except the words “or, even if he was not a party to the proceedings, the Attorney General”, article 269, the first paragraph of article 270, articles 271 to 290, article 291 except the words “and the Attorney General, even if he was not a party to the proceedings,”, articles 292 and 293, the following words of article 294: “An appeal shall be brought before the Court of Appeal sitting at Montréal or at Québec according to where

an appeal from a judgment in a civil matter would lie”, articles 295 to 315, the first paragraph of article 316, articles 317 to 362, articles 364, 365, 367 to 386 of, and the schedule to, the Code of Penal Procedure (1987, chapter 96).

CODE OF PENAL PROCEDURE

**2.** Article 18 of the Code of Penal Procedure (1987, chapter 96) is amended by replacing paragraph 5 by the following paragraph:

“(5) the Monday preceding the twenty-fifth of May;”.

**3.** Article 92 of the said Code is amended by replacing the first paragraph by the following paragraph:

“**92.** The judge before whom an arrested person appears shall release him from custody, unless he is satisfied that the detention of the person is justified under article 74, 75 or 79, in which case he shall order that his detention be continued.”

**4.** Article 99 of the said Code is amended by adding the words “is made orally but” after the word “warrant” in the first line.

**5.** Article 192 of the said Code is amended by replacing the words “a representative or” in the second and third lines by the words “one of its directors or other officers or through”.

**6.** Article 256 of the said Code is amended by replacing the words “a judgment that has been revoked” in the first and second lines by the words “the judgment”.

**7.** Article 288 of the said Code is amended by adding, at the end, the following paragraph:

“Prior notice of at least one clear day of the application for release from custody must be served on the prosecutor.”

**8.** Article 323 of the said Code is amended by inserting the words “the competent authority of” after the word “order” in the third line of the first paragraph.

**9.** Article 346 of the said Code is amended by replacing the words “appear before” in the first and second lines of the first paragraph by the words “present himself to”.

**10.** Chapter XV of the said Code is replaced by the following chapter:

## “CHAPTER XV

### “TRANSITIONAL AND FINAL PROVISIONS

**“369.** The Minister of Justice is responsible for the carrying out of this Code.

**“370.** The powers and duties conferred upon or assigned to a judge under articles 3 and 368 of this Code may also be exercised by the Labour Court within the limits of its jurisdiction as provided by law until, pursuant to chapter 85 of the statutes of 1987, it ceases to exercise penal jurisdiction.

**“371.** Article 340 of this Code is deemed to refer to the Act respecting building contractors vocational qualifications (R.S.Q., chapter Q-1) until such time as section 214 of the Building Act comes into force.

**“372.** Until the date or dates fixed by the Government, the following provisions apply to proceedings governed by this Code:

(1) Any person may lay an information unless the law constituting the offence requires a special authorization.

The informant must have reasonable grounds to believe that the offence in respect of which he laid the information has been committed.

(2) The information shall be laid in writing and shall contain no reference to any previous conviction.

(3) Unless otherwise provided by law, the information must be laid

(a) within two years from the date of commission of the offence where, by law, the fine belongs solely to the Crown;

(b) by a prosecutor other than the Attorney General, within one year from the date of commission of the offence, where, by law, the fine belongs to the Crown or to another prosecutor;

(c) by the Attorney General, within two years from expiration of the period prescribed in subparagraph *b*, where, by law, the fine belongs to the Crown or to another prosecutor and the latter did not lay the information within the prescribed time.

(4) The information shall be laid before a judge. The judge shall hear the allegations of the prosecutor and may hear the evidence,

under oath, of any witnesses and shall have, for that purpose, the power to procure the attendance of witnesses and to compel them to testify, in accordance with the provisions of this Code.

The judge shall issue a summons if he has reasonable grounds to believe that an offence has been committed.

(5) The summons shall not be signed in blank.

It shall be served upon the defendant and shall require him to appear at the time and place specified therein.

Except in case of a parking offence, a copy of a summons addressed to a person under eighteen years of age shall be served on his parents.

(6) An information may, should the prosecutor so choose, be heard, tried and adjudged in the judicial district where the defendant

(a) allegedly committed the offence, according to the information;

(b) has his residence or has its head office or one of its places of business;

(c) is in detention, where such is the case.

Such information may also, with the consent of the defendant, be heard, tried and adjudged in any other judicial district.

(7) The notice of summons or infraction or the summons issued under articles 1129*b* and 1140 of the Charter of the city of Montréal, article 546*b* of the Charter of the city of Québec or paragraph 17 of section 426 of the Cities and Towns Act (R.S., 1964, chapter 193), as replaced for the city of Hull, has the same value and effect as evidence given under oath by the person who has witnessed the commission of the offence alleged on the notice of summons or infraction or the summons.

(8) In no case shall a greater penalty be imposed upon a defendant by reason of a previous conviction unless the prosecutor notified him, before the plea was made, that a greater penalty would be sought by reason of the previous conviction.

Proof of a previous conviction and of the transmission of the notice is incumbent upon the prosecutor, and shall not be brought forth until after the defendant is convicted.

(9) The collector shall remit part of the costs to the prosecutor who has borne expenses related to the prosecution to the extent prescribed by regulation.

The Government may, by regulation, determine the costs which may be remitted to the prosecutor under the first paragraph.

(10) Where it is alleged that the defendant has not complied with his obligation, under an Act, to hold a certificate, licence, permit or any other authorization required by the Act, it shall be incumbent upon the defendant to establish that he is the holder of such a certificate, licence, permit or other authorization.

(11) A judge having jurisdiction to issue a search warrant under Chapter III of the Code of Penal Procedure has jurisdiction to exercise the powers conferred on a judge in paragraphs 11 and 12 of this article.

(12) The clerk or any other person whom the judge designates after receiving a written application therefor shall have custody of the thing seized pursuant to a search warrant or telewarrant. However, where a seizure was made without a warrant, the seizer shall have custody of the thing he has seized until such time as it is produced as evidence in proceedings or disposed of according to law.

(13) A thing seized during a search shall not be detained for a period exceeding 90 days, unless an information following the seizure is laid prior to the expiry of such period. However, the judge may order that the detention period be extended for not more than 90 days.

If no information is laid prior to the expiry of the period prescribed in the first paragraph or as soon as it becomes no longer necessary to detain the seized thing, the judge, upon application to him therefor in writing, shall order that the thing be returned to the person entitled thereto or, as the case may be, order that it be forfeited. If no application is made within the ensuing 24 months, the thing seized shall be forfeited *pleno jure*.

An order for the disposal or forfeiture of the thing seized shall not be executory until 30 days after such order was made, except where the parties renounce that period.

**“373.** Until the date or dates fixed by the Government, the following substitutions shall be made:

(1) for the words “statement of offence” in the first and second lines of article 64, the word “information”;

(2) for the words “the person who issued the statement of offence in the name of the prosecutor and whose name appears on the statement of offence or offence report” in paragraph 1 of article 71, the words “the person who signed the information and the person who wrote the offence report;”;

(3) for the words “statement of offence” in the third and fourth lines of the first paragraph of article 72, the words “summons, an infraction ticket contemplated in section 574 of the Highway Safety Code (R.S.Q., chapter C-24.2) or any similar ticket or notice provided for by any other Act”;

(4) for the words “statement of offence” in the second line of the first paragraph of article 76, the words “summons, ticket or notice referred to in article 72”;

(5) for the word “statement” in the second line of the second paragraph of article 76, the words “summons, ticket or notice”;

(6) for the words “statement of offence” in the fourth line of the first paragraph of article 77, the words “summons, ticket or notice referred to in article 72”;

(7) for the words “statement of offence” in the first line of article 150, the word “information”;

(8) for the words “a statement of offence” in the first line of paragraph 6 of article 174, the words “an information”;

(9) for the word “statement” in the second line of paragraph 6 of article 174, the word “information”;

(10) for the words “a statement of offence” in the third line of article 181, the words “an information”;

(11) for the words “statements of offence” in the third line of article 182, the word “informations”;

(12) for the words “statement of offence” in the second line of subparagraph 1 of the first paragraph of article 184, the word “information”;

(13) for the words “statement of offence” in the second line of the second paragraph of article 184, the word “information”;

(14) for the words “or the statement of offence is amended may be required to pay a greater amount of costs than he would have been required to pay if he had entered such a plea within the time indicated in the statement of offence” in the second, third, fourth and fifth lines

of article 186, the words “is amended may be required to pay a greater amount of costs than he would have been required to pay had he entered such plea before his appearance upon summons”;

(15) for the words “statement of offence” in the second line of article 198, the word “summons”;

(16) for the word “statement” in the fifth line of article 198, the word “duplicate”;

(17) for the words “a statement of offence” in the first line of article 220, the words “an information”.

**374.** The Summary Convictions Act (R.S.Q., chapter P-15) and the Penal Actions Act (R.S.Q., chapter A-5) are replaced by this Code.

**375.** Every order, decree or regulation made by the Government or by another competent authority under any provision which has been amended, replaced or repealed under the Act to amend various legislative provisions respecting the carrying out of the Code of Penal Procedure (1989, chapter *insert here the chapter number of the said Act*) remains in force to the extent that it is consistent with this Code and until such time as it is replaced or repealed.

The same rule applies to rules of practice until they are replaced or repealed in accordance with this Code.

**376.** All provisions of the charters, letters patent, by-laws, resolutions and ordinances of the cities of Montréal and Québec and of the local municipalities governed by the Cities and Towns Act (R.S.Q., chapter C-19) or by the Municipal Code of Québec (R.S.Q., chapter C-27.1) which are inconsistent with those provisions of this Code which are in force are null.

All provisions of any Act governing a local municipality with respect to proceedings by means of a notice of summons which do not constitute a power to make by-laws and which are repealed by a provision of the Act to amend various legislative provisions respecting the carrying out of the Code of Penal Procedure, shall continue to have effect as if they were by-laws adopted by the council, until they are repealed or replaced. The same rule applies to by-laws adopted under any such provision which has been repealed, when that provision constitutes a power to make by-laws.

**377.** Every act performed and every decision made under any provision amended, replaced or repealed by the Act to amend various

legislative provisions respecting the carrying out of the Code of Penal Procedure retains its effect if it continues to serve a useful purpose. Where it so continues to do, it is deemed to have been performed or made pursuant to the corresponding provisions of this Code.

**“378.** Every act begun before the date of coming into force of this article which did not conflict with any provision amended, replaced or repealed by the Act to amend various legislative provisions respecting the carrying out of the Code of Penal Procedure is continued, unless otherwise specially provided by law, in accordance with this Code, unless it is impossible so to perform it, in which case it is continued under its enabling provision if that is consistent with this Code.

**“379.** Every pleading drawn up in accordance with a provision amended, replaced or repealed under the Act to amend various legislative provisions respecting the carrying out of the Code of Penal Procedure before the date of coming into force of this article is valid until such time as the object of the pleading is achieved.

**“380.** Every warrant to procure the attendance of a witness issued under a provision of the Summary Convictions Act is renewable under article 45 of this Code in the year following the date on which this article comes into force.

**“381.** Every search warrant issued under a special provision of law or of the Summary Convictions Act remains valid but, unless specially provided by law, the search must be carried out in accordance with the corresponding provisions of this Code.

**“382.** Every warrant of imprisonment issued under a special provision of law or of the Summary Convictions Act is renewable in accordance with article 353 of this Code.

A warrant issued over four years before the date of coming into force of this article may be renewed in the year following that date.

**“383.** All applications made and all proceedings tried in first instance are continued in accordance with the corresponding provisions of this Code, unless otherwise specially provided by law.

**“384.** The provisions respecting rectification and revocation of judgment and respecting appeal apply to decisions or judgments rendered before the date of coming into force of this article.

Appeals are continued in accordance with this Code, unless otherwise specially provided by law.

**“385.** The execution of any judgment commenced under the Summary Convictions Act shall be continued in accordance with the corresponding provisions of this Code. However, where imprisonment has been imposed for failure to pay the fine under section 56.1 of the Summary Convictions Act, the warden of the house of detention may also offer the defendant the option of paying the sums due by way of compensatory work if any is available.

Every prison sentence imposed under any provision of an Act which has been amended, replaced or repealed by the Act to amend various legislative provisions respecting the carrying out of the Code of Penal Procedure remains in force and shall be carried out.

**“386.** The provisions of this Code shall come into force on the date or dates fixed by the Government.”

**11.** The Schedule to the said Code is amended by replacing, in the first column of the French text, the words “Pour les sommes dues dans chacune de ces tranches” by the words “Pour la partie des sommes dues entre:”.

#### BEES ACT

**12.** Section 2 of the Bees Act (R.S.Q., chapter A-1) is repealed.

**13.** Section 11 of the said Act is amended by striking out the words “, and, on failure to pay such fine and costs, to imprisonment for not more than forty days.” in the tenth and eleventh lines.

**14.** Section 12 of the said Act is repealed.

**15.** Section 16 of the said Act is replaced by the following section:

**“16.** Every person who contravenes any provision of section 15 is guilty of an offence and is liable to a fine of \$10 to \$100 for the first offence, and to a fine of \$20 to \$200 for any subsequent offence.”

#### AGRICULTURAL ABUSES ACT

**16.** Section 5 of the Agricultural Abuses Act (R.S.Q., chapter A-2) is repealed.

**17.** Section 21 of the said Act is replaced by the following section:

**“21.** Every contravention of any provision of this division renders the defendant liable to a fine of \$5 to \$25.”

**18.** Section 22 of the said Act is replaced by the following section:

**“22.** (1) Any justice of the peace, before whom it is alleged that a dog is vicious or supposed to be attacked by hydrophobia, or is in the habit of attacking persons, or animals at large or in harness, without the limits of its master’s property, may, after hearing the parties, order the owner or person keeping such dog to cause it to be confined for forty days, or may order such dog to be killed, with costs against such owner or person.

(2) If the owner or person keeping such dog permit it to go at large, or fail to kill it in contravention of the order of the justice, he shall be liable to a penalty of one dollar per day for each day during which the offence continues.

(3) If it be proved that the dog has bitten any person outside the limits of his master’s property, and that the dog is vicious, the justice of the peace shall order the owner or person keeping it to kill it.

(4) It shall nevertheless be lawful to kill any dog which, without the limits of his master’s property, pursues or is known to pursue and strangle sheep, or to apply to a judge, who may order the owner to kill such dog and to pay the costs.”

**19.** Section 24 of the said Act is replaced by the following section:

**“24.** Any owner of or person keeping an animal who, after notice given, refuses or neglects to isolate or keep apart the animal, which is attacked or affected with scab or other contagious disease, is guilty of an offence and is liable to a fine of fifty cents for each day during which the offence continues.”

**20.** Section 25 of the said Act is replaced by the following section:

**“25.** Any penal proceedings, as well as any action for damages, must be instituted within three months after commission of the offence.”

## ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC BODIES AND THE PROTECTION OF PERSONAL INFORMATION

**21.** Section 158 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1) is amended by replacing the last three lines by the words “this Act is guilty of an offence and is liable to a fine of \$100 to \$500 and, in the case of a second or subsequent conviction, to a fine of \$250 to \$1 000.”

**22.** Section 159 of the said Act is amended by replacing the last three lines by the words “offence and is liable to a fine of \$200 to \$1 000 and, in the case of a second or subsequent conviction, to a fine of \$500 to \$2 500.”

**23.** Section 159.1 of the said Act is amended by replacing the last three lines by the words “is guilty of an offence and is liable to a fine of \$200 to \$1 000 and, in the case of a second or subsequent conviction, to a fine of \$500 to \$2 500.”

**24.** In sections 160 and 161 of the said Act, the words “, in addition to costs,” are struck out.

**25.** Section 164 of the said Act is amended by striking out the second paragraph.

**26.** Section 165 of the said Act is repealed.

## WORKMEN'S COMPENSATION ACT

**27.** Section 88 of the Workmen's Compensation Act (R.S.Q., chapter A-3), amended by sections 1 and 44 of chapter 57 of the statutes of 1978, by section 263 of chapter 63 of the statutes of 1979 and by section 2 of chapter 43 of the statutes of 1983, is again amended by replacing the word “condemn” in the sixth line of subsection 5 by the word “order”.

**28.** Section 92 of the said Act, replaced by section 48 of chapter 57 of the statutes of 1978, is amended by replacing the word “penalty” wherever it appears by the words “supplementary assessment”.

**29.** Section 104 of the said Act, replaced by section 56 of chapter 57 of the statutes of 1978, is amended by replacing the word “penalty” in the second line by the words “supplementary assessment”.

**30.** Section 108 of the said Act, replaced by section 58 of chapter 57 of the statutes of 1978, is amended by replacing the word “penalties” in the last line of the second paragraph by the words “additional amount of assessment or interest”.

**31.** In the said Act, the words “, in addition to the costs” are struck out wherever they occur in sections 119 to 119.10.

**32.** Section 119.14 of the said Act, enacted by section 68 of chapter 57 of the statutes of 1978, is amended by striking out the second paragraph.

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

**33.** Section 11 of the Act respecting industrial accidents and occupational diseases (R.S.Q., section A-3.001), amended by section 13 of chapter 19 of the statutes of 1987 and by section 93 of chapter 51 of the statutes of 1988, is again amended by replacing:

(1) the words “Summary Convictions Act (chapter P-15)” in the second and third lines of subparagraph 1 of the first paragraph by the words “Code of Penal Procedure (1987, chapter 96)”;

(2) the words “Summary Convictions Act” in the seventh line of subparagraph 3 of the first paragraph by the words “Code of Penal Procedure”.

**34.** In sections 458 to 465 of the said Act, the words “, in addition to costs,” are struck out wherever they appear.

**35.** Section 467 of the said Act is amended

(1) by replacing the words “offence within two years” in the first line of the first paragraph by the word “conviction”;

(2) by striking out the words “, in addition to costs,” in the second line of the first paragraph;

(3) by replacing the words “other subsequent offence within two years” in the first line of the second paragraph by the words “additional subsequent conviction”.

**36.** Section 470 of the said Act, amended by section 51 of chapter 85 of the statutes of 1987, is replaced by the following section:

**470.** Except in the case of a subsequent offence, the prosecutor shall serve notice of the offence on the offender by mail. The notice constitutes an information.

**37.** Section 473 of the said Act is amended by replacing the figure "123" in the third line by the figure "124".

ACT RESPECTING THE ACQUISITION OF FARM LAND BY NON-RESIDENTS

**38.** Section 31 of the Act respecting the acquisition of farm land by non-residents (R.S.Q., chapter A-4.1) is amended by striking out

(1) the words ", in addition to costs" in the second line of the first paragraph;

(2) the words ", in addition to costs" in the second line of the second paragraph;

(3) the words "and are governed by the Summary Convictions Act (chapter P-15)" in the third and fourth lines of the third paragraph.

FINANCIAL ADMINISTRATION ACT

**39.** Section 85 of the Financial Administration Act (R.S.Q., chapter A-6) is amended by striking out the words ", on summary proceedings," in the third line of the first paragraph.

ACT RESPECTING THE AGENCE QUÉBÉCOISE DE VALORISATION INDUSTRIELLE DE LA RECHERCHE

**40.** Sections 34 and 35 of the Act respecting the Agence québécoise de valorisation industrielle de la recherche (R.S.Q., chapter A-7.1), the words ", on summary proceedings," are struck out wherever they appear.

ACT RESPECTING DETECTIVE OR SECURITY AGENCIES

**41.** Section 13 of the Act respecting detective or security agencies (R.S.Q., chapter A-8) is amended by replacing the words "found guilty" in the second line of subsection 2 by the word "convicted".

**42.** Section 15 of the said Act is replaced by the following section:

**15.** Every legal person convicted of an offence under a provision of this Act or of the regulations thereunder shall be liable to a fine of \$125 to \$575 and, in the case of a second or subsequent conviction, to a fine of \$250 to \$575; any other person convicted of such an offence shall be liable to a fine of \$60 to \$125 and, in the case of a second or subsequent conviction, to a fine of \$125 to \$250."

TRAVEL AGENTS ACT

**43.** Section 38 of the Travel Agents Act (R.S.Q., chapter A-10) is amended by replacing the words "association or partnership" in the first line by the words "member of an association or other member".

**44.** Section 39 of the said Act is amended

(1) by replacing the words "found guilty" in the first line by the word "convicted";

(2) by striking out the words ", on summary proceedings, in addition to the costs," in the second line;

(3) by replacing the words "offence within two years" in the last line by the word "conviction".

**45.** Section 40 of the said Act is amended

(1) by replacing the words "found guilty" in the first line by the word "convicted";

(2) by striking out the words ", on summary proceedings, in addition to the costs," in the second and third lines;

(3) by replacing the words "offence within two years" in the last line by the word "conviction".

**46.** Section 41 of the said Act is amended by striking out the second paragraph.

ACT RESPECTING ASSISTANCE FOR TOURIST DEVELOPMENT

**47.** Section 15 of the Act respecting assistance for tourist development (R.S.Q., chapter A-13.1) is amended by striking out the third paragraph.

## LEGAL AID ACT

**48.** Section 82 of the Legal Aid Act (R.S.Q., chapter A-14) is amended by striking out

- (1) the words “, on summary proceedings, in addition to payment of the costs,” in the second and third lines of the first paragraph;
- (2) the second paragraph.

## ACT RESPECTING FAMILY ASSISTANCE ALLOWANCES

**49.** Section 24 of the Act respecting family assistance allowances (R.S.Q., chapter A-17) is amended

- (1) by striking out the words “on summary proceeding” in the fifth and sixth lines of the first paragraph;
- (2) by striking out the words “and costs” in the eighth line of the first paragraph.

**50.** Section 27 of the said Act, amended by section 6 of chapter 4 of the statutes of 1989, is again amended

- (1) by striking out the words “, on summary proceeding, in addition to payment of costs,” in the first and second lines of the first paragraph;
- (2) by replacing the words “found guilty” in the first line of the second paragraph by the word “convicted”.

## ACT RESPECTING PRESSURE VESSELS

**51.** Section 31 of the Act respecting pressure vessels (R.S.Q., chapter A-20.01) is amended

- (1) by striking out the words “, in addition to costs” in the second line;
- (2) by replacing the words “subsequent offence within two years” in the first line of paragraph 3 by the words “first subsequent conviction”;
- (3) by replacing the words “a further subsequent offence within two years” in the first line of paragraph 4 by the words “any additional subsequent conviction”.

**52.** Section 32 of the said Act is amended by striking out the words “, in addition to costs” in the third line.

**53.** Section 33 of the said Act is amended by striking out the words “, in addition to costs,” in the third line.

**54.** Section 34 of the said Act is amended

(1) by replacing the words “offence within two years” in the first line by the word “conviction”;

(2) by replacing the words “found guilty” in the first and second lines of the third paragraph by the word “convicted”.

**55.** Section 37 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (chapter P-15)” in the second and third lines of the first paragraph.

**56.** Section 38 of the said Act is repealed.

#### ARCHITECTS ACT

**57.** Section 19 of the Architects Act (R.S.Q., chapter A-21) is amended by replacing the first paragraph by the following paragraph:

“**19.** (1) Penal proceedings may be instituted by the Attorney General or, on a resolution of the Bureau, by the Order.”

#### ARCHIVES ACT

**58.** In sections 40 to 43 of the Archives Act (R.S.Q., chapter A-21.1), the words “, in addition to costs,” are struck out wherever they appear.

**59.** Section 45 of the said Act is amended by striking out the words “, in accordance with the Summary Convictions Act (chapter P-15)” in the second and third lines of the first paragraph.

#### LAND SURVEYORS ACT

**60.** Section 59 of the Land Surveyors Act (R.S.Q., chapter A-23) is amended by striking out the words “on summary proceeding” in the third line of subsection 1.

## ACT RESPECTING PREARRANGED FUNERAL SERVICES AND SEPULTURES

**61.** In the Act respecting prearranged funeral services and sepultures (R.S.Q., chapter A-23.001), the words “, in addition to costs,” are struck out wherever they appear in sections 61 to 74.

**62.** Section 75 of the said Act is amended by replacing the words “For a subsequent offence within two years after the last conviction for an offence defined in the same provision, the offender is liable, in addition to costs,” in the first three lines by the words “In the case of a second or subsequent conviction, the offender is liable”.

**63.** Section 78 of the said Act is amended

(1) by replacing the words “a complaint” in the third line of the first paragraph by the words “an information”;

(2) by replacing the word “porter” in the fourth line of the first paragraph of the French text by the word “déposer”;

(3) by striking out the second paragraph.

**64.** Section 79 of the said Act is amended by replacing the words “pleads guilty to or is found guilty” in the first line by the words “is convicted”.

## ACT RESPECTING THE NATIONAL ASSEMBLY

**65.** Section 17 of the Act respecting the National Assembly (R.S.Q., chapter A-23.1), amended by section 583 of chapter 1 of the statutes of 1989, is again amended

(1) by replacing the words “found guilty” in subparagraph 5 of the first paragraph by the word “convicted”;

(2) by replacing the words “found guilty of or charged with” in subparagraph 6 by the words “convicted of”.

**66.** Section 133 of the said Act is amended by striking out the words “, on summary proceedings, in addition to costs,” in the third line.

## AUTOMOBILE INSURANCE ACT

**67.** Section 186 of the Automobile Insurance Act (R.S.Q., chapter A-25), amended by section 105 of chapter 94 of the statutes

of 1987, is again amended by striking out the words “, in addition to costs,” in the fourth line of the first paragraph.

**68.** Section 193 of the said Act is amended by striking out the words “, on summary proceeding,” in the third line.

**69.** Section 194 of the said Act is amended by striking out the words “; the Summary Convictions Act (chapter P-15) applies to such proceedings” in the third and fourth lines.

#### DEPOSIT INSURANCE ACT

**70.** Section 48 of the Deposit Insurance Act (R.S.Q., chapter A-26) is replaced by the following section:

“**48.** Every institution or person contemplated in section 47 convicted of an offence against a provision of this Act or the regulations thereunder is liable to a fine of \$1 000 to \$25 000 and, in the case of a second or subsequent conviction, to a fine of \$5 000 to \$50 000.

Every other person convicted of an offence against a provision of this Act or the regulations thereunder is liable to a fine of \$500 to \$10 000 and, in the case of a second or subsequent conviction, to a fine of \$1 000 to \$20 000.”

**71.** Section 50 of the said Act is repealed.

#### HOSPITAL INSURANCE ACT

**72.** Section 13 of the Hospital Insurance Act (R.S.Q., chapter A-28) is amended by replacing the third paragraph by the following paragraph:

“Every person who contravenes a provision of this section is guilty of an offence and is liable to a fine not exceeding \$500”.

**73.** Section 14 of the said Act is replaced by the following section:

“**14.** Every person who obstructs an inspector or a medical practitioner in the performance of his duties under this Act and the regulations is guilty of an offence and is liable to a fine of \$50 to \$500.”

**74.** Section 15 of the said Act is amended by striking out the words “on summary conviction” in the third line.

## HEALTH INSURANCE ACT

**75.** In sections 9.2 and 9.3 of the Health Insurance Act (R.S.Q., chapter A-29), the words “, on summary proceeding, in addition to the costs,” and in section 32 of the said Act, the words “, on summary proceeding, in addition to payment of the costs,” are struck out wherever they appear.

**76.** Section 22 of the said Act, amended by section 27 of chapter 50 of the statutes of 1989, is again amended by replacing the last paragraph by the following paragraph:

“A professional in the field of health who contravenes a provision of the fourth, fifth or sixth paragraph, and every person who contravenes a provision of the seventh paragraph, is guilty of an offence and is liable to a fine of \$1 000 to \$2 000 and, in the case of a second or subsequent conviction, to a fine of \$2 000 to \$5 000.”

**77.** Section 31 of the said Act is amended by replacing the second paragraph by the following paragraph:

“Every person who contravenes a provision of this section is guilty of an offence and is liable to a fine of \$1 000 to \$2 000 and, in the case of a second or subsequent conviction, to a fine of \$2 000 to \$5 000.”

**78.** Section 59 of the said Act is amended by replacing the words “and condemned in accordance with the Summary Convictions Act (chapter P-15) as if he had been summoned under that act” in the third and fourth lines by the words “as if he had been summoned under the Code of Civil Procedure (R.S.Q., chapter C-25)”.

**79.** Section 74 of the said Act is amended by replacing the third paragraph by the following paragraph:

“Every person who contravenes a provision of this section is guilty of an offence and is liable to a fine of not more than \$500 and, in the case of a second or subsequent conviction, to a fine of \$100 to \$1 000.”

**80.** Section 75 of the said Act is replaced by the following section:

“**75.** Every person who contravenes a provision of section 63 is guilty of an offence and is liable to a fine of \$50 to \$500 and, in the case of a second or subsequent conviction, to a fine of \$50 to \$1 000.

Every person who knowingly contravenes a provision of section 63 is guilty of an offence and is liable to a fine of \$1 000 to \$5 000 and, in the case of a second or subsequent conviction, to a fine of \$5 000 to \$10 000.”

**81.** Section 76 of the said Act is amended by striking out the words “, on summary proceedings, in addition to costs,” in the third and fourth lines.

#### CROP INSURANCE ACT

**82.** Section 16 of the Crop Insurance Act (R.S.Q., chapter A-30) is amended by striking out the words “, on summary proceeding,” in the first and second lines of the third paragraph.

#### ACT RESPECTING FARM INCOME STABILIZATION INSURANCE

**83.** Section 41 of the Act respecting farm income stabilization insurance (R.S.Q., chapter A-31) is replaced by the following section:

“**41.** Every person who contravenes a provision of section 28, 29 or 31 is guilty of an offence and is liable to a fine of \$25 to \$200.

Every person who makes a misrepresentation in order to obtain the payment of compensation is guilty of an offence and is liable to a fine of \$500 and, in the case of a second or subsequent conviction, to a fine of \$1 000.”

#### ACT RESPECTING INSURANCE

**84.** Section 47 of the Act respecting insurance (R.S.Q., chapter A-32) is amended by striking out the words “, in addition to costs,” in the first and second lines of the first paragraph.

**85.** Section 408 of the said Act is replaced by the following section:

“**408.** Every natural or legal person contemplated in section 407 convicted of an offence against a provision of this Act or of the regulations thereunder is liable to a fine of \$575 to \$29 000 and, in the case of a second or subsequent conviction, to a fine of \$1 150 to \$57 500; every other person convicted of such an offence is liable to a fine of \$125 to \$2 300 and, in the case of a second or subsequent conviction, to a fine of \$575 to \$11 500.”

**86.** Section 409 of the said Act is amended by striking out the first paragraph.

**87.** Section 410 of the said Act is repealed.

**88.** Section 411 of the said Act is amended by replacing the second paragraph by the following paragraph:

“The Inspector General or the person designated by him may issue a certified true copy or certified extract of any book, document, order or register in his possession.”

**89.** Section 412 of the said Act, amended by section 246 of chapter 48 of the statutes of 1989, is repealed.

**90.** Section 415 of the said Act is amended by replacing the words “In any proceedings, civil or penal” in the first line by the words “In any civil proceedings,”.

**91.** Section 418 of the said Act, amended by section 247 of chapter 48 of the statutes of 1989, is repealed.

#### ACT RESPECTING THE BARREAU DU QUÉBEC

**92.** Section 113 of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1) is amended by replacing the words “found guilty” in the second line of subsection 1 by the word “convicted”.

**93.** Section 114 of the said Act is amended by replacing the words “found guilty” in the second line by the word “convicted”.

#### BUILDING ACT

**94.** In paragraph 8 of section 58 of the Building Act (R.S.Q., chapter B-1.1), the words “been found guilty of, and has not pleaded guilty to,” are replaced by the words “convicted of”.

**95.** In paragraph 6.1 of section 60 and in paragraph 1 of section 70 of the said Act, the words “or pleaded guilty to” are struck out.

**96.** Section 61 of the said Act is amended by striking out the words “or pleaded guilty to” in subparagraph 2 of the first paragraph.

**97.** Section 195 of the said Act is amended by replacing the word “reconnu” in the second line of the first paragraph of the French text by the word “déclaré”.

**98.** Section 196 of the said Act is amended

(1) by striking out the words “, in addition to costs” in the third and fourth lines of the first paragraph;

(2) by striking out the words “within two years of a first conviction for the same offence,” in the first and second lines of the second paragraph;

(3) by striking out the words “, in addition to costs” in the fourth line of the second paragraph;

(4) by replacing the words “a subsequent conviction for the same offence within two years of the first conviction,” in the first and second lines of the third paragraph by the words “any additional subsequent conviction”;

(5) by striking out the words “, in addition to costs” in the fourth line of the third paragraph.

**99.** In sections 197 and 198 of the said Act, the expression “, in addition to costs” is struck out wherever it appears.

**100.** Section 199 of the said Act is amended

(1) by striking out the words “, in addition to costs” in the fourth line of the first paragraph;

(2) by striking out the words “for the same offence within two years of the first conviction” in the first and second lines of the second paragraph;

(3) by striking out the words “, in addition to costs” in the fourth line of the second paragraph.

**101.** Section 202 of the said Act is repealed.

**102.** Section 208 of the said Act is amended by striking out the words “within two years of a first conviction for the same offence” in the second line.

**103.** Section 210 of the said Act is amended by replacing the words “sections 16 and 17 of the Summary Convictions Act (chapter P-15)” by the words “articles 20 and 21 of the Code of Penal Procedure (1987, chapter 96)”.

**104.** Section 266 of the said Act and the heading “Summary Convictions Act” which precedes the section are repealed.

## CULTURAL PROPERTY ACT

**105.** In sections 58.1, 106 and 107 of the Cultural Property Act (R.S.Q., chapter B-4), the words “, in addition to costs,” are struck out wherever they appear.

**106.** Section 58.4 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (chapter P-15)” in the first and second lines.

**107.** Section 110 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (chapter P-15)” in the first and second lines.

## ACT RESPECTING TEAR BOMBS

**108.** Section 9 of the Act respecting tear bombs (R.S.Q., chapter B-6) is replaced by:

“**9.** Every person who contravenes any provision of this Act is liable to a fine not exceeding \$50, and, for a second or any subsequent conviction, to a fine of \$100 to \$200.”

## ACT RESPECTING THE BUREAU DE LA STATISTIQUE

**109.** Section 19 of the Act respecting the Bureau de la statistique (R.S.Q., chapter B-8) is amended by striking out the words “and costs” in the last line.

**110.** Section 20 of the said Act is amended by striking out the words “and imprisonment for two years, in addition to the costs” in the last two lines.

**111.** Section 21 of the said Act is amended by striking out the words “and costs” in the sixth line.

**112.** Section 22 of the said Act is amended by striking out the words “and costs” in the fourth line.

**113.** Section 23 of the said Act is repealed.

## REGISTRY OFFICE ACT

**114.** Section 24 of the Registry Office Act (R.S.Q., chapter B-9) is amended by striking out the words “, with costs,” in the fourth line.

**115.** Section 27 of the said Act is amended by striking out the second paragraph.

ACT RESPECTING THE CAISSE DE DÉPÔT ET PLACEMENT DU QUÉBEC

**116.** Section 50 of the Act respecting the Caisse de dépôt et placement du Québec (R.S.Q., chapter C-2) is replaced by the following section:

**“50.** Every person who knowingly contravenes any provision of sections 38 to 42 is liable to a fine of \$200 to \$10 000.”

ACT RESPECTING CERTAIN CAISSES D'ENTRAIDE ÉCONOMIQUE

**117.** Section 100 of the Act respecting certain caisses d'entraide économique (R.S.Q., chapter C-3.1) is amended by striking out the words “on summary proceedings, in addition to costs,” in the first and second lines.

**118.** Section 101 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (chapter P-15)” in the first and second lines of the first paragraph.

ACT RESPECTING TRUCK TRANSPORTATION

**119.** Section 39 of the Act respecting truck transportation (R.S.Q., chapter C-5.1) is amended by striking out the words “or pleaded guilty to” in the first line of paragraphs 2 and 3.

**120.** The heading of Chapter V of the said Act is amended by striking out the words “without a warrant”.

**121.** Section 72 of the said Act is amended by replacing the words “, without a warrant” in the first line by the words “immediately, when making an inspection pursuant to section 69”.

**122.** In sections 82, 83 and 84 of the said Act, the words “, in addition to costs,” are struck out wherever they appear.

**123.** Section 85 of the said Act is amended

(1) by replacing the word “pénalité” in the second line of the French text by the word “peine”;

(2) by striking out the words “in addition to costs,” in the fifth line.

**124.** Section 91 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (chapter P-15)” in the first and second lines.

CRIMINAL CASES RECOGNIZANCE ACT

**125.** The Criminal Cases Recognizance Act (R.S.Q., chapter C-7) is repealed.

FARMERS' CLUBS ACT

**126.** Section 36 of the Farmers' Clubs Act (R.S.Q., chapter C-9) is replaced by the following section:

**“36.** In any contestation or dispute referred to in sections 34 and 35, the petitioner shall, with the petition, deposit with the secretary of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation a sum of fifty dollars as security for costs, failing such deposit, the petition shall not be received.

The Minister of Agriculture, Fisheries and Food may summon witnesses in accordance with the Code of Civil Procedure (R.S.Q., chapter C-25).”

CHARTER OF THE FRENCH LANGUAGE

**127.** Section 205 of the Charter of the French language (R.S.Q., chapter C-11) is amended

(1) by striking out the words “, in addition to costs,” in the fourth line;

(2) by replacing the words “offence within two years of a first offence” in the first line of paragraph *b* by the word “conviction”.

**128.** Section 206 of the said Act is amended by striking out the words “, in addition to costs,” in the second line.

**129.** Section 207 of the said Act is amended by striking out the words “, by way of summary proceedings,” in the second line.

**130.** Section 208.1 of the said Act, amended by section 549 of chapter 84 of the statutes of 1988, is again amended by replacing the words “pleads guilty to or is found guilty” in the first line of the first paragraph by the words “is convicted”.

**131.** Section 208.2 of the said Act is amended by replacing the words “pleaded guilty to or been found guilty” in the third line of the first paragraph by the words “been convicted”.

CHARTER OF HUMAN RIGHTS AND FREEDOMS

**132.** Section 18.2 of the Charter of human rights and freedoms (R.S.Q., chapter C-12) is amended by replacing the words “found guilty or that he pleaded guilty to” in the third line by the words “convicted of”.

**133.** Section 95 of the said Charter, introduced by section 12 of chapter 51 of the statutes of 1989, is amended by replacing the words “Notwithstanding any provision to the contrary” in the first line by the words “Subject to article 61 of the Code of Penal Procedure (1987, chapter 96)”.

COLONIZATION ROADS ACT

**134.** Section 5 of the Colonization Roads Act (R.S.Q., chapter C-13) is amended by striking out

(1) the words “, upon summary proceeding,” in the third line of the third paragraph;

(2) the words “and costs, and in default of payment of such fine and costs, to an imprisonment not exceeding one month” in the fourth and fifth lines of the third paragraph.

**135.** Section 6 of the said Act is amended

(1) by adding the words “, on penalty of a fine not exceeding \$50” after the word “road” at the end of the third line of the first paragraph;

(2) by striking out the second paragraph.

RAILWAY ACT

**136.** Section 6 of the Railway Act (R.S.Q., chapter C-14) is amended by striking out, in the last four lines of paragraph 8, the words “and, where any matter is authorized or required to be done by two justices of the peace, the words “two justices of the peace” shall mean two justices assembled and acting together;”.

**137.** Section 10 of the said Act is amended by replacing

(1) the words “If such copy be refused or be not forwarded upon request, the company shall be liable to a fine not exceeding one hundred dollars for such refusal or neglect, and to a further fine not exceeding ten dollars for every day during which the neglect to forward a copy continues” in the first five lines of the final paragraph by the words “If such copy be refused or not forwarded upon request, the company shall be liable to a fine not exceeding one hundred dollars for such refusal or neglect, and to a further fine not exceeding ten dollars per day for each day that the offence continues;”;

(2) the word “pénalité” in the final line of the French text of the final paragraph by the word “peine”.

**138.** Section 52 of the said Act is amended by striking out the words “; such forfeiture to be imposed by the company in such by-law, as a penalty for every such offence” in the last three lines.

**139.** Section 55 of the said Act is amended by striking out subsection 3.

**140.** Section 66 of the said Act is amended by replacing the words “shall forfeit to Her Majesty a sum” in the second line by the words “is liable to a fine”.

**141.** Section 77 of the said Act is amended by striking out the words “, and the said penalty, with costs of suit,” in the fifth and sixth lines of the second paragraph.

**142.** Section 88 of the said Act is amended by replacing subsection 3 by the following subsection:

“(3) Any company failing or neglecting to furnish such map within the prescribed period, shall be liable to a fine of \$200, and an additional fine of \$200 for each month such failure or neglect continues.”

**143.** Section 121 of the said Act is amended by replacing the words “, on summary proceeding before a justice of the peace, to fine of not more than ten dollars” in the last three lines of paragraph *d* of subsection 1 by the words “to a fine not exceeding \$10”.

**144.** Section 122 of the said Act is amended by replacing the last two lines of subsection 5 by the words “be liable to a fine not exceeding \$40.”

**145.** Section 130 of the said Act is amended by replacing the words “prosecution shall be had or instituted for any such fine” in the

first line of subsection 4 by the words “proceedings for the contravention of a provision of this section may be instituted”.

**146.** Section 133 of the said Act is amended by replacing the words “fine of not more than ten dollars besides costs, recoverable before any justice of the peace, and imprisonment not exceeding one month in default of payment” in the last three lines of subsection 2 by the words “fine not exceeding \$10”.

**147.** Section 150 of the said Act is amended by striking out subsection 2.

**148.** Section 152 of the said Act is amended by striking out

- (1) the words “, and the company shall further” in the sixth line;
- (2) the last four lines.

**149.** Section 158 of the said Act is amended by striking out the words “in favor of whomsoever may sue for the recovery thereof” in the last two lines of subsection 3.

**150.** Section 159 of the said Act is amended by striking out

- (1) subsection 5;
- (2) the words “recoverable under the provisions of this section” in subsection 6.

**151.** The heading of Division XVIII of the said Act is amended by striking out the words “FINES AND”.

**152.** Section 160 of the said Act is amended by striking out subsections 2 and 3.

**153.** Section 171 of the said Act is repealed.

**154.** The words “to Her Majesty” appearing in sections 191, 193, 200, 203, 204 and 210, the words “either towards Her Majesty, or” in section 205 and the punctuation, if any, pertaining thereto are struck out.

**155.** Section 228 of the said Act is amended by replacing subsection 2 by the following subsection:

- “(2) The fine belongs to the prosecutor.”

**156.** Section 231 of the said Act, amended by section 71 of chapter 21 of the statutes of 1988 and by section 24 of chapter 46 of the statutes of 1988, is again amended by striking out the words “ou par un” before the word “commis” in the penultimate line of subsection 1 of the French text.

**157.** Section 232 of the said Act is amended by striking out subsections 2, 3 and 4.

**158.** Sections 235 and 236 of the said Act are repealed.

**159.** Section 242 of the said Act is amended by replacing the words “be punished by imprisonment, in the house of detention of the district where the conviction takes place, for any term of less than two years” in the last three lines by the words “be liable to a fine of \$50 to \$1 000.”

**160.** Section 243 of the said Act is replaced by the following section:

**“243.** Every person who knowingly hinders an inspecting engineer in the performance of his duties is liable to a fine of \$40.”

**161.** Section 244 of the said Act, amended by section 80 of chapter 8 of the statutes of 1988, is again amended by replacing the last four lines by the words “contravention shall be liable to a fine not exceeding \$400.”

**162.** Section 245 of the said Act is amended

(1) by replacing the last five lines of the first paragraph by the words “contravention, then the officer, servant or other person convicted thereof shall be liable to a fine of \$50.”;

(2) by striking out the second paragraph.

#### NON-CATHOLIC CEMETERIES ACT

**163.** Section 3 of the Non-Catholic Cemeteries Act (R.S.Q., chapter C-17) is replaced by the following section:

**“3.** Every person who contravenes or is accessory to any contravention of any of the provisions of section 1 or 2 is liable to a fine not exceeding \$300 and an additional fine of \$25 per day, for each day that the offence continues.”

**164.** Section 4 of the said Act is amended by striking out the second paragraph.

CINEMA ACT

**165.** Section 101 of the Cinema Act (R.S.Q., chapter C-18.1) is amended by replacing the words “found guilty” in the first line of paragraph 1 by the word “convicted”.

**166.** Section 110 of the said Act is amended by replacing the words “found guilty” in the first line of paragraph 1 by the word “convicted”.

**167.** Section 176 of the said Act is amended by replacing the words “Summary Convictions Act (chapter P-15)” in the second line of the first paragraph by the words “Code of Penal Procedure (1987, chapter 96)”.

**168.** Section 178 of the said Act is amended

(1) by striking out the words “, in addition to costs,” in the third and fourth lines;

(2) by replacing the word “five” in the seventh line by the word “two”.

**169.** Section 179 of the said Act is amended by striking out the words “, in addition to costs,” in the sixth and seventh lines.

**170.** Section 181 of the said Act is amended by striking out the words “under the Summary Convictions Act (chapter P-15)” in the first and second lines.

CITIES AND TOWNS ACT

**171.** Section 69 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended by striking out the words “, on conviction thereof,” in the second and third lines of the second paragraph.

**172.** Section 116 of the said Act is amended by replacing the word “trouvée” in the French text by the word “déclarée” in

(1) the first line of subparagraph 6 of the first paragraph;

(2) the first and third lines of subparagraph 7 of the first paragraph.

**173.** Section 369 of the said Act is amended by replacing the first four paragraphs by the following paragraph:

**“369.** For each offence against a provision of a by-law, the council may prescribe, in each by-law within its powers, either a sentence of a fixed amount, or a minimum and maximum sentence, or a maximum sentence only; the amount of the fine shall not exceed \$300, except where otherwise prescribed.”

**174.** Section 412 of the said Act is amended

(1) by replacing the last eight lines of paragraph 9 by the words “prescribe a fine of \$100 for each violation of a provision of a by-law made under this paragraph and an additional fine of \$50 per day for each day that the offence continues.”;

(2) by replacing the words “filing a complaint and causing the issuance of a summons according to law,” in the second and third lines of the second paragraph of paragraph 20 by the words “laying an information”;

(3) by replacing the words “filing of a complaint” in the second line of the fourth paragraph of paragraph 20 by the words “laying of an information”;

(4) by replacing the words “file a complaint against him” in the third line of the fifth paragraph of paragraph 20 by the words “lay an information”;

(5) by striking out the words “within the meaning of the Summary Convictions Act and” in the last two lines of paragraph 20;

(6) by replacing the words “found guilty” in the first and second lines of the fourth paragraph of paragraph 20.1 by the word “convicted”;

(7) by replacing paragraph 28 by the following paragraph:

“(28) To prescribe a penalty of not less than \$1 nor more than \$5 for the offence committed by all persons whose chimneys may have caught fire, after any refusal to allow them to be swept.”

**175.** Section 452 of the said Act is amended by striking out the words “and, in default of payment, of imprisonment not exceeding one month” in the last two lines of the third paragraph.

**176.** Section 463 of the said Act is amended

(1) by replacing the words “impose fines upon persons who may” in the second line of paragraph 1 by the words “prescribe fines for persons who”;

(2) by replacing the words “impose fines on” in the first line of the second paragraph of paragraph 2 by the words “prescribe fines for”.

**177.** Section 492 of the said Act is amended by replacing the words “a fine or imprisonment, or both, for failure to pay such duties or taxes, the council may, at its option, instead of demanding the fine or the imprisonment,” in the second, third, fourth and fifth lines by the words “that failure to pay the said fines or taxes shall constitute an offence, the council may, at its option, instead of instituting penal proceedings,”.

**178.** The heading of Division XII of the said Act is replaced by the words “PENAL PROCEEDINGS”.

**179.** Sections 574 and 575 of the said Act are repealed.

**180.** Section 576 of the said Act is replaced by the following section:

“**576.** Penal proceedings may be brought within six months by a person of age in his own name, or by the municipality.”

**181.** Section 577 of the said Act is amended by replacing the words “Fines recovered in virtue of the by-laws of the council or of the provisions of this act or of the charter,” in the first two lines of the first paragraph by the words “Fines imposed as sanctions for an offence under any provision of this Act, of a by-law of the council or of the charter”.

**182.** The said Act is amended by adding, after section 577, the following section:

“**577.1** When penal proceedings are instituted against the municipality, service therein shall be made upon the clerk or the secretary-treasurer, at his office or domicile.”

**183.** Sections 578 to 584 of the said Act are repealed.

**184.** The heading of Division XIII of the said Act is amended by replacing the word “PROCEEDINGS” by the words “CIVIL REMEDIES”.

**185.** Section 617 of the said Act is amended by replacing the word “He” in the first line of the second paragraph by the words “Except in penal matters, he”.

**186.** Section 619 of the said Act is replaced by the following section:

“**619.** The municipal judge shall be *ex officio* a justice of the peace in the district where the municipality is situated for the application of those Acts of the Parliament of Canada which confer jurisdiction upon him.”

**187.** Section 620 of the said Act is amended by striking out paragraph 3.

**188.** The said Act is amended by adding, after section 620, the following section:

“**620.1** The Municipal Court shall have jurisdiction to hear penal proceedings for the sanction of any offence under a provision

(1) of the charter or of any by-law or resolution of the municipality or of any other municipality which confers such jurisdiction upon it;

(2) of this Act or any other Act which confers such jurisdiction upon it.”

**189.** Section 626 of the said Act is amended

(1) by striking out the words “or complaint” in the second line of the first paragraph;

(2) by replacing the words “proceedings, judgments and convictions” in the second line of the second paragraph by the words “pleadings and judgment”;

(3) by replacing the words “original summons or complaint” in the third paragraph by the words “summons or information”.

**190.** Section 628 of the said Act is repealed.

**191.** Section 629 of the said Act is amended

(1) by replacing the words “The service” in the first line of the first paragraph by the words “Subject to the Code of Penal Procedure (1987, chapter 96), the service”;

(2) by striking out the words “or accused” in the third line of the first paragraph;

(3) by striking out the third paragraph.

**192.** Section 630 of the said Act is amended by replacing the words “to be served,” in the first line by the words “contemplated in section 629 which is to be served and is”.

**193.** Section 633 of the said Act is amended by striking out the words “or the imposition of any fine or penalty” in the second and third lines of the first paragraph.

**194.** Section 634 of the said Act is amended by replacing the words “punish, by fine or imprisonment, any person guilty of” by the words “convict any such person of”.

**195.** Section 636 of the said Act is repealed.

**196.** Section 637 of the said Act is amended by striking out the words “, prosecution or complaint, pending before it,” in the second line.

**197.** Section 638 of the said Act is replaced by the following section:

**“638.** Subject to the Code of Penal Procedure, the court may use its discretion in awarding or withholding costs, or in ordering the plaintiff or the defendant to pay his own costs or those of the opposite party, and, in certain cases, to pay damages, not exceeding twenty-five dollars, when such damages appear to have resulted by reason of the matters in the case.”

**198.** Section 642 of the said Act is amended by replacing

(1) the words “suit, action, or prosecution brought” in the first line by the words “civil remedy”;

(2) the words “suit, action or prosecution is taken” in the third line by the words “civil remedy is instituted”.

**199.** Section 643 of the said Act is amended by replacing the words “The municipal judge” in the first line by the words “Except in penal matters, the municipal judge”.

**200.** Section 644 of the said Act is amended by striking out the second paragraph.

**201.** Section 645 of the said Act is amended by replacing the words “any action for the recovery of a fine or the imposition of a penalty” in the first and second lines by the words “penal proceedings”.

**202.** Sections 646 and 647 of the said Act are repealed.

**203.** Section 648 of the said Act is replaced by the following section:

“**648.** All fines imposed by the Municipal Court for the sanction of any offence under a provision of this Act, of the Charter or of a by-law of the council belong to the municipality and form part of its general fund.”

**204.** Section 649 of the said Act is amended by striking out the words “, or the costs of the suit in connection with the recovery of the said fine” in the second, third and fourth lines of the first paragraph.

**205.** Section 650 of the said Act is repealed.

**206.** Section 651 of the said Act is amended by striking out the words “or penal” in the first line.

**207.** Section 652 of the said Act is amended by replacing the words “action, suit or proceeding” in the second line by the words “civil remedy”.

#### AMUSEMENT CLUBS ACT

**208.** Section 9 of the Amusement Clubs Act (R.S.Q., chapter C-23) is amended by striking out everything after the figure “\$100” in the third line of the second paragraph.

#### HIGHWAY SAFETY CODE

**209.** Section 471 of the Highway Safety Code (R.S.Q., chapter C-24.1) is replaced by the following section:

“**471.** Every person who contravenes any provision of section 307 is guilty of an offence and is liable to a fine of \$100 to \$200.”

**210.** Section 500 of the said Code is amended by replacing

(1) the words “is responsible” in the second line of the first paragraph by the words “may be convicted”;

(2) the second paragraph by the following paragraph:

“In the case of an infraction under a provision of any municipal by-law to the same effect, the owner cannot be convicted unless it is shown that he was the driver of the vehicle at the time of the infraction or was in the vehicle then driven by his agent. In the latter case, the court may convict either or both of them.”

HIGHWAY SAFETY CODE

**211.** In the Highway Safety Code (R.S.Q., chapter C-24.2), the words “, in addition to costs,” are struck out wherever they appear in sections 48 to 60, 137 to 150, 164 to 166, 177 to 179, 275 to 287, 313 to 318, 504 to 518, 519.33 to 519.53, 544 to 546 and 643 to 646.

**212.** Section 84 of the said Code is amended by replacing

(1) the words and figures “section 63.20 of the Summary Convictions Act (chapter P-15)” in the second and third lines of the first paragraph by the words and figures “article 364 of the Code of Penal Procedure (1987, chapter 96)”;

(2) the words and figures “section 63.21 of the said Act” in the second line of the second paragraph by the words and figures “article 365 of the said Code”.

**213.** Section 194 of the said Code is amended by replacing

(1) the words and figures “section 63.20 of the Summary Convictions Act (chapter P-15)” in the second and third lines of the first paragraph by the words and figures “article 364 of the Code of Penal Procedure”;

(2) the words and figures “63.21 of the said Act” in the second line of the second paragraph by the words and figures “article 365 of the said Code”.

**214.** Section 591 of the said Code is amended by replacing the words “Proceedings under this Code are instituted in accordance with the Summary Convictions Act (chapter P-15)” in the first and second lines of the first paragraph by the words “Penal proceedings are instituted”.

**215.** Section 592 of the said Code is amended by replacing

(1) the words “is liable for” in the second line of the first paragraph by the words “may be convicted of”;

(2) the words “is liable only” in the ninth and tenth lines of the second paragraph by the words “cannot be convicted unless”.

**216.** Section 593 of the said Code is repealed.

**217.** Section 594 of the said Code is amended by striking out the third paragraph.

**218.** Section 599 of the said Code is repealed.

**219.** Section 630 of the said Code is amended by striking out the words “under this Code” in the second line of the second paragraph.

**220.** Section 645.2 of the said Code, enacted by section 20 of chapter 68 of the statutes of 1988, is amended by striking out the words “, in addition to costs,” in the fifth line.

#### CODE OF CIVIL PROCEDURE

**221.** Article 54 of the Code of Civil Procedure (R.S.Q., chapter C-25) is amended by replacing the words “is executory like an ordinary judgment in a penal case” in the third and fourth lines by the words “shall be executed in accordance with Chapter XIII of the Code of Penal Procedure (1987, chapter 96)”.

**222.** Article 284 of the said Code is amended by adding, after the first paragraph, the following paragraph:

“Examination of a witness detained in custody must begin without undue delay and not later than the eighth day following his arrest.”

**223.** Article 840 of the said Code is amended by replacing the words “a fine” in the second line by the words “punitive damages”.

#### PROFESSIONAL CODE

**224.** Section 156 of the Professional Code (R.S.Q., chapter C-26), amended by section 40 of chapter 29 of the statutes of 1988, is again amended by replacing the word “trouvé” in the first line of the first paragraph of the French text by the word “déclaré”.

**225.** Section 188 of the said Code, amended by section 55 of chapter 29 of the statutes of 1988, is again amended by striking out the words “on summary proceedings” in the third line.

**226.** Section 85 of the Labour Code (R.S.Q., chapter C-27) is amended by replacing the words “and condemned in accordance with the Summary Convictions Act (chapter P-15) as if he had been summoned under that act” in the second, third and fourth lines by the words “as if he had been summoned according to the Code of Civil Procedure (R.S.Q., chapter C-25)”.

**227.** Section 100.6 of the said Code is amended by replacing the words “and sentenced in accordance with the Summary Convictions Act (chapter P-15)” in the second and third lines of the second paragraph by the words “as if he had been summoned according to the Code of Civil Procedure”.

**228.** Section 118 of the said Code is replaced by the following section:

**118.** In addition to the other matters which are declared by law to be within its competence, such Court shall have jurisdiction, to the exclusion of any other Court, to hear and decide, in appeal, as to any decision of a labour commissioner who closes a case, and as to any decision of the labour commissioner general made under section 8 or section 9.

Such Court shall also have exclusive jurisdiction, in first instance, to hear the proof and render judgment in penal proceedings instituted for the sanctioning of any offence under any provision of this Code.”

**229.** Section 123 of the said Code is repealed.

**230.** Section 128 of the said Code is amended by adding, after the first paragraph, the following paragraph:

“In penal matters, the court shall try the proceedings at the chief place of the judicial district in which the information is laid, unless the judge considers it necessary, in the interest of the administration of justice, that the hearing be held, after notice to the parties, in another chief place.”

**231.** Section 139 of the said Code is amended by adding the words “and except when the Court is sitting in penal matters” after the word “jurisdiction” in the first line.

**232.** Section 144 of the said Code is amended by replacing the words “offence within two years” in the last line by the word “conviction”.

**233.** The heading of Chapter IX of the said Code is replaced by the following heading: “PENAL PROVISIONS”.

**234.** Section 147 of the said Code is repealed.

**235.** Section 148 of the said Code is amended by striking out the second paragraph.

**236.** Section 152 of the said Code is amended by replacing the words “the complaint of” in the third line by the words “information received from”.

MUNICIPAL CODE OF QUÉBEC

**237.** Article 23 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is amended by inserting the word “civil” before the word “action” in the third line.

**238.** Article 87 of the said Code is amended by striking out the last line.

**239.** Article 174 of the said Code is amended by replacing the word “pénalité” in the last line of the second paragraph of the French text by the word “peine”.

**240.** Article 192 of the said Code is amended by striking out the words “in addition to the costs” in the seventh line of the first paragraph.

**241.** Article 193 of the said Code, amended by section 83 of chapter 21 of the statutes of 1988, is again amended by striking out the words “, and shall be governed by Part I of the Summary Convictions Act (chapter P-15)” in the fourth and fifth lines.

**242.** Article 250 of the said Code is amended

(1) by replacing the comma in the third line of the first paragraph by a period;

(2) by striking out the words “under penalty of a fine of not more than \$1 for each day during which they neglect so to do, without prejudice to all damages occasioned by such neglect” in the third, fourth and fifth lines of the first paragraph;

(3) by striking out the second paragraph.

**243.** Article 260 of the said Code is amended by striking out the words “, or imprisonment for not more than eight days, or both” in the third and fourth lines.

**244.** Article 261 of the said Code is amended by replacing the words “Pour toute offense subséquente” in the first line of the second paragraph of the French text by the words “En cas de récidive”.

**245.** Article 269 of the said Code is amended by replacing the word “trouvée”, in the French text, by the word “déclarée”

(1) in the first line of paragraph 5;

(2) in the first line of paragraph 6.

**246.** Article 455 of the said Code is replaced by the following article:

“**455.** The corporation may prescribe, in each by-law within its powers, either a penalty of a fixed amount, or a minimum and maximum penalty, or a maximum penalty only; the amount of the fine shall not exceed \$300, except where otherwise provided.”

**247.** Article 546 of the said Code is amended by replacing the word “impose” in the second line of paragraph 1 and in the seventh and ninth lines of paragraph 2 by the word “prescribe”.

**248.** Article 553 of the said Code is amended by striking out the second paragraph.

**249.** Article 565 of the said Code is amended

(1) by replacing the words “filing a complaint and causing the issuance of a summons according to law,” in the second and third lines of the second paragraph by the words “laying an information”;

(2) by replacing the words “filing of a complaint” in the second line of the fourth paragraph by the words “laying of an information”;

(3) by replacing the words “file a complaint against him” in the third line of the fifth paragraph by the words “lay an information”;

(4) by striking out the words “within the meaning of the Summary Convictions Act (R.S.Q., chapter P-15) and” in the eighth and ninth lines of the sixth paragraph.

**250.** Article 566 of the said Code is amended by replacing the words “found guilty” in the first and second lines of the fourth paragraph by the word “convicted”.

**251.** Article 724 of the said Code is amended

(1) by striking out the words “nor penal action” in the first line of the fifth paragraph;

(2) by replacing the word “penalty” in the third line of the sixth paragraph by the word “offence”.

**252.** Article 760 of the said Code is amended by replacing the words “and no penalty may be recovered for violation of their provisions” in the fourth line of the second paragraph by the words “; no penal proceedings may be instituted for an offence under any of those provisions”.

**253.** Article 823 of the said Code is amended by striking out the words “; such costs may be recovered by the substitute or by the inspector in the manner prescribed for the recovery of fines imposed by this Code” in the last three lines of the second paragraph.

**254.** Article 924 of the said Code is amended by replacing the last five lines by the words “or prevent the special superintendent from performing his duties is liable to a fine of \$25.”

**255.** Article 962 of the said Code is amended by striking out the word “fines” in the first and fifth lines.

**256.** The heading of Title XXIX of the said Code is replaced by the following heading:

“PENAL PROCEEDINGS”.

**257.** Articles 1105 and 1106 of the said Code are repealed.

**258.** Articles 1108 and 1109 of the said Code are replaced by the following article:

“**1108.** Penal proceedings may be brought within three months by a person of age in his own name, or by the corporation.”

**259.** Article 1110 of the said Code is amended by replacing the words “recovered under” in the first line of the first paragraph by the words “imposed as a sentence for offences under”.

**260.** Articles 1111 and 1112 of the said Code are repealed.

**261.** The heading of Title XXX of the said Code is amended by inserting the word "CIVIL" before the word "JUDGMENTS" in the first line.

SAFE-DEPOSIT BOXES ACT

**262.** Section 1 of the Safe-Deposit Boxes Act (R.S.Q., chapter C-28) is amended by inserting the words "or of the Code of Penal Procedure (1987, chapter 96) relating to search" after the word "act" in the last line.

**263.** Section 2 of the said Act is amended by inserting the words ", other than circumstances giving rise to the issue of a search warrant," after the word "circumstance" in the third line.

GENERAL AND VOCATIONAL COLLEGES ACT

**264.** Section 12 of the General and Vocational Colleges Act (R.S.Q., chapter C-29) is amended by replacing the third paragraph by the following paragraph:

"Every person who contravenes any provision of this section is liable to a fine of \$50 to \$1 000. The person convicted of such an offence is disqualified for five years from being a member of the board of a college; he must also account to the board for any unlawful profit he has gained."

**265.** Section 31 of the said Act is amended by replacing the second paragraph by the following paragraph:

"Every person who contravenes any provision the provisions of this section shall be liable to a fine of not more than \$1 000."

PEDDLERS ACT

**266.** Section 6 of the Peddlers Act (R.S.Q., chapter C-30) is amended by replacing the words "in addition to the payment of the costs, to a fine of not more than two hundred dollars, and, in default of payment of the said fine and costs, to imprisonment for not more than three months" in the last three lines by the words "to a fine of not over \$200".

**267.** Section 7 of the said Act is repealed.

## PETROLEUM PRODUCTS TRADE ACT

**268.** Section 28.8 of the Petroleum Products Trade Act (R.S.Q., chapter C-31) is amended

(1) by replacing the first three lines by the following:

**“28.8** Every person is guilty of an offence and liable to a fine of not more than \$2 000 who”;

(2) by striking out the words “, on summary proceedings,” in the second line of the second paragraph.

**269.** Section 30 of the said Act is amended by striking out the words “, on summary proceeding, in addition to payment of the costs,” in the second and third lines of the first and second paragraphs.

**270.** Section 31 of the said Act is replaced by the following section:

**“31.** Every person who contravenes any provision of this Act or a regulation otherwise than in carrying on a petroleum products trade without a permit is liable to a fine of \$30 to \$575 for the first offence and to a fine of \$125 to \$2 300 for a second or subsequent offence.”

**271.** Section 32 of the said Act is repealed.

**272.** Section 33 of the said Act is amended by replacing the words “real offender” in the first line of the first paragraph by the word “defendant”.

**273.** Section 35 of the said Act is repealed.

## ACT RESPECTING THE BREAD TRADE

**274.** Sections 16 and 17 of the Act respecting the bread trade (R.S.Q., chapter C-32) are amended by replacing the words “offence within two years” in the third and fourth lines by the word “conviction”.

**275.** Section 19 of the said Act is amended by striking out

(1) the words “, under the Summary Convictions Act (R.S.Q., chapter P-15)” in the third and fourth lines of the first paragraph;

(2) the second paragraph.

## ACT RESPECTING THE COMMUNAUTÉ RÉGIONALE DE L'OUTAOUAIS

**276.** Section 50 of the Act respecting the Communauté régionale de l'Outaouais (R.S.Q., chapter C-37.1) is replaced by the following section:

“**50.** The Community may prescribe a fine of not more than \$500 for each offence against any of the provisions of a by-law.

In the case of a second conviction, the Community may prescribe a fine of \$100 to \$500 and, for any subsequent conviction, a fine of \$500 to \$1000.”

**277.** Section 64 of the said Act is amended by striking out the words “, on conviction therefor by the Court which has jurisdiction to recover the penalties enacted by the by-laws of the Community,” in the second, third and fourth lines of the second paragraph.

**278.** Section 195 of the said Act, amended by section 127 of chapter 52 of the statutes of 1989, is again amended by striking out the words “and to imprisonment for not more than two months, upon the filing of a complaint before any Municipal Court which has jurisdiction over the territory of the Transit Commission” in the last four lines of the second paragraph.

**279.** Section 235 of the said Act, amended by section 128 of chapter 52 of the statutes of 1989, is again amended by striking out the words “; the complaint must as far as possible be brought before the Municipal Court of the domicile or of the place of business of the person concerned” in the last three lines of the first paragraph.

**280.** Section 236 of the said Act is amended by striking out the third paragraph.

## ACT RESPECTING THE COMMUNAUTÉ URBAINE DE MONTRÉAL

**281.** Section 12.10 of the Act respecting the Communauté urbaine de Montréal (R.S.Q., chapter C-37.2) is amended by striking out the words “, on summary proceedings, in addition to costs,” in the second line of the second paragraph.

**282.** Section 69 of the said Act is replaced by the following section:

“**69.** The Council may prescribe a fine of not more than \$100 for each offence against the provisions of a by-law within its competence.

In the case of a second conviction, the Council may prescribe a fine of \$100 to \$500 and, for each subsequent conviction, a fine of \$500 to \$1 000.”

**283.** Section 86 of the said Act is amended by striking out the words “, on conviction by the Court which has jurisdiction to recover the penalties enacted by the by-laws of the Community,” in the second, third and fourth lines.

**284.** Section 133 of the said Act, amended by section 47 of chapter 49 of the statutes of 1988, is again amended by replacing subparagraphs *a* and *b* of paragraph 11 by the following subparagraphs:

“(a) for a first offence, a minimum fine of not more than \$25 000 and a maximum fine of not more than \$500 000, as fixed by the Community, imprisonment for not more than 18 months, notwithstanding article 231 of the Code of Penal Procedure, or both penalties together;

“(b) in the case of a second or subsequent conviction, a minimum fine of not more than \$50 000 and a maximum fine of not more than \$1 000 000, as fixed by the Community, imprisonment for not more than 18 months, notwithstanding article 231 of the Code of Penal Procedure, or both penalties together.”

**285.** Section 135 of the said Act is amended by striking out the words “, or by refusing to give him one’s surname, given name and address” in the fourth and fifth lines of the first paragraph.

**286.** Section 151.4 of the said Act is amended by striking out the words “, or by refusing to give him one’s surname, given name and address” in the fourth and fifth lines of the first paragraph.

**287.** Section 151.5 of the said Act, replaced by section 50 of chapter 49 of the statutes of 1988, is again replaced by the following section:

**151.5** The Community may, by by-law, prescribe that any infringement of a by-law made under section 151.1, of an order made under section 151.2.1, of section 151.3 or 151.4, or that failure to comply with a prohibition, condition or requirement established under section 151.2.2, 151.2.3, 151.2.4 or 151.2.5 shall entail a penalty:

(1) for a first offence, a minimum fine of not more than \$25 000 and a maximum fine of not more than \$500 000, imprisonment for not

more than 18 months, notwithstanding article 231 of the Code of Penal Procedure, or both penalties together;

(2) in the case of a second or subsequent conviction, a minimum fine of not more than \$50 000 and a maximum fine of not more than \$1 000 000, imprisonment for not more than 18 months, notwithstanding article 231 of the Code of Penal Procedure, or both penalties together.”

**288.** Section 153.1 of the said Act is amended

(1) by striking out the words “, on summary proceedings, in addition to costs” in the second and third lines of paragraph 8;

(2) by replacing the words “offence within two years” in the first line of subparagraph *b* of paragraph 8 by the word “conviction”.

**289.** Section 204 of the said Act, amended by section 129 of chapter 52 of the statutes of 1989, is again amended by striking out the words “, but the complaint, in so far as possible, must be brought before the Municipal Court of the domicile or of the place of business of the interested party” in the last three lines.

**290.** Section 306.46 of the said Act is amended by striking out the words “in addition to costs,” in the second line.

**291.** Section 306.47 of the said Act is amended

(1) by striking out the words “, in addition to costs,” in the third and fourth lines of the first paragraph;

(2) by striking out the words “offence within two years of the” in the first line of the second paragraph.

**292.** Section 306.49 of the said Act is replaced by the following section:

**“306.49** The board of directors may specifically designate officers of the corporation who shall be responsible for the enforcement of the by-laws of the corporation contemplated in subparagraphs 1, 2 and 3 of the first paragraph of section 291.17.”

**293.** Section 329 of the said Act is amended by replacing the words “Summary Convictions Act (chapter P-15)” in the fourth line by the words “Code of Penal Procedure”.

## ACT RESPECTING THE COMMUNAUTÉ URBAINE DE QUÉBEC

**294.** Section 6.3.10 of the Act respecting the Communauté urbaine de Québec (R.S.Q., chapter C-37.3) is amended by striking out the words “, on summary proceedings, in addition to costs,” in the second line of the second paragraph.

**295.** Section 56 of the said Act is replaced by the following section:

“**56.** The Community may prescribe a fine of not more than \$500 for each offence under the provisions of any by-law within its competence.

In the case of a second conviction, the Council may prescribe a fine of \$100 to \$500 and, for each subsequent conviction, a fine of \$500 to \$1 000.”

**296.** Section 70 of the said Act is amended by striking out the words “, on conviction therefor by the Court which has jurisdiction to recover the penalties enacted by the by-laws of the Community,” in the second, third and fourth lines of the second paragraph.

**297.** Section 215 of the said Act, amended by section 131 of chapter 52 of the statutes of 1989, is again amended by striking out the words “and to imprisonment for not more than two months, upon the filing of a complaint before any Municipal Court which has jurisdiction in the territory of the Transit Commission” in the last four lines of the second paragraph.

**298.** Section 221 of the said Act, amended by section 132 of chapter 52 of the statutes of 1989, is again amended by striking out the words “; the complaint must as far as possible be brought before the Municipal Court of the domicile or of the place of business of the person concerned” in the last three lines of the first paragraph.

**299.** Section 223 of the said Act is repealed.

## COMPANIES ACT

**300.** Sections 35 and 137 of the Companies Act (R.S.Q., chapter C-38) are amended by striking out the words “, in addition to costs,” wherever they appear.

**301.** Sections 105, 110, 114, 198, 203 and 207 of the said Act are amended by striking out the words “on summary proceeding”

wherever they appear and the punctuation signs related thereto, where required.

**302.** Section 91 of the said Act is amended by replacing the word “amendes” in the first line of paragraph *f* of subsection 2 of the French text by the word “pénalités”.

**303.** Section 111 of the said Act is amended by replacing the word “penalties” in the second line of subsection 3 by the word “sentences”.

**304.** Section 123 of the said Act is amended

(1) by striking out the words “, on summary proceeding,” in the fifth line;

(2) by striking out the words “, or to imprisonment for not more than two months, or to both such fine and imprisonment” in the sixth and seventh lines.

**305.** Section 185 of the said Act is amended by replacing the word “amendes” in the first line of paragraph *f* of subsection 2 of the French text by the word “pénalités”.

**306.** Section 215 of the said Act is amended

(1) by striking out the words “, on summary proceeding,” in the fifth line;

(2) by striking out the words “, or to imprisonment for not more than two months, or to both such fine and imprisonment” in the sixth and seventh lines.

**307.** Section 228 of the said Act is amended

(1) by striking out the words “, in addition to the costs,” in the fourth and fifth lines;

(2) by striking out the words “, and, failing payment of such fine and costs, to imprisonment for a term not exceeding three months” in the sixth and seventh lines.

**308.** Section 230 of the said Act is amended by adding the words “, except the power to impose imprisonment” after the words “(chapter C-37)” at the end of subsection 3.

## TIMBER-DRIVING COMPANIES ACT

**309.** Section 58 of the Timber-Driving Companies Act (R.S.Q., chapter C-42) is replaced by the following section:

**“58.** Every person who prevents an employee of any company from driving timber through any such works or from carrying out any regulation of the company for the greater safety and regularity of timber-driving, or resists an employee who requires access to any raft or other timber to ascertain the just tolls thereon, is liable to a fine of \$1 to \$10.”

**310.** Sections 59, 60 and 61 of the said Act are repealed.

**311.** Sections 62 and 63 of the said Act are replaced by the following sections:

**“62.** All fines imposed for offences under the provisions of this Act belong to the company and shall be paid to the treasurer thereof.

**“63.** Penal proceedings must be instituted within six months from the commission of the offence.”

## GAS, WATER AND ELECTRICITY COMPANIES ACT

**312.** Section 42 of the Gas, Water and Electricity Companies Act (R.S.Q., chapter C-44) is amended by striking out the words “, at the discretion of the directors” in the fourth and fifth lines.

**313.** Section 76 of the said Act is amended by striking out the words “, to be recovered with costs as hereinafter provided” in the sixth line.

**314.** The heading of Division XIV of the said Act is replaced by the following:

“PENAL PROVISIONS”.

**315.** Section 87 of the said Act is replaced by the following section:

**“87.** Every person who lays or causes to be laid any pipe or main which communicates with any pipe or main belonging to a company, or uses gas or water without the consent of the company is liable to a fine of \$120 and, in addition, to a fine of \$4 for each day during which such communication remains.”

**316.** Section 88 of the said Act is amended by replacing the last six lines by the words “is liable to a fine of not more than \$20.”

**317.** Section 89 of the said Act is replaced by the following section:

“**89.** Every person who knowingly and wilfully impairs, or allows another person to alter or impair, any meter so that the amount of gas recorded is less than what is actually consumed is liable to a fine of \$4 to \$20 and twice the value of the surplus gas so consumed.”

**318.** Section 90 of the said Act is replaced by the following section:

“**90.** Every person who wilfully extinguishes a public lamp or light belonging to the company is liable to a fine of \$4 to \$20.”

**319.** The said Act is amended by adding, after section 90, the following section:

“**90.1** All fines imposed for offences under any of sections 76, 87, 88, 89 and 90 belong to the company.”

**320.** Division XV of the said Act is repealed.

TELEGRAPH AND TELEPHONE COMPANIES ACT

**321.** Section 15 of the Telegraph and Telephone Companies Act (R.S.Q., chapter C-45) is amended by replacing the words “, to be recovered, with costs of suit, by” in the fourth and fifth lines by the words “which belongs to”.

**322.** Section 17 of the said Act is amended by striking out the words “, or to imprisonment for a term of not more than three months, or both, in the discretion of the court before which the conviction is had” in the last three lines.

**323.** Section 18 of the said Act is amended

(1) by replacing the words “Under a penalty” in the first line of the second paragraph by the words “On pain of a sentence in the form of a fine”;

(2) by striking out the words “to be recovered by the Crown for the public uses of Québec, with costs, in any way in which debts of like amount are recoverable by the Crown,” in the second, third, fourth and fifth lines of the second paragraph.

**324.** Section 23 of the said Act is amended by replacing the words “shall be liable to a penalty of one hundred dollars recoverable by suit in a court of competent jurisdiction by any person suing therefor in his own name, or, in default of payment of such penalty, to imprisonment for a term of not more than three months, or both, in the discretion of the court before which the conviction is had” in the last six lines by the words “is liable to a fine of \$100 which belongs to the prosecutor”.

**325.** Section 24 of the said Act is amended by replacing the words “shall be liable to the same penalty and imprisonment as are enacted in” in the fifth and sixth lines by the words “is liable to the same fine as that prescribed in”.

#### EXTRA-PROVINCIAL COMPANIES ACT

**326.** Section 11 of the Extra-Provincial Companies Act (R.S.Q., chapter C-46) is amended by striking out the words “, and, in default of payment, to imprisonment of not more than three months” in the last two lines.

**327.** Section 12 of the said Act is replaced by the following section:

“**12.** Penal proceedings in view of imposing a sanction for an offence under any provision of this Act must be instituted within six months from the commission of the offence.”

#### MINING COMPANIES ACT

**328.** Sections 9 and 21 of the Mining Companies Act (R.S.Q., chapter C-47) are amended by striking out the words “, and, on failure to pay such fine, to imprisonment for not more than three months” wherever they appear, and section 19 of the said Act is amended by striking out the words “, and, on failure to pay such fine and costs, to imprisonment for not more than three months”.

**329.** Section 22 of the said Act is repealed.

#### ACT RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE

**330.** Section 14 of the Act respecting the conservation and development of wildlife (R.S.Q., chapter C-61.1) is replaced by the following section:

“**14.** A conservation officer who exercises his duties in an unorganized territory may enter a place, other than a permanent

residence, to identify any person present on the premises where he has reasonable grounds to believe that the person has committed an offence under this Act or the regulations under it or under any other Act or regulation he has the duty to enforce.

The conservation officer may arrest the person without a warrant, in accordance with articles 72, 73 and 74 of the Code of Penal Procedure (1987, chapter 96).”

**331.** Section 15 of the said Act is replaced by the following section:

**“15.** A conservation officer or a deputy conservation officer who exercises his duties in an unorganized territory may make a search without a warrant or telewarrant in a dwelling, where the time necessary to obtain a warrant or a telewarrant may result in danger to human health or to the safety of persons or property or in the disappearance, destruction or loss of the animate or inanimate thing searched for.”

**332.** Section 15.1 of the said Act is replaced by the following section:

**“15.1** For the purposes of sections 14 and 15, “unorganized territory” means

(1) the territory not forming part of the territory of a local municipality within the meaning of the Act respecting municipal territorial organization (1988, chapter 19);

(2) the territory of the municipality of Baie James not forming part of the territory of a locality constituted in accordance with section 38 of the James Bay Region Development Act (R.S.Q., chapter D-8);

(3) the territory of the municipality of the North Shore of the Gulf of St. Lawrence not forming part of the territory of a local municipality constituted by order pursuant to section 1 of the Act respecting the municipal reorganization of the territory of the municipality of the North Shore of the Gulf of St. Lawrence (1988, chapter 55) or of that of a locality determined by the Minister of Municipal Affairs under section 7 of the Act respecting the municipality of the North Shore of the Gulf of St. Lawrence (1963, 1<sup>st</sup> session, chapter 97).”

**333.** Section 16 of the said Act, amended by section 2 of chapter 39 of the statutes of 1988, is again amended by striking out the words “without a warrant” wherever they occur.

**334.** Section 165 of the said Act is amended

(1) by striking out the words “in addition to costs,” in the tenth line of the first paragraph;

(2) by adding the words “, notwithstanding article 231 of the Code of Penal Procedure” after the word “days” at the end of the second paragraph.

**335.** Section 166 of the said Act is amended by striking out the words “in addition to costs,” in the sixth line of the first paragraph.

**336.** Section 167 of the said Act is amended

(1) by striking out the words “, in addition to costs,” in the ninth line of the first paragraph;

(2) by striking out the words “, in addition to costs,” in the second and third lines of the second paragraph;

(3) by adding the words “, notwithstanding article 231 of the Code of Penal Procedure” after the word “year” at the end of the second paragraph.

**337.** Section 171 of the said Act, amended by section 38 of chapter 39 of the statutes of 1988, is again amended by striking out the words “, in addition to costs,” in the eighth line.

**338.** Section 171.2 of the said Act, introduced by section 7 of chapter 24 of the statutes of 1988, amended by section 56 of chapter 37 of the statutes of 1989, is again amended

(1) by striking out the words “, in addition to costs” in the fifth line;

(2) by replacing paragraphs 1 and 2 by the following paragraphs:

“(1) in the case of a natural person, to a fine of \$500 to \$20 000 and, in the case of a second or subsequent conviction within three years, to a fine of \$1 000 to \$40 000; in addition, in the latter case, the judge may order imprisonment for not more than one year, notwithstanding article 231 of the Code of Penal Procedure;

“(2) in any other case, to a fine of \$1 000 to \$40 000 and, in the case of a second or subsequent conviction within three years, to a fine of \$2 000 to \$80 000.”

**339.** Section 171.4 of the said Act, introduced by section 7 of chapter 24 of the statutes of 1988, is amended by striking out the words “, in addition to costs,” in the third line.

**340.** Section 177 of the said Act, amended by section 39 of chapter 39 of the statutes of 1988, is again amended by replacing the words “found guilty” in the first line of subparagraph 2 of the first paragraph by the word “convicted”.

**341.** Section 178 of the said Act is repealed.

#### ACT TO PROMOTE HOUSING CONSTRUCTION

**342.** Section 8.1 of the Act to promote housing construction (R.S.Q., chapter C-64.01) is amended

(1) by striking out the words “, in addition to costs,” in the fifth line of the first paragraph;

(2) by striking out the words “offence within two years of” in the sixth and seventh lines of the first paragraph.

**343.** Section 8.2 of the said Act is amended

(1) by replacing the words “Attorney General, order that person to pay the unpaid contributions” in the third and fourth lines of the first paragraph by the words “prosecutor, order that person to pay, as a fine, the unpaid contributions”;

(2) by striking out the second paragraph.

**344.** Section 8.3 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (chapter P-15)” in the first and second lines.

#### REFERENDUM ACT

**345.** Section 508 of Appendix 2 of the Referendum Act (R.S.Q., chapter C-64.1) is amended by striking out the words “, in addition to costs,” in the fourth line.

#### COOPERATIVES ACT

**346.** Section 248 of the Cooperatives Act (R.S.Q., chapter C-67.2) is amended

(1) by striking out the words “on summary proceedings” in the first and second lines;

(2) by replacing the words “offence within two years” in the fourth line by the word “conviction”.

ACT RESPECTING SECURITY FUND CORPORATIONS

**347.** Section 74 of the Act respecting security fund corporations (R.S.Q., chapter C-69.1) is amended by replacing the words “offence within two years” in the third and fourth lines by the word “conviction”.

**348.** Section 75 of the said Act is amended by striking out the words “; the Summary Convictions Act (chapter P-15) applies to those proceedings” in the third and fourth lines.

ACT RESPECTING MUNICIPAL AND INTERMUNICIPAL TRANSIT CORPORATIONS

**349.** Section 107 of the Act respecting municipal and intermunicipal transit corporations (R.S.Q., chapter C-70) is amended

(1) by striking out the words “in addition to the payment of costs:” in the third and fourth lines;

(2) by replacing the words “a second offence within two years” in the first line of paragraph *b* by the words “any subsequent conviction”.

**350.** Section 109 of the said Act is amended by striking out the second paragraph.

MUNICIPAL COURTS ACT

**351.** The heading of Division IV of the Municipal Courts Act (R.S.Q., chapter C-72) is amended by striking out the words “AND FINES” in the third line.

**352.** Section 15 of the said Act is amended by inserting the word “civil” after the word “any” in the first line.

REAL ESTATE BROKERAGE ACT

**353.** Section 17 of the Real Estate Brokerage Act (R.S.Q., chapter C-73) is amended

(1) by striking out the words “, in addition to costs,” in the second line of the first paragraph;

(2) by replacing the words “offence within two years after conviction for the same offence” in the first and second lines of the second paragraph by the word “conviction”.

**354.** Section 19 of the said Act is repealed.

#### INSURANCE BROKERS ACT

**355.** Section 36 of the Insurance Brokers Act (R.S.Q., chapter C-74) is replaced by the following section:

“**36.** Every person who contravenes any provision of section 30 is liable to a fine of \$50 to \$100 and, in the case of a second or subsequent conviction, to a fine of \$200 to \$500. The amount of the fines shall be doubled where the offender is a legal person.”

**356.** Section 38 of the said Act is replaced by the following section:

“**38.** The Association may institute penal proceedings in view of imposing a sanction for an offence under any provision of this Act.”

**357.** Section 39 of the said Act is repealed.

#### FORESTRY CREDIT ACT

**358.** Section 45 of the Forestry Credit Act (R.S.Q., chapter C-78) is amended by replacing the fourth paragraph by the following paragraph:

“Every borrower, subsequent owner or occupant who cuts timber in a forest contrary to the management plan governing the forest is guilty of an offence and liable to a fine of \$7/m<sup>3</sup> so cut. The penal proceedings may be instituted by the Bureau.”

#### ACT TO PROMOTE FOREST CREDIT BY PRIVATE INSTITUTIONS

**359.** Section 36 of the Act to promote forest credit by private institutions (R.S.Q., chapter C-78.1) is amended

(1) by striking out the words “, in addition to costs” in the third line of the first paragraph;

(2) by striking out the words “in accordance with the Summary Convictions Act (chapter P-15)” in the second and third lines of the second paragraph.

PUBLIC CURATORSHIP ACT

**360.** Section 42 of the Public Curatorship Act (R.S.Q., chapter C-80) is amended by striking out the words “, in addition to costs” in the third line.

**361.** Section 42.1 of the said Act is amended by striking out the words “, in addition to costs” in the second and third lines.

**362.** Section 42.2 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (chapter P-15)” in the first and second lines.

COMPANIES AND PARTNERSHIPS DECLARATION ACT

**363.** Sections 7 and 8 of the Companies and Partnerships Declaration Act (R.S.Q., chapter D-1) are repealed.

**364.** Section 14 of the said Act is amended

(1) by striking out the words “, to be recovered before any court of competent civil jurisdiction by the Attorney General in the name of Her Majesty or by any legally constituted board of trade” in the last four lines;

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

“Penal proceedings with a view to imposing a sanction for an offence under any provision of this Act may be instituted by the Attorney General or by any board of trade that is legally constituted; the fine belongs to the prosecutor.”

**365.** Section 15 of the said Act is amended by striking out the words “and costs, and, in default of payment of the fine and costs, to imprisonment for three months” in the ninth and tenth lines.

ACT RESPECTING COLLECTIVE AGREEMENT DECREES

**366.** The heading preceding section 29 of the Act respecting collective agreement decrees (R.S.Q., chapter D-2) is replaced by the following:

## "GENERAL AND PENAL PROVISIONS".

**367.** Section 30 of the said Act is amended by replacing the last four lines by the following: "is guilty of an offence and is liable to a fine of \$200 to \$500 and, in the case of a second or subsequent conviction, to a fine of \$500 to \$3 000."

**368.** Section 33 of the said Act is amended by replacing the last four lines by the following: "is guilty of an offence and is liable to a fine of \$200 to \$500 and, in the case of a second or subsequent conviction, to a fine of \$500 to \$3 000."

**369.** Section 35 of the said Act is amended by replacing the words " , in addition to the costs, to a fine of \$50 to \$200 ; in the case of a subsequent offence within two years, he shall be liable, in addition to the costs, to a fine of \$200 to \$500" in the last three lines by the words "to a fine of \$50 to \$200 and, in the case of a second or subsequent conviction, to a fine of \$200 to \$500."

**370.** Section 36 of the said Act is amended by replacing the words " , in addition to the costs, to a fine of \$50 to \$200 ; in the case of a subsequent offence within two years he shall be liable, in addition to the costs, to a fine of \$200 to \$500" in the last four lines by the words "to a fine of \$50 to \$200 and, in the case of a second or subsequent conviction, to a fine of \$200 to \$500."

**371.** Section 38 of the said Act is amended by striking out the words " , in addition to the costs," in the last two lines.

**372.** Section 32 of the said Act is amended by replacing the words "unlawful act" in the second line by the word "offence" and by striking out the words "and costs" in the third line.

**373.** Section 34 of the said Act is amended

(1) by replacing the words "unlawful act" in the fifth line by the word "offence";

(2) by striking out the words "and costs" in the seventh line;

(3) by replacing the words "and costs for any subsequent offence" in the eighth line by the words "in the case of a second or subsequent conviction".

**374.** Section 37 of the said Act is amended

(1) by replacing the words “unlawful act” in the third line by the word “offence”;

(2) by striking out the words “and costs” in the fourth and fifth lines;

(3) by striking out the words “and costs” in the fifth line.

**375.** Section 51 of the said Act is repealed.

#### DEPOSIT ACT

**376.** Section 25 of the Deposit Act (R.S.Q., chapter D-5) is replaced by the following section:

“**25.** Every public officer who contravenes any provision of this Act may be removed from office and is also liable to a fine of not more than \$200.”

#### ACT RESPECTING MUNICIPAL AND SCHOOL DEBTS AND LOANS

**377.** Section 9 of the Act respecting municipal and school debts and loans (R.S.Q., chapter D-7) is amended

(1) by inserting the words “towards the corporation” after the word “responsible” in the third line;

(2) by replacing the comma in the fourth line by a period;

(3) by striking out the words “towards the corporation, which may recover the same by an action at law, enforceable by coercive imprisonment against the member or the members of the council in default” in the last four lines.

**378.** Section 14 of the said Act is amended by replacing the words “, fees and fines” in the first line by the words “and fees”.

**379.** Section 33 of the said Act is amended by striking out the words “, or, in default of payment thereof, to imprisonment until such fine be paid, but for a term of not more than twelve months” in the sixth, seventh and eighth lines.

#### ACT RESPECTING THE DEVELOPMENT OF QUÉBEC FIRMS IN THE BOOK INDUSTRY

**380.** Section 42 of the Act respecting the development of Québec firms in the book industry (R.S.Q., chapter D-8.1) is amended

(1) by replacing that part which precedes paragraph *a* by the following:

**42.** Every person who is convicted of an offence against any provision of this Act or of a regulation is liable”;

(2) by replacing the words “offence against the same provision of this act or the regulations within a period of two years” in the third and fourth lines of paragraph *a* by the word “conviction”.

**381.** Section 43 of the said Act is amended by striking out the words “under the Summary Convictions Act (chapter P-15)” in the first and second lines of the first paragraph.

ACT TO PROMOTE THE ADVANCEMENT OF SCIENCE AND TECHNOLOGY IN QUÉBEC

**382.** Sections 98 and 99 of the Act to promote the advancement of science and technology in Québec (R.S.Q., chapter D-9.1) are amended by striking out the words “, on summary proceedings,” wherever they appear.

GAS DISTRIBUTION ACT

**383.** Section 13 of the Gas Distribution Act (R.S.Q., chapter D-10) is amended

(1) by striking out the words “, in addition to the costs,” in the fourth line of the first paragraph;

(2) by replacing the words “for each subsequent offence” in the sixth line of the first paragraph by the words “in the case of a second or subsequent conviction”;

(3) by replacing the second paragraph by the following paragraph:

“Every other person who infringes any provision of this Act or a regulation or disobeys an order of the Board is liable to a fine of \$250 to \$575 for a first offence and to a fine of \$575 to \$1 150 in the case of a second or subsequent conviction.”;

(4) by striking out the third paragraph.

BUSINESS CONCERNS RECORDS ACT

**384.** Section 5 of the Business Concerns Records Act (R.S.Q., chapter D-12) is amended

(1) by replacing the words “liable to one year’s imprisonment” in the third and fourth lines of the first paragraph by the words “liable to the sentences described in article 51 of the Code of Civil Procedure (R.S.Q., chapter C-25).”;

(2) by replacing the words “to one year’s imprisonment, without prejudice to any penalty or” in the fourth line of the second paragraph by the words “to the sentences described in article 51 of the Code of Civil Procedure in addition to any”.

ACT RESPECTING HUNTING AND FISHING RIGHTS IN THE JAMES BAY AND NEW QUÉBEC TERRITORIES

**385.** Section 95 of the Act respecting hunting and fishing rights in the James Bay and New Québec territories (R.S.Q., chapter D-13.1) is replaced by the following section:

“**95.** Every person using the equipment prohibited in paragraph *a* of section 18 or the regulations is guilty of an offence and liable to a fine of \$100 to \$300 and, in the case of a second or subsequent conviction, to a fine of \$500 to \$1 000.”

**386.** Section 96 of the said Act is replaced by the following section:

“**96.** Every person operating as an outfitter in the Territory without holding the licence required by the law is guilty of an offence and liable to a fine of \$50 and, in the case of a second or subsequent conviction, to a fine of \$200 to \$400.”

**387.** Section 96.1 of the said Act, introduced by section 6 of chapter 40 of the statutes of 1989, is amended by striking out the words “, in addition to payment of the costs,” in the fourth line.

**388.** Section 97 of the said Act is amended

(1) by striking out the words “, in addition to payment of the costs,” in the third and fourth lines of the first paragraph;

(2) by striking out the words “or imprisonment for not more than three months, or to both penalties together” in the fourth and fifth lines of the first paragraph.

**389.** Section 98 of the said Act is amended by striking out the words “and costs and, in default of payment, to imprisonment for not more than twelve months or to both penalties together” in the third, fourth and fifth lines.

**390.** Section 100 of the said Act is amended by replacing the word “penalty” in the first line of the first paragraph by the word “sentence”.

AMUSEMENT TAX ACT

**391.** Section 8 of the Amusement Tax Act (R.S.Q., chapter D-14) is amended by striking out the words “and costs, and, on failure to pay such fine and costs, to imprisonment for not more than ten days” in the last two lines.

**392.** Section 10 of the said Act is repealed.

**393.** Section 11 of the said Act is amended by striking out the words “and costs,” and the words “, and, failing payment of the fine and costs, by imprisonment for not more than two months” in the third and in the third and fourth lines, respectively.

**394.** Section 12 of the said Act is amended by replacing the words “The fines imposed by this act belong” in the first line by the words “Every fine imposed for an offence under the provisions of this Act belongs”.

MINING DUTIES ACT

**395.** Sections 84, 85 and 93 of the Mining Duties Act (R.S.Q., chapter D-15) are amended by striking out the words “, on summary proceeding,” wherever they appear.

**396.** Section 86 of the said Act is amended by striking out the words “or both the fine and imprisonment for a term not exceeding six months” in the seventh and eighth lines.

**397.** Section 87 of the said Act is amended by replacing the words “, upon summary proceeding, to a fine of not less than \$200 nor more than \$10,000, with or without imprisonment for not more than two years” in the last three lines by the words “to a fine of \$200 to \$10 000”.

**398.** Section 90 of the said Act is repealed.

ACT RESPECTING THE CONSERVATION OF ENERGY IN BUILDINGS

**399.** Section 21 of the Act respecting the conservation of energy in buildings (R.S.Q., chapter E-1.1) is replaced by the following section:

**“21.** Every person who contravenes a provision of this Act or of the regulations is guilty of an offence and liable to a fine of \$250 to \$575 and, in the case of a second or subsequent conviction, to a fine of \$575 to \$3 500.”

**400.** Section 23 of the said Act is amended by replacing the words “Proceedings under this act or the regulations are instituted in accordance with the Summary Convictions Act (R.S.Q., chapter P-15)” in the first and second lines by the words “Penal proceedings with a view to imposing a sanction for an offence under any provision of this Act or the regulations shall be instituted”.

ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

**401.** In the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2), amended by sections 596 to 602 of chapter 1 of the statutes of 1989, the words “pleads guilty to or” are struck out wherever they appear in the following sections:

- (1) section 53;
- (2) section 69;
- (3) section 97;
- (4) section 301;
- (5) subparagraph 9 of section 389;
- (6) section 524.

**402.** Section 302 of the said Act is amended

- (1) by striking out the words “pleads guilty to or” in the first line of the first paragraph;
- (2) by replacing the word “sentence” in the third line of the second paragraph of the French text by the word “peine”.

**403.** Section 318 of the said Act is amended

- (1) by striking out the words “pleaded guilty to or” in the second and fifth lines of the third paragraph;
- (2) by replacing the word “sentence” in the ninth line of the third paragraph of the French text by the word “peine”.

**404.** Section 383 of the said Act is amended by replacing the words “pleads guilty to or is convicted” in the first and second lines of subparagraph 7 of the first paragraph by the words “is convicted”.

**405.** Section 638 of the said Act is amended by replacing the words “found guilty” in the fourth line of the second paragraph by the word “convicted”.

**406.** Section 639 of the said Act is amended

(1) by striking out the words “in addition to costs,” in the second and third lines;

(2) by replacing the words “offence within two years of a conviction for an offence described in the same provision” in the first and second lines of paragraph 2 by the word “conviction”.

**407.** Sections 640 to 644 of the said Act are amended by striking out the words “, in addition to costs,” wherever they appear.

**408.** Section 646 of the said Act is repealed.

#### FIRE INVESTIGATIONS ACT

**409.** Section 31 of the Fire Investigations Act (R.S.Q., chapter E-8) is replaced by the following section:

**“31.** The following persons are guilty of an offence and liable to a fine of not more than \$500:

(1) every person who contravenes any provision of section 10;

(2) every person who hinders or attempts to hinder an investigation commissioner in the performance of his duties.”

#### ACT RESPECTING PRIVATE EDUCATION

**410.** The heading of Chapter X of the Act respecting private education (R.S.Q., chapter E-9) is replaced by the following:

“PENAL PROVISIONS”.

**411.** Section 70 of the said Act is replaced by the following section:

**“70.** Every institution convicted of an offence under section 69 shall be liable to a fine of \$100 to \$500 and, in the case of a second or subsequent conviction, to a fine of \$200 to \$1 000.

In the case of a legal person, the judge may, at his discretion, increase the fines described in the first paragraph up to \$2 000 for the first offence and up to \$5 000 in the case of a second or subsequent conviction.”

**412.** Section 71 of the said Act is repealed.

#### EXECUTIVE POWER ACT

**413.** Sections 14 to 16 of the Executive Power Act (R.S.Q., chapter E-18) are replaced by the following section:

**“14.** Any penal prosecution in respect of an offence under this section must be heard and decided by preference.

Any appeal from such a prosecution, after it is entered on the roll, shall have priority over other appeals.”

#### ACT TO SECURE THE HANDICAPPED IN THE EXERCISE OF THEIR RIGHTS

**414.** Section 75 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1) is replaced by the following section:

**“75.** Every person who contravenes one of the provisions of this Act or of the regulations thereunder is guilty of an offence and is liable to a fine of not more than \$1 150 in the case of a natural person, or a fine of not more than \$5 750 in the case of a legal person.

In the case of a second or subsequent conviction, the fines provided for in the preceding paragraph are increased to \$2 300 in the case of a natural person and \$11 500 in the case of a legal person.”

#### ACT RESPECTING EXPLOSIVES

**415.** Sections 13 and 13.1 of the Act respecting explosives (R.S.Q., chapter E-22) are amended by replacing the words “has been convicted of or has pleaded guilty to”, wherever they appear, by the words “had been convicted of”.

**416.** Section 21 of the said Act is replaced by the following section:

**“21.** Every person who contravenes any provision of this Act or the regulations thereunder is guilty of an offence and liable to a fine of

- (1) \$60 to \$1 150 for a first offence;
- (2) \$250 to \$2 300 for a second conviction;
- (3) \$575 to \$5 750 for every subsequent conviction thereafter.”

NATIONAL HOLIDAY ACT

**417.** Section 9 of the National Holiday Act (R.S.Q., chapter F-1.1) is amended by striking out the words “, in addition to costs,” in the second line of the first paragraph.

ACT RESPECTING MUNICIPAL TAXATION

**418.** Section 16 of the Act respecting municipal taxation (R.S.Q., chapter F-2.1) is amended by striking out the words “, on summary proceeding, in addition to costs,” in the fourth line.

**419.** Section 18 of the said Act is amended by striking out the words “, on summary proceedings, in addition to costs,” in the fourth and fifth lines of the second paragraph.

PUBLIC SERVICE ACT

**420.** Section 129 of the Public Service Act (R.S.Q., chapter F-3.1.1) is amended

(1) by striking out the words “, in addition to costs,” in the fourth and fifth lines of the first paragraph;

(2) by replacing the words “found guilty or confesses his guilt regarding” in the first line of the second paragraph by the words “convicted of”.

**421.** Section 130 of the said Act is amended by striking out the words “, in addition to costs,” in the third line.

**422.** Section 131 of the said Act is repealed.

FOREST ACT

**423.** Section 173 of the Forest Act (R.S.Q., chapter F-4.1), replaced by section 62 of chapter 73 of the statutes of 1988, is amended

by replacing the words “offence within two years” in the second line of the second paragraph by the word “conviction”.

**424.** Sections 174 to 178 and sections 180 to 183 of the said Act are amended by striking out the words “, in addition to costs,” wherever they appear.

**425.** Section 179 of the said Act is amended

(1) by striking out the words “, in addition to costs,” in the second line;

(2) by striking out the words “within two years for the same offence” in the fifth line.

**426.** Section 175.1 of the said Act, introduced by section 64 of chapter 73 of the statutes of 1988, is amended by striking out the words “, in addition to costs,” in the third line.

**427.** Section 184.1 of the said Act, introduced by section 65 of chapter 73 of the statutes of 1988, is amended by striking out the words “, in addition to costs,” in the first and second lines.

**428.** Section 186 of the said Act is repealed.

**429.** Section 197 of the said Act, introduced by section 66 of chapter 73 of the statutes of 1988, is amended by replacing the words “Summary Convictions Act (R.S.Q., chapter P-15)” in the second and third lines of the first paragraph by the words “Code of Penal Procedure (1987, chapter 96)”.

**430.** Section 198 of the said Act, introduced by section 66 of chapter 73 of the statutes of 1988, is replaced by the following section:

**“198.** In the event of a seizure, the employee drawing up the minutes shall set out, in particular, the information prescribed in section 189.”

**431.** Sections 199, 200 and 201 of the said Act, introduced by section 66 of chapter 73 of the statutes of 1988, are repealed.

ACT RESPECTING MANPOWER VOCATIONAL TRAINING AND QUALIFICATION

**432.** Section 17 of the Act respecting manpower vocational training and qualification (R.S.Q., chapter F-5) is amended by

replacing the words “is convicted of an infringement of this act or of” in the first line of paragraph *b* by the words “is convicted of an offence under this Act or”.

**433.** Section 46 of the said Act is amended by striking out the first and second paragraphs.

**434.** Section 47 of the said Act is amended by striking out the words “, in addition to costs,” in the first and second lines of the first paragraph.

**435.** Section 48 of the said Act is amended by replacing the words “found guilty of an infringement of” in the first and second lines by the words “who is convicted of an offence under”.

**436.** Section 49 of the said Act is amended by striking out the words “, in addition to the costs,” in the second and third lines.

**437.** Section 50 of the said Act is amended by replacing the word “complaint” in the second line by the words “piece of information”.

#### GRAIN ACT

**438.** Section 61 of the Grain Act (R.S.Q., chapter G-1.1) is amended

(1) by replacing the words “guilty of an offence against” in the first line of the first paragraph by the words “convicted of an offence under”;

(2) by replacing the words “for a subsequent offence to the same provision committed within two years” in the first and second lines of subparagraph 2 by the words “for a second or subsequent conviction”;

(3) by replacing the words “guilty of an offence against” in the first line of the second paragraph by the words “convicted of an offence under”.

**439.** Section 64 of the said Act is amended by striking out the words “under the Summary Convictions Act (chapter P-15)” in the first and second lines.

#### ACT RESPECTING COMMERCIAL ESTABLISHMENTS BUSINESS HOURS

**440.** Section 9.3 of the Act respecting commercial establishments business hours (R.S.Q., chapter H-2) is amended

(1) by striking out the words “, on summary proceedings, in addition to costs,” in the second line of the first paragraph;

(2) by replacing the words “offence within two years of conviction for the same offence” in the third and fourth lines of the first paragraph by the word “conviction”.

#### HOTELS ACT

**441.** Section 13 of the Hotels Act (R.S.Q., chapter H-3) is amended

(1) by striking out the words “, upon summary proceedings, in addition to payment of the costs,” in subsections 1 and 2;

(2) by replacing the words “offence within two years of conviction for the same offence” in the fifth and sixth lines of subsection 1 by the word “conviction”.

**442.** Section 14 of the said Act is repealed.

#### BAILIFFS ACT

**443.** Section 12.5 of the Bailiffs Act (R.S.Q., chapter H-4), amended by section 17 of chapter 57 of the statutes of 1989, is again amended by replacing the words “found guilty of an infringement of” in the second line of the first paragraph by the words “who has been convicted of an offence under”.

**444.** Section 12.7.1 of the said Act, introduced by section 18 of chapter 57 of the statutes of 1989, is amended by replacing the words “is guilty of” in the third line of the third paragraph by the word “commits”.

**445.** The heading preceding section 31 of the said Act is replaced by the following: “PENAL PROVISIONS”.

**446.** Section 31 of the said Act is amended

(1) by striking out the words “, in addition to the costs,” in the second line;

(2) by replacing the words “offence within two years” in the fourth line by the word “conviction”.

**447.** Section 33 of the said Act, replaced by section 31 of chapter 57 of the statutes of 1989, is amended by replacing the words “offence within two years” in the fifth line by the word “conviction”.

RETAIL SALES TAX ACT

**448.** Section 3 of the Retail Sales Tax Act (R.S.Q., chapter I-1) is amended by replacing the words “found guilty” in subsection 4 by the word “convicted”.

**449.** Section 5 of the said Act is amended by replacing the words “found guilty of an offence against” in subparagraph *a* of the second paragraph by the words “convicted of an offence under”.

TOBACCO TAX ACT

**450.** Section 6 of the Tobacco Tax Act (R.S.Q., chapter I-2) is amended by replacing the words “found guilty of an offence against this act”, wherever they appear, by the words “convicted of an offence under this Act”.

**451.** Section 13.3 of the said Act is amended by striking out the words “without a warrant,” in the second and third lines of the first paragraph.

TAXATION ACT

**452.** Section 1172 of the Taxation Act (R.S.Q., chapter I-3) is amended by striking out the words “, on summary proceeding,” in the second line.

CRIME VICTIMS COMPENSATION ACT

**453.** Section 13 of the Crime Victims Compensation Act (R.S.Q., chapter I-6) is amended by replacing the word “trouvée” in the second line of the French text by the word “déclarée”.

**454.** Section 19 of the said Act is amended by replacing the word “reconnue” in the first line of the French text by the word “déclarée”.

ACT RESPECTING OFFENCES RELATING TO ALCOHOLIC BEVERAGES

**455.** Section 1 of the Act respecting offences relating to alcoholic beverages (R.S.Q., chapter I-8.1) is repealed.

**456.** Section 107 of the said Act is amended by replacing the last six lines by the words “of an offence and liable to a fine of \$1 000 to \$5 000 and, in the case of a second or subsequent conviction, to a fine of \$5 000 to \$20 000.”

**457.** Section 108 of the said Act, amended by section 12 of chapter 4 of the statutes of 1989, is again amended by replacing the last five lines by the following: “is guilty of an offence and liable to a fine of \$250 to \$575 and, in the case of a second conviction, to a fine of \$575 to \$1 150 and, for every subsequent conviction thereafter, to a fine of \$1 150 to \$2 300.”

**458.** Section 109 of the said Act is amended by replacing the last four lines by the following: “is guilty of an offence and liable to a fine of \$125 to \$350 and, in the case of a second conviction, to a fine of \$575 to \$1 150 and, for every subsequent conviction thereafter, to a fine of \$1 150 to \$2 300.”

**459.** Section 110 of the said Act is amended by replacing the last six lines by the following: “is guilty of an offence and liable to a fine of \$125 to \$350 and, in the case of a second conviction, to a fine of \$350 to \$575 and, for every subsequent conviction thereafter, to a fine of \$575 to \$1 150.”

**460.** Section 111 of the said Act is amended by replacing the last eight lines by the following: “is guilty of an offence and liable to a fine of \$125 to \$350 and, in the case of a second conviction, to a fine of \$350 to \$575 and, for every subsequent conviction thereafter, to a fine of \$575 to \$1 150.”

**461.** Section 112 of the said Act is amended by replacing the last six lines by the following: “is guilty of an offence and liable to a fine of \$125 to \$350 and, in the case of a second conviction, to a fine of \$350 to \$575 and, for every subsequent conviction thereafter, to a fine of \$575 to \$1 150.”

**462.** Section 113 of the said Act is amended by replacing the last six lines by the following: “is guilty of an offence and liable to a fine of \$250 to \$575 and, in the case of a second or subsequent conviction, to a fine of \$575 to \$1 150.”

**463.** Section 114 of the said Act is amended by replacing the last three lines by the following: “is guilty of an offence and liable to a fine of \$500 to \$1 000 and, in the case of a second or subsequent conviction, to a fine of \$1 000 to \$2 000.”

**464.** Section 115 of the said Act, amended by section 89 of chapter 41 of the statutes of 1988 and by section 24 of chapter 46 of the statutes of 1988, is again amended by replacing the first three lines by the following:

“**115.** Where a judge imposes on the holder of a permit a sentence prescribed for a second or subsequent conviction, the clerk shall give notice of it forthwith, in writing, to the”.

**465.** Section 116 of the said Act, amended by section 96 of chapter 21 of the statutes of 1988, is again amended

(1) by striking out the words “, in addition to the costs,” in the third line of the first paragraph;

(2) by striking out the second and third paragraphs.

**466.** Section 117 of the said Act is amended by striking out the words “, in addition to the costs,” in the fourth and fifth lines.

**467.** Sections 122, 123 and 124 of the said Act are repealed.

**468.** The heading of Division XV of the said Act is replaced by the following: “SEIZURE OF ALCOHOLIC BEVERAGES”.

**469.** Section 125 of the said Act, amended by section 24 of chapter 46 of the statutes of 1988, is again amended

(1) by striking out subparagraph *a*;

(2) by replacing the words “Summary Convictions Act (chapter P-15)” in the last two lines of the section by the words “Code of Penal Procedure (1987, chapter 96)”.

**470.** Section 131 of the said Act, amended by section 97 of chapter 21 of the statutes of 1988, is repealed.

**471.** Section 132 of the said Act is amended

(1) by replacing the word “complaint” in the second line of subparagraph *a* of the first paragraph by the word “information”;

(2) by replacing the word “complaint” in the third line of subparagraph *b* of the first paragraph by the word “information”;

(3) by replacing the word “complaint” in the fourth line of subparagraph *c* of the first paragraph by the word “information”;

(4) by replacing the words “a complaint” in the first line of the second paragraph by the words “an information”;

(5) by replacing the word “porter” in the second line of the second paragraph of the French text by the word “déposer”.

**472.** Section 134 of the said Act is amended by striking out the words “, in addition to costs,” in the fourth line of the first paragraph.

**473.** The said Act is amended by adding, after section 134, the following section:

“**134.1** A judge may issue a warrant, relying upon a statement made under oath by a peace officer, ordering that the owner or lessee of premises where alcoholic beverages are sold without the permit or authorization required under section 107 of this Act be arrested, if the judge is satisfied that the arrest is the only reasonable means to put an end to the commission of the offence.

The arrest must be carried out in accordance with articles 82, 86, 88, 89 and 92 to 94 of the Code of Penal Procedure, adapted as required.

A warrant of arrest not executed within one year of issue is null.”

**474.** Section 135 of the said Act is repealed.

**475.** Section 136 of the said Act is amended by replacing the words “When there has been a conviction for” in the first line by the words “Where a person has been convicted of”.

**476.** Section 140 of the said Act is amended by striking out the words “and the length of the term of imprisonment” in the second and third lines.

**477.** Section 141 of the said Act is repealed.

**478.** Section 142 of the said Act is repealed.

**479.** Sections 145, 146 and 147 of the said Act, amended by section 89 of chapter 41 of the statutes of 1988, are repealed.

**480.** Sections 150, 151 and 152 of the said Act are repealed.

**481.** Section 153 of the said Act is amended

(1) by striking out the first paragraph;

(2) by replacing the words “court rendering a conviction in proceedings for” in the first line of the second paragraph by the words “judge who convicts a person of”.

**482.** Subdivision 3 of Division XVI of the said Act is repealed.

**483.** Subdivision 4 of Division XVI of the said Act is repealed.

**484.** Division XVII of the said Act is repealed.

**485.** Section 169 of the said Act is repealed.

**486.** Section 171 of the said Act is repealed.

**487.** Division XXI of the said Act is repealed.

#### ENGINEERS ACT

**488.** Section 23 of the Engineers Act (R.S.Q., chapter I-9) is amended by replacing the words “Proceedings to recover the fines imposed under this act” in the first line of subsection 1 by the words “Penal proceedings”.

**489.** Section 24 of the said Act is amended by striking out the words “and, in default of payment, to imprisonment for not more than six months” in the fifth and sixth lines of the first paragraph of subsection 2.

#### FOREST ENGINEERS ACT

**490.** Section 10 of the Forest Engineers Act (R.S.Q., chapter I-10) is amended by striking out the words “, on summary proceeding,” in the first and second lines of the fourth paragraph.

#### BURIAL ACT

**491.** Section 21 of the Burial Act (R.S.Q., chapter I-11) is amended

(1) by replacing subsection 1 by the following subsection:

**“21.** (1) Every person who contravenes, or aids in the commission of an offence under any of sections 3 to 14 and 16 to 20 is liable to a fine of not more than \$300.”;

(2) by replacing the words “infringement of section 6, 10, 11, 12 or 14” in the first line of subsection 2 by the words “offence under any of sections 6, 10, 11, 12 and 14”;

(3) by striking out the words “, which may be recovered in the same manner,” in the second and third lines of subsection 2.

ACT RESPECTING THE INSPECTOR GENERAL OF FINANCIAL INSTITUTIONS

**492.** Section 33 of the Act respecting the Inspector General of Financial Institutions (R.S.Q., chapter I-11.1) is repealed.

ACT RESPECTING PIPING INSTALLATIONS

**493.** The heading of Division VI of the Act respecting piping installations (R.S.Q., chapter I-12.1) is replaced by the following: “PENAL PROVISIONS”.

**494.** Section 15.1 of the said Act is amended

(1) by replacing the word “penalty” in the second line by the word “sentence”;

(2) by striking out the words “, in addition to payment of the costs” in the second and third lines;

(3) by replacing the words “offence within two years” in the first line of paragraph *c* by the word “conviction”;

(4) by replacing the words “other subsequent offence within two years” in the first line of paragraph *d* by the words “additional subsequent conviction”.

**495.** Section 15.2 of the said Act is amended by striking out the words “, in addition to payment of the costs” in the third and fourth lines.

**496.** Section 15.3 of the said Act is amended

(1) by replacing the words “offence within two years” in the first line of the first paragraph by the word “conviction”;

(2) by replacing the words “found guilty” in the second line of the third paragraph by the word “convicted”.

**497.** Section 19 of the said Act is amended by striking out subsections 2 and 5.

## ACT RESPECTING ELECTRICAL INSTALLATIONS

**498.** Section 27 of the Act respecting electrical installations (R.S.Q., chapter I-13.01) is amended by striking out the words “and the fines imposed by the courts” in the third and fourth lines.

**499.** The heading of Division VII of the said Act is replaced by the following: “PENAL PROVISIONS”.

**500.** Section 31.1 of the said Act is amended

(1) by replacing the word “penalty” in the second line by the word “sentence”;

(2) by striking out the words “in addition to payment of the costs,” in the third line;

(3) by replacing the words “offence within two years” in the first line of paragraph *c* by the word “conviction”;

(4) by replacing the words “other subsequent offence within two years” in the first line of paragraph *d* by the words “additional subsequent conviction”.

**501.** Section 31.2 of the said Act is amended by striking out the words “in addition to payment of the costs,” in the third line.

**502.** Section 36 of the said Act is amended by striking out subsection 2.

**503.** Section 36.1 of the said Act is amended

(1) by replacing the words “offence within two years” in the first line of the first paragraph by the word “conviction”;

(2) by replacing the words “found guilty” in the second line of the third paragraph by the word “convicted”.

## EDUCATION ACT FOR CREE, INUIT AND NASKAPI NATIVE PERSONS

**504.** Section 211 of the Education Act for Cree, Inuit and Naskapi Native Persons (R.S.Q., chapter I-14) is amended by striking out the second, third, fourth and fifth paragraphs.

**505.** Section 274 of the said Act is amended

(1) by striking out the words “, on summary proceeding,” in the fourth line of the first paragraph;

(2) by replacing the word “offence” in the fifth line of the first paragraph by the words “day during which the offence is continued”;

(3) by replacing the words “found guilty” in the second line of the second paragraph by the words “who is convicted”.

**506.** Section 275 of the said Act, amended by section 99 of chapter 21 of the statutes of 1988, is again amended by replacing the word “shall” in the second line of the second paragraph by the word “may”.

**507.** Section 313 of the said Act is amended by striking out the words “in addition to the costs,” in the eighth line.

**508.** Section 315 of the said Act, amended by section 100 of chapter 21 of the statutes of 1988, is replaced by the following section:

**“315.** Penal proceedings in view of imposing a sanction for an offence under section 313 may be instituted on the authorization of the Minister of Education.”

**509.** Section 345 of the said Act is amended by striking out the words “, recoverable on summary prosecution” in the fourth and fifth lines.

**510.** Section 367 of the said Act is amended by replacing the third paragraph by the following paragraph:

“Notwithstanding any provision to the contrary, every person who directly or indirectly contravenes or attempts to contravene or aids or causes another to contravene any provision of this section is guilty of an offence and liable to a fine of not more than \$200.”

**511.** Section 455 of the said Act is amended by striking out the second and third paragraphs.

**512.** Section 456 of the said Act is amended

(1) by striking out the words “, which, in the same action, may pray for the return of the moneys, registers, books, papers or other articles above-mentioned” in the last three lines of subsection 1;

(2) by replacing the words “suing for such fine” in the first line of subsection 2 by the words “instituting the proceedings”;

(3) by replacing subsection 3 by the following subsection:

“(3) When rendering judgment, the judge may make an order for the return of any sum of money, register, book, paper or other article hereinabove referred to.”

**513.** Section 457 of the said Act is amended by striking out the words “and costs, or thirty days’ imprisonment, or to a fine and imprisonment at the same time” in the sixth and seventh lines.

**514.** Section 458 of the said Act is repealed.

**515.** Section 459 of the said Act is repealed.

**516.** Section 465 of the said Act is amended by replacing the words “penalty of not more than \$20, which may be imposed in open court” in the fourth and fifth lines by the words “fine of not more than \$20”.

**517.** Section 616 of the said Act is amended

(1) by replacing the word “trouvée” in the first line of paragraph *b* of the French text by the word “déclarée”;

(2) by replacing the word “trouvée” in the first line and the word “reconnue” in the third line respectively, of paragraph *c* of the French text by the word “déclarée”.

#### INTERPRETATION ACT

**518.** Section 61 of the Interpretation Act (R.S.Q., chapter I-16) is amended by striking out the words “and the words “two justices of the peace” mean two or more justices acting together;” in the first, second and third lines of paragraph 15.

#### NEWSPAPER DECLARATION ACT

**519.** Section 9 of the Newspaper Declaration Act (R.S.Q., chapter J-1) is amended by striking out the words “, informant or prosecutor, or person seeking to recover any of the penalties given by this act,” in the tenth, eleventh and twelfth lines.

**520.** The heading of Division III of the said Act is replaced by the following: “PENAL PROVISIONS”.

**521.** Section 13 of the said Act is amended by striking out the second paragraph.

**522.** Section 15 of the said Act is repealed.

## JURORS ACT

**523.** Section 4 of the Jurors Act (R.S.Q., chapter J-2), amended by section 101 of chapter 21 of the statutes of 1988 and by section 133 of chapter 52 of the statutes of 1989, is again amended by replacing the word “trouvée” in the second line of paragraph *j* of the French text by the word “déclarée”.

**524.** Section 50 of the said Act is amended by replacing the words “Proceedings are instituted in accordance with the Summary Convictions Act (chapter P-15)” in the first and second lines by the words “Penal proceedings shall be instituted”.

## ACT TO PROMOTE THE PAROLE OF INMATES

**525.** Section 26 of the Act to promote the parole of inmates (R.S.Q., chapter L-1.1) is amended by replacing the words “authorize, by warrant, the apprehension of the inmate” in the fifth line of the first paragraph by the words “issue a warrant for the arrest of the inmate”.

## FREEDOM OF WORSHIP ACT

**526.** Section 5 of the Freedom of Worship Act (R.S.Q., chapter L-2) is amended by replacing the last nine lines by the words “on them or him by this Act, or insults them or any of them, is guilty of an offence and liable to a fine of \$1 to \$8.”

**527.** Section 6 of the said Act is amended by replacing the last nine lines by the words “during divine service, refuses or neglects so to do, is guilty of an offence and liable to a fine of \$1 to \$4.”

**528.** The heading of Division III of the said Act is replaced by the following: “PENAL PROVISIONS”.

**529.** Section 10 of the said Act is amended

(1) by replacing the words “two justices” in the first line by the word “justice”;

(2) by replacing the word “peuvent” in the third line of the French text by the word “peut”.

**530.** Division IV of the said Act is repealed.

**531.** Section 15 of the said Act is replaced by the following section:

**15.** Penal proceedings with a view to imposing a sanction for an offence under this Act must be instituted within the month following the date of commission of the offence.”

**532.** Section 16 of the said Act is repealed.

LICENSES ACT

**533.** Section 15 of the Licenses Act (R.S.Q., chapter L-3) is amended by striking out the words “, and costs, for each offence, and on failure to pay such fine and costs, by imprisonment for not more than one month in the house of detention” in the third, fourth and fifth lines.

**534.** Section 16 of the said Act is amended

(1) by striking out the words “, in addition to the costs,” in the eleventh and twelfth lines;

(2) by striking out the words “, and, failing payment thereof, to imprisonment for one month in the house of detention” in the last two lines.

**535.** Section 59 of the said Act is amended by striking out the words “, and costs, and, on failure to pay such fine and costs, to imprisonment for not more than three months” in the last two lines.

**536.** Section 79.17 of the said Act is amended

(1) by replacing the words “for any subsequent offence, of not less than \$1 000 nor more than \$5 000;” in the sixth and seventh lines by the words “, in the case of a second or subsequent conviction within five years, to a fine of not less than \$1 000 nor more than \$5 000.”;

(2) by striking out the words “in the latter case, the court may, in addition to the fine and costs, condemn the offender to imprisonment for a maximum of three months.” in the last three lines.

ACT RESPECTING LOTTERIES, RACING, PUBLICITY CONTESTS AND AMUSEMENT MACHINES

**537.** Section 24 of the Act respecting lotteries, racing, publicity contests and amusement machines (R.S.Q., chapter L-6) is amended by replacing the words “finds guilty of an offence against” in the first line of paragraph *c* by the words “convicts of an offence under”.

**538.** Section 45.1 of the said Act is amended by replacing the words “found guilty” in the third line by the word “convicted”.

**539.** Section 72 of the said Act is replaced by the following section:

**“72.** A member of the staff of the board or a person designated by the board, and a peace officer that such member of the staff or person calls to his assistance may make a search in accordance with the Code of Penal Procedure (1987, chapter 96).”

**540.** Section 73 of the said Act is repealed.

**541.** Section 74 of the said Act is amended

(1) by striking out the word “, search” in the first line;

(2) by replacing the figures and word “68, 71, 72 or 73” in the second line by the figures and word “68 or 71”.

**542.** Section 121 of the said Act is amended by striking out the words “, upon summary proceeding, in addition to costs,” in the fifth line.

**543.** Section 122 of the said Act is amended by striking out the words “, in addition to costs,” in the sixth line.

**544.** Section 122.1 of the said Act is replaced by the following section:

**“122.1** Penal proceedings with a view to imposing a sanction for an offence under section 122 may be instituted by the board or a person generally or specially authorized by it in writing for that purpose.”

**545.** Section 122.2 of the said Act is amended by replacing the words “imposed under” in the first and second lines by the words “imposed for an offence under”.

#### MASTER ELECTRICIANS ACT

**546.** Section 20 of the Master Electricians Act (R.S.Q., chapter M-3), amended by section 239 of chapter 34 of the statutes of 1985, is again amended by replacing the words “found guilty by a court of or having pleaded guilty to an offence against” in the first and second lines of paragraph 1 by the words “convicted of an offence under”.

**547.** Sections 21 and 21.1 of the said Act are amended by striking out the words “in addition to costs” wherever they appear and the punctuation signs related thereto, where required.

**548.** Section 21.2 of the said Act is repealed.

**549.** Section 22 of the said Act is amended by striking out the words “, except for section 28,” in the first line.

**550.** Section 28 of the said Act is amended

(1) by replacing the words “commits an infraction of this act and is liable to a fine” in the third and fourth lines of the first paragraph by the words “is liable to a penalty”;

(2) by replacing the second paragraph by the following paragraph:

“The penalty may be recovered upon proceedings instituted in accordance with section 29, provided there is no other sanction and there are no other proceedings. It may be recovered by the Corporation following a resolution of the council.”

**551.** Section 29 of the said Act is amended

(1) by replacing the word “fine” in the third line of the first paragraph by the word “penalty”;

(2) by replacing the words “offence was committed” in the first and second lines of the third paragraph by the words “contract was obtained”.

#### MASTER PIPE-MECHANICS ACT

**552.** Section 19 of the Master Pipe-Mechanics Act (R.S.Q., chapter M-4), amended by section 260 of chapter 34 of the statutes of 1985, is again amended by replacing the words “found guilty by a court of or having pleaded guilty to an offence against” in the first and second lines of paragraph 1 by the words “convicted of an offence under”.

**553.** Sections 20 and 20.1 of the said Act are amended by striking out the words “in addition to costs” wherever they appear and the punctuation signs related thereto, where required.

**554.** Section 20.2 of the said Act is repealed.

**555.** Section 21 of the said Act is amended by striking out the words “, except for section 27,” in the first line.

**556.** Section 27 of the said Act is amended

(1) by replacing the words “commits an infraction of this act and is liable to a fine” in the third and fourth lines of the first paragraph by the words “is liable to a penalty”;

(2) by replacing the second paragraph by the following paragraph:

“The penalty may be recovered upon proceedings instituted in accordance with section 29, provided there is no other sanction and there are no other proceedings. It may be recovered by the Corporation following a resolution of the council.”

**557.** Section 28 of the said Act is amended

(1) by replacing the word “fine” in the third line of the first paragraph by the word “penalty”;

(2) by replacing the words “offence was committed” in the first and second lines of the third paragraph by the words “contract was obtained”.

ACT RESPECTING STUFFING AND UPHOLSTERED AND STUFFED ARTICLES

**558.** The heading of Division VII of the Act respecting stuffing and upholstered and stuffed articles (R.S.Q., chapter M-5) is replaced by the following: “PENAL PROVISIONS, REGULATIONS, MISCELLANEOUS”.

**559.** Section 37 of the said Act is amended

(1) by striking out the words “, on summary proceeding, in addition to the costs,” in the third and fourth lines of the first paragraph;

(2) by striking out the second paragraph.

STATIONARY ENGINEMEN ACT

**560.** Section 14.1 of the Stationary Enginemen Act (R.S.Q., chapter M-6) is amended

(1) by replacing the word “pénalité” in the second line of the French text by the word “peine”;

(2) by striking out the words “, in addition to payment of the costs,” in the third line;

(3) by replacing the words “for the first subsequent offence within two years” in the first line of paragraph *c* by the words “for a second conviction”;

(4) by replacing the words “offence within two years” in the first line of paragraph *d* by the word “conviction”.

**561.** Section 15 of the said Act is amended by striking out the second and fourth paragraphs.

**562.** Section 17 of the said Act is amended

(1) by replacing the words “offence within two years” in the first line of the first paragraph by the words “second or subsequent conviction”;

(2) by replacing the words “found guilty” in the second line of the third paragraph by the word “convicted”.

#### CULLERS ACT

**563.** Section 19 of the Cullers Act (R.S.Q., chapter M-12.1) is amended by replacing the words “found guilty of an offence against” in paragraph 3 by the words “convicted of an offence under”.

**564.** Section 34 of the said Act is amended by striking out the words “, in addition to costs,” in the second line.

**565.** Section 35 of the said Act is repealed.

#### ACT RESPECTING THE MINISTÈRE DE L'AGRICULTURE, DES PÊCHERIES ET DE L'ALIMENTATION

**566.** Section 16 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (R.S.Q., chapter M-14) is amended by replacing the words “shall for every such offence incur a fine of twenty dollars, which shall be recoverable upon summary proceedings” in the fourth and fifth lines of the second paragraph by the words “is guilty of an offence and liable to a fine of \$20”.

**567.** Section 18 of the said Act is amended

(1) by replacing the last two lines by the words “offence and is liable, for a first offence, to a fine of \$500 and, for any subsequent conviction, to a fine of \$1 000.”;

(2) by striking out the second paragraph.

ACT RESPECTING THE MINISTÈRE DE LA MAIN-D'OEUVRE ET DE LA SÉCURITÉ DU REVENU

**568.** Section 13 of the Act respecting the Ministère de la Main-d’oeuvre et de la Sécurité du revenu (R.S.Q., chapter M-19.1) is amended by striking out the words “on summary proceedings, in addition to costs,” in the second line.

ACT RESPECTING THE MINISTÈRE DES COMMUNAUTÉS CULTURELLES ET DE L’IMMIGRATION

**569.** Section 12.3 of the Act respecting the Ministère des Communautés culturelles et de l’Immigration (R.S.Q., chapter M-23.1) is amended by striking out the words “, on summary proceeding, in addition to payment of the costs,” in the second and third lines.

ACT RESPECTING THE MINISTÈRE DES TRANSPORTS

**570.** Section 12.4 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is amended by striking out the words “, in addition to costs,” in the third line.

**571.** Section 12.5 of the said Act is amended

(1) by striking out the first paragraph;

(2) by replacing the words “Notwithstanding the foregoing” in the first line of the second paragraph by the words “Before instituting penal proceedings”.

ACT RESPECTING THE MINISTÈRE DU REVENU

**572.** Section 5 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31) is amended by striking out the words “or has pleaded guilty to” in the sixth line of the second paragraph.

**573.** Sections 46 to 50 of the said Act are replaced by the following sections:

“**46.** A person bound by law to professional secrecy may object to the examination or seizure under this Act of a document in his

possession if he considers that such examination or seizure would be a breach of professional secrecy.

**“47.** The accounting records and statements of account of person bound by law to professional secrecy, the supporting vouchers and receipts or evidences of payment are not protected by professional secrecy.

**“48.** Anyone who is about to make the examination or seizure shall, as soon as the person bound by law to professional secrecy objects to it, place, without examining or making a copy of it, the document concerned and any other document designated to him by the person objecting, in a parcel which he shall seal, identify and entrust to the prothonotary of the Superior Court of the district in which the examination or seizure is made.

**“49.** The person objecting must furnish the person carrying out the examination or seizure with the last known address of the client on whose behalf he invokes the privilege.

The person objecting or the client concerned may thereafter examine the document entrusted to the prothonotary with the permission of a judge and on the conditions that he fixes.

**“50.** The person objecting or his client may, within 14 days of the date on which the parcel has been entrusted to the prothonotary, apply by motion to a judge of the Superior Court sitting in chambers to decide as to the confidential nature of the document.

A notice of at least three days must be given before the presentation of such motion, to the Deputy Minister and the client concerned and, as the case may be, to the person objecting.”

**574.** Section 52 of the said Act is amended by replacing the third paragraph by the following paragraph :

“If the person bound by law to professional secrecy or his client is in default to proceed with the motion, the judge shall order that the document be handed to the Deputy Minister.”

**575.** Section 53 of the said Act is replaced by the following section :

**“53.** A person bound by law to professional secrecy shall not be convicted for having refused to communicate a document or information in accordance with this Act if he establishes, to the satisfaction of the Court, that he had reasonable grounds to believe

that the document or information was protected by professional secrecy and if he stated his refusal to the Minister or any person designated for that purpose by the Minister.”

**576.** The said Act is amended by adding, after section 53, the following section:

“**53.1** Sections 46 to 53 apply, adapted as required, to a priest or other minister of the cult.”

**577.** Sections 55 and 57 of the said Act are amended by striking out the words “, upon summary proceeding,” wherever they appear.

**578.** Section 61 of the said Act is replaced by the following section:

“**61.** Notwithstanding article 231 of the Code of Penal Procedure (1987, chapter 96), every person who contravenes section 14.1, 14.2 or 20, subsection 1 or 2 of section 34, any of sections 35 to 35.5, 38, 39 and 43 or section 1015 of the Taxation Act (R.S.Q., chapter I-3) or section 59 or 63 of the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9) is guilty of an offence and liable, in addition to any other penalty provided in this Act, to a fine of \$200 to \$10 000 or, except in respect of an offence under section 14.1 or 14.2, to both the fine and imprisonment for a term not exceeding six months.”

**579.** Section 62 of the said Act is amended by replacing that part which follows paragraph *e* by the following:

“is guilty of an offence and liable, in addition to any other penalty provided in this Act, to a fine of \$200 to \$10 000 or, notwithstanding article 231 of the Code of Penal Procedure, to both the fine and imprisonment for a term not exceeding two years.”

**580.** Section 69 of the said Act, amended by section 155 of chapter 4 of the statutes of 1988, is again amended by striking out the words “, on summary proceeding, in addition to payment of the costs,” in the second line of the sixth paragraph.

**581.** The said Act is amended by adding, after section 71, the following section:

“**71.1** Article 323 of the Code of Penal Procedure does not apply in respect of the competent authority of the Ministère du Revenu nor in respect of a public servant within the meaning of section 69.”

**582.** Section 73 of the said Act is replaced by the following section:

**“73.** The provisions of any fiscal law have precedence over the provisions of any other Act governing penal procedure or penal proceedings.

Article 62 of the Code of Penal Procedure does not apply in respect of penal procedure or penal proceedings under a fiscal law.”

**583.** Section 74 of the said Act is replaced by the following section:

**“74.** An appeal may be brought from a judgment rendered in first instance on penal proceedings instituted under a fiscal law.

In the case of penal proceedings instituted under section 85 of the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9) or section 62, an appeal from a judgment rendered in first instance shall be brought by motion for leave to appeal before one of the judges of the Court of Appeal, at the place where appeals of the district in which the judgment was rendered are brought. It must be brought within thirty days of the judgment or the conviction and shall be submitted to the Court of Appeal, composed of three judges, at its next sitting.”

**584.** Section 75 of the said Act is repealed.

**585.** Sections 76 and 76.1 of the said Act are repealed.

**586.** Section 77 of the said Act is amended by replacing the word “complaint” in the second line by the word “information”.

#### FARM PRODUCTS MARKETING ACT

**587.** Section 114 of the Farm Products Marketing Act (R.S.Q., chapter M-35) is amended

(1) by striking out the words “, in addition to payment of the costs,” in the fifth line;

(2) by replacing the words “offence within two years” in the first line of paragraph *b* by the word “conviction”.

**588.** Section 116 of the said Act is amended by striking out the words “and the costs” in the seventh line of the first paragraph.

**589.** Sections 120 and 121 of the said Act are repealed.

ACT RESPECTING THE MODE OF PAYMENT FOR ELECTRIC AND GAS SERVICE IN CERTAIN BUILDINGS

**590.** Section 22 of the Act respecting the mode of payment for electric and gas service in certain buildings (R.S.Q., chapter M-37) is amended by replacing the word “guilty” in the first line of subsection 2 by the words “who is convicted”.

**591.** Section 23 of the said Act is amended

(1) by striking out the words “, under the Summary Convictions Act (chapter P-15)” in the third and fourth lines of the first paragraph;

(2) by striking out the second paragraph.

ELECTRICITY MUNICIPALIZATION ACT

**592.** Section 7 of the Electricity Municipalization Act (R.S.Q., chapter M-38) is amended by replacing the word “impose” in the first line of paragraph 4 by the word “prescribe”.

**593.** Section 10 of the said Act is amended by striking out the words “and, in default of payment, of an imprisonment not exceeding one month” in the fourth and fifth lines of the second paragraph.

ACT TO AUTHORIZE MUNICIPALITIES TO COLLECT DUTIES ON TRANSFERS OF IMMOVEABLES

**594.** Section 22 of the Act to authorize municipalities to collect duties on transfers of immoveables (R.S.Q., chapter M-39) is amended by striking out the words “, on summary proceeding,” and the words “, in addition to costs” in the second and the second and third lines, respectively, of the fourth paragraph.

ACT RESPECTING LABOUR STANDARDS

**595.** Section 139 of the Act respecting labour standards (R.S.Q., chapter N-1.1) is amended

(1) by striking out the words “, in addition to the costs,” in the first and second lines;

(2) by replacing the words “every subsequent offence within two years” in the second and third lines by the words “any subsequent conviction”.

**596.** Section 140 of the said Act is amended

(1) by striking out the words “, in addition to the costs,” in the first and second lines;

(2) by replacing the words “every subsequent offence within two years” in the second and third lines by the words “any subsequent conviction”.

**597.** Section 143 of the said Act is amended by striking out the words “; the Summary Convictions Act (chapter P-15) applies to such proceedings” in the third and fourth lines.

**598.** Section 147 of the said Act is replaced by the following section:

“**147.** For the purposes of this Act, the expression “or the person entrusted with the enforcement of any Act who drew up the report” used in article 62 of the Code of Penal Procedure (1987, chapter 96) includes a person designated by the Commission for that purpose.”

#### NOTARIAL ACT

**599.** Section 123 of the Notarial Act (R.S.Q., chapter N-2) is amended by striking out the words “on summary proceeding,” in the second line of subsection 1.

**600.** Section 142 of the said Act is amended by striking out the words “and, upon failure to pay the fine, to imprisonment for not more than one month” in the seventh and eighth lines.

#### ACT RESPECTING THE PAYMENT OF FINES

**601.** The title of the Act respecting the payment of fines (R.S.Q., chapter P-2) is amended by inserting the word “certain” before the word “fines”.

**602.** Section 2 of the said Act is amended by replacing the word “magistrate” in the third line of subparagraph *a* of the first paragraph, in the fourth line of the second paragraph and in the second line of the third paragraph, by the word “judge”.

**603.** Section 3 of the said Act is amended by replacing the words “, a federal or provincial penal law, or a municipal by-law,” in the sixth and seventh lines by the words “or a federal penal law”.

**604.** Section 9 of the said Act is replaced by the following section:

**“9.** Every person who contravenes any provision of this Act or of the regulations thereunder shall be liable to a fine not exceeding \$20.”

CROWN WITNESSES PAYMENT ACT

**605.** The title of the Crown Witnesses Payment Act (R.S.Q., chapter P-4) is replaced by the following title: “AN ACT RESPECTING PAYMENT OF CERTAIN CROWN WITNESSES”.

**606.** Section 1 of the said Act, amended by section 106 of chapter 21 of the statutes of 1988, is again amended by inserting the words “under the Criminal Code or a federal penal law” after the word “offence” in the fourth line of the first paragraph.

ACT RESPECTING MAURICIE PARK AND ITS SURROUNDINGS

**607.** Section 11 of the Act respecting Mauricie Park and its surroundings (R.S.Q., chapter P-7) is replaced by the following section:

**“11.** Every person who contravenes any provision of section 6 or 10 is liable to a fine not exceeding \$100.”

PARKS ACT

**608.** Section 11 of the Parks Act (R.S.Q., chapter P-9) is amended

(1) by striking out the words “, in addition to costs,” in the fourth line;

(2) by adding the words “, notwithstanding article 231 of the Code of Penal Procedure (1987, chapter 96)” at the end, after the word “year”.

**609.** Section 11.1 of the said Act is amended

(1) by striking out the words “, in addition to costs,” in the fourth line;

(2) by adding the words “, notwithstanding article 231 of the Code of Penal Procedure” at the end, after the word “months”.

**610.** Sections 11.2 and 11.3 of the said Act are amended by striking out the words “, in addition to costs,” wherever they appear.

**611.** Section 12 of the said Act is repealed.

ACT RESPECTING COMMERCIAL FISHERIES AND AQUACULTURE

**612.** Section 19 of the Act respecting commercial fisheries and aquaculture (R.S.Q., chapter P-9.01) is amended by replacing the words “found guilty” in the first line of subparagraph 1 of the first paragraph by the word “convicted”.

**613.** Sections 35 and 35.1 of the said Act are repealed.

**614.** Section 36 of the said Act is amended

(1) by replacing the words “without a warrant” in the first line by the words “in the performance of his inspection duties”;

(2) by striking out the words “and probable” in the second line.

**615.** Section 51 of the said Act is amended

(1) by striking out the words “, in addition to costs,” in the second and third lines of the first paragraph;

(2) by replacing the words “For any subsequent offence within two years of conviction for the same offence” in the first and second lines of the second paragraph by the words “In the case of a second or subsequent conviction”;

(3) by striking out the words “, in addition to costs,” in the second line of the second paragraph.

**616.** Section 55 of the said Act is amended by striking out the second paragraph.

**617.** Section 56 of the said Act is repealed.

ACT RESPECTING LIQUOR PERMITS

**618.** Section 42 of the Act respecting liquor permits (R.S.Q., chapter P-9.1) is amended by replacing the words “found guilty” in

the first line of subparagraph 1 of the first paragraph by the word “convicted”.

**619.** Section 86 of the said Act is amended by replacing the words “found guilty” by the word “convicted”

- (1) in the third line of subparagraph 9 of the first paragraph;
- (2) in the second and third lines of the second paragraph.

**620.** Section 174 of the said Act is repealed.

ACT RESPECTING BEER AND SOFT DRINK DISTRIBUTORS' PERMITS

**621.** Section 6 of the Act respecting beer and soft drink distributors' permits (R.S.Q., chapter P-9.2) is amended by striking out the words “, on summary proceedings,” in the second line of the first paragraph.

**622.** Section 8 of the said Act is repealed.

POLICE ACT

**623.** Section 3 of the Police Act (R.S.Q., chapter P-13) is amended

(1) by replacing the words “found guilty or pleaded guilty” in the first line of subparagraph *c* of the first paragraph by the word “convicted”;

(2) by striking out the words “have pleaded guilty” in the third line of subparagraph *c* of the first paragraph.

**624.** Sections 71 and 72 of the said Act are repealed.

**625.** Section 98.9 of the said Act is amended by striking out the words “under the Summary Convictions Act (chapter P-15)” in the first and second lines.

SPECIAL CORPORATE POWERS ACT

**626.** Section 16 of the Special Corporate Powers Act (R.S.Q., chapter P-16) is amended by replacing the words “one year’s imprisonment or to a fine of not more than two hundred dollars, or to both” in the sixth and seventh lines by the words “a fine of not more than \$200”.

## STUDENT LOANS AND SCHOLARSHIPS ACT

**627.** Section 9 of the Student Loans and Scholarships Act (R.S.Q., chapter P-21) is amended

- (1) by striking out the words “, on summary proceeding,” in the third and fourth lines of the first paragraph;
- (2) by striking out the second paragraph.

## FIRE PREVENTION ACT

**628.** Section 9 of the Fire Prevention Act (R.S.Q., chapter P-23) is amended

- (1) by striking out the words “, upon summary proceeding, in addition to the payment of the costs,” in the eighth and ninth lines;
- (2) by replacing the words “in case of a subsequent offence within two years” in the tenth line by the words “in the case of a second or subsequent conviction”.

## ACT RESPECTING PREVENTION OF DISEASE IN POTATOES

**629.** Section 22 of the Act respecting prevention of disease in potatoes (R.S.Q., chapter P-23.1) is amended by striking out

- (1) the words “without a warrant” in the first line of paragraph 5;
- (2) the words “and probable” in the second line of paragraph 5.

**630.** Section 33 of the said Act is amended

- (1) by striking out the words “, in addition to costs,” in the third and fourth lines of the first paragraph;
- (2) by replacing the words “For any subsequent offence within two years of the conviction for the same offence” in the first and second lines of the second paragraph by the words “In the case of a second or subsequent conviction”;
- (3) by striking out the words “, in addition to costs,” in the second line of the second paragraph.

**631.** Section 36 of the said Act is amended by striking out the second paragraph.

**632.** Section 37 of the said Act is repealed.

**633.** Section 41 of the said Act is amended by adding, at the end, the words “if the person certifies on the report that he personally recorded the facts stated therein”.

ACT RESPECTING THE SALES PRICE OF PULPWOOD SOLD BY FARMERS

**634.** Section 4 of the Act respecting the sales price of pulpwood sold by farmers (R.S.Q., chapter P-25) is amended

(1) by replacing the sixth, seventh and eighth lines of the first paragraph by the words “is guilty of an offence and liable to a fine of \$25 to \$100.”;

(2) by striking out the words “, in addition to the costs,” in the second line of the second paragraph.

ACT RESPECTING PROBATION AND HOUSES OF DETENTION

**635.** Section 5 of the Act respecting probation and houses of detention (R.S.Q., chapter P-26) is amended

(1) by replacing the first three lines of the first paragraph by the following:

“5. Where a term of imprisonment may be imposed on a person as a sentence for an offence against an Act of Québec, the judge may postpone the whole or part of the term of imprisonment and permit such a person to be released on supervised”;

(2) by replacing the second paragraph by the following paragraph:

“The judge may, on the same conditions, issue a probation order in addition to imposing a fine.”

**636.** Section 12.1 of the said Act is amended by replacing the words “found guilty of a criminal” in the first line of paragraph *b* by the words “convicted of an indictable”.

**637.** Section 12.4 of the said Act, introduced by section 2 of chapter 36 of the statutes of 1987, is amended by replacing the words “found guilty of a criminal” in the first line of paragraph *b* by the words “convicted of an indictable”.

## FARM PRODUCERS ACT

**638.** Section 52 of the Farm Producers Act (R.S.Q., chapter P-28) is amended by replacing the words “, upon summary proceeding, to a fine of not more than \$1 150 in addition to costs” in the fourth and fifth lines by the words “to a fine of not more than \$1 150”.

**639.** Section 53 of the said Act is amended by replacing the last three lines by the words “liable to a fine of \$575 and, in the case of a second or subsequent conviction, to a fine of \$1 150.”

**640.** Section 55 of the said Act is repealed.

## AGRICULTURAL PRODUCTS, MARINE PRODUCTS AND FOOD ACT

**641.** The heading of Division VII of the Agricultural Products, Marine Products and Food Act (R.S.Q., chapter P-29) is replaced by the heading “PENAL PROVISIONS”.

**642.** Section 42 of the said Act is amended

(1) by striking out the third line;

(2) by replacing the words “for a second offence within two years” in the first line of paragraph *b* by the words “for any second or subsequent conviction”.

**643.** Section 43 of the said Act is amended by replacing the words “offender guilty” in the first line by the words “defendant convicted”.

**644.** Section 44 of the said Act is amended

(1) by striking out the words “upon summary proceedings, in addition to costs,” in the fifth and sixth lines of the first paragraph;

(2) by replacing the words “each subsequent offence within two years” in the first line of subparagraph *b* of the first paragraph by the words “any subsequent conviction,”;

(3) by striking out the words “, but Part II of the Summary Convictions Act (R.S.Q., chapter P-15) does apply” in the first and second lines of the second paragraph.

**645.** Section 45 of the said Act is amended by replacing the words “each subsequent offence within two years” in the third line of the first paragraph by the words “any subsequent conviction”.

**646.** Section 47 of the said Act is amended

(1) by striking out the words “, on summary proceedings, in addition to costs,” in the third and fourth lines of the first paragraph;

(2) by replacing the words “offence within two years” in the first line of subparagraph *b* of the first paragraph by the word “conviction”.

**647.** Section 48 of the said Act is amended by replacing the words “offence within two years” in the third line of the first paragraph by the word “conviction”.

**648.** Section 49 of the said Act is amended by striking out the words “each subsequent offence within two years” in the first line of subparagraph *b* of the first paragraph by the words “a subsequent conviction”.

**649.** Section 51 of the said Act is amended

(1) by striking out the words “and Part II of the Summary Convictions Act applies” in the third and fourth lines of subsection 1;

(2) by striking out the second paragraph.

**650.** Section 52 of the said Act is amended by replacing

(1) the words “found guilty” in the second line of subsection 4 by the word “convicted”;

(2) the words “found guilty” in the fourth and fifth lines of subsection 5 by the word “convicted”.

**651.** Section 53 of the said Act is amended by replacing the words “proceedings instituted under this Act” in the first line of the first paragraph by the words “penal proceedings”.

**652.** Section 56.1 of the said Act is amended

(1) by adding the words “if the person attests in the certificate or report of analysis that he personally observed the facts stated therein” after the word “content” at the end of paragraph *a*;

(2) by adding the words “if the person certifies in the minutes or report that he personally observed the facts stated therein” after the word “person” at the end of paragraph *b*.

## DAIRY PRODUCTS AND DAIRY PRODUCTS SUBSTITUTES ACT

**653.** The heading of Division XI of the Dairy Products and Dairy Products Substitutes Act (R.S.Q., chapter P-30) is replaced by the following heading:

“PENAL PROVISIONS”.

**654.** Section 50 of the said Act is amended

(1) by striking out the third line of the first paragraph;

(2) by replacing the words “each subsequent offence within two years” in the first line of subparagraph *b* of the first paragraph by the words “a subsequent conviction”.

**655.** Section 51 of the said Act is amended by replacing the word “offender” in the fifth line of the second paragraph by the word “defendant”.

**656.** Section 57 of the said Act is repealed.

**657.** Section 59 of the said Act is amended

(1) by adding the words “if the inspector attests in the certificate or report of analysis that he personally observed the facts stated therein” after the word “contents” at the end of paragraph *a*;

(2) by adding the words “if the inspector certifies that he personally observed the facts stated therein” after the word “inspector” at the end of paragraph *b*.

## ACT RESPECTING EDUCATIONAL PROGRAMMING

**658.** Section 8 of the Act respecting educational programming (R.S.Q., chapter P-30.1) is amended by replacing the second, third and fourth lines by the following: “to the Board in respect of a firm that broadcasts or distributes, in contravention of this Act or an order of the Board, programming declared educational by the Board”.

## BICYCLE OWNERSHIP ACT

**659.** Section 5 of the Bicycle Ownership Act (R.S.Q., chapter P-31) is amended by striking out the words “, in addition to costs, and, in default of payment of the fine and costs, to imprisonment from eight days to thirty days” in the third and fourth lines.

## PUBLIC PROTECTOR ACT

**660.** Section 33 of the Public Protector Act (R.S.Q., chapter P-32) is amended by striking out the words “, in addition to costs,” in the fourth line.

**661.** Section 33.1 of the said Act is amended by striking out the words “, in addition to costs,” in the second line.

**662.** Section 33.2 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (R.S.Q., chapter P-15)” in the first and second lines.

## YOUTH PROTECTION ACT

**663.** Section 134 of the Youth Protection Act (R.S.Q., chapter P-34.1), amended by section 10 of chapter 53 of the statutes of 1989, is again amended by striking out the words “, in addition to costs,” in the second line of the second paragraph.

**664.** Section 135 of the said Act is amended by striking out the words “, in addition to costs,” in the second line of the second paragraph.

**665.** Section 135.1 of the said Act is amended by striking out the words “, on summary proceedings, in addition to costs,” in the first and second lines following paragraph *d*.

**666.** Section 135.2 of the said Act is amended by replacing the words “offence within two years of a conviction for the same offence” in the first and second lines by the word “conviction”.

**667.** Section 136 of the said Act is repealed.

## PUBLIC HEALTH PROTECTION ACT

**668.** Section 40.3.2 of the Public Health Protection Act (R.S.Q., chapter P-35), introduced by section 11 of chapter 47 of the statutes of 1988, is amended by replacing the words “found guilty” in the first and second lines of paragraph *a* by the word “convicted”.

**669.** Section 71 of the said Act is amended by striking out

(1) the words “, upon summary proceeding,” in the fifth line of the first paragraph;

(2) the words “, in addition to payment of the costs,” in the sixth line of the first paragraph;

(3) the second paragraph.

THOROUGHBRED CATTLE ACT

**670.** Section 1 of the Thoroughbred Cattle Act (R.S.Q., chapter P-36) is amended by replacing the last six lines by the following: “an offence and liable to a fine of not more than \$25.”

ACT RESPECTING THE PROTECTION OF NON-SMOKERS IN CERTAIN PUBLIC PLACES

**671.** Section 29 of the Act respecting the protection of non-smokers in certain public places (R.S.Q., chapter P-38.01) is repealed.

ACT RESPECTING THE PROTECTION OF PERSONS AND PROPERTY IN THE EVENT OF DISASTER

**672.** Section 52 of the Act respecting the protection of persons and property in the event of disaster (R.S.Q., chapter P-38.1) is amended by striking out the words “, in addition to the payment of the costs,” in the third line.

**673.** Section 53 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (chapter P-15)” in the first and second lines.

PLANT PROTECTION ACT

**674.** Section 22 of the Plant Protection Act (R.S.Q., chapter P-39) is amended by striking out

(1) the words “, in addition to the costs,” in the second line of the first paragraph;

(2) the words “, and, in default of payment of such fine and costs, to imprisonment for not more than one month” in the fifth, sixth and seventh lines of the first paragraph.

**675.** Section 23 of the said Act is repealed.

## CONSUMER PROTECTION ACT

**676.** Section 278 of the Consumer Protection Act (R.S.Q., chapter P-40.1) is amended by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) for a second or subsequent conviction, to a fine of \$400 to \$10 000.”

**677.** Section 279 of the said Act is amended by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) for a second or subsequent conviction, to a fine of \$200 to \$4 000.”

**678.** Section 281 of the said Act is repealed.

**679.** Section 284 of the said Act is amended by striking out the second sentence.

**680.** Section 285 of the said Act is amended by replacing

(1) the word “complaint” in the first line by the word “information”;

(2) the word “make” in the second line by the word “lay”.

**681.** Section 286 of the said Act is repealed.

**682.** Section 289 of the said Act is amended by replacing the words “pleads guilty or is found guilty” in the first line by the word “convicted”.

**683.** Section 350 of the said Act, amended by sections 10, 11 and 12 of chapter 45 of the statutes of 1988, is again amended by replacing the words “recovery of a fine” in the fourth and fifth lines of paragraph *l* by the words “execution of a judgment in a penal matter”.

## MENTAL PATIENTS PROTECTION ACT

**684.** Section 32 of the Mental Patients Protection Act (R.S.Q., chapter P-41) is amended by striking out

(1) the words “, on summary proceeding, in addition to the costs,” in the third and fourth lines of the first paragraph;

(2) the second paragraph.

## ACT TO PRESERVE AGRICULTURAL LAND

**685.** Section 90 of the Act to preserve agricultural land (R.S.Q., chapter P-41.1) is amended

(1) by striking out the words “, in addition to the payment of the costs,” in the first and second lines;

(2) by striking out the words “and, failing payment, to imprisonment for not more than three months” in the second and third lines of paragraph 1;

(3) by replacing the words “offence within two years” in the first line of paragraph 2 by the word “conviction”;

(4) by striking out the third line of paragraph 2.

**686.** Section 91 of the said Act is amended

(1) by striking out the first line;

(2) by replacing the words “(chapter P-15), a complaint” in the second line by the words “An information”.

**687.** Section 93 of the said Act is repealed.

**688.** Section 94 of the said Act is repealed.

**689.** Section 100 of the said Act is amended by striking out

(1) the words “make a complaint or” in the sixth line of the first paragraph;

(2) the words “make a complaint or” in the fifth and sixth lines of the second paragraph;

(3) the words “from making a complaint or” in the first line of the third paragraph.

## ANIMAL HEALTH PROTECTION ACT

**690.** Section 20 of the Animal Health Protection Act (R.S.Q., chapter P-42) is amended by striking out the second paragraph.

**691.** Section 55.14 of the said Act is amended by inserting the words “, in the performance of his duties,” after the word “may” in the first line.

**692.** Section 55.31 of the said Act is amended by replacing the words “found guilty” in the first line of paragraph 3 by the word “convicted”.

**693.** In sections 55.43 to 55.45 of the said Act, the expressions “, in addition to costs,” and “within two years for the same offence” are struck out wherever they occur.

**694.** Sections 55.48 and 55.49 of the said Act are repealed.

**695.** Section 55.50 of the said Act is amended

(1) by adding, at the end of the first paragraph, the words “if the person certifies in the report of the inspection, analysis or specimen or sample that he personally observed the facts stated therein”;

(2) by striking out the second paragraph.

ACT RESPECTING THE ARTIFICIAL INDUCEMENT OF RAIN

**696.** Section 13 of the Act respecting the artificial inducement of rain (R.S.Q., chapter P-43) is amended by striking out

(1) the words “, on summary proceeding, in addition to payment of the costs,” in the second and third lines of the first paragraph;

(2) the third paragraph.

ACT RESPECTING BUILDING CONTRACTORS VOCATIONAL QUALIFICATIONS

**697.** The French text of section 43 of the Act respecting building contractors vocational qualifications (R.S.Q., chapter Q-1) is amended by replacing the word “reconnu” by the word “déclaré” wherever it appears in subparagraphs iv, v and vi of paragraph b.

**698.** Section 68 of the said Act is amended by striking out the words “, in addition to payment of the costs” in the third line.

**699.** Section 69 of the said Act is amended by striking out the words “in addition to payment of the costs” in the second line.

**700.** Section 72 of the said Act is repealed.

**701.** Section 73 of the said Act is amended by striking out the second paragraph.

**702.** Section 74 of the said Act is amended by replacing the words “a complaint” in the second line by the words “an information”.

ENVIRONMENT QUALITY ACT

**703.** Section 79 of the Environment Quality Act (R.S.Q., chapter Q-2) is amended by replacing the words “justices of the peace by the Summary Convictions Act (chapter P-15)” in the third and fourth lines by the words “commissioners appointed under the Act respecting public inquiry commissions (R.S.Q., chapter C-37)”.

**704.** Section 106 of the said Act, amended by section 17 of chapter 49 of the statutes of 1988, is again amended

(1) by striking out the words “, on summary proceedings” in the third and fourth lines of the first paragraph;

(2) by replacing the words “any subsequent offence” in the first and second lines of subparagraph *b* of the first paragraph by the words “a second or subsequent conviction”;

(3) by replacing the word “guilty” in the first line of the third paragraph by the word “convicted”.

**705.** Section 106.1 of the said Act, introduced by section 18 of chapter 49 of the statutes of 1988, is amended

(1) by striking out the words “, on summary proceedings,” in the third line;

(2) by replacing the words “any subsequent offence” in the third line of paragraph *a* by the words “a second or subsequent conviction”;

(3) by adding the words “, notwithstanding article 231 of the Code of Penal Procedure (1987, chapter 96)” after the word “fine” at the end of paragraph *a*;

(4) by replacing the words “any subsequent offence” in the third line of paragraph *b* by the words “a second or subsequent conviction”.

**706.** Section 106.2 of the said Act, introduced by section 18 of chapter 49 of the statutes of 1988, is amended

(1) by striking out the words “, on summary proceedings,” in the third line;

(2) by replacing the words “any subsequent offence” in the third line of paragraph *a* by the words “a second or subsequent conviction”;

(3) by adding the words “notwithstanding article 231 of the Code of Penal Procedure” after the word “fine”, at the end of paragraph *a*;

(4) by replacing the words “any subsequent offence” in the third line of paragraph *b* by the words “a second or subsequent conviction”.

**707.** Section 107 of the said Act, replaced by section 19 of chapter 49 of the statutes of 1988, is amended

(1) by striking out the words “, upon summary proceedings,” in the seventh line of the first paragraph;

(2) by replacing the words “any subsequent offence” in the first and second lines of subparagraph *b* of the first paragraph by the words “a second or subsequent conviction”;

(3) by replacing the word “guilty” in the first line of the third paragraph by the word “convicted”.

**708.** Section 107.1 of the said Act is amended by replacing the word “penalties” in the first line by the word “sentences”.

**709.** Section 108 of the said Act, replaced by section 20 of chapter 49 of the statutes of 1988, is amended

(1) by striking out the words “, on summary proceedings,” in the second line;

(2) by replacing the words “any subsequent offence” in the first and second lines of subparagraph 2 of paragraph *a* by the words “a second or subsequent conviction”;

(3) by replacing the words “any subsequent offence” in the first and second lines of subparagraph 2 of paragraph *b* by the words “a second or subsequent conviction”.

**710.** Section 109.1 of the said Act, amended by section 22 of chapter 49 of the statutes of 1988, is again amended

(1) by replacing the words “subsequent offence” in the fifth line of paragraph *a* by the words “second or subsequent conviction”;

(2) by adding the words “, notwithstanding article 231 of the Code of Penal Procedure” after the word “fine” at the end of paragraph *a*;

(3) by replacing the words “any subsequent offence” in the fourth and fifth lines of paragraph *b* by the words “a second or subsequent conviction”.

**711.** Section 110 of the said Act is amended by replacing the word “penalties” in the sixth line of the second paragraph by the word “sentences”.

**712.** Section 110.1 of the said Act, amended by section 25 of chapter 49 of the statutes of 1988, is again amended by replacing the words “instituted under this Act” in the first line of the first paragraph by the words “prescribed as a sentence for offences against any provision of this Act”.

**713.** Section 111 of the said Act is repealed.

**714.** Section 112.1 of the said Act, introduced by section 26 of chapter 49 of the statutes of 1988, is amended by replacing the words “instituted under this Act are brought in accordance with the Summary Convictions Act (R.S.Q., chapter P-15)” in the first three lines by the words “shall be instituted”.

**715.** Section 116 of the said Act is amended by replacing the word “under” in the first line by the words “as a sentence for offences against any provision of”.

**716.** Section 116.1 of the said Act is amended by replacing the fourth, fifth, sixth and seventh lines of the first paragraph by the following: “by a person having made the analysis at the request of the Minister of the Environment is admissible in lieu of the sworn statement of the person as regards the facts declared in it if the person attests on the certificate that he personally observed the facts. The certificate is proof, in the absence of any evidence to the contrary, of the quality of the signatory.”

**717.** The said Act is amended by inserting, after section 119, the following section:

**119.1** A functionary authorized by the Minister for that purpose who has reasonable grounds to believe that an offence against any provision of this Act or the regulations thereunder has been committed may, at the time of an inquiry relating to the offence, apply to a judge for authorization to enter any place to instal measuring apparatus, to make analyses and to examine the premises and the books.

The application for authorization shall be accompanied with a sworn declaration in writing of the functionary.

The declaration shall include, in particular, the following information:

- (1) a description of the offence that is the subject of the inquiry;
- (2) the reasons for which the installation, analysis or examination is necessary for the inquiry;
- (3) the description of the place referred to in the application;
- (4) the time provided for the installation, analysis or examination;
- (5) the period provided for the collection of data.

The judge shall give the authorization on the terms and conditions he determines if he believes, on the strength of the declaration, that the installation, analysis or examination is necessary for the purposes of proving the commission of the offence.

A functionary authorized therefor by the Minister may exercise the powers conferred under the first two paragraphs if the time involved in obtaining a warrant, taking into account the exigent circumstances,

- (1) may result in danger to human health or safety;
- (2) may cause damage or serious harm to the quality of the soil, to vegetation, to wildlife or to property;
- (3) may result in the loss, disappearance or destruction of the evidence.”

**718.** Section 120.1 of the said Act, replaced by section 32 of chapter 49 of the statutes of 1988, is again replaced by the following section:

**“120.1** Any functionary or person authorized by the Minister may make a search in accordance with the Code of Penal Procedure.

For the purposes of the second paragraph of article 96 of the Code of Penal Procedure, danger to the safety of property also exists where the functionary or the authorized person has reasonable grounds to believe that the time that would be involved in obtaining a warrant or a telewarrant may cause damage or serious harm to the quality of the soil, to vegetation or to wildlife.”

## ACT RESPECTING THE DETERMINATION OF THE CAUSES AND CIRCUMSTANCES OF DEATH

**719.** Section 171 of the Act respecting the determination of the causes and circumstances of death (R.S.Q., chapter R-0.2) is replaced by the following section:

“**171.** Every person convicted of an offence under any provision of section 170 is liable to a fine of \$100 to \$2 500 and, in the case of a second or subsequent conviction, to a fine of \$200 to \$5 000.”

**720.** Section 172 of the said Act is repealed.

**721.** Section 175 of the said Act is amended by replacing the words “under the Summary Convictions Act (chapter P-15)” at the end of the second paragraph by the words “in a penal matter”.

**722.** Section 176 of the said Act is amended by replacing the words “found guilty” in the first line by the word “convicted”.

## ACT RESPECTING THE COLLECTION OF CERTAIN DEBTS

**723.** Section 54 of the Act respecting the collection of certain debts (R.S.Q., chapter R-2.2) is amended

(1) by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) for a subsequent conviction, to a fine of \$200 to \$4 000.”;

(2) by replacing the word “guilty” in the first line of the second paragraph by the word “convicted”.

**724.** Section 55 of the said Act is repealed.

**725.** Section 58 of the said Act is amended by striking out the second sentence.

**726.** Section 59 of the said Act is amended by replacing

(1) the words “a complaint” in the first line by the words “an information”;

(2) the word “make” in the second line by the word “lay”.

**727.** Section 60 of the said Act is repealed.

## ACT RESPECTING THE RÉGIE DE L'ASSURANCE AUTOMOBILE DU QUÉBEC

**728.** Section 15.1 of the Act respecting the Régie de l'assurance automobile du Québec (R.S.Q., chapter R-4) is amended by inserting the words “, other than penal proceedings,” after the word “proceedings” in the first line of the first paragraph.

## ACT RESPECTING THE RÉGIE DU LOGEMENT

**729.** Sections 113 and 114 of the Act respecting the Régie du logement (R.S.Q., chapter R-8.1) are amended by striking out the words “, in addition to costs,” wherever they appear.

**730.** Section 117 of the said Act is repealed.

## ACT RESPECTING THE QUÉBEC PENSION PLAN

**731.** Section 30 of the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9) is amended by adding the words “, except the power to impose imprisonment” at the end of the second paragraph.

**732.** Section 83 of the said Act is amended by striking out the second paragraph.

**733.** The French text of section 84 of the said Act is amended by replacing the word “trouvée” in the first line by the word “déclarée”.

**734.** Section 85 of the said Act is amended by inserting the words “, notwithstanding article 231 of the Code of Penal Procedure (1987, chapter 96), to” after the words “evaded, or” in the fourth line of the part following paragraph *e*.

**735.** Section 225 of the said Act is amended by striking out the words “, under the Summary Convictions Act,” in the second line.

**736.** Section 226 of the said Act is amended by striking out

- (1) the words “or complaint” in the first and second lines;
- (2) the words “or complaint” in the third line;
- (3) the words “or complainant” in the seventh line.

**737.** Section 227 of the said Act is replaced by the following section:

**“227.** All fines imposed as a sentence for an offence under this Act, except those imposed under Title III, shall belong to the Board.”

WATERCOURSES ACT

**738.** The heading of subdivision 3 of Division VI of the Watercourses Act (R.S.Q., chapter R-13) is amended by striking out the words “Fines and”.

**739.** Section 52 of the said Act is amended by striking out the words “, or, on failure to pay such fine, to imprisonment for not less than two days nor more than ten days in the house of detention of the district in which the offence was committed, over and above all damages resulting therefrom” in the last four lines.

**740.** Section 53 of the said Act is repealed.

**741.** Section 54 of the said Act is amended by striking out the words “, and costs, or to imprisonment for one month in default of payment thereof” in the fifth and sixth lines of the second paragraph.

**742.** Section 55 of the said Act is amended by striking out the second paragraph.

**743.** Section 79 of the said Act is amended by replacing the words “, upon summary prosecution, in addition to the payment of the costs, to a fine of \$100 to \$1 000; such penalty may be repeatedly imposed until the offender has complied with his obligation” in the last four lines by the words “to a fine of \$100 to \$1 000”.

**744.** Section 85 of the said Act is amended by replacing the words “, upon summary prosecution, to a fine not exceeding \$500, in addition to payment of the costs” in the third and fourth lines by the words “to a fine of not more than \$500”.

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING AND MANPOWER  
MANAGEMENT IN THE CONSTRUCTION INDUSTRY

**745.** Section 26 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20) is amended by replacing the words “found guilty” wherever they appear in subsections 1 and 2 by the word “convicted”.

**746.** Section 68 of the said Act is amended by replacing the words “and sentenced in accordance with the Summary Convictions

Act (chapter P-15)" in the second and third lines of the second paragraph by the words "as if he had been summoned in accordance with the Code of Civil Procedure (R.S.Q., chapter C-25)".

**747.** Sections 83, 83.1 and 83.2 of the said Act, introduced by section 11 of chapter 35 of the statutes of 1988, are amended by striking out the words ", in addition to costs," wherever they appear.

**748.** Section 84 of the said Act, amended by section 12 of chapter 35 of the statutes of 1988, is again amended by striking out the words ", upon summary proceeding, in addition to costs," in the third and fourth lines.

**749.** Section 109.2 of the said Act is amended

(1) by replacing the words "offence within two years" in the first line of the first paragraph by the word "conviction";

(2) by replacing the words "found guilty" in the second line of the third paragraph by the word "convicted".

**750.** Section 117 of the said Act is amended by striking out the words "or to imprisonment for not more than two years, or to both such fine and such imprisonment" in the third and fourth lines.

**751.** Section 119 of the said Act is amended by replacing the words "found guilty" in the second line of the third paragraph by the word "convicted".

**752.** Section 119.1 of the said Act, amended by section 15 of chapter 35 of the statutes of 1988, is again amended by striking out the words ", in addition to costs," in the second line.

**753.** Section 120 of the said Act is amended

(1) by striking out the words "in addition to the costs," in the third line;

(2) by replacing the words "the first subsequent offence within two years" in the first line of paragraph *c* by the words "a second conviction";

(3) by replacing the words "offence within two years" in the first line of paragraph *d* by the word "conviction".

**754.** Section 121.1 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (chapter P-15)” in the first and second lines.

**755.** Section 122 of the said Act, amended by section 125 of chapter 51 of the statutes of 1988 and section 17 of chapter 35 of the statutes of 1988, is again amended

(1) by replacing the last four lines of paragraph *c* of subsection 2 by the following: “is guilty of an offence and liable to a fine of \$60 to \$125 and, in the case of a second or subsequent conviction, to a fine of \$125 to \$350.”;

(2) by striking out the words “, in addition to costs,” in the line preceding paragraph *a* of subsection 4;

(3) by replacing the words “any first subsequent offence within two years” in the second and third lines of paragraph *c* of subsection 4 by the words “a second conviction” and by replacing the words “other subsequent offence within two years” in the second and third lines of paragraph *d* of subsection 4 by the words “subsequent conviction”;

(4) by striking out the words “, upon summary proceedings, in addition to costs,” in the third and fourth lines of subsection 5;

(5) by replacing the word “proceeding” in the first line of the first paragraph of subsection 6 by the words “civil action”;

(6) by replacing the second paragraph of subsection 6 by the following paragraph:

“The Commission shall designate the persons authorized to issue certified copies of documents for a penal proceeding.”

ACT RESPECTING REAL ESTATE TAX REFUND

**756.** Section 42 of the Act respecting real estate tax refund (R.S.Q., chapter R-20.1) is amended by striking out the words “on summary proceeding, in addition to the costs,” in the fourth and fifth lines.

**757.** Section 43 of the said Act is amended by striking out the words “on summary proceeding, in addition to the costs,” in the sixth line.

## COMPANIES INFORMATION ACT

**758.** Section 3 of the Companies Information Act (R.S.Q., chapter R-22) is amended by striking out

(1) the words “, in addition to the costs,” in the fifth and sixth lines;

(2) the words “and, failing payment of such fine and costs, to imprisonment for a term not exceeding three months” in the sixth, seventh and eighth lines.

**759.** Section 4 of the said Act is amended by striking out

(1) the words “, in addition to the costs,” in the fourth line of subsection 5;

(2) the words “and, failing payment of such fine and costs, to imprisonment for a term not exceeding three months,” in the fifth, sixth and seventh lines of subsection 5.

**760.** Section 5 of the said Act is amended by striking out

(1) the words “, in addition to the costs,” in the fifth and sixth lines of the first paragraph;

(2) the words “, and, failing payment of such fine and costs, to imprisonment for a term not exceeding three months” in the sixth, seventh and eighth lines of the first paragraph.

## ACT RESPECTING ECOLOGICAL RESERVES

**761.** Section 12 of the Act respecting ecological reserves (R.S.Q., chapter R-26) is replaced by the following section:

“**12.** Every person who contravenes a provision of this Act is guilty of an offence and liable to a fine of \$25 to \$300 and, in the case of a second or subsequent conviction, to a fine of \$300 to \$1 000.”

**762.** Section 13 of the said Act is amended

(1) by striking out the first paragraph;

(2) by inserting the words “when making an inspection” after the word “may,” in the first line of the second paragraph.

**763.** Section 14 of the said Act, replaced by section 41 of chapter 49 of the statutes of 1988, is amended by replacing the words

“instituted under this Act are brought in accordance with the Summary Convictions Act (R.S.Q., chapter P-15)” in the first and second lines by the words “are instituted”.

PUBLIC STREETS ACT

**764.** Section 3 of the Public Streets Act (R.S.Q., chapter R-27) is amended by replacing the words “punished by fine in the discretion of the court” in the third and fourth lines by the words “liable to a fine of \$50 to \$2 000”.

ACT RESPECTING THE SALARIES OF OFFICERS OF JUSTICE

**765.** Section 10 of the Act respecting the salaries of officers of justice (R.S.Q., chapter S-2) is amended by striking out the words “to be recovered by action of debt in any court having civil jurisdiction for that amount, by any person who sues therefor” in the fifth, sixth and seventh lines.

ACT RESPECTING OCCUPATIONAL HEALTH AND SAFETY

**766.** Section 236 of the Act respecting occupational health and safety (R.S.Q., chapter S-2.1) is amended by striking out the words “, on summary proceedings, in addition to the costs,” in the fourth line of the first paragraph.

**767.** Section 237 of the said Act is amended by striking out

(1) the words “, on summary proceedings, in addition to the costs,” in the third and fourth lines of the first paragraph;

(2) the words “or imprisonment for not under two months nor over six months, or both,” in the fourth, fifth and sixth lines of the first paragraph;

(3) the words “and terms of imprisonment” in the first line of the second paragraph;

(4) the words “and to a minimum of four months and a maximum of twelve months” in the third and fourth lines of the second paragraph.

**768.** Section 238 of the said Act is amended by replacing the word “penalties” in the first line by the word “sentences”.

**769.** Section 244 of the said Act is amended

(1) by replacing the figure "123" in the second line by the figure "124";

(2) by replacing the figure "128," in the second line by the figure and word "128 and";

(3) by striking out the word and figure "and 147" in the second and third lines.

PUBLIC BUILDINGS SAFETY ACT

**770.** Section 35 of the Public Buildings Safety Act (R.S.Q., chapter S-3), amended by section 6 of chapter 8 of the statutes of 1989, is again amended

(1) by striking out the words ", in addition to costs," in the fourth line of the first paragraph of subsection 1;

(2) by replacing the second paragraph of subsection 1 by the following paragraph:

"In the case of a second or subsequent conviction, the offender is liable to a fine of \$500 to \$1 150 in the case of a natural person, and \$1 150 to \$2 300 in the case of a legal person.";

(3) by replacing the word "penalties" in the sixth line of subsection 2 by the word "fines".

**771.** Section 36 of the said Act, amended by section 7 of chapter 8 of the statutes of 1989, is again amended by striking out the words ", in addition to costs," in subsections 1 and 3.

**772.** Section 36.1 of the said Act, introduced by section 8 of chapter 8 of the statutes of 1989, is amended

(1) by striking out the words ", in addition to costs," in the first and second paragraphs;

(2) by replacing the words "In case of a subsequent offence in respect of the same provision within two years of conviction" in the first two lines of the second paragraph by the words "In the case of a second or subsequent conviction".

**773.** Section 36.2 of the said Act, introduced by section 8 of chapter 8 of the statutes of 1989, is amended by striking out the second sentence.

**774.** Section 37 of the said Act is amended by striking out subsection 2.

ACT RESPECTING SAFETY IN SPORTS

**775.** Section 44.2 of the Act respecting safety in sports (R.S.Q., chapter S-3.1) is amended by striking out the words “or has pleaded guilty to” in the first and second lines of subparagraph 1 of the first paragraph.

**776.** Section 44.3 of the said Act is amended by striking out the words “or pleads guilty to” in the first line of subparagraph 1 of the first paragraph.

**777.** Sections 58, 59 and 61 of the said Act are amended by striking out the words “, in addition to the costs,” wherever they appear.

**778.** Section 60 of the said Act, amended by section 23 of chapter 26 of the statutes of 1988, is again amended by striking out the words “, in addition to costs,” in the third line of the second paragraph.

**779.** Section 60.1 of the said Act, introduced by section 24 of chapter 26 of the statutes of 1988, is amended by striking out the words “, in addition to costs,” in the fifth line.

**780.** Section 65 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (chapter P-15)” in the first and second lines of the first paragraph.

ACT RESPECTING INCOME SECURITY FOR CREE HUNTERS AND TRAPPERS WHO ARE BENEFICIARIES UNDER THE AGREEMENT CONCERNING JAMES BAY AND NORTHERN QUÉBEC

**781.** Section 47 of the Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec (R.S.Q., chapter S-3.2) is amended by replacing

(1) the words “, on summary proceedings, in addition to the costs, to a fine of not more than \$200 or to imprisonment not exceeding six months, or to both penalties at once” at the end of the first paragraph by the words “to a maximum fine of not more than \$200”;

(2) the word “reconnue” in the first line of the second paragraph of the French text by the word “déclarée”.

## ACT RESPECTING CHILD DAY CARE

**782.** Section 74 of the Act respecting child day care (R.S.Q., chapter S-4.1) is amended

(1) by striking out the words “, on summary proceeding, in addition to the costs,” in the second and third lines of the first paragraph;

(2) by replacing the words “offence within two years” in the first line of the second paragraph by the words “second or subsequent conviction”.

## ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

**783.** Section 86 of the Act respecting health services and social services (R.S.Q., chapter S-5), amended by section 187 of chapter 54 of the statutes of 1989, is again amended by replacing the words “found guilty” in the first line of subparagraph *e* of the first paragraph by the word “convicted”.

**784.** Section 179 of the said Act is amended by striking out

(1) the words “, upon summary proceeding, in addition to costs,” in the third and fourth lines of the first paragraph, and the words “, on summary proceedings, in addition to costs,” in the fourth line of the second paragraph;

(2) the third paragraph.

**785.** Section 182 of the said Act is amended by striking out the words “, on summary proceedings, in addition to costs,” in the second and third lines of the fourth paragraph.

## ACT RESPECTING THE SOCIÉTÉ D'HABITATION DU QUÉBEC

**786.** Section 22 of the Act respecting the Société d'habitation du Québec (R.S.Q., chapter S-8) is amended by striking out the words “, on summary proceeding,” in the second line.

## ACT RESPECTING THE SOCIÉTÉ DE DÉVELOPPEMENT INDUSTRIEL DU QUÉBEC

**787.** Section 51 of the Act respecting the Société de développement industriel du Québec (R.S.Q., chapter S-11.01) is amended by striking out the words “, upon summary proceeding, in addition to payment of the costs,” in the second line of the third paragraph.

**788.** Section 38 of the Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13) is amended

(1) by striking out the words “, in addition to costs,” in the fifth and sixth lines of the first paragraph;

(2) by replacing the words “offence within two years” in the last two lines of the first paragraph by the word “conviction”.

**789.** Section 39 of the said Act is amended by striking out the words “, in addition to costs,” in the third line.

**790.** Section 39.1 of the said Act is amended by striking out the words “, in addition to costs,” in the fifth line of the first paragraph.

**791.** Section 40 of the said Act, amended by section 24 of chapter 46 of the statutes of 1988, is again amended

(1) by striking out subparagraph *a* of the first paragraph;

(2) by replacing the words “Summary Convictions Act (chapter P-15)” in the last line of the fifth paragraph by the words “Code of Penal Procedure (1987, chapter 96)”.

**792.** Section 45 of the said Act, amended by section 140 of chapter 21 of the statutes of 1988, is repealed.

**793.** Section 46 of the said Act is amended by replacing

(1) the word “complaint” in the second line of subparagraph *a* of the first paragraph by the word “information”;

(2) the word “complaint” in the third line of subparagraph *b* of the first paragraph by the word “information”;

(3) the word “complaint” in the fourth line of subparagraph *c* of the first paragraph by the word “information”;

(4) the word “complaint” in the first line of the second paragraph by the word “information”;

(5) the word “porter” in the second line of the second paragraph of the French text by the word “déposer”.

## ACT RESPECTING THE SOCIÉTÉ DES LOTERIES ET COURSES DU QUÉBEC

**794.** Section 26 of the Act respecting the Société des loteries et courses du Québec (R.S.Q., chapter S-13.1) is amended by striking out the words “, on summary proceeding, in addition to costs,” in the fourth line.

## ACT RESPECTING THE SOCIÉTÉ NATIONALE DE L'AMIANTE

**795.** Section 41 of the Act respecting the Société nationale de l'amiante (R.S.Q., chapter S-18.2) is amended by replacing the words “and be condemned under the Summary Convictions Act (chapter P-15), as if he had been summoned under that act” in the second, third and fourth lines by the words “as if he had been summoned under the Code of Civil Procedure (chapter C-25)”.

## AGRICULTURAL SOCIETIES ACT

**796.** Section 53 of the Agricultural Societies Act (R.S.Q., chapter S-25) is amended by replacing the words “, upon summary proceeding before a justice of the peace, to a fine of not more than one hundred dollars or to imprisonment in the house of detention of the district for not more than thirty days” in the fourth, fifth, sixth and seventh lines by the words “to a maximum fine of \$100”.

**797.** Section 61 of the said Act is replaced by the following section:

**“61.** In any contestation or dispute referred to in section 59 or 60, the petitioner shall, with the petition, deposit with the secretary of the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation a sum of \$50 as security for costs; failing such deposit, the petition shall not be received.

The Minister of Agriculture, Fisheries and Food may summon witnesses in accordance with the Code of Civil Procedure (R.S.Q., chapter C-25).”

## ACT RESPECTING THE SOCIÉTÉS D'ENTRAIDE ÉCONOMIQUE

**798.** Section 194 of the Act respecting the sociétés d'entraide économique (R.S.Q., chapter S-25.1) is amended

(1) by striking out the words “on summary proceedings, in addition to costs,” in the first and second lines;

(2) by replacing the words “offence within two years” in the last line by the word “conviction”.

**799.** Section 195 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (chapter P-15)” in the first and second lines of the first paragraph.

BUTTER AND CHEESE SOCIETIES ACT

**800.** Section 10 of the Butter and Cheese Societies Act (R.S.Q., chapter S-29) is replaced by the following section:

“**10.** Penal proceedings for the sanction of any offence under a provision of this division may be instituted by an interested party within three months from commission of the offence; the fine belongs to the prosecutor.”

ACT RESPECTING ATTORNEY GENERAL'S PROSECUTORS

**801.** Section 4 of the Act respecting Attorney General's prosecutors (R.S.Q., chapter S-35) is amended by replacing paragraph *e* by the following paragraph:

“(e) he shall conduct the prosecution, in first instance or in appeal, for any offence against a law of Québec, including a regulation or by-law made by the competent authority under that law, except in the case of proceedings instituted by a municipality to sanction a violation of a municipal by-law committed by a person 18 years of age or over;”

ACT RESPECTING WORK INCOME SUPPLEMENT

**802.** Section 37 of the Act respecting work income supplement (R.S.Q., chapter S-37.1) is amended by striking out the words “, on summary proceeding, in addition to the costs,” in the fifth line.

FUEL TAX ACT

**803.** Section 27 of the Fuel Tax Act (R.S.Q., chapter T-1) is amended by replacing the words “found guilty” in paragraph *a* by the word “convicted”.

**804.** Section 31 of the said Act is amended by replacing the words “found guilty” in the second line, and in the third line, by the word “convicted”.

**805.** Section 39 of the said Act is amended

(1) by striking out the words “, without a warrant” in the second and third lines of the first paragraph;

(2) by striking out the word “arrêter” in the third line of the first paragraph of the French text;

(3) by replacing the words “est immobilisé” in the second line of the second paragraph of the French text by the words “se trouve”.

**806.** Section 40 of the said Act is amended

(1) by striking out the words “, without a warrant,” in the second line of the first paragraph;

(2) by replacing the word “stop” in the third line of the first paragraph by the word “order”;

(3) by replacing the words “and order it not to be moved” in the fourth line of the first paragraph by the words “to be stopped and not moved”.

**807.** Section 43.1 of the said Act is amended by replacing what follows paragraph *g* by the following:

“is guilty of an offence and is liable, in addition to any other penalty otherwise provided for, to a fine of \$100 to \$1 000 and, in the case of a second offence within five years, to a fine of \$300 to \$2 000 and, in the case of any subsequent offence within that period, to a fine of \$1 000 to \$5 000.”

**808.** Section 50 of the said Act is amended by replacing the words “procès-verbal de l’infraction” in the third line of the French text of subsection 1 by the words “rapport d’infraction”.

BROADCAST ADVERTISING TAX ACT

**809.** Sections 7 and 8 of the Broadcast Advertising Tax Act (R.S.Q., chapter T-2) are amended by replacing the words “found guilty” wherever they appear by the word “convicted”.

MEALS AND HOTELS TAX ACT

**810.** Section 5 of the Meals and Hotels Tax Act (R.S.Q., chapter T-3) is amended by replacing the words “found guilty” by the word “convicted” in

(1) the second line of subsection 5;

- (2) the second line of subsection 6;
- (3) paragraph *a* of subsection 7.

TELECOMMUNICATIONS TAX ACT

**811.** Section 2 of the Telecommunications Tax Act (R.S.Q., chapter T-4) is amended by replacing the words “found guilty” by the word “convicted” in

- (1) the second line and in the fourth line of subsection 4;
- (2) paragraph *a* of subsection 7.

ACT RESPECTING AGRICULTURAL LANDS IN THE PUBLIC DOMAIN

**812.** Section 51 of the Act respecting agricultural lands in the public domain (R.S.Q., chapter T-7.1) is amended

(1) by striking out the words “in addition to costs,” in the second line of what precedes paragraph 1;

(2) by striking out the words “, and, on failure to pay, to imprisonment for not more than three months” in the second and third lines of paragraph 1;

(3) by striking out the words “, and on failure to pay, to imprisonment for not more than six months” in the second and third lines of paragraph 2.

**813.** Section 52 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (chapter P-15)” in the first and second lines.

ACT RESPECTING THE LANDS IN THE PUBLIC DOMAIN

**814.** Section 67 of the Act respecting the lands in the public domain (R.S.Q., chapter T-8.1) is replaced by the following section:

**“67.** Every person who enters or stays on land in contravention of section 53 is liable to a fine of \$50 to \$200 and, in the case of a second or subsequent conviction, to a fine of \$100 to \$400.”

**815.** Section 68 of the said Act is amended

(1) by replacing the last line of the first paragraph by the following: “fixed, is liable to a fine of \$100 to \$500 and, in the case of a second or subsequent conviction, to a fine of \$200 to \$1 000.”;

(2) by striking out the second and fourth paragraphs.

**816.** Section 69 of the said Act is amended by striking out the words “, in addition to costs,” in the third line.

**817.** Section 70 of the said Act is repealed.

#### STAMP ACT

**818.** Section 9 of the Stamp Act (R.S.Q., chapter T-10) is amended by replacing the words “forfeit, as a penalty to Her Majesty, a sum of not more than twenty dollars, and shall further be liable for the damages sustained by any person through such violation of duty” in the seventh, eighth and ninth lines by the words “be liable to a fine of not more than \$20”.

**819.** Section 35 of the said Act is amended by replacing the last seven lines by the following words: “the fee thereon payable, shall be liable to a fine of not more than \$10 and, for a second offence, to a fine of not more than \$50 and, for a subsequent offence, to a fine of not more than \$200”.

**820.** Section 36 of the said Act is amended by replacing the last two lines by the words “liable to a fine of not more than \$20”.

**821.** Section 37 of the said Act is amended by replacing the first four lines by:

“**37.** Every fine imposed for the sanction of an offence under a provision of this Act shall be paid to the Minister of Revenue; the production of any such”.

#### MARINE PRODUCTS PROCESSING ACT

**822.** Section 47 of the Marine Products Processing Act (R.S.Q., chapter T-11.01) is amended

(1) by striking out the words “, in addition to costs,” in the fourth and fifth lines of the first paragraph;

(2) by replacing the words “event of a subsequent offence within two years after a conviction for the same offence” in the first and second lines of the second paragraph by the words “case of a second or subsequent conviction”;

(3) by striking out the words “, in addition to costs,” in the second and third lines of the second paragraph.

**823.** Section 51 of the said Act is amended

(1) by striking out the words “, in addition to costs,” in the third line of the first paragraph;

(2) by striking out the words “, in addition to costs,” in the third and fourth lines of the second paragraph.

**824.** Section 50 of the said Act is amended by striking out, in the second and third lines, the words “in accordance with the Summary Convictions Act (chapter P-15)”.

ACT RESPECTING TRANSPORTATION BY TAXI

**825.** In sections 26 and 28 of the Act respecting transportation by taxi (R.S.Q., chapter T-11.1), the expression “found guilty or has pleaded guilty to” is replaced by “convicted of”, wherever it occurs.

**826.** Section 48.1 of the said Act is amended by adding, in the second line, after the word “shall”, the words “, for the purposes of a civil remedy,”.

**827.** Section 70 of the said Act is amended by striking out the words “, in addition to costs,” in the sixth line.

**828.** Section 73 of the said Act is amended by striking out the words “under the Summary Convictions Act (chapter P-15) and this chapter” in the first and second lines.

TRANSPORT ACT

**829.** Section 40.1 of the Transport Act (R.S.Q., chapter T-12) is replaced by the following section:

“**40.1** The Commission cannot exercise the power provided for in section 40 without hearing the proof and giving the person concerned by a change, suspension or revocation of his permit or a withdrawal of his registration plate or certificate an opportunity to be heard.”

**830.** Section 73 of the said Act is amended by striking out the words “on summary proceedings” in the second line.

**831.** Section 74 of the said Act is amended

(1) by striking out the words “, on summary proceedings,” in the sixth line;

(2) by replacing the last line by the words “second or subsequent conviction”.

**832.** Section 74.1 of the said Act, amended by section 8 of chapter 67 of the statutes of 1988, is again amended

(1) by striking out the words “on summary proceedings” in the second line;

(2) by replacing the words “subsequent offence within the two years following an offence” in the last two lines by the words “second or subsequent conviction”.

**833.** Section 75 of the said Act is repealed.

**834.** Section 75.2 of the said Act is repealed.

**835.** Section 76 of the said Act is repealed.

**836.** Section 80 of the said Act is amended by replacing the words “without a warrant” in the first line by the words “when making an inspection under section 49.2”.

#### MUNICIPAL WORKS ACT

**837.** Section 6 of the Municipal Works Act (R.S.Q., chapter T-14) is amended by striking out the words “, on summary proceeding, in addition to costs,” in the fifth line of the fourth paragraph.

#### PUBLIC WORKS ACT

**838.** Section 33 of the Public Works Act (R.S.Q., chapter T-15) is amended by striking out, in the fourth, fifth and sixth lines of the second paragraph, the words “which shall be recovered before any justice of the peace, and levied under the warrant of such justice by seizure and sale of the goods and chattels of the offender,”.

**839.** Section 42 of the said Act is amended by replacing the second paragraph by the following paragraph:

“Such witnesses shall have a right to be taxed in the manner therein provided.”

**840.** Section 54 of the said Act is replaced by the following section:

**54.** Any offence against a regulatory provision may be sanctioned by a fine of not more than \$400.

The judge who convicts a person of such an offence may, in rendering judgment, order that the vehicle then being detained and with which this offence has been committed or damage has been caused shall constitute a security to guarantee payment of the fine and costs he imposes.”

COURTS OF JUSTICE ACT

**841.** Section 82 of the Courts of Justice Act (R.S.Q., chapter T-16), introduced by section 30 of chapter 21 of the statutes of 1988, is amended by replacing the words “Summary Convictions Act (chapter P-15)” in the third line of the first paragraph by the words “Code of Penal Procedure (1987, chapter 96)”.

**842.** Section 83 of the said Act, introduced by section 30 of chapter 21 of the statutes of 1988, is amended by replacing the words “Summary Convictions Act” in the first and second lines of subparagraph 3 of the first paragraph by the words “Code of Penal Procedure”.

**843.** Section 128 of the said Act, introduced by section 30 of chapter 21 of the statutes of 1988, is amended by replacing the words “of one or two justices of the peace, as the case may be” in the second and third lines by the words “of two justices of the peace for the purposes of the Acts of the Parliament of Canada which require that competence”.

**844.** Section 163 of the said Act is amended by striking out the words “or suit” in the fourth line.

**845.** Section 164 of the said Act is amended by replacing the last six lines by “forfeit the sum of one hundred dollars.”

**846.** Section 165 of the said Act is amended by striking out

- (1) the words “suit or information” in the first line;
- (2) the words “plaintiff, or” in the fifth line;
- (3) the words “plaintiff or” in the eighth line.

**847.** Section 169 of the said Act is amended by striking out the words “plaintiff or” in the first line.

**848.** Sections 170 and 171 of the said Act are repealed.

**849.** Section 172 of the said Act is replaced by the following section:

**“172.** Any penal proceedings for the sanction of an offence under a provision of this subdivision must be exercised within six months of the perpetration of the offence.”

**850.** Section 175 of the said Act is repealed.

**851.** Sections 190, 191 and 192 of the said Act, as well as the heading preceding them, are repealed.

**852.** Section 194 of the said Act, amended by section 45 of chapter 21 of the statutes of 1988, is again amended

(1) by replacing the words “a complaint” in the first line of the first paragraph by the words “an information”;

(2) by striking out the second paragraph.

**853.** Section 197 of the said Act is amended by replacing the ninth line by the words “The description of the offence.”

**854.** Section 206 of the said Act is amended by striking out

(1) the words “or complaint” in the fifth and sixth lines;

(2) the words “, and, failing payment of the fine and costs, to an imprisonment not exceeding three months” in the last two lines.

**855.** Section 211 of the said Act is replaced by the following section:

**“211.** Every person who contravenes any of the provisions of this subdivision is guilty of an offence and is liable to a fine of not more than \$20.”

**856.** Section 212 of the said Act is amended by striking out the words “, to be recovered and applied in the manner mentioned in section 211” in the last two lines.

## SECURITIES ACT

**857.** Section 202 of the Securities Act (R.S.Q., chapter V-1.1) is amended by replacing the first two paragraphs by the following paragraph:

“**202.** Every person who contravenes a provision of this Act is guilty of an offence and is liable, in the case of a natural person, to a fine of \$500 to \$10 000 and, in other cases, to a fine of \$500 to \$25 000.”

**858.** Section 204 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**204.** Every person who commits an offence under sections 187 to 190 or sections 196 and 197 is liable to the penalties prescribed in the second paragraph.”

**859.** Section 209 of the said Act is repealed.

**860.** Section 272 of the said Act is amended by replacing the words “found guilty or has pleaded guilty to” in the third and fourth lines by the words “convicted of”.

## CREE VILLAGES AND THE NASKAPI VILLAGE ACT

**861.** Section 48 of the Cree Villages and the Naskapi Village Act (R.S.Q., chapter V-5.1) is repealed.

## ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK REGIONAL GOVERNMENT

**862.** Section 20 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1), amended by section 53 of chapter 49 of the statutes of 1988, is again amended, in the French version, by replacing

(1) the word “trouvée” in the first line of paragraph 6 by the word “déclarée”;

(2) the word “trouvée” in the first line and in the third line of paragraph 7 by the word “déclarée”.

**863.** Section 42 of the said Act is amended by striking out the words “, if found guilty by a court having jurisdiction on the recovery of fines imposed by the by-laws of the council,” in the third and fourth lines of the second paragraph.

**864.** The heading of Division II of Chapter I of Title VIII of Part I of the said Act is amended by striking out the words “AND RECOVERY OF FINES”.

**865.** Section 145 of the said Act is amended

(1) by replacing subsection 1 by the following subsection:

“(1) The council may prescribe by by-law, for every infraction of a by-law, either a fine of a fixed amount, or a penalty with a minimum and a maximum, or a maximum penalty only; the amount of the fine shall not exceed \$300, unless the Minister fixes from time to time a higher amount.”;

(2) by striking out subsection 2.

**866.** Sections 146, 147 and 148 of the said Act are repealed.

**867.** Section 149 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**149.** Penal proceedings may be instituted within six months from the date when the offence was committed.”

**868.** Section 150 of the said Act is amended by replacing the words “recovered in virtue” in the first line by the words “imposed for the sanction of an offence under a provision”.

**869.** Section 151 of the said Act is amended by replacing

(1) the first paragraph by the following paragraph:

“**151.** Any elector wishing that a repeated or continuous breach of a by-law be brought to an end may file a notice of correction with the Regional Government”;

(2) the words “accused of the contravention” in the third line of the third paragraph by the words “who is alleged not to conform to the by-law”;

(3) the words “continuous contravention” in the third line of the fourth paragraph by the word “correction”;

(4) the words “accused of the contravention” in the fourth line of the fifth paragraph by the words “who is alleged not to conform to the by-law”;

(5) the word “contravention” in the second line of subparagraph *b* of the sixth paragraph by the word “breach”;

(6) by replacing the word “contravention” in the last line of the last paragraph by the word “breach”.

**870.** Section 192 of the said Act is amended by replacing the word “penalties” in the second line of paragraph 2 by the word “sanctions”.

**871.** Section 216 of the said Act is amended by replacing the second, third and fourth lines of the second paragraph by the following: “levying of certain duties and taxes in the form of a licence may decree that the failure to pay such duties or taxes constitutes an offence, the council may, at its option, instead of instituting penal proceedings, sue for recovery of the said”.

**872.** The heading of Division II of Chapter I of Title V of Part II of the said Act is amended by striking out “AND RECOVERY OF FINES”.

**873.** Section 234 of the said Act is amended by inserting the words “in a civil matter” after the word “rendered” in the second line.

**874.** Section 330 of the said Act is amended

(1) by replacing subsection 1 by the following subsection:

“(1) For every infraction of one of its ordinances, the Regional Government may prescribe, by means of that ordinance or of another, either a fine of a fixed amount, or a penalty with a minimum and a maximum, or a maximum penalty only; the amount of the fine shall not exceed \$500, unless the Minister fixes from time to time a higher amount.”;

(2) by striking out subsection 2.

**875.** Sections 331, 332 and 333 of the said Act are repealed.

**876.** Section 334 of the said Act is amended by replacing the first paragraph by the following paragraph:

“**334.** Penal proceedings may be brought within six months from the date when the offence was committed.”

**877.** Section 335 of the said Act is amended by replacing the first two lines by the following:

**335.** The fines imposed for the sanction of ordinances of the Regional Government or of any offence under a provision of this Act shall belong, unless”.

**878.** Section 336 of the said Act is amended by replacing

(1) the word “violation” in the second line of the first paragraph by the word “breach”;

(2) the word “violation” in the second line of subparagraph *b* by the word “breach”;

(3) the words “accused of the violation” in the second line of the second paragraph by the words “who is alleged not to conform to the ordinance”.

**879.** Section 405 of the said Act is amended by inserting the words “in a civil matter” after the word “rendered” in the second line.

#### ROADS ACT

**880.** In sections 15, 16 and 17.3 of the Roads Act (R.S.Q., chapter V-8), the expression “, in addition to costs,” is struck out wherever it occurs.

**881.** Section 18 of the said Act, replaced by section 35 of chapter 14 of the statutes of 1989, is amended by striking out the words “under the Summary Convictions Act (chapter P-15)” in the second and third lines.

#### BEACH HAY ACT

**882.** Section 3 of the Beach Hay Act (R.S., 1964, chapter 131) is amended by replacing the words “No person” in the first line by the words “No owner or possessor of live stock”, and by replacing the word “mark” in the third line by the word “marks”.

**883.** Division III of the said Act is repealed.

#### PUBLIC CHARITIES ACT

**884.** Section 29 of the Public Charities Act (R.S., 1964, chapter 216) is amended by striking out:

(1) the words “, on summary proceedings,” in the eleventh line;

(2) the words “, and, in default of payment of such fine, to imprisonment for six months in the common gaol of the district where the offence was committed” in the last four lines.

AGED PERSONS ASSISTANCE ACT

**885.** Section 9 of the Aged Persons Assistance Act (R.S., 1964, chapter 226) is amended by replacing what precedes subparagraph *a* by the following:

“**9.** The following shall be guilty of an offence and liable to a fine of \$10 to \$50:”.

INTERIOR DECORATORS ACT

**886.** Section 8 of the Interior Decorators Act (R.S., 1964, chapter 270) is amended by replacing the last nine lines of the first paragraph by:

“member of the Society, shall be guilty of an offence and liable to a fine not exceeding \$50 for a first offence and \$100 for each subsequent offence. Such fine shall belong to the Society and be payable to the treasurer.”

BLIND PERSONS ALLOWANCES ACT

**887.** Section 16 of the Blind Persons Allowances Act (1965, 1<sup>st</sup> session, chapter 59) is amended by replacing what precedes subparagraph *a* by the following:

“**16.** The following shall be guilty of an offence and liable to a fine of \$25 to \$100:”.

DISABLED PERSONS ASSISTANCE ACT

**888.** Section 16 of the Disabled Persons Assistance Act (1965, 1<sup>st</sup> session, chapter 60) is amended by replacing what precedes subparagraph *a* by the following:

“**16.** The following shall be guilty of an offence and liable to a fine of \$25 to \$100:”.

ACT RESPECTING THE NEIGHBOURHOOD OF MONT SAINTE-ANNE PARK

**889.** Section 5 of the Act respecting the neighbourhood of Mont Sainte-Anne park (1971, chapter 58) is replaced by the following section:

**5.** Any person who contravenes any of the provisions of this Act is liable to a fine not exceeding \$100."

ACT TO PROMOTE SPECIAL CREDIT TO CONSUMER-EGG PRODUCERS

**890.** Section 12 of the Act to promote special credit to consumer-egg producers (1972, chapter 40) is amended by striking out

(1) the words “, on summary proceeding, in addition to payment of the costs,” in the fifth and sixth lines of the first paragraph;

(2) the second paragraph.

ACT RESPECTING THE OLYMPIC VILLAGE

**891.** Section 23 of the Act respecting the Olympic Village (1976, chapter 43) is amended by replacing the last four lines by the words “accordance with the procedure provided in the Code of Civil Procedure (R.S.Q., chapter C-25) for a defaulting witness.”

ACT TO FAVOUR THE PURSUIT OF THE OBJECTS OF LA LIGUE DE TAXIS DE MONTRÉAL INC.

**892.** Section 39 of the Act to favour the pursuit of the objects of LA LIGUE DE TAXIS DE MONTREAL INC. (1982, chapter 24) is amended by striking out the words “on summary proceedings, in addition to costs,” in the first and second lines.

**893.** Section 40 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (R.S.Q., chapter P-15)” in the first two lines of the first paragraph.

ACT TO AMEND THE ENVIRONMENT QUALITY ACT AND OTHER LEGISLATION

**894.** Section 35 of the Act to amend the Environment Quality Act and other legislation (1982, chapter 25) is repealed.

ACT RESPECTING THE SOCIÉTÉ DE TRANSPORT DE LA VILLE DE LAVAL

**895.** Section 119 of the Act respecting the Société de transport de la Ville de Laval (1984, chapter 42) is amended by striking out

(1) the words “, on summary proceedings,” in the second line;

(2) the words “, with or without costs” in the third line.

**896.** Section 120 of the said Act is amended

(1) by replacing the third and fourth lines of the first paragraph by the following: “contraventions and prescribe a fine for each offence.”;

(2) by striking out the words “within one year of the date of the first offence” in the first and second lines of the third paragraph.

**897.** Section 123 of the said Act is repealed.

ACT RESPECTING THE SOCIÉTÉ DE TRANSPORT DE LA RIVE SUD DE MONTRÉAL

**898.** Section 146 of the Act respecting the Société de transport de la rive sud de Montréal (1985, chapter 32) is amended by striking out the words “, in addition to costs,” in the second line.

**899.** Section 147 of the said Act is amended

(1) by replacing the word “prévoir” in the second line, in the French version, by the word “prescrire”;

(2) by striking out the words “in addition to costs,” in the third line.

**900.** Section 150 of the said Act is repealed.

ACT TO ENSURE THAT ESSENTIAL SERVICES ARE MAINTAINED IN THE HEALTH AND SOCIAL SERVICES SECTOR

**901.** Section 17 of the Act to ensure that essential services are maintained in the health and social services sector (1986, chapter 74) is amended by striking out the words “in accordance with the Summary Convictions Act” in the first and second lines.

TOURIST ESTABLISHMENTS ACT

**902.** Section 11 of the Tourist Establishments Act (1987, chapter 12) is amended by striking out the words “or pleaded guilty to” in the second line of paragraph 2.

**903.** Section 38 of the said Act is replaced by the following section:

**“38.** Every person who contravenes a provision of section 4 or 32 is guilty of an offence and liable, for each day or part of day during which the offence continues, to a fine of \$500 to \$2 000 and, in the case of a second or subsequent conviction, to a fine of \$2 000 to \$4 000.”

**904.** Section 39 of the said Act is amended by striking out the words “, in addition to costs,” in the first and second lines.

**905.** Section 42 of the said Act is repealed.

PESTICIDES ACT

**906.** Section 27 of the Pesticides Act (1987, chapter 29) is amended by striking out the words “or pleaded guilty to” in the first and second lines of the first paragraph.

**907.** Section 38 of the said Act is amended by striking out the words “or pleaded guilty to” in the second line of subparagraph 2 of the first paragraph.

**908.** Section 54 of the said Act is amended by striking out the words “or pleaded guilty to” in the first line of subparagraph 2 of the first paragraph.

**909.** Section 86 of the said Act is amended

(1) by striking out the words “or the Summary Convictions Act (R.S.Q., chapter P-15)” in the first and second lines;

(2) by striking out the words “search or” in paragraph 1;

(3) by replacing the first and second lines of paragraph 2 by the words “(2) the grounds for which the seizure was made;”.

**910.** Section 87 of the said Act is amended by replacing

(1) the words “a search or” in the first line of the second paragraph by the word “an”;

(2) the words “a search or” in the third line of the second paragraph by the word “an”.

**911.** Section 89 of the said Act is amended by replacing the words “Summary Convictions Act” in the second line of the first paragraph by the words “Code of Penal Procedure (1987, chapter 96)”.

**912.** Section 97 of the said Act is amended by replacing

(1) the word “penalty” in the second line of the first paragraph by the word “sentence”;

(2) the words “Summary Convictions Act” in the third line of the first paragraph by the words “Code of Penal Procedure”.

**913.** Section 110 of the said Act is amended

(1) by striking out the words “, in addition to costs,” in the second line;

(2) by adding, after the word “fine” at the end of paragraph 1, the words “, notwithstanding article 231 of the Code of Penal Procedure”.

**914.** Section 111 of the said Act is amended

(1) by striking out the words “, in addition to costs,” in the second line of the first paragraph;

(2) by replacing the second and third lines of paragraph 1 by the words “nor more than \$20 000 or, notwithstanding article 231 of the Code of Penal Procedure, to imprisonment for not more than six months or to both imprisonment and the fine, if the offence has constituted an unreasonable risk of harmful effects to the health of humans or other living species or of damage to the environment or to property;”.

**915.** In sections 112 to 118 of the said Act, the words “, in addition to costs,” are struck out wherever they occur.

**916.** Section 120 of the said Act is repealed.

**917.** Section 123 of the said Act, amended by section 40 of chapter 49 of the statutes of 1988, is again amended by replacing the words “instituted under this Act are instituted in accordance with the Summary Convictions Act” in the first and second lines by the words “are instituted”.

**918.** Section 127 of the said Act is amended by adding, after the word “therein” in the sixth line of the first paragraph, the words “if that person attests on the certificate that he himself has observed the facts mentioned therein”.

## MINING ACT

**919.** In sections 314 to 321 of the Mining Act (1987, chapter 64), the expression “, in addition to costs,” is struck out wherever it occurs.

**920.** In sections 314 to 319, the words “For any subsequent offence within two years of the conviction under the same provision”

and “For any subsequent offence within two years of conviction under the same provision” are replaced, wherever they occur, by the words “In the case of a second or subsequent conviction”.

**921.** Section 321 of the said Act is amended

(1) by striking out the words “, in addition to costs,” in the sixth line of the first paragraph;

(2) by replacing the words “For any subsequent offence within two years of conviction under the first paragraph” in the first two lines of the second paragraph by the words “In the case of a second or subsequent conviction”;

(3) by striking out the words “, in addition to costs,” in the second and third lines of the second paragraph.

**922.** Section 322 of the said Act is amended by striking out the second paragraph.

**923.** Section 323 of the said Act is repealed.

ACT RESPECTING THE PROFESSIONAL STATUS AND CONDITIONS OF ENGAGEMENT OF PERFORMING, RECORDING AND FILM ARTISTS

**924.** In sections 69 and 70 of the Act respecting the professional status and conditions of engagement of performing, recording and film artists (1987, chapter 72), the words “, in addition to costs,” are struck out wherever they occur.

**925.** Section 71 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (R.S.Q., chapter P-15)” in the first and second lines.

ACT RESPECTING THE USE OF PETROLEUM PRODUCTS

**926.** Section 9 of the Act respecting the use of petroleum products (1987, chapter 80) is amended by replacing the word “trouvé” in the second line of the French text by the word “déclaré”.

**927.** In sections 65 to 68 of the said Act, the expression “, in addition to costs,” is struck out wherever it occurs.

**928.** Sections 69 and 70 of the said Act are replaced by the following sections:

**69.** In the case of a second or subsequent conviction under section 65 or 68, the offender is liable to a fine of \$500 to \$6 000.

**70.** In the case of a second or subsequent conviction under section 66, the offender is liable to a fine of \$4 000 to \$8 000.”

**929.** Section 72 of the said Act is repealed.

ACT TO ESTABLISH THE COMMISSION DES RELATIONS DU TRAVAIL AND TO AMEND  
VARIOUS LEGISLATION

**930.** Section 87 of the Act to establish the Commission des relations du travail and to amend various legislation (1987, chapter 85) is repealed.

ACT RESPECTING FARM FINANCING

**931.** In sections 149 and 150 of the Act respecting farm financing (1987, chapter 86), the words “, in addition to costs,” are struck out wherever they occur.

**932.** Section 151 of the said Act is repealed.

ACT TO AMEND THE HIGHWAY SAFETY CODE AND OTHER LEGISLATION

**933.** Section 101 of the Act to amend the Highway Safety Code and other legislation (1987, chapter 94) is amended by striking out, in the third line of article 646, which it replaces the words “, in addition to costs,”.

ACT RESPECTING TRUST COMPANIES AND SAVINGS COMPANIES

**934.** Section 363 of the Act respecting trust companies and savings companies (1987, chapter 95) is amended

(1) by striking out the words “, in addition to costs,” in the second line of the first paragraph;

(2) by replacing the words “For each subsequent offence within two years of conviction for an offence under the same provision” in the first two lines of the second paragraph by the words “In the case of a second or subsequent conviction”.

**935.** Section 366 of the said Act is amended by striking out the words “in accordance with the Summary Convictions Act (R.S.Q., chapter P-15)” in the first and second lines.

## ACT RESPECTING HORSE RACING

**936.** Section 77 of the Act respecting horse racing (1987, chapter 103) is amended by striking out the words “of or pleaded guilty to” in the first line of subparagraphs 1, 2 and 3 of the first paragraph, and by adding the word “of” after the last comma in the first line of each of such subparagraphs 1, 2 and 3.

**937.** In sections 106 to 110 of the said Act, the expression “, in addition to costs,” is struck out wherever it occurs.

**938.** Section 111 of the said Act is amended

(1) by replacing the words “In the event of a subsequent offence within two years after a conviction for an offence against the same provision” in the first two lines by the words “In the case of a second or subsequent conviction”;

(2) by striking out the words “, in addition to costs,” in the second and third lines.

**939.** Section 112 of the said Act is replaced by the following section:

“**112.** Penal proceedings shall be instituted by the Commission or by any person it generally or specially authorized by it in writing for that purpose.”

## ACT RESPECTING THE RÉGIE DES TÉLÉCOMMUNICATIONS

**940.** Section 66 of the Act respecting the Régie des télécommunications (1988, chapter 8) is amended by striking out

(1) the words “, in addition to costs,” in the third line;

(2) the words “within five years” in the fourth line.

**941.** In sections 67 and 68 of the said Act, the words “, in addition to costs,” are struck out wherever they occur.

**942.** Sections 69 and 70 of the said Act are repealed.

## ROADSIDE ADVERTISING ACT

**943.** In sections 23 to 29 of the Roadside Advertising Act (1988, chapter 14), the words “, in addition to costs,” are struck out wherever they occur.

**944.** Section 31 of the said Act is amended by striking out the second paragraph.

ACT RESPECTING THE RÉGIE DU GAZ NATUREL

**945.** In sections 69 and 70 of the Act respecting the Régie du gaz naturel (1988, chapter 23), the words “, in addition to costs,” are struck out wherever they occur.

**946.** Section 71 of the said Act is repealed.

ACT RESPECTING THE BIBLIOTHÈQUE NATIONALE DU QUÉBEC

**947.** In sections 47 and 48 of the Act respecting the Bibliothèque nationale du Québec (1988, chapter 42), the words “, in addition to costs,” are struck out wherever they occur.

**948.** Section 49 of the said Act is repealed.

ACT RESPECTING INCOME SECURITY

**949.** Section 84 of the Act respecting income security (1988, chapter 51) is amended by striking out the words “, in addition to costs,” in the penultimate line.

**950.** Section 85 of the said Act is amended by striking out the words “, in addition to costs,” in the second line.

**951.** Section 86 of the said Act is amended by striking out the words “, in addition to costs,” in the second line.

**952.** Section 89 of the said Act is repealed.

SAVINGS AND CREDIT UNIONS ACT

**953.** In sections 529 and 530 of the Savings and Credit Unions Act (1988, chapter 64), the words “, in addition to costs,” are struck out wherever they occur.

**954.** Section 531 of the said Act is amended by replacing the words “For each subsequent offence within two years of conviction for an offence under the same provision” in the first two lines by the words “In the case of a second or subsequent conviction”.

ACT RESPECTING THE PROFESSIONAL STATUS OF ARTISTS IN THE VISUAL ARTS, ARTS  
AND CRAFTS AND LITERATURE AND THEIR CONTRACTS WITH PROMOTERS

**955.** Section 46 of the Act respecting the professional status of artists in the visual arts, arts and crafts and literature, and their contracts with promoters (1988, chapter 69) is amended by replacing the words “for every subsequent offence within two years” in the fifth line by the words “in the case of a second or subsequent conviction”.

ACT RESPECTING POLICE ORGANIZATION AND AMENDING THE POLICE ACT AND VARIOUS  
LEGISLATION

**956.** Section 47 of the Act respecting police organization and amending the Police Act and various legislation (1988, chapter 75) is amended by replacing the first line by the following:

“**47.** Except as provided in section 61 of the Code of Penal Procedure, the commissioners or the members of his staff shall not”.

**957.** Section 191 of the said Act is amended by striking out

(1) the words “, in addition to costs,” in the second line;

(2) the words “within two years of conviction for the same offence” in the third and fourth lines.

**958.** Section 192 of the said Act is amended by striking out

(1) the words “, in addition to costs,” in the second line;

(2) the words “within two years of conviction for the same offence” in the third and fourth lines.

**959.** Section 196 of the said Act is repealed.

**960.** Section 207 of the said Act is amended by striking out, in the first line of subparagraph 3 of the first paragraph of section 3, which it replaces, the words “or pleaded guilty”.

EDUCATION ACT

**961.** Section 486 of the Education Act (1988, chapter 84) is amended by striking out the words “, in addition to costs,” in the first and second lines.

**962.** Section 487 of the said Act is amended

(1) by striking out the words “, in addition to costs,” in the third line;

(2) by replacing the words “for any subsequent offence within two years of a conviction for the same offence” in the sixth and seventh lines by the words “for any subsequent conviction”.

**963.** Section 488 of the said Act is amended

(1) by striking out the words “, in addition to costs,” in the third line;

(2) by replacing the words “for any subsequent offence within two years of a conviction for the same offence” in the sixth and seventh lines by the words “for any subsequent conviction”.

**964.** Section 491 of the said Act is amended by replacing

(1) the words “Proceedings under this chapter are instituted in accordance with the Summary Convictions Act (R.S.Q., chapter P-15)” in the first and second lines of the first paragraph by the words “Penal proceedings are instituted”;

(2) the words “before a judge of the Youth Court” in the fourth line of the second paragraph by the words “; they may be instituted before a judge of the Court of Québec”.

ELECTION ACT

**965.** Section 568 of the Election Act (1989, chapter 1) is amended by replacing the words “found guilty” in the first line of each of the first and second paragraphs by the word “convicted”.

**966.** Section 569 of the said Act is amended by striking out the second paragraph.

**967.** Section 564 of Schedule V to the said Act is amended by striking out the words “in addition to costs,” in the fourth line.

ACT RESPECTING EDUCATIONAL INSTITUTIONS AT THE UNIVERSITY LEVEL

**968.** Section 5 of the Act respecting educational institutions at the university level (1989, chapter 18) is amended by replacing the words “For each subsequent offence within two years of conviction for an offence under the same provision” in the first and second lines of the second paragraph by the words “In the case of a second or subsequent conviction”.

## ACT RESPECTING SCHOOL ELECTIONS

**969.** Section 21 of the Act respecting school elections (1989, chapter 36) is amended, in the French version,

(1) by replacing subparagraph 5 of the first paragraph by the following paragraph:

“5° une personne à qui une peine d'emprisonnement a été imposée;”;

(2) by replacing the word “sentence” in the second line of the second paragraph by the word “peine”.

**970.** Section 35 of the said Act is amended by striking out the words “pleads guilty or” in the first line of the first paragraph.

**971.** Section 196 of the said Act is amended, in the French version,

(1) by replacing the word “reconnu” in the second line by the word “déclaré”;

(2) by replacing the word “sentence” in the third and sixth lines by the word “peine”.

**972.** Section 220 of the said Act is amended by replacing the words “offence within two years of a conviction for the same offence” in the sixth and seventh lines by the words “conviction”.

**973.** Section 221 of the said Act is amended by replacing the words “offence within two years of a conviction for the same offence” in the seventh line by the word “conviction”.

ACT RESPECTING THREATENED OR VULNERABLE SPECIES AND AMENDING THE ACT  
RESPECTING THE CONSERVATION AND DEVELOPMENT OF WILDLIFE

**974.** Section 40 of the Act respecting threatened or vulnerable species and amending the Act respecting the conservation and development of wildlife (1989, chapter 37) is amended

(1) by striking out the words “, in addition to costs,” in the fifth line;

(2) by replacing the last four lines of paragraph 1 by the words “\$1 000 nor more than \$40 000 for any subsequent conviction within three years;”;

(3) by replacing the last two lines of paragraph 2 by the words "\$2 000 nor more than \$80 000 for any subsequent conviction within three years."

**975.** Section 43 of the said Act is amended by striking out the words ", in addition to costs," in the third line.

**976.** Section 44 of the said Act is amended by striking out the words ", in addition to costs," in the second line.

**977.** Section 48 of the said Act is amended by striking out the words "in accordance with the Summary Convictions Act (R.S.Q., chapter P-15)" in the second and third lines.

ACT RESPECTING MUNICIPAL COURTS AND AMENDING VARIOUS LEGISLATION

**978.** Section 74 of the Act respecting municipal courts and amending various legislation (1989, chapter 52) is amended by striking out the words ", where the procedure applicable is that enacted in the Summary Convictions Act (R.S.Q., chapter P-15)" in the last two lines.

**979.** Section 77 of the said Act is amended by adding the words "but not governed by the Code of Penal Procedure (1987, chapter 96)" after the word "court" in the second line.

**980.** Section 84 of the said Act is amended by replacing the first paragraph by the following paragraph:

**84.** The fines and costs imposed by the municipal court to sanction a violation of a provision of an Act or the charter governing the municipality in whose territory the offence was committed, or of a by-law, a resolution, or an order of the municipality, belong to the municipality and form part of its general fund, except the part of the costs remitted by the collector to another prosecutor who incurred expenses related to the proceedings."

**981.** Section 118 of the said Act is amended by adding the words "but not governed by the Code of Penal Procedure" after the word "court" in the second line of paragraph 8.

**982.** Sections 142 and 149 of the said Act and the headings which precede them are repealed.

ACT TO REPLACE THE ACT RESPECTING LA CONFÉDÉRATION DES CAISSES POPULAIRES  
ET D'ÉCONOMIE DESJARDINS DU QUÉBEC

**983.** Section 86 of the Act to replace the Act respecting La Confédération des caisses populaires et d'économie Desjardins du Québec (1989, chapter *insert here the chapter number of Bill 279*), is amended by striking out the words “, in addition to costs,” in the second line of the second paragraph of section 529, which it replaces.

CIVIL CODE OF LOWER CANADA

**984.** Article 16 of the Civil Code of Lower Canada is repealed.

**985.** Article 17 of the said Code is amended by striking out

(1) the first paragraph of paragraph 16 of the schedule;

(2) the word “magistrate,” in the second line of the second paragraph of subparagraph 16 of the schedule.

CHARTER OF THE TOWN OF ACTON VALE

**986.** Section 429*a* of the Cities and Towns Act, added for the town of Acton Vale to chapter 233 of the Revised Statutes of 1941 by section 2 of chapter 100 of the statutes of 1947, is repealed.

CHARTER OF THE TOWN OF ASBESTOS

**987.** Paragraph 12 of section 428 of the Cities and Towns' Act, added for the town of Asbestos to chapter 102 of the Revised Statutes of 1925 by section 2 of chapter 115 of the statutes of 1938, is amended by replacing the words “and to provide for a penalty not exceeding one dollar after the second offence, and, in default of payment, to one hour's detention in the police station, in the case of infractions of the by-law which shall be passed by the town in this respect. The said penalty shall be imposed on” in the last six lines by the words “under sentence of a maximum fine of one dollar for”.

**988.** Paragraph 13 of section 428 of the Cities and Towns' Act, added for the town of Asbestos to chapter 102 of the Revised Statutes of 1925 by section 2 of chapter 115 of the statutes of 1938, is struck out.

**989.** Paragraph 35 of section 429 of the Cities and Towns Act, added for the town of Asbestos to chapter 233 of the Revised Statutes of 1941 by section 2 of chapter 108 of the statutes of 1950, is repealed.

**990.** Section 11 of the Act respecting the town of Asbestos (1938, chapter 115) is repealed.

CHARTER OF THE TOWN OF BAIE D'URFÉE

**991.** Section 429*a* of the Cities and Towns Act, added for the town of Baie d'Urfée to chapter 233 of the Revised Statutes of 1941 by section 26 of chapter 111 of the statutes of 1953-54 and amended by section 141 of chapter 52 of the statutes of 1989, is repealed.

CHARTER OF THE CITY OF BEAUHARNOIS

**992.** Section 429*a* of the Cities and Towns Act, added to chapter 233 of the Revised Statutes of 1941 by section 17 of chapter 69 of the statutes of 1948, amended by section 143 of chapter 52 of the statutes of 1989, is repealed.

CHARTER OF THE TOWN OF BEDFORD

**993.** Section 10 of the Act to incorporate the town of Bedford (1890, 2<sup>nd</sup> session, chapter 77), replaced by section 8 of chapter 106 of the statutes of 1919, is amended by striking out paragraph 3.

**994.** Paragraph 31*b* of section 429 of the Cities and Towns Act, added for the town of Bedford to chapter 233 of the Revised Statutes of 1941 by section 15 of chapter 100 of the statutes of 1952-53, is repealed.

CHARTER OF THE TOWN OF BERTHIERVILLE

**995.** Section 429*a* of the Cities and Towns Act, added for the town of Berthierville to chapter 233 of the Revised Statutes of 1941 by section 4 of chapter 95 of the statutes of 1951-52, is repealed.

CHARTER OF THE TOWN OF BLACK LAKE

**996.** Section 429*a* of the Cities and Towns Act, added for the town of Black Lake to chapter 233 of the Revised Statutes of 1941 by section 5 of chapter 96 of the statutes of 1950-51, is repealed.

## CHARTER OF THE CITY OF CHAMBLY

**997.** The third subparagraph of paragraph 17 of section 426 of the Cities and Towns Act (R.S., 1964, chapter 193), replaced for the city of Chambly by section 1 of chapter 81 of the statutes of 1972, is amended by replacing the words “lodging of a complaint” in the second line by the words “laying of an information”.

**998.** Paragraph 17*a* of section 426 of the Cities and Towns Act, added for the city of Chambly to chapter 193 of the Revised Statutes of 1964 by section 1 of chapter 81 of the statutes of 1972, is amended

(1) by replacing the word “penalty” in the sixth line by the word “sentence”;

(2) by replacing the words “such penalty” in the seventh line by the word “it”.

## CHARTER OF THE CITY OF CÔTE SAINT-LUC

**999.** The first two paragraphs of section 398 of the Cities and Towns Act (R.S., 1964, chapter 193), replaced for the city of Côte Saint-Luc by section 6 of chapter 97 of the statutes of 1975, are again replaced by the following paragraphs:

**“398.** The council may prescribe, in any by-law within its powers, either a sentence of a fixed amount, or a minimum and maximum sentence, or a maximum sentence only for each offence against a provision of a by-law; the amount of the fine shall not exceed \$500, except where otherwise prescribed.

In the case of a by-law adopted under paragraph 18 of section 429, the council may prescribe a fine of \$25 to \$500.”

**1000.** Section 429*a* of the Cities and Towns Act, added for the city of Côte Saint-Luc to chapter 233 of the Revised Statutes of 1941 by section 23 of chapter 98 of the statutes of 1951-52, is repealed.

## CHARTER OF THE TOWN OF COWANSVILLE

**1001.** Section 429*a* of the Cities and Towns Act, added for the town of Cowansville to chapter 233 of the Revised Statutes of 1941 by section 4 of chapter 94 of the statutes of 1949, is repealed.

## CHARTER OF THE TOWN OF EAST-ANGUS

**1002.** Section 429*a* of the Cities and Towns Act, added for the town of East-Angus to chapter 233 of the Revised Statutes of 1941 by section 6 of chapter 95 of the statutes of 1952-53, is repealed.

## CHARTER OF THE CITY OF GRANBY

**1003.** Section 429*a* of the Cities and Towns Act, added for the city of Granby to chapter 233 of the Revised Statutes of 1941 by section 4 of chapter 65 of the statutes of 1946, is repealed.

## CHARTER OF THE CITY OF HULL

**1004.** Paragraph 17 of section 426 of the Cities and Towns Act (R.S., 1964, chapter 193), replaced for the city of Hull by paragraph *b* of section 19 of chapter 94 of the statutes of 1975, is amended

(1) by replacing the words “lodging a complaint or causing the issue of a summons” in the third and fourth lines of the second paragraph by the words “laying an information”;

(2) by replacing the words “found guilty” in the second line of the fourth paragraph by the word “convicted”;

(3) by replacing the words “a complaint” in the third line of the sixth paragraph by the words “an information”;

(4) by replacing the words “the judge or the clerk may condemn him for the violation described in the summons or in the notice of summons and it shall not be necessary to prove the violation or the officer’s signature or his appointment” in the last six lines of the seventh paragraph by the words “proceedings may be brought by default for the offence described in the notice of summons or in the summons”.

## CHARTER OF THE CITY OF LACHINE

**1005.** Section 51 of the Act to consolidate and amend the charter of the town of Lachine and to incorporate it as a city (1909, chapter 86), replaced by section 6 of chapter 90 of the statutes of 1924, is repealed.

## CHARTER OF THE TOWN OF LA PRAIRIE

**1006.** Section 5 of the Act to amend the charter of the town of La Prairie (1974, chapter 93) is amended by striking out the words

“and imprisonment not exceeding two months on a complaint brought before the Municipal Court” in the last three lines of paragraph *c*.

CHARTER OF THE CITY OF LASALLE

**1007.** Section 3 of the Act to amend the charter of the city of LaSalle (1974, chapter 99) is amended by striking out the words “and imprisonment not exceeding two months on a complaint brought before the Municipal Court” in the last three lines of paragraph *c*.

**1008.** Paragraph 20.2 of section 412 of the Cities and Towns Act, added for the city of LaSalle to chapter C-19 of the Revised Statutes by section 1 of chapter (*insert here the chapter number of Bill 252*) of the statutes of 1989, is amended by replacing the words “added to the amount of the fine imposed under the by-law and collected in the same manner as the fine” in the last three lines by the words “claimed in the notice of summons and collected by the collector in accordance with sections 321, 322 and 327 to 331 of the Code of Penal Procedure (1987, chapter 96)”.

**1009.** Section 415 of the said Act, amended for the city of LaSalle by section 3 of chapter (*insert here the chapter number of Bill 252*) of the statutes of 1989, is again amended by replacing the words “added to the amount of the fine” in paragraph 10 by the words “claimed in the notice of summons”.

CHARTER OF THE TOWN OF LA TUQUE

**1010.** Section 3 of the Act to amend the charter of the town of La Tuque (1938, chapter 112) is repealed.

**1011.** Section 429*a* of the Cities and Towns Act, added for the town of La Tuque to chapter 233 of the Revised Statutes of 1941 by section 6 of chapter 94 of the statutes of 1955-56, is repealed.

CHARTER OF THE CITY OF LONGUEUIL

**1012.** Section 398 of the Cities and Towns Act (R.S., 1964, chapter 193), amended for the city of Longueuil by section 2 of chapter 93 of the statutes of 1975 and replaced by section 3 of chapter 82 of the statutes of 1977, is again amended

(1) by replacing the first paragraph by the following paragraph:

**“398.** The council may prescribe, in any by-law within its powers, either a sentence of a fixed amount, or a minimum and

maximum sentence, or a maximum sentence only for each offence against a provision of a by-law; the amount of the fine shall not exceed \$500, except where otherwise prescribed.”;

(2) by replacing the words “found guilty before the court” in the first and second lines of the second paragraph by the word “convicted”;

(3) by replacing the words “second offence” in the tenth and fifteenth lines of the second paragraph by the words “first subsequent offence”;

(4) by inserting the word “additional” after the word “every” in the thirteenth line of the second paragraph;

(5) by striking out the words “in addition to costs” in the sixteenth line of the second paragraph;

(6) by striking out the words “, the imprisonment from one month to two months, and the council may also enact, as a sentence, both the fine and imprisonment” in the last four lines of the second paragraph;

(7) by striking out the third, fourth and fifth paragraphs.

**1013.** Paragraph 17 of section 426 of the Cities and Towns Act (R.S., 1964, chapter 193), replaced for the city of Longueuil by section 3 of chapter 101 of the statutes of 1971 and by section 4 of chapter 82 of the statutes of 1977, is amended

(1) by replacing the words “filing a complaint and causing the issuance of a summons” in the third, fourth and fifth lines of the second paragraph by the words “laying an information”;

(2) by replacing the words “filing of a complaint” in the second and third lines of the third paragraph by the words “laying of an information”;

(3) by replacing the words “file a complaint against him” in the fourth and fifth lines of the fourth paragraph by the words “lay an information”.

**1014.** Paragraph 17a of section 426 of the Cities and Towns Act, added for the city of Longueuil to chapter 193 of the Revised Statutes of 1964 by section 3 of chapter 101 of the statutes of 1971, is amended

(1) by replacing the word “penalty” in the seventh line of the first paragraph by the word “sentence”;

(2) by replacing the words “found guilty” in the second line of the fourth paragraph by the word “convicted”.

**1015.** Section 5 of the Act respecting the city of Longueuil (1975, chapter 93) is repealed.

CHARTER OF THE TOWN OF MACAMIC

**1016.** Paragraph 31*a* of section 429 of the Cities and Towns Act, added for the town of Macamic to chapter 233 of the Revised Statutes of 1941 by section 9 of chapter 95 of the statutes of 1954-55, is repealed.

CHARTER OF THE TOWN OF MONT-JOLI

**1017.** Section 4 of the Act respecting the town of Mont-Joli (1956-57, chapter 105) is repealed.

CHARTER OF THE TOWN OF NICOLET

**1018.** Section 429*a* of the Cities and Towns Act, added for the town of Nicolet to chapter 233 of the Revised Statutes of 1941 by section 6 of chapter 99 of the statutes of 1955-56, is repealed.

CHARTER OF THE CITY OF OUTREMONT

**1019.** Subparagraph *c* of paragraph 16 of section 5638 of the Cities and Towns Act (R.S., 1909), replaced for the city of Outremont by section 43 of chapter 93 of the statutes of 1915, is repealed.

CHARTER OF THE CITY OF PIERREFONDS

**1020.** Section 3 of the Act respecting the city of Pierrefonds (1973, chapter 82) is amended by striking out the words “and imprisonment not exceeding two months on a complaint brought before the Municipal Court” in the last four lines of paragraph *c*.

CHARTER OF THE TOWN OF PORT-CARTIER

**1021.** Paragraph 5 of section 426 of the Cities and Towns Act (R.S., 1941, chapter 233), replaced for the town of Port-Cartier by section 26 of chapter 111 of the statutes of 1958-59, is amended

(1) by replacing the word “impose” in the eighth and eighteenth lines by the word “prescribe”;

(2) by striking out the words “and to enact, that in default of immediate payment of the said fine and costs by the offender, he shall

be condemned to prison for not more than two (2) months, which imprisonment shall terminate if the fine and costs be paid before the expiration of such period," in the eleventh to seventeenth lines;

(3) by replacing the word "offender" in the twentieth line by the word "defendant".

CHARTER OF THE TOWN OF RICHMOND

**1022.** Section 429*a* of the Cities and Towns Act, added for the town of Richmond to chapter 233 of the Revised Statutes of 1941 by section 4 of chapter 97 of the statutes of 1952-53, is repealed.

CHARTER OF THE CITY OF RIMOUSKI

**1023.** Paragraph 15*a* of section 469 of the Cities and Towns Act, added for the city of Rimouski to chapter 233 of the Revised Statutes of 1941 by paragraph *b* of section 20 of chapter 66 of the statutes of 1948, is amended by replacing the words "may be arrested and detained by any constable without a warrant, but shall be brought before a competent court within twenty-four hours" in the last four lines by the words "commits an offence".

CHARTER OF THE TOWN OF ROSEMERE

**1024.** Paragraph 9*a* of section 469 of the Cities and Towns Act, added for the town of Rosemere to chapter 233 of the Revised Statutes of 1941 by section 22 of chapter 109 of the statutes of 1957-58, is repealed.

CHARTER OF THE TOWN OF STE. AGATHE DES MONTS

**1025.** Section 429*a* of the Cities and Towns Act, added for the town of Ste. Agathe des Monts to chapter 233 of the Revised Statutes of 1941 by section 8 of chapter 89 of the statutes of 1952-53, is repealed.

CHARTER OF THE TOWN OF SAINTE-GENEVIÈVE

**1026.** Section 22 of the Act to incorporate as a town the village of Sainte-Geneviève de Pierrefonds (1958-59, chapter 115) is repealed.

CHARTER OF THE TOWN OF SAINT-HUBERT

**1027.** The third paragraph of paragraph 17 of section 426 of the Cities and Towns Act (R.S., 1964, chapter 193), replaced for the town

of Saint-Hubert by section 2 of chapter 83 of the statutes of 1972, is amended by replacing the words “lodging of a complaint” in the second line by the words “laying of an information”.

CHARTER OF THE CITY OF SAINT-LAURENT

**1028.** Section 429*a* of the Cities and Towns Act, added for the city of Saint-Laurent to chapter 233 of the Revised Statutes of 1941 by section 5 of chapter 78 of the statutes of 1952-53, is repealed.

**1029.** Section 6 of the Act to amend the charter of the City of Saint-Laurent (1972, chapter 82) is amended by striking out the words “and imprisonment not exceeding two months on a complaint brought before the Municipal Court” in the last four lines of paragraph *c*.

CHARTER OF THE CITY OF SAINTE-THERÈSE

**1030.** Section 24 of the Act to consolidate the charter of the town of Sainte Thérèse (1951-52, chapter 84), replaced by section 6 of chapter 112 of the statutes of 1971, is amended

(1) by replacing the words “lodging a complaint and causing a summons to be issued” in the third and fourth lines of the second paragraph by the words “laying an information”;

(2) by replacing the words “lodging of a complaint” in the second and third lines of the third paragraph by the words “laying of an information”;

(3) by replacing the words “lodge a complaint against him” in the last two lines of the fourth paragraph by the words “lay an information”.

CHARTER OF THE CITY OF SALABERRY-DE-VALLEYFIELD

**1031.** Section 4 of the Cities and Towns' Act (R.S., 1925, chapter 102), replaced for the city of Salaberry-de-Valleyfield by section 4 of chapter 111 of the statutes of 1931-32, amended by section 3 of chapter 52 of the statutes of 1952-53 and by section 174 of chapter 52 of the statutes of 1989, is again amended by striking out the words “fines or penalties” in the fifth line of paragraph 11.

**1032.** Section 429*a* of the Cities and Towns Act, added for the city of Salaberry-de-Valleyfield to chapter 233 of the Revised Statutes of 1941 by section 10 of chapter 73 of the statutes of 1951-52, is repealed.

**1033.** Section 134 of the Act to consolidate the charter of the city of Salaberry-de-Valleyfield (1931-32, chapter 111) is repealed.

**1034.** Section 135 of the said Act is repealed.

**1035.** Section 136 of the said Act is repealed.

CHARTER OF THE CITY OF SHAWINIGAN

**1036.** Sections 6 and 7 of the Act to amend the charter of the city of Shawinigan Falls (1955-56, chapter 75) are repealed.

CHARTER OF THE CITY OF SOREL

**1037.** Section 3 of the Act to incorporate the city of Sorel (1889, chapter 80) is amended by striking out the words “fines or penalties” in the fourth line of paragraph 13.

**1038.** Section 47 of the said Act is amended by striking out the words “, or imprisonment not to exceed fifteen days” in the last two lines.

**1039.** Section 80 of the said Act is amended by striking out the second paragraph.

**1040.** Sections 81 and 82 of the said Act are repealed.

**1041.** Sections 393, 394 and 395 of the said Act are repealed.

**1042.** Sections 412 to 414 of the said Act are repealed.

**1043.** Section 415 of the said Act is amended by striking out the words “, and to arrest, on view and without a warrant, all such persons whom they may find in such houses contravening any laws or by-laws” in the last three lines.

**1044.** Sections 418 and 419 of the said Act are repealed.

**1045.** Section 420 of the said Act, amended by section 3 of chapter 52 of the statutes of 1952-53 and by section 187 of chapter 52 of the statutes of 1989, is replaced by the following section:

“**420.** Any person who hinders a constable of the city in the execution of his duties is liable to a fine of \$4 to \$40.”

**1046.** Section 421 of the said Act is repealed.

**1047.** Section 422 of the said Act, amended by section 3 of chapter 52 of the statutes of 1952-53 and by section 188 of chapter 52 of the statutes of 1989, is repealed.

**1048.** Section 424 of the said Act is repealed.

**1049.** Section 425 of the said Act, amended by section 3 of chapter 52 of the statutes of 1952-53 and by section 189 of chapter 52 of the statutes of 1989, is repealed.

**1050.** Section 459 of the said Act is amended by striking out the words “, and in default of immediate payment of the fine and costs, to an imprisonment not exceeding fifteen days” in the last three lines of the second paragraph.

**1051.** Section 535*a* of the said Act, added by section 17 of chapter 112 of the statutes of 1931-32, is amended by replacing the words “an imprisonment for failure to pay such taxes and licenses, the council may, at its option, instead of prosecuting for such imprisonment” in the third, fourth and fifth lines by the words “that failure to pay such taxes and licenses constitutes an offence, the council may, at its option, instead of instituting penal proceedings”.

**1052.** Section 543 of the said Act is amended by replacing the word “recovered” in the first line by the word “imposed”.

**1053.** The heading of Title XVII of the said Act is replaced by the heading “PENAL PROVISIONS”.

**1054.** Sections 601 to 603 of the said Act are repealed.

**1055.** Section 604 of the said Act is amended by replacing the words “Every suit for the purpose of recovering such fines is” in the first and second lines by the words “Penal proceedings are”.

**1056.** Section 606 of the said Act is repealed.

**1057.** Sections 608 and 609 of the said Act are repealed.

**1058.** Section 616 of the said Act is amended by replacing the word “recovered” in the first line of the first paragraph by the word “imposed”.

**1059.** Section 621 of the said Act, replaced by section 1 of chapter 60 of the statutes of 1899, is repealed.

## CHARTER OF THE CITY OF THETFORD MINES

**1060.** Section 398*a* of the Cities and Towns Act, added for the city of Thetford Mines to chapter 233 of the Revised Statutes of 1941 by section 5 of chapter 81 of the statutes of 1956-57, is repealed.

**1061.** Paragraph 17 of section 426 of the Cities and Towns Act (R.S., 1964, chapter 193), replaced for the city of Thetford Mines by section 1 of chapter 88 of the statutes of 1977, is repealed.

## CHARTER OF THE CITY OF TROIS-RIVIÈRES

**1062.** Section 107 of the Act to amend and consolidate the charter of the city of Three Rivers (1915, chapter 90) is repealed.

**1063.** Section 19 of the Act to amend the charter of the city of Trois-Rivières (1971, chapter 103) is repealed.

## CHARTER OF THE CITY OF VERDUN

**1064.** Paragraph 17 of section 426 of the Cities and Towns Act (Revised Statutes, 1964, chapter 193), replaced for the city of Verdun by section 3 of chapter 83 of the statutes of 1977, is repealed.

**1065.** Section 428*a* of the Cities and Towns' Act, added for the city of Verdun to chapter 102 of the Revised Statutes of 1925 by section 10 of chapter 109 of the statutes of 1937, is amended by replacing the words "and to provide for a penalty not exceeding one dollar after the second offence, and, in default of payment, to one hour's detention in the police station, in the case of infractions of the by-law which shall be passed by the city in this respect. The said penalty shall be imposed on" in the last six lines by the words "under sentence of a maximum fine of one dollar for".

**1066.** Paragraph 29*a* of section 429 of the Cities and Towns Act, added for the city of Verdun to chapter 233 of the Revised Statutes of 1941 by section 3 of chapter 70 of the statutes of 1955-56, is repealed.

**1067.** Section 5 of the Act to amend the charter of the city of Verdun (1974, chapter 98) is amended by striking out the words "and imprisonment not exceeding two months on a complaint brought before the Municipal Court" in the last four lines of paragraph *c*.

## CHARTER OF THE TOWN OF VICTORIAVILLE

**1068.** Section 398*a* of the Cities and Towns Act, added for the town of Victoriaville to chapter 233 of the Revised Statutes of 1941 by section 2 of chapter 94 of the statutes of 1956-57, is repealed.

**1069.** Paragraph 34 of section 429 of the Cities and Towns Act, added for the town of Victoriaville to section 429 of chapter 233 of the Revised Statutes of 1941 by section 4 of chapter 84 of the statutes of 1950-51, is repealed.

## CHARTER OF THE TOWN OF WATERLOO

**1070.** Section 429*a* of the Cities and Towns Act, added for the town of Waterloo to chapter 233 of the Revised Statutes of 1941 by section 5 of chapter 87 of the statutes of 1954-55, is repealed.

## CHARTER OF THE CITY OF WESTMOUNT

**1071.** The fourth paragraph of paragraph 20 of section 412 of the Cities and Towns Act (R.S.Q., chapter C-19), replaced for the city of Westmount by section 1 of chapter (*insert here the chapter number of Bill 253*) of the statutes of 1989, is amended by replacing the words “filing of a complaint” in the second line by the words “laying of an information”.

**1072.** Paragraph 20.2 of section 412 of the said Act, added for the city of Westmount to chapter C-19 of the Revised Statutes by section 1 of chapter (*insert here the chapter number of Bill 253*) of the statutes of 1989, is amended by replacing the words “added to the amount of the fine imposed under the by-law and collected in the same manner as the fine” in the last three lines by the words “claimed on the notice of summons and collected by the collector in accordance with sections 321, 322 and 327 to 331 of the Code of Penal Procedure (1987, chapter 96)”.

**1073.** Section 415 of the said Act, amended for the city of Westmount by section 2 of chapter (*insert here the chapter number of Bill 253*) of the statutes of 1989, is again amended by replacing the words “added to the amount of the fine” in paragraph 10 by the words “claimed on the notice of summons”.

## CHARTER OF THE TOWN OF WINDSOR

**1074.** Section 82 of the Act to incorporate the town of Windsor Mills (1899, chapter 68) is repealed.

**1075.** Section 14 of the Act to amend the charter of the town of Windsor (1945, chapter 87) is repealed.

**1076.** Section 15 of the said Act is amended by replacing the words “may be arrested and held in custody by any constable and brought before any justice of the peace or magistrate having jurisdiction, to be prosecuted at once for such offence but he shall not be detained for more than twenty-four hours without a warrant of arrest” in the last eight lines by the words “commits an offence”.

ACT TO AUTHORIZE THE CONSTRUCTION OF A TOLL BRIDGE ACROSS THE RIVER ST. FRANCIS, BETWEEN THE TOWN OF RICHMOND AND THE VILLAGE OR TOWNSHIP OF MELBOURNE

**1077.** Sections 14 and 20 of the Act to authorize the construction of a toll bridge across the River St. Francis, between the town of Richmond and the village or township of Melbourne (1902, chapter 91) are repealed.

ACT TO GRANT CERTAIN POWERS TO THE CORPORATION OF THE VILLAGE OF BERNIERVILLE

**1078.** Section 2 of the Act to grant certain powers to the corporation of the village of Bernierville (1955-56, chapter 117) is repealed.

ACT RESPECTING THE MUNICIPALITY OF THE VILLAGE OF POINTE CALUMET

**1079.** Section 14 of the Act respecting the municipality of the village of Pointe Calumet (1952-53, chapter 110) is amended

(1) by striking out paragraph *c*;

(2) by striking out the words “, and to arrest on view and without warrant any person he may find in such places contravening the law or by-laws” in the seventh, eighth, ninth and tenth lines of paragraph *d*;

(3) by striking out the words “, and of imprisonment for not more than three months in default of payment” in the last three lines of paragraph *d*;

(4) by striking out paragraph *e*;

(5) by striking out paragraph *f*.

## CHARTER OF THE CITY OF LAVAL

**1080.** Section 3a of the charter of the city of Laval, added to chapter 89 of the statutes of 1965 (1<sup>st</sup> session) by section 1 of chapter 96 of the statutes of 1968, is amended by striking out the words “and to imprisonment for not more than two months, upon complaint before the Municipal Court” in the last three lines of the third paragraph.

**1081.** Section 359 of the Cities and Towns Act (R.S., 1964, chapter 193), replaced for the city of Laval by section 25 of chapter 89 of the statutes of 1965 (1<sup>st</sup> session), is amended by replacing the second sentence by the words “He may order the expulsion from the place where the sitting is held of any person who creates a disturbance.”

**1082.** Paragraph 20.2 of section 412 of the Cities and Towns Act, added for the city of Laval to chapter C-19 of the Revised Statutes of 1977 by section 3 of chapter 113 of the statutes of 1987, is amended by replacing the words “may be added to the amount of the fine imposed under the by-law and collected in the same way as the fine” in the last three lines by the words “may be claimed on the notice of summons and collected by the collector in accordance with sections 321, 322 and 327 to 331 of the Code of Penal Procedure (1987, chapter 96)”.

**1083.** Section 621a of the Cities and Towns Act, added for the city of Laval to chapter 193 of the Revised Statutes of 1964 by section 31 of chapter 89 of the statutes of 1965 (1<sup>st</sup> session), is repealed.

**1084.** Section 645 of the Cities and Towns Act (R.S., 1964, chapter 193), replaced for the city of Laval by section 32 of chapter 89 of the statutes of 1965 (1<sup>st</sup> session) and amended by section 37 of chapter 18 of the statutes of 1978, is replaced by the following section :

“**645.** The municipal judges shall have the powers of two justices of the peace for the application of the laws of the Parliament of Canada which require such powers.”

**1085.** Section 651 of the Cities and Towns Act (R.S., 1964, chapter 193), replaced for the city of Laval by section 32 of chapter 89 of the statutes of 1965 (1<sup>st</sup> session), is repealed.

**1086.** Section 4 of the Act to amend the charter of the city of Laval (1987, chapter 113) is amended by replacing the words “added to the amount of the fine” by the words “claimed on the notice of summons”.

**1087.** Section 31.3 of the Charter of the city of Laval, introduced by section 139 of chapter 52 of the statutes of 1989, is replaced by the following section:

**“31.3** The municipal judges shall have the powers of two justices of the peace for the application of the laws of the Parliament of Canada which require such powers.”

**1088.** Section 31.12 of the said Charter, introduced by section 139 of chapter 52 of the statutes of 1989, is repealed.

CHARTER OF THE CITY OF MONTRÉAL

**1089.** Article 10 of the Act to revise and consolidate the charter of the city of Montréal (1959-60, chapter 102), amended by section 5 of chapter 71 of the statutes of 1964, section 1 of chapter 70 of the statutes of 1970 and section 1 of chapter 77 of the statutes of 1973, is again amended by striking out the words “and to imprisonment for not more than two months, upon complaint filed before the Municipal Court” in the last three lines of the third paragraph.

**1090.** Article 185 of the said charter, amended by section 4 of chapter 71 of the statutes of 1964, is again amended by replacing the words “shall be liable to a fine not exceeding forty dollars recoverable by and in the name of the city by a suit before the Municipal Court” in the eighth, ninth, tenth and eleventh lines of subparagraph *h* of the second paragraph by the words “is guilty of an offence and liable to a maximum fine of \$40”.

**1091.** Article 462 of the said charter, amended by section 25 of chapter 97 of the statutes of 1960-61, section 51 of chapter 59 of the statutes of 1962, section 2 of chapter 91 of the statutes of 1969, section 18 of chapter 96 of the statutes of 1971, section 56 of chapter 77 of the statutes of 1973 and replaced by section 12 of chapter 71 of the statutes of 1982, is again replaced by the following article:

**“462.** Subject to any contrary provision of this charter, the council may prescribe a fine which shall not exceed \$300 for any infringement of a provision of a by-law within its competence.

However, it may, subject to any contrary provision of this charter, prescribe a fine of \$100 to \$500 in the case of a second conviction and a fine of \$500 to \$1 000 for any subsequent conviction.”

**1092.** Article 464 of the said charter is repealed.

**1093.** Article 464a of the said charter, introduced by section 19 of chapter 96 of the statutes of 1971, amended by section 44 of chapter 77 of the statutes of 1977, section 8 of chapter 40 of the statutes 1980, section 1 of chapter 86 of the statutes of 1988 and by section 8 of chapter (*insert here the chapter number of Bill 264*) of the statutes of 1989, is replaced by the following article:

**“464a.** In the case of by-laws respecting noise control, waste management, deterioration of buildings due to lack of maintenance, abuse or defacement, or the alteration of residential buildings involving a reduction in the number of housing units or in the housing surface, the council may prescribe as penalty a minimum fine not exceeding \$1 000 and a maximum fine not exceeding \$10 000; in the case of a second or subsequent conviction, the council may prescribe a minimum fine not exceeding \$2 000 and a maximum fine not exceeding \$20 000.”

**1094.** Article 465 of the said charter, replaced by section 18 of chapter 84 of the statutes of 1965, amended by section 22 of chapter 86 of the statutes of 1966-67, section 4 of chapter 90 of the statutes of 1968 and replaced by section 14 of chapter 71 of the statutes of 1982, is again amended

(1) by striking out the words “, in addition to judicial costs” in the third line of the first paragraph;

(2) by replacing the words “offence against the same provision of a by-law committed within twelve months from the first offence” in the first and second lines of subparagraph *b* of the first paragraph by the word “conviction”;

(3) by replacing the words “every subsequent offence against the same provision of a by-law committed within the same period” in the first and second lines of subparagraph *c* of the first paragraph by the words “any subsequent conviction”.

**1095.** Article 469 of the said charter is repealed.

**1096.** Article 520 of the said charter, amended by section 26 of chapter 97 of the statutes of 1960-61, section 8 of chapter 71 of the statutes of 1964, section 21 of chapter 84 of the statutes of 1965 (1<sup>st</sup> session), section 5 of chapter 90 of the statutes of 1968, section 4 of chapter 91 of the statutes of 1969, section 205 of chapter 19 of the statutes 1971, section 20 of chapter 96 of the statutes of 1971, section 57 of chapter 77 of the statutes of 1973, sections 45 and 183 of chapter 77 of the statutes of 1977, section 23 of chapter 64 of the statutes of

1982, section 1 of chapter 59 of the statutes of 1983, section 145 of chapter 27 of the statutes of 1985, section 26 of chapter 111 of the statutes of 1987, section 11 of chapter 87 of the statutes of 1988 and section 10 of chapter (*insert here the chapter number of Bill 264*) of the statutes of 1989, is again amended

(1) by striking out the words “or imprisonment” in the eighteenth line of paragraph 44;

(2) by adding the words “, when an inspection is being made,” after the word “authorize” in the third line of paragraph 50;

(3) by striking out the words “or imprisonment or by both penalties at once” in the sixth and seventh lines of paragraph 59;

(4) by replacing paragraph 68 by the following paragraph:

“68. Prescribe against those who sound false fire alarms a fine of \$100 and, in the case of a second or subsequent conviction, a fine of \$200;”;

(5) by striking out the words “enact that the offender shall be imprisoned for a period of not more than two months in default of the immediate payment of the said fine and costs;” in the eleventh, twelfth, thirteenth and fourteenth lines of paragraph 75;

(6) by replacing the words “the offender continues in the violation of such by-law” in the sixteenth and seventeenth lines of paragraph 75 by the words “during which the offence continues”.

**1097.** Article 536 of the said charter is amended by replacing the words “may be arrested on sight and shall be liable to a fine of not more than two hundred dollars or to imprisonment for not more than sixty days, or to both, upon prosecution before the Municipal Court” in the last six lines of the third paragraph by the words “is liable to a maximum fine of \$200”.

**1098.** Article 537 of the said charter is repealed.

**1099.** Article 538 of the said charter, amended by section 3 of chapter 71 of the statutes of 1964, is repealed.

**1100.** Article 558 of the said charter is amended by striking out the words “, with or without costs and, in default of payment of the amount of the condemnation, to imprisonment for not more than two months” in the last four lines of the second paragraph.

**1101.** Article 566 of the said charter is amended by replacing the third paragraph by the following paragraph:

“The said road shall not cross on the same level or meet any of the other roads in the said park; every person who drives a motor vehicle on such other roads of the park is guilty of an offence and liable to a fine of \$40.”

**1102.** Article 724 of the said charter is amended by replacing the word “peines” in the eleventh line of the French text by the word “pénalités”.

**1103.** Article 1116 of the said charter is amended by replacing the words “and of one or two justices of the peace” in the fifth and sixth lines of the first paragraph by the words “, and has the power of two justices of the peace for the purposes of the Acts of the Parliament of Canada which require that competence”.

**1104.** Article 1121 of the said charter is amended by replacing the first paragraph by the following paragraph:

“**1121.** The Municipal Court has exclusive jurisdiction to hear any penal proceedings related to an infraction of a provision of this charter or of a by-law of the city.”

**1105.** Article 1125 of the said charter, replaced by section 70 of chapter 96 of the statutes of 1971 and amended by section 52 of chapter 111 of the statutes of 1987, is again amended

(1) by replacing the words “complaint brought” in the second line of the first paragraph by the words “penal proceedings instituted”;

(2) by replacing the second and third paragraphs by the following paragraph:

“The clerk shall keep a register of the proceedings in each case brought before the court; he shall record in that register the names of the prosecutor and defendant, the nature of the recourse or proceedings, and the date and conclusions of the judgment.”

**1106.** Article 1125*a* of the said charter, introduced by section 71 of chapter 96 of the statutes of 1971, is repealed.

**1107.** Article 1126 of the said charter, replaced by section 61 of chapter 86 of the statutes of 1966-67, section 72 of chapter 96 of the statutes of 1971, section 167 of chapter 77 of the statutes of 1977 and section 70 of chapter 71 of the statutes of 1982, is amended

(1) by striking out the words “, warrants for imprisonment” in the first line of the first paragraph;

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

“Warrants of committal shall bear the signature of the judge. Such signature may be affixed by any method approved by a by-law of the council.”

**1108.** Article 1127 of the said charter is repealed.

**1109.** Article 1128 of the said charter, replaced by section 86 of chapter 77 of the statutes of 1973, is repealed.

**1110.** Article 1129 of the said charter, amended by section 19 of chapter 91 of the statutes of 1969, section 73 of chapter 96 of the statutes of 1971 and section 54 of chapter 40 of the statutes of 1980, is again amended

(1) by replacing the first three paragraphs by the following paragraph:

“**1129.** In the case of municipal by-laws, penal proceedings may be instituted by means of a summons or notice of summons; such a notice is issued by a peace officer of the police department and a copy is delivered to the defendant, which delivery constitutes legal service.”;

(2) by replacing the words “within the meaning of the Summary Convictions Act and which” in the fifth and sixth lines of the fifth paragraph by the word “, which”.

**1111.** Article 1129*a* of the said charter, introduced by section 55 of chapter 40 of the statutes of 1980, amended by section 71 of chapter 71 of the statutes of 1982, is again amended by striking out the words “, or by depositing the ticket in any place intended for his mail” in the third and fourth lines of subarticle 4.

**1112.** Article 1129*b* of the said charter, introduced by section 55 of chapter 40 of the statutes of 1980, amended by section 72 of chapter 71 of the statutes of 1982 and by section 53 of chapter 111 of the statutes of 1987, is again amended

(1) by replacing the words “found guilty” in the second line of subarticle 3 by the word “convicted”;

(2) by replacing the word “condemnation” in the fourth line of subarticle 4 by the word “conviction”;

(3) by replacing subarticle 6 by the following subarticle:

“6. For the purpose of issuing a summons for an infraction ticket, the laying of an information is not required; the summons may be issued on the faith of written information supplied in the manner determined by the head of the competent department or any other officer designated for that purpose and approved by the executive committee.”;

(4) by striking out subarticle 8.

**1113.** Article 1129c of the said charter, introduced by section 55 of chapter 40 of the statutes of 1980, is amended by replacing the words “filing a complaint or causing the issuance of a summons” in the third line of subarticle 2 by the words “laying an information”.

**1114.** Article 1130 of the said charter, replaced by section 168 of chapter 77 of the statutes of 1977, is repealed.

**1115.** Article 1131 of the said charter, replaced by section 73 of chapter 71 of the statutes of 1982, is amended by inserting the word “civil” before the word “procedure” in the first line of subarticle 1.

**1116.** Article 1135 of the said charter is amended

(1) by inserting the word “civil” before the word “suits” in the first line of the first paragraph;

(2) by striking out the words “or the imposition of any penalty” in the third and fourth lines of the first paragraph.

**1117.** Article 1136 of the said charter is amended by replacing the words “may punish by fine or imprisonment any person guilty of contempt of court” in the last three lines by the words “has the authority and powers necessary to maintain order in the court room”.

**1118.** Article 1138 of the said charter, replaced by section 87 of chapter 77 of the statutes of 1973, is again replaced by the following article:

“**1138.** In any penal proceedings, a defendant may appear and record his plea in writing; however, the Court may require his presence by way of a duly served notice.”

**1119.** Article 1138*a* of the said charter, introduced by section 74 of chapter 71 of the statutes of 1982, is amended by replacing the first paragraph by the following paragraph:

**“1138*a*.** The filing of a document containing information transmitted electronically by the Régie de l’assurance automobile du Québec regarding the identity of the owner of a vehicle the number of the registration plate of which is mentioned in the information, notice of summons or summons, is proof of the fact in the absence of any evidence to the contrary, in any penal proceeding instituted before the Municipal Court for an offence against a by-law respecting traffic or the use of a motor vehicle or its accessories or for any offence against a provision of the Highway Safety Code (R.S.Q., chapter C-24.1 and chapter C-24.2), the Transport Act (R.S.Q., chapter T-12) or any regulation made under one of these Acts.”

**1120.** Article 1138*b* of the said charter, introduced by section 74 of chapter 71 of the statutes of 1982, is amended

(1) by striking out the words “complaint or” in the first line;

(2) by striking out the words “is the owner, tenant or occupant of an immovable or” in the third and fourth lines.

**1121.** Article 1139 of the said charter, amended by section 62 of chapter 97 of the statutes of 1960-61, replaced by section 62 of chapter 86 of the statutes of 1966-67, again amended by section 74 of chapter 96 of the statutes of 1971, again replaced by section 88 of chapter 77 of the statutes of 1973, amended by section 169 of chapter 77 of the statutes of 1977, section 36 of chapter 41 of the statutes of 1980, section 75 of chapter 71 of the statutes of 1982 and section 54 of chapter 111 of the statutes of 1987, is again amended

(1) by striking out the words “within the meaning of the Summary Convictions Act (R.S.Q., chapter P-15),” in the fourth and fifth lines of the third paragraph;

(2) by replacing the words “lodging a complaint or having a summons issued” in the second and third lines of subarticle 2 by the words “laying an information”;

(3) by replacing the words “plead guilty or shall be found guilty on the complaint filed against him under this article” in the eighth, ninth and tenth lines of subarticle 5 by the words “be convicted of the offence described therein”.

**1122.** Article 1140 of the said charter, amended by section 62 of chapter 84 of the statutes of 1965, replaced by section 63 of chapter 86 of the statutes of 1966-67, section 75 of chapter 96 of the statutes of 1971, amended by section 20 of chapter 76 of the statutes of 1972, again replaced by section 170 of chapter 77 of the statutes of 1977 and amended by section 76 of chapter 71 of the statutes of 1982, is again amended

(1) by replacing the word “trouvé” in the third line of the third paragraph of the French text by the word “déclare”;

(2) by striking out the words “writ of” in the first line of the fourth paragraph;

(3) by replacing the words “filing of a complaint is not required and the writ may be issued on information” in the third and fourth lines of the fourth paragraph by the words “laying of an information is not required and the summons may be issued on the faith of written information”;

(4) by striking out the fifth paragraph;

(5) by replacing the word “condemnation” in the fourth line of the sixth paragraph by the word “conviction”.

**1123.** Article 1140*b* of the said charter, introduced by section 76 of chapter 96 of the statutes of 1971, replaced by section 89 of chapter 77 of the statutes of 1973, amended by section 171 of chapter 77 of the statutes of 1977, again replaced by section 77 of chapter 71 of the statutes of 1982 and amended by section 23 of chapter 59 of the statutes of 1983, is again amended

(1) by replacing subarticle 1 by the following subarticle:

**1140*b*.** (1) Where a peace officer requires security for a violation of an Act or by-law respecting traffic or the use of a vehicle or of any accessory to such a vehicle, he may remit a summary notice to the offender or to the person assisting a learner driver.”;

(2) by replacing the word “condemnation” in the second line of paragraph 4 of subarticle 2 by the word “conviction”;

(3) by striking out subarticle 3;

(4) by replacing the first paragraph of subarticle 4 by the following paragraph:

“(4) If the offender refuses or is unable to furnish the required security, the peace officer arresting the offender may have the vehicle impounded until the Court authorizes it to be returned, with or without security, on an application made at the hearing.”;

(5) by replacing the words “minimum fine provided for the infraction alleged” in the first and second lines of the second paragraph of subarticle 4 by the word “security”.

**1124.** Article 1145 of the said charter is amended

(1) by replacing the words “, action, suit or prosecution” in the second and third lines by the words “civil action or proceedings”;

(2) by striking out the words “, including those respecting coercive imprisonment” in the sixth and seventh lines.

**1125.** Article 1146 of the said charter is replaced by the following article:

“**1146.** In all civil cases, the court may, in its discretion, award or withhold costs or order a party to pay his own costs or those of the opposite party.”

**1126.** Article 1148 of the said charter is amended

(1) by replacing the words “suit or prosecution” in the first line by the words “civil proceedings”;

(2) by replacing the words “suit, action or prosecution is” in the fourth and fifth lines by the words “proceedings are”.

**1127.** Article 1149 of the said charter is amended by replacing the word “The” in the first line by the words “Except in penal matters, the”.

**1128.** Article 1151 of the said charter is replaced by the following article:

“**1151.** Except as otherwise provided, penal proceedings may be instituted by the city for an offence committed on its territory; they may also be instituted by any person authorized by a court judge.”

**1129.** Article 1152 of the said charter is amended

(1) by striking out the words “or penal” in the second line;

(2) by replacing the words “du poursuivant” in the ninth line of the French text by the words “de la partie demanderesse”.

**1130.** Article 1153 of the said charter is amended by inserting the word “civil” before the word “action” in the third line.

**1131.** Article 1154 of the said charter is repealed.

**1132.** Article 1155 of the said charter, replaced by section 48 of chapter 70 of the statutes of 1963, is amended by replacing the words “, suit or complaint” in the second line by the words “or suit”.

**1133.** Article 1159 of the said charter is repealed.

**1134.** Article 1159.1 of the said charter, introduced by section 25 of chapter 59 of the statutes of 1983, is repealed.

**1135.** Article 1159.2 of the said charter, introduced by section 25 of chapter 59 of the statutes of 1983, is repealed.

**1136.** Article 1159.3 of the said charter, introduced by section 25 of chapter 59 of the statutes of 1983, is amended by replacing the first two lines by the following:

“**1159.3** The collector responsible for the execution of a judgment ordering the payment of a sum of money for an offence against a provision of an Act or by-law respecting traffic or the use of a motor vehicle or an accessory to such a vehicle may also, through the intermediary of a peace officer, a bailiff”.

**1137.** Article 1160 of the said charter, replaced by section 79 of chapter 71 of the statutes of 1982, is repealed.

**1138.** Article 1161 of the said charter is replaced by the following article:

“**1161.** Notwithstanding any provision of law inconsistent herewith, the fines and costs imposed or collected by the Municipal Court to sanction an offence committed on its territory against a provision of this charter, a by-law of the city or another Act, belong to the city and form part of its general fund, except the part of the costs remitted by the collector to another prosecutor who incurred expenses related to the proceedings.

Only the council has the right to remit in whole or in part the fine and costs which belong to the city.

Each remission must be authorized by a resolution of the council, on an application from the person liable for the fine. The application shall be filed with the clerk and submitted to the executive committee of the city, which may reject it or recommend to the council to give effect to it; no other proceeding shall be permitted for such purpose."

**1139.** Article 1162 of the said charter, replaced by section 22 of chapter 76 of the statutes of 1972, amended by section 91 of chapter 77 of the statutes of 1973, section 173 of chapter 77 of the statutes of 1977, section 56 of chapter 40 of the statutes of 1980 and by section 80 of chapter 71 of the statutes of 1982, is again amended

(1) by replacing the first three paragraphs by the following paragraphs:

**"1162.** Penal proceedings for a violation of a provision of an Act or by-law respecting traffic or parking may be withdrawn where, by error, a person received a ticket or where proceedings were instituted after payment of the amount due.

Proceedings and amounts due shall be cancelled from the date of filing of an affidavit attesting the error and signed personally by the head of the police department or the head of the competent department or by an officer or assistant authorized in writing by one of them.

The affidavit shall be filed in the record of the Municipal Court and certified by a judge; the head of the competent department shall then, as the case may be, strike out the account and remit the amount paid by error.

The affidavit issued by the head of a department or his representative is valid only in the case of a ticket or proceeding arising from a violation ascertained by a member of that department.";

(2) by striking out the fourth paragraph;

(3) by replacing the fifth paragraph by the following article:

**"1162.1** Where a judge dismisses an application for revocation of a judgment convicting a person of an offence against a provision of an Act or by-law respecting traffic or parking, he may reduce the costs imposed to the appropriate amount, if he is satisfied that they are too high without its being the applicant's fault."

**1140.** Article 1162*a* of the said charter, introduced by section 174 of chapter 77 of the statutes of 1977 and replaced by section 81 of chapter 71 of the statutes of 1982, is amended

(1) by replacing the word and figure “article 1162” in the first line by the words and figures “articles 1161, 1162 and 1162.1”;

(2) by replacing paragraphs 1 and 2 by the following paragraphs :

“(1) cancel the uncollected portion of the fine and costs belonging to the city and annul the warrant of committal, when it is impossible or useless to proceed;

(2) annul any writ of seizure in execution issued by the Municipal Court which has not been executed within five years of its issue.”

**1141.** Article 1163 of the said charter, replaced by section 92 of chapter 77 of the statutes of 1973, is repealed.

**1142.** Article 1164 of the said charter is amended by replacing the words “action or proceeding of any nature whatsoever” in the last two lines by the words “civil action or civil proceeding”.

**1143.** Article 1165 of the said charter, amended by section 4 of chapter 71 of the statutes of 1964, is again amended by replacing the words “against the city” in the third line by the words “in a civil matter”.

**1144.** Article 1166 of the said charter is amended by replacing the last two lines by the following: “upon the clerk at his office or upon any reasonable person of his office”.

**1145.** The said charter is amended by adding, after article 1168, the following article :

“**1168a.** No objection as to form or based on the omission of a formality, even peremptory, shall be admitted in any action, suit or civil proceeding regarding a municipal matter, unless a real injustice would result from the dismissal of that objection or unless the omission of the formality entails nullity under an express provision of this charter.”

#### CHARTER OF THE CITY OF QUÉBEC

**1146.** Section 21 of the charter of the city of Québec (1929, chapter 95), replaced by section 2 of chapter 86 of the statutes of 1969, amended by section 6 of chapter 46 of the statutes of 1985, section 833 of chapter 57 of the statutes of 1987 and section 4 of chapter 88 of the statutes of 1988, is again amended by replacing the word “trouvée” in paragraphs *e* and *f* of the French text by the word “déclarée”.

**1147.** Section 155 of the said charter, replaced by section 46 of chapter 81 of the statutes of 1965, is again replaced by the following section:

**“155.** The chairman shall maintain order and decorum during the sittings of the council. He may order that any person disturbing a sitting of the council be removed from the place where the sitting is held.”

**1148.** Section 163 of the said charter is repealed.

**1149.** Section 169 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, is replaced by the following section:

**“169.** All officers appointed by the council shall be obliged to render to the said council a true account, in writing, of all matters committed to their charge, and also of all moneys which they shall respectively receive.

Any officer who does not render such an account or does not deliver up to the council the papers, books, moneys, documents or other effect belonging to the council is guilty of an offence.”

**1150.** Section 189 of the said charter, replaced by section 59 of chapter 81 of the statutes of 1965 and amended by section 2 of chapter 85 of the statutes of 1966-67, is repealed.

**1151.** Section 248 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53 and section 2 of chapter 85 of the statutes of 1966-67, is again amended by striking out the words “, to be recovered conformably to law, before the Municipal Court of the City” in the last three lines.

**1152.** Section 249 of the said charter, replaced by section 48 of chapter 102 of the statutes of 1937, amended by section 2 of chapter 85 of the statutes of 1966-67 and again replaced by section 5 of chapter 22 of the statutes of 1979, is amended by replacing the second sentence by the following sentence: “The fees for such licences may be recovered by a civil action or by an order made at the time of the judgment related to the offence referred to in section 248.”

**1153.** Section 290 of the said charter is amended by replacing the words “the offence provided for in the Cities and Towns’ Act in like case” in the last three lines by the words “an offence”.

**1154.** Section 291 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53 and section 2 of chapter 85 of the statutes of 1966-67, is again amended by replacing the words "recoverable before the Municipal Court in the name of any elector of the city, and the amount thereof" in the fifth, sixth, seventh and eighth lines by the words "; penal proceedings may be instituted by any elector of the city and the fine".

**1155.** Paragraph 49 of section 336 of the said charter, amended by section 23 of chapter 42 of the statutes of 1980, is amended by replacing the words "impose fines upon" in the third line of the first paragraph by the words "prescribe fines for".

**1156.** Paragraph 49*b* of section 336 of the said charter, introduced by section 23 of chapter 42 of the statutes of 1980, is amended by replacing the words "after being convicted of a second offence within twelve months" in the first and second lines of the second paragraph by the words "in the case of a second or subsequent conviction".

**1157.** Paragraph 65 of section 336 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, replaced by section 8 of chapter 80 of the statutes of 1973 and section 23 of chapter 42 of the statutes of 1980, is amended by replacing the words "impose fines on" in the first line of the fourth paragraph by the words "prescribe fines for".

**1158.** Paragraph 77 of section 336 of the said charter is amended by replacing the last sixteen lines by the following: "from the working of such establishments; to prescribe a fine, not exceeding \$100, for an offence against any provision of a by-law made under this paragraph and an additional fine of \$50 for each day that the offence continues."

**1159.** Paragraph 95 of section 336 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, is again amended by replacing the words "impose penalties not to exceed four hundred dollars, upon" in the fourteenth and fifteenth lines by the words "prescribe a fine of not more than \$400 for".

**1160.** Paragraph 99 of section 336 of the said charter is amended by replacing the words "provide for the punishment, by fine, or imprisonment, of" in the first two lines by the words "prescribe a fine for".

**1161.** Paragraph 110 of section 336 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53 and section 2 of chapter 85 of the statutes of 1966-67, is again amended by replacing the words “provide for the punishment, by fine or imprisonment, before the Municipal Court, of” in the twenty-third to twenty-fifth lines by the words “prescribe a fine for”.

**1162.** Paragraph 113 of section 336 of the said charter is amended by striking out the words “or imprisonment or by both penalties at once” in the last three lines.

**1163.** Paragraph 115 of section 336 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67 and section 45 of chapter 42 of the statutes of 1980, is again amended by replacing the last twelve lines by the following: “and, to that effect, to prescribe a fine of not more than \$500 and, in the case of a second or subsequent conviction, a fine of \$300 for the offence of sounding false alarms;”.

**1164.** Paragraph 124 of section 336 of the said charter is amended by replacing the words “of the delinquent, and that the latter shall further be liable to such penalty as the council may enact within the limits authorized by the charter” in the last five lines by the words “the person who does not comply therewith; that person is also liable to such penalty as may be prescribed by the council within the limits of this charter”.

**1165.** Paragraph 140 of section 336 of the said charter is amended by replacing the word “offense” in the last line of the French text by the word “infracton”.

**1166.** Paragraph 173 of section 336 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, is again amended by replacing the last five lines of the second paragraph by the following: “use of certain streets or parts of streets of the city to automobile-trucks and prescribe the penalty provided by section 394 for any violation of that resolution.”

**1167.** Paragraph 180 of section 336 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, is again amended

(1) by replacing the last clause of the first paragraph, after the third semicolon, by the words “any person who violates a provision of such a by-law is liable to a maximum fine of \$100.”;

(2) by replacing the last sixteen lines of the second paragraph by the following: “such, shall incur, for each and every infringement, a maximum fine of \$200.”;

(3) by striking out the third paragraph.

**1168.** Paragraph 183 of section 336 of the said charter is amended by striking out the words “said fine or” in the fourth and fifth lines.

**1169.** Section 354 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53, section 2 of chapter 85 of the statutes of 1966-67, section 60 of chapter 61 of the statutes of 1984, section 24 of chapter 116 of the statutes of 1986, is again amended, in the French version,

(1) by replacing the word “pénalité” in the fourth line by the word “peine”;

(2) by replacing the word “poursuite” in the last line by the words “l’action”.

**1170.** Section 362 of the said charter is repealed.

**1171.** Section 363 of the said charter is repealed.

**1172.** Section 394 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, replaced by section 32 of chapter 68 of the statutes of 1970 and again amended by section 27 of chapter 42 of the statutes of 1980, is again replaced by the following section:

“**394.** The council may prescribe, in any by-law within its powers, either a fine of a fixed amount, or a fine of a minimum and maximum amount, or a maximum penalty only, for each offence against a provision of a by-law; the amount of the fine shall not exceed \$500, except where otherwise prescribed.”

**1173.** Section 395 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, is repealed.

**1174.** Section 396 of the said charter is repealed.

**1175.** Section 397 of the said charter is repealed.

**1176.** Section 404 of the said charter, replaced by section 46 of chapter 51 of the statutes of 1954-55 and amended by section 2 of chapter 85 of the statutes of 1966-67, is repealed.

**1177.** Sections 405 and 406 of the said charter are repealed.

**1178.** Section 409 of the said charter is repealed.

**1179.** Section 410 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, is replaced by the following section:

**“410.** Every person who resists a police constable in the performance of his duties related to the enforcement of this charter or the by-laws of the city is guilty of an offence and liable to a maximum fine of \$50.”

**1180.** Section 410a of the said charter, introduced by section 28 of chapter 61 of the statutes of 1984, is replaced by the following section:

**“410a.** Every person who resists a special officer in the performance of his duties related to the enforcement of this charter or the by-laws of the city is guilty of an offence and liable to a maximum fine of \$500.”

**1181.** Section 411 of the said charter is repealed.

**1182.** Section 496 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53 and section 45 of chapter 42 of the statutes of 1980, is again amended by striking out the words “, to be recovered before the Municipal Court, by summary process and upon oath of one credible witness” in the eighteenth to twenty-first lines.

**1183.** Section 498 of the said charter, amended by section 45 of chapter 42 of the statutes of 1980, is again amended by replacing the fifth to sixteenth lines by the following: “water from the said waterworks, is guilty of an offence and liable to a fine not exceeding \$500.”

**1184.** Section 499 of the said charter, amended by section 75 of chapter 102 of the statutes of 1937 and section 2 of chapter 85 of the statutes of 1966-67, replaced by section 40 of chapter 68 of the statutes of 1970, amended by section 55 of chapter 42 of the statutes of 1980, is again amended by replacing the last three paragraphs by the following paragraphs:

“for a first offence, to a fine of \$50 to \$200;

in the case of a second conviction, to a fine of \$100 to \$500 and for any subsequent conviction, to a fine of \$500 to \$1 000.”

**1185.** Section 500 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, is again amended

(1) by replacing the word “pénalité” in the fourth line of the second paragraph of the French text by the word “peine”;

(2) by striking out the words “and to imprisonment for not less than three months and not more than twelve months” in the last three lines of the second paragraph.

**1186.** Section 504 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53 and section 2 of chapter 85 of the statutes of 1966-67, is again amended by replacing the words “imposed by section 503, which fine shall be recoverable before the Municipal Court of the city in the manner provided by law” in the last four lines by “provided for in section 503”.

**1187.** Section 505 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53, section 2 of chapter 85 of the statutes of 1966-67 and section 45 of chapter 42 of the statutes of 1980, is again amended by striking out the words “, recoverable, with costs of prosecuting, by suit before the Municipal Court, and in default of payment, to imprisonment not exceeding two months” in the last five lines.

**1188.** Section 506 of the said charter, amended by section 45 of chapter 42 of the statutes of 1980, is again amended by replacing the last thirteen lines by the following: “is guilty of an offence and liable to a fine not exceeding \$500, without prejudice to the damages caused, which the corporation may recover, together with costs of suit, by a civil action before the Municipal Court.”

**1189.** Section 507 of the said charter, amended by section 45 of chapter 42 of the statutes of 1980, is again amended by striking out the words “, or an imprisonment not exceeding one month, or both,” in the fourth, fifth and sixth lines.

**1190.** Section 509 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67 and section 45 of chapter 42 of the statutes of 1980, is again amended by striking out the words “, nor the imprisonment exceed two months in the common gaol in the district of Quebec; both these penalties may be imposed together, or one or the other only at the discretion of the court” in the last six lines.

**1191.** The heading of Section XXXVIII of the said charter is amended by replacing the word “Actions” by the words “Civil actions”.

**1192.** Section 538 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, is again amended by inserting the word “civil” after the word “All” in the first line.

**1193.** Section 545a of the said charter, introduced by section 41 of chapter 42 of the statutes of 1980, replaced by section 35 of chapter 116 of the statutes of 1986 and amended by section 22 of chapter 88 of the statutes of 1988, is again amended by replacing the word “impose” in the second line of the second paragraph by the word “prescribe”.

**1194.** Section 545c of the said charter, introduced by section 40 of chapter 61 of the statutes of 1984, is amended by replacing the words “an information” in the seventh line by the words “a complaint”.

**1195.** Section 546 of the said charter, replaced by section 31 of chapter 74 of the statutes of 1940, amended by section 2 of chapter 85 of the statutes of 1966-67, section 36 of chapter 75 of the statutes of 1972, section 56 of chapter 42 of the statutes of 1980, section 6 of chapter 89 of the statutes of 1982 and section 37 of chapter 116 of the statutes of 1986, is again amended

(1) by replacing the word “impose” in the second line of the fourth paragraph by the word “prescribe”;

(2) by replacing the words “imposed must be equal to the fine enacted for a contravention provided for” in the fourth and fifth lines of the fourth paragraph by the words “prescribed must be equal to the fine provided for a contravention made”.

**1196.** Section 546a of the said charter, introduced by section 20 of chapter 78 of the statutes of 1947, replaced by section 74 of chapter 81 of the statutes of 1965, amended by section 2 of chapter 85 of the statutes of 1966-67, replaced by section 8 of chapter 87 of the statutes of 1968, section 48 of chapter 68 of the statutes of 1970 and section 18 of chapter 97 of the statutes of 1974, amended by section 41 of chapter 61 of the statutes of 1984 and section 38 of chapter 116 of the statutes of 1986, is again amended

(1) by striking out the words “, within the meaning of the Summary Convictions Act,” in the fifth, sixth and seventh lines of the third paragraph of subsection 1;

(2) by replacing the words “lodging a complaint or having a summons issued” in the second and third lines of subsection 2 by the words “laying an information”;

(3) by replacing the words “added to the amount of the fine” in the fourth and fifth lines of subsection 5 by the words “claimed in the notice of summons”;

(4) by replacing the first two paragraphs of subsection 6 by the following paragraph:

“(6) If the offender refuses or is unable to furnish the security required in accordance with the Code of Penal Procedure (1987, chapter 96), the peace officer arresting the offender may, in addition, have the vehicle impounded until the Court authorizes it to be returned, with or without security, on an application made at the hearing.”;

(5) by replacing, in the French version, the word “condamnation” in paragraph *d* of subsection 7 by the words “déclaration de culpabilité”.

**1197.** Section 546*b* of the said charter, introduced by section 39 of chapter 85 of the statutes of 1966-67, replaced by section 49 of chapter 68 of the statutes of 1970, section 19 of chapter 97 of the statutes of 1974, amended by section 42 of chapter 61 of the statutes of 1984 and section 6 of chapter 114 of the statutes of 1987, is again amended

(1) by replacing the third paragraph by the following paragraph:

“Following payment, the defendant shall be considered as having been convicted of the offence.”;

(2) by replacing the word “accused” in the first line of the fourth paragraph by the word “defendant”;

(3) by replacing the word “accused” in the first line of the fifth paragraph by the word “defendant”;

(4) by replacing the fifth paragraph by the following paragraph:

“The judge rendering a judgment by default, in proceedings for an offence referred to in the first paragraph, shall sign it, or shall affix his signature or cause it to be affixed thereto by means of a mechanical device.”;

(5) by striking out the sixth paragraph;

(6) by replacing the seventh paragraph by the following paragraph:

“The filing of a document containing information transmitted electronically by the Régie de l’assurance automobile du Québec regarding the identity of the owner of a vehicle the number of the registration plate of which is mentioned in the information, notice of summons or summons, is proof of the fact in the absence of any evidence to the contrary, in penal proceedings instituted before the Municipal Court for an offence against a by-law respecting traffic or the use of a motor vehicle or its accessories or for any offence against a provision of the Highway Safety Code (R.S.Q., chapter C-24.1 and chapter C-24.2), the Transport Act (R.S.Q., chapter T-12) or any regulation made under one of these Acts.”

**1198.** Section 546*f* of the said charter, introduced by section 40 of chapter 116 of the statutes of 1986, is amended by replacing the last three lines by the following: “amount prescribed for the removal or towing costs may be claimed on the notice of summons and collected by the collector in accordance with articles 321, 322 and 327 to 331 of the Code of Penal Procedure (1987, chapter 96).”

**1199.** Section 559 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, is repealed.

**1200.** Section 560 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53, is again amended by replacing the words “, penal and other” in the sixth line by the word “civil”.

**1201.** Section 561 of the said charter, replaced by section 25 of chapter 71 of the statutes of 1945 and section 76 of chapter 81 of the statutes of 1965, amended by section 2 of chapter 85 of the statutes of 1966-67 and section 28 of chapter 18 of the statutes of 1978, is again amended by replacing the second sentence of the first paragraph by the following sentence: “They shall be *ex officio* justices of the peace for the district of Québec and shall have the power of two justices of the peace for the purposes of the Acts of the Parliament of Canada which require that competence.”

**1202.** Section 569 of the said charter, replaced by section 22 of chapter 111 of the statutes of 1935 and section 79 of chapter 81 of the statutes of 1965, is amended by replacing the second sentence by the following paragraph:

“The clerk may, when no judge is present or able to act, record the appearance or failure to appear of summoned defendants, parties or witnesses and adjourn the sitting to any later date. When he exercises those functions in a criminal matter, he is deemed to be a justice of the peace.”

**1203.** Section 570 of the said charter is repealed.

**1204.** Section 575 of the said charter is replaced by the following section:

**“575.** The clerk shall keep a register of the proceedings in each case brought before the court; he shall record in the register the names of the prosecutor and defendant, the nature of the recourse or proceedings, and the date and conclusions of the judgment.”

**1205.** Section 577 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53, is replaced by the following section:

**“577.** The clerk shall keep a register of all convictions pronounced by the Municipal Court; he shall record in particular the name of the defendant, the description of the offence and the date it was committed, the sentence imposed and the penalties and orders rendered with the judgment.”

**1206.** The heading which precedes section 587 of the said charter is amended by striking out the words “Penal and”.

**1207.** Section 587 of the said charter is replaced by the following section:

**“587.** The court has the authority and powers necessary to maintain order in the court room.”

**1208.** Section 589 of the said charter, replaced by section 33 of chapter 74 of the statutes of 1940, amended by section 2 of chapter 85 of the statutes of 1966-67, is again amended by striking out the last two paragraphs.

**1209.** Section 592 of the said charter is amended by striking out the words “or in all cases” in the fourth line.

**1210.** Section 594 of the said charter is amended by inserting the words “, in civil matters,” after the word “power” in the second line.

**1211.** Section 595 of the said charter is repealed.

**1212.** Section 596 of the said charter is amended by replacing the word “The” in the first line by the words “In civil matters, the”.

**1213.** Section 597 of the said charter is repealed.

**1214.** Section 598 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53 and section 2 of chapter 85 of the statutes of 1966-67, is replaced by the following section:

“**598.** The Municipal Court has exclusive jurisdiction to hear any penal proceedings related to an infringement of a provision of this charter, a by-law, or a resolution of the council.”

**1215.** Section 600 of the said charter is repealed.

**1216.** Section 601 of the said charter, amended by section 14 of chapter 80 of the statutes of 1973 and replaced by section 42 of chapter 116 of the statutes of 1986, is amended

(1) by replacing the words “, writ or warrant” in the first line by the words “or writ”;

(2) by inserting, after the second paragraph, the following paragraph:

“Warrants of committal shall bear the signature of the judge. That signature may be affixed by any means approved by by-law of the council.”

**1217.** Section 601a of the said charter is repealed.

**1218.** Section 602 of the said charter is repealed.

**1219.** Section 603 of the said charter is repealed.

**1220.** Section 604 of the said charter is repealed.

**1221.** Section 605 of the said charter is repealed.

**1222.** Section 606 of the said charter is repealed.

**1223.** Section 607 of the said charter, replaced by section 42 of chapter 42 of the statutes of 1980, is repealed.

**1224.** Section 608 of the said charter, replaced by section 43 of chapter 42 of the statutes of 1980, is repealed.

**1225.** Section 608a of the said charter, introduced by section 9 of chapter 96 of the statutes of 1960-61, replaced by section 51 of chapter 68 of the statutes of 1970 and by section 44 of chapter 42 of the statutes of 1980, is amended

(1) by replacing the last four lines of the first paragraph by the following: “is liable to a maximum fine of \$500.”;

(2) by striking out the second paragraph.

**1226.** Section 613 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53, is again amended by inserting the word “civil” before the word “suit” in the first line.

**1227.** Section 615 of the said charter is replaced by the following section:

“**615.** Service of a proceeding may also be proved in open court by the oath of the peace officer or bailiff who served it.”

**1228.** Section 616 of the said charter is amended by replacing the words “action or complaint” in the third line by the words “civil action”.

**1229.** Section 617 of the said charter is amended by striking out the second clause of the sentence in the last six lines.

**1230.** Section 619 of the said charter is repealed.

**1231.** Section 620 of the said charter is amended

(1) by striking out the words “summons or” in the first and second lines;

(2) by striking out the words “or penal” in the second line;

(3) by striking out the words “summons or” in the seventh and eighth lines;

(4) by striking out the words “summons or” in the ninth line;

(5) by striking out the words “or conviction” in the twelfth and thirteenth lines;

(6) by striking out the words “or summons” in the fifteenth line;

(7) by striking out the words “summons or” in the seventeenth and eighteenth lines.

**1232.** Section 621 of the said charter is amended by replacing the words “, prosecution or complaint” in the third line by the words “or civil proceedings”.

**1233.** Section 625 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, is repealed.

**1234.** Section 626 of the said charter is amended

(1) by striking out the words "or fine" in the second line;

(2) by striking out the second clause of the sentence, in the last five lines.

**1235.** Section 627 of the said charter is repealed.

**1236.** Section 628 of the said charter is amended by replacing the words "dispositions of the parties or of the witnesses, both in civil cases and in cases of complaint or prosecution for offences as aforesaid" in the first two lines by the words "depositions of the parties or of the witnesses in civil cases".

**1237.** Sections 630 and 631 of the said charter are repealed.

**1238.** Section 632 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53 and by section 2 of chapter 85 of the statutes of 1966-67, is replaced by the following section:

**"632.** Notwithstanding any provision of law inconsistent herewith, the fines and costs imposed or collected by the Municipal Court to sanction an offence committed on its territory against a provision of this charter, a by-law of the city or another Act, belong to the city and form part of its general fund, except the part of the costs remitted by the collector to another prosecutor who incurred expenses related to the proceedings."

**1239.** Section 633 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67, is replaced by the following section:

**"633.** Only the council has the right to remit in whole or in part the fine and costs which belong to the city.

The remission shall be made under a resolution adopted by the affirmative vote of two-thirds of the members of the council present, on an application by the person liable for the fine and, where such is the case, for the costs. The application shall be filed with the clerk and submitted to the executive committee of the city, which may reject it or recommend to the council to give effect to it.

No remission shall be made unless it is approved by the Chief Judge of the Municipal Court.”

**1240.** Section 634 of the said charter, replaced by section 23 of chapter 97 of the statutes of 1974 and amended by section 55 of chapter 61 of the statutes of 1984, is again replaced by the following section:

“**634.** Penal proceedings for a violation of a provision of an Act or by-law respecting traffic or parking may be withdrawn where, by error, a person received a ticket or proceedings were instituted after payment of the amount due.

Proceedings and amounts due shall be cancelled from the date of filing of an affidavit attesting the error and signed personally by the head of the police department or the head of the competent department or by an officer or assistant authorized in writing by one of them.

The affidavit shall be filed in the record of the Municipal Court and certified by a judge; the head of the competent department shall then, as the case may be, cancel the account and remit the amount paid by error.

The affidavit issued by the head of a department or his representative is valid only in the case of a ticket or proceedings arising from a violation ascertained by a member of that department.”

**1241.** Section 635 of the said charter is repealed.

**1242.** Section 636 of the said charter, amended by section 3 of chapter 52 of the statutes of 1952-53 and section 45 of chapter 42 of the statutes of 1980, is again amended

(1) by replacing the word and figures “, 634 or 635” in the third line by the word and figure “or 634”;

(2) by striking out the words “for each offence, which shall be sued for and recovered before the Municipal Court, as hereinabove set forth” in the last four lines.

**1243.** Section 638 of the said charter is repealed.

**1244.** Section 639 of the said charter is repealed.

**1245.** Section 640 of the said charter is repealed.

**1246.** Section 642*b* of the said charter, introduced by section 56 of chapter 61 of the statutes of 1984, is amended by inserting the word “civil” before the word “procedure” in the second line.

**1247.** Section 642*c* of the said charter, introduced by section 56 of chapter 61 of the statutes of 1984, is amended

(1) by striking out the words “or penal” in the first line;

(2) by adding, after the first paragraph, the following paragraph:

“In penal proceedings, the allegation that the defendant is a corporation or the president of a corporation is sufficient proof of that quality in the absence of any evidence to the contrary.”

**1248.** Section 642*d* of the said charter, introduced by section 56 of chapter 61 of the statutes of 1984, is amended

(1) by replacing the word and figure “section 633” in the first line by the words and figures “sections 633 and 634”;

(2) by replacing paragraphs 1 and 2 by the following paragraphs:

“(1) cancel the uncollected portion of the fine and costs belonging to the city and annul the warrant of committal, when it is impossible or useless to proceed;

“(2) annul any writ of seizure in execution issued by the Municipal Court which has not been executed within five years of its issue.”

**1249.** Section 642*e* of the said charter, introduced by section 56 of chapter 61 of the statutes of 1984, is amended by inserting the word “civil” before the word “action” in the first line.

**1250.** Section 646 of the said charter is amended by inserting the words “in civil matters” after the word “execution” in the first line.

**1251.** Section 647 of the said charter is amended by replacing the words “shall be punished as a contempt of court in the manner prescribed by article 587” in the eighth, ninth and tenth lines by the words “constitutes contempt of court”.

**1252.** Section 650 of the said charter is repealed.

**1253.** Section 656 of the said charter, replaced by section 84 of chapter 81 of the statutes of 1965 and section 15 of chapter 80 of the statutes of 1973, is repealed.

**1254.** Section 657 of the said charter is repealed.

**1255.** Section 658 of the said charter is repealed.

**1256.** Section 659 of the said charter is repealed.

**1257.** Section 660 of the said charter, amended by section 2 of chapter 85 of the statutes of 1966-67 and replaced by section 16 of chapter 80 of the statutes of 1973, is repealed.

FINAL PROVISION

**1258.** The provisions of this Act shall come into force on the date or dates fixed by the Government.