



CHAPTER 92

An Act to amend the Civil Code respecting the recovery of claims resulting from an offence or a quasi-offence

[Assented to, the 11th of April, 1935]

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

1. The Civil Code is amended by adding thereto, after C. C., art. 1056a thereof, as enacted by the act 23 George V, chapter 106, section 1, the following article:

"1056b. Saving the provisions of the Bar Act (Revised Statutes, 1925, chapter 210), in recovering any indemnity exigible under this Chapter Third, no mandatory or intermediary can receive as remuneration, or cause to be transferred to himself as collateral security or otherwise, the indemnity, in whole or in part, which the person injured or his representatives may claim, or in any way acquire any personal interest in the amount of such indemnity.

Transferring, etc., of indemnity to mandatory, etc., prohibited.

Every arrangement, verbal or written, express or implied, entered into in violation of this article, is null, *pleno jure*, and the person paying any part of the indemnity under such arrangement has a right of recovery against the person who receives the same.

Nullity of certain arrangements.

At the time of exercising any recourse provided by this chapter, the court, upon the application of any party in the case, may allow proof of the existence of an arrangement made in violation of this article."

Allowing of certain proof.

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

Coming into force.

