

APPLICATION FOR REFERRAL TO ANOTHER JUDICIAL DISTRICT

Articles 48 and 167 of the *Code of Civil Procedure*, CQLR, c. C-25.01
Section 114 of the *Charter of Human Rights and Freedoms*, CQLR, c. C-12

GENERAL INFORMATION

This form allows a party to ask for the case to be referred to another judicial district. Section 114 of the Charter provides that the *Originating Application* must be filed at the office of the Court of Québec in the judicial district where the defendant resides or has his principal business establishment.

PROCEDURE

NOTIFICATION

You must notify your *Application for Referral to Another Judicial District* (hereafter *Application for Referral*) to all the parties to the proceedings.

The notification may be made, for example, by registered mail, courier service (Purolator, UPS, etc.) or by bailiff.

FILING AT THE COURT OFFICE

As specified in the [Directive of the Human Rights Tribunal](#), **two paper versions** of the *Application for Referral* must be filed, accompanied by proof of notification to the other parties, at the office of the Court of Québec in the district where the application is filed, and which is indicated on the procedures.

It must also be transmitted to the Tribunal using a technology-based medium. Additional copies may be requested by the Tribunal.

FILING WITH THE GREFFE NUMÉRIQUE JUDICIAIRE DU QUÉBEC

You may file your *Application for Referral* with the Greffe numérique judiciaire du Québec. To use this option, visit: <https://lexius-gnjq.justice.gouv.qc.ca/en/Accueil>

HOW TO FILL OUT THE FORM

- The number beside the following explanations refers to the corresponding section of the form.
- The form should only be printed on **one side of the page**.

1 DISTRICT AND RECORD NUMBER

Indicate the district and the record number as they appear on the proceedings.

2 IDENTIFICATION OF THE PARTIES

Indicate the name and surname of every party to the proceedings as they appear on the *Originating Application*.

3 CONTENT OF THE APPLICATION

- Indicate whether you are the plaintiff or defendant using the drop-down menu.
- Indicate the district where the *Originating Application* was filed using the drop-down menu.
- Indicate the district where you want the file to be referred using the drop-down menu.
- Indicate the reason(s) why your *Application for Referral* should be granted.
- Indicate the location and the date, and sign your *Application for Referral*.

4 SWORN STATEMENT

Indicate your name, surname and complete address.

Sign the statement before a person authorized to administer oaths (e.g., a lawyer, a Commissioner for oaths or a clerk of a court of justice).

5 NOTICE OF PRESENTATION

Indicate the name, surname, and address of all the parties to whom you are notifying the application.
Sign the *Notice of Presentation*.

6 BACK

Most of the information is automatically filled in when you complete the present form.

You should only need to write down your email and telephone number in the required section.

You must staple the back at the end of your *Application for Referral*.

1 CANADA
PROVINCE OF QUÉBEC
DISTRICT OF SELECT

HUMAN RIGHTS TRIBUNAL
Office of the Court of Québec

Record no: _____

2

_____ and _____

_____ and _____

Plaintiff(s)

v. _____

_____ and _____

_____ and _____

Defendant(s)

APPLICATION FOR REFERRAL TO ANOTHER JUDICIAL DISTRICT

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3 TO ONE OF THE HONOURABLE JUDGES OF THE HUMAN RIGHTS TRIBUNAL,

THE Select _____ SUBMITS:

1. An *Originating Application* was filed in the district of SELECT _____.
2. The Select _____ asks that the file be referred to the district of
SELECT _____, which corresponds to the district of:
 - ☐ his domicile
 - ☐ his residence
 - ☐ his principal business establishment
 - ☐ other reason, explain:

FOR THESE REASONS, MAY IT PLEASE THE TRIBUNAL TO:

GRANT the *Application for Referral to Another Judicial District*;

REFER the file to the judicial district of SELECT;

THE WHOLE, without costs.

SIGNATURE	SIGNATURE	SIGNATURE
Select 1	Select 2	Select 3
Signed in _____, City	Signed in _____, City	Signed in _____, City
on _____ Date	on _____ Date	on _____ Date
_____ Signature	_____ Signature	_____ Signature

4

SWORN STATEMENT

I, the undersigned _____, domiciled and residing at _____
Name and surname

Number Street Apartment City Province Postal code

declare that the facts alleged herein are true.

I have signed in _____.
City

Signature

Solemnly affirmed before me,

In _____, on _____.
City Date

Lawyer / Clerk / Commissioner for oaths

Name in block letters

5

NOTICE OF PRESENTATION

To :

First name, name, and complete address

First name, name, and complete address

First name, name, and complete address

First name, name, and complete address

Notice is hereby given that the *Application for Referral to Another Judicial District* will be presented for adjudication at a case management conference held on _____. Failing that, the Tribunal will determine the date and location for presentations and will notify the parties.

In _____, on _____.
City Date

Signature

Name in block letters

No:

HUMAN RIGHTS TRIBUNAL
(Office of the Court of Québec)
DISTRICT OF SELECT

and

and

Plaintiff(s)

v.

and

and

Defendant(s)

APPLICATION FOR REFERRAL TO ANOTHER
JUDICIAL DISTRICT

Name:
Address:
Telephone:
Email: