

NATIONAL ASSEMBLY
Thirty-fourth Legislature, second session

1992, chapter 43
**AN ACT RESPECTING THE INSTITUT QUÉBÉCOIS
DE RÉFORME DU DROIT**

Bill 406

Introduced by Mr Gil Rémillard, Minister of Justice

Introduced 14 November 1991

Passage in principle 3 December 1991

Passage 23 June 1992

Assented to 23 June 1992

Coming into force: on the date fixed by the Government

Act amended: None



CHAPTER 43

An Act respecting the Institut québécois de réforme du droit

[Assented to 23 June 1992]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

ESTABLISHMENT AND MISSION

Establish-
ment

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

Mission

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, simplifying, codifying, and seeking consistency among the rules of law and rendering more humane the institutions involved in the administration of justice.

Research

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

Powers

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.

Consulta-
tion

4. The Institute shall consult the Minister on the research programs it proposes to undertake.

Priority

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

Progress
report

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

Informa-
tion

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

Seat

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

Composition

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

Appoint-
ment

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.

Full-time
and part-
time
members

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. Such persons shall be selected following consultation with interested circles.

Maximum
term

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.

Term of
office

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

Remunera-
tion, social
benefits
and terms
of employ-
ment

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

- Chairman** **11.** The chairman is responsible for managing the Institute and presiding at its meetings.
- Vice-chairman** If the chairman is unable to act, or if the position of chairman is vacant, the vice-chairman shall act as chairman.
- Secretary** **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).
- Quorum** **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.
- Internal by-laws** **14.** The Institute may regulate its activity by way of internal by-laws approved by the Minister.
- Fiscal year** **15.** The fiscal year of the Institute shall end on 31 March.
- Report** **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.
- Tabling** **17.** The Minister shall table before the National Assembly the research programs, research reports and reports on the activities of the Institute within sixty days of receipt. If the National Assembly is not sitting, they shall be tabled within fifteen days of resumption.

CHAPTER III

MISCELLANEOUS PROVISIONS

- Consolidated revenue fund** **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.
- Minister responsible** **19.** The Minister of Justice is responsible for the administration of this Act.
- Coming into force** **20.** This Act shall come into force on the date fixed by the Government.