

chapter J-3

ACT RESPECTING ADMINISTRATIVE JUSTICE

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1. The purpose of this Act is to affirm the specific character of administrative justice, to ensure its quality, promptness and accessibility and to safeguard the fundamental rights of citizens.

This Act establishes the general rules of procedure applicable to individual decisions made in respect of a citizen. Such rules of procedure differ according to whether a decision is made in the exercise of an administrative or adjudicative function, and are, if necessary, supplemented by special rules established by law or under its authority.

This Act also institutes the Administrative Tribunal of Québec and the Conseil de la justice administrative.

1996, c. 54, s. 1.

TITLE I

GENERAL RULES GOVERNING INDIVIDUAL DECISIONS MADE IN RESPECT OF A CITIZEN

CHAPTER I

RULES SPECIFIC TO DECISIONS MADE IN THE EXERCISE OF AN ADMINISTRATIVE FUNCTION

2. The procedures leading to an individual decision to be made by the Administration, pursuant to norms or standards prescribed by law, in respect of a citizen shall be conducted in keeping with the duty to act fairly.

1996, c. 54, s. 2.

3. The Administration consists of the government departments and bodies whose members are in the majority appointed by the Government or by a minister and whose personnel is appointed in accordance with the Public Service Act (chapter F-3.1.1).

1996, c. 54, s. 3; 2000, c. 8, s. 242.

4. The Administration shall take appropriate measures to ensure

(1) that procedures are conducted in accordance with legislative and administrative norms or standards and with other applicable rules of law, according to simple and flexible rules devoid of formalism, with respect, prudence and promptness, in accordance with the norms and standards of ethics and discipline governing its agents and with the requirements of good faith;

(2) that the citizen is given the opportunity to provide any information useful for the making of the decision and, where necessary, to complete his file;

(3) that decisions are made with diligence, are communicated to the person concerned in clear and concise terms and contain the information required to enable the person to communicate with the Administration;

(4) that the directives governing agents charged with making a decision are in keeping with the principles and obligations under this chapter and are available for consultation by the citizen.

1996, c. 54, s. 4.

5. An administrative authority may not issue an order to do or not do something or make an unfavourable decision concerning a permit or licence or other authorization of like nature without first having

(1) informed the citizen of its intention and the reasons therefor;

(2) informed the citizen of the substance of any complaints or objections that concern him;

(3) given the citizen the opportunity to present observations and, where necessary, to produce documents to complete his file.

An exception shall be made to such prior obligations if the order or the decision is issued or made in urgent circumstances or to prevent irreparable harm to persons, their property or the environment and the authority is authorized by law to reexamine the situation or review the decision.

1996, c. 54, s. 5.

6. An administrative authority that is about to make a decision in relation to an indemnity or a benefit which is unfavourable to a citizen must ensure that the citizen has received the information enabling him to communicate with the authority and that the citizen's file contains all information useful for the making of the decision. If the authority ascertains that such is not the case or that the file is incomplete, it shall postpone its decision for as long as is required to communicate with the citizen and to give the citizen the opportunity to provide the pertinent information or documents to complete his file.

In communicating the decision, the administrative authority must inform the citizen that he has the right to apply, within the time indicated, to have the decision reviewed by the administrative authority.

1996, c. 54, s. 6.

7. Where, upon the request of a citizen, a situation is reexamined or a decision is reviewed, the administrative authority shall give the citizen the opportunity to present observations and, where necessary, to produce documents to complete his file.

1996, c. 54, s. 7.

8. An administrative authority shall give reasons for all unfavourable decisions it makes, and shall indicate any non-judicial proceeding available under the law and the time limits applicable.

1996, c. 54, s. 8.

CHAPTER II

RULES SPECIFIC TO DECISIONS IN THE EXERCISE OF AN ADJUDICATIVE FUNCTION

9. The procedures leading to a decision to be made by the Administrative Tribunal of Québec or by another body of the administrative branch charged with settling disputes between a citizen and an administrative authority or a decentralized authority must, so as to ensure a fair process, be conducted in keeping with the duty to act impartially.

1996, c. 54, s. 9.

10. The body is required to give the parties the opportunity to be heard.

The hearings shall be held in public. The body may, however, even of its own initiative, order hearings to be held *in camera* where necessary to maintain public order.

1996, c. 54, s. 10.

11. The body has, within the scope of the law, full authority over the conduct of the hearing. It shall, in conducting the proceedings, be flexible and ensure that the substantive law is rendered effective and is carried out.

It shall rule on the admissibility of evidence and means of proof and may, for that purpose, follow the ordinary rules of evidence applicable in civil matters. It shall, however, even of its own initiative, reject any evidence which was obtained under such circumstances that fundamental rights and freedoms are breached

and the use of which could bring the administration of justice into disrepute. The use of evidence obtained in violation of the right to professional secrecy is deemed to bring the administration of justice into disrepute.

1996, c. 54, s. 11.

12. The body is required to

(1) take measures to circumscribe the issue and, where expedient, to promote reconciliation between the parties;

(2) give the parties the opportunity to prove the facts in support of their allegations and to present arguments;

(3) provide, if necessary, fair and impartial assistance to each party during the hearing;

(4) allow each party to be assisted or represented by persons empowered by law to do so.

1996, c. 54, s. 12.

13. Every decision rendered by the body must be communicated in clear and concise terms to the parties and to every other person that the law indicates.

Every decision terminating a matter, even a decision communicated orally to the parties, must be in writing together with the reasons on which it is based.

1996, c. 54, s. 13.

TITLE II

ADMINISTRATIVE TRIBUNAL OF QUÉBEC

CHAPTER I

INSTITUTION

14. The Administrative Tribunal of Québec is hereby instituted.

The function of the Tribunal, in the cases provided for by law, is to make determinations in respect of proceedings brought against an administrative authority or a decentralized authority.

Except where otherwise provided by law, the Tribunal shall exercise its jurisdiction to the exclusion of any other tribunal or adjudicative body.

1996, c. 54, s. 14.

15. The Tribunal has the power to decide any question of law or fact necessary for the exercise of its jurisdiction.

In the case of the contestation of a decision, the Tribunal may confirm, vary or quash the contested decision and, if appropriate, make the decision which, in its opinion, should have been made initially.

1996, c. 54, s. 15.

16. The seat of the Tribunal shall be situated in the territory of Ville de Québec, at the place determined by the Government; a notice of the address of the seat of the Tribunal shall be published in the *Gazette officielle du Québec*.

1996, c. 54, s. 16; 2000, c. 56, s. 220.

17. The Tribunal shall consist of four divisions:

- the social affairs division;
- the immovable property division;
- the territory and environment division; and
- the economic affairs division.

1996, c. 54, s. 17.

CHAPTER II

COMPETENCE OF DIVISIONS AS TO SUBJECT-MATTER

DIVISION I

SOCIAL AFFAIRS DIVISION

18. The social affairs division is charged with making determinations in respect of the proceedings pertaining to matters of income security or support and social aid and allowances, of protection of persons whose mental state presents a danger to themselves or to others, of health services and social services, of pension plans, of compensation and of immigration, which proceedings are listed in Schedule I.

1996, c. 54, s. 18; 1997, c. 75, s. 56; 1998, c. 36, s. 196.

19. Moreover, the social affairs division is designated as a Review Board within the meaning of sections 672.38 and following of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) to make or review dispositions concerning any accused in respect of whom a verdict of not criminally responsible by reason of mental disorder has been rendered or who has been found unfit to stand trial.

In exercising this function, the social affairs division shall act in accordance with the provisions of the Criminal Code.

The powers and duties conferred on the chairperson of a Review Board shall be exercised by the vice-president responsible for the division or by another member of the division designated by the Government.

1996, c. 54, s. 19.

20. In matters of income security or support and social aid and allowances, the social affairs division is charged with making determinations in respect of the proceedings referred to in section 1 of Schedule I which pertain in particular to decisions concerning financial aid.

1996, c. 54, s. 20; 1998, c. 36, s. 197.

21. Proceedings shall be heard and determined by a panel of two members, only one of whom shall be an advocate or notary.

The other member must be a physician in the case of proceedings

(1) under section 28 of the Act respecting family benefits (chapter P-19.1), to contest a decision determining, pursuant to section 11 of that Act, whether a child has a handicap within the meaning assigned by government regulation;

(2) under section 118 of the Individual and Family Assistance Act (chapter A-13.1.1), to contest a decision concerning the assessment of a temporarily limited capacity for the reason set out in subparagraph 1

of the first paragraph of section 53 of that Act or the assessment of a severely limited capacity for employment referred to in section 70 of that Act;

(3) under section 16.4 of the Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011), to contest a decision concerning a road vehicle to be adapted so that it may be driven by or be accessible to a handicapped person;

(4) under section 1029.8.61.41 of the Taxation Act (chapter I-3), to contest a decision determining whether a child is a child to whom the first paragraph of section 1029.8.61.19 or 1029.8.61.19.1 of that Act applies.

1996, c. 54, s. 21; 1997, c. 49, s. 10; 1997, c. 57, s. 59; 1998, c. 36, s. 198; 2005, c. 1, s. 305; 2005, c. 15, s. 155; 2017, c. 29, s. 224.

22. In matters of protection of persons whose mental state presents a danger to themselves or to others, the social affairs division is charged with making determinations in respect of proceedings referred to in section 2 of Schedule I pertaining to the continued confinement of, or decisions made concerning, a person under confinement under the Act respecting the protection of persons whose mental state presents a danger to themselves or to others (chapter P-38.001).

1996, c. 54, s. 22; 1997, c. 75, s. 57.

22.1. Such proceedings shall be heard and determined by a panel of three members composed of an advocate or a notary, a psychiatrist and a social worker or a psychologist.

1997, c. 75, s. 57; 2005, c. 17, s. 1.

23. In matters of measures concerning an accused in respect of whom a verdict of not criminally responsible by reason of mental disorder has been rendered or who has been found unfit to stand trial, the social affairs division is charged with making determinations in respect of the cases referred to in section 2.1 of Schedule I.

1996, c. 54, s. 23; 1997, c. 75, s. 57.

24. In matters of health services and social services, education and road safety, the social affairs division is charged with making determinations in respect of the proceedings referred to in section 3 of Schedule I pertaining in particular, as regards health services and social services matters, to decisions relating to access to documents or information concerning a beneficiary, a person's eligibility for a health insurance program, the evacuation and relocation of certain persons, a permit issued to a health services or social services institution, to an organ and tissue bank, to a laboratory or to other services or an adapted enterprise certificate, or decisions concerning a health professional or the members of the board of directors of an institution.

1996, c. 54, s. 24; 2002, c. 22, s. 1; 2004, c. 31, s. 67, s. 72.

25. Proceedings referred to in paragraphs 0.1, 2, 2.2, 7, 10 and 12 of section 3 of Schedule I shall be heard and determined by a panel of two members, one of whom shall be an advocate or notary and the other, a physician.

Proceedings referred to in paragraphs 0.2, 1, 2.1.1, 2.1.2, 2.3, 3, 5, 6, 8, 9, 11, 12.1, 13 and 14 of section 3 of Schedule I shall be heard and determined by a single member who shall be an advocate or notary.

Proceedings referred to in paragraphs 2.1 and 5.1 of section 3 of Schedule I shall be heard and determined by a panel of two members, one of whom shall be an advocate or notary and the other, a person well-acquainted with the field of education.

Proceedings referred to in paragraph 8.1 of section 3 of Schedule I shall be heard and determined by a single member who shall be an advocate or notary. However, where the proceeding concerns a decision based on any of the grounds set out in paragraph 1 of section 67 of the Act respecting pre-hospital emergency

services (chapter S-6.2), the proceeding must be heard and determined by a panel of two members, one of whom shall be an advocate or notary and the other, a physician.

1996, c. 54, s. 25; 1997, c. 43, s. 868; 2001, c. 29, s. 18; 2002, c. 22, s. 2; 2002, c. 69, s. 127; 2004, c. 31, s. 68; 2005, c. 32, s. 244; 2009, c. 24, s. 92; 2009, c. 30, s. 49; 2010, c. 34, s. 99; 2015, c. 1, s. 156; 2016, c. 1, s. 119.

26. In pension plan matters, the social affairs division is charged with making determinations in respect of proceedings referred to in section 4 of Schedule I pertaining to decisions made by Retraite Québec in particular concerning an application for a benefit or the partition of earnings.

1996, c. 54, s. 26; 2012, c. 21, s. 18; 2015, c. 20, s. 61.

27. Proceedings shall be heard and determined by a single member who shall be an advocate or notary.

However, proceedings under section 188 of the Act respecting the Québec Pension Plan (chapter R-9) brought against a decision based on a person's disability shall be heard and determined by a panel of two members one of whom shall be an advocate or notary and the other, a physician.

1996, c. 54, s. 27; 2002, c. 22, s. 3.

28. In compensation matters, the social affairs division is charged with making determinations in respect of proceedings referred to in section 5 of Schedule I pertaining in particular to decisions concerning the right to or amount of compensation.

1996, c. 54, s. 28.

29. Proceedings shall be heard and determined by a panel of two members, one of whom shall be an advocate or notary and the other, a physician.

1996, c. 54, s. 29.

30. In immigration matters, the social affairs division is charged with making determinations in respect of proceedings referred to in section 6 of Schedule I pertaining to decisions made by the minister responsible for the administration of the Act respecting immigration to Québec (chapter I-0.2.1) concerning a sponsorship undertaking, a temporary or permanent immigration selection decision, recognition as an immigration consultant or a monetary administrative penalty.

1996, c. 54, s. 30; 2016, c. 3, s. 108.

31. Proceedings shall be heard and determined by a single member who shall be an advocate or notary.

1996, c. 54, s. 31.

DIVISION II

IMMOVABLE PROPERTY DIVISION

32. The immovable property division is charged with making determinations in respect of proceedings pertaining in particular to the accuracy, presence or absence of an entry on the property assessment roll or on the roll of rental values, exemptions from or refunds of property taxes or the business tax, the fixing of the indemnities arising from the establishment of reserves for public purposes or from the expropriation of immovables or immovable real rights or from damage caused by public works or the value or acquisition price of certain property, which proceedings are listed in Schedule II.

1996, c. 54, s. 32; 1999, c. 40, s. 166.

33. Proceedings shall be heard and determined by a panel of two members, one of whom shall be an advocate or notary and the other a chartered appraiser.

However, proceedings under the Act respecting municipal taxation (chapter F-2.1) relating to a unit of assessment or a business establishment whose property value or rental value entered on the roll is lower than the value fixed by regulation of the Government shall be heard and determined by a single member who shall be an advocate, a notary or a chartered appraiser.

1996, c. 54, s. 33; 1999, c. 40, s. 166.

DIVISION III

TERRITORY AND ENVIRONMENT DIVISION

34. The territory and environment division is charged with making determinations in respect of proceedings pertaining in particular to decisions made or orders issued concerning the use, subdivision or alienation of a lot, the inclusion or exclusion of a lot in or from an agricultural zone, the removal of topsoil, the emission, deposit, issuance or discharge of contaminants in the environment or the carrying on of an activity likely to affect the quality of the environment, the erection of certain roadside advertising signs, or certain acts relating to heritage property, which are listed in Schedule III.

1996, c. 54, s. 34; 2021, c. 10, s. 123.

35. Proceedings shall be heard and determined by a panel of two members, only one of whom shall be an advocate or notary.

1996, c. 54, s. 35.

DIVISION IV

ECONOMIC AFFAIRS DIVISION

36. The economic affairs division is charged with making determinations in respect of proceedings pertaining in particular to decisions concerning permits, licences, certificates or authorizations to carry on a trade or a professional, economic, industrial or commercial activity, which are listed in Schedule IV.

1996, c. 54, s. 36.

37. Proceedings shall be heard and determined by a panel of two members, only one of whom shall be an advocate or notary.

1996, c. 54, s. 37.

CHAPTER III

COMPOSITION

DIVISION I

APPOINTMENT OF MEMBERS

38. The Tribunal shall be composed of independent and impartial members appointed by the Government, in a number determined according to the needs of the Tribunal, to hold office during good behaviour.

1996, c. 54, s. 38; 2005, c. 17, s. 2.

39. The division to which a member is assigned shall be determined in the instrument of appointment.

1996, c. 54, s. 39.

39.1. The Government may determine the place of residence of a member.

2005, c. 17, s. 3.

40. In the social affairs division, at least 10 members shall be physicians, including at least four psychiatrists, at least two members shall be social workers and at least two other members shall be psychologists.

1996, c. 54, s. 40; 2005, c. 17, s. 4.

DIVISION II

RECRUITING AND SELECTION OF MEMBERS

41. Only a person who has the qualifications required by law and at least ten years' experience pertinent to the exercise of the functions of the Tribunal may be a member of the Tribunal.

1996, c. 54, s. 41.

42. Members shall be selected among persons declared apt according to the recruiting and selection procedure established by government regulation. The regulation may, in particular,

(1) determine the publicity that must be given to the recruiting procedure and the content of such publicity;

(2) determine the procedure by which a person may become a candidate;

(3) authorize the establishment of selection committees to assess the aptitude of candidates and formulate an opinion concerning them;

(4) fix the composition of the committees and mode of appointment of committee members, ensuring, where appropriate, adequate representation of the sectors concerned;

(5) determine the selection criteria to be taken into account by the committees;

(6) determine the information a committee may require from a candidate and the consultations it may hold.

1996, c. 54, s. 42.

43. The names of the persons declared apt shall be recorded in a register kept at the Ministère du Conseil exécutif.

1996, c. 54, s. 43.

44. A declaration of aptitude shall be valid for a period of 18 months or for any other period fixed by regulation of the Government.

1996, c. 54, s. 44.

45. Members of a selection committee shall receive no remuneration except in such cases, subject to such conditions and to such extent as may be determined by the Government.

They are, however, entitled to the reimbursement of expenses incurred in the performance of their duties, subject to the conditions and to the extent determined by the Government.

1996, c. 54, s. 45.

DIVISION III

Repealed, 2005, c. 17, s. 5.

2005, c. 17, s. 5.

46. *(Repealed).*

1996, c. 54, s. 46; 2005, c. 17, s. 5.

47. *(Repealed).*

1996, c. 54, s. 47; 2005, c. 17, s. 5.

48. *(Repealed).*

1996, c. 54, s. 48; 2002, c. 22, s. 4; 2005, c. 17, s. 5.

49. *(Repealed).*

1996, c. 54, s. 49; 2002, c. 22, s. 4; 2005, c. 17, s. 5.

50. *(Repealed).*

1996, c. 54, s. 50; 2005, c. 17, s. 5.

DIVISION IV

TERMINATION OF APPOINTMENT AND SUSPENSION

2005, c. 17, s. 6.

51. The appointment of a member may terminate only on the member's retirement or resignation, or on his being dismissed or otherwise removed from office in the circumstances referred to in this division.

1996, c. 54, s. 51; 2005, c. 17, s. 7.

52. To resign, a member must give the Minister reasonable notice in writing, sending a copy to the president of the Tribunal.

1996, c. 54, s. 52.

53. The Government may dismiss a member if the Conseil de la justice administrative so recommends, after an inquiry conducted following the lodging of a complaint pursuant to section 182.

The Government may also suspend the member with or without remuneration for the period recommended by the Conseil de la justice administrative.

1996, c. 54, s. 53.

54. The Government may also remove a member from office for either of the following reasons:

(1) loss of a qualification required by law for holding the office of member;

(2) permanent disability which, in the opinion of the Government, prevents the member from performing the duties of his office satisfactorily; permanent disability is ascertained by the Conseil de la justice administrative, after an inquiry conducted at the request of the Minister or of the president of the Tribunal.

1996, c. 54, s. 54.

DIVISION V

OTHER PROVISIONS REGARDING TERMINATION OF DUTIES

55. Any member who has retired or resigned may, with the authorization of and for the time determined by the president of the Tribunal, continue to perform his duties in order to conclude the cases he has begun to hear but has yet to determine; he shall be a supernumerary member for the time required.

1996, c. 54, s. 55; 2005, c. 17, s. 8.

DIVISION VI

REMUNERATION AND OTHER CONDITIONS OF OFFICE

56. The Government shall make regulations determining

(1) the mode of remuneration of the members and the applicable standards and scales, and the method for determining the annual percentage of salary advancement up to the maximum salary rate and of the adjustment of the remuneration of members whose salary has reached the maximum rate;

(2) the conditions subject to which and the extent to which a member may be reimbursed the expenses incurred in the performance of his duties.

The Government may make regulations determining other conditions of office applicable to all or certain members, including social benefits other than the pension plan.

The regulatory provisions may vary according to whether they apply to full-time or part-time members or to a member charged with an administrative office within the Tribunal.

The regulations come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec* or on any later date indicated therein.

1996, c. 54, s. 56; 2002, c. 22, s. 5.

57. The Government shall fix, in accordance with the regulations, the remuneration, social benefits and other conditions of office of the members.

1996, c. 54, s. 57.

58. Once fixed, a member's remuneration may not be reduced, except to take into account a retirement pension from the Québec public sector that is paid to the member.

However, additional remuneration attaching to an administrative office within the Tribunal shall cease upon termination of such office.

1996, c. 54, s. 58; 2005, c. 17, s. 9.

59. The pension plan of full-time members shall be determined pursuant to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) or the Act respecting the Civil Service Superannuation Plan (chapter R-12), as the case may be.

1996, c. 54, s. 59; 2002, c. 30, s. 160.

60. A public servant appointed as a member of the Tribunal ceases to be a public servant.

1996, c. 54, s. 60; 2005, c. 17, s. 10.

DIVISION VII

ADMINISTRATIVE OFFICE

61. The Government shall designate, among the members of the Tribunal who are advocates or notaries, a president and vice-presidents in the number it determines.

The instrument of appointment of a vice-president shall determine the divisions under his responsibility.

1996, c. 54, s. 61.

62. The president and the vice-presidents shall exercise their duties on a full-time basis.

1996, c. 54, s. 62.

63. The Minister shall designate a vice-president to replace the president or another vice-president temporarily when required.

If the vice-president so designated is himself absent or unable to act, the Minister shall designate another vice-president as a replacement.

1996, c. 54, s. 63.

64. The administrative office of the president or a vice-president is of a fixed duration determined in the instrument of appointment or renewal.

1996, c. 54, s. 64.

65. The administrative office of the president or a vice-president may terminate prematurely only on his relinquishing such office, on the termination of his appointment or on his removal or dismissal from his administrative office in the circumstances referred to in this division.

1996, c. 54, s. 65; 2005, c. 17, s. 11.

66. The Government may remove the president or a vice-president from his administrative office if the Conseil de la justice administrative so recommends, after an inquiry conducted at the Minister's request concerning a lapse pertaining only to his administrative duties.

1996, c. 54, s. 66.

67. The Government may also dismiss the president or a vice-president from his administrative office for loss of a qualification required by law for holding such office.

1996, c. 54, s. 67.

CHAPTER IV

DUTIES AND POWERS OF MEMBERS

68. Before taking office, every member shall take an oath, solemnly affirming the following: "I (...) swear that I will exercise the powers and fulfill the duties of my office impartially and honestly and to the best of my knowledge and abilities."

The oath shall be taken before the president of the Tribunal. The president of the Tribunal shall take the oath before a judge of the Court of Québec.

The writing evidencing the oath shall be sent to the Minister.

1996, c. 54, s. 68.

69. A member may not, on pain of forfeiture of office, have a direct or indirect interest in any enterprise that could cause a conflict between his personal interest and his duties of office, unless the interest devolves to him by succession or gift and he renounces it or disposes of it with dispatch.

1996, c. 54, s. 69.

70. In addition to observing conflict of interest requirements and the rules of conduct and duties imposed by the code of ethics adopted under this Act, a member may not pursue an activity or place himself in a situation incompatible, within the meaning of the code of ethics, with the exercise of his office.

1996, c. 54, s. 70.

71. Full-time members shall devote themselves exclusively to their office, save the exceptions that follow.

1996, c. 54, s. 71.

72. A member may carry out any mandate entrusted to him by order of the Government after consultation with the president of the Tribunal.

1996, c. 54, s. 72.

73. A member may, with the written consent of the president of the Tribunal, engage in teaching activities and receive remuneration therefor.

1996, c. 54, s. 73.

74. The Tribunal and its members are vested with the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

They are also vested with all the powers necessary for the performance of their duties; they may, in particular, make any order they consider appropriate to safeguard the rights of the parties.

No judicial proceedings may be brought against them by reason of an act done in good faith in the performance of their duties.

1996, c. 54, s. 74.

CHAPTER V

OPERATION

DIVISION I

MANAGEMENT AND ADMINISTRATION OF THE TRIBUNAL

75. In addition to the powers and duties that may otherwise be assigned to him, the president is charged with the administration and general management of the Tribunal.

The duties of the president include

(1) fostering the participation of members in the formulation of guiding principles for the Tribunal so as to maintain a high level of quality and coherence of decisions;

(2) coordinating the activities of and assigning work to the members of the Tribunal who shall comply with his orders and directives in that regard; and

(3) seeing to the observance of standards of ethical conduct;

(4) promoting professional development of the members as regards the exercise of their functions;

(5) periodically evaluating the knowledge and skills of the members in the performance of their duties and their contribution to the processing of the cases before the Tribunal and to the achievement of the objectives of this Act;

(6) designating a member to coordinate the activities of the Tribunal in one or more regions and, if the volume of proceedings so requires, determining that the place of residence of that member is to be in one of those regions.

1996, c. 54, s. 75; 2005, c. 17, s. 12.

76. The president shall establish a code of ethics applicable to the conciliators and see that it is observed.

The code of ethics comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec* or on any later date indicated therein.

1996, c. 54, s. 76.

77. To expedite the business of the Tribunal, the president may, after consultation with the vice-presidents responsible for the divisions concerned, assign a member temporarily to another division.

1996, c. 54, s. 77.

78. Each year, the president shall present a plan to the Minister in which he shall state his management objectives aimed at ensuring the accessibility of the Tribunal and the quality and promptness of its decision-making process and give an account of the results achieved in the preceding year.

The president shall include in the plan, in addition to the information requested by the Minister, the following information, compiled by the Tribunal on a monthly basis in respect of each division:

(1) the number of days on which hearings were held and the average number of hours devoted to them;

(2) the number of postponements granted;

(3) the nature and number of cases in which conciliation was held, and the number of such cases where the parties reached an agreement;

(4) the number of cases heard, the nature thereof and the places and dates of the hearings;

(5) the number of cases taken under advisement, the nature thereof and the time devoted to advisement;

(6) the number of decisions made;

(7) the time devoted to the proceedings, from the date of the introductory motion until the beginning of the hearing or the making of the decision.

1996, c. 54, s. 78.

79. The president may delegate all or part of his powers and duties to the vice-presidents.

1996, c. 54, s. 79.

80. The vice-presidents shall assist and advise the president in the performance of his duties and perform their administrative duties under the president's authority.

1996, c. 54, s. 80.

81. In addition to the powers and duties that may otherwise be assigned to him or delegated to him by the president, the duties of a vice-president include

(1) assigning cases and scheduling sittings in the division under his responsibility; the members shall comply with his orders and directives in that regard;

(2) participating in the temporary assignment of a member to another division.

1996, c. 54, s. 81.

DIVISION II

SITTINGS

82. The president, the vice-president responsible for the division or any member designated by either shall determine which members are to take part in each sitting.

The president may, where he considers it expedient in view of the complexity of a case or importance of a matter, form a panel comprising a greater number of members than that provided for in Chapter II, but not exceeding five.

He may also, where he considers it expedient, form a panel of only one member to hear and determine the proceedings he determines and which, by reason of their nature and the facts, do not raise particular difficulties and do not require a second expert opinion.

In all cases, one member only is called to sit where measures relating to the management of proceedings or matters incidental thereto are to be determined.

1996, c. 54, s. 82; 1997, c. 43, s. 869; 2005, c. 17, s. 13.

83. The sittings shall be presided by the president, the vice-president responsible for the division or a member designated by either of them among the members.

1996, c. 54, s. 83.

84. The Tribunal may sit at any place in Québec. If the Tribunal holds a hearing in a locality where a court sits, the clerk of the court shall allow the Tribunal to use premises used by the court unless they are being used for sittings of the court.

1996, c. 54, s. 84.

85. In property assessment matters, the Tribunal may sit in the territory of the local municipality whose roll is involved if the dispute concerns a unit of assessment or a business establishment whose property value or rental value entered on the roll is equal to or lower than the value fixed by regulation of the Government.

However, the president of the Tribunal, in cooperation with the vice-president responsible for the immovable property division, may group the territories of several local municipalities within a radius of 100 kilometres, and designate the municipal territory in which the Tribunal shall sit.

With the consent of the applicant, the Tribunal may sit outside the territory of the local municipality or the limits determined.

1996, c. 54, s. 85; 1999, c. 40, s. 166.

DIVISION III

PERSONNEL AND PHYSICAL AND FINANCIAL RESOURCES

86. The secretary of the Tribunal and the other members of the personnel of the Tribunal shall be appointed in accordance with the Public Service Act (chapter F-3.1.1).

No judicial proceedings may be brought against them for any act done in good faith in the performance of their duties.

1996, c. 54, s. 86; 2000, c. 8, s. 242.

87. The secretary shall have custody of the records of the Tribunal.

1996, c. 54, s. 87.

88. The documents emanating from the Tribunal are authentic if they are signed, as are copies of such documents if they are certified true, by a member of the Tribunal or by the secretary.

1996, c. 54, s. 88.

89. Notwithstanding section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), only a person authorized by the Tribunal may have access, for good reason, to any record of the social affairs division that contains information on the physical or mental health of a person or information the Tribunal considers to be confidential which, if disclosed, would be prejudicial to a person.

Any person authorized to examine such a record is required to maintain its confidentiality. If a copy or extract is given to him, he must destroy it as soon as it is no longer of use to him.

1996, c. 54, s. 89.

90. The Tribunal shall establish a bank of jurisprudence and shall, in cooperation with the Société québécoise d'information juridique, ensure public access to all or part of the decisions made by the Tribunal.

The Tribunal shall omit the names of the persons concerned by decisions of the social affairs division, except in the case of decisions made in the exercise of its function as a Review Board within the meaning of sections 672.38 and following of the Criminal Code (R.S.C. 1985, c. C-46).

1996, c. 54, s. 90; 2024, c. 26, s. 12.

91. Once proceedings have been completed, the parties shall take back the exhibits they produced and the documents they filed.

Failing that, such exhibits and documents may be destroyed after the expiry of one year from the date of the final decision of the Tribunal or of the proceeding terminating the proceedings, unless the president decides otherwise.

1996, c. 54, s. 91.

92. The Government may, by regulation, determine a tariff of the administrative fees, professional fees and other charges attached to proceedings before the Tribunal as well as the classes of persons which may be exempted therefrom.

1996, c. 54, s. 92.

93. The financial year of the Tribunal shall end on 31 March.

1996, c. 54, s. 93.

94. Each year, the president of the Tribunal shall submit the budgetary estimates of the Tribunal for the following financial year to the Minister according to the form, tenor and schedule determined by the Minister.

The budgetary estimates for the Tribunal must include, with respect to the fund of the Administrative Tribunal of Québec, the elements listed in subparagraphs 1 to 5 of the second paragraph of section 47 of the Financial Administration Act (chapter A-6.001) and any excess amount referred to in section 52 of that Act.

Despite the third paragraph of section 47 of the Financial Administration Act, the budgetary estimates for the Tribunal need not be prepared jointly with the Minister of Finance and the Chair of the Conseil du trésor.

The budgetary estimates of the Tribunal are included in the special funds budget.

1996, c. 54, s. 94; 2011, c. 18, s. 163; 2020, c. 5, s. 128.

95. The books and accounts of the Tribunal shall be audited by the Auditor General once a year and whenever ordered by the Government.

1996, c. 54, s. 95.

96. Not later than 30 June each year, the Tribunal shall present a report to the Minister on its operations for the preceding financial year.

The Minister shall lay the report before the National Assembly within 30 days of receiving it if the Assembly is in session or, if it is not, within 30 days of the opening of the next session.

The report shall not designate by name any person concerned by the matters brought before the Tribunal.

1996, c. 54, s. 96.

97. The sums required for the purposes of this Title shall be debited from the fund of the Administrative Tribunal of Québec.

The fund shall be made up of the following sums:

(1) the sums transferred to it by the Minister out of the appropriations granted each year for that purpose by the National Assembly;

(2) the sums paid into it by the Commission des normes, de l'équité, de la santé et de la sécurité du travail, Retraite Québec and the Société de l'assurance automobile du Québec and the sums transferred to it by the Minister responsible for the administration of the Individual and Family Assistance Act (chapter A-13.1.1); the amount and manner of payment or transfer are determined, for each, by the Government;

(3) the sums collected in accordance with the tariff of administrative fees, professional fees and other charges for proceedings before the Tribunal;

(4) the sums transferred to it by the Minister of Finance under the first paragraph of section 54 of the Financial Administration Act (chapter A-6.001).

Despite section 51 of the Financial Administration Act, the books of account of the fund need not be kept separately from the books and accounts of the Tribunal.

1996, c. 54, s. 97; 1998, c. 36, s. 209; 2005, c. 15, s. 156; 2011, c. 18, s. 164; 2015, c. 15, s. 237; 2015, c. 20, s. 61.

98. Section 53, the second paragraph of section 54 and section 56 of the Financial Administration Act (chapter A-6.001) do not apply to the fund of the Tribunal.

1996, c. 54, s. 98; 2011, c. 18, s. 165.

CHAPTER VI

RULES OF EVIDENCE AND OF PROCEDURE

DIVISION I

PURPOSE

99. This chapter prescribes basic rules to supplement the general rules of Chapter II of Title I which pertain to decisions made in the exercise of an adjudicative function.

1996, c. 54, s. 99.

DIVISION II

GENERAL PROVISIONS

100. The Tribunal may not decide a matter if the parties have not been heard or summoned.

It is exempted from that requirement in regard to a party to grant an uncontested application. The Tribunal is also exempted therefrom if all of the parties consent to its proceeding on the basis of the record, subject to the power of the Tribunal to summon the parties in order to hear them.

In addition, if a party who has been summoned does not appear at the time fixed for the hearing without having provided a valid excuse for his absence, or appears at the hearing but refuses to be heard, the Tribunal may nonetheless proceed and make a decision.

1996, c. 54, s. 100.

101. The parties to a proceeding are, in addition to the person and administrative authority or decentralized authority directly interested therein, any person so designated by law.

1996, c. 54, s. 101.

102. The parties may be represented by the person of their choice before the social affairs division, in the case of a proceeding under the Act to promote good citizenship (chapter C-20) or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (chapter P-9.2.1), a proceeding under section 65 of the Workmen's Compensation Act (chapter A-3) or a proceeding under section 12 of the Act respecting indemnities for victims of asbestosis and silicosis in mines and quarries (chapter I-7); however, a professional who has been removed from the roll or declared disqualified to practise, or whose right to engage in professional activities has been restricted or suspended in accordance with the Professional Code (chapter C-26) or any legislation governing a profession may not act as a representative.

The Minister of Employment and Social Solidarity or a body which is the Minister's delegatee for the purposes of the Individual and Family Assistance Act (chapter A-13.1.1) may be represented by the person of his or its choice before the social affairs division in the case of a proceeding brought under that Act or this Act in a matter of income security or support or social aid and allowances.

The applicant may, before the social affairs division in the case of a proceeding in a matter of immigration, be represented by a relative or by a non-profit organization devoted to the defense or interests of immigrants, if he is unable to be present himself by reason of absence from Québec. In the latter case, the mandatary must

provide the Tribunal with a mandate in writing, signed by the person represented, indicating the gratuitous nature of the mandate.

1996, c. 54, s. 102; 1997, c. 63, s. 138; 1998, c. 36, s. 209; 2001, c. 44, s. 27; 2002, c. 22, s. 6; 2005, c. 15, s. 157; 2005, c. 17, s. 14; 2021, c. 13, s. 147.

103. Where the Tribunal is seized of a proceeding under section 21 of the Act respecting the protection of persons whose mental state presents a danger to themselves or to others (chapter P-38.001), it shall ascertain that the applicant has been given an opportunity to retain the services of an advocate.

1996, c. 54, s. 103; 1997, c. 75, s. 58.

104. The members of the personnel of the Tribunal shall assist any person who so requests in drafting a motion, an intervention or any other written proceeding directed to the Tribunal.

1996, c. 54, s. 104.

105. The Tribunal may accept a written proceeding despite a defect of form or an irregularity.

1996, c. 54, s. 105.

106. The Tribunal may relieve a party from failure to act within the time prescribed by law if the party establishes that he was unable, for valid reasons, to act sooner and if the Tribunal considers that no other party suffers serious harm therefrom.

1996, c. 54, s. 106; 2005, c. 17, s. 15.

107. A proceeding before the Tribunal does not suspend the execution of the contested decision, unless a provision of law provides otherwise or, upon a motion heard and judged by preference, a member of the Tribunal orders otherwise by reason of urgency or of the risk of serious and irreparable harm.

If the law provides that the proceeding suspends the execution of the decision, or if the Tribunal issues such an order, the proceeding shall be heard and judged by preference.

1996, c. 54, s. 107.

108. In the absence of provisions applicable to a particular case, the Tribunal may remedy the inadequacy by any procedure consistent with law or with its rules of procedure.

1996, c. 54, s. 108.

109. The Tribunal may, by a regulation adopted by a majority vote of its members, make rules of procedure specifying the manner in which the rules established in this chapter or in the special Acts under which proceedings are brought are to be applied.

Such rules of procedure may differ according to the divisions or, in the case of the social affairs division, according to the matters to which they apply.

The regulation is subject to the approval of the Government.

1996, c. 54, s. 109; 2005, c. 17, s. 16.

DIVISION III

INTRODUCTORY AND PRELIMINARY PROCEDURE

110. A proceeding is brought before the Tribunal by a motion filed at the secretariat of the Tribunal within 30 days after notification to the applicant of the contested decision or after the occurrence of the facts giving

rise to the proceeding; a proceeding must, however, be brought within 60 days if it pertains to a matter within the purview of the social affairs division. There is no time limit for bringing a proceeding arising out of the failure by the administrative authority to dispose of an application for an administrative review within the time prescribed by law.

The motion may also be filed in any office of the Court of Québec, in which case the clerk shall transmit the motion forthwith to the secretary of the Tribunal.

1996, c. 54, s. 110; 2005, c. 17, s. 17.

111. The motion shall state the decision in respect of which the proceeding is brought or the facts giving rise thereto, and shall contain a short statement of the grounds invoked in support of the proceeding and set out the conclusions sought.

It shall contain any other information required by the rules of procedure of the Tribunal, and shall, where applicable, state the name, address, phone number and fax number of the representative of the applicant.

1996, c. 54, s. 111.

112. The rules pertaining to the notices provided for in articles 76 and 77 of the Code of Civil Procedure (chapter C-25.01) apply, with the necessary modifications, to applications made to the Tribunal.

1996, c. 54, s. 112; 2005, c. 34, s. 55; I.N. 2016-01-01 (NCCP).

113. Upon receipt of the motion, the secretary of the Tribunal shall send a copy of it to the party against whom the proceeding is brought and to the persons indicated by law.

1996, c. 54, s. 113.

114. The administrative authority whose decision is contested must, within 30 days of receipt of a copy of the motion, send a copy of the record relating to the matter and the name, address, phone number and fax number of its representative to the secretary of the Tribunal and to the applicant.

Within the same time, the municipal body responsible for the assessment must send the application for review and the assessor's proposal or decision, the documents received by the assessor for the purposes of the review and the documents to which the assessor's proposal or decision refers, as well as any certificate issued by the assessor since the filing of the motion instituting the proceedings.

Access to any record sent pursuant to this section shall continue to be governed by the Act applicable to the administrative authority having sent it.

1996, c. 54, s. 114; 2002, c. 22, s. 7.

114.1. If an administrative authority fails to send a copy of the case record within the time prescribed in section 114, the applicant may request that the Tribunal fix an indemnity it considers fair and reasonable considering the circumstances of the case and the extent of the delay.

2005, c. 17, s. 18.

115. The Tribunal may, upon a motion, dismiss a proceeding it deems improper or dilatory or subject it to certain conditions.

1996, c. 54, s. 115.

116. Where, on examining the motion and the contested decision, the Tribunal ascertains that the authority concerned failed to rule upon certain questions although it was required to do so by law, the Tribunal may, if the date of the hearing has not been fixed, suspend the case for the time it fixes so that the administrative authority or decentralized authority may act.

If, at the expiry of the allotted time, the proceeding before the Tribunal is maintained, the Tribunal shall hear the proceeding as though it were a proceeding in respect of the original decision.

1996, c. 54, s. 116.

117. Where, during a proceeding before the social affairs division, a question is raised respecting Chapter IV of the Act respecting parental insurance (chapter A-29.011), subject to the exceptions contemplated in section 49 of the said Act, or respecting Title III of the Act respecting the Québec Pension Plan (chapter R-9), subject to the exceptions contemplated in section 76 of the said Act, the Tribunal must order the referral of the matter to the Court of Québec for a ruling on the question raised. In such case, the secretary of the Tribunal shall give notice thereof to the Minister of Revenue without delay.

Where the ruling of the court does not put an end to the dispute, the matter is referred back to the Tribunal.

1996, c. 54, s. 117; 2020, c. 23, s. 25.

118. Cases in which the questions in dispute are substantially the same or whose subject-matters could suitably be combined, whether or not the same parties are involved, may be joined by order of the president of the Tribunal or of the vice-president responsible for the division concerned, on the conditions he fixes.

An order made under the first paragraph may be revoked by the Tribunal upon hearing the matter if it is of the opinion that the interests of justice will be better served by doing so.

1996, c. 54, s. 118.

Not in force

118.1. *(Not in force).*

2002, c. 22, s. 8.

119. The following proceedings shall be heard and decided by preference:

(1) a proceeding under section 68 of the Act respecting prescription drug insurance (chapter A-29.01) which pertains to the withdrawal of recognition by the Minister from a manufacturer or from a wholesaler of medications;

(2) an application under section 11 of the Act respecting expropriation (chapter E-25) which pertains to the determination of the market value of a right that is transferred in lieu of an indemnity;

(3) an application under section 30 of the Act respecting expropriation which pertains to the total or partial expropriation of the remainder of an immovable;

(3.1) an application under section 35 of the Act respecting expropriation which pertains to the total or partial discontinuance of the expropriation procedure;

(3.2) an application under the first paragraph of section 52 of the Act respecting expropriation which pertains to the withdrawal or amendment of a detailed declaration;

(3.3) an application under section 64 of the Act respecting expropriation which pertains to the extension of a pre-hearing examination;

(3.4) an application under section 65 of the Act respecting expropriation to terminate a pre-hearing examination;

(3.5) an application under the first paragraph of section 71 of the Act respecting expropriation to obtain a supplemental provisional indemnity;

(3.6) an application under section 74 of the Act respecting expropriation which pertains to an application for a ruling on a disagreement about an expenditure budget;

(3.7) an application under the second paragraph of section 78 of the Act respecting expropriation which pertains to an application regarding the displacement of a structure on an immovable of the expropriating party or of the expropriated party;

(4) a proceeding under section 21 of the Act respecting the protection of persons whose mental state presents a danger to themselves or to others (chapter P-38.001) which pertains to a person under confinement in a health or social services institution;

(5) a proceeding under section 21.1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1) which pertains to an order of the Commission de protection du territoire agricole du Québec;

(5.0.1) a proceeding under the first paragraph of section 139 of the Act respecting the legal publicity of enterprises (chapter P-44.1) which pertains to a cancellation of an entry or of a deposit in the enterprise register of any of the documents mentioned in section 132 of that Act, a correction or cancellation of inaccurate information appearing in the register, a replacement or change of a name or a refusal to register or to deposit in the register a declaration or a document on the ground that the name declared is contrary to any of subparagraphs 1 to 6 of the first paragraph and the second paragraph of section 17 of that Act;

(5.0.2) a proceeding under the second paragraph of section 139 of the Act respecting the legal publicity of enterprises which pertains to a replacement, change to or deletion of a name, a cancellation of a registration, a refusal to register, a revocation of the cancellation of a registration, a refusal to deposit in the enterprise register a declaration or a document transferred under an agreement entered into under section 117 or 118 of that Act or a refusal to record a name in the register;

(5.0.3) a proceeding under section 105.1 of the Educational Childcare Act (chapter S-4.1.1) which pertains to an order prohibiting a person from offering or providing childcare services under conditions that could compromise the health or safety of the children;

(5.1) a proceeding under section 57 of the Act respecting pre-hospital emergency services (chapter S-6.2) which pertains to the suspension, revocation or non-renewal of, or a denial of authorization in respect of the transfer or assignment of, an ambulance service permit or to a denial of authorization in respect of the transfer or assignment of share ownership;

(5.2) a proceeding under section 346.0.16 of the Act respecting health services and social services (chapter S-4.2) which pertains to the refusal to issue a certificate of compliance or a temporary certificate of compliance or to the revocation or, if applicable, the non-renewal of such a certificate;

(6) a proceeding under section 453 of the Act respecting health services and social services or under section 182.1 of the Act respecting health services and social services for Cree Native persons (chapter S-5) which pertains to the decision to evacuate and relocate any persons lodged in a facility where activities are carried on without a permit;

(7) a proceeding under section 202.6.11 of the Highway Safety Code (chapter C-24.2) following a decision to suspend a licence or the right to obtain a licence for 30 or 60 days for speeding or 90 days for the presence of alcohol or drugs in the driver's body;

(8) a proceeding under section 209.14 of the Highway Safety Code following a decision to deny recovery of a road vehicle.

1996, c. 54, s. 119; 1996, c. 26, s. 85; 1997, c. 75, s. 59; 2001, c. 29, s. 19; 2001, c. 60, s. 166; 2002, c. 22, s. 9; 2002, c. 69, s. 128; 2005, c. 32, s. 245; 2008, c. 14, s. 116; 2010, c. 39, s. 22; 2010, c. 7, s. 213; 2010, c. 34, s. 100; 2011, c. 27, s. 33; 2018, c. 19, s. 62; 2023, c. 27, s. 201.

DIVISION III.1

CASE MANAGEMENT CONFERENCE

2002, c. 22, s. 10.

119.1. Where warranted by the circumstances of a case, in particular where one of the parties fails to act within the time prescribed by law, the president of the Tribunal, the vice-president responsible for the division concerned or the member designated by either may, on his or her own initiative or at the request of one of the parties, convene the parties to a case management conference in order to

- (1) come to an agreement with the parties as to the conduct of the proceeding, specifying the undertakings of the parties and determining the timetable to be complied with within the prescribed time;
- (2) if the parties fail to agree, determine a timetable for the proceeding, which is binding on the parties;
- (3) determine how the conduct of the proceeding may be simplified or accelerated and the hearing shortened, among other things by better defining the questions at issue or admitting any fact or document;
- (4) invite the parties to a conciliation session.

An agreement under subparagraph 1 must cover, among other subjects, the procedure and time limit for the communication of exhibits, written statements in lieu of testimony and detailed affidavits, and experts' appraisals.

2002, c. 22, s. 10.

119.2. The minutes of the conference shall be drawn up and signed by the member having conducted the conference.

2002, c. 22, s. 10.

119.3. If one of the parties fails to attend the conference, the Tribunal shall record the failure and make the decisions it considers appropriate.

2002, c. 22, s. 10.

Not in force

119.4. In a municipal taxation matter pertaining to a unit of assessment or a place of business in respect of which the property or rental value that is entered on the roll is equal to or greater than the value fixed by government regulation, and in an expropriation matter, the parties must file a proceeding timetable.

In a municipal taxation matter, the proceeding timetable must be filed within three months of the institution of proceedings, and in an expropriation matter, within three months of the filing of the offer of the expropriating party or the detailed claim of the expropriated party.

In a municipal taxation matter pertaining to a unit of assessment or a place of business in respect of which the property or rental value that is entered on the roll is less than the value fixed by government regulation, the municipal body responsible for the assessment must file the relevant assessor's report, and send a copy to the other party, not later than three months after the filing of the motion instituting the proceedings. The other party is required to file its expert's report, if any, within the ensuing two months.

2002, c. 22, s. 10.

119.5. If the parties fail to comply with the timetable, the member may make the appropriate determinations, including foreclosure. The member may, on request, relieve a defaulting party from default if required in the interest of justice.

2002, c. 22, s. 10.

DIVISION IV

CONCILIATION

119.6. Upon receipt by the Tribunal of a copy of a case record pertaining to indemnification or benefits, and if the matter and circumstances so permit, the president of the Tribunal, the vice-president in charge of the division concerned or the member designated by either of them must offer the parties a conciliation session conducted by a member or a personnel member chosen by the president of the Tribunal or a person designated by the president.

2005, c. 17, s. 19.

120. If he considers it expedient and if the subject-matter and circumstances of the case permit it, the president of the Tribunal, the vice-president responsible for the division concerned, the member designated by either of them or any member called on to hear the case may, with the consent of the parties, at any time before the case is taken under advisement, preside a conciliation session or allow such a session to be conducted by a personnel member chosen by the president of the Tribunal or by the person chosen by the president of the Tribunal.

In the case of a proceeding pertaining to a decision claiming the repayment of social security benefits wrongly received, a proceeding pertaining to a decision based on a person's disability in a pension plan matter or a proceeding regarding compensation under the Automobile Insurance Act (chapter A-25), the president of the Tribunal or the vice-president responsible for the division concerned may convene the parties to an initial conciliation session and designate the conciliator. The parties are bound to attend.

1996, c. 54, s. 120; 2002, c. 22, s. 11.

121. The purpose of conciliation is to facilitate dialogue between the parties and help them to identify their interests, assess their positions, negotiate and explore mutually satisfactory solutions.

Conciliation does not suspend the proceedings.

1996, c. 54, s. 121; 2002, c. 22, s. 12.

121.1. After consulting with the parties, the conciliator shall define the rules applicable to the conciliation and any measure to facilitate its conduct, and determine the schedule of sessions.

Conciliation sessions are held in private, at no cost to the parties and without formality, and require no prior written documents.

Conciliation sessions are held in the presence of the parties and their representatives. With the consent of the parties, the conciliator may meet with the parties separately. Other persons may also take part in the sessions if the conciliator or the parties consider that their presence would be helpful in resolving the dispute.

2002, c. 22, s. 12.

121.2. A member of the Tribunal presiding a conciliation session may, if necessary, modify the proceeding timetable.

However, if no settlement is reached, a member of the Tribunal having presided a conciliation session may not hear any application regarding the dispute.

2002, c. 22, s. 12.

122. Unless the parties consent thereto, nothing that is said or written in the course of conciliation may be admitted as evidence before a court of justice or before a person or body of the administrative branch exercising adjudicative functions. The parties must be so informed by the conciliator.

1996, c. 54, s. 122; 2002, c. 22, s. 13.

123. A conciliator may not be compelled to disclose anything made revealed to or learned by him in the exercise of his functions or produce a document prepared or obtained in the course of such exercise before a court of justice or before a person or body of the administrative branch exercising adjudicative functions.

Notwithstanding section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person may have access to a document contained in the conciliation record.

1996, c. 54, s. 123.

124. Any agreement reached shall be recorded in writing and signed by the conciliator, the parties and their representatives, if any. It is binding on the parties.

If the agreement is reached following a conciliation session presided by a member of the Tribunal, it terminates the proceedings and is enforceable as a decision of the Tribunal; if the agreement is reached following a conciliation session conducted by a personnel member, it has the same effects provided it is homologated by the Tribunal.

1996, c. 54, s. 124; 2002, c. 22, s. 14.

DIVISION V

PRE-HEARING CONFERENCE

125. The president of the Tribunal, the vice-president responsible for the division concerned or the member designated by either of them may call the parties to a pre-hearing conference if he considers it useful and the circumstances of the case allow it.

1996, c. 54, s. 125.

126. The purpose of the pre-hearing conference is

- (1) to define the questions to be dealt with at the hearing;
- (2) to assess the advisability of clarifying and specifying the pretensions of the parties and the conclusions sought;
- (3) to ensure that all documentary evidence is exchanged by the parties;
- (4) to plan the conduct of the proceedings and proof at the hearing;
- (5) to examine the possibility for the parties of admitting certain facts or of proving them by means of sworn statements;
- (6) to examine any other question likely to simplify or accelerate the conduct of the hearing.

1996, c. 54, s. 126.

127. Minutes of the pre-hearing conference shall be drawn up and signed by the parties and by the member who called the parties to the conference.

Agreements and decisions recorded in the minutes shall, as far as they may apply, govern the conduct of the proceeding, unless the Tribunal, when hearing the matter, permits a derogation therefrom to prevent an injustice.

1996, c. 54, s. 127.

DIVISION VI

HEARING

128. The Tribunal shall, so far as is possible, facilitate the holding of a hearing at a date and time when the parties and their witnesses, if any, are able to attend without unduly disrupting their usual occupations.

1996, c. 54, s. 128; 2002, c. 22, s. 15.

129. Notice shall be sent to the parties within reasonable time before the hearing or within the time fixed by law, stating

(1) the purpose, date, time and place of the hearing;

(2) that the parties have the right to be assisted or represented, and listing the classes of persons authorized by law to assist or represent a party before the Tribunal;

(3) that the Tribunal has the authority to proceed, without further delay or notice, despite the failure of a party to appear at the time and place fixed if no valid excuse is provided.

1996, c. 54, s. 129.

130. A journalist who proves his status shall be admitted, without further formality, to any hearing held *in camera*, unless the Tribunal considers that the presence of the journalist can be prejudicial to a person whose interests may be affected by the proceeding.

No such journalist shall publish or broadcast information that would allow the identification of a person concerned, unless the journalist is authorized to do so by the law or by the Tribunal.

1996, c. 54, s. 130.

131. The Tribunal may, of its own initiative or on an application by a party, ban or restrict the disclosure, publication or dissemination of any information or documents it indicates, where necessary to maintain public order or where the confidential nature of the information or documents requires the prohibition or restriction to ensure the proper administration of justice.

1996, c. 54, s. 131.

132. Any party wishing to summon a witness shall do so by means of a subpoena issued by a member or by the advocate representing the party and served in accordance with the rules of procedure of the Tribunal.

Any party may examine and cross-examine witnesses to the extent necessary to ensure a fair process.

1996, c. 54, s. 132; 2002, c. 22, s. 16.

133. A witness may not refuse, without valid reason, to answer a question legally put to him by the Tribunal or by the parties.

However, no witness may be compelled to answer in the cases and conditions described in articles 282 to 284 of the Code of Civil Procedure (chapter C-25.01).

1996, c. 54, s. 133; I.N. 2016-01-01 (NCCP).

134. The Tribunal may adjourn the hearing, on the conditions it determines, if it is of the opinion that the adjournment will not cause unreasonable delay in the proceeding or a denial of justice, in particular, for the purpose of fostering an amicable settlement.

1996, c. 54, s. 134.

135. In matters of expropriation, and in matters of municipal taxation where a proceeding pertains to a unit of assessment or business establishment whose property value or rental value entered on the roll is equal to or greater than the value fixed by the Government, all depositions shall be conserved by stenography or by a recording, according to the method authorized by the Tribunal, unless the parties waive their right to appeal from the decision. Any such waiver shall be in writing or be recorded in the minutes of the proceedings.

In the case of other proceedings heard by the immovable property division and of proceedings heard in matters concerning the preservation of agricultural land, depositions shall be conserved only if the applicant so requests in writing.

1996, c. 54, s. 135; 1999, c. 40, s. 166.

136. Where a member is unable to continue a hearing, another member designated by the president of the Tribunal or by the vice-president responsible for the division concerned may, with the consent of the parties, continue the hearing and, in the case of oral evidence already produced, rely on the notes and minutes of the hearing or on the stenographer's notes or the recording of the hearing, if any.

The same rule also applies in the case of a hearing continued after a member who began to hear the matter ceases to hold office.

1996, c. 54, s. 136.

DIVISION VII

EVIDENCE

137. Each party may plead any ground of law or fact relevant to the determination of his rights and obligations.

1996, c. 54, s. 137.

138. The Tribunal may make the admission of evidence subject to rules on prior communication.

1996, c. 54, s. 138.

139. The Tribunal may refuse to admit any evidence that is not relevant or that is not of a nature likely to further the interests of justice.

1996, c. 54, s. 139.

140. In addition to facts so well-known as to not reasonably be questionable, the Tribunal must take judicial notice of the law in force in Québec in the fields within its jurisdiction. Unless the law provides otherwise, statutory instruments not published in the *Gazette officielle du Québec* or in any other manner provided for by law must be pleaded.

1996, c. 54, s. 140.

141. A member shall take judicial notice of facts that are generally recognized and of opinions and information which fall within his area of specialization or that of the division to which he is assigned.

1996, c. 54, s. 141.

142. No evidence may be relied on by the Tribunal in making its decision unless the parties have been given an opportunity to comment on the substance of the evidence or to refute it.

Other than in the case of facts of which judicial notice must be taken pursuant to section 140, the Tribunal may not base its decision on grounds of law or fact judicially noticed by a member if it has not first given the parties, other than parties who have waived their right to state their allegations, an opportunity to present their observations.

1996, c. 54, s. 142.

DIVISION VIII

RECUSATION OF A MEMBER

143. A member who has knowledge of a valid cause for his recusation must declare that cause in a writing filed in the record and must advise the parties of it.

1996, c. 54, s. 143.

144. A party may, at any time before the decision and provided he acts with dispatch, apply for the recusation of a member seized of the case if he has good reason to believe that a cause for recusation exists.

The application for recusation shall be addressed to the president of the Tribunal. Unless the member removes himself from the case, the application shall be decided by the president, by the vice-president responsible for the division concerned or by a member designated by either of them.

1996, c. 54, s. 144.

DIVISION IX

DECISIONS

145. Where a matter is heard by more than one member, it shall be decided by the majority of the members having heard it. If any member dissents, the grounds for his dissent must be recorded in the decision.

When opinions are equally divided on a question, it shall be referred to the president, the vice-president responsible for the division concerned or a member designated by either of them among the members who shall decide according to law.

1996, c. 54, s. 145.

146. In any matter of whatever nature, the decision must be given within three months after being taken under advisement, unless, for a valid reason, the president of the Tribunal has granted an extension.

Where a member seized of a matter fails to give a decision within three months or, as the case may be, within such additional time as has been granted, the president may, of his own initiative or on an application by a party, withdraw the matter from the member.

Before granting an extension or withdrawing a matter from a member who has failed to give his decision within the required time, the president shall take account of the circumstances and of the interests of the parties.

1996, c. 54, s. 146.

147. A matter that has been withdrawn from a member shall be decided by the other members having heard the matter if their number is sufficient to constitute a quorum. Failing a quorum, the matter shall be heard again.

1996, c. 54, s. 147.

148. A matter heard by a member and which has not been decided at the time the member ceases to hold office is governed by the rules set forth in section 147.

1996, c. 54, s. 148.

149. The president, a vice-president or any member called upon to hear a matter pursuant to the second paragraph of section 145 or to section 147 or 148 may, as regards oral testimony, and with the consent of the parties, rely on the notes and minutes of the hearing or on the stenographer's notes or the recording of the hearing, if any. If the vice-president or member finds them insufficient, he may recall a witness or require any other evidence.

1996, c. 54, s. 149.

150. Where a member is unable to act or has ceased to hold office and cannot sign the minute of a decision given at the hearing, another member designated by the president of the Tribunal or by the vice-president responsible for the division concerned may sign the minute of the decision.

1996, c. 54, s. 150.

151. Any order made by the Tribunal in the course of a proceeding for a hearing to be held *in camera* or banning disclosure, publication or dissemination of documents or information shall be stated expressly in the decision.

1996, c. 54, s. 151.

152. A copy of the decision shall be sent to each of the parties and to any other person specified by law.

1996, c. 54, s. 152.

153. A decision containing an error in writing or in calculation or any other clerical error may be corrected, in the record and without further formality, by the member who made the decision.

Where the member is unable to act or has ceased to hold office, another member designated by the president of the Tribunal or by the vice-president responsible for the division concerned may, on an application by a party, correct the decision.

1996, c. 54, s. 153.

154. The Tribunal, on an application, may review or revoke any decision it has made

(1) where a new fact is discovered which, had it been known in time, could have warranted a different decision;

(2) where a party, owing to reasons considered sufficient, could not be heard;

(3) where a substantive or procedural defect is of a nature likely to invalidate the decision.

In the case described in subparagraph 3, the decision may not be reviewed or revoked by the members having made the decision.

1996, c. 54, s. 154.

155. Proceedings for review or revocation are brought before the Tribunal by a motion filed at the secretariat of the Tribunal within reasonable time following the decision concerned or following the discovery of a new fact susceptible of warranting a different decision. The motion shall refer to the decision concerned and state the grounds invoked in support of the motion. It shall contain any other information required by the rules of procedure of the Tribunal, and shall indicate, where applicable, the name, address, telephone number and fax number of the representative of the applicant.

The secretary of the Tribunal shall send a copy of the motion to the other parties, who may respond to it in writing within 30 days after receiving it.

The Tribunal shall proceed on the basis of the record; it may, however, if it considers it appropriate or if a party requests it, hear the parties.

1996, c. 54, s. 155.

156. Decisions of the Tribunal are executory according to the terms and conditions stated therein provided the parties have received a copy of the decision or have otherwise been advised of it.

Forced execution of decisions is effected, by deposit at the office of the competent court, in accordance with the prescriptions of the Code of Civil Procedure (chapter C-25.01).

However, execution of a decision that contains a determination in respect of a proceeding under the provisions of the Act respecting expropriation (chapter E-25) is effected according to the rules prescribed in the said Act.

1996, c. 54, s. 156; I.N. 2016-01-01 (NCCP); 2023, c. 27, s. 240.

157. Any person who contravenes a decision or an order which is executory is guilty of contempt.

1996, c. 54, s. 157.

158. Except on a question of jurisdiction, none of the applications for judicial review under the Code of Civil Procedure (chapter C-25.01) may be exercised and no injunction may be granted against the Tribunal or against any of its members acting in their official capacity.

A judge of the Court of Appeal may, on an application, annul by a summary proceeding any judgment rendered or order or injunction pronounced contrary to this section.

1996, c. 54, s. 158; I.N. 2016-01-01 (NCCP).

DIVISION X

APPEALS

159. An appeal lies to the Court of Québec, irrespective of the amount involved, from decisions rendered by the Tribunal in matters heard by the immovable property division, and from decisions rendered in matters concerning the preservation of agricultural land, with leave of a judge, where the matter at issue is one which ought to be submitted to the Court of Québec.

1996, c. 54, s. 159.

160. An application for leave to appeal shall be made in the office of the Court of Québec of the place where the property is situated, and be accompanied by a copy of the decision and of the documents of the contestation, if they are not reproduced in the decision.

The application shall be made within 30 days of the decision. The time limit is peremptory; it may be extended only if a party establishes that he was unable to act.

1996, c. 54, s. 160; I.N. 2016-01-01 (NCCP).

161. An application for leave to appeal, accompanied by a notice of presentation, shall be served on the adverse party and filed in the office of the Court of Québec. The application shall state the conclusions sought, and shall summarize the grounds the applicant intends to set up.

1996, c. 54, s. 161.

162. An application for leave to appeal does not suspend execution of the decision. However, a judge of the Court of Québec may, on an application, suspend such execution if the application establishes that such execution would cause serious harm and that he has filed an application for leave to appeal.

1996, c. 54, s. 162; I.N. 2016-01-01 (NCCP).

163. If an application for leave to appeal is granted, the judgment authorizing the appeal shall stand for the inscription in appeal. The clerk of the Court of Québec shall transmit a copy of the decision without delay to the Tribunal and to the parties and their attorneys.

In the same manner and within the same time limits, the respondent may bring an appeal or an incidental appeal.

Except where provisional execution is ordered, an appeal suspends the execution of the decision.

1996, c. 54, s. 163.

164. The Court of Québec hears the appeal according to the evidence presented before the Tribunal, without further proof. No appeal lies from the decision of the Court of Québec.

1996, c. 54, s. 164.

TITLE III

CONSEIL DE LA JUSTICE ADMINISTRATIVE AND ETHICS

2005, c. 17, s. 20.

CHAPTER I

INSTITUTION AND ORGANIZATION

165. A council bearing the name “Conseil de la justice administrative” is hereby instituted.

1996, c. 54, s. 165.

166. The council shall have its seat in the territory of Ville de Québec. Notice of the address of the seat shall be published in the *Gazette officielle du Québec*.

1996, c. 54, s. 166; 2000, c. 56, s. 220.

167. The council shall be composed of the following members:

- (1) the president of the Administrative Tribunal of Québec;
- (2) a member of the Administrative Tribunal of Québec other than the vice-president, chosen after consultation with all the members of the Tribunal;
- (3) the president of the Administrative Labour Tribunal;
- (4) a member of the Administrative Labour Tribunal, other than a vice-president, chosen after consultation with all its members;
 - (4.1) the president of the Financial Markets Administrative Tribunal;
 - (4.2) a member of the Financial Markets Administrative Tribunal, other than a vice-president, chosen after consultation with all its members;
- (5) *(paragraph repealed)*;
- (6) *(paragraph repealed)*;
- (7) the chairman of the Administrative Housing Tribunal;
- (8) a member of the Administrative Housing Tribunal other than the vice-chairman, after consultation with all the members of the Tribunal;
 - (8.1) the senior chair of the Bureau des présidents des conseils de discipline;
 - (8.2) a disciplinary council chair other than the deputy senior chair of the Bureau des présidents des conseils de discipline, chosen after consultation with all the chairs appointed to the Bureau; and
- (9) nine other persons who are not members of any of those bodies, two of whom only shall be advocates or notaries chosen after consultation with their professional order.

1996, c. 54, s. 167; 2002, c. 22, s. 17; 2015, c. 15, s. 169; 2015, c. 26, s. 24; 2018, c. 23, s. 769; 2019, c. 28, s. 158.

168. The members referred to in paragraphs 2, 4, 4.2, 8, 8.2 and 9 of section 167 shall be appointed by the Government, which shall designate the chairman of the council from among the members who are not members of any of the bodies referred to in paragraphs 1 to 8.2 of that section.

The term of office of the members is three years and may be renewed only once.

At the expiry of their term, the members shall remain in office until they are replaced or reappointed.

At the end of his term, each member may continue to perform his duties to conclude the cases he has begun to hear but has yet to determine.

1996, c. 54, s. 168; 2002, c. 22, s. 18; 2015, c. 15, s. 170; 2015, c. 26, s. 25; 2018, c. 23, s. 770.

169. Any vacancy which occurs during a term of office shall be filled according to the rules of composition and for the term set out in sections 167 and 168.

1996, c. 54, s. 169.

170. Before they may sit on the council, each member shall have taken an oath, solemnly affirming the following: “I (...) swear that I will neither reveal nor disclose, without being authorized to do so by law, anything of which I may gain knowledge in the performance of the duties of my office and that I will perform those duties impartially and honestly to the best of my knowledge and abilities.”

The oath shall be taken before the chairman of the council. The chairman shall take the oath before a judge of the Court of Québec.

1996, c. 54, s. 170.

171. The members of the council receive no remuneration, except in the cases, on the conditions and to the extent that may be determined by the Government.

The members are, however, entitled to the reimbursement of expenses incurred in the performance of their duties, on the conditions and to the extent determined by the Government.

1996, c. 54, s. 171.

171.1. The chairman is in charge of the administration of the council. If absent or unable to act, the chairman shall be replaced by the member designated by the Minister.

2002, c. 22, s. 19.

172. The secretary of the Tribunal shall act as secretary of the council.

1996, c. 54, s. 172.

173. The council shall meet as often as necessary, at the request of the chairman, of a majority of the members or of the Minister.

The council may hold its sittings at any place in Québec. The sittings shall be held in public, unless the council orders them to be held *in camera* where necessary to preserve public order.

1996, c. 54, s. 173.

174. The minutes of the sittings of the council or of any of its committees are authentic if they are approved by the members and are signed by the chairman of the sitting or by the secretary.

Similarly, documents emanating from the council or forming part of its records are authentic if they are signed, as are copies of such documents if they are certified true, by the chairman of the council or by the secretary.

1996, c. 54, s. 174.

175. The council may make rules for its internal management, form committees and determine their powers and duties.

1996, c. 54, s. 175.

176. The council shall provide the Minister with any report or information he requires on its activities.

1996, c. 54, s. 176.

CHAPTER II

FUNCTIONS AND POWERS

177. In addition to the functions assigned to it by law, the functions of the council in respect of the Administrative Tribunal of Québec and its members are

- (1) *(subparagraph repealed)*;
- (2) to establish a code of ethics applicable to the members of the Tribunal;

(3) to receive and examine any complaint lodged against a member pursuant to Chapter IV;

(4) to inquire, at the request of the Minister or of the president of the Tribunal, into whether a member is suffering from a permanent disability;

(5) to inquire, at the request of the Minister, into any lapse raised as grounds for removal of the president or a vice-president of the Tribunal from his administrative office in the case provided for in section 66;

(6) *(subparagraph repealed)*.

The council may also report to the Minister on any matter the Minister may submit to the council and make recommendations to the Minister concerning the administration of administrative justice by the bodies of the Administration whose president or chairman is a member of the council.

1996, c. 54, s. 177; 2002, c. 22, s. 20; 2005, c. 17, s. 21.

178. The council shall publish annually in the *Gazette officielle du Québec* a list of the departments and bodies that make up the Administration within the meaning of section 3 and of the bodies and decentralized authorities referred to in section 9.

1996, c. 54, s. 178.

179. The council may, by by-law, make rules of evidence and procedure applicable to the conduct of its inquiries. The by-law shall be submitted to the Government for approval.

1996, c. 54, s. 179.

CHAPTER III

ETHICS

179.1. The members of the Tribunal must perform their duties purposefully, maintain their competence and act diligently. They must avoid placing themselves in a position that undermines such performance of their duties and must conduct themselves in a manner fully compatible with the honour, dignity and integrity required by adjudicative functions.

2005, c. 17, s. 22.

180. The council, after consultation with the president, vice-presidents and members of the Tribunal, shall, by regulation, establish a code of ethics which shall be applicable to them.

The code of ethics shall be submitted to the Government for approval.

1996, c. 54, s. 180.

181. The code of ethics shall set out the rules of conduct and the duties of the members of the Tribunal towards the public, the parties, their witnesses and the persons who represent them. It shall indicate, in particular, conduct that is derogatory to the honour, dignity or integrity of the members. In addition, the code of ethics may determine activities or situations that are incompatible with their office, their obligations concerning disclosure of interest, and the duties they may perform gratuitously.

The code of ethics shall also set out rules concerning the maintenance of competence of members in the exercise of their functions.

The code of ethics may provide special rules applicable to part-time members.

1996, c. 54, s. 181; 2005, c. 17, s. 23.

CHAPTER IV

COMPLAINTS

182. Any person may lodge a complaint with the council against a member of the Tribunal for breach of the code of ethics, of a duty under this Act or of the prescriptions governing conflicts of interest and incompatible functions.

1996, c. 54, s. 182.

183. A complaint must be in writing and must briefly state the reasons on which it is based.

It shall be transmitted to the seat of the council.

1996, c. 54, s. 183.

184. If the complaint is lodged by a member of the council, that member cannot take part in the examination of the complaint.

If the complaint is lodged against a president or chair who is a member of the council, that president or chair cannot take part in the council's sittings as long as a final decision has not been rendered on the complaint, and must be replaced in the meantime by the vice-president or vice-chair of the body of which the president or chair concerned is a member.

1996, c. 54, s. 184; 2015, c. 26, s. 26.

184.1. The council shall send of copy of the complaint to the Tribunal member concerned and may ask the member for an explanation.

2002, c. 22, s. 21.

184.2. Unless the complaint is lodged by the Minister, the council shall form a committee, composed of seven council members, to determine whether a complaint is admissible.

Three committee members shall be chosen from among the council members referred to in paragraph 9 of section 167; the other committee members shall be chosen from among the council members representing a body of the Administration whose president or chair is a council member.

The quorum of the committee is five members.

2002, c. 22, s. 21; 2005, c. 17, s. 24; 2015, c. 15, s. 171; 2015, c. 26, s. 27.

184.3. The committee may require of any person the information it considers necessary and examine the relevant record even if it is confidential under section 89.

2005, c. 17, s. 24.

185. The committee may dismiss any clearly unfounded complaint.

The committee shall forward a copy of its decision, with reasons, to the complainant and to the council.

1996, c. 54, s. 185; 2005, c. 17, s. 25.

186. Where the complaint has been determined admissible, or where the complaint is lodged by the Minister, the council shall transmit a copy of it to the member and, where necessary, to the Minister.

The council shall form an inquiry committee composed of three members, which shall be entrusted with conducting an inquiry into the complaint and disposing of it on behalf of the council.

Two members of the inquiry committee shall be chosen from among the members of the council referred to in paragraphs 3 to 9 of section 167, at least one of whom shall neither practise a legal profession nor be a member of a body of the Administration whose president or chairman is a member of the council. The third member of the inquiry committee shall be the member of the council referred to in paragraph 2 of that section or shall be chosen from a list drawn up by the president of the Tribunal, after consulting all the members of the Tribunal. In the latter case and if the inquiry committee finds the complaint to be justified, the third member shall take part in the deliberations of the council for the purpose of determining a penalty.

If the complaint is lodged against a president or chair or a vice-president or vice-chair of a body of the Administration whose president or chair is a member of the council, the third member of the inquiry committee shall be chosen from among the council members or from a list of names drawn up by the presidents and chairs of those bodies. The third member must not be a member of the body whose president or chair or vice-president or vice-chair is the subject of the complaint.

1996, c. 54, s. 186; 2002, c. 22, s. 22; 2005, c. 17, s. 26; 2015, c. 26, s. 28.

187. The council shall designate a chairman from among the members of the committee who are advocates or notaries; the chairman shall call committee sittings.

1996, c. 54, s. 187.

188. For the purposes of an inquiry, the inquiry committee and its members are vested with the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

1996, c. 54, s. 188.

189. The council may, for a compelling reason and after consultation with the inquiry committee, suspend the member for the duration of the inquiry.

1996, c. 54, s. 189.

190. After giving the member who is the subject of the complaint, the Minister and the complainant an opportunity to be heard, the committee shall decide the complaint.

If the committee finds the complaint to be justified, it may recommend that the member be reprimanded, suspended with or without remuneration for the period it determines or dismissed.

The committee shall send its inquiry report and conclusions, with reasons therefor, to the council together with its recommendations, if any, concerning the penalty.

1996, c. 54, s. 190.

191. The council shall then send a copy of the inquiry report and of the committee's conclusions to the member who is the subject of the complaint, to the complainant and to the Minister.

1996, c. 54, s. 191.

192. If the committee finds the complaint to be justified, the council, depending on the committee's recommendation, shall administer a reprimand to the member and advise the Minister and the complainant thereof, or shall send the recommendation for a suspension or for dismissal to the Minister and advise the member and the complainant.

Where the recommended penalty is the member's dismissal, the council may immediately suspend the member for a period of 30 days.

1996, c. 54, s. 192.

CHAPTER V

PERMANENT DISABILITY OF A MEMBER AND LAPSE IN THE EXERCISE OF AN ADMINISTRATIVE OFFICE

193. At the request of the Minister, who shall send a copy of his request to the member of the Tribunal concerned, the council shall form an inquiry committee entrusted with

(1) determining on its behalf whether the member is suffering from a permanent disability which prevents him from discharging the duties of his office; or

(2) examining a lapse raised as grounds for removal of the president or a vice-president from his administrative office.

In cases pertaining to a member's disability, the council shall act also on a request made by the president of the Tribunal.

1996, c. 54, s. 193.

194. The committee shall be formed and chaired according to the rules provided for in the second and third paragraphs of section 186 and in section 187. The committee and its members are vested with the powers and immunity referred to in section 188.

1996, c. 54, s. 194; 2002, c. 22, s. 23.

195. The council may, for a compelling reason and after consultation with the inquiry committee, suspend the member, the president or the vice-president concerned for the duration of the inquiry.

1996, c. 54, s. 195.

196. After giving the member, the president or the vice-president concerned and the person having requested an inquiry an opportunity to be heard, the committee shall send its conclusions, with the reasons therefor, to the council.

Where the committee finds there was a lapse in the exercise of an administrative office, the committee may recommend removal from that office. In such case, the committee shall transmit its recommendation and inquiry report to the council.

1996, c. 54, s. 196.

197. The council shall transmit a copy of the committee's conclusions to the member, the president or the vice-president concerned and to the person having requested the inquiry.

Where applicable, it shall also transmit to them the committee's recommendation and inquiry report.

1996, c. 54, s. 197.

198. The sums required for the purposes of this Title shall be taken out of the sums voted annually by the National Assembly.

1996, c. 54, s. 198.

FINAL PROVISIONS

1997, c. 43, s. 870.

199. The Minister of Justice is responsible for the carrying out of this Act.

1996, c. 54, s. 199.

200. The Minister shall, not later than 1 April 2003, make a report to the Government on the implementation of this Act and on the advisability of amending it.

The report shall be tabled in the National Assembly, within 15 days of that date if the Assembly is sitting or, if it is not sitting, within 15 days of resumption.

Within one year of the tabling of the report, the competent committee of the National Assembly shall examine the report and hear submissions by interested persons and bodies.

1996, c. 54, s. 200.

Not in force

200.1. *(Not in force).*

2002, c. 22, s. 24.

201. *(Omitted).*

1996, c. 54, s. 201.

SCHEDULE I

SOCIAL AFFAIRS DIVISION

1. In matters of income security or support and social aid and allowances, the social affairs division hears and determines

(1) proceedings against decisions pertaining to entitlement to a benefit, brought under section 20 of the Act respecting family assistance allowances (chapter A-17);

(1.1) proceedings under section 40 of the Act respecting parental insurance (chapter A-29.011);

(2) proceedings under section 48 of the Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration (chapter E-20.1);

(2.1) proceedings against decisions pertaining to entitlement to benefits under section 28 of the Act respecting family benefits (chapter P-19.1);

(3) proceedings under section 112 or 118 of the Individual and Family Assistance Act (chapter A-13.1.1) or under section 18 of the Act respecting the Cree Hunters Economic Security Board (chapter O-2.1);

(4) *(paragraph repealed)*;

(5) proceedings against decisions pertaining to exemptions from payment, brought under section 517 of the Act respecting health services and social services (chapter S-4.2) and against decisions pertaining to exemptions from payment or payment of an expense allowance, brought under section 162 of the Act respecting health services and social services for Cree Native persons (chapter S-5);

(6) proceedings under section 16.4 of the Act respecting the Société de l'assurance automobile du Québec (chapter S-11.011);

(7) proceedings against decisions pertaining to the entitlement to receive an amount in respect of a family allowance under Division II.11.2 of Chapter III.1 of Title III of Book IX of Part I of the Taxation Act (chapter I-3), brought under section 1029.8.61.41 of that Act.

2. In matters of protection of persons whose mental state presents a danger to themselves or to others, the social affairs division hears and determines proceedings under section 21 of the Act respecting the protection of persons whose mental state presents a danger to themselves or to others (chapter P-38.001).

2.1. In matters of measures concerning an accused in respect of whom a verdict of not criminally responsible by reason of mental disorder has been rendered or who has been found unfit to stand trial, the social affairs division hears and determines cases submitted to a Review Board under sections 672.38 and following of the Criminal Code (R.S.C. 1985, c. C-46).

3. In matters of health services and social services, education and road safety, the social affairs division hears and determines

(0.1) proceedings under section 35 of the Act respecting clinical and research activities relating to assisted procreation (chapter A-5.01);

(0.2) proceedings under section 30 of the Funeral Operations Act (chapter A-5.02);

(1) proceedings by manufacturers or wholesalers of medications under section 68 of the Act respecting prescription drug insurance (chapter A-29.01);

(2) proceedings against decisions of the Régie de l'assurance maladie du Québec under section 18.4, 38.2, 38.3 or 50 of the Health Insurance Act (chapter A-29);

(2.1) proceedings under section 83.4 of the Charter of the French language (chapter C-11);

(2.1.1) proceedings under section 202.6.11 of the Highway Safety Code (chapter C-24.2);

(2.1.2) proceedings under section 209.14 of the Highway Safety Code;

(2.2) proceedings under paragraph 1 of section 560 of the Highway Safety Code;

(2.3) proceedings under section 22.2 or 121.1 of the Act respecting private education (chapter E-9.1);

(3) proceedings under section 20 of the Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration (chapter E-20.1);

(4) *(paragraph repealed)*;

(5) proceedings under section 44 of the Act to secure handicapped persons in the exercise of their rights with a view to achieving social, school and workplace integration;

(5.1) proceedings under section 34.7 of the Education Act (chapter I-13.3);

(6) proceedings against decisions relating to permits under section 41 of the Act respecting medical laboratories and organ and tissue conservation (chapter L-0.2);

(7) proceedings under section 120 of the Act respecting occupational health and safety (chapter S-2.1);

(8) proceedings under section 104, 105.1 or 105.2 of the Educational Childcare Act (chapter S-4.1.1);

(8.1) proceedings under section 57 or 73 of the Act respecting pre-hospital emergency services (chapter S-6.2);

(9) proceedings under the ninth paragraph of section 7 of the Act respecting health services and social services for Cree Native persons (chapter S-5);

(10) proceedings by physicians, dentists or pharmacists under section 132 of the Act respecting health services and social services for Cree Native persons;

(11) proceedings to contest or annul an election or appointment brought under section 148, 530.16, 530.67 or 530.97 of the Act respecting health services and social services or under section 48 or 59 of the Act respecting health services and social services for Cree Native persons;

(12) proceedings by physicians or dentists under section 205 or 252 of the Act respecting health services and social services, by pharmacists under section 253 of that Act or by midwives under section 259.8 of that Act;

(12.0.1) *(paragraph repealed)*;

(12.1) proceedings by applicants for or holders of a certificate of compliance or a temporary certificate of compliance under section 346.0.16 of the Act respecting health services and social services;

(13) proceedings against decisions pertaining to permits, brought under section 450 of the Act respecting health services and social services or under section 148 of the Act respecting health services and social services for Cree Native persons;

(14) proceedings under section 453 of the Act respecting health services and social services or under section 182.1 of the Act respecting health services and social services for Cree Native persons.

4. In pension plan matters, the social affairs division hears and determines

(1) proceedings against decisions made by Retraite Québec, brought under section 188 of the Act respecting the Québec Pension Plan (chapter R-9);

(2) *(paragraph repealed)*.

5. In compensation matters, the social affairs division hears and determines

(1) proceedings against decisions pertaining to the qualification of a person who is a victim, a rescuer or another beneficiary, pertaining to their eligibility for financial assistance or pertaining to the establishment of that assistance, brought under the Act to promote good citizenship (chapter C-20) or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (chapter P-9.2.1);

(2) *(paragraph repealed)*;

(2.1) *(paragraph repealed)*;

(3) proceedings under section 65 of the Workmen's Compensation Act or section 12 of the Act respecting indemnities for victims of asbestosis and silicosis in mines and quarries (chapter I-7) pursuant to section 579 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001);

(4) proceedings under section 83.49 of the Automobile Insurance Act (chapter A-25);

(5) proceedings against decisions pertaining to indemnities for victims of immunization, brought under section 76 of the Public Health Act (chapter S-2.2);

(5.1) proceedings against decisions pertaining to compensation for victims, brought under section 54.7 of the Act respecting Héma-Québec and the biovigilance committee (chapter H-1.1);

(6) *(paragraph repealed)*.

6. In immigration matters, the social affairs division hears and determines proceedings against decisions of the Minister responsible for the administration of the Act respecting immigration to Québec (chapter I-0.2.1), brought under section 72 of the said Act.

1996, c. 54, Schedule I; 1997, c. 49, s. 11; 1997, c. 57, s. 60; 1997, c. 58, s. 177; 1997, c. 43, s. 871; 1997, c. 75, s. 60; 1998, c. 39, s. 175; 1999, c. 24, s. 45; 1998, c. 36, s. 199; 1999, c. 45, s. 5; 1999, c. 89, s. 53; 2001, c. 29, s. 20; 2001, c. 60, s. 166; 2001, c. 60, s. 147; 2002, c. 22, s. 25; 2001, c. 24, s. 107; 2002, c. 69, s. 129; 2002, c. 81, s. 19; 2004, c. 20, s. 191; 2004, c. 31, s. 69, s. 70, s. 71; 2005, c. 1, s. 306; 2001, c. 9, s. 130; 2005, c. 17, s. 27; 2005, c. 47, s. 143; 2005, c. 16, s. 14; 2005, c. 15, s. 158; 2005, c. 32, s. 246; 2006, c. 41, s. 7; 2009, c. 24, s. 93; 2009, c. 30, s. 50, s. 58; 2010, c. 39, s. 23; 2009, c. 45, s. 6; 2010, c. 39, s. 23; 2010, c. 34, s. 101; 2011, c. 27, s. 34; 2015, c. 1, s. 157; 2015, c. 20, s. 61; 2016, c. 28, s. 64; 2017, c. 23, s. 34; 2016, c. 3, s. 109; 2016, c. 1, s. 120; I.N. 2019-06-01; 2019, c. 14, s. 666; 2021, c. 13, s. 148; 2022, c. 1, s. 10; 2023, c. 5, s. 214.

SCHEDULE II

IMMOVABLE PROPERTY DIVISION

The immovable property division hears and determines

- (1) proceedings under section 117.7 of the Act respecting land use planning and development (chapter A-19.1);
- (2) proceedings under section 20 of the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1) to determine the price or indemnity arising from the acquisition of a property belonging to a Member;
- (3) *(paragraph repealed)*;
- (3.0.1) *(paragraph repealed)*;
- (3.1) *(paragraph repealed)*;
- (3.2) *(paragraph repealed)*;
- (3.3) proceedings under section 104 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01);
- (3.4) proceedings under section 97 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02);
- (3.5) proceedings under section 74 of the Municipal Powers Act (chapter C-47.1);
- (3.6) proceedings under section 107 of the Municipal Powers Act to fix the indemnity for damage caused by a regional county municipality in the exercise of its jurisdiction with respect to watercourses;
- (4) proceedings under the Act respecting expropriation (chapter E-25) to determine the amount of the indemnities or of the damages arising from an expropriation, preparatory work, the establishment of a reserve or a transfer of right by operation of law or to determine the market value of a lot in respect of which reconveyance is offered;
- (5) proceedings under Chapter X of the Act respecting municipal taxation (chapter F-2.1);
- (6) *(paragraph repealed)*;
- (7) *(paragraph repealed)*;
- (8) *(paragraph repealed)*;
- (9) proceedings under section 13 of the Watercourses Act (chapter R-13) to assess and fix damages sustained;
- (10) proceedings under section 45, 137 or 191.29 of the Act respecting the land regime in the James Bay and New Québec territories (chapter R-13.1) to determine the compensation arising from an expropriation;
- (11) *(paragraph repealed)*;
- (12) proceedings under sections 184 and 192 of Schedule C to the Charter of Ville de Montréal, metropolis of Québec (chapter C-11.4);
- (13) proceedings under sections 56 and 86 of Schedule C to the Charter of Ville de Québec, national capital of Québec (chapter C-11.5);

(14) proceedings under section 13 of the Act respecting the reconstruction and redevelopment of areas affected by the torrential rains of 19 and 20 July 1996 in the Saguenay—Lac-Saint-Jean region (1997, chapter 60);

(15) proceedings under section 9 of the Act respecting Ville de Varennes (1997, chapter 106);

(16) proceedings under section 9 of the Act respecting Ville de Saint-Basile-le-Grand (1999, chapter 97);

(17) proceedings under section 9 of the Act respecting Ville de Contrecoeur (2002, chapter 95);

(18) proceedings under section 10 of the Act respecting Ville de Brownsburg-Chatham, Ville de Lachute and Municipalité de Wentworth-Nord (2004, chapter 46).

1996, c. 54, Schedule II; 1997, c. 43, s. 872; 2001, c. 68, s. 67; 2000, c. 56, s. 164; 2002, c. 22, s. 26; 2005, c. 6, s. 222; 2005, c. 17, s. 28; 2006, c. 31, s. 104; 2010, c. 30, s. 125; 2011, c. 21, s. 235; 2023, c. 27, s. 202.

SCHEDULE III

TERRITORY AND ENVIRONMENT DIVISION

The territory and environment division hears and determines

(0.1) proceedings against decisions of the Commission de protection du territoire agricole, brought under section 34 of the Act respecting the acquisition of farm land by non-residents (chapter A-4.1);

(1) *(paragraph repealed)*;

(1.1) *(paragraph repealed)*;

(1.2) proceedings against decisions or orders of the Communauté métropolitaine de Montréal or, in the case of delegation, the head of a department or an officer brought under section 159.2 or 159.14 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01);

(1.3) proceedings against decisions or orders of Ville de Québec or, in the case of delegation, the executive committee or a department head brought under section 104 of the Charter of Ville de Québec, national capital of Québec (chapter C-11.5);

(1.4) proceedings against decisions or orders of Ville de Gatineau or, in the case of a delegation, decisions or orders of the executive committee or of a department head, brought under section 66 of the Charter of Ville de Gatineau (chapter C-11.1);

(1.5) proceedings under section 193 of the Act respecting natural gas storage and natural gas and oil pipelines (chapter S-34.1);

(1.6) proceedings under section 75.2 or 75.6 of the Cultural Heritage Act (chapter P-9.002);

(2) proceedings against decisions or orders of the Commission de protection du territoire agricole du Québec, brought under section 21.1 of the Act respecting the preservation of agricultural land and agricultural activities (chapter P-41.1);

(2.1) proceedings against decisions made by the Minister of Transport, brought under section 10.1 of the Roadside Advertising Act (chapter P-44);

(3) proceedings against decisions or orders made by the Minister of Sustainable Development, Environment and Parks, brought under section 9 of the Act respecting the boundaries of the waters in the domain of the State and the protection of wetlands along part of the Richelieu River (2009, chapter 31), sections 24 or 65 of the Natural Heritage Conservation Act (chapter C-61.01), sections 31.100 or 118.12 of the Environment Quality Act (chapter Q-2) or section 68 of the Pesticides Act (chapter P-9.3);

(3.1) proceedings under section 84.10 of the Watercourses Act (chapter R-13);

(4) proceedings under sections 2.3, 14, 34.2 and 35.4 of the Dam Safety Act (chapter S-3.1.01);

(5) proceedings under sections 12 and 13 of the Act respecting the environmental performance of buildings (chapter P-9.02);

(6) proceedings under section 27 of the Act respecting roads (chapter V-9);

(7) proceedings under section 30 or 31 of the Act to increase the number of zero-emission motor vehicles in Québec in order to reduce greenhouse gas and other pollutant emissions (chapter A-33.02);

(8) proceedings under sections 41, 65 and 84 of the Act respecting certain measures enabling the enforcement of environmental and dam safety legislation (chapter M-11.6).

1996, c. 54, Schedule III; 1996, c. 26, s. 85; 1997, c. 43, s. 873; 1999, c. 36, s. 158; 2000, c. 56, s. 165; 2000, c. 9, s. 48; 2001, c. 14, s. 24; 2002, c. 22, s. 27; 2002, c. 74, s. 81; 2005, c. 17, s. 29; 2006, c. 3, s. 35; 2009, c. 31, s. 29; 2009, c. 21, s. 31; 2011, c. 20, s. 52; 2016, c. 23, s. 63; 2017, c. 4, s. 249; 2016, c. 35, s. 23; 2021, c. 1, s. 51; 2021, c. 10, s. 124; 2022, c. 8, s. 35; 2022, c. 10, s. 123; 2024, c. 5, s. 9.

SCHEDULE IV

ECONOMIC AFFAIRS DIVISION

The economic affairs division hears and determines proceedings under

- (1) section 13.2 of the Travel Agents Act (chapter A-10);
- (1.1) section 48 of the Act respecting commercial aquaculture (chapter A-20.2);
- (2) section 45 of the Act respecting arrangements for funeral services and sepultures (chapter A-23.001);
- (3) *(paragraph repealed)*;
- (4) *(paragraph repealed)*;
- (4.0.0.1) section 34 of the Animal Welfare and Safety Act (chapter B-3.1);
- (4.0.1) section 17 of the Act respecting the Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec (chapter B-7.1);
- (4.1) sections 181 and 204.30 of the Charter of the French language (chapter C-11);
- (5) section 154 of the Cinema Act (chapter C-18.1);
- (6) paragraph 2 of section 560 of the Highway Safety Code (chapter C-24.2);
- (6.1) section 27.27 of the Act respecting contracting by public bodies (chapter C-65.1);
- (7) section 485 of the Business Corporations Act (chapter S-31.1);
- (7.1) section 25.1 of the Act respecting financial services cooperatives (chapter C-67.3);
- (7.2) section 123.11 of the Real Estate Brokerage Act (chapter C-73.2);
- (8) section 26 of the Act respecting the development of Québec firms in the book industry (chapter D-8.1);
- (8.1) section 65.10 of the Money-Services Businesses Act (chapter E-12.000001);
- (9) section 17 of the Tourist Accommodation Act (chapter H-1.01);
- (9.1) *(paragraph repealed)*;
- (10) *(paragraph repealed)*;
- (11) section 26 of the Act respecting stuffing and upholstered and stuffed articles (chapter M-5);
- (12) section 22 of the Cullers Act (chapter M-12.1);
- (13) section 36.0.8 of the Act respecting the Ministère de l'Agriculture, des Pêcheries et de l'Alimentation (chapter M-14);
- (13.0.1) section 5.2 of the Act respecting the Ministère du Tourisme (chapter M-31.2);
- (13.1) section 191.1 of the Act respecting the marketing of agricultural, food and fish products (chapter M-35.1);

- (14) section 21 of the Act respecting commercial fishing and commercial harvesting of aquatic plants (chapter P-9.01);
- (14.1) section 51.1 of the Farm Producers Act (chapter P-28);
- (15) section 17 of the Food Products Act (chapter P-29);
- (15.1) *(paragraph repealed)*;
- (15.2) *(paragraph repealed)*;
- (16) section 339 of the Consumer Protection Act (chapter P-40.1);
- (17) section 55.35 of the Animal Health Protection Act (chapter P-42);
- (17.1) section 139 of the Act respecting the legal publicity of enterprises (chapter P-44.1);
- (18) section 35 of the Act respecting the Fonds d'aide aux actions collectives (chapter F-3.2.0.1.1);
- (19) section 36 of the Act respecting the collection of certain debts (chapter R-2.2);
- (19.1) section 40.1 of the Act respecting the Régie des alcools, des courses et des jeux (chapter R-6.1);
- (20) *(paragraph repealed)*;
- (20.1) section 243 of the Supplemental Pension Plans Act (chapter R-15.1);
- (20.2) section 22.3 of the Act respecting supplemental pension plans (chapter R-17);
- (20.2.1) section 112 of the Voluntary Retirement Savings Plans Act (chapter R-17.0.1);
- (20.3) section 13 of the Act respecting emergency communication centres (chapter C-8.2.1);
- (21) section 53.1 of the Act respecting safety in recreation and sports (chapter S-3.1);
- (22) section 36 of the Act respecting the Société des alcools du Québec (chapter S-13);
- (22.1) section 5.7 of the Act respecting farmers' and dairymen's associations (chapter S-23);
- (22.2) section 18 of the Horticultural Societies Act (chapter S-27);
- (23) *(paragraph repealed)*;
- (24) section 22 of the Marine Products Processing Act (chapter T-11.01);
- (24.1) section 208 of the Act respecting remunerated passenger transportation by automobile (chapter T-11.2);
- (25) section 51 of the Transport Act (chapter T-12);
- (26) *(paragraph repealed)*;
- (27) *(paragraph repealed)*;
- (28) section 23.1 of the Act to promote workforce skills development and recognition (chapter D-8.3);
- (29) section 38 of the Act respecting owners, operators and drivers of heavy vehicles (chapter P-30.3);
- (30) *(paragraph repealed)*;

(31) section 37 of the Private Security Act (chapter S-3.5);

(32) section 34 of the Act respecting transparency measures in the mining, oil and gas industries (chapter M-11.5);

(33) the second paragraph of section 9 of the Act respecting the Financial Assistance for Investment Program and establishing the Special Contracts and Financial Assistance for Investment Fund (chapter P-30.1.1);

Not in force

(34) section 20 of the Act respecting off-highway vehicles (chapter V-1.3);

(35) section 108 of the Act respecting off-highway vehicles.

1996, c. 54, Schedule IV; 1997, c. 43, s. 874; 1997, c. 20, s. 16; 1997, c. 64, s. 20; 1998, c. 40, s. 172; 1997, c. 64, s. 20; 1999, c. 32, s. 32; 1999, c. 50, s. 68; 2000, c. 26, s. 64; 2000, c. 49, s. 28; 2000, c. 53, s. 65; 2001, c. 38, s. 98; 2000, c. 10, s. 22; 2002, c. 22, s. 28; 2003, c. 23, s. 72; 2004, c. 37, s. 82; 2005, c. 17, s. 30; 2005, c. 39, s. 52; 2005, c. 10, s. 68; 2007, c. 3, s. 68; 2009, c. 48, s. 25; 2006, c. 23, s. 125; 2008, c. 18, s. 88; 2009, c. 52, s. 594; 2010, c. 7, s. 214; 2013, c. 26, s. 132; 2015, c. 23, s. 47; 2015, c. 35, s. 7; 2018, c. 23, s. 771; 2018, c. 14, s. 25; 2019, c. 18, s. 246; 2020, c. 7, s. 35; 2020, c. 26, s. 136; 2020, c. 5, s. 98; 2020, c. 5, s. 74; 2022, c. 14, s. 151; 2022, c. 18, s. 125; 2021, c. 30, s. 40; 2024, c. 15, s. 71; 2024, c. 18, s. 46; 2024, c. 25, s. 38.

REPEAL SCHEDULE

In accordance with section 9 of the Act respecting the consolidation of the statutes and regulations (chapter R-3), chapter 54 of the statutes of 1996, in force on 1 April 1998, is repealed, except section 201, effective from the coming into force of chapter J-3 of the Revised Statutes.

