



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 1193

**An Act to regulate public bodies'
communications**

Introduction

**Introduced by
Mr. Éric Caire
Member for La Peltrie**

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EXPLANATORY NOTES

This bill introduces standards to regulate all communications issued by public bodies and intended for the public, prescribing, in particular, that they not be partisan.

For the purposes of the bill, communications are deemed partisan if, among other things, they directly or indirectly criticize a political party or Member of the National Assembly, or if their prime goal is to promote the interests of the political party forming the Government.

The bill allows the Office of the National Assembly, by regulation, to introduce further standards regulating communications.

Lastly, under the bill, the Auditor General is to ascertain that all communications comply with the prescribed standards.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting the National Assembly (chapter A-23.1);
- Auditor General Act (chapter V-5.01).

Bill 1193

AN ACT TO REGULATE PUBLIC BODIES' COMMUNICATIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

- 1.** This Act applies to all communications issued by, or on behalf of, public bodies, intended for the public and disseminated, regardless of the means used.
- 2.** For the purposes of this Act, the Government, the Conseil exécutif, the Conseil du trésor and government departments are considered public bodies.
- 3.** The Auditor General must ascertain that all communications comply with the standards prescribed by this Act.
- 4.** Communications must comply with the following standards:
 - (1) they must include a written or verbal statement to the effect that they were paid for by the Gouvernement du Québec;
 - (2) they must meet the standards established by regulation of the Office of the National Assembly; and
 - (3) they must not be partisan.
- 5.** Communications are partisan, within the meaning of section 4, if they meet one of the following criteria:
 - (1) they include the name, voice or picture of a member of the Conseil exécutif or Member of the National Assembly, unless the main target audience is located outside the province of Québec;
 - (2) they include the name or logo of a political party authorized under the Election Act (chapter E-3.3);
 - (3) they directly or indirectly criticize an authorized political party or Member of the National Assembly; or
 - (4) their main objective, in the Auditor General's opinion, is to promote the interests of the political party forming the Government.

AMENDING PROVISIONS

ACT RESPECTING THE NATIONAL ASSEMBLY

6. The Act respecting the National Assembly (chapter A-23.1) is amended by inserting the following section after section 108.1:

“**108.2.** The Office shall, by regulation, establish standards applicable to communications issued by, or on behalf of, a public body governed by the Act to regulate public bodies’ communications (*insert the year and chapter number of that Act*).”

AUDITOR GENERAL ACT

7. Section 22 of the Auditor General Act (chapter V-5.01) is amended by adding the following paragraph at the end:

“(4) the carrying out by the public bodies governed by section 2 of the Act to regulate public bodies’ communications (*insert the year and chapter number of that Act*) of the provisions of that Act to which they are subject.”

8. Section 26 of the Act is amended by adding the following paragraph at the end:

“(9) compliance of communications governed by the Act to regulate public bodies’ communications (*insert the year and chapter number of that Act*) with the standards prescribed by that Act.”

9. Section 42 of the Act is amended by adding the following subparagraph at the end of the first paragraph:

“(7) communications issued by, or on behalf of, a public body governed by the Act to regulate public bodies’ communications (*insert the year and chapter number of that Act*).”

FINAL PROVISION

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