



CHAPTER 53

An Act to establish the Juvenile Delinquents' Court of Quebec

[Assented to, the 17th of May, 1940]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows:

1. The Lieutenant-Governor in Council may establish, by proclamation, for the city of Quebec, a court of record called: "Juvenile Delinquents' Court of Quebec".

Juvenile Delinquents' Court of Quebec.

2. The Lieutenant-Governor in Council may, by a commission under the Great Seal, appoint, during good behaviour, a judge to preside over such court. The Lieutenant-Governor in Council may also, in the case of the absence or incapacity to act of such judge, appoint, by a commission under the Great Seal, for the time deemed necessary, a Judge of the Sessions or a District Magistrate to exercise such power.

Appointment of a judge.

Absence of judge, etc.

3. The salary of the judge of the said court shall be determined by the Lieutenant-Governor in Council, but shall not exceed five thousand dollars (\$5,000.00) per annum, payable out of the consolidated revenue fund.

Salary of judge.

4. The Juvenile Delinquents' Court of Quebec and the judge presiding over such court shall have respectively the powers conferred on them by competent authority.

Powers of court and judge.

- 5.** The judge of the Juvenile Delinquents' Court of Quebec, before entering upon his functions, shall take an oath before a judge of the Court of King's Bench, a judge of the Superior Court or the Chief Justice of the Sessions of the Peace at Quebec, as follows:
- Oath of judge.
- Form of oath. "I, A.B., swear that I will faithfully, impartially and honestly, to the best of my knowledge and ability, perform all the duties and exercise all the powers of judge of the Juvenile Delinquents' Court of Quebec".
- 6.** The Juvenile Delinquents' Court of Quebec shall hold its sittings every juridical day or whenever the despatch of business requires.
- Sittings of court.
- 7.** The clerk of the peace and the deputy-clerk of the peace of the district of Quebec shall be the clerk and the deputy-clerk of the Juvenile Delinquents' Court of Quebec.
- Clerk and Deputy-clerk of court.
- The said officers may, when the judge is not present in the place where the said court sits, replace such judge, except as to the rendering of judgment or the pronouncing of sentence.
- Id., jurisdiction thereof.
- 8.** The clerk shall draw up minutes of the proceedings at the hearing and he shall have the custody of the records of the court.
- Duties of clerk.
- 9.** The sheriff of the district of Quebec shall also be an officer of the said court.
- Sheriff as officer of court.
- 10.** Every constable and peace officer of the district of Quebec shall, *ex officio*, be constable and peace officer of the said court.
- Constables, etc.
- 11.** The Lieutenant-Governor in Council may specify and approve the institutions which may be used as industrial schools within the meaning of the Act of the Parliament of Canada, 19-20 George V, chapter 46 (The Juvenile Delinquents Act, 1929), and may make, with the proprietors of the said institutions, such agreements as may seem to him proper for the keeping and maintenance of the children confined therein.
- Approval of institutions as industrial schools.
- Agreements.
- 12.** The costs of the maintenance, keeping and transportation of the children confined in such industrial schools shall be governed by the regulations which
- Costs of maintenance, etc.

apply to the cost of maintenance, keeping and transportation of children confined in reformatory schools.

13. The Lieutenant-Governor in Council may, by proclamation, extend the jurisdiction of the Juvenile Delinquents' Court of Quebec to any municipality of the judicial district of Quebec. Extension of jurisdiction.

14. The Lieutenant-Governor in Council may authorize the Attorney-General to make, with any municipality of the said district, a satisfactory arrangement for the contribution by the said municipality towards the expenses resulting from the carrying out of this act, and the council of such municipality may, by ordinary by-law, authorize the signature of an agreement for the said purpose and the payment of the said contribution. Arrangement for contributions by municipalities.

15. This act shall come into force on the day of its sanction. Coming into force.

