



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 1090

**An Act to amend the Environment
Quality Act to ensure Bureau
d'audiences publiques sur
l'environnement members' independence**

Introduction

**Introduced by
Mr. Mathieu Lemay
Member for Masson**

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EXPLANATORY NOTES

This bill amends the Environment Quality Act to stipulate that Bureau d'audiences publiques sur l'environnement (Bureau) members, including the president and vice-president, are to be appointed by the National Assembly.

More specifically, the bill provides that Bureau members are appointed on a joint motion of the Premier, the Leader of the Official Opposition and the Leaders of the other parliamentary groups, and with the approval of at least two-thirds of the Members of the National Assembly.

The bill also provides that Bureau members may resign by giving written notice to the President of the National Assembly and may be removed only by a resolution of the Assembly approved by at least two-thirds of the Members.

LEGISLATION AMENDED BY THIS BILL:

- Environment Quality Act (chapter Q-2).

Bill 1090

AN ACT TO AMEND THE ENVIRONMENT QUALITY ACT TO ENSURE BUREAU D'AUDIENCES PUBLIQUES SUR L'ENVIRONNEMENT MEMBERS' INDEPENDENCE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ENVIRONMENT QUALITY ACT

1. Section 6.2 of the Environment Quality Act (chapter Q-2) is replaced by the following section:

“6.2. The Bureau is composed of not more than five members, including a president and a vice-president.

The members are appointed by the National Assembly, on a joint motion of the Premier, the Leader of the Official Opposition and the Leaders of the other parliamentary groups, and with the approval of at least two-thirds of the Members.

The Government shall fix, as the case may be, the salary or the additional salary, allowances and indemnities to which Bureau members are entitled and their other conditions of employment.”

2. The Act is amended by inserting the following sections after section 6.2.3:

“6.2.4. Despite section 6.2, where required for the carrying out of the Bureau’s affairs, the Government may appoint additional members on a part-time basis for the time and with the remuneration it determines.

“6.2.5. Bureau members are appointed for a renewable term not exceeding five years.

When the term expires, a member remains in office until reappointed or replaced.

Despite the first and second paragraphs, if a member’s term expires in the course of work relating to a matter already referred to the member, the term is extended until the work is completed.

“6.2.6. Before taking office, Bureau members must take the oath set out in Schedule 0.0.A before the President of the National Assembly.

“6.2.7. Bureau members may resign at any time by giving written notice to the President of the National Assembly.

A member may be removed only by a resolution of the Assembly approved by at least two-thirds of the Members.”

3. The Act is amended by inserting the following schedule after section 214:

“SCHEDULE 0.0.A

“(Section 6.2.6)

“OATH

“I, (name), declare under oath that I will act with loyalty and true allegiance to the established authority, that I will fulfil the duties of my office with honesty, objectivity and impartiality and that I will not accept any sum of money or benefit of any kind in carrying out the duties of my office, apart from my salary and what is allowed me by law or by an order of the Government.

I further declare under oath that I will not reveal or disclose, unless duly authorized, anything that may come to my knowledge in or in connection with the discharge of my duties.”

4. This Act comes into force on *(insert the date of assent to this Act)*.