

An Act respecting the Ministère de la Justice
(chapter M-19)

Extension of measures for ensuring the proper
administration of justice amid the COVID-19
pandemic situation

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THE MINISTER OF JUSTICE,

CONSIDERING section 5.1 of the Act respecting the Ministère de la Justice (chapter M-19), which provides that, 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;

CONSIDERING that that section provides that the measures are to be published in the *Gazette officielle du Québec*, 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, and they are applicable for the period determined by the Minister of Justice, which may not exceed one year after the end of the state of emergency or of the situation;

CONSIDERING that that section provides that the Minister of Justice may, each year for five years, extend the period before it expires if necessary for the proper administration of justice;

CONSIDERING that that section provides that, before extending the measures, the Minister must take into consideration their effects on the rights of individuals, 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, and 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;

CONSIDERING section 12 of the Regulations Act (chapter R-18.1), which provides that a proposed regulation may be made without having been published as provided for in section 8 of that Act, if the authority making it is of the opinion that a reason provided for in the Act under which the proposed regulation may be made warrants it or the urgency of the situation requires it;

CONSIDERING section 13 of that Act, which provides that the reason justifying the absence of prior publication must be published with the regulation;

CONSIDERING section 27 of that Act, which provides that a regulation may take effect before the date of its publication in the *Gazette officielle du Québec* where the Act under which it is made or approved expressly provides therefor;

CONSIDERING that, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency;

CONSIDERING that the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020, until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020, until 20 May 2020 by Order in Council 509-2020 dated 13 May 2020, until 27 May 2020 by Order in Council 531-2020 dated 20 May 2020, until 3 June 2020 by Order in Council 544-2020 dated 27 May 2020, until 10 June 2020 by Order in Council 572-2020 dated 3 June 2020, until

17 June 2020 by Order in Council 593-2020 dated 10 June 2020, until 23 June 2020 by Order in Council 630-2020 dated 17 June 2020, until 30 June 2020 by Order in Council 667-2020 dated 23 June 2020, until 8 July 2020 by Order in Council 690-2020 dated 30 June 2020, until 15 July 2020 by Order in Council 717-2020 dated 8 July 2020, until 22 July 2020 by Order in Council 807-2020 dated 15 July 2020, until 29 July 2020 by Order in Council 811-2020 dated 22 July 2020, until 5 August 2020 by Order in Council 814-2020 dated 29 July 2020, until 12 August 2020 by Order in Council 815-2020 dated 5 August 2020, until 19 August 2020 by Order in Council 818-2020 dated 12 August 2020, until 26 August 2020 by Order in Council 845-2020 dated 19 August 2020, until 2 September 2020 by Order in Council 895-2020 dated 26 August 2020, until 9 September 2020 by Order in Council 917-2020 dated 2 September 2020, until 16 September 2020 by Order in Council 925-2020 dated 9 September 2020, until 23 September 2020 by Order in Council 948-2020 dated 16 September 2020, until 30 September 2020 by Order in Council 965-2020 dated 23 September 2020, until 7 October 2020 by Order in Council 1000-2020 dated 30 September 2020, until 14 October 2020 by Order in Council 1023-2020 dated 7 October 2020, until 21 October 2020 by Order in Council 1051-2020 dated 14 October 2020, until 28 October 2020 by Order in Council 1094-2020 dated 21 October 2020, until 4 November 2020 by Order in Council 1113-2020 dated 28 October 2020, until 11 November 2020 by Order in Council 1150-2020 dated 4 November 2020, until 18 November 2020 by Order in Council 1168-2020 dated 11 November 2020, until 25 November 2020 by Order in Council 1210-2020 dated 18 November 2020, until 2 December 2020 by Order in Council 1242-2020 dated 25 November 2020, until 9 December 2020 by Order in Council 1272-2020 dated 2 December 2020, until 18 December 2020 by Order in Council 1308-2020 dated 9 December 2020, until 25 December 2020 by Order in Council 1351-2020 dated 16 December 2020, until 1 January 2021 by Order in Council 1418-2020 dated 23 December 2020, until 8 January 2021 by Order in Council 1420-2020 dated 30 December 2020, until 15 January 2021 by Order in Council 1-2021 dated 6 January 2021, until 22 January 2021 by Order in Council 3-2021 dated 13 January 2021, until 29 January 2021 by Order in Council 31-2021 dated 20 January 2021, until 5 February 2021 by Order in Council 59-2021 dated 27 January 2021, until 12 February 2021 by Order in Council 89-2021 dated 3 February 2021, until 19 February 2021 by Order in Council 103-2021 dated 10 February 2021, until 26 February 2021 by Order in Council 124-2021 dated 17 February 2021, until 5 March 2021 by Order in Council 141-2021 dated 24 February 2021, until 12 March 2021 by Order in Council 176-2021 dated 3 March 2021, until 19 March 2021 by Order in Council 204-2021 dated 10 March 2021, until 26 March 2021 by Order in Council 243-2021 dated 17 March 2021, until 2 April 2021 by Order in Council 291-2021 dated 24 March 2021, until 9 April 2021 by Order in Council 489-2021 dated 31 March 2021, until 16 April 2021 by Order in Council 525-2021 dated 7 April 2021, until 23 April 2021 by Order in Council 555-2021 dated 14 April 2021, until 30 April 2021 by Order in Council 570-2021 dated 21 April 2021, until 7 May 2021 by Order in Council 596-2021 dated 28 April 2021, until 14 May 2021

by Order in Council 623-2021 dated 5 May 2021, until 21 May 2021 by Order in Council 660-2021 dated 12 May 2021, until 28 May 2021 by Order in Council 679-2021 dated 19 May 2021, until 4 June 2021 by Order in Council 699-2021 dated 26 May 2021, until 11 June 2021 by Order in Council 740-2021 dated 2 June 2021, until 18 June 2021 by Order in Council 782-2021 dated 9 June 2021, until 25 June 2021 by Order in Council 807-2021 dated 16 June 2021, until 2 July 2021 by Order in Council 849-2021 dated 23 June 2021, until 9 July 2021 by Order in Council 893-2021 dated 30 June 2021, until 16 July 2021 by Order in Council 937-2021 dated 7 July 2021, until 23 July 2021 by Order in Council 1062-2021 dated 14 July 2021, until 30 July 2021 by Order in Council 1069-2021 dated 21 July 2021, until 6 August 2021 by Order in Council 1072-2021 dated 28 July 2021, until 13 August 2021 by Order in Council 1074-2021 dated 4 August 2021, until 20 August 2021 by Order in Council 1080-2021 dated 11 August 2021 and until 27 August 2021 by Order in Council 1127-2021 dated 18 August 2021;

CONSIDERING that Order 2020-4304 dated 31 August 2020 provides for measures for ensuring the proper administration of justice amid the COVID-19 pandemic situation;

CONSIDERING that the measures provided for in that Order will cease to have effect on 1 September 2021;

CONSIDERING that the proper administration of justice requires the extension of certain measures provided for in that Order, in particular to ensure the continuity of judicial and notarial services;

CONSIDERING that those measures will have a beneficial effect on the rights of individuals;

CONSIDERING that the Chief Justice of Québec, the Chief Justice of the Superior Court and the Chief Judge of the Court of Québec have given their agreement on the extension of the measures provided for in this Order;

CONSIDERING that the Barreau du Québec and the Chambre des notaires du Québec have been consulted and their opinion has been taken into consideration;

CONSIDERING that the urgency of the situation and the proper administration of justice justify the absence of prior publication of this Order and its coming into force on 1 September 2021, in accordance with section 5.1 of the Act respecting the Ministère de la Justice;

ORDERS AS FOLLOWS:

THAT the effective period of the measures provided for in the first five paragraphs of the operative part of Order 2020-4304 dated 31 August 2020 be extended by one year, that is, from 1 September 2021 to 31 August 2022.

Quebec, 20 August 2021



SIMON JOLIN-BARRETTE
Minister of Justice