



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-FOURTH LEGISLATURE

Bill 174

An Act to amend the Courts of Justice Act

Introduction

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

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EXPLANATORY NOTES

This bill amends the Courts of Justice Act to increase the number of judges of the Court of Appeal from 19 to 20 and specify that the judge of the Superior Court responsible for administering justice in the judicial district of Alma will henceforth reside in Alma or in its immediate vicinity.

Certain amendments are made with regard to the Conseil de la magistrature. An additional member will be appointed to that council, chosen from among the persons exercising the functions of chief judge of the Labour Court, president of the Human Rights Tribunal, or chairman of the Professions Tribunal. The council will in addition be permitted to designate former members to sit on a committee of inquiry.

Lastly, the bill establishes that courts sitting in the judicial district of Labelle and Pontiac will have concurrent jurisdiction over the territory of certain townships located in the judicial district of Pontiac.

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 6 of the Courts of Justice Act (R.S.Q., chapter T-16) is replaced by the following section:

“6. The Court of Appeal is composed of 20 judges: one chief justice called “Chief Justice of Québec” and 19 puisne judges.

It also includes not more than 20 supernumerary judges governed by the Judges Act (Revised Statutes of Canada (1985), chapter J-1).”

2. Section 7 of the said Act is amended

(1) by replacing the first paragraph by the following paragraph:

“7. Of the 20 judges referred to in the first paragraph of section 6, seven shall reside in or in the immediate vicinity of the city of Québec, and 13 in or in the immediate vicinity of the city of Montréal.”;

(2) by replacing the figure “19” in the first line of the third paragraph by the figure “20”.

3. Section 32 of the said Act is amended

(1) by replacing the figure “31” in the second line of paragraph 2 by the figure “30”;

(2) by striking out the words “, another of the district of Alma” in the sixth and seventh lines of paragraph 2;

(3) by inserting, after paragraph 7, the following paragraph:

“(7.1) For the district of Alma, with residence in Alma or in the immediate vicinity thereof, one judge;”.

4. Section 248 of the said Act is amended

(1) by replacing the figure “14” in the first line by the figure “15”;

(2) by inserting, after paragraph *d*, the following paragraph:

“(d.1) one judge chosen among the persons exercising the functions of chief judge of the Labour Court, president of the Human Rights Tribunal, or chairman of the Professions Tribunal;”.

5. The said Act is amended by inserting, after section 269, the following sections:

“269.1 Notwithstanding the first paragraph of section 269, a committee of inquiry may be composed of members of the council and of persons who have previously been members of the council.

However, such a committee must include at least three members of the council, from whose number the committee shall designate a chairman, and not more than two previous council members.

“269.2 Any person who has previously been a member of the council and who is appointed to sit on a committee must, before taking up his functions, make the oath or solemn declaration contained in Schedule III, before the Chief Justice or an associate Chief Justice of the Court of Québec.

“269.3 A person to whom section 269.2 applies is entitled for the time he is a member of a committee to no remuneration other than the remuneration and indemnities council members are entitled to receive under section 250.

“269.4 A person who ceases to be a member of the council may continue to sit on a committee of inquiry established under section 269 or 269.1 in order to complete an inquiry undertaken by that committee.”

6. Schedule I to the said Act is amended by replacing, opposite the judicial districts of Labelle and Pontiac, the description of the territory over which concurrent jurisdiction is exercised by the following description:

“Over the townships Fréville, Champrodon, Membré, Entremont, Sagean, Foligny, Chalifoux, Sureau, Didace, Chassin,

Devine, Yeo, Villedonné, Rousson, Dieskau, Loubias, Aux, Ryan, Beaumouchel, Gaillard, Emard, Cardinal, Harris, Lorrain, Sabaretti, Turquetil, Charbonnel, Champagne, Bourbonnais, Orléanais, Limousin, Picardie, Maine, Isle-de-France, Angoumois, Artois, Béliveau, Aunis, Church, Bretagne, Dorion, Clapham and Alleyn.”

7. Schedule III to the said Act is amended by replacing “(Sections 249 and 255.3)” by “(Sections 249, 255.3 and 269.2)”.

8. This Act comes into force on *(insert here the date of assent to this Act)*.