

CAP. XI

An Act to authorize the reference, by the Lieutenant-Governor in Council, of certain questions to the Court of Queen's Bench

[Assented to 15th January, 1898]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows:

References by Lieutenant-Governor to Court of Queen's Bench, Appeal side.

1. The Lieutenant-Governor in Council may refer to the Court of Queen's Bench, Appeal side, for hearing or consideration, any question whatever which he deems expedient, and thereupon the court shall hear and consider the same.

How opinion of court is given.

2. The court shall transmit to the Lieutenant-Governor in Council for his information, its opinion duly certified upon the questions so referred, giving its reasons in support thereof in like manner as in the case of judgments rendered upon appeals brought before the said court.

Opinion of dissenting judges.

Any judge who differs from the majority shall, in like manner, give his opinion duly certified and his reasons in support thereof.

Parties may be notified and are entitled to be heard.

3. The court may order that any person interested, or if there is a class of persons, any one or more persons as representing that class, be notified of the hearing upon any reference to the court under this act; and such persons are entitled to be heard.

Opinion advisory and not subject to appeal.

4. The opinion of the court upon any question referred to it under this act is advisory only and cannot be appealed from.

Rules of practice to be made.

5. The majority of the judges of the Court of Queen's Bench may make the rules of practice necessary for carrying out the provisions of this act.

Days for hearing to be fixed.

The chief-justice of the Court of Queen's Bench, or if he is absent or sick, any other judge of that court, may fix any day or days, in or out of term, for the hearing, consideration and decision of the questions referred under the authority of this act.

Coming into force.

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