



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 84
(2021, chapter 13)

**An Act to assist persons who are
victims of criminal offences and to
facilitate their recovery**

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EXPLANATORY NOTES

This Act proposes a reform with respect to assistance for persons who are victims of criminal offences. The purpose of the Act is to recognize the rights of persons who are victims of a criminal offence and establish measures to respond to their needs in order to facilitate their recovery.

Measures are introduced to support persons who are victims who suffer interference with their integrity or material loss due to a criminal offence. Among other things, the Act recognizes the right of persons who are victims to be informed of their rights and of the remedies they can pursue as well as of the assistance measures to which they are entitled. The Minister of Justice is allowed to recognize assistance centres for persons who are victims of criminal offences or other bodies with a similar mission and to grant certain subsidies.

Various types of financial assistance are established. The Act defines which persons who are victims of certain criminal offences are eligible for financial assistance, and establishes a qualification process for them. It specifies, among other things, that a qualification application must be filed within three years after a person who is a victim becomes aware of the injury they suffer. However, an application may be filed at any time if it relates to the commission of a criminal offence involving violence suffered during childhood, sexual violence or spousal violence.

Once persons who are victims qualify as such, they are eligible for payment, according to the category of persons who are victims to which they belong, of one or more of the following types of financial assistance: a lump sum, financial assistance compensating a loss of income, financial assistance compensating certain disabilities, financial assistance for psychotherapeutic or psychosocial rehabilitation, financial assistance for physical rehabilitation, financial assistance for vocational reintegration, financial assistance for social reintegration, financial assistance for medical assistance, and financial assistance in the form of a reimbursement of certain miscellaneous expenses. Other persons, including a person who paid funeral expenses or who assumed certain cleaning costs, are also allowed to receive financial assistance in the form of a reimbursement of miscellaneous expenses. In addition, financial assistance aimed at contributing to the needs of a child born as a result of a sexual aggression is introduced.

The Government is granted various regulatory powers to determine primarily the standards, amounts and terms of such financial assistance. Specific conditions are determined for criminal offences committed outside Québec.

Various powers are granted to the Minister, in particular the power to require a person to undergo an examination by a health professional and the power to require reports from certain health professionals or health and social services institutions. Miscellaneous provisions are included pertaining to decisions rendered by the Minister, mechanisms for reviewing and contesting such decisions, and the possibility of recovering financial assistance.

In addition to the financial assistance provided for, the Act empowers the Minister to establish an assistance program for emergency situations to allow persons whose life or safety is threatened to benefit from measures relating, in particular, to assistance in relocating. A police force is allowed to communicate information to the Minister or to an assistance centre for persons who are victims of criminal offences, and an office dedicated to assisting such persons is created at the Ministère de la Justice.

The Act establishes a fund dedicated to assistance for persons who are victims of criminal offences, and provides for the transfer of the assets and liabilities of the Crime Victims Assistance Fund established under the Act respecting assistance for victims of crime to the new fund.

Lastly, the Act repeals the Act respecting assistance for victims of crime, the Crime Victims Compensation Act and the Act respecting assistance and compensation for victims of crime, amends the Act to promote good citizenship, and contains other amending, transitional and final provisions.

LEGISLATION AMENDED BY THIS ACT:

- Civil Code of Québec;
- Act respecting industrial accidents and occupational diseases (chapter A-3.001);
- Individual and Family Assistance Act (chapter A-13.1.1);
- Automobile Insurance Act (chapter A-25);

- Health Insurance Act (chapter A-29);
- Act respecting the Barreau du Québec (chapter B-1);
- Act to promote good citizenship (chapter C-20);
- Code of Civil Procedure (chapter C-25.01);
- Code of Penal Procedure (chapter C-25.1);
- Professional Code (chapter C-26);
- Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activity (chapter C-52.2);
- Act respecting the Director of Criminal and Penal Prosecutions (chapter D-9.1.1);
- Taxation Act (chapter I-3);
- Act respecting administrative justice (chapter J-3);
- Police Act (chapter P-13.1);
- Youth Protection Act (chapter P-34.1);
- Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2);
- Act respecting the Government and Public Employees Retirement Plan (chapter R-10);
- Act respecting the Teachers Pension Plan (chapter R-11);
- Act respecting the Civil Service Superannuation Plan (chapter R-12);
- Act respecting the Pension Plan of Management Personnel (chapter R-12.1);
- Act respecting health services and social services (chapter S-4.2);
- Act respecting the Québec correctional system (chapter S-40.1).

LEGISLATION REPEALED BY THIS ACT:

- Act respecting assistance for victims of crime (chapter A-13.2);
- Crime Victims Compensation Act (chapter I-6);
- Act respecting assistance and compensation for victims of crime (1993, chapter 54).

REGULATIONS AMENDED BY THIS ACT:

- Regulation respecting financial assistance (chapter A-3, r. 1);
- Regulation respecting social stabilization and economic stabilization programs (chapter A-3.001, r. 14);
- Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1);
- Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1);
- Regulation respecting legal aid (chapter A-14, r. 2);
- Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5);
- Regulation under the Act respecting parental insurance (chapter A-29.011, r. 2);
- Arrêté ministériel concernant la reconnaissance des services d'aide aux victimes aux fins de l'article 417 du Code de procédure civile (chapter C-25.01, r. 7, French only);
- Regulation respecting the form of statements of offence (chapter C-25.1, r. 1);
- Letters patent constituting the Ordre professionnel des criminologues du Québec (chapter C-26, r. 90.1);
- Regulation respecting the Taxation Act (chapter I-3, r. 1);
- Orientations et mesures du ministre de la Justice en matière d'affaires criminelles et pénales (chapter M-19, r. 1, French only);

- Regulation respecting the police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction (chapter P-13.1, r. 6);
- Regulation respecting the issuance of competency certificates (chapter R-20, r. 5);
- Regulation respecting complementary social benefit plans in the construction industry (chapter R-20, r. 10);
- Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S-4.2, r. 5.1);
- Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions (chapter S-4.2, r. 5.2);
- Organization and Management of Institutions Regulation (chapter S-5, r. 5).

Bill 84

AN ACT TO ASSIST PERSONS WHO ARE VICTIMS OF CRIMINAL OFFENCES AND TO FACILITATE THEIR RECOVERY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

TITLE I

PURPOSE

1. The purpose of this Act is to recognize the rights of persons who are victims of a criminal offence and to establish measures to respond to their needs in order to facilitate their recovery. To that end, it establishes an assistance plan enabling them to obtain appropriate support that is coherent with the other plans responding to their needs, in particular by entitling them to efficient, fair and impartial services and to financial assistance.

TITLE II

SUPPORT FOR PERSONS WHO ARE VICTIMS

CHAPTER I

RIGHTS OF PERSONS WHO ARE VICTIMS

2. For the purposes of this Title, persons who are victims are natural persons who, due to the commission of a criminal offence against them or another person, suffer interference with their physical or mental integrity or material loss, whether or not the perpetrator of the offence is identified, arrested, prosecuted or found guilty.

3. Persons who are victims must be treated with compassion, courtesy, fairness and understanding and with respect for their dignity and privacy. They have the right to be assisted and supported.

4. To the extent provided for by law, persons who are victims have the right to be informed of, among other things,

- (1) their rights and the remedies they can pursue to assert them;
- (2) the assistance measures provided for by this Act or by any other Act;

(3) the health services and social services and any support, prevention or protection services available in their community and through which they can obtain the medical, psychological or social assistance required; and

(4) any complaint processing procedure referred to in section 9 and the outcome of their complaint, if applicable.

5. Persons who are victims have the right, taking into account the resources available and to the extent provided for by law,

(1) to receive the medical, psychological or social assistance required by their condition and the other support services appropriate for their needs with respect to shelter and assistance as well as referral to other services that can help them;

(2) to receive the rehabilitation services required by their condition and enabling them to move on with their lives or facilitating their social or vocational reintegration; and

(3) to benefit from measures protecting them from intimidation tactics and reprisals.

6. Persons who are victims have the right, as regards the criminal offence that led to the interference with their integrity or to their material loss,

(1) to receive, in a prompt and fair manner, reparation for the interference suffered or financial assistance, if applicable;

(2) to be informed, on request, of the progress and outcome of the police investigation, as far as possible and subject to the public interest;

(3) to have due consideration given to their views and concerns where their rights are affected;

(4) to have their safety taken into consideration by the persons responsible for enforcing the law;

(5) to be informed of testimonial aids;

(6) to have their seized property returned to them as soon as possible where its retention is no longer necessary for the purposes of the administration of justice;

(7) to be informed of their role and participation in any judicial proceedings as well as of the progress and outcome of those proceedings and of any decision that concerns them;

(8) to be informed of the adaptation and restorative justice programs available;

(9) to be informed of any hearing held to determine the fitness or unfitness of the accused, presumed perpetrator of the criminal offence of which they are a victim, to stand trial;

(10) to be informed of any hearing that could lead to the perpetrator of the criminal offence being found not criminally responsible on account of mental disorder, or of any hearing held following such a finding;

(11) to have due consideration given to their statement made under section 672.541 or section 722 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) or under any other provision of that Code that prescribes the consideration of a statement of the person who is the victim;

(12) to have a court consider making a restitution order against the perpetrator of the criminal offence in accordance with section 737.1 of the Criminal Code;

(13) to be informed of any hearing held to determine whether the perpetrator of the criminal offence of which they are a victim is a high-risk accused;

(14) to receive communication, in accordance with the terms set out in Chapter V of the Act respecting the Québec correctional system (chapter S-40.1), of the information mentioned in section 175 of that Act including the information relating to the release of the offender responsible for the offence of which they were a victim and to make written representations in that respect; and

(15) to be informed of any review provided for by the Corrections and Conditional Release Act (Statutes of Canada, 1992, chapter 20) that concerns the conditional release of the offender responsible for the offence and to be informed of the time and conditions of that release.

The rights provided for in the first paragraph must be exercised in accordance with the laws governing them where such laws provide a framework for those rights.

CHAPTER II

SUPPORT SERVICES FOR PERSONS WHO ARE VICTIMS

7. The Minister may recognize assistance centres for persons who are victims of criminal offences that are composed of community groups or organizations and that participate in the implementation of assistance and support programs for such persons. The Minister may also recognize other organizations having a similar mission.

8. The Minister may grant a subsidy to any person or organization that meets the conditions prescribed by a government regulation and that promotes the development and maintenance of services and programs offered to persons who are victims of criminal offences.

The Minister may also grant a subsidy to any person or organization that meets the conditions prescribed by a government regulation and that promotes research on any matter pertaining to assistance or support for, or the exercise of the rights of, persons who are victims of criminal offences or that promotes support for such persons as well as the development and implementation of information, awareness and training programs.

9. Any government department or any body that meets the conditions prescribed by a government regulation must adopt a statement that sets out each of the services it offers to persons who are victims or each of the activities that cause it to intervene with such persons. That statement must comply with the conditions prescribed by the regulation.

In addition, the government department or the body must establish a procedure for receiving and examining complaints filed by persons who are victims regarding the services it offers or the activities mentioned in the first paragraph, and include the procedure in its service statement. The procedure identifies a person responsible for receiving complaints.

The government department or the body makes the statement available at all times by publishing it on its website or, if it does not have a website, by providing a copy of the statement to any person who requests it. The government department or the body must inform any person who is a victim of the existence of the service statement and of the complaint processing procedure that it includes.

On the adoption of its service statement, the government department or the body sends a copy of it to the office dedicated to assisting persons who are victims of criminal offences established under section 10.

Not later than the date set in a government regulation, the government department or the body sends the office the number of complaints received for the year preceding that date as well as the nature and outcome of the complaints. The sending must be done as prescribed by the regulation and provide the information required, including information making it possible to know the changes made by the government department or the body following a complaint.

The Minister may verify a government department's or a body's compliance with its obligations to adopt the service statement and establish the complaint processing procedure required under this section. The Minister may also designate a person in writing to conduct the verification.

The government department or the body being verified must, at the request of the Minister or the person designated to conduct the verification, send or otherwise make available to the Minister or the designated person all documents or information considered necessary for the purposes of the verification.

The Minister may, in writing, require the government department or the body to take corrective measures within the time the Minister specifies, conduct any appropriate follow-up or comply with other measures, including oversight or support measures.

10. An office dedicated to assisting persons who are victims of criminal offences is established at the Ministère de la Justice. The office is composed of public servants designated by the Minister.

The mandate of the office is to promote the rights of persons who are victims of criminal offences as well as the assistance and support services offered to them under this Title and to see to the protection of the rights of such persons.

To carry out its mandate, the office may

- (1) promote the rights of persons who are victims of criminal offences;
- (2) facilitate the transmission of information to persons who are victims of criminal offences;
- (3) assist the government departments and the bodies referred to in section 9 in developing their service statement and complaint processing procedure;
- (4) see to it that those government departments and those bodies comply with their obligation to disseminate their service statement in accordance with the third paragraph of section 9;
- (5) assist persons who are victims of criminal offences during their complaint process with regard to those government departments and those bodies;
- (6) develop, implement, evaluate and review programs and services;
- (7) advise the Minister on any matter concerning assistance or support for persons who are victims of criminal offences;
- (8) disseminate documentation and establish information, awareness and training programs or activities pertaining to the rights and needs of persons who are victims and the services available to them, as well as facilitate such dissemination and establishment by third parties;
- (9) see to the coordination of programs and services and to concerted action between persons, government departments and bodies;
- (10) facilitate the carrying out and dissemination of research, studies and analyses under a subsidy program to promote research, information, awareness and training pertaining to assistance for persons who are victims of criminal offences; and

(11) promote and coordinate the creation and development of assistance centres for persons who are victims of criminal offences, including by providing community groups or organizations with the technical and professional support required for their establishment and operation.

In addition, the office carries on any activity entrusted to it by the Minister with a view to facilitating the application of this Act.

II. A fund dedicated to assistance for persons who are victims of criminal offences is established at the Ministère de la Justice to finance assistance and support programs and services under this Title for persons who are victims of criminal offences.

12. The following sums are credited to the fund:

(1) the sums transferred to it by the Minister out of the appropriations granted for that purpose by Parliament;

(2) the victim surcharges collected under section 737 of the Criminal Code;

(3) the sums collected under article 8.1 of the Code of Penal Procedure (chapter C-25.1), to the extent determined by the Code;

(4) the gifts, legacies and other contributions paid into the fund to further the achievement of its objects;

(5) the sums transferred to the fund by the Minister of Finance under section 54 of the Financial Administration Act (chapter A-6.001);

(6) the sums transferred to the fund by the Minister of Finance under section 14;

(7) the sums from the sharing of proceeds of crime or goods confiscated by the State following a civil forfeiture of property derived from unlawful activity under the Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activity (chapter C-52.2); and

(8) the revenues generated by the sums credited to the fund, except the sums referred to in paragraphs 1 and 6.

13. The following sums are debited from the fund:

(1) the sums required for the financing of assistance and support programs and services under this Title for persons who are victims of criminal offences;

(2) the subsidies granted by the Minister under section 8; and

(3) the payment of any expense necessary for the carrying out of a function entrusted to the office dedicated to assistance for persons who are victims of criminal offences.

14. The Minister of Finance transfers to the fund, out of the sums credited to the general fund, at the intervals the Minister determines, the sums sufficient to make up the difference between the sums necessary for the administration of the provisions of this Title and the sums in the fund.

TITLE III

FINANCIAL ASSISTANCE

CHAPTER I

GENERAL PROVISIONS

DIVISION I

PERSONS WHO ARE VICTIMS

15. For the purposes of this Title, the following persons who are victims are entitled to financial assistance, according to the terms prescribed by this Title:

(1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;

(2) a parent of a child who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the child, or a person having parental authority over the child;

(3) a child of a parent who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the parent, or a child over whom a person who is deceased or suffers such interference has parental authority;

(4) the spouse of a person who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the person;

(5) a dependant of a person who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the person;

(6) a close relation of a person who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the person; and

(7) a witness to the commission of a criminal offence or to the intact scene of the offence.

A witness referred to in subparagraph 7 of the first paragraph includes

(1) any person referred to in any of subparagraphs 2 to 6 of that paragraph who is a witness to the physical place where the criminal offence was committed against the person mentioned in those subparagraphs who is deceased or suffers

the interference while the latter person and a police officer, peace officer, firefighter, pre-hospital emergency service ambulance technician or any other first responder are still at that place;

(2) any witness who is not at the scene when the offence is committed but who is nonetheless a witness due to being in communication with the person who is a victim referred to in subparagraph 1 of the first paragraph or with the perpetrator of the offence, provided the communication

(a) is made using a technological means;

(b) involves an active exchange between the witness and the person who is a victim or the perpetrator of the offence;

(c) is made without any interruptions other than the intervals required to prepare and send or receive the next element of the exchange; and

(d) allows the witness to observe the offence, at the time of its commission, either visually, auditorily or through reading.

The intact scene corresponds to the physical place where a criminal offence was committed, as it is before a first responder mentioned in subparagraph 1 of the second paragraph arrives at that place.

16. The following persons are, as a result of a civic intervention, considered as persons who are victims who are entitled to financial assistance, according to the terms prescribed by this Title:

(1) an intervening person who suffers interference with their integrity while arresting or attempting to arrest an offender or suspected offender or while assisting a peace officer making or attempting to make an arrest, where the circumstances of the arrest involve a criminal offence;

(2) an intervening person who suffers interference with their integrity while preventing or attempting to prevent the commission of a criminal offence or what the person believes to be such an offence or while lending assistance to a peace officer preventing or attempting to prevent the commission of such an offence or what the peace officer believes to be such an offence;

(3) a parent of a child who is deceased or suffers interference with their integrity, in a case where the child is an intervening person referred to in paragraph 1 or 2, or a person having parental authority over the child;

(4) a child of an intervening person referred to in paragraph 1 or 2 who is deceased or suffers interference with their integrity, or a child over whom such an intervening person who is deceased or suffers such interference has parental authority;

(5) the spouse of a person who is deceased or suffers interference with their integrity, in a case where the person is an intervening person referred to in paragraph 1 or 2;

(6) a dependant of a person who is deceased or suffers interference with their integrity, in a case where the person is an intervening person referred to in paragraph 1 or 2; and

(7) a close relation of a person who is deceased or suffers interference with their integrity, in a case where the person is an intervening person referred to in paragraph 1 or 2.

For the purposes of the provisions of this Act that apply to the persons referred to in this section, whenever one of those provisions deals with the commission of a criminal offence, the intervention described in subparagraph 1 or 2 of the first paragraph is deemed to be that commission.

17. In addition to the conditions set out in sections 15 and 16, in order for the persons who are victims mentioned in those sections to be granted the financial assistance provided for in this Title, the interference with the integrity of the person referred to in subparagraph 1 of the first paragraph of section 15 or in subparagraph 1 or 2 of the first paragraph of section 16 or the death of such a person must have occurred in Québec.

18. For the purposes of this Title,

“**close relation**” means, in relation to a person who is a victim, their brother, sister, grandparent or grandchild, a child of their spouse, the spouse of their parent, a child of the spouse of their parent, or the significant person designated either by a person who is a victim who suffers interference with their integrity due to the commission of a criminal offence against the latter or by an intervening person, as applicable; where the person who is a victim or the intervening person is under 14 years of age, such a designation is made by their parent, a person having parental authority over them or any other person of full age entrusted with representing them for that purpose and, where the person who is a victim or the intervening person is deceased, the significant person is the one who demonstrates a significant bond with the person or intervening person who is deceased;

“**criminal offence**” means any offence under the Criminal Code committed after 1 March 1972 and causing a person to suffer interference with their physical or mental integrity; a criminal offence against property is therefore excluded;

“**dependant**” means any person more than 50% of whose needs are provided for by the person who is a victim who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the latter;

“**spouse**” means a person who is in either of the following situations:

(1) the person is married to or in a civil union with a person who is a victim; or

(2) the person has been sharing a community of life with a person who is a victim for at least three years, or shares a community of life with such a person and

(a) a child has been born or is to be born of their union;

(b) they have adopted a child together; or

(c) one of them has adopted a child of the other.

For the purposes of this Title, a person who disappears under circumstances that lead to believe that their death is probable and that the disappearance results from the commission of a criminal offence is presumed to be deceased.

Where a provision of this Act refers to a parent, the reference does not cover a parent who is deprived of parental authority or, in the case of a child of full age, a parent who was deprived of parental authority when the child reached full age.

DIVISION II

MISCELLANEOUS PROVISIONS

19. Unless otherwise indicated, where a health assessment is required under this Title, it must be carried out by a health professional determined by a government regulation.

The regulation may provide that such an assessment may be carried out by different professionals, based on the type of financial assistance concerned. The regulation may also prescribe the information that must accompany the health assessment.

Where this Title refers to a health professional, the reference is to a health professional determined by the regulation.

Subject to section 75, a person has the right to consult any health professional, provided the person's choice complies with the regulatory provisions.

20. Financial assistance provided for in this Title may be granted whether or not the perpetrator of the criminal offence has been identified, arrested, prosecuted or found guilty.

21. No person who is a victim is entitled to financial assistance under this Title if they were a party to the commission of the criminal offence of which they are a victim or of which a person referred to in subparagraph 1 of the first

paragraph of section 15 is a victim, or if they contributed, by committing a gross fault, to the interference with their integrity or to the death or interference with the integrity of that person, except

(1) if the person who is a victim was a party to the commission of the offence or contributed, by committing a gross fault, to the interference with their integrity or to the death or interference with the integrity of another person because the person who is a victim was experiencing violence or a threat of violence; or

(2) in the case of a child under 12 years of age, an incapable child or an incapable dependant of a person who is a victim who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the latter.

The spouse or close relation of a person who is a victim or the parent of a person of full age who is a victim is not entitled to any financial assistance provided for in this Title if the person who is a victim who is deceased or suffers interference with their integrity due to the commission of a criminal offence was a party to the commission of that offence or contributed, by committing a gross fault, to the interference with their integrity or to their death. However, such a spouse, close relation or parent remains eligible for financial assistance if they were experiencing violence or a threat of violence.

This section does not apply to a person who files an application due to the spousal violence or sexual violence of which they are a victim.

22. A person who is a victim who qualifies as such under more than one subparagraph of the first paragraph of section 15 or the first paragraph of section 16 is entitled to all the types of financial assistance provided for in this Title for each category of persons who are victims described in those subparagraphs, provided that, where the same type of assistance is offered for more than one category, it is payable with regard to only one category and the person who is a victim is entitled to the most advantageous assistance.

DIVISION III

QUALIFICATION APPLICATION

23. Every person who is a victim must be qualified to obtain financial assistance under this Title. To that end, they must file an application with the Minister to be qualified as a person who is a victim within the meaning of section 15 or 16.

For the purpose of filing a qualification application, the person who is a victim has the right to receive all information relating to the assistance the person is entitled to obtain under this Title. Likewise, throughout the application examination procedure, the person is entitled to be informed of the progress of the examination of the application.

24. A qualification application is filed in accordance with the conditions, standards and terms prescribed by a government regulation.

25. A qualification application must be filed within three years after the date on which the person who is a victim becomes aware of the injury they suffer due to the commission of the criminal offence or within three years after a death due to the commission of a criminal offence, as applicable.

A person who is a victim who fails to file the application within the prescribed time is presumed to have waived the right to any financial assistance provided for in this Title. This presumption may be rebutted if the person demonstrates reasonable cause to explain the delay.

Despite the first paragraph, a qualification application may be filed at any time if it relates to the commission of a criminal offence involving violence suffered during childhood, sexual violence or spousal violence.

Awareness of the injury corresponds to the moment the person who is a victim becomes aware of the probable connection between their injury and the commission of the offence.

For the purposes of this section, an application is considered filed if it is complete, that is, if it provides all the information and documents required to qualify the person who is a victim.

26. A child who is a victim 14 years of age or over may file a qualification application alone.

If a parent of a child who is a victim under 14 years of age, or a person having parental authority over such a child, refuses or neglects to apply for qualification or is the perpetrator of the criminal offence that led to the qualification application, another person of full age may file the application for the child.

27. The qualification of a person who is a victim allows them to be granted any financial assistance for which they are eligible under this Title on meeting the prescribed conditions.

28. Nothing in this Act affects the right of a person who is a victim who has chosen to file a qualification application under this Title to recover from any person responsible for the injury suffered the amounts required to make up, with the financial assistance received, an amount equivalent to the loss actually sustained.

29. An application filed under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25) or the Act to promote good citizenship (chapter C-20) that is refused on the ground that it should have been filed under this Title is nevertheless deemed to have been validly filed under this Title.

30. A qualification application interrupts the prescription, provided for in the Civil Code, of the action by the person who is a victim for reparation of their injury until the day the Minister or, as applicable, the Administrative Tribunal of Québec renders a decision on the application.

31. A person who is a victim who filed a qualification application must notify the Minister without delay of any change in their situation that affects their qualification or their entitlement to financial assistance or that may affect the amount of that assistance.

The person must notify the Minister according to the conditions, standards and terms prescribed by a government regulation.

32. On the submission of a qualification application, the Minister is subrogated by operation of law to the rights of the person who is a victim up to the amount the Minister may be called on to pay to the person. The Minister may, in the Minister's own name or in the name of the person, continue or institute a judicial application.

If the person chooses to take advantage of financial assistance under this Title, any agreements or compromises reached between the parties in relation to a judicial application or to the right to such an application are without effect until ratified by the Minister; payment of the amount agreed on or awarded must be made only in the manner indicated by the Minister.

A person who wilfully prevents the Minister from exercising a recourse as subrogee is required to repay the amount of the financial assistance received from the Minister. The Minister may recover that debt within three years after being deprived of the recourse.

An amount recovered under this section must be paid into the Consolidated Revenue Fund.

Before exercising the recourse as subrogee provided for by this section to recover an amount the Minister paid to a person referred to in subparagraph 1 of the first paragraph of section 15 who was a victim of spousal violence or sexual violence, the Minister must obtain the consent of the person who is a victim, unless the person is deceased.

DIVISION IV

OTHER PROVISIONS

33. A person who is a victim may either obtain financial assistance under this Title or bring a judicial application against any person responsible for the injury they suffer. The person may not receive both assistance under this Title and a sum awarded and collected for the same objects, sequelae or injuries. Any sum so awarded and collected, after deduction of the amounts incurred to obtain it, is deducted from the assistance paid under this Title or is reimbursed to the Minister.

The person who is a victim must, after bringing a judicial application, notify the Minister of any sum awarded, sum collected and amount incurred referred to in the first paragraph.

However, if the sum so awarded or so collected is less than the amount of financial assistance the person could have obtained under this Title, they may, to make up the difference, be granted financial assistance provided for in this Title by filing an application to that effect with the Minister within the year following the date of the judgment; if the criminal offence concerned involves violence suffered during childhood, sexual violence or spousal violence, the application may be filed at any time.

The person must notify the Minister under the second paragraph or file the application provided for in the third paragraph according to the conditions, standards and terms prescribed by a government regulation.

In addition, a person who is a victim who, after filing a qualification application, brings a judicial application against any person responsible for the injury they suffer must notify the Minister. The notice must be served on the Minister by a bailiff as soon as possible in the course of the proceeding, but at least 30 days before the case is ready for trial; the notice must be accompanied by all pleadings already filed in the record. The Minister may become a party to the proceeding without further formality and may file conclusions with the court, in which case the court must rule on them.

34. The financial assistance to which a minor child is entitled is paid to the child's parent, the person having parental authority over the child or the child's tutor, unless the child is 14 years of age or over and has filed the qualification application alone.

If the parent, person having parental authority or tutor is the perpetrator of the criminal offence that led to the entitlement to the financial assistance, that assistance is paid solely to the other parent, to another person having parental authority or to another tutor or, if there is no such other person, to another person of full age designated by the Minister. The designated person has, with respect to the administration of the financial assistance, the powers and duties of a tutor.

If an incapable person of full age is entitled to payment of financial assistance, the assistance is paid to the person's tutor, curator or mandatary, as applicable, or, if there is no tutor or curator, to a person designated by the Minister; that person has the powers and duties of a tutor or curator, as applicable.

Notice is given to the Public Curator of any financial assistance with regard to an incapable person or to a minor child.

35. The financial assistance paid under this Title or under Title IV is unassignable and unseizable.

However, financial assistance compensating a loss of income or financial assistance compensating certain disabilities paid to a person who is a victim is deemed to be their salary and is seizable as a support debt in accordance with articles 694 and following of the Code of Civil Procedure (chapter C-25.01), with the necessary modifications.

CHAPTER II

LUMP SUM

DIVISION I

ELIGIBLE PERSONS WHO ARE VICTIMS

36. The following qualified persons who are victims are, in accordance with a government regulation and subject to section 37, eligible for payment of a lump sum:

(1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;

(2) a parent of a minor child who is deceased due to the commission of a criminal offence against the child, or a person who had parental authority over the child;

(3) a parent of a child of full age who is deceased due to the commission of a criminal offence against the child if, at the time of death, the child did not have a spouse or child or, despite the child having a spouse or child, the child's parent provided for more than 50% of the child's needs;

(4) a child of a parent who is deceased due to the commission of a criminal offence against the parent, or a child over whom a person who is deceased due to the commission of a criminal offence had parental authority;

(5) the spouse of a person who is deceased due to the commission of a criminal offence against the person;

(6) a dependant of a person who is deceased due to the commission of a criminal offence against the person;

(7) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16;

(8) a parent of a minor child who is deceased, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person who had parental authority over the child;

(9) a parent of a child of full age who is deceased, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, if, at the time of death, the child did not have a spouse or child or, despite the child having a spouse or child, the child's parent provided for more than 50% of the child's needs;

(10) a child of a parent who is deceased, in a case where the parent is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a child over whom such an intervening person who is deceased had parental authority;

(11) the spouse of a person who is deceased, in a case where the person was an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and

(12) a dependant of a person who is deceased, in a case where the person was an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16.

The spouse referred to in subparagraph 5 or 11 of the first paragraph or the dependant referred to in subparagraph 6 or 12 of that paragraph is the one who, at the time of death of the person mentioned in those subparagraphs, meets the conditions for “**spouse**” or “**dependant**” set out in the first paragraph of section 18.

For the purposes of this division, a child yet unborn at the time of the death is considered to be a child who is entitled to the lump sum under subparagraph 4 or 10 of the first paragraph, as applicable, due to the death of the person mentioned in those subparagraphs, if the child is born alive and viable.

An eligible person who is a victim is entitled to the lump sum established in accordance with a government regulation, according to the conditions, standards, amounts and terms prescribed in the regulation.

37. In addition to the conditions prescribed by a government regulation, a person who is a victim mentioned in subparagraph 1 or 7 of the first paragraph of section 36 is eligible for payment of a lump sum if a health assessment reveals

(1) that they suffer injury, consisting in loss of enjoyment of life, pain, mental suffering or other unfavourable consequences suffered due to the commission of a criminal offence against them or consisting in functional or cosmetic impairment due to the commission of that offence; and

(2) that they suffer permanent sequelae caused by that injury.

A person who is a victim mentioned in any of the other subparagraphs of the first paragraph of section 36 is entitled to payment of a lump sum due to the death of the person mentioned in those subparagraphs.

DIVISION II

ESTABLISHMENT AND PAYMENT OF LUMP SUM

38. The Government prescribes, by regulation, the method for establishing the lump sum. That sum may vary according to the person who is a victim or to any other criteria the Government determines.

The amounts considered for the establishment of the lump sum are those in force on the date the lump sum is established.

39. The lump sum is established after a health assessment confirms the sequelae of injuries for which there is no possibility of significant improvement or after the death is pronounced or presumed.

In the case of a lump sum for the sequelae of injuries, the lump sum is established and paid for each sequela after the health assessment has confirmed that improvement of the sequela is impossible.

Despite the first paragraph, the lump sum may, in accordance with the regulation, include an amount that covers loss of enjoyment of life, pain, mental suffering or other unfavourable consequences that were temporary.

40. The lump sum is paid after it is established.

At the request of an eligible person who is a victim, the lump sum may be paid over a 12-month or 24-month period, in the form of equal periodic payments, that together correspond to the amount of the lump sum, to which interest determined by a government regulation is added. The terms of payment are prescribed in the regulation.

41. If the sequelae confirmed under section 39 worsen, the person who is a victim may have the worsening recognized and request a re-assessment of the lump sum established.

The re-assessment is carried out after a health assessment confirms the worsening of the sequelae for which there is no possibility of significant improvement.

CHAPTER III

FINANCIAL ASSISTANCE COMPENSATING A LOSS OF INCOME OR FINANCIAL ASSISTANCE COMPENSATING CERTAIN DISABILITIES

DIVISION I

ELIGIBLE PERSONS WHO ARE VICTIMS

42. The following qualified persons who are victims are, in accordance with a government regulation, eligible for payment of financial assistance compensating a loss of income or financial assistance compensating certain disabilities:

(1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;

(2) a parent of a minor child who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the child, or a person having parental authority over the child;

(3) a witness to the commission of a criminal offence or to the intact scene of the offence after it was committed, within the meaning of subparagraph 7 of the first paragraph of section 15;

(4) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and

(5) a parent of a minor child who is deceased or suffers interference with their integrity, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person having parental authority over the child.

The regulation provided for in the first paragraph prescribes the other standards and terms relating to financial assistance compensating a loss of income or financial assistance compensating certain disabilities.

43. A person who is a victim mentioned in section 42 is eligible for financial assistance compensating a loss of income if

(1) at the time of the health assessment mentioned in subparagraph 2, they

(a) held an employment, performed work or assumed the functions of an occupation from which they derived an income;

(b) had an employment relationship with an employer and the first day of employment or day of return to work was determined or foreseeable; or

(c) held an employment, performed work or assumed the functions of an occupation from which they derived an income within the 12-month period preceding the health assessment referred to in paragraph 2 and have ceased to hold that employment, perform that work or assume the functions of that occupation due to the commission of the criminal offence of which they are a victim;

(2) a health assessment confirms that, due to the commission of the criminal offence of which they are a victim, they are unable to hold their employment, perform their work or assume the functions of their occupation from which they derived an income and that employment or work or those functions are referred to in any of subparagraphs *a* to *c* of paragraph 1; and

(3) the application for financial assistance compensating a loss of income is filed within 12 months after the health assessment.

44. A person who is a victim mentioned in section 42 is eligible for financial assistance compensating certain disabilities if

(1) at the time of the health assessment mentioned in subparagraph 2, they were in none of the situations referred to in subparagraphs *a* to *c* of paragraph 1 of section 43;

(2) a health assessment confirms that, due to the commission of the criminal offence of which they are a victim, they are unable to perform the majority of their usual activities as described in a government regulation and they meet the other conditions prescribed in that regulation; and

(3) the application for financial assistance compensating certain disabilities is filed within 12 months after the health assessment.

DIVISION II

ESTABLISHMENT AND PAYMENT OF FINANCIAL ASSISTANCE COMPENSATING A LOSS OF INCOME OR OF FINANCIAL ASSISTANCE COMPENSATING CERTAIN DISABILITIES

45. Financial assistance compensating a loss of income is established considering, as applicable, according to the most advantageous situation and subject to the conditions prescribed by a government regulation,

(1) the net annual income the person who is a victim earned, at the time of the health assessment, from their employment, work or occupation;

(2) the net income the person obtained during the 12 months preceding the health assessment;

(3) the net annual income the person would earn from their employment if, at the time of the health assessment, they had held the employment for which they have an employment relationship with an employer and for which the first day of employment or day of return to work was foreseeable; or

(4) the income determined by a government regulation.

The net income of the person that is referred to in any of subparagraphs 1 to 3 of the first paragraph is equal to their gross income for the year derived from an employment, work or occupation and for which the applicable fiscal laws are complied with, less an amount equivalent to the income tax established under the Taxation Act (chapter I-3) and the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement), the employee's premium payable under the Act respecting employment insurance in Canada (Statutes of Canada, 1996, chapter 23), the worker's premium established under the Act respecting parental insurance (chapter A-29.011) and the worker's contribution established under the Act respecting the Québec Pension Plan (chapter R-9); the net income is calculated according to the method determined in section 63 of the Act respecting industrial accidents and occupational diseases, with the necessary modifications.

For the purposes of the second paragraph, the gross income that, through concealment, eludes the payment of taxes and social contributions, is deemed equal to zero.

For the purposes of the deductions provided for in the second paragraph, whether or not the person has a spouse or dependants on the date of the application, and, if applicable, the number of dependants, are taken into account.

If the person who is in the situation referred to in subparagraph 2 of the first paragraph received employment insurance benefits, salary insurance benefits, parental insurance benefits or income replacement indemnities from the Commission des normes, de l'équité, de la santé et de la sécurité du travail or from the Société de l'assurance automobile du Québec or received any other benefit or indemnity intended to compensate a loss of income during that period, those benefits and indemnities must be considered in calculating the gross income established on the basis of the 12 months preceding the disability.

If a person who is in a situation described in either subparagraph *a* or *b* of paragraph 1 of section 43 is receiving employment insurance or parental insurance benefits, payment of financial assistance compensating a loss of income is, as chosen by the person, made immediately or suspended until those benefits cease to be paid.

46. Financial assistance compensating certain disabilities is established considering the income determined by a government regulation.

47. Where it is shown, after payment of financial assistance compensating a loss of income has begun, that the gross income considered for the purpose of establishing the financial assistance, under any of subparagraphs 1 to 3 of the first paragraph of section 45, for the year concerned is not the actual gross income to be considered, the establishment of the financial assistance is revised.

For the purposes of this section, the Minister may require any person who is a victim to provide, in the year following the year in which the financial assistance was established, proof of their gross income for the year concerned. Such proof may be in the form of any document that supports such income, including the notice of assessment for the fiscal return filed for the preceding year in accordance with section 1000 of the Taxation Act or any similar document produced by a competent fiscal authority.

48. Financial assistance compensating a loss of income is annual and is equivalent to 90% of the income established in accordance with section 45.

Despite the first paragraph, if the person's gross income used to calculate the net income provided for in any of subparagraphs 1 to 3 of the first paragraph of section 45 exceeds the amount determined by a government regulation, the financial assistance is equivalent to 90% of the net income established on the basis of that amount. The third, fourth and fifth paragraphs of section 45 apply, with the necessary modifications, to that establishment.

The Government determines, by regulation, the amount provided for in the second paragraph and it may prescribe by regulation the method for indexing the amount it determines.

49. Financial assistance compensating certain disabilities is annual and is equivalent to 90% of the income determined in accordance with section 46.

50. Financial assistance compensating a loss of income is paid once every two weeks from the date of the health assessment. However, if a person continued, despite that assessment, to hold their employment, perform their work or assume the functions of their occupation from which they derived an income, the financial assistance is paid from the time they actually ceased to hold the employment, perform the work or assume the functions of the occupation.

Financial assistance compensating certain disabilities is paid once every two weeks from the date of the health assessment. However, if a person continued, despite that assessment, to perform the majority of their usual activities referred to in paragraph 2 of section 44, the financial assistance is paid from the time they actually ceased to perform those activities.

The amount of the payments provided for in this section is indexed, by operation of law, on the date of each annual anniversary of the date on which payments began, in the manner prescribed by a government regulation.

DIVISION III

TERM OF FINANCIAL ASSISTANCE

51. Financial assistance compensating a loss of income or financial assistance compensating certain disabilities is paid, for the same event, for a maximum period of three years, whether consecutive or not,

(1) to a person who suffers interference with their integrity due to the commission of a criminal offence against them;

(2) to an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and

(3) to a parent or person having parental authority referred to in subparagraph 2 or 5 of the first paragraph of section 42, where the child mentioned in those subparagraphs is deceased.

Financial assistance compensating a loss of income or financial assistance compensating certain disabilities is paid, for the same event, for a maximum period of two years, whether consecutive or not,

(1) to a parent or person having parental authority referred to in subparagraph 2 or 5 of the first paragraph of section 42, where the child mentioned in those paragraphs suffers interference with their integrity due to the commission of a criminal offence; and

(2) to the witness referred to in subparagraph 3 of the first paragraph of section 42.

The following are considered the same event:

(1) one or more offences of the same type committed on one and the same day by the same perpetrator or by different perpetrators;

(2) the same offence or the same type of offence committed repeatedly over two or more days, whether consecutive or not, by the same perpetrator in similar contexts, in particular, where the offence involves violence suffered during childhood, sexual violence or spousal violence; and

(3) one or more offences committed on an ongoing basis over more than one day by the same perpetrator or by different perpetrators.

Despite the preceding paragraphs, if a new application for financial assistance compensating a loss of income or for financial assistance compensating certain disabilities is made, in relation to a new event, in the period during which a person who is a victim is already receiving such financial assistance in relation to another event, the person is entitled to payment of that financial assistance for a new period of two or three years, as applicable, that begins on the date of the new disability and that replaces, from then on, the period that had previously begun.

52. Despite section 51, a person who is a victim ceases to be entitled to financial assistance compensating a loss of income or to financial assistance compensating certain disabilities or incurs a suspension of that assistance

(1) if they are in either of the following situations:

(a) they become able to hold an employment, perform work or assume the functions of an occupation from which they derive at least the same income that they derived from their employment, work or occupation before the health assessment referred to in paragraph 2 of section 43, subject to cases where they may continue to benefit from that financial assistance within the context of their vocational rehabilitation; or

(b) they are in none of the situations referred to in subparagraphs *a* to *c* of paragraph 1 of section 43 and become once again able to perform the majority of their usual activities;

(2) if they refuse or neglect to participate in obtaining the care required for their recovery or to follow medical prescriptions; or

(3) on their death.

53. If a person who is a victim begins or resumes holding employment, performing work or assuming the functions of an occupation progressively or, temporarily, with shorter hours, following a medical prescription to that effect, the financial assistance compensating a loss of income is reduced by an amount corresponding to the net income the person earns for that employment, work or occupation.

If a person who is a victim begins or resumes holding employment, performing work or assuming the functions of an occupation from which they derive a lower income than they derived from their employment, work or occupation before the health assessment referred to in paragraph 2 of section 43, the financial assistance compensating a loss of income may continue to be paid to the person as prescribed by a government regulation.

CHAPTER IV

FINANCIAL ASSISTANCE FOR PSYCHOTHERAPEUTIC OR PSYCHOSOCIAL REHABILITATION

54. The purpose of psychotherapeutic or psychosocial rehabilitation is to remove or lessen the mental hardship encountered by a person who is a victim.

55. Persons who are victims mentioned in section 15 or 16 who are qualified are, in accordance with a government regulation, eligible for the reimbursement of the expenses they incur for their psychotherapeutic or psychosocial rehabilitation that, subject to the fourth paragraph of section 68, are not covered by another public plan.

For the purposes of the first paragraph, a spouse or a close relation is a person who, on the earliest of the following dates, meets the conditions for “**spouse**” or “**close relation**” set out in the first paragraph of section 18:

(1) the date of the qualification application filed by that spouse or close relation; or

(2) the date of the qualification application filed by the person who is a victim.

The regulation provided for in the first paragraph prescribes the conditions, standards, amounts and terms relating to the reimbursement of expenses. Likewise, it may determine the professionals with whom the expenses must be incurred in order to be eligible for reimbursement.

Every organization that is a party to an agreement with the Minister and who, under that agreement, incurs expenses for the psychotherapeutic or psychosocial rehabilitation of a person who is a victim referred to in the first paragraph is entitled to the reimbursement of those expenses according to the terms and conditions set out in the agreement.

56. In addition to what is provided for in this chapter and by a government regulation, the Minister may take all measures necessary, including other financial measures, to contribute to the psychotherapeutic or psychosocial rehabilitation of a person who is a victim.

CHAPTER V

FINANCIAL ASSISTANCE FOR PHYSICAL REHABILITATION

57. The purpose of physical rehabilitation is to remove or lessen the physical disability of a person who is a victim and to enable the person to develop their residual capacity in order to compensate for the functional limitations resulting from the injury suffered.

Physical rehabilitation includes all measures that could help remove or lessen the disability resulting from the injury the person suffers.

58. The following qualified persons who are victims are, in accordance with a government regulation, eligible for the reimbursement of the expenses they incur for their physical rehabilitation that, subject to the fourth paragraph of section 68, are not covered by another public plan:

(1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;

(2) a parent of a minor child who is deceased due to the commission of a criminal offence against the child, or a person who had parental authority over the child;

(3) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and

(4) a parent of a minor child who is deceased, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person who had parental authority over the child.

The regulation provided for in the first paragraph prescribes the conditions, standards, amounts and terms relating to the reimbursement of expenses. Likewise, it may determine the professionals with whom the expenses must be incurred in order to be eligible for reimbursement.

59. In addition to what is provided for in this chapter and by a government regulation, the Minister may take all measures necessary, including other financial measures, to contribute to the physical rehabilitation of a person who is a victim.

CHAPTER VI

FINANCIAL ASSISTANCE FOR VOCATIONAL REINTEGRATION

60. The following qualified persons who are victims are, in accordance with a government regulation, eligible for payment of the amounts prescribed or for reimbursement of the expenses incurred for their vocational reintegration that, subject to the fourth paragraph of section 68, are not covered by another public plan:

(1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;

(2) a parent of a minor child who is deceased or suffers interference with their integrity due to the commission of a criminal offence against the child, or a person having parental authority over the child;

(3) a witness to the commission of a criminal offence or to the intact scene of the offence after it was committed, within the meaning of subparagraph 7 of the first paragraph of section 15;

(4) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and

(5) a parent of a minor child who is deceased or suffers interference with their integrity, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person having parental authority over the child.

The amounts and expenses referred to in the first paragraph are, in particular, those paid or incurred for

(1) vocational potential evaluation services;

- (2) resuming, or beginning new, secondary-level or post-secondary-level education;
- (3) vocational training;
- (4) assistance in finding employment;
- (5) additional financial assistance compensating a loss of income;
- (6) the adaptation of a work station or other equipment used for work; and
- (7) relocation near a new place of employment.

The regulation provided for in the first paragraph prescribes the conditions, standards, amounts and terms relating to payment of the amounts and reimbursement of the expenses. Likewise, it may determine the professionals with whom the expenses must be incurred in order to be eligible for reimbursement.

61. In addition to what is provided for in this chapter and by a government regulation, the Minister may take all measures necessary, including other financial measures, to contribute to the vocational reintegration of a person who is a victim.

CHAPTER VII

FINANCIAL ASSISTANCE FOR SOCIAL REINTEGRATION

62. The following qualified persons who are victims are, in accordance with a government regulation, eligible for the reimbursement of the expenses they incur for their social reintegration that, subject to the fourth paragraph of section 68, are not covered by another public plan:

- (1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;
- (2) a parent of a minor child who is deceased due to the commission of a criminal offence against the child, or a person who had parental authority over the child;
- (3) a witness to the commission of a criminal offence or to the intact scene of the offence after it was committed, within the meaning of subparagraph 7 of the first paragraph of section 15;
- (4) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and
- (5) a parent of a minor child who is deceased, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person who had parental authority over the child.

The expenses referred to in the first paragraph are, in particular, those incurred for

- (1) the person's relocation and the resiliation of a residential lease under article 1974.1 of the Civil Code;
- (2) the person's protection;
- (3) professional psychosocial intervention services;
- (4) services for at-home assistance or for assistance in performing the tasks required to provide for the person's needs;
- (5) child care services; and
- (6) housekeeping services.

The regulation provided for in the first paragraph prescribes the conditions, standards, amounts and terms relating to the reimbursement of the expenses. Likewise, it may determine the professionals with whom the expenses must be incurred in order to be eligible for reimbursement.

63. In addition to what is provided for in this chapter and by a government regulation, the Minister may take all measures necessary, including other financial measures, to contribute to the social reintegration of a person who is a victim.

CHAPTER VIII

FINANCIAL ASSISTANCE FOR MEDICAL ASSISTANCE

64. The following qualified persons who are victims are, in accordance with a government regulation, eligible for the reimbursement of certain expenses they incur to obtain medical assistance that, subject to the fourth paragraph of section 68, are not covered by another public plan, except the health insurance plan and the basic prescription drug insurance plan:

- (1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;
- (2) a parent of a minor child who is deceased due to the commission of a criminal offence against the child, or a person who had parental authority over the child;
- (3) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and
- (4) a parent of a minor child who is deceased, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person who had parental authority over the child.

The expenses referred to in the first paragraph are those required, from a medical point of view,

(1) to obtain medications or other pharmaceutical products; or

(2) to obtain a visual aid, hearing aid or communication device, or a device or other equipment that compensates for a physical deficiency, including the repair or replacement of such an aid or device or such equipment.

The government regulation provided for in the first paragraph prescribes the conditions, standards, amounts and terms relating to the reimbursement of those expenses. Likewise, it may determine the professionals with whom the expenses must be incurred in order to be eligible for reimbursement.

CHAPTER IX

FINANCIAL ASSISTANCE TO CONTRIBUTE TO THE NEEDS OF A CHILD BORN AS A RESULT OF A SEXUAL AGGRESSION

65. A person who provides for the support needs of a child whose conception results from a sexual aggression is eligible for payment of financial assistance.

Sections 23 to 31 do not apply to an application made under this section.

The conditions, standards, amounts and terms relating to payment of that assistance are prescribed by a government regulation.

CHAPTER X

FINANCIAL ASSISTANCE IN THE FORM OF A REIMBURSEMENT OF CERTAIN MISCELLANEOUS EXPENSES

66. The following qualified persons who are victims are, in accordance with a government regulation, eligible for the reimbursement of certain miscellaneous expenses they incur due to, or incurred before, the commission of a criminal offence:

(1) a person who suffers interference with their integrity due to the commission of a criminal offence against them;

(2) a parent of a minor child who is deceased due to the commission of a criminal offence against the child, or a person who had parental authority over the child;

(3) a witness to the commission of a criminal offence or to the intact scene of the offence after it was committed, within the meaning of subparagraph 7 of the first paragraph of section 15;

(4) an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16; and

(5) a parent of a minor child who is deceased, in a case where the child is an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16, or a person who had parental authority over the child.

The expenses referred to in the first paragraph are

(1) those for the cleaning, repair or replacement of clothing worn at the time of the commission of the offence and which was damaged as a result of that offence; and

(2) all other expenses provided for by a government regulation.

The regulation mentioned in the first paragraph prescribes the eligible expenses and the standards, amounts and terms relating to the reimbursement of those expenses.

67. In addition, the following persons are eligible, in accordance with a government regulation, for the reimbursement of the expenses they assume due to the commission of a criminal offence:

(1) an intervening person who sustains material injury while acting in the circumstances described in subparagraph 1 or 2 of the first paragraph of section 16, even if they suffer no interference with their integrity;

(2) a person who paid the funeral expenses, or the expenses for transportation of the remains, of a person who is a victim referred to in subparagraph 1 of the first paragraph of section 15 or in subparagraph 1 or 2 of the first paragraph of section 16; and

(3) a natural person who assumed the costs for cleaning the place in a private residence where a criminal offence was committed.

The funeral expenses reimbursed, if applicable, under the Act respecting the Québec Pension Plan are deducted from the reimbursement of funeral expenses provided for in subparagraph 2 of the first paragraph.

Sections 23 to 31 do not apply to an application for reimbursement of expenses made under this section.

The regulation mentioned in the first paragraph prescribes the conditions, standards, amounts and terms relating to the reimbursement of those expenses and to the application for reimbursement.

CHAPTER XI

FINANCIAL ASSISTANCE OR OTHER AMOUNTS PAID UNDER ANOTHER PLAN

68. If the circumstances surrounding the commission of a criminal offence give rise to the application of both the Automobile Insurance Act (chapter A-25) and this Act, the person must choose the application of the whole of either one plan or the other. That choice must be made in accordance with a government regulation.

If the circumstances surrounding the commission of a criminal offence give rise to the application of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the person who is a victim must file an application for compensation under that Act.

If a person is declared eligible for an indemnity, benefit or other pecuniary advantage under the Automobile Insurance Act or the Act respecting industrial accidents and occupational diseases, that eligibility makes them ineligible for any financial assistance under this Title.

If financial assistance is granted under the Individual and Family Assistance Act (chapter A-13.1.1), it is not considered assistance paid under another public plan for the purposes of this section and sections 55, 58, 60, 62 and 64. In addition, at the request of the Minister of Labour, Employment and Social Solidarity, any amount repayable under section 90 of the Individual and Family Assistance Act is deducted from the financial assistance paid under this Title and remitted to that minister.

If the circumstances surrounding the commission of a criminal offence give rise to the application of the Act respecting the conservation and development of wildlife (chapter C-61.1) and a person who is a victim receives an indemnity under section 79 of that Act, that indemnity is deducted from the financial assistance paid to that person under this Title.

If a person who is a victim is already receiving financial assistance or an indemnity, benefit or other pecuniary advantage under this Title or under any of the compensation plans provided for in the Automobile Insurance Act or the Act respecting industrial accidents and occupational diseases and is eligible, with regard to other circumstances, for financial assistance or an indemnity, benefit or other pecuniary advantage under another of those plans, the decision under those plans must be rendered jointly and must distinguish between the financial assistance, indemnity, benefit or other pecuniary advantage payable under each of the Acts concerned by those plans.

69. A person who believes they have been wronged by a decision rendered under the sixth paragraph of section 68 may choose to contest it in accordance with this Act or with the Act governing the other plan, as applicable.

Contestation under one of those Acts prevents contestation under the other Acts and the decision rendered following the contestation is valid with respect to each plan and each Act concerned.

70. The amount of all damages paid to a person who is a victim under section 738 of the Criminal Code is deducted from the amount of financial assistance for which the person is eligible under this Title if the damages are paid for the same objects, sequelae or injuries as those covered by the financial assistance.

Any person who receives such damages must, in accordance with a government regulation, inform the Minister as soon as their qualification application is filed or as soon as the damages are received if they are received after that application.

CHAPTER XII

CRIMINAL OFFENCES COMMITTED OUTSIDE QUÉBEC

71. Despite section 17, any person who is a victim referred to in any of subparagraphs 1 to 6 of the first paragraph of section 15 is eligible for financial assistance provided for in this Title if the criminal offence was committed outside Québec, according to the conditions set out in this chapter.

For the purposes of this chapter, any offence that, if committed in Canada, would be a criminal offence within the meaning of the corresponding definition in the first paragraph of section 18, regardless of whether it is a criminal offence in the foreign State in whose territory it is committed, is considered a criminal offence.

72. In addition to the eligibility conditions set out in this Title with respect to each type of financial assistance, a person referred to in subparagraph 1 of the first paragraph of section 15 who is a victim of a criminal offence committed outside Québec or a person who is deceased or suffers interference with their integrity due to a criminal offence committed outside Québec and who is mentioned in subparagraphs 2 to 6 of that paragraph must meet the following conditions:

(1) be a Canadian citizen within the meaning of the Citizenship Act (Revised Statutes of Canada, 1985, chapter C-29) or a permanent resident within the meaning of the Immigration and Refugee Protection Act (Statutes of Canada, 2001, chapter 27) or have any other status determined by a government regulation at the time the criminal offence is committed;

(2) be domiciled in Québec at the time the criminal offence is committed;

(3) not have stayed outside Québec for more than 183 days in the year preceding the commission of the criminal offence, subject to the exceptions that may be provided for by a government regulation; and

(4) in the case of a person who is a victim referred to in subparagraph 1 of the first paragraph of section 15, meet the conditions set out in subparagraphs 1 and 2 of this paragraph at the time the qualification application is filed.

The Government determines, by regulation, the other eligibility conditions for persons who are victims where the criminal offence against them was committed outside Québec as well as the terms governing the application of those conditions.

73. If a financial assistance plan for persons who are victims exists in the foreign State in whose territory the criminal offence was committed, and the criminal offence concerned is covered by that plan, the person who is a victim must choose to be subject to either the plan set out in this Title or the plan of that foreign State.

The person may not receive both financial assistance under this Title and financial assistance under the plan of a foreign State referred to in the first paragraph. Nor may the person obtain the difference between the amount of financial assistance paid under this Title and the amount to which they are eligible under another plan.

74. The person who is a victim may not receive both financial assistance under this Title and financial assistance for the same objects, sequelae or injuries under the plan of another province or a territory of Canada. The person must file an application in the province or territory in which the criminal offence was committed. However, if the amount to which the person is eligible under the plan of the other province or the territory is less than the amount of the financial assistance to which they would be entitled under this Title for the same objects, sequelae or injuries, the person may, to make up the difference, apply for the financial assistance provided for in this Title.

CHAPTER XIII

POWERS AND DECISIONS OF THE MINISTER

DIVISION I

POWERS OF THE MINISTER

75. The Minister may, at the Minister's expense, require a person filing an application under this Title to undergo an examination by a health professional chosen by the Minister after consulting with the person.

76. The health professional who examines a person at the Minister's request must report to the Minister on the state of health of the person and on any other matter for which the examination was required.

The Minister must, on receiving the report, transmit a copy to any health professional designated by the person who underwent the examination referred to in the first paragraph.

77. Every institution within the meaning of the Act respecting health services and social services (chapter S-4.2) or within the meaning of the Act respecting health services and social services for Cree Native persons (chapter S-5) or every health professional who has treated a person following the commission of a criminal offence or who has been consulted by a person following the commission of such an offence must, at the Minister's request, report on their findings, treatment or recommendations to the Minister.

The report must be sent within six days following the Minister's request.

The health professional referred to in the first paragraph must also provide to the Minister, within the same time limit, any other report requested by the Minister with respect to that person.

This section applies despite section 19 of the Act respecting health services and social services or section 7 of the Act respecting health services and social services for Cree Native persons.

78. The Minister may transact if the subject matter and circumstances of a case so permit.

DIVISION II

DECISIONS OF THE MINISTER

79. Any decision the Minister makes under this Title is rendered promptly and in writing.

The decision must include reasons. It must state the right to apply for a review and the time limit for doing so, except where the decision grants the maximum financial assistance to which a person who is a victim is entitled.

The Minister must also assist an applicant who requests help in understanding the decision.

80. On receiving or after a qualification application, if the Minister is of the opinion that the person filing the application needs financial assistance immediately and that the assistance will probably be granted under this Title, the Minister may pay part of it to the person in advance.

The Government determines, by regulation, the terms and conditions of the advance payment, which may vary according to the type of financial assistance concerned.

81. The Minister may, before rendering a decision, wait for the outcome of an investigation conducted by an administrative authority or the decision of such an authority or a judicial authority.

82. As long as a decision of the Minister has not been the subject of a review or contestation, the Minister may, on the Minister's own initiative or on request, reconsider the decision

(1) if it was rendered before an essential fact became known or it is based on an error pertaining to an essential fact; or

(2) if a substantive or procedural defect is likely to invalidate it.

The Minister may, in the same manner, correct the decision if it contains an error in writing or in calculation or any other clerical error.

The new decision replaces the initial decision, which ceases to have effect. The provisions of Division III that concern review and contestation apply to the new decision.

83. At any time, the Minister may render a new decision if there is a change in circumstances that affects the qualification of a person, the person's entitlement to financial assistance or the establishment of the financial assistance.

84. The Minister may refuse an application under this Title, reduce the amount of financial assistance or suspend or cease payment of the assistance if a person

(1) wilfully provides false or inaccurate information;

(2) refuses or neglects to provide information or a document required by the Minister or by a provision of this Act, or to give the authorization needed to obtain such information or document; or

(3) refuses or neglects to undergo an examination by a health professional as required by the Minister.

DIVISION III

REVIEW AND CONTESTATION

85. Except where a decision grants the maximum amount of financial assistance to which a person who filed an application is entitled, the person may, within 90 days after the Minister's decision, made under section 79, is communicated to the person, apply for a review of the decision.

The application for review must state the main grounds on which it is based and the decision to which it pertains. The Government determines, by regulation, the terms and conditions relating to an application for review, which may vary according to the financial assistance concerned.

An application for review does not suspend the execution of the Minister's decision.

86. The review is carried out by the person designated for that purpose by the Minister.

87. No application for review may be refused on the ground that it was not received within the time prescribed if the applicant demonstrates that they had reasonable cause for not complying with the time limit.

88. A designated person who is seized of an application for review may render any decision that could have been rendered initially, after giving the applicant the opportunity to submit observations and, if need be, produce any documents to complete their record.

89. The review decision must include reasons and be communicated to the applicant in writing. It must mention the right to contest the decision before the Administrative Tribunal of Québec. The designated person who renders the decision must assist an applicant who requests help in understanding the decision.

90. Any decision that was the subject of a review may be contested before the Administrative Tribunal of Québec, except in the case of a review decision that grants the maximum amount of financial assistance to which a person who is a victim is entitled.

Despite the first paragraph, a person may contest before the Tribunal the decision whose review they applied for if the review decision was not rendered within 90 days after receipt of the application, subject to the following:

(1) if the person who applied for the review requested more time to submit observations or produce documents, the 90-day time limit runs from the time observations are submitted or documents are produced; and

(2) if the designated person considers that an examination by a health professional or the production of documents is necessary for a decision to be rendered, the time limit is extended for 90 days; the person who applied for the review must be notified of the extension.

91. If, following an application for review or a contestation before the Administrative Tribunal of Québec, the Minister or the Tribunal recognizes the entitlement of a person who is a victim to financial assistance that was initially refused, or increases the amount of assistance, the Minister or the Tribunal orders, in all cases, that interest be paid to the person.

The interest is calculated from the date of the decision refusing the financial assistance or refusing to increase the amount of assistance, as applicable.

The Government may prescribe, by regulation, other cases giving rise to the payment of interest by the Minister.

The applicable interest rate is the rate determined under the second paragraph of section 28 of the Tax Administration Act (chapter A-6.002).

TITLE IV

ASSISTANCE PROGRAM FOR EMERGENCY SITUATIONS

92. The Minister establishes an assistance program for emergency situations that allows persons whose life or safety, or the life or safety of their child or any other of their dependants, is threatened to benefit, according to the limits of application and the terms and conditions set out in the program, from measures relating, in particular,

- (1) to assistance in relocating;
- (2) to the provision of subsistence goods to respond to certain immediate needs; and
- (3) to their safety or the safety of their child or any other of their dependants.

TITLE V

RECOVERY OF FINANCIAL ASSISTANCE

93. Persons who are victims who have received financial assistance to which they are not entitled or the amount of which exceeds the amount to which they are entitled must repay to the Minister the amounts received without entitlement. However, financial assistance already paid does not need to be repaid, unless it was obtained in bad faith,

(1) where the Minister reconsiders the decision because it was rendered before an essential fact became known, because it is based on an error pertaining to an essential fact or because a substantive or procedural defect is likely to invalidate it; or

(2) where, following a review or a contestation, the Minister or the Administrative Tribunal of Québec renders a decision that has the effect of cancelling financial assistance or reducing its amount.

The Minister may recover the debt within three years after payment of the financial assistance or, in a case of bad faith, within three years of becoming aware of the bad faith.

94. The Minister sends the debtor a formal notice stating the amount and the reasons for the payability of the debt and the debtor's right to apply for a review of the decision.

The debt is payable as soon as the decision on the debt becomes enforceable.

95. If the debtor is still receiving financial assistance provided for by this Act, the Minister may offset the debt by deducting up to 25% from any amount of financial assistance if the debtor has no dependants, up to 20% if the debtor has one dependant and up to 15% if the debtor has more than one dependant, unless the debtor consents to the Minister deducting more.

The definitions in the first paragraph of section 18 apply to the provisions of this Title.

96. If the debtor fails to repay the debt, the Minister may, within 30 days after the due date of the debt or as of that date if the Minister is of the opinion that the debtor is attempting to evade payment, issue a certificate attesting

- (1) the debtor's name and address,
- (2) the amount of the debt, and
- (3) the date of the final decision establishing the payability of the debt.

97. On the filing of the certificate referred to in section 95 in the office of the court of competent jurisdiction, the decision of the Minister or the Administrative Labour Tribunal of Québec becomes enforceable as if it were a final decision of that court and has all the effects of such a decision.

98. The Minister's formal notice interrupts the prescription provided for in the third paragraph of section 32 and in the second paragraph of section 93.

99. The Minister may remit all or part of any debt provided for in this Title if the Minister considers that the amount is unrecoverable or if the Minister considers it fair to do so, in particular due to the debtor's good faith or financial situation.

100. An amount recovered under this Title is paid into the Consolidated Revenue Fund.

TITLE VI

EFFECT OF FINDING OF GUILT

101. If a person is found guilty of a criminal offence, the finding of guilt constitutes, for that offence, a presumption that the person found guilty is, for the purposes of this Act, responsible for the interference with the integrity of the person who is a victim and the injuries that person suffers due to the criminal offence, and a presumption that the value of that interference and the value of those injuries are at least equal to the amounts paid by the Minister as financial assistance to the person who is a victim.

TITLE VII

ADMINISTRATIVE AND FINANCIAL PROVISIONS

CHAPTER I

AGREEMENTS

102. The Minister may, in accordance with the law, enter into an agreement relating to support and financial assistance for persons who are victims of criminal offences with a government in Canada or abroad, with a department or body of such a government or with an international organization or a body of such an organization.

103. The Minister may enter into an agreement with any person or any public or private body in relation to the application of this Act.

A person or body that is a party to such an agreement may exercise, according to the terms set out in the agreement, any power or responsibility conferred on the Minister by this Act. The person or body may likewise perform any act permitted under this Act.

In such a case, the person or body has all the obligations incumbent on the Minister under this Act.

104. The Minister enters into an agreement with the Société de l'assurance automobile du Québec and the Commission des normes, de l'équité, de la santé et de la sécurité du travail to establish a procedure for processing financial assistance applications filed under this Act regarding which the circumstances involve situations or matters also covered by the Automobile Insurance Act or the Act respecting industrial accidents and occupational diseases.

Such an agreement must make it possible

(1) to distinguish between the types of impairment, injury and sequelae governed by any of those Acts;

(2) to determine entitlement to and the amount of the financial assistance, indemnities, benefits or other pecuniary advantages payable under each of the applicable Acts;

(3) to determine the financial assistance, indemnities, benefits or other pecuniary advantages to be paid by each authority concerned and specify the cases, amounts and repayment procedures between authorities; and

(4) to settle disputes regarding the application of the plans under those Acts that may arise between the Minister and the bodies mentioned in the first paragraph.

CHAPTER II

INVESTIGATION

105. The Minister may investigate any matter relating to an application provided for by this Act and may designate investigators for that purpose.

In exercising those powers, the Minister or any designated investigator has, for the purposes of the investigation, the powers and immunities of a commissioner appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

Investigators must not disclose the information obtained during the investigation, except in the performance of their functions or with the authorization of the Minister or a court, or on the order of a coroner in the exercise of the coroner's functions.

106. Investigators must, on request, identify themselves and produce a certificate of authority issued by the Minister.

CHAPTER III

OTHER ADMINISTRATIVE AND FINANCIAL PROVISIONS

107. The regulatory standards prescribed under this Act may be established according to any distinction considered useful, including according to categories of persons who are victims or types of financial assistance.

108. The Minister may delegate, to a person the Minister designates, the exercise of the powers conferred on the Minister by this Act or delegated to the Minister under this Act.

109. A police force may communicate any information to the Minister or to an assistance centre for persons who are victims of criminal offences that is recognized under section 7, including personal information relating to the person who is a victim that is contained in an event report or a related document, if the information is necessary for the purposes of this Act.

110. For the purpose of calculating a benefit granted under the provisions of the Individual and Family Assistance Act (chapter A-13.1.1), a lump sum paid under Chapter II of Title III of this Act is excluded in accordance with the provisions of the Individual and Family Assistance Act or the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1).

111. The Minister takes out of the Consolidated Revenue Fund the sums required for the administration of the financial assistance plans provided for in Titles III and IV for persons who are victims of criminal offences.

TITLE VIII

PENAL PROVISIONS

112. Every person who, under this Act or the regulations, makes a statement or sends a document that the person knows or ought to have known to contain false or misleading information commits an offence and is liable to a fine of not less than \$1,000 nor more than \$5,000.

113. Every person who, by an act or omission, helps or, by encouragement, advice or consent or by an authorization or an order, induces another person to commit an offence under this Act commits an offence and is liable to the same fine as that prescribed in section 112.

114. The fines under this Title are doubled for a subsequent offence.

TITLE IX

AMENDING PROVISIONS

ACT RESPECTING INDUSTRIAL ACCIDENTS AND OCCUPATIONAL DISEASES

115. Section 448 of the Act respecting industrial accidents and occupational diseases (chapter A-3.001) is amended by replacing “(chapter A-25) or” in the first paragraph by “(chapter A-25), financial assistance compensating a loss of income or financial assistance compensating certain disabilities 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 (2021, chapter 13) or an indemnity with the same effect under”.

116. Section 449 of the Act is amended

(1) by replacing “Commission shall reach an agreement with the Société de l’assurance automobile du Québec” by “Commission, the Minister of Justice and the Société de l’assurance automobile du Québec shall reach an agreement”, and by inserting “, 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 (2021, chapter 13)” after “(chapter A-25)” in the first paragraph;

(2) in subparagraph 1 of the second paragraph,

(a) by inserting “or any other claimant” after “rescuer”;

(b) by replacing “to the indictable offence sustained by the victim within the meaning of the Crime Victims Compensation Act (chapter I-6)” by “by a person who is a victim within the meaning of the Act to assist persons who are victims of criminal offences and to facilitate their recovery”.

117. Section 450 of the Act is amended

(1) by replacing “, the Commission” in the first paragraph by “or financial assistance compensating a loss of income or financial assistance compensating certain disabilities 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 (2021, chapter 13), the Commission, the Minister of Justice”;

(2) by replacing “(chapter C-20) or the Crime Victims Compensation Act (chapter I-6), as the case may be, or under” in the second paragraph by “, the Act to assist persons who are victims of criminal offences and to facilitate their recovery or”;

(3) by replacing “binds both agencies” in the third paragraph by “applies to each plan and Act concerned”.

118. Section 451 of the Act is amended

(1) by replacing “under an Act administered by it” and “under another Act administered by the Commission” in the first paragraph by “under the Workers’ Compensation Act (chapter A-3)” and “under this Act”, respectively;

(2) in the second paragraph,

(a) by replacing “may elect to” by “must”;

(b) by striking out “, the Act to promote good citizenship (chapter C-20) or the Crime Victims Compensation Act (chapter I-6), as the case may be”;

(3) by replacing “any of the said Acts precludes any proceeding under any other of them” in the third paragraph by “this Act precludes any proceeding under the other”.

119. Section 478 of the Act is amended by striking out the third paragraph.

120. Section 578 of the Act is repealed.

AUTOMOBILE INSURANCE ACT

121. Section 83.62 of the Automobile Insurance Act (chapter A-25) is amended

(1) by inserting “person or” after “the following” in the introductory clause;

(2) by replacing paragraph 2 by the following paragraph:

“(2) the Minister of Justice by virtue of the Act to promote good citizenship (chapter C-20) and the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13);”.

122. Section 83.64 of the Act is amended

(1) by replacing “an indemnity or pecuniary benefit” and “Crime Victims Compensation Act (chapter I-6)” in the first paragraph by “financial assistance” and “Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”, respectively;

(2) by replacing “Crime Victims Compensation Act” in the second paragraph by “Act to assist persons who are victims of criminal offences and to facilitate their recovery”.

123. Section 83.65 of the Act is amended

(1) by replacing “total disability benefits” and “Crime Victims Compensation Act (chapter I-6)” in the first paragraph by “financial assistance compensating a loss of income or financial assistance compensating certain disabilities” and “Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”, respectively;

(2) by replacing “pension” in the second paragraph by “financial assistance”.

124. Section 83.66 of the Act is amended

(1) by striking out “, the Act to promote good citizenship (chapter C-20) or the Crime Victims Compensation Act (chapter I-6)” in the first paragraph;

(2) by adding the following paragraph at the end:

“The Société shall reach such an agreement with the Minister of Justice as regards the Act to promote good citizenship (chapter C-20) and the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13).”

125. Section 83.67 of the Act is amended

(1) by striking out “or total disability benefits under the Act to promote good citizenship (chapter C-20) or the Crime Victims Compensation Act (chapter I-6)” in the first paragraph;

(2) by replacing “, the Act respecting industrial accidents and occupational diseases, the Act to promote good citizenship or the Crime Victims Compensation Act” in the second paragraph by “or the Act respecting industrial accidents and occupational diseases”.

126. The Act is amended by inserting the following section after section 83.67:

“83.67.1. Where a person referred to in section 83.65 claims financial assistance compensating a loss of income or financial assistance compensating certain disabilities 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 (2021, chapter 13), the Société and the Minister of Justice shall, in carrying out the agreement described in section 83.66, render a joint decision which distinguishes between the damage attributable to each event and determines the corresponding entitlement to and amount of the benefits, compensation or indemnities payable under each of the applicable Acts.

A person who believes he has been wronged by the decision may elect to contest the decision before the Administrative Tribunal of Québec under this Act, the Act to promote good citizenship or the Act to assist persons who are victims of criminal offences and to facilitate their recovery.

A proceeding brought before the Tribunal under any of the said Acts precludes any proceeding before the Tribunal under each of the other Acts and the decision rendered by the Tribunal applies to each plan and Act concerned.”

HEALTH INSURANCE ACT

127. Section 65 of the Health Insurance Act (chapter A-29) is amended by inserting “the Ministère de la Justice,” after “Faune,” in the seventh paragraph.

ACT RESPECTING THE BARREAU DU QUÉBEC

128. Section 128 of the Act respecting the Barreau du Québec (chapter B-1) is amended by replacing “rescuers and victims of crime” in subparagraph 3 of paragraph *a* of subsection 2 by “persons who are victims of criminal offences or for rescuers and other claimants of financial assistance under the Act to promote good citizenship (chapter C-20)”.

ACT TO PROMOTE GOOD CITIZENSHIP

129. Section 1 of the Act to promote good citizenship (chapter C-20) is replaced by the following section:

1. In this Act, unless the context indicates a different meaning, “rescuer” means a person who, in Québec and after 31 December 1976, having reasonable cause to believe another person’s life or physical integrity is in danger, benevolently comes to that person’s assistance.”

130. Section 2 of the Act is replaced by the following section:

2. A rescuer who suffers interference with his integrity is eligible for the same financial assistance as an intervening person referred to in subparagraph 1 or 2 of the first paragraph of section 16 of the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) is entitled to receive.

A minor child of a parent who is deceased, in a case where the parent is a rescuer, or a child over whom a deceased rescuer has parental authority is entitled to the same lump sum because of a death resulting from the commission of a criminal offence as the child of a deceased intervening person referred to in subparagraph 4 of the first paragraph of section 16 of that Act.

The spouse of a person who is deceased, in a case where the person is a rescuer, is entitled to the same lump sum because of a death resulting from the commission of a criminal offence as the spouse of a deceased intervening person referred to in subparagraph 5 of the first paragraph of section 16 of that Act.

A dependant of a person who is deceased, in a case where the person is a rescuer, is entitled to the same lump sum because of a death resulting from the commission of a criminal offence as a dependant of a deceased intervening person referred to in subparagraph 6 of the first paragraph of section 16 of that Act.

For the purposes of entitlement to such financial assistance, the rescuer and any other person referred to in the preceding paragraphs must comply with the provisions of Title III, except those of Chapters IX and XII, of the Act to assist persons who are victims of criminal offences and to facilitate their recovery that apply, with the necessary modifications, to them and their situation.

In addition to the provisions of Title III of the Act to assist persons who are victims of criminal offences and to facilitate their recovery, the provisions of Titles V and VI, section 109 and Title VIII of that Act apply, as the case may be and with the necessary modifications, to the rescuers and other persons referred to in this section as well as to their situation.”

131. Sections 3 to 14 of the Act are repealed.

132. Section 17 of the Act is amended by replacing “sustained any injury or is not eligible for benefit” by “suffered any interference with his integrity or is not eligible for any financial assistance”.

133. Section 18 of the Act is replaced by the following section:

“18. An application validly made under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25) or the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) and refused on the ground that it should have been made under this Act is nevertheless deemed to have been validly made under this Act.”

134. Sections 19 and 20 of the Act are repealed.

135. Section 21 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

“No financial assistance shall be granted under this Act if the rescuer has suffered interference with his physical or mental integrity or died in circumstances that give rise to the application of the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) or an Act other than an Act of the Parliament of Québec.”;

(2) by replacing “or a dependent” in the second paragraph by “or any other person mentioned in section 2”.

136. Section 21.1 of the Act is amended

(1) by replacing “an injury sustained by a rescuer or of a death occurring thereafter” in the first paragraph by “the interference with a rescuer’s integrity or of the death that results from it”;

(2) by replacing both occurrences of “compensation” in the first paragraph, and “benefit” in the second paragraph, by “financial assistance”.

137. Section 22 of the Act is amended by replacing “a claimant” and “any indemnity” by “a rescuer or a person mentioned in section 2” and “any financial assistance”, respectively.

138. Sections 23 to 26 of the Act are repealed.

139. The Act is amended by inserting the following sections after section 27:

“**27.1.** The Minister may delegate, to a person the Minister designates, the exercise of the powers conferred on the Minister by this Act.

“**27.2.** The Minister may, in accordance with the law, enter into an agreement relating to assistance for rescuers with a government in Canada or abroad, with a department or body of such a government or with an international organization or a body of such an organization.

“**27.3.** The Minister may enter into any agreement with any person or any public or private body in relation to the application of this Act.

Any person or body that is a party to such an agreement may exercise, according to the terms set out in the agreement, any power or responsibility conferred on the Minister by this Act. The person or body may likewise perform any act permitted under this Act.

In such a case, the person or body has all the obligations incumbent on the Minister under this Act.

“27.4. The Minister shall enter into an agreement with the Société de l’assurance automobile du Québec and the Commission des normes, de l’équité, de la santé et de la sécurité du travail to establish a procedure for processing financial assistance applications filed under this Act regarding which the circumstances involve situations or matters also covered by the Automobile Insurance Act (chapter A-25) or the Act respecting industrial accidents and occupational diseases (chapter A-3.001).

Such an agreement must make it possible

(1) to distinguish between the types of impairment, injury and sequelae governed by any of those Acts;

(2) to determine entitlement to and the amount of the financial assistance, indemnities, benefits or other pecuniary advantages payable under each of the applicable Acts;

(3) to determine the financial assistance, indemnities, benefits or other pecuniary advantages to be paid by each of the authorities concerned and specify the cases, amounts and terms of repayment between the authorities; and

(4) to settle disputes regarding the application of the plans under those Acts that may arise between the Minister and the bodies mentioned in the first paragraph.

“27.5. The Minister shall table a report in the National Assembly on the Minister’s activities under this Act for each fiscal year, not later than 30 September following the end of that year. If the Assembly is not sitting, the Minister shall table the report within 30 days after the opening of the next session or resumption.

“27.6. The Minister may investigate any matter relating to an application provided for by this Act and designate investigators for that purpose.

In exercising those powers, the Minister or any designated investigator has, for the purposes of the investigation, the powers and immunities of a commissioner appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

Investigators must not disclose the information obtained during the investigation, except in the performance of their functions or with the authorization of the Minister or a court, or on the order of a coroner in the exercise of the coroner’s functions.

“27.7. Investigators must, on request, identify themselves and produce a certificate of authority issued by the Minister.”

CODE OF PENAL PROCEDURE

140. Article 8.1 of the Code of Penal Procedure (chapter C-25.1) is amended by replacing “Crime Victims Assistance Fund established under the Act respecting assistance for victims of crime (chapter A-13.2)” in the third paragraph by “fund dedicated to assistance for persons who are victims of criminal offences that is established under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”.

PROFESSIONAL CODE

141. Section 37 of the Professional Code (chapter C-26), amended by section 5 of chapter 15 of the statutes of 2020, is again amended by replacing “crime on the victim” and “the victim” in paragraph *b* by “a criminal offence on the person who is a victim” and “of the person who is a victim”, respectively.

ACT RESPECTING THE FORFEITURE, ADMINISTRATION AND APPROPRIATION OF PROCEEDS AND INSTRUMENTS OF UNLAWFUL ACTIVITY

142. Section 1 of the Act respecting the forfeiture, administration and appropriation of proceeds and instruments of unlawful activity (chapter C-52.2) is amended by replacing “victims of crime” in the second paragraph by “persons who are victims of criminal offences”.

143. Section 25 of the Act is amended

(1) by replacing “Fonds d’aide aux victimes d’actes criminels” in subparagraph 1 of the first paragraph by “fund dedicated to assistance for persons who are victims of criminal offences established under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”;

(2) by replacing “Fonds d’aide aux victimes d’actes criminels” in the second paragraph by “fund dedicated to assistance for persons who are victims of criminal offences”.

ACT RESPECTING THE DIRECTOR OF CRIMINAL AND PENAL PROSECUTIONS

144. Section 3 of the Act respecting the Director of Criminal and Penal Prosecutions (chapter D-9.1.1) is amended by replacing “crime victims support organizations” by “support organizations for persons who are victims of criminal offences”, and sections 15 and 22 of that Act are amended by replacing “crime victims” and “the victims of crime” by “persons who are victims of criminal offences”.

TAXATION ACT

145. Section 752.0.0.4 of the Taxation Act (chapter I-3) is amended by replacing “by the Commission des normes, de l’équité, de la santé et de la sécurité du travail” in the introductory clause of the first paragraph by “by the Commission des normes, de l’équité, de la santé et de la sécurité du travail, by the Minister of Justice under Title III of the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) or by the person or body with whom or which that Minister has entered into an agreement under section 103 of that Act or section 27.3 of the Act to promote good citizenship (chapter C-20), as the case may be”.

146. Section 1029.8.61.19.2 of the Act is amended

(1) by striking out “l’un des articles suivants” in the introductory clause in the French text;

(2) by replacing paragraph *c* by the following paragraph:

“(c) section 5 of the Crime Victims Compensation Act (chapter I-6) or under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13).”

ACT RESPECTING ADMINISTRATIVE JUSTICE

147. Section 102 of the Act respecting administrative justice (chapter J-3) is amended by replacing “pertaining to compensation for rescuers and victims of crime” in the first paragraph by “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 (2021, chapter 13)”.

148. Section 5 of Schedule I to the Act is amended

(1) by replacing paragraph 1 by the following paragraph:

“(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 (2021, chapter 13);”;

(2) by striking out paragraphs 2, 2.1 and 6.

YOUTH PROTECTION ACT

149. Section 72.6 of the Youth Protection Act (chapter P-34.1) is amended by replacing “to the Commission des normes, de l’équité, de la santé et de la sécurité du travail, where the disclosure is necessary for the application of the Crime Victims Compensation Act (chapter I-6) in respect of a claim” in subparagraph 1 of the second paragraph by “to the Minister of Justice, where the disclosure is necessary for the application of the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) in respect of an application”.

ACT RESPECTING THE PENSION PLAN OF PEACE OFFICERS IN CORRECTIONAL SERVICES

150. Section 18 of the Act respecting the Pension Plan of Peace Officers in Correctional Services (chapter R-9.2) is amended by replacing “or an income replacement indemnity under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Crime Victims Compensation Act (chapter I-6) or any other Act, other than an Act of Québec” in the first paragraph by “, an income replacement indemnity under the Act respecting industrial accidents and occupational diseases (chapter A-3.001) or the Automobile Insurance Act (chapter A-25), or financial assistance compensating a loss of income or financial assistance compensating certain disabilities 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 (2021, chapter 13), or such an indemnity or financial assistance under any other Act, other than an Act of Québec.”.

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES RETIREMENT PLAN

151. Section 21 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended by replacing “under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Crime Victims Compensation Act (chapter I-6)” in the first paragraph by “, financial assistance compensating a loss of income, financial assistance compensating certain disabilities or any other indemnity having the same effect under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”.

ACT RESPECTING THE TEACHERS PENSION PLAN

152. Section 18 of the Act respecting the Teachers Pension Plan (chapter R-11) is amended by replacing “under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Crime Victims Compensation Act (chapter I-6)” in the first paragraph by “, financial assistance compensating a loss of income, financial assistance compensating certain disabilities or any other indemnity having the same effect under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”.

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

153. Section 60 of the Act respecting the Civil Service Superannuation Plan (chapter R-12) is amended by replacing “under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Crime Victims Compensation Act (chapter I-6)” in the first paragraph by “, financial assistance compensating a loss of income, financial assistance compensating certain disabilities or any other indemnity having the same effect under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT PERSONNEL

154. Section 34 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended by replacing “under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Crime Victims Compensation Act (chapter I-6)” in the first paragraph by “, financial assistance compensating a loss of income, financial assistance compensating certain disabilities or any other indemnity having the same effect under the Act respecting industrial accidents and occupational diseases (chapter A-3.001), the Automobile Insurance Act (chapter A-25), the Act to promote good citizenship (chapter C-20), the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

155. Section 19 of the Act respecting health services and social services (chapter S-4.2) is amended by adding the following paragraph at the end:

“(20) in the cases and for the purposes set out in section 77 of the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13).”

REGULATION RESPECTING FINANCIAL ASSISTANCE

156. Section 2 of the Regulation respecting financial assistance (chapter A-3, r. 1) is amended by striking out “, to victims within the meaning of the Crime Victims Compensation Act (chapter I-6) or to rescuers within the meaning of the Act to promote good citizenship (chapter C-20)”.

REGULATION RESPECTING SOCIAL STABILIZATION AND ECONOMIC STABILIZATION PROGRAMS

157. Section 1 of the Regulation respecting social stabilization and economic stabilization programs (chapter A-3.001, r. 14) is amended by striking out the second paragraph.

158. Section 28 of the Regulation is amended by striking out the second paragraph.

159. Section 29 of the Regulation is repealed.

160. Section 30 of the Regulation is amended

(1) by replacing “Crime Victims Compensation Act (chapter I-6)” and “an indemnity for total temporary disability under the Workers’ Compensation Act (chapter A-3)” in the first paragraph by “Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)” and “financial assistance compensating a loss of income or financial assistance compensating certain disabilities”, respectively;

(2) by striking out the second paragraph.

REGULATION RESPECTING FINANCIAL ASSISTANCE FOR EDUCATION EXPENSES

161. Schedule II to the Regulation respecting financial assistance for education expenses (chapter A-13.3, r. 1) is amended by replacing “crime victim’s child” in paragraph 2 by “child of a person who is a victim of a criminal offence”.

REGULATION RESPECTING LEGAL AID

162. Section 44 of the Regulation respecting legal aid (chapter A-14, r. 2) is amended

(1) by replacing “or a payment exemption, or to the recovery of benefits” in the introductory clause by “, financial assistance or a payment exemption, or to the recovery of benefits, financial assistance”;

(2) by replacing paragraph 8 under the heading “Statutes of Québec” by the following paragraph:

“(8) the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13);”.

REGULATION UNDER THE ACT RESPECTING PARENTAL INSURANCE

163. Section 43 of the Regulation under the Act respecting parental insurance (chapter A-29.011, r. 2) is amended by replacing paragraph 1 by the following paragraph:

“(1) financial assistance paid to a person who is a victim of a criminal offence;”.

ARRÊTÉ MINISTÉRIEL CONCERNANT LA RECONNAISSANCE DES SERVICES D’AIDE AUX VICTIMES AUX FINS DE L’ARTICLE 417 DU CODE DE PROCÉDURE CIVILE

164. Section 1 of the Arrêté ministériel concernant la reconnaissance des services d’aide aux victimes aux fins de l’article 417 du Code de procédure civile (chapter C-25.01, r. 7, French only) is amended

(1) by replacing “centres d’aide aux victimes d’actes criminels reconnus par la ministre de la Justice en vertu de la Loi sur l’aide aux victimes d’actes criminels (chapitre A-13.2)” by “centres d’aide aux personnes victimes d’infractions criminelles reconnus par le ministre de la Justice en vertu de la Loi visant à aider les personnes victimes d’infractions criminelles et à favoriser leur rétablissement (2021, chapitre 13)”;

(2) by replacing “aux victimes de violence conjugale” by “aux personnes victimes de violence conjugale”.

REGULATION RESPECTING THE FORM OF STATEMENTS OF OFFENCE

165. Schedules I to V to the Regulation respecting the form of statements of offence (chapter C-25.1, r. 1) are amended by replacing all occurrences of “Crime Victims Assistance Fund established under the Act respecting assistance for victims of crime (chapter A-13.2)” by “fund dedicated to assistance for persons who are victims of criminal offences established under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13)”.

LETTERS PATENT CONSTITUTING THE ORDRE PROFESSIONNEL DES CRIMINOLOGUES DU QUÉBEC

166. Section 2 of the Letters patent constituting the Ordre professionnel des criminologues du Québec (chapter C-26, r. 90.1) is amended by replacing “of crime on the victim” and “the victim with a view to fostering the social integration of the person” in the first paragraph by “of a criminal offence on the person who is a victim” and “the person who is a victim with a view to fostering the social integration of the human being”, respectively.

REGULATION RESPECTING THE TAXATION ACT

167. The Regulation respecting the Taxation Act (chapter I-3, r. 1) is amended by inserting the following section after section 1086R27:

“**1086R27.1.** The Minister of Justice or the person or body with whom or which that Minister has entered into an agreement under section 103 of the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13), in relation to the application of Title III of that Act, or section 27.3 of the Act to promote good citizenship (chapter C-20) must file an information return in prescribed form, in respect of an income replacement indemnity the Minister, person or body determines.”

168. Section 1086R50 of the Regulation is amended by inserting the following paragraph after paragraph *b*:

“(b.1) an amount paid under the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13);”.

ORIENTATIONS ET MESURES DU MINISTRE DE LA JUSTICE EN MATIÈRES D’AFFAIRES CRIMINELLES ET PÉNALES

169. Section 11 of the Orientations et mesures du ministre de la Justice en matières d’affaires criminelles et pénales (chapter M-19, r. 1, French only) is amended

(1) by replacing “**victimes d’actes criminels**” in the heading by “**personnes victimes d’infractions criminelles**”;

(2) by replacing “victimes d’un acte criminel”, “les victimes” and “victime” in the first paragraph by “personnes victimes d’une infraction criminelle”, “les personnes victimes” and “personne victime”, respectively;

(3) in the second paragraph,

(a) by replacing all occurrences of “victime” and “victimes” by “personne victime” and “personnes victimes”, respectively;

(b) by replacing “d’un acte criminel” by “d’une infraction criminelle”;

(4) by replacing all occurrences of “victime” and “victimes” in the third and fourth paragraphs by “personne victime” and “personnes victimes”, respectively.

REGULATION RESPECTING THE ISSUANCE OF COMPETENCY CERTIFICATES

170. Section 11 of the Regulation respecting the issuance of competency certificates (chapter R-20, r. 5) is amended by replacing “Crime Victims Compensation Act (chapter I-6) and” in paragraph 5 by “Act to promote good citizenship (chapter C-20), the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13) or”.

RÈGLEMENT SUR LES RÉGIMES COMPLÉMENTAIRES D’AVANTAGES SOCIAUX DANS L’INDUSTRIE DE LA CONSTRUCTION

171. Section 63 of the Règlement sur les régimes complémentaires d’avantages sociaux dans l’industrie de la construction (chapter R-20, r. 10, French only) is amended by replacing subparagraph 5 of the second paragraph by the following subparagraph:

“(5) la prestation périodique initiale qu’il reçoit en application de la Loi visant à aider les personnes victimes d’infractions criminelles et à favoriser leur rétablissement (2021, chapitre 13).”

REGULATION RESPECTING CERTAIN TERMS OF EMPLOYMENT APPLICABLE TO OFFICERS OF AGENCIES AND HEALTH AND SOCIAL SERVICES INSTITUTIONS

172. Section 12.0.3 of the Regulation respecting certain terms of employment applicable to officers of agencies and health and social services institutions (chapter S-4.2, r. 5.1) is amended by replacing “, by the Société de l’assurance automobile du Québec and those paid under the Crime Victims Compensation Act (chapter I-6) and those” by “and by the Société de l’assurance automobile du Québec, financial assistance compensating a loss of income or compensating certain disabilities paid 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 (2021, chapter 13) and salary insurance benefits”.

REGULATION RESPECTING CERTAIN TERMS OF EMPLOYMENT
APPLICABLE TO SENIOR ADMINISTRATORS OF AGENCIES AND OF
PUBLIC HEALTH AND SOCIAL SERVICES INSTITUTIONS

173. Section 28.3 of the Regulation respecting certain terms of employment applicable to senior administrators of agencies and of public health and social services institutions (chapter S-4.2, r. 5.2) is amended by replacing “, by the Société de l’assurance automobile du Québec and those paid under the Crime Victims Compensation Act (chapter I-6) and those” by “and by the Société de l’assurance automobile du Québec, financial assistance compensating a loss of income or compensating certain disabilities paid 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 (2021, chapter 13) and salary insurance benefits”.

OTHER AMENDMENTS

174. Unless the context indicates otherwise, in any other provision of an Act or a regulation, a reference to the Crime Victims Compensation Act (chapter I-6) is replaced by a reference to the Act to assist persons who are victims of criminal offences and to facilitate their recovery (2021, chapter 13).

175. The following provisions are amended in the following manner, with the necessary modifications:

(1) by replacing “victim of violence who” in subparagraph 9 of the first paragraph of section 53 of the Individual and Family Assistance Act (chapter A-13.1.1) by “person who is a victim of violence and”;

(2) by replacing “victim’s death” and both occurrences of “victim” in article 2926.1 of the Civil Code of Québec by “death of the person who is a victim” and “person who is a victim”, respectively;

(3) by replacing “victim” in the second paragraph of article 226 of the Code of Civil Procedure (chapter C-25.01) by “person who is a victim”, and by replacing “a victim assistance organization” and “victim” in the second paragraph of article 417 of that Code by “an assistance organization for persons who are victims that is” and “person who is a victim”, respectively;

(4) by replacing “victims” in the second paragraph of section 48 of the Police Act (chapter P-13.1) by “persons who are victims”;

(5) by replacing all occurrences of “victim” in paragraph 3 of section 56, the second paragraph of section 61, paragraph 3 of section 155, and sections 174, 175, 175.1 and 176 of the Act respecting the Québec correctional system (chapter S-40.1), “victims” in the heading of Chapter V and in section 173 of that Act, “victim statement” in paragraph 5 of section 19 of that Act and “victim’s representations” in the second paragraph of section 176 of that Act

by “person who is a victim”, “persons who are victims”, “statement by the person who is a victim” and “representations of the person who is a victim”, respectively;

(6) by replacing “victims” in the first paragraph of section 42 and in section 108 of the Individual and Family Assistance Regulation (chapter A-13.1.1, r. 1) by “persons who are victims”;

(7) by replacing “sexual assault victim” in subparagraph ii of paragraph *f* of section 22 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) by “person who is a victim of a sexual assault”;

(8) by replacing “victimes” in the title of the Arrêté ministériel concernant la reconnaissance des services d’aide aux victimes aux fins de l’article 417 du Code de procédure civile (chapter C-25.01, r. 7, French only) by “personnes victimes”;

(9) by replacing “crime victims assistance resources” in subparagraph i of subparagraph *b* of the second paragraph of paragraph 1.1 of section 8 of the Letters patent constituting the Ordre professionnel des criminologues du Québec (chapter C-26, r. 90.1) by “assistance resources for persons who are victims of crime”;

(10) by replacing all occurrences of “victime” and “victimes” in sections 1, 2, 14, 16, 17, 17.1 and 18 of the Orientations et mesures du ministre de la Justice en matières d’affaires criminelles et pénales (chapter M-19, r. 1, French only) by “personne victime” and “personnes victimes”, respectively;

(11) by replacing “victime” in subparagraph *d* of paragraph 2 of section 6 in the French text of the Regulation respecting the police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction (chapter P-13.1, r. 6) by “personne victime”;

(12) by replacing “victim” in the second paragraph of section 28 of the Organization and Management of Institutions Regulation (chapter S-5, r. 5) by “person who is a victim”.

TITLE X

TRANSITIONAL AND FINAL PROVISIONS

CHAPTER I

GENERAL PROVISIONS

176. For the purposes of this Title, an application means any application filed to benefit from the advantages provided for by the Crime Victims Compensation Act (chapter I-6) or the Act to promote good citizenship

(chapter C-20), as they read on the date preceding the date of coming into force of this Act, or any qualification application or financial assistance application made under this Act.

177. For the purposes of this Title, a final decision is a decision that has not been the subject of an application for review or a contestation before the Administrative Tribunal of Québec or with regard to which the time limit to apply for a review or file a contestation is expired and that

(1) confirms or quashes a person's eligibility for the plan provided for by the Crime Victims Compensation Act or the Act to promote good citizenship, as they read on the date preceding the date of coming into force of this Act, or confirms or quashes a person's qualification under this Act or the Act to promote good citizenship, as amended by this Act; or

(2) grants or refuses an advantage or financial assistance provided for in one of the plans referred to in paragraph 1.

178. Any indemnity for a permanent and total or permanent and partial disability paid under the Crime Victims Compensation Act or the Act to promote good citizenship, as they read on the date preceding the date of coming into force of this Act, for an injury or the resulting permanent sequelae is deemed to be the lump sum for which a person would be eligible under this Act or under the Act to promote good citizenship, as amended by this Act, for the same sequelae resulting from the same injury.

Likewise, the indemnity in a case of death paid under the Crime Victims Compensation Act or the Act to promote good citizenship, as they read on the date preceding the date of coming into force of this Act, is deemed to be the lump sum for which a person would be eligible under this Act or under the Act to promote good citizenship, as amended by this Act, for a death due to the commission of a criminal offence.

CHAPTER II

TRANSITIONAL PROVISIONS APPLICABLE TO VICTIMS OF CRIMINAL OFFENCES

179. Any final decision that, before the date of coming into force of this Act, rules on eligibility and grants the benefit of an advantage under the Crime Victims Compensation Act (chapter I-6), as it read on the date preceding the date of coming into force of this Act, is maintained and any pension, indemnity or other benefit is paid or continues to be paid in accordance with that Act, for as long as its payment does not cease as a result of the application of the provisions of that Act.

Despite the first paragraph, if an indemnity or other benefit ceases to be paid as a result of the application of the Crime Victims Compensation Act, as it read before the date preceding the date of coming into force of this Act, and if the need that gave rise to the payment of the indemnity or benefit arises again after the date of coming into force of this Act, the plan under the provisions of this Act then applies and the applicable financial assistance, if any, is the financial assistance under this Act.

Likewise, where the need of a person declared eligible under the Crime Victims Compensation Act, as it read before the date preceding the date of coming into force of this Act, for a pension, indemnity or other benefit provided for in that Act arises after the date of coming into force of this Act, the plan under the provisions of this Act then applies and the applicable financial assistance, if any, is the financial assistance under this Act.

For the purposes of this section,

(1) a person declared eligible within the meaning of subparagraph *a* of the first paragraph of section 3 of the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, is qualified within the meaning of subparagraph 1 of the first paragraph of section 15 of this Act;

(2) a dependent person declared eligible within the meaning of paragraph *l* of subsection 1 of section 2 of the Workers' Compensation Act (chapter A-3) is qualified within the meaning of any of subparagraphs 3 to 5 of the first paragraph of section 15 of this Act, as applicable;

(3) a father or mother declared eligible within the meaning of section 7 of the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, or declared eligible as a close relation under section 5.1 of that Act is qualified within the meaning of subparagraph 2 of the first paragraph of section 15 of this Act;

(4) a close relation other than a child, parent or spouse declared eligible within the meaning of the second paragraph of section 5.1 of the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, is qualified within the meaning of subparagraph 6 of the first paragraph of section 15 of this Act; and

(5) a person declared eligible within the meaning of subparagraph *b* or *c* of the first paragraph of section 3 of the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, is qualified within the meaning of subparagraph 1 or 2 of the first paragraph of section 16 of this Act.

180. Any application filed with the Commission des normes, de l'équité, de la santé et de la sécurité du travail before the date of coming into force of this Act that has not been the subject of a decision on eligibility, as well as any application filed after that date regarding a criminal offence committed before that date, are admissible if,

(1) on the date the criminal offence concerned was committed, the application would have been admissible under the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act; or

(2) the application was filed by a person who would have been eligible under subparagraph *a* of the first paragraph of section 3 of the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, and, on the date the criminal offence concerned was committed, the application would have been refused under that Act for the sole reason that it was not filed within the prescribed time and the criminal offence concerned involves violence suffered during childhood, sexual violence or spousal violence.

A person who is a victim whose application is admissible under this section is entitled to the financial assistance provided for by this Act, provided the person meets the conditions prescribed to obtain that assistance.

The fourth paragraph of section 179 applies to this section.

181. The provisions of the Crime Victims Compensation Act, as they read on the date preceding the date of coming into force of this Act, apply to the following applications filed before the date of coming into force of this Act, where the claimant was declared eligible before that date and regarding which no final decision was rendered before that date:

(1) an application concerning the possible payment of an indemnity for a permanent and total or permanent and partial disability, provided the disability existed on that date; and

(2) an application concerning an advantage other than the possible payment of an indemnity for a permanent and total or permanent and partial disability, provided the need that gave rise to the application existed on that date.

The second, third and fourth paragraphs of section 179 apply, with the necessary modifications.

182. Despite the first paragraph of section 179 and the first paragraph of section 181, any indemnity paid for a temporary and total or temporary and partial disability under the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, ceases not later than the date that is three years after the date of coming into force of this Act.

183. Any person who is the subject of a final decision that, before the date of coming into force of this Act, refuses eligibility for the plan provided for by the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, may be the subject of a qualification application under this Act if

(1) the criminal offence concerned involves violence suffered during childhood, sexual violence or spousal violence;

(2) the sole reason for the refusal is that the application was not filed within the time prescribed by the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act; and

(3) the new application is filed before the date that is three years after the date of coming into force of this Act.

The eligibility conditions of the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, except the condition mentioned in subparagraph 2 of the preceding paragraph, also apply to a qualification application filed under this section.

A person who is a victim whose qualification application is admissible under this section is entitled to the financial assistance provided for by this Act, provided they meet the conditions prescribed to obtain that assistance.

Section 180 does not apply to an application made under this section.

184. For the purposes of the first paragraph of section 179 and the first paragraph of section 181 and in order to apply to any application filed under the Crime Victims Compensation Act, as it read on the date preceding the date of coming into force of this Act, any provision contained in another Act or a regulation that sets out terms of application or terms incidental to the plan under that Act is maintained in force.

CHAPTER III

TRANSITIONAL PROVISIONS APPLICABLE WITH RESPECT TO THE ACT TO PROMOTE GOOD CITIZENSHIP

185. Any final decision that, before the date of coming into force of this Act, rules on eligibility and grants a benefit under the Act to promote good citizenship (chapter C-20), as it read on the date preceding the date of coming into force of this Act, is maintained and any benefit is paid or continues to be paid in accordance with the provisions of that Act, for as long as its payment does not cease as a result of the application of those provisions.

Despite the first paragraph, if a benefit ceases to be paid as a result of the application of the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act, and the need that led to payment of the benefit arises again after the date of coming into force of this Act, the plan under the provisions of the Act to promote good citizenship, as amended by this Act, then applies and the applicable financial assistance, if any, is the financial assistance under that Act.

Likewise, where the need of a person declared eligible for a benefit under the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act, arises after the date of coming into force of this Act, the plan under the provisions of the Act to promote good citizenship, as amended by this Act, then applies and the applicable financial assistance, if any, is the financial assistance under that Act.

For the purposes of this section,

(1) a person declared eligible within the meaning of paragraph *g* of section 1 and section 2 of the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act, is a rescuer within the meaning of section 1 and the first paragraph of section 2 of the Act to promote good citizenship, as amended by this Act; and

(2) a dependant declared eligible within the meaning of paragraph *c* of section 1 and section 2 of the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act, is a child, spouse or dependant, as applicable, within the meaning of section 2 of the Act to promote good citizenship, as amended by this Act.

186. Any application filed with the Commission des normes, de l'équité, de la santé et de la sécurité du travail before the date of coming into force of this Act that has not been the subject of a decision on eligibility, as well as any application resulting from assistance provided before that date is admissible if, on the date the assistance was provided, the application would have been admissible under the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act.

A rescuer or person whose application is admissible under this section is entitled to the financial assistance provided for by the Act to promote good citizenship, as amended by this Act, provided they meet the conditions prescribed to obtain that assistance.

The fourth paragraph of section 185 applies to this section.

187. The provisions of the Act to promote good citizenship, as they read on the date preceding the date of coming into force of this Act, apply to the following applications filed before the date of coming into force of this Act, where the claimant was declared eligible before that date and regarding which no final decision was rendered before that date:

(1) an application concerning the possible payment of an indemnity for a permanent and total or permanent and partial disability, provided the disability existed on that date; and

(2) an application concerning an advantage other than the possible payment of an indemnity for a permanent and total or permanent and partial disability, provided the need that gave rise to the application existed on that date.

The second, third and fourth paragraphs of section 185 apply, with the necessary modifications.

188. Despite the first paragraph of section 185 and the first paragraph of section 187, any indemnity paid for a temporary and total or temporary and partial disability under the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act, ceases not later than the date that is three years after the date of coming into force of this Act.

189. For the purposes of the first paragraph of section 185 and the first paragraph of section 187 and in order to apply to any application filed under the Act to promote good citizenship, as it read on the date preceding the date of coming into force of this Act, any provision contained in another Act that sets out terms for applying that Act or terms incidental to the plan under that Act is maintained in force.

CHAPTER IV

OTHER TRANSITIONAL AND FINAL PROVISIONS

190. Victims of crime assistance centres recognized under section 10 of the Act respecting assistance for victims of crime (chapter A-13.2), as it read on the date preceding the date of coming into force of this Act, become assistance centres for persons who are victims of criminal offences recognized under section 7 of this Act.

191. The Bureau d'aide aux victimes d'actes criminels established under section 8 of the Act respecting assistance for victims of crime, as it read on the date preceding the date of coming into force of this Act, becomes the office dedicated to assisting persons who are victims of criminal offences established under section 10 of this Act.

192. The assets and liabilities of the Crime Victims Assistance Fund established under section 11 of the Act respecting assistance for victims of crime, as it read on the date preceding the date of coming into force of this Act, are transferred to the fund dedicated to assistance for persons who are victims of criminal offences established under section 11 of this Act.

The expenditure and investment estimates of the Crime Victims Assistance Fund become those of the fund dedicated to assistance for persons who are victims of criminal offences.

193. Any agreement entered into for the application, by the Commission des normes, de l'équité, de la santé et de la sécurité du travail, of the Act to promote good citizenship (chapter C-20) or the Crime Victims Compensation Act (chapter I-6), that is in force on the date preceding the date of coming into force of this Act, is maintained in force for the application of this Act or the Act to promote good citizenship, as applicable and with the necessary modifications, until resiliated or replaced by a new agreement. Such an agreement is deemed to be entered into under section 103 of this Act or section 27.3 of the Act to promote good citizenship, as applicable.

Unless the context indicates otherwise, a reference to the Commission des normes, de l'équité, de la santé et de la sécurité du travail in an agreement referred to in the first paragraph is replaced by a reference to the Minister of Justice and a reference to the Crime Victims Compensation Act is replaced by a reference to this Act, with the necessary modifications.

194. The first regulation made under this Act may take effect on any date not prior to the date of coming into force of this Act.

195. The Act respecting assistance for victims of crime, the Crime Victims Compensation Act and the Act respecting assistance and compensation for victims of crime (1993, chapter 54) are repealed.

196. The Minister tables a report in the National Assembly on the Minister's activities under this Act for each fiscal year, not later than 30 September following the end of that year. If the Assembly is not sitting, the Minister tables the report within 30 days after the opening of the next session or resumption.

The Minister includes in the report the information the Minister received from a government department or a body referred to in section 9 under the fifth paragraph of that section and that concerns the complaints the government department or the body received in accordance with that section.

In addition, not later than five years after this Act comes into force, the Minister reports on its implementation. The report is tabled in the National Assembly within the following 30 days if the Assembly is in session or, if it is not sitting, within 30 days after the opening of the next session or resumption.

197. The Minister of Justice is responsible for the administration of this Act.

198. The provisions of this Act come into force on 13 October 2021 or an earlier date to be set by the Government.

