

Order 4267 of the Chief Justice of Québec and the Minister of Justice dated 27 March 2020

Code of Civil Procedure
(chapter C-25.01)

CONCERNING the notification of a document by a technological means during the period of the public health emergency declared on 13 March 2020

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THE CHIEF JUSTICE OF QUÉBEC AND THE MINISTER OF JUSTICE, JOINTLY,

CONSIDERING the first paragraph of article 27 of the Code of Civil Procedure (chapter C-25.01) that states that, in a state of emergency declared by the Government, the Chief Justice of Québec and the Minister of Justice may jointly suspend or extend a prescription or procedural period for a specified time, or authorize the use of another means of communication in the manner they specify;

CONSIDERING the second paragraph of the said article that states that their decision takes effect immediately;

CONSIDERING article 85 of the Youth Protection Act (chapter P-34.1), which specifies that Book I of the Code of Civil Procedure applies to applications referred to in chapter V of the said Act;

CONSIDERING order in council 177-2020 dated 13 March 2020, which declares a public health emergency throughout Québec for a period of 10 days;

CONSIDERING order in council 222-2020 dated 20 March 2020, which renews the public health emergency throughout Québec for a period of 10 days;

ORDER AS FOLLOWS:

Until the expiry of the public health emergency provided for in order in council 222-2020 dated 20 March 2020, service of pleadings by bailiff may also be made

by a technological means in accordance with the rules set out in article 133 of the Code of Civil Procedure; the certificate of service must, in addition to the information required under article 119 of the Code, contain the information referred to in the second paragraph of article 134 of the Code.

Under article 133 of the Code of Civil Procedure, during the period referred to in the first paragraph, a party not represented by a lawyer or a notary may not unreasonably refuse to receive a document by a technological means.

If the addressee does not have a technological means at his disposal to receive notification of a document, the other methods of notification provided for in the Code of Civil Procedure may still be used.

If the public health emergency provided for in order in council 222-2020 dated 20 March 2020 is renewed, the measures set out in this order shall be renewed for the same period.

This order takes effect immediately.

Montréal, 27 March 2020



SONIA LEBEL
Minister of Justice

NICOLE DUVAL HESLER
Chief Justice of Québec
Chief Justice of Québec