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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 592

**An Act to amend the Act respecting  
the flag and emblems of Québec to  
enhance the presence of the flag of  
Québec**

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**Introduction**

**Introduced by  
Madam Catherine Fournier  
Member for Marie-Victorin**

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## **EXPLANATORY NOTES**

*This bill amends the Act respecting the flag and emblems of Québec to allow the Government to determine, by regulation, the regulatory provisions the violation of which constitutes an offence and to specify the amounts of the fines to which an offender is liable.*

*The bill also amends the Act to give the minister the power to authorize any person to act as an inspector for the purpose of verifying compliance with the Act and the regulations.*

*In addition, the bill amends the Regulation respecting the flag of Québec so that the flag will be flown, in Québec, on every building occupied by a federal government institution, in every historic site and in every national or municipal park.*

*The bill also amends the Regulation so that the flag of Québec will be flown on the building where a Member of the National Assembly has electoral division premises or a Member of the House of Commons representing a Québec electoral division has electoral district premises.*

*Moreover, the bill amends the Regulation to require a Member of the National Assembly to provide a flag of Québec, free of charge, to any person who so requests.*

*Lastly, the bill specifies the location of the flag of Québec when two or more flags are flown in the same place.*

## **LEGISLATION AMENDED BY THIS BILL:**

- Act respecting the flag and emblems of Québec (chapter D-12.1).

## **REGULATION AMENDED BY THIS BILL:**

- Regulation respecting the flag of Québec (chapter D-12.1, r. 2).

## Bill 592

### AN ACT TO AMEND THE ACT RESPECTING THE FLAG AND EMBLEMS OF QUÉBEC TO ENHANCE THE PRESENCE OF THE FLAG OF QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE FLAG AND EMBLEMS OF QUÉBEC

**1.** Section 6 of the Act respecting the flag and emblems of Québec (chapter D-12.1) is amended

(1) by replacing “and reproduction” in paragraph 2 by “, reproduction and distribution”;

(2) by adding the following paragraph at the end:

“(4) determine the regulatory provisions made under this Act the violation of which constitutes an offence and prescribe, for each offence, the minimum and maximum fines to which an offender is liable, which may not exceed the amounts specified in section 8.”

**2.** The Act is amended by inserting the following sections after section 8:

“**8.1.** The Minister may authorize any person to act as an inspector for the purpose of verifying compliance with this Act and the regulations.

“**8.2.** An inspector may, in the exercise of the functions of office,

(1) at any reasonable time enter any premises where a flag of Québec is flown;

(2) examine any flag of Québec to which this Act applies; and

(3) take photographs of the premises or of a flag.

An inspector may be accompanied by a person and use any means to inspect a flag.

The owner or person in charge of the premises being inspected and any other person present are required to assist the inspector.

**“3.3.** A person authorized to act as an inspector must, on request, produce a certificate of authority.

**“3.4.** An inspector may not be prosecuted for an act performed in good faith while carrying out the functions of office.”

## REGULATION RESPECTING THE FLAG OF QUÉBEC

**3.** The Regulation respecting the flag of Québec (chapter D-12.1, r. 2) is amended by inserting the following sections after section 2:

**“2.1.** The flag of Québec must be flown on every building in Québec occupied by a federal government institution as defined in the Access to Information Act (Revised Statutes of Canada, 1985, chapter A-1).

**“2.2.** The flag of Québec must be flown in every National Historic Site of Canada and in every national park of Canada in Québec as defined in the Act respecting the national parks of Canada (Statutes of Canada, 2000, chapter 32), in every historic site contemplated by the Cultural Heritage Act (chapter P-9.002) and in every park as defined by the Parks Act (chapter P-9).

**“2.3.** The flag of Québec must be flown on a building where the electoral division premises of a Member of the National Assembly or the premises of a Member of the House of Commons representing a Québec electoral district are located.”

**4.** Section 4 of the Regulation is amended by inserting “, in a municipal park” after “municipal library” in the second paragraph.

**5.** The Regulation is amended by inserting the following section after section 6:

**“6.1.** The flag of Québec must be flown on the building even if the body or Member occupies only part of the building.”

**6.** Section 8 of the Regulation is repealed.

**7.** Section 11 of the Regulation is amended by adding the following paragraph at the end:

“A Member of the National Assembly must provide, free of charge, to any person who so requests, a flag of Québec until all flags made available to the Member by the National Assembly have been distributed.”

**8.** The Regulation is amended by inserting the following sections after section 12:

“**12.1.** If two or more flags are flown in the same place, the flag of Québec must be to the left of the observer facing the flags.

Despite the first paragraph, if there are three flags, the flag of Québec must be in the centre.

“**12.2.** The provisions of this Regulation have precedence over any contrary provision of by-laws of any municipal or supramunicipal authority.”

#### FINAL PROVISIONS

**9.** Despite section 16 of the Act respecting the flag and emblems of Québec (1999, chapter 51), sections 11 and 12 of that Act come into force on (*insert the date of assent to this Act*).

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





