



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 79

**An Act to give effect to the report of the
L'Heureux-Dubé independent committee
and to introduce the conditions of
employment of the Members of the
National Assembly as of the
42nd Legislature**

Introduction

**Introduced by
Mr. Jean-Marc Fournier
Government House Leader and Minister responsible for
Access to Information and the Reform of Democratic
Institutions**

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EXPLANATORY NOTES

This bill amends the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly and various other Acts to introduce the new conditions of employment for the Members of the National Assembly as of the 42nd Legislature.

The bill amends the pension plan of the Members of the National Assembly by setting the pension credits acquired each year at 2% of each Member's total indemnity. In addition, the maximum number of years of contribution to the pension plan is set at 35 years, and Members may not contribute to the pension plan past the end of the year in which they turn 71.

The bill introduces the principle whereby the provisions of the Members' insurance plans must be equivalent, in terms of coverage and premium cost-sharing between the plan members and the State, to the provisions of the group insurance plan applicable to management personnel in the public and parapublic sectors.

Under the bill, a Member's transition allowance will be computed on the basis of the amount of his or her annual indemnity at the end of the Member's term and will be adjusted to take into account the employment, professional, business and retirement income and disability insurance benefits declared to the Ethics Commissioner of the National Assembly, and Members will have to reimburse any overpayment of the allowance. Furthermore, the allowance will not be paid or will cease to be paid if a former Member is prosecuted for a penal or criminal offence related to the exercise of the functions of office, and such a Member found guilty of such an offence will be required to reimburse any transition allowance already paid.

Certain changes are also made to the reimbursement mechanisms for lodging expenses to which Members, parliamentary office holders and Cabinet Ministers are entitled.

Attendance allowances for members of National Assembly committees and subcommittees are abolished, as are indemnities granted to temporary parliamentary committee chairs and to the regular members of the Office of the National Assembly. The bill grants a lump sum of \$250 per sitting day to temporary parliamentary

committee chairs and to regular and substitute members of the Office of the National Assembly.

Under the bill, the Members' annual indemnity will be equal to the maximum of the salary scale for level-4 senior officers, vice-chairs and members of a government body or enterprise, and will be adjusted by a percentage equal to the percentage of increase applicable to that class of employment. The tax-exempt expense allowance will therefore be abolished through its integration into the annual indemnity. Furthermore, the percentages of the additional indemnities paid to certain parliamentary office holders, the Premier and the other ministers will be reduced.

The bill provides for the creation of a permanent independent committee mandated to determine, at the intervals and within the time provided for by law, whether it is advisable to examine the conditions of employment and pension plan of the Members of the National Assembly and, if applicable, to conduct such an examination and make recommendations. The National Assembly will then rule on the matter, and the authorities concerned will give effect to the report.

Lastly, various transitional and consequential provisions, including regulatory provisions, are introduced.

LEGISLATION AMENDED BY THIS BILL:

- Financial Administration Act (chapter A-6.001);
- Public Administration Act (chapter A-6.01);
- Act respecting the National Assembly (chapter A-23.1);
- Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1);
- Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1);
- Act respecting contracting by public bodies (chapter C-65.1);
- Executive Power Act (chapter E-18);

- Act respecting workforce management and control within government departments, public sector bodies and networks and state-owned enterprises (G-1.011);
- Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03).

REGULATIONS AMENDED BY THIS BILL:

- Règlement sur l'allocation forfaitaire de frais de fonction et les autres allocations des membres du Conseil exécutif (chapter E-18, r. 0.1, French only);
- Règlement sur le régime de prestations supplémentaires des membres de l'Assemblée nationale (French only), adopted on 8 December 1992 by Decision 562 of the Office of the National Assembly.

Bill 79

AN ACT TO GIVE EFFECT TO THE REPORT OF THE L'HEUREUX-DUBÉ INDEPENDENT COMMITTEE AND TO INTRODUCE THE CONDITIONS OF EMPLOYMENT OF THE MEMBERS OF THE NATIONAL ASSEMBLY AS OF THE 42ND LEGISLATURE

AS, in a unanimous decision, the Office of the National Assembly created, on 13 June 2013, an independent committee chaired by retired justice Claire L'Heureux-Dubé and mandated to propose new conditions of employment for the Members of the National Assembly;

AS the committee's report, tabled in the National Assembly on 26 November 2013, recommends various legislative and regulatory amendments with respect to the indemnities and allowances, lodging expenses and pension and insurance plans of the Members of the National Assembly as well as the creation of a permanent independent committee mandated to periodically review their conditions of employment;

AS the L'Heureux-Dubé independent committee recommended that the changes come into force at the beginning of the legislature that follows the legislative and regulatory amendments giving effect to the report's recommendations;

AS the L'Heureux-Dubé independent committee stated that its recommendations form a coherent whole and that it would be inappropriate to retain only some of its elements;

AS the granting of transition allowances to Members who resign during their term of office should be regulated as of the current legislature and as another bill to that effect is being introduced simultaneously in the National Assembly;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**ACT RESPECTING THE CONDITIONS OF EMPLOYMENT AND THE
PENSION PLAN OF THE MEMBERS OF THE NATIONAL ASSEMBLY**

1. Section 1 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1) is replaced by the following section:

1. Every Member shall receive an annual indemnity equal to the maximum of the salary scale for level-4 senior officers, vice-presidents and members of a government body or enterprise referred to in section 5 of the Règles concernant la rémunération et les autres conditions de travail des titulaires d'un emploi supérieur à temps plein (Order in Council 450-2007 (2007, G.O. 2, 2723, French only)).

On the effective date of an increase in that salary scale, the annual indemnity is increased by the same percentage.”

2. Section 6 of the Act is amended by replacing “and to the annual allowance” in the first paragraph by “provided for in section 1”.

3. Section 7 of the Act is amended

(1) by adding “provided for in section 1” at the end of the introductory clause of the first paragraph;

(2) by replacing “75%” in subparagraph 1 of the first paragraph by “60%”;

(3) by replacing “35%” in subparagraph 2 of the first paragraph by “25%”;

(4) by replacing “20%” in subparagraph 3 of the first paragraph by “15%”;

(5) by replacing “75%” in subparagraph 4 of the first paragraph by “60%”;

(6) by replacing “35%” in subparagraph 5 of the first paragraph by “25%”;

(7) by replacing “35%” in subparagraph 6 of the first paragraph by “30%”;

(8) by replacing “25%” in subparagraph 6.1 of the first paragraph by “20%”;

(9) by replacing “35%” in subparagraph 7 of the first paragraph by “25%”;

(10) by replacing “30%” in subparagraph 8 of the first paragraph by “20%”;

(11) by replacing “25%” in subparagraph 9 of the first paragraph by “20%”;

(12) by replacing “20%” in subparagraph 10 of the first paragraph by “15%”;

(13) by replacing “20%” in subparagraph 11 of the first paragraph by “15%”;

(14) by replacing “25%” in subparagraph 11.1 of the first paragraph by “20%”;

(15) by replacing “22.5%” in subparagraph 11.2 of the first paragraph by “15%”;

(16) by replacing “25%” in subparagraph 12 of the first paragraph by “20%”;

- (17) by replacing “20%” in subparagraph 13 of the first paragraph by “15%”;
- (18) by striking out subparagraph 13.1 of the first paragraph;
- (19) by striking out subparagraph 14 of the first paragraph;
- (20) by inserting the following paragraph after the second paragraph:

“Furthermore, a Member who is a member or substitute member of the Office of the National Assembly, or a temporary chairman of a standing committee of the Assembly, shall receive a lump sum of \$250 for each sitting day at which he is present.”

- 4.** Subdivision 2 of Division I of Chapter I of the Act, comprising sections 10 and 11, is replaced by the following subdivision:

“§2.—*Members’ lodging expenses in Québec City*

“**10.** A Member who lodges at a distance of 50 kilometres or less from the Parliament Building, calculated using the shortest route, and whose main residence is located at an even greater distance is entitled, on presentation of vouchers, to a reimbursement of a maximum amount of \$14,900 per fiscal year for lodging expenses.

This amount is adjusted on 1 April of each year at the rate of increase of the lodging component of the house price sub-index, for the Québec area, of the Consumer Price Index for Canada published by Statistics Canada, using the formula prescribed by regulation of the Office of the National Assembly.

“**11.** In addition to the amount provided for in section 10, the President of the National Assembly, the Leader of the Official Opposition, the Leader of the Second Opposition Group, the Government House Leader, the Official Opposition House Leader, the Second Opposition Group House Leader, the Chief Government Whip, the Chief Official Opposition Whip, the Whip of the Second Opposition Group, the Government Caucus Chair, the Official Opposition Caucus Chair and the Second Opposition Group Caucus Chair are entitled, on presentation of vouchers for the lease of a room in a hotel establishment, to a reimbursement of a maximum amount of \$3,000 per fiscal year for additional lodging expenses.”

- 5.** Section 11.1 of the Act is amended by replacing “The expense allowance and the indemnity, within the meaning of the first paragraph of section 23, of a Member serving a prison term are reduced” in the first paragraph by “The indemnity, within the meaning of section 23, of a Member serving a prison term is reduced”.

- 6.** Section 13 of the Act is replaced by the following section:

“13. The transition allowance is equal to twice the monthly salary the Member was receiving at the end of the Member’s term, for each complete year during which he was a Member of the Assembly, plus, as the case may be, twice the portion of the monthly salary that is equal to the fraction of a year during which he was a Member of the Assembly. Subject to the third paragraph, the allowance may not be less than four times nor more than twelve times the monthly salary.

Under the terms of this Act,

(1) the monthly salary is equal to one-twelfth of the annual indemnity provided for in section 1 to which the Member was entitled when his term ended;

(2) the period covered by the transition allowance corresponds to the amount of allowance granted under the first paragraph, expressed in full months of salary.

The amount paid to the Member must, however, be reduced by an amount equal to the employment, professional, business or retirement income, or disability insurance benefits referred to in section 24, the Member receives or is entitled to receive during the period covered by the transition allowance.”

7. The Act is amended by inserting the following sections after section 13:

“13.1. To establish the allowance amount to be paid to the former Member, that Member must file a statement with the Ethics Commissioner of his expected employment, professional, business or retirement income, or disability insurance benefits referred to in section 24, the Member expects to receive during the period covered by the transition allowance. The Ethics Commissioner shall send the statement to the Secretary General of the National Assembly.

The former Member must, in the statement, undertake to reimburse any transition allowance overpayment that could result from the total allowance amounts paid exceeding the amounts to which the former Member would have been entitled, given the employment, professional, business or retirement income, or disability insurance benefits referred to in section 24, actually received.

“13.2. During the period covered by the transition allowance, the former Member must declare without delay to the Ethics Commissioner any change in the employment, professional, business or retirement income, or disability insurance benefits referred to in section 24, the Member receives during that period. The Ethics Commissioner shall inform the Secretary General of the National Assembly of these changes and the latter shall make the necessary adjustments to the transition allowance.

“13.3. Within 60 days after the end of the period covered by the transition allowance, the former Member must file an income statement with the Ethics Commissioner, listing any employment, professional, business or retirement income, or disability insurance benefits referred to in section 24, the former Member received or was entitled to receive during that period. The Ethics Commissioner shall send the statement to the Secretary General of the National Assembly.

If the total amounts paid as a transition allowance exceed what the Member was entitled to, given the employment, professional, business or retirement income, or disability insurance benefits referred to in section 24, actually received, the former Member shall reimburse the overpayment. If the total amounts paid are less than what the Member was entitled to, he will receive the difference between the transition allowance received and the transition allowance he should have received.

If the former Member fails to provide the Ethics Commissioner with the required statement within the time prescribed in the first paragraph, the Secretary General of the National Assembly must demand the full reimbursement of the transition allowance, unless the former Member subsequently files the required information with the Commissioner within a reasonable time.”

8. Section 14 of the Act is repealed.

9. Section 16 of the Act is replaced by the following section:

“16. The transition allowance is paid from the end of the Member’s term and over a period that corresponds to the period covered by the transition allowance determined under section 13.

However, the beneficiary may, on request, receive payment of the allowance in a lump sum or over a period of up to 12 months.

The unpaid balance of the allowance may be paid in a lump sum if the beneficiary so requests.”

10. Section 18 of the Act is repealed.

11. The Act is amended by inserting the following section after section 18:

“18.1. If a former Member is prosecuted for a penal or criminal offence related to the exercise of the functions of office, the transition allowance is not paid or, as the case may be, ceases to be paid.

If the former Member is found guilty, following a judgment that has become final, he loses entitlement to the transition allowance and must reimburse any amounts already received. If, however, he is found not guilty, the transition allowance is paid or resumes, and any remaining amount withheld is paid.”

12. Section 21 of the Act is amended by replacing “69” by “71”.

13. Section 22 of the Act is replaced by the following section:

“22. An amount equal to 9% of each instalment of a Member’s indemnity must be withheld as contributions. The amount ceases to be withheld once he has accumulated pension credits for a period equivalent to 35 years.

Despite the first paragraph, if the Member began paying contributions before (*insert the date of coming into force of this section*), the amount ceases to be withheld on the first of the following: when the Member has accumulated pension credits for a period equivalent to 35 years, regardless of the date on which they were acquired, or when the number of years and parts of a year accumulated by the Member allow him to reach the rate of 100% obtained by adding

(1) 4% multiplied by the number of years and parts of a year for which a pension credit was acquired by the Member during the period from 1 January 1983 to (*insert the date preceding the date of coming into force of this section*); and

(2) 2% multiplied by the number of years and parts of a year for which a pension credit was acquired by the Member after (*insert the date preceding the date of coming into force of this section*).

However, the contributions provided for in this section may not exceed the maximum contribution established under the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement).”

14. Section 23 of the Act is replaced by the following section:

“23. A Member’s indemnity for the purposes of this chapter is the indemnity provided for in section 1 plus, in the case of the Member who is entitled to them, the indemnity provided for in section 7 of the Executive Power Act (chapter E-18), the indemnity provided for in the first paragraph of section 7 of this Act and the lump sum paid under the second paragraph of that section.”

15. Section 25 of the Act is replaced by the following section:

“25. For each year or part of a year for which the Member has paid contributions or, as the case may be, is deemed to have paid contributions, he is entitled to a pension credit equal to 2% of his indemnity.

However, for the period from 1 January 1992 to (*insert the date preceding the date of coming into force of this section*), the Member is entitled each year to a pension credit equal to 1.75% of the indemnity on which he paid or, as the case may be, is deemed to have paid contributions.

In the case of a person who was a Member on 1 January 1992, a pension credit computed in accordance with the second paragraph is granted for each year or part of a year during which he paid contributions to the plan before 1 January 1992 and for each year or part of a year credited to him under the plan before that date. This pension credit replaces, for each of those years and parts of a year, the pension credit granted to him before 1 January 1992.

The pension credit acquired under this plan may not exceed annually the applicable defined benefit limit for each year under the Income Tax Act (Revised Statutes of Canada, 1985, chapter 1, 5th Supplement). However, if the Member participated in the plan for only part of a year, the pension credit may not exceed the amount obtained by multiplying that limit by that part of a year.”

16. Section 26 of the Act is amended

(1) by inserting the following paragraph after the first paragraph:

“The Member is entitled to make a redemption in accordance with the first paragraph until the Member has accumulated pension credits for a period equivalent to 35 years. However, a Member who began paying contributions before (*insert the date of coming into force of this section*) is entitled to make a redemption in accordance with the first paragraph until he has accumulated pension credits for a period equivalent to 35 years, regardless of the date on which they were acquired, or for a period allowing him to reach the rate of 100% obtained under the second paragraph of section 22, whichever occurs first.”;

(2) by replacing “in the first paragraph” in the second paragraph by “in the first and fourth paragraphs”;

(3) by replacing “in the first paragraph of section 25” in the third paragraph by “in the first and fourth paragraphs of section 25”.

17. Section 27 of the Act is amended

(1) by inserting the following paragraph after the first paragraph:

“The Member is entitled to make a redemption in accordance with the first paragraph until he has accumulated pension credits for a period equivalent to 35 years. However, a Member who began paying contributions before (*insert the date of coming into force of this section*) is entitled to make a redemption in accordance with the first paragraph until he has accumulated pension credits for a period equivalent to 35 years, regardless of the date on which they were acquired, or for a period allowing him to reach the rate of 100% obtained under the second paragraph of section 22, whichever occurs first.”;

(2) by replacing “in the first paragraph” in the second paragraph by “in the first and fourth paragraphs”.

- 18.** Section 32 of the Act is amended by replacing “69” by “71”.
- 19.** Section 36 of the Act is amended by replacing “69” by “71”.
- 20.** Section 49 of the Act is amended by replacing “69” in the third paragraph by “71”.
- 21.** Section 53 of the Act is amended
- (1) by replacing “less than twice” in the first paragraph by “less than”;
 - (2) by replacing “less than twice” in the second paragraph by “less than”.
- 22.** Section 54 of the Act is amended by replacing “equal to twice the Member’s contributions shall be refunded” by “equal to the Member’s contributions is refunded”.
- 23.** Section 55.0.1 of the Act is amended by adding the following sentence at the end of the fourth paragraph: “In addition, a Member to whom this Act applies and to whom section 2 of the Special Provisions with respect to classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel (chapter R-12.1, r. 2) previously applied may avail himself of section 25 of those special provisions.”
- 24.** The Act is amended by inserting the following section after section 55.0.1:
- “55.0.2.** Sections 21, 32, 36 and 49, as they read on (*insert the date preceding the date of coming into force of this section*), continue to apply to a Member who attained 69 years of age before (*insert 1 January of the year of coming into force of this section*).”
- 25.** Section 67 of the Act is replaced by the following section:
- “67.** The supplementary benefits may not exceed annually the difference between
- (1) the amount of the pension credit obtained by multiplying 2% by the indemnity referred to in section 25 and, as the case may be, by the indemnities referred to in section 26 or 27, regardless of the limit provided for in the fourth paragraph of section 25; and
 - (2) the amount of the pension credit to which those benefits are added.
- However, the supplementary benefits granted before (*insert the date of coming into force of this section*) may not exceed annually the difference between 4% of the indemnity referred to in section 25 and, as the case may be, the indemnity referred to in section 26 or 27 as they read on (*insert the date preceding the date of coming into force of this section*), computed regardless

of the limit provided for in the second and third paragraphs of section 23, as the case may be and as they read on that date, and the amount of the pension credit to which those benefits are added.”

26. The Act is amended by inserting the following chapter after section 73:

“CHAPTER III.1

“PERMANENT INDEPENDENT COMMITTEE ON THE CONDITIONS OF EMPLOYMENT AND PENSION PLAN OF THE MEMBERS OF THE NATIONAL ASSEMBLY

“DIVISION I

“FUNCTION AND COMPOSITION

“73.1. The Permanent Independent Committee on the Conditions of Employment and Pension Plan of the Members of the National Assembly is established.

The committee is mandated to determine, at the intervals and within the time provided for by law, whether it is advisable to examine the conditions of employment and pension plan of the Members of the National Assembly and, as the case may be, with conducting such an examination and making recommendations.

“73.2. The committee is composed of the jurisconsult appointed under the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1) and two other members, namely,

(1) a chair, appointed on the joint motion of the Premier and the Leader of the Official Opposition, after consulting with the leaders of the other authorized parties represented in the National Assembly and with the approval of two thirds of the Members of the National Assembly; and

(2) another member, appointed by mutual agreement by the committee chair and the jurisconsult.

In the same manner as the committee chair is appointed under subparagraph 1 of the first paragraph, the Assembly shall determine the remuneration, employee benefits and other conditions of employment of the committee members, based on those granted to persons acting in a similar capacity and taking into account any remuneration, employee benefits and other conditions of employment already granted to the members, including the jurisconsult, for holding other offices in the Québec public sector.

“73.3. Before taking office, the committee members must take the oath set out in Schedule I before the President of the National Assembly.

“DIVISION II

“TERM OF OFFICE OF COMMITTEE MEMBERS

“**73.4.** This division does not apply to the juriconsult when the latter acts as committee member.

“**73.5.** The term of office of the committee members is six years and may not be renewed.

At the expiry of their term, the members shall remain in office until they are replaced.

“**73.6.** A committee member may resign by giving a written notice to the President of the National Assembly.

“**73.7.** A committee member may be dismissed only after the Committee on the National Assembly has been consulted and by a resolution approved by two thirds of the Members of the National Assembly.

“**73.8.** If a committee member resigns, is dismissed or is otherwise prevented from acting, the committee member must be replaced in accordance with the method of appointment set out in section 73.2. Any appointment under this section is made for the unexpired portion of the term of the member being replaced.

“DIVISION III

“OPINION AND REPORT

“**73.9.** Within four months after a Québec general election, the committee must determine whether it is advisable to examine the conditions of employment and pension plan of the Members of the National Assembly and must send its opinion to the President of the National Assembly.

The President shall table the opinion in the National Assembly within 15 days of receiving it or, if the Assembly is not sitting, within 15 days of resumption.

“**73.10.** If the committee states in its opinion referred to in section 73.9 that it is necessary to examine the conditions of employment and pension plan of the Members of the National Assembly, it must, within eight months after the end of the period prescribed in the first paragraph of that section, submit a report examining them as a whole to the President of the National Assembly.

“**73.11.** Before submitting its report to the President of the National Assembly, the committee may solicit observations from the Members of the National Assembly and, to that end, use any method it considers appropriate.

The committee may also invite any other person or body to submit observations.

“73.12. The committee report must contain the recommendations the committee considers appropriate.

If the committee considers it advisable, it may set out a schedule for implementing the recommendations.

“73.13. The President of the National Assembly shall table the committee’s report in the National Assembly within 15 days of receiving it or, if the Assembly is not sitting, within 15 days of resumption.

“73.14. Not later than 90 days after a report is tabled, it must be the subject of a debate limited to five hours. The debate must be held in one sitting or two consecutive sittings of the National Assembly, and no motion, except a motion to adjourn, may be presented during the debate.

If the National Assembly is not sitting when the report is tabled, the debate must be held within 10 days of resumption.

At the latest during the sitting that follows the end of the debate, the National Assembly shall approve or reject the report as a whole.

As soon as the report is approved, the National Assembly, the Office of the National Assembly, the Government, the Commission administrative des régimes de retraite et d’assurances, the Ethics Commissioner and all departments or public bodies concerned must, with due diligence, prepare the required and consequential legislative and regulatory texts to give effect to the National Assembly’s vote and take any other required measure.

If they consider it advisable, these authorities may consult the committee on any matter relating to the implementation of its recommendations, in which case the committee may submit comments to the authorities concerned.

“DIVISION IV

“MISCELLANEOUS PROVISIONS

“[[73.15. Subject to the appropriations voted by the Office of the National Assembly, the committee may incur any expenses necessary to carry out its functions. The sums required are taken out of the Consolidated Revenue Fund.]]

The committee chair shall manage the committee’s financial resources within the scope of the applicable laws, regulations and rules. The committee chair has the powers vested in a chief executive officer by the Financial Administration Act (chapter A-6.001) with regard to applications to charge a commitment and applications for payment. However, sections 30 and 31 of that Act do not apply to the committee.

“73.16. Within the scope of its functions, the committee may, among other things, retain the support services and professional services it considers necessary or mandate experts to examine any matter the committee submits to them. To that end, the committee must, whenever possible, opt for the temporary assignment of persons already appointed in accordance with the Public Service Act (chapter F-3.1.1).

“73.17. The National Assembly, the Office of the National Assembly, the Government, the Commission administrative des régimes de retraite et d’assurances, the Ethics Commissioner and all departments or public bodies concerned must, at the committee’s request, provide their technical support to enable the committee to carry out its functions, including by providing any useful document or information.

“73.18. The fiscal year of the committee ends on 31 March.

“73.19. The committee shall prepare budget estimates every year for the following fiscal year and submit them before 1 April to the Office of the National Assembly, which approves them with or without modification.

At the committee’s request, the Office of the National Assembly may determine the human, physical, financial and information resource management services to be provided free of charge to the committee by the National Assembly.

“73.20. If the committee foresees during a fiscal year that the budget estimates approved by the Office of the National Assembly will be exceeded, the committee shall prepare supplementary budget estimates and submit them to the Office of the National Assembly, which approves them with or without modification.

“73.21. Not later than 30 September each year, the committee shall submit its activity report and financial statements for the preceding fiscal year to the President of the National Assembly. If the committee was inactive during that period, the chair of the committee notifies the President of the National Assembly of that fact in writing.

The President of the National Assembly shall table the documents received in the National Assembly within 15 days of receiving them or, if the Assembly is not sitting, within 15 days of resumption.”

27. The Act is amended by inserting the following schedule after section 77:

“SCHEDULE I
(Section 73.3)

OATH OF OFFICE

I, (*name*), declare under oath that I will fulfill my duties as member of the Permanent Independent Committee on the Conditions of Employment and Pension Plan of the Members of the National Assembly with honesty and integrity and in accordance with the law.”

ACT RESPECTING THE NATIONAL ASSEMBLY

28. Section 103 of the Act respecting the National Assembly (chapter A-23.1) is amended by replacing “to its members and to the members of and” by “to”.

29. Section 104 of the Act is amended by replacing subparagraph 4 of the first paragraph by the following subparagraph:

“(4) lodging expenses or additional lodging expenses provided for in sections 10 and 11 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1), subject to the conditions, rates and modalities set out in those sections;”.

30. Section 105 of the Act is amended by replacing “and expense allowances provided” by “provided for”.

31. Section 106 of the Act is amended by adding the following paragraph at the end:

“The provisions of the insurance plans referred to in the first paragraph must be equivalent, in terms of coverage and premium cost-sharing between the plan’s members and the State, to the provisions of the group insurance plan applicable to management personnel in Québec’s public and parapublic sectors.”

CODE OF ETHICS AND CONDUCT OF THE MEMBERS OF THE
NATIONAL ASSEMBLY

32. The Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1) is amended by inserting the following after section 40:

“CHAPTER VII.1

“STATEMENT OF PRINCIPAL RESIDENCE

“**40.1.** Within 60 days after the notice of the Member’s election is published in the *Gazette officielle du Québec*, and annually on or before the date set by the Ethics Commissioner, a Member must file with the Ethics

Commissioner a statement of principal residence. The statement is confidential and is kept at the office of the Ethics Commissioner.

The statement of principal residence must contain all the information prescribed by the Ethics Commissioner.

The Ethics Commissioner must verify the information contained in the statement and send the statement to the Secretary General of the National Assembly.

“40.2. The Member must inform the Ethics Commissioner in writing of any change in the information contained in his or her statement of principal residence within 60 days after the change occurs.”

33. The Code is amended by inserting the following after section 55:

“CHAPTER V.1

“STATEMENT OF PRINCIPAL RESIDENCE

“55.1. Within 60 days after being sworn in as a Cabinet Minister, and annually on or before the date set by the Ethics Commissioner, a Member must file with the Ethics Commissioner a statement of principal residence. The statement is confidential and is kept at the office of the Ethics Commissioner.

The statement of principal residence must contain all the information prescribed by the Ethics Commissioner.

The Ethics Commissioner must verify the information contained in the statement and send the statement to the Secretary General of the National Assembly.

“55.2. The Cabinet Minister must inform the Ethics Commissioner in writing of any change in the information contained in his or her statement of principal residence within 60 days after the change occurs.”

EXECUTIVE POWER ACT

34. Section 7 of the Executive Power Act (chapter E-18) is amended

- (1) by replacing “105%” in subparagraph 1 of the first paragraph by “100%”;
- (2) by replacing “75%” in subparagraph 2 of the first paragraph by “60%”.

FINANCIAL ADMINISTRATION ACT

35. Section 4 of the Financial Administration Act (chapter A-6.001) is amended, in the second paragraph,

(1) by replacing “to the extent provided in the Act under which they are designated or appointed” by “, to the management of the financial resources of the Permanent Independent Committee on the Conditions of Employment and Pension Plan of the Members of the National Assembly”;

(2) by replacing “provided in that Act” by “provided for in the Act under which such persons, that committee or that commission are designated, appointed or established”.

PUBLIC ADMINISTRATION ACT

36. Section 4 of the Public Administration Act (chapter A-6.01) is amended, in the first paragraph,

(1) by inserting “the Permanent Independent Committee on the Conditions of Employment and Pension Plan of the Members of the National Assembly” after “directed by that person,”;

(2) by replacing “assujetties” in the French text by “assujettis”.

ACT RESPECTING WORKFORCE MANAGEMENT AND CONTROL WITHIN GOVERNMENT DEPARTMENTS, PUBLIC SECTOR BODIES AND NETWORKS AND STATE-OWNED ENTERPRISES

37. Section 4 of the Act respecting workforce management and control within government departments, public sector bodies and networks and state-owned enterprises (chapter G-1.011) is amended

(1) by inserting “the Permanent Independent Committee on the Conditions of Employment and Pension Plan of the Members of the National Assembly” after “directed by that person,”;

(2) by replacing “assujetties” in the French text by “assujettis”.

ACT RESPECTING THE GOVERNANCE AND MANAGEMENT OF THE INFORMATION RESOURCES OF PUBLIC BODIES AND GOVERNMENT ENTERPRISES

38. Section 3 of the Act respecting the governance and management of the information resources of public bodies and government enterprises (chapter G-1.03) is amended

(1) by inserting “the Permanent Independent Committee on the Conditions of Employment and Pension Plan of the Members of the National Assembly” after “directed by that person,”;

(2) by replacing “assujetties” in the French text by “assujettis”.

ACT RESPECTING CONTRACTING BY PUBLIC BODIES

39. Section 5 of the Act respecting contracting by public bodies (chapter C-65.1) is amended

(1) by inserting “the Permanent Independent Committee on the Conditions of Employment and Pension Plan of the Members of the National Assembly” after “directed by that person,”;

(2) by replacing “assujetties” in the French text by “assujettis”.

RÈGLEMENT SUR L'ALLOCATION FORFAITAIRE DE FRAIS DE FONCTION ET LES AUTRES ALLOCATIONS DES MEMBRES DU CONSEIL EXÉCUTIF

40. Section 8.1 of the Règlement sur l'allocation forfaitaire de frais de fonction et les autres allocations des membres du Conseil exécutif (chapter E-18, r. 0.1, French only) is amended by replacing the first paragraph by the following paragraph:

“8.1. Les frais de logement d'un ministre qui loge à une distance d'au plus 50 kilomètres de l'hôtel du Parlement, par le chemin le plus court, et dont la résidence principale est située à une plus grande distance sont remboursés selon la Loi sur les conditions de travail et le régime de retraite des membres de l'Assemblée nationale (chapitre C-52.1), comme s'il s'agissait d'un titulaire d'une fonction énumérée à l'article 11 de cette loi.”

RÈGLEMENT SUR LE RÉGIME DE PRESTATIONS SUPPLÉMENTAIRES DES MEMBRES DE L'ASSEMBLÉE NATIONALE

41. Section 1 of the Règlement sur le régime de prestations supplémentaires des membres de l'Assemblée nationale (French only), adopted on 8 December 1992 by Decision 562 of the Office of the National Assembly, is amended by replacing the first paragraph by the following paragraphs:

“1. Le député a droit, pour chaque année pour laquelle il a droit à un crédit de rente en vertu de la sous-section 1 de la section III de la Loi sur les conditions de travail et le régime de retraite des membres de l'Assemblée nationale (chapitre C-52.1), à une prestation supplémentaire qui ne peut excéder annuellement le montant résultant de la différence entre le montant obtenu en application du paragraphe 1^o et celui obtenu en application du paragraphe 2^o:

1^o le montant du crédit de rente obtenu en multipliant 2 % par l'indemnité à laquelle fait référence l'article 25 et, le cas échéant, par celles auxquelles font référence les articles 26 ou 27 de la Loi, selon le cas, ce montant étant calculé sans tenir compte de la limite prévue au quatrième alinéa de l'article 25 de la Loi;

2^o le montant du crédit de rente auquel cette prestation vient s'ajouter.

Toutefois, la prestation supplémentaire accordée avant le (*indiquer ici la date de l'entrée en vigueur du présent article*) ne peut excéder annuellement la différence entre 4 % de l'indemnité à laquelle fait référence l'article 25 et, le cas échéant, de celle visée aux articles 26 ou 27 de la Loi, selon le cas et tel que chacun de ces articles se lisait le (*indiquer ici la date qui précède celle de l'entrée en vigueur du présent article*), calculée sans tenir compte de la limite prévue aux deuxième et troisième alinéas de l'article 23 de la Loi, selon le cas et tels qu'ils se lisaient à cette date, et le montant du crédit de rente auquel cette prestation vient s'ajouter."

TRANSITIONAL AND FINAL PROVISIONS

42. The first adjustment of the maximum amount reimbursed for lodging expenses under section 10 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1), replaced by section 4 of this Act, must be computed taking into consideration that this amount has been adjusted annually since the fiscal year ended on 31 March 2014.

43. If a group insurance policy for the benefit of the Members of the National Assembly is in force when the second paragraph of section 106 of the Act respecting the National Assembly (chapter A-23.1), enacted by section 31 of this Act, comes into force, the Office of the National Assembly must take the necessary steps to ensure that, as soon as the latter section comes into force, the premium cost-sharing between the plan's members and the State is equivalent to that of the group insurance plan applicable to management personnel in Québec's public and parapublic sectors.

44. This Act comes into force on (*insert the polling day of the first general election held after the date of assent to this Act*), except sections 6 to 11, which come into force on (*insert the date of assent to this Act*).

Despite their coming into force, sections 6 to 11 of this Act do not apply to a Member in office on (*insert the date of dissolution of the National Assembly giving rise to the first general election held after the date of assent to this Act*) if the Member is not a candidate, or is defeated, in that election. Sections 12 to 18 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly, as they read on (*insert the date preceding the date of assent to this Act*), apply to such a Member.

