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chapter M-19

ACT RESPECTING THE MINISTÈRE DE LA JUSTICE

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DIVISION I

MINISTÈRE DE LA JUSTICE

1. The Minister of Justice, in this Act called the "Minister", is charged with the direction and administration of the Ministère de la Justice.

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1965 (1st sess.), c. 16, s. 1; 1977, c. 5, s. 14.
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2. The Minister of Justice is *exofficio* the Attorney General of Québec. The Minister is also *ex officio* Notary General for Québec.

The Minister of Justice, in his capacity as Attorney General, is at the same time Registrar of Québec.

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1965 (1st sess.), c. 16, s. 2; 1969, c. 26, s. 92; 1999, c. 40, s. 184; 2000, c. 44, s. 102.
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3. The Minister of Justice is the legal adviser of the Lieutenant-Governor and the legal member of the Conseil exécutif du Québec.

The Minister:

- (a) is responsible for establishing the public policy of the State in justice matters;
- (b) sees that the administration of public affairs is in accordance with the law;
- (c) exercises superintendence over all matters connected with the administration of justice in Québec except those assigned to the Minister of Public Security;
 - (c.1) develops policies and implements measures with regard to criminal and penal matters;
- (d) advises the incumbent ministers of the several departments of the Gouvernement du Québec upon all matters of law concerning such departments;
- (e) is in charge of the organization of the judicial system and of the inspection of the offices of the courts, and is in charge of the organization and inspection of the Personal and Movable Real Rights Registry Office;
 - (f) has superintendence over judicial officers and the Personal and Movable Real Rights Registrar;
 - (f.1) (subparagraph repealed);
- (g) performs such other functions as are assigned to him by the Government, or as are not assigned to some other Government department.

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1965 \; (1st\; sess.), \; c.\; 16, \; s.\; 3; \; 1969, \; c.\; 26, \; s.\; 93; \; 1977, \; c.\; 5, \; s.\; 14; \; 1978, \; c.\; 15, \; s.\; 140; \; 1986, \; c.\; 86, \; s.\; 26; \; 1988, \; c.\; 46, \; s.\; 24; \; 1992, \; c.\; 57, \; s.\; 614; \; 1996, \; c.\; 21, \; s.\; 50; \; 2000, \; c.\; 42, \; s.\; 189; \; 2005, \; c.\; 24, \; s.\; 42; \; 2005, \; c.\; 34, \; s.\; 57; \; 2007, \; c.\; 32, \; s.\; 12.
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- **4.** The Attorney General:
- (a) is the keeper of the Great Seal and establishes and authorizes all the instruments issued under the Great Seal;
- (b) is charged, subject to any express legislative provisions to the contrary, with the settlement and conduct, under the designation of "the Attorney General of Québec", of all litigation for or against the State;
- (b.1) may, in accordance with the law, act in penal matters to see to the enforcement of the laws and regulations of Québec; the Attorney General may also, in that respect, authorize a person in writing to act on behalf of the Attorney General;

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- (c) takes measures to prevent crime;
- (d) (paragraph replaced);
- (e) (paragraph replaced);
- (f) (paragraph replaced);
- (g) performs such other functions as are assigned to him by the Government.

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1965 (1st sess.), c. 16, s. 4; 1969, c. 26, s. 94; 1979, c. 67, s. 41; 1986, c. 86, s. 27; 1992, c. 61, s. 402; 1992, c. 57, s. 615; 1999, c. 40, s. 184; 2005, c. 34, s. 58.
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5. The Attorney General issues letters patent, commissions and other documents under the Great Seal and countersigns the same, except such as should be countersigned by the Secretary General of the National Assembly.

He transmits letters patent respecting patented lands in the domain of the State to the Minister on whose recommendation they were issued and such Minister shall transmit them to the person entitled thereto.

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1969, c. 26, s. 95; 1977, c. 11, s. 132; 1984, c. 51, s. 561; 1987, c. 23, s. 76; 1999, c. 40, s. 184.
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5.1. In a state of emergency declared by the Government or in a situation where it is impossible in fact to comply with the rules of the Code of Civil Procedure (chapter C-25.01) or of the Code of penal procedure (chapter C-25.1), the Minister of Justice may, if necessary for the proper administration of justice, amend any rule of procedure, introduce a new one or provide for any other measure.

Such measures shall be published in the *Gazette officielle du Québec* and may take effect on the date on which the state of emergency is declared or the situation occurs or on any later date specified in the measures. They are applicable for the period determined by the Minister, which may not exceed one year after the end of the state of emergency or of the situation. If necessary for the proper administration of justice, the Minister may, each year for five years, extend the period before it expires.

Before adopting or extending the measures, the Minister must take into consideration their effects on the rights of individuals and obtain the agreement of the Chief Justice of Québec and the Chief Justice of the Superior Court or the Chief Judge of the Court of Québec, according to their jurisdiction. The Minister must also take into consideration the opinion of the Barreau du Québec and, if applicable, the Chambre des notaires du Québec or the Chambre des huissiers de justice du Québec.

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2020, c. 12, s. 67.
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- **6.** (1) The Government shall appoint by commission a Deputy Minister of Justice.
- (2) The Deputy Minister of Justice shall be *ex officio* the Deputy Attorney General, except where criminal and penal prosecutions are concerned.

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1965 (1st sess.), c. 16, s. 5; 2005, c. 34, s. 59.
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7. The Government, on the recommendation of the Prime Minister, may appoint one or more associate deputy ministers; such deputy ministers shall form part of the civil service as soon as they are appointed.

The Government shall appoint, from among the associate deputy ministers, the Deputy Registrar of Québec; it may also appoint Associate Deputy Registrars from among the civil servants of the department.

Each associate deputy minister shall be *exofficio* an assistant deputy attorney general and shall discharge under the authority of the Minister such duties and functions as he may determine.

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1965 (1st sess.), c. 16, s. 6; 1969, c. 14, s. 44; 1969, c. 26, s. 96; 1982, c. 32, s. 116; 2009, c. 8, s. 12.
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8. The Government shall also appoint, in accordance with the Public Service Act (chapter F-3.1.1), all other officers and employees required for the proper administration of the department.

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1965 (1st sess.), c. 16, s. 7; 1965 (1st sess.), c. 14, s. 81; 1978, c. 15, s. 140; 1983, c. 55, s. 161.
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9. The respective duties of the officers and employees of the department not expressly regulated by law or by the Government shall be determined by the Minister.

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1965 (1st sess.), c. 16, s. 8.
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9.1. (Repealed).

1992, c. 57, s. 616; 1996, c. 21, s. 51.

10. Under the direction of the Minister, the Deputy Minister shall have the supervision of the other officers and employees of the department and shall manage its current business and exercise such other powers as may be assigned to him by the Government.

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1965 (1st sess.), c. 16, s. 9.
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11. The authority of the deputy minister shall be that of the incumbent minister of the department; his orders as deputy minister and Deputy Attorney General must be carried out in the same manner as those of the Minister or of the Attorney General, as the case may be; his official signature shall give force and authority to any document within the jurisdiction of the department, or which under an Act of Québec must be signed by the Minister or the Attorney General.

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1965 (1st sess.), c. 16, s. 10; 1978, c. 15, s. 140.
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11.1. The management by the Minister of the human, physical and financial resources allocated to the courts of justice within the meaning of the Courts of Justice Act (chapter T-16), except those allocated by municipalities to establish and maintain municipal courts, to the bodies every member of which is a judge of the Court of Québec, to the Conseil de la magistrature and to the committee on the remuneration of the judges is subject to the provisions of Chapters III and IV and sections 73, 74, 75 and 78 of the Public Administration Act (chapter A-6.01).

However, sections 53, 75 and 78 do not apply to the management of those resources by the courts and bodies referred to in the first paragraph.

The office of the chief municipal judge and of the coordinating judges or associate coordinating judges does not constitute a body subject to the Public Administration Act.

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2000, c. 8, s. 162; 2006, c. 29, s. 38; I.N. 2015-11-01; 2023, c. 31, s. 53.
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12. (*Repealed*).

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1965 (1st sess.), c. 16, s. 11; 1986, c. 86, s. 28.
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13. In any civil or penal action, any document purporting to be signed by the Minister or Attorney General or by the deputy minister or Deputy Attorney General shall be evidence of its contents and of the capacity of the signatory, until proof to the contrary.

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1965 (1st sess.), c. 16, s. 12; 1986, c. 86, s. 29; 1999, c. 40, s. 184.
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14. No deed, document or writing shall bind the department or be attributed to the Minister or the Attorney General unless signed by him or by the Deputy Minister or Deputy Attorney General, or by another officer duly authorized by the Minister or the Attorney General.

The Government may, however, on conditions fixed by it, allow the required signature to be affixed by means of an automatic device to those documents it determines.

The Government may also allow a facsimile of the required signature to be engraved, lithographed or printed on those documents it determines. In that case, the facsimile has the same value as the signature itself if the document is countersigned by a person authorized by the Minister.

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1965 (1st sess.), c. 16, s. 13; 1978, c. 18, s. 7.
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15. A copy of any document forming part of the archives of the department, certified as a true copy by the Minister or the deputy minister, shall have the same validity as the original.

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1965 (1st sess.), c. 16, s. 14.
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16. The Government may, on the recommendation of the Minister, by commission under the Great Seal, appoint, from among the members of the Barreau du Québec or the Chambre des notaires du Québec, any person it may choose as "Conseiller en loi de l'État du Québec". Any person having exercised the function of Minister of Justice shall *ex officio* bear that title.

Those persons may use that title or the abbreviation "c.l." after their name.

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1965 (1st sess.), c. 16, s. 15; 1977, c. 5, s. 229; 2024, c. 7, s. 29.
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16.1. Within six months following the end of each fiscal year, the Minister shall table a report of the activities of his department for that fiscal year in the National Assembly, if it is in session; if it is not sitting, he shall table it within thirty days after the opening of the next session or after resumption.

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1978, c. 18, s. 8.
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17. Notwithstanding any inconsistent legislative provision, the judicial costs or other fees owed to an advocate or notary in the employ of the Government or a public agency for professional services rendered in the discharge of his office belong to the State or to the public agency and, when recovered, shall be paid into the Consolidated Revenue Fund or to the public agency.

"Public agency" means a legal person or agency to which the National Assembly, the Government or a minister appoints the majority of the members, to which the officers or employees are appointed in accordance with the Public Service Act (chapter F-3.1.1), or at least half of whose capital stock is derived from the Consolidated Revenue Fund.

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1965 (1st sess.), c. 16, s. 16; 1977, c. 5, s. 14; 1977, c. 18, s. 5; 1978, c. 15, s. 140; 1980, c. 11, s. 63; 1983, c. 55, s. 161; 1999, c. 40, s. 184; 2000, c. 8, s. 242; I.N. 2016-01-01 (NCCP).
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18. Any act of the Minister of Justice or of the deputy minister in a matter within the jurisdiction of the Attorney General or of the Deputy Attorney General shall be deemed to be the act of the Attorney General or of the Deputy Attorney General.

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1965 (1st sess.), c. 16, s. 17.
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DIVISION II

Repealed, 1992, c. 57, s. 617.

1992, c. 57, s. 617.

19. (*Repealed*).

1969, c. 78, s. 2; 1982, c. 17, s. 57; 1992, c. 57, s. 617.

19.1. (*Repealed*).

1982, c. 17, s. 58; 1992, c. 57, s. 617.

20. (*Repealed*).

1969, c. 78, s. 2; 1992, c. 57, s. 617.

21. (*Repealed*).

1969, c. 78, s. 2; 1992, c. 57, s. 617.

22. (*Repealed*).

1969, c. 78, s. 2; 1992, c. 57, s. 617.

DIVISION III

REGISTRAR OF QUÉBEC

23. The Minister, in his capacity as Registrar of Québec, shall register all proclamations, commissions, letters patent and documents issued under the Great Seal and all the documents the registration of which is required by the Government.

He shall preserve the registers used for registration purposes under this section and keep them open for the examination of the public.

1969, c. 26, s. 98.

24. It shall be the duty of the Minister to deliver, sign and attest all copies of the registers and documents in his possession.

1969, c. 26, s. 98.

25. The Minister shall register promptly the documents mentioned in section 23, by depositing in a register a copy of each such document with a certificate establishing under his signature that it is an authentic copy of the original and that such copy is deposited for purposes of registration.

On the original document, he shall certify, over his signature, the date of such registration and the number of the volume and folio of the register in which such copy was deposited.

1969, c. 26, s. 98.

26. The Minister shall furnish and deliver copies of such letters patent and of such registrations and enrolments thereof and issue under his signature, to all persons requiring the same, certificates relating to such objects.

1969, c. 26, s. 98.

27. The Government shall make, and whenever it sees fit, amend or replace a tariff of the sums to be paid for the issuing and registering of commissions and documents, and for the delivery of copies certified by the Minister.

1969, c. 26, s. 98; 1991, c. 26, s. 1.

28. Every copy of the registration made at full length of any such letters patent, duly certified as such under the signature of the Minister, shall be authentic and shall be evidence of their registration, and shall have the same effect as the production in court of the said letters patent.

1969, c. 26, s. 98; 1999, c. 40, s. 184.

29. The signature of the Minister on copies of documents, registers and archives shall make proof of the fact that such documents, registers and archives exist and are lawfully in his possession.

Every copy signed by him shall be equivalent to the original itself in any court of justice, and any document or copy purporting to bear his signature is presumed to do so.

1969, c. 26, s. 98; 1999, c. 40, s. 184.

30. The signature of the Deputy Registrar in such capacity and the signature of the Associate Deputy Registrar in such capacity shall give force and authority to any document or registration within the competence of the department.

1969, c. 26, s. 98.

31. Any commissions, letters patent, charters of incorporation and orders or other public documents of any kind, issued by the Government, may be written, typewritten or printed upon ordinary paper.

1969, c. 26, s. 98; 1977, c. 5, s. 14.

32. The Government may regulate the quality and format of the paper used for documents subject to registration by the Minister, the arrangement of the text of such documents, the style of copies to be registered by deposit, the form of certificates of registration and the manner of keeping the registers.

1969, c. 26, s. 98.

DIVISION III.0.1

ACCESS TO JUSTICE FUND

2012, c. 3, s. 1.

32.0.1. The Access to Justice Fund is hereby established within the department.

The purpose of this special fund is to support actions that enhance the public's knowledge and understanding of Québec law and Québec's legal system and help the public to better navigate the system.

2012, c. 3, s. 1.

- **32.0.2.** The Fund is dedicated to financing projects or activities geared to the public that focus on access to justice. Organized by the department or another party, the projects or activities must aim to further any of the following objectives:
 - (1) knowledge and understanding of the law, particularly legislation applicable in Québec;
- (2) knowledge of Québec's network of courts of justice and administrative tribunals, and a better understanding of how it works and of legal and administrative proceedings;

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- (3) the use of various means of preventing or resolving disputes and of more easily obtaining or enforcing judicial or administrative decisions;
- (4) the drafting and dissemination of legal information in simple and clear language or language adapted to a specific clientele;
 - (5) the creation, distribution and use of legal instruments or referral services;
- (6) access to legal services, including services provided free of charge or at a moderate cost by community organizations;
 - (7) the optimal use of legal services;
 - (8) research on access to the law or the justice system and on the public's expectations in that regard; and
 - (9) the improvement, in any way, of the Québec model of access to justice.

2012, c. 3, s. 1.

32.0.3. The following are credited to the Fund:

- (1) the sums transferred to it by the Minister of Justice out of the appropriations granted for that purpose by Parliament;
- (2) the sums collected under article 8.1 of the Code of Penal Procedure (chapter C-25.1), to the extent determined in that article;
- (2.1) the amount of the fines paid under sections 24 to 26 of the Act to promote access to justice through the establishment of the Service administratif de rajustement des pensions alimentaires pour enfants (chapter A-2.02);
- (3) the sums transferred to it by the Minister of Justice out of the sums credited to the general fund up to the amount of the sums paid by the Government of Canada under cost-sharing agreements related to projects or activities financed by the Fund;
- (4) the sums transferred to it by the Minister of Finance under section 53 or 54 of the Financial Administration Act (chapter A-6.001);
 - (5) the gifts, legacies and other contributions paid into it to further the purpose of the Fund; and
 - (6) the revenues generated by the sums credited to the Fund.

2012, c. 3, s. 1; 2012, c. 20, s. 51; 2015, c. 8, s. 346.

32.0.4. The following are debited from the Fund:

- (1) financial assistance granted by the Minister under section 32.0.5; and
- (2) any other expenditure and any costs arising from a financial commitment relating to an investment, required to achieve the purpose of the Fund.

2012, c. 3, s. 1.

32.0.5. The Minister may grant financial assistance to any person or body to facilitate the carrying out of projects or activities described in section 32.0.2.

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The Minister shall determine, by regulation, the conditions for receiving such assistance, and the categories of persons or bodies to which some or all of those conditions do not apply.

2012, c. 3, s. 1.

32.0.6. The Minister shall establish an advisory committee to advise the Minister on the choice of projects or activities submitted under section 32.0.5 and on the priorities and policy directions the Minister should keep in mind when granting financial assistance for carrying out projects or activities.

The committee may, on its own initiative or at the request of the Minister, give an opinion on all questions concerning the Fund.

The committee is composed of five members: one designated by the Barreau du Québec, one designated by the Chambre des notaires du Québec and three designated by the Minister, including one from the university sector, one from the community sector and one to represent the public. The members are appointed for a two-year, renewable term. The Minister shall appoint a committee secretary from among the public servants in the Minister's department.

The Minister shall make public the priorities and policy directions considered when granting financial assistance for carrying out projects or activities, and shall table them before the National Assembly.

2012, c. 3, s. 1.

32.0.7. The Minister shall table before the National Assembly, for each fiscal year, a detailed report on the activities of the Fund.

2012, c. 3, s. 1.

DIVISION III.1

REGISTER FUND OF THE MINISTÈRE DE LA JUSTICE

1991, c. 26, s. 2; 2012, c. 3, s. 2.

- **32.1.** The Register Fund of the Ministère de la Justice is hereby established within the department for the purpose of financing the goods and services provided under the authority of the Minister which relate to
- (1) the registration and publication of documents of the State, personal rights, movable real rights and other documents required by law to be registered and published in the register of personal and movable real rights;
- (2) the certification required to ensure the security of electronic exchanges involving the Government, government departments and government bodies, within the scope of functions delegated pursuant to section 66 of the Public Administration Act (chapter A-6.01), or any other activity arising from functions assigned to the Minister by the Government or from government mandates given to the Minister to ensure that the expertise developed for the register of personal and movable real rights is profitably utilized in matters relating to the security of information technologies;
- (3) any register the keeping of which is the responsibility of the Minister of Justice or of the Personal and Movable Real Rights Registrar;
 - (4) (subparagraph repealed);
 - (5) (subparagraph repealed);

Updated to October 1 2024 © Québec Official Publisher (6) (subparagraph repealed).

1991, c. 26, s. 2; 1996, c. 21, s. 52; 2000, c. 42, s. 190; 2002, c. 20, s. 1; 2011, c. 18, s. 190; 2012, c. 3, s. 3.

- **32.2.** The following are credited to the Fund, exclusive of the interest earned:
 - (1) the sums collected for the goods and services financed by the Fund;
- (2) the sums transferred to it by the Minister of Justice out of the appropriations allocated for that purpose by Parliament;
- (3) the sums transferred to it by the Minister of Finance under sections 53 and 54 of the Financial Administration Act (chapter A-6.001).

1991, c. 26, s. 2; 2000, c. 42, s. 191; 2011, c. 18, s. 191.

32.3. (*Repealed*).

1991, c. 26, s. 2; 2011, c. 18, s. 192.

32.4. (*Repealed*).

1991, c. 26, s. 2; 2000, c. 15, s. 116; 2011, c. 18, s. 192.

32.5. (*Repealed*).

1991, c. 26, s. 2; 2011, c. 18, s. 192.

32.6. (*Repealed*).

1991, c. 26, s. 2; 2011, c. 18, s. 192.

32.7. All surpluses accumulated by the special fund are transferred to the general fund on the dates and to the extent determined by the Government.

1991, c. 26, s. 2; 2011, c. 18, s. 193.

32.8. (*Repealed*).

1991, c. 26, s. 2; 1999, c. 40, s. 184; 2011, c. 18, s. 194.

32.9. (*Repealed*).

1991, c. 26, s. 2; 1991, c. 73, s. 7; 2000, c. 8, s. 163; 2000, c. 15, s. 117; 2011, c. 18, s. 194.

32.10. (*Repealed*).

1991, c. 26, s. 2; 2011, c. 18, s. 194.

DIVISION III.2

Repealed, 2007, c. 34, s. 33.

1996, c. 64, s. 1; 2007, c. 34, s. 33.

32.11. (*Repealed*).

1996, c. 64, s. 1; 2007, c. 34, s. 33.

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32.12. (*Repealed*).

1996, c. 64, s. 1; 2007, c. 34, s. 33.

32.13. (*Repealed*).

1996, c. 64, s. 1; 2007, c. 34, s. 33.

32.14. (Repealed).

1996, c. 64, s. 1; 2007, c. 34, s. 33.

32.15. (*Repealed*).

1996, c. 64, s. 1; 2007, c. 34, s. 33.

32.16. (Repealed).

1996, c. 64, s. 1; 2007, c. 34, s. 33.

32.17. (*Repealed*).

1996, c. 64, s. 1; 2005, c. 7, s. 69; 2007, c. 34, s. 33.

32.18. (*Repealed*).

1996, c. 64, s. 1; 2007, c. 34, s. 33.

32.19. (Repealed).

1996, c. 64, s. 1; 2007, c. 34, s. 33.

32.20. (Repealed).

1996, c. 64, s. 1; 2000, c. 63, s. 1; 2007, c. 34, s. 33.

32.21. (*Repealed*).

1996, c. 64, s. 1; 2007, c. 34, s. 33.

32.22. (Repealed).

1996, c. 64, s. 1; 2007, c. 34, s. 33.

DIVISION III.3

Repealed, 2007, c. 32, s. 13.

2005, c. 24, s. 43; 2007, c. 32, s. 13.

32.23. (*Repealed*).

2005, c. 24, s. 43; 2007, c. 32, s. 13.

32.24. (*Repealed*).

2005, c. 24, s. 43; 2007, c. 32, s. 13.

32.25. (Repealed).

2005, c. 24, s. 43; 2007, c. 32, s. 13.

32.26. (Repealed).

2005, c. 24, s. 43; 2007, c. 32, s. 13.

32.27. (*Repealed*).

2005, c. 24, s. 43; 2007, c. 32, s. 13.

32.28. (Repealed).

2005, c. 24, s. 43; 2007, c. 32, s. 13.

32.29. (Repealed).

2005, c. 24, s. 43; 2007, c. 32, s. 13.

32.30. (Repealed).

2005, c. 24, s. 43; 2007, c. 32, s. 13.

32.31. (Repealed).

2005, c. 24, s. 43; 2007, c. 32, s. 13.

32.32. (*Repealed*).

2005, c. 24, s. 43; 2007, c. 32, s. 13.

DIVISION IV

Note

This Division ceased to have effect on 17 April 1987.

33. (*This section ceased to have effect on 17 April 1987*).

1982, c. 21, s. 1; U. K., 1982, c. 11, Sch. B, Part I, s. 33.

REPEAL SCHEDULE

In accordance with section 17 of the Act respecting the consolidation of the statutes (chapter R-3), chapter 16 of the statutes of 1965 (1st session), in force on 31 December 1977, is repealed, except sections 21 to 24, effective from the coming into force of chapter M-19 of the Revised Statutes.