



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-THIRD LEGISLATURE

Bill 121

**An Act respecting retrocessions
of rights acquired by the Government
by expropriation before 1 April 1976**

Introduction

**Introduced by
Mr Marc-Yvan Côté
Minister of Transport**



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EXPLANATORY NOTES

The object of this bill is to remedy the effects of a judgment declaring invalid retrocessions of rights that had been acquired by the Government by way of expropriation before 1 April 1976. It makes such retrocessions subject to the relevant provision of the Code of Civil Procedure as it existed on 31 March 1976.

This bill confers jurisdiction on the Expropriation Division of the Provincial Court to fix and revise the expropriation indemnity following a retrocession and to award any damages that may result from a retrocession.

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Every retrocession relating to rights acquired by the Government before 1 April 1976 by expropriation, which was made on or after that date in accordance with article 797 of the Code of Civil Procedure as it was in force on 31 March 1976, is hereby validated.

If the rights have not been retroceded before the coming into force of this Act, they may be retroceded under the said article. Such retrocessions are not subject to the authorization of the Expropriation Division of the Provincial Court.

2. Following a retrocession referred to in section 1, the Expropriation Division may, on application, determine or review the expropriation indemnity and award damages resulting from the retrocession, where such is the case.

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