



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-FOURTH LEGISLATURE

Bill 406

An Act respecting the Institut québécois de réforme du droit

Introduction

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



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EXPLANATORY NOTES

This bill establishes the Institut québécois de réforme du droit whose mission will be to submit to the Minister of Justice proposals concerning the reform and development of law.

The Institute will develop the research programs it intends to engage in and submit them to the Minister for approval. It will give priority to requests for advice or research addressed to it by the Minister.

The Institute will be composed of five to nine members some of whom will be appointed on a part-time basis. Its secretary and its personnel will be from the public service.

The research programs and the research reports and activity reports of the Institute will be tabled before the National Assembly.

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

ESTABLISHMENT AND MISSION

1. An Institute known as the “Institut québécois de réforme du droit” is hereby established.

2. The mission of the Institute is to submit proposals to the Minister concerning the reform and development of law, through means which include adapting the judicial system to the needs of society, by simplifying, codifying, and seeking consistency among the rules of law and by rendering more humane the institutions involved in the administration of justice.

3. In accomplishing its mission, the Institute shall carry out or commission research within the framework of the programs it draws up.

In addition, it may

(1) promote collaboration and joint effort among researchers, practitioners of law and bodies active in the judicial field or in its other research areas;

(2) study proposals for reform presented by interested persons and bodies;

(3) hold seminars and meetings for the dissemination of information or consultation;

(4) publish studies or participate in their publication.

4. The Institute shall submit to the Minister, for approval, the research programs it intends to undertake.

It shall give priority to acting on the requests for advice or research addressed to it by the Minister.

5. The Institute shall report to the Minister on the progress of its work at the latter's request.

6. Government departments and public bodies must make all information required by the Institute available to it and supply it with any necessary help in the pursuit of its mission.

CHAPTER II

OPERATION

7. The Institute shall have its seat within the territory of the Communauté urbaine de Québec.

8. The Institute shall be composed of five to nine members appointed by the Government on the recommendation of the Minister.

The majority of its members, including the chairman and the vice-chairman, shall be appointed on a full-time basis; the other members shall be appointed on either a full-time or a part-time basis.

The full-time members shall be selected from among persons having received legal training or having a long-standing interest in law, and the part-time members from among persons of competence in the research areas of the Institute.

The term of appointment of the full-time members shall not exceed five years, and that of the part-time members shall not exceed three years.

9. Members shall remain in office upon expiry of their term until reappointed or replaced.

10. The Government shall determine the remuneration, social benefits and other terms of employment of the members of the Institute.

11. The chairman is responsible for managing the Institute and presiding at its meetings.

If the chairman is unable to act, or if the position of chairman is vacant, the vice-chairman shall act as chairman.

12. The secretary and the personnel needed for carrying out the work of the Institute shall be appointed in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

13. Three members, including the chairman, shall constitute a quorum at meetings of the Institute. Their decisions shall be taken by a majority vote; where there is a tie-vote, the chairman shall have a casting vote.

14. The Institute may regulate its activity by way of internal by-laws approved by the Minister.

15. The fiscal year of the Institute shall end on 31 March.

16. The Institute must submit to the Minister, not later than 1 October each year, a report on its activities for the preceding fiscal year.

17. The Minister shall table before the National Assembly all research programs, research reports and activity reports of the Institute, in the case of research programs within fifteen days of their approval, and in the case of reports, within fifteen days of receipt. If the National Assembly is not sitting, they shall be tabled within fifteen days of resumption.

CHAPTER III

MISCELLANEOUS PROVISIONS

[[**18.** The amounts required for the first fiscal year of the Institute shall be taken out of the consolidated revenue fund to the extent determined by the Government.]]

19. The Minister of Justice is responsible for the administration of this Act.

20. This Act shall come into force on the date fixed by the Government.