

NATIONAL ASSEMBLY

FIRST SESSION

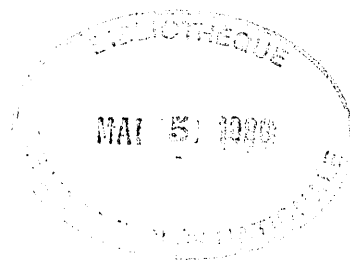
THIRTY-THIRD LEGISLATURE

Bill 251
(Private)

An Act respecting Lomer Pilote

Introduction

Introduced by
Mr Maximilien Polak
Member for Sainte-Anne



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Bill 251

(Private)

An Act respecting Lomer Pilote

WHEREAS on 23 June 1969, Lomer Pilote was suspended from his duties and on 10 July 1969, his appointment as a surgeon at the Hôpital Bellechasse de Montréal was revoked;

Whereas in a judgment rendered on 27 May 1974, the Supreme Court of Canada confirmed a judgment of the Court of Appeal whereby the unilateral suspension and revocation of the plaintiff's privileges under his contract were null and illegal on the ground that the formalities provided in Order in Council 288 under the Hospitals Act (R.S.Q., 1964, chapter 164) were not complied with;

Whereas following the judgment of the Supreme Court of Canada, Lomer Pilote was paid damages for the loss of income and loss of patients he suffered until the last day of the hearing before the Superior Court;

Whereas notwithstanding the judgment, the management of the Hôpital Bellechasse refused to reinstate Lomer Pilote as a surgeon;

Whereas a second suit successfully brought before the Superior Court by Lomer Pilote was quashed by the Court of Appeal and he was refused leave to appeal to the Supreme Court;

Whereas Lomer Pilote claims that the dismissal of his second suit was based on procedural grounds and not on the merits of his allegations;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Notwithstanding any applicable prescription or prior judgments, particularly the decision of the Court of Appeal of the district of Montréal dated 10 June 1981, Lomer Pilote has the right, until 1 September 1986, to apply to the competent courts in order to exercise any recourses which may arise from the failure of the Corporation de l'hôpital Bellechasse de Montréal to fulfill its obligations toward him.

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