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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 398

**An Act to amend the Act respecting the  
conditions of employment and the pension  
plan of the Members of the National  
Assembly**

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**Introduction**

**Introduced by  
Mr. Stéphane Bergeron  
Member for Verchères**

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**Québec Official Publisher  
2015**

## **EXPLANATORY NOTES**

*The Act respecting the conditions of employment and the pension plan of the Members of the National Assembly is amended to eliminate the transition allowance granted to Members who resign during their term of office. Exceptionally, a Member who has resigned may receive the allowance if the Office of the National Assembly is of the opinion that health reasons or family reasons prevent the Member from carrying out the duties of office. Before rendering its decision, the Office must obtain the advisory opinion of the Ethics Commissioner.*

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

- Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1).

## Bill 398

### AN ACT TO AMEND THE ACT RESPECTING THE CONDITIONS OF EMPLOYMENT AND THE PENSION PLAN OF THE MEMBERS OF THE NATIONAL ASSEMBLY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Section 12 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 sections:

**“12.** A Member who is defeated in an election or who serves out his term as a Member but is not a candidate in the next election is entitled to a transition allowance.

Despite the first paragraph, a Member who has resigned and who so requests may, exceptionally, receive the allowance if the Office of the National Assembly is of the opinion that health reasons or family reasons prevent the Member from carrying out the duties of office.

**“12.1.** The Office of the National Assembly may not render its decision before obtaining the advisory opinion of the Ethics Commissioner appointed under the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1) and giving the resigning Member an opportunity to submit observations and, if the Member so requests, to be heard. The Office must specify in its decision whether the advisory opinion of the Ethics Commissioner is favourable or unfavourable to granting a transition allowance.

For the purposes of the advisory opinion, the Ethics Commissioner shall conduct inquiries in private and with due dispatch. Sections 65, 70, 72 and 82 to 86, the second paragraph of section 87, section 93, the second paragraph of section 96 and section 101 of the Code as well as the rules applicable under section 71 of the Code apply, with the necessary modifications. In addition, the Ethics Commissioner shall give the resigning Member an opportunity to submit observations and, if the Member so requests, to be heard.

**“12.2.** The President of the National Assembly shall table the decision of the Office of the National Assembly in the National Assembly within the next 15 days or, if the Assembly is not sitting, within 15 days of resumption.”

**2.** Section 13 of the Act is amended by replacing “The allowance” at the beginning of the first paragraph by “The transition allowance”.

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