

The rise of Quebec's Small Claims Court jurisdiction to \$15,000.00: An opportunity for the Consumer Goods Industry to rethink their company's complaints handling processes

According to the Minister of Justice, Ms. Stéphanie Vallée, all the provisions of the *New Code of Civil Procedure* will come into force at the beginning of 2016. A key element to facilitate access to justice is the increased threshold of claims for the Small Claims Division of the Court of Québec, which will rise from \$7,000 to \$15,000.

Rather than waiting for the coming into force of the *New Code of Civil Procedure*, the Minister of Justice has gone ahead and filed *Bill 14, an Act to Amend the Code of Civil Procedure and other provisions*.

The goal is to increase the allowable value for the recovery of small claims to \$15,000 as at January 1, 2015 if the legislative calendar allows it.

Why prepare for this change?

The Judgment is final in Small Claims Court and non-appealable, except in the case of excess of jurisdiction. It is accessible to everyone and a Judgment rendered against a company may negatively impact its reputation. It could also inspire class action lawyers to file a class action when the litigation involves a possible violation to the *Consumer Protection Act* or privacy laws. These are additional risks to consider.

When a company, a partnership or an association is being sued in Small Claims Court, only an officer or another person bound exclusively to them under a contract of employment can represent it. The company's complaints handling processes should be looked at to ensure that these claims are appropriately handled before the court or settled out of court.

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[a cautionary note](#)

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