

## **Institutional guidelines concerning the electronic filing of documents**

### **1. Object**

The purpose of these guidelines is to provide a framework for the electronic filing of documents with the Tribunal.

They complement the principles and rules established by the *Act respecting administrative justice*<sup>1</sup> and the *Regulation respecting the procedure of the Tribunal administratif du Québec*<sup>2</sup>.

### **2. Scope of application**

These guidelines apply to any type of document intended to open a record or to be added in an existing record at the Tribunal, when sent by the following electronic means<sup>3</sup>:

- the Tribunal's online proceeding filing service;
- the Tribunal's online document filing service;
- email; and
- a physical storage medium, such as a USB key, a CD-ROM, or a DVD.

### **3. Content**

#### ***3.1. Guiding principles***

A document should only be filed once with the Tribunal.

The Tribunal favors the use of its online services because they are safe and accessible anywhere and at any time. Moreover, online filing allows for more efficient document processing and is an environmentally responsible method.

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<sup>1</sup> CQLR, chapter J-3.

<sup>2</sup> CQLR, chapter J-3, r. 3.01.

<sup>3</sup> Although it is an electronic means, fax machine is excluded from the scope of application of these guidelines.

## **3.2. Format**

### **3.2.1. File format**

The Tribunal accepts the electronic filing of documents only in the following file formats:

- PDF (Portable Document Format);
- JPEG (image compression formats);
- MP3 (audio compression format); and
- MP4 (audio-video compression format).

Documents received in JPEG format are converted into PDF format by the Tribunal when they are added in the record.

A separate file must be created for each document.

If the document filed has several pages, a single PDF file with pages in sequential order must be created.

If more than 10 images are filed, a single PDF file containing all the images must be created.

### **3.2.2. Document format**

Before filing a document with the Tribunal, you must ensure that the text is readable, that the images are visible, and that the sound and visual recordings are of good quality.

The Tribunal recommends that the documents meet the following specifications:

- Page size: 8.5" x 11" (letter) or 8.5" x 14" (legal).
- Consecutively numbered pages.
- Bookmarks or a table of contents when justified by the number of pages or type of document (for example, documents of more than 50 pages and documents containing several distinct sections such as administrative files or books of authorities).

The Tribunal reserves the right to modify the format of the document, in particular the orientation or the order of the pages, to facilitate reading or processing.

### **3.3. File size**

The file submitted must respect the following maximum size:

- 200 MB, when filing through the Tribunal's online services.
- 25 MB, when the document is attached to an email<sup>4</sup>.

Files exceeding 200 MB must be saved on a physical storage medium or sent by a method agreed upon with the Tribunal.

### **3.4. File name**

Any file submitted must be clearly and accurately identified to facilitate its processing. It is recommended to assign a number to the documents filed in evidence.

The Tribunal will change the name of the file when it is added in the record to facilitate its processing.

### **3.5. Technical characteristics of the file**

The Tribunal encourages the parties to file PDF documents allowing character recognition, which enables the use of the keyword search function.

A file submitted must not include:

- password protection or encryption;
- restrictions preventing the modification, searching, or printing;
- comments or annotations (including track changes markups); or
- viruses or other security flaws.

The Tribunal reserves the right to remove any metadata or restriction that may interfere with the viewing, searching, or printing of the document.

## **4. Final remarks**

The date of filing of a document is the date on which it is received<sup>5</sup>. Thus, in the case of a document sent online or by email, it is the date appearing on the Tribunal's server that is saved and not the date on which the document is processed and added in the record.

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<sup>4</sup> Depending on the system used for sending the email, the maximum document size may be less than 25 MB.

<sup>5</sup> Supra note 2, s. 8, para. 1.

The electronic transmission of a document does not guarantee that it will be added in the Tribunal's record. In the event of technical difficulties at the time of transmission or in the presence of any irregularity identified at the time of processing, the Tribunal staff will provide the necessary assistance to the person filing the document.

These guidelines do not replace the regulatory obligations concerning the filing of documents in the Tribunal's records, namely:

- sending documents to the other parties involved in the case<sup>6</sup>;
- sending the document in paper format to a party who refuses to receive it electronically<sup>7</sup>;
- complying with the deadlines for sending documents that will be produced as evidence during the hearing<sup>8</sup>.

October 21, 2021

Approved on November 2, 2021, by the  
President and director general:

A handwritten signature in blue ink, appearing to read "A. Baurassa".

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<sup>6</sup> *Ibid.*, s. 12.

<sup>7</sup> *Ibid.*, s. 33, para. 1.

<sup>8</sup> *Ibid.*, s. 33, paras. 1 and 2.