

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 2

**AMENDMENT:**

1. Replace “expenditures incurred in respect of such work” in subparagraph 1 of the first paragraph of proposed section 145.21 by “costs related to such work”.
2. Replace “improvement” in subparagraph 2 of the first paragraph of proposed section 145.21 by “alteration”.

Adopté  
AUL

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Section 3

**AMENDMENT:**

1. Insert after paragraph 1:

(1.1) by replacing “expenditures incurred in respect of the work which is” in subparagraph 4 of the first paragraph by “costs related to the work”;

(1.2) by replacing “expenditures incurred in respect of the work” in subparagraph 5 of the first paragraph by “costs related to the work”;

2. Replace “improvement” in subparagraph 6 proposed by paragraph 2 by “alteration”.

3. Add the following sentences at the end of the first paragraph proposed by paragraph 3: “If the municipality has a surplus that cannot be used for such purposes, the residual balance of the fund must be apportioned by the municipality among the owners of the immovables for which the issue of the permit or certificate was subordinated to the payment of the contribution, in proportion to the amounts paid for each immovable. That apportionment must be completed not later than 31 December of the fiscal year following that in which the surplus is recorded.”

4. Replace “of any addition, enlargement or improvement” in the second paragraph proposed by paragraph 3 by “the cost of any addition, enlargement or alteration”.

Adopté  
AUL

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Section 3

**AMENDMENT:**

Insert “, which must be published at the same time as the notice described in section 126” after “on that estimate” in the second paragraph proposed by paragraph 3.

Adopté  
AM 3

AM 4  
s. 3 (145.22)

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Section 3

**AMENDMENT:**

Replace “destined, regardless of location, to serve” in subparagraph 6 of the first paragraph proposed by paragraph 2 by “, regardless of location, if they are required for serving”.

Adopté  
AML

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Section 2

**AMENDMENT:**

Insert “or to a childcare centre within the meaning of the Educational Childcare Act (chapter S-4.1.1)” after “(chapter A-2.1)” in the third paragraph of proposed section 145.21.

Adopté  
AML

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Section 3.1

**AMENDMENT:**

Insert after section 3:

**3.1.** Section 145.23 of the Act is amended

(1) by replacing “expenditures incurred in respect of the work which must” in paragraph 4 by “costs related to the work to”;

(2) by replacing “expenditures incurred in respect of” in paragraph 6 by “costs related to”;

(3) by replacing “expenditures incurred for the work paid” in paragraph 7 by “costs related to the work payable”.

Adopté  
AML

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Section 6 et al.

**AMENDMENT:**

Withdraw sections 6 to 22, 24, 63, 82 and 83.

Adopté  
AML

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Section 25

**AMENDMENT:**

Replace by:

25. Section 468.36.1 of the Act is repealed.

Adopté  
AMC

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Section 30

**AMENDMENT:**

Replace by:

**30.** Article 605.1 of the Act is repealed.

Adopté  
AML

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such matters as political financing**

Section 32.1

**AMENDMENT:**

Insert after section 32:

**32.1.** Article 975 of the Code is amended by striking out the fourth, fifth and sixth paragraphs.

Adopté  
ANL

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such matters as political financing**

Section 73

**AMENDMENT:**

Replace by:

**73.** Section 119 of the Act respecting public transit authorities (chapter S-30.01) is amended by striking out the second sentence of the first paragraph.

*Adopté  
AML*

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such matters as political financing**

Section 79.1

**AMENDMENT:**

Add after section 79:

ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK  
REGIONAL GOVERNMENT

**79.1.** Section 209 of the Act respecting Northern villages and the Kativik Regional Government (chapter V-6.1) is amended by striking out the second paragraph.

Adepté  
AML

AM 13  
s. 79.2 (383)

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Section 79.2

**AMENDMENT:**

Add after section 79:

**79.2.** Section 383 of the Act is amended by striking out the second paragraph.

Adopté  
AML

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Section 84

**AMENDMENT:**

Replace “Sections 26, 31, 34, 35 and 73” by “Sections 25, 26, 28, 30, 31, 32.1,  
34, 35, 73, 79.1 and 79.2”.

*Adepte  
AM*

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such matters as political financing**

Section 44.1

**AMENDMENT:**

Insert after section 44:

**44.1.** Section 302 of the Act is amended

(1) by striking out “and for which he is sentenced to imprisonment for 30 days or more, whether or not he serves the sentence,” in the first paragraph;

(2) by inserting “the longer of five years or” after “equal to” in the second paragraph.

Adopté  
AML

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Section 44.2

**AMENDMENT:**

Add after section 44.1:

**44.2.** Section 317 of the Act is amended by adding the following sentences at the end of the fourth paragraph: “Nor do they apply where the member’s failure to attend sittings is due to the member’s pregnancy or the birth or adoption of the member’s child, provided that failure does not exceed a period of 18 consecutive weeks.”

Adopté  
AM

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such matters as political financing**

Section 44.2.1

**AMENDMENT:**

Insert after section 44.1:

**44.2.1.** Section 318 of the Act is amended by striking out “and has been imposed a penalty contemplated therein” in the third paragraph.

Adopté  
AML

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Section 44.4

**AMENDMENT:**

Insert after section 44:

**44.4.** Section 400.1 of the Act is amended by replacing “during” in the first paragraph by “preceding the year in”.

Adopté  
AML

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such matters as political financing**

Section 45

**AMENDMENT:**

Replace by:

45. Section 402 of the Act is amended

(1) by replacing “the calendar year” in the first paragraph by “the second calendar year”;

(2) by replacing “discharged all the debts arising from his election expenses by that date” in the second paragraph by “, by that date, discharged all the debts contracted during the term of his authorization”.

Adopté  
AML

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Section 45.1

**AMENDMENT:**

Insert after section 45:

**45.1.** Section 403 of the Act is amended

(1) by replacing the second paragraph by the following paragraph:

“In the case of a party, the application must be accompanied with

(1) a copy of the resolution passed in conformity with the by-laws of the party and certified by two or more officers of the party;

(2) a closing financial report, containing the same information as the annual financial report under section 479, for the period running from the date of authorization or the end of the period covered by the preceding financial report, as the case may be, to the date of the application for withdrawal;

(3) the preceding financial report, where it has not been filed with the treasurer, and the auditor’s report pertaining to it.”;

(2) by replacing “arising from his election expenses” in the third paragraph by “contracted during the term of his authorization”

Adopté  
AML

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Section 29.1

**AMENDMENT:**

Insert after section 29:

**29.1.** Section 573 of the Act is amended by adding the following paragraph after the second paragraph of subsection 2:

“If the tender documents are amended in such a way as to affect the prices, the amendment must be sent, at least seven days before the expiry of the time limit for the receipt of tenders, to the persons who requested a copy of the call for tenders, a document it refers to or a related document. If the seven-day period cannot be complied with, the time limit for the receipt of tenders shall be extended by the number of days needed to ensure compliance with that minimum period.”

Adopté  
AML

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Section 29.2

**AMENDMENT:**

Insert after section 29:

**29.2.** Section 573.1.0.1.1 of the Act is amended

- (1) by striking out the fifth paragraph;
- (2) by replacing “third, fourth and fifth” in the sixth paragraph by “third and fourth”.

Adopté  
AML

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Section 29.3

**AMENDMENT:**

Insert after section 29:

**29.3.** The Act is amended by inserting the following section after section 573.1.0.12:

**“573.1.0.13.** The council must, by by-law, delegate to any public servant or employee the power to establish a selection committee under this subdivision or a regulation made under section 573.3.0.1. The council may set the conditions and procedures for exercising the delegation.

Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no member of a council, public servant or municipal employee may disclose information allowing a person to be identified as a member of a selection committee.

The first two paragraphs do not apply to a selection committee established to determine the winner of a competition, but the council may delegate to any public servant or employee the power to establish the committee.”

Adopté  
ANL

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Section 29.4

**AMENDMENT:**

Insert after section 29:

**29.4.** Section 573.3.1.2 of the Act is amended

- (1) by striking out subparagraph 1 of the third paragraph;
- (2) by inserting the following paragraph after the fourth paragraph:

“It must also make available, in the same manner, any municipal by-law regarding contract management, in particular any by-law delegating the power to incur an expense or make a contract on behalf of the municipality.”

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
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Section 29.5

**AMENDMENT:**

Insert after section 29:

**29.5.** The Act is amended by inserting the following section after section 573.3.3.3:

“**573.3.3.4.** Every person who communicates or attempts to communicate, directly or indirectly, with a member of a selection committee in order to influence the member concerning a call for tenders before a contract is awarded is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases.

For a second or subsequent offence, the minimum and maximum fines are doubled.”

Adopté  
AML

Bill 83

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Section 30.1

**AMENDMENT:**

Insert after section 30:

**30.1.** Article 935 of the Code is amended by adding the following paragraph after the second paragraph of subarticle 2:

“If the tender documents are amended in such a way as to affect the prices, the amendment must be sent, at least seven days before the expiry of the time limit for the receipt of tenders, to the persons who requested a copy of the call for tenders, a document it refers to or a related document. If the seven-day period cannot be complied with, the time limit for the receipt of tenders shall be extended by the number of days needed to ensure compliance with that minimum period.”

Abbe  
AML

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Section 30.2

**AMENDMENT:**

Insert after section 30:

**30.2.** Article 936.0.1.1 of the Code is amended

- (1) by striking out the fifth paragraph;
- (2) by replacing “third, fourth and fifth” in the sixth paragraph by “third and fourth”.

Adopté  
AML

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Section 30.3

**AMENDMENT:**

Insert after section 30:

**30.3.** The Code is amended by inserting the following article after article 936.0.12:

**“936.0.13.** The council must, by by-law, delegate to any public servant or employee the power to establish a selection committee under this title or a regulation made under section 938.0.1. The council may set the conditions and procedures for exercising the delegation.

Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no member of a council, public servant or municipal employee may disclose information allowing a person to be identified as a member of a selection committee.

The first two paragraphs do not apply to a selection committee established to determine the winner of a competition, but the council may delegate to any public servant or employee the power to establish the committee.”

Adopté  
AML

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Section 30.4

**AMENDMENT:**

Insert after section 30:

**30.4.** Article 938.1.2 of the Code is amended

- (1) by striking out subparagraph 1 of the third paragraph;
- (2) by inserting the following paragraph after the fourth paragraph:

“It must also make available, in the same manner, any municipal by-law regarding contract management, in particular any by-law delegating the power to incur an expense or make a contract in the name of the municipality.”

Adopté  
AML

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such matters as political financing**

Section 30.5

**AMENDMENT:**

Insert after section 30:

**30.5.** The Code is amended by inserting the following article after article 938.3.3:

“**938.3.4.** Every person who communicates or attempts to communicate, directly or indirectly, with a member of a selection committee in order to influence the member concerning a call for tenders before a contract is awarded is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases.

For a second or subsequent offence, the minimum and maximum fines are doubled.”

Adopté  
AML

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Section 33.1

**AMENDMENT:**

Insert after the heading “ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL”:

**33.1.** Section 108 of the Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01) is amended by adding the following sentences at the end of the fourth paragraph: “If the tender documents are amended in such a way as to affect the prices, the amendment must be sent, at least seven days before the expiry of the time limit for the receipt of tenders, to the persons who requested a copy of the call for tenders, a document it refers to or a related document. If the seven-day period cannot be complied with, the time limit for the receipt of tenders shall be extended by the number of days needed to ensure compliance with that minimum period.”

Adopté  
AML

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**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 33.2

**AMENDMENT:**

Insert after the heading “ACT RESPECTING THE COMMUNAUTÉ  
MÉTROPOLITAINE DE MONTRÉAL”:

**33.2.** Section 109.1 of the Act is amended

- (1) by striking out the fifth paragraph;
- (2) by replacing “third, fourth and fifth” in the sixth paragraph by  
“third and fourth”.

Adopté  
AML

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**An Act to amend various municipal-  
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such matters as political financing**

Section 33.3

**AMENDMENT:**

Insert after the heading “ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL”:

**33.3.** The Act is amended by inserting the following section after section 112:

“**112.0.1.** The Community must, by by-law, delegate to any employee the power to establish a selection committee under this chapter or a regulation made under section 112.1. The Community may set the conditions and procedures for exercising the delegation.

Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no member of a council or employee of the Community may disclose information allowing a person to be identified as a member of a selection committee.

The first two paragraphs do not apply to a selection committee established to determine the winner of a competition, but the council may delegate to any employee the power to establish the committee.”

Adopté  
ANL

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**An Act to amend various municipal-  
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Section 33.4

**AMENDMENT:**

Insert after the heading “ACT RESPECTING THE COMMUNAUTÉ  
MÉTROPOLITAINE DE MONTRÉAL”:

**33.4.** Section 113.2 of the Act is amended

- (1) by striking out subparagraph 1 of the third paragraph;
- (2) by inserting the following paragraph after the fourth paragraph:

“It must also make available, in the same manner, any municipal by-law regarding contract management, in particular any by-law delegating the power to incur an expense or make a contract.”

Adopté  
AMU

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**An Act to amend various municipal-  
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such matters as political financing**

Section 33.5

**AMENDMENT:**

Insert after the heading “ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE MONTRÉAL”:

**33.5.** The Act is amended by inserting the following section after section 118.1.2:

“**118.1.3.** Every person who communicates or attempts to communicate, directly or indirectly, with a member of a selection committee in order to influence the member concerning a call for tenders before a contract is awarded is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases.

For a second or subsequent offence, the minimum and maximum fines are doubled.”

Adopté  
AM

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Section 34.1

**AMENDMENT:**

Insert after the heading “ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE QUÉBEC”:

**34.1.** Section 101 of the Act respecting the Communauté métropolitaine de Québec (chapter C-37.02) is amended by adding the following sentences at the end of the fourth paragraph: “If the tender documents are amended in such a way as to affect the prices, the amendment must be sent, at least seven days before the expiry of the time limit for the receipt of tenders, to the persons who requested a copy of the call for tenders, a document it refers to or a related document. If the seven-day period cannot be complied with, the time limit for the receipt of tenders shall be extended by the number of days needed to ensure compliance with that minimum period.”

Adopté  
AML

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Section 34.2

**AMENDMENT:**

Insert after the heading “ACT RESPECTING THE COMMUNAUTÉ  
MÉTROPOLITAINE DE QUÉBEC”:

**34.2.** Section 102.1 of the Act is amended

- (1) by striking out the fifth paragraph;
- (2) by replacing “third, fourth and fifth” in the sixth paragraph by “third and fourth”.

Adopté  
AML

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Section 34.3

**AMENDMENT:**

Insert after the heading “ACT RESPECTING THE COMMUNAUTÉ MÉTROPOLITAINE DE QUÉBEC”:

**34.3.** The Act is amended by inserting the following section after section 105:

“**105.0.1.** The Community must, by by-law, delegate to any employee the power to establish a selection committee under this chapter or a regulation made under section 105.1. The Community may set the conditions and procedures for exercising the delegation.

Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no member of a council or employee of the Community may disclose information allowing a person to be identified as a member of a selection committee.

The first two paragraphs do not apply to a selection committee established to determine the winner of a competition, but the council may delegate to any employee the power to establish the committee.”

Adopté  
ANL

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Section 34.4

**AMENDMENT:**

Insert after the heading “ACT RESPECTING THE COMMUNAUTÉ  
MÉTROPOLITAINE DE QUÉBEC”:

**34.4.** Section 106.2 of the Act is amended

- (1) by striking out subparagraph 1 of the third paragraph;
- (2) by inserting the following paragraph after the fourth paragraph:

“It must also make available, in the same manner, any municipal by-law regarding contract management, in particular any by-law delegating the power to incur an expense or make a contract.”

Adopté  
AML

Bill 83

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Section 34.5

**AMENDMENT:**

Insert after the heading “ACT RESPECTING THE COMMUNAUTÉ  
MÉTROPOLITAINE DE QUÉBEC”:

**34.5.** The Act is amended by inserting the following section after section  
111.1.2:

“**111.1.3.** Every person who communicates or attempts to  
communicate, directly or indirectly, with a member of a selection committee in  
order to influence the member concerning a call for tenders before a contract is  
awarded is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the  
case of a natural person and \$15,000 to \$100,000 in all other cases.

For a second or subsequent offence, the minimum and maximum fines are  
doubled.”

Adopté  
AML

Bill 83

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Section 44.3

**AMENDMENT:**

Insert after section 44:

**44.3.** The Act is amended by inserting the following section after section 387:

**“387.1.** An authorized party’s official representative and his delegate must, within 30 days after being appointed, undergo training given by the Chief Electoral Officer on the rules governing political financing and election expenses. In the case of an authorized independent candidate’s official representative, that time limit is 10 days.

If the official agent and the official representative are not the same person, the official agent and the deputy must, within 10 days after being appointed, undergo training given by the Chief Electoral Officer on the rules governing election expenses.

In addition, those persons must undergo any refresher training given by the Chief Electoral Officer.

The Chief Electoral Officer shall determine, by directive, the other particulars regarding all such training.”

*Adopté  
AMC*

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Section 44.3.1

**AMENDMENT:**

Insert after section 44:

**44.3.1.** Section 392 of the Act is amended by replacing “within 30 days” in the first paragraph by “without delay”.

Adopté  
ANL

Bill 83

**An Act to amend various municipal-  
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Section 44.3.2

**AMENDMENT:**

Insert after section 44:

**44.3.2.** Section 393 of the Act is amended by replacing “within 30 days” in the first paragraph by “without delay”.

Adopté  
AML

Bill 83

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Section 45.1.1

**AMENDMENT:**

Insert after section 45:

**45.1.1.** Section 424 of the Act is amended by adding “and an entry indicating whether or not those persons have undergone the training required under the first or second paragraph of section 387.1” at the end of paragraph 4.

*Adopté  
AM*

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 45.2

**AMENDMENT:**

Insert after section 45:

**45.2.** Section 429 of the Act is amended by adding the following paragraph after the second paragraph:

“However, an undivided co-owner of an immovable or a co-occupant of a business establishment may only make such a contribution if he is the person designated in accordance with section 429.1.”

Adopté  
ANL

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 45.3

**AMENDMENT:**

Insert after section 45:

**45.3.** The Act is amended by adding the following section after section 429:

“**429.1.** Undivided co-owners of an immovable or co-occupants of a business establishment who are electors may designate, from among themselves, if necessary, by means of a power of attorney signed by a majority of them, a person who would not otherwise be entitled under section 58 to be entered on the list of electors in a higher ranking capacity if that person had been entered on the list on the date of signature of the power of attorney.

In order for a designated person to be authorized to make a contribution, the municipality must have received the power of attorney.

The power of attorney takes effect upon its receipt by the municipality and remains valid until it is withdrawn or replaced.”

Adopté  
A.L.

AM 47  
s. 48 (440)

Bill 83

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Section 48

**AMENDMENT:**

Withdraw.

*Adopté  
AMZ*

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 49.1

**AMENDMENT:**

Insert after section 49:

**49.1.** The Act is amended by inserting the following section after section 446:

**“446.1** Any loan granted by an elector shall be made by cheque or other order of payment signed by the elector and drawn on the elector’s account in a financial institution having an office in Québec.”

Adopté  
AML

Bill 83

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Section 49.2

**AMENDMENT:**

Insert after section 49:

**49.2.** Section 447 of the Act is amended by adding the following paragraph at the end:

“The deed of loan or contract of suretyship shall also include a declaration by the elector stating that the loan is being granted or the suretyship contracted out of the elector’s own property, voluntarily, without compensation and for no consideration, and that it will not be reimbursed in any other way than as stipulated in the deed or contract.”

Adopté  
AML

AM 50  
s. 49.3 (447.1)

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 49.3

**AMENDMENT:**

Insert after section 49:

**49.3.** Section 447.1 of the Act is amended by replacing “\$10,000” by “\$5,000”.

*Adopté  
AUL*

Bill 83

**An Act to amend various municipal-  
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Section 53.1

**AMENDMENT:**

Insert after section 53:

**53.1.** The Act is amended by inserting the following section after section 481:

**“481.1.** The financial report of an authorized party must be signed by the leader of the party and accompanied by a declaration by the party leader in the form prescribed by the Chief Electoral Officer.

The declaration must state, in particular, that the party leader has been informed of the financing rules, that he has reminded the persons authorized to solicit contributions of their obligation to comply with those rules, that he has been informed of the party’s solicitation practices and considers that they comply with the law, that he has read the report and that he has obtained any clarification he wished to receive regarding its content.

The report must also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.”

Adopté  
AMC

Bill 83

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Section 54.0.2

**AMENDMENT:**

Insert after section 54:

**54.0.2.** The Act is amended by inserting the following section after section 484:

“**484.1.** The financial report of an authorized independent candidate must be signed by the candidate and accompanied by a declaration by the candidate in the form prescribed by the Chief Electoral Officer.

The declaration must state, in particular, that the authorized independent candidate has been informed of the financing rules, that he has reminded the persons authorized to solicit contributions of their obligation to comply with those rules, that he has been informed of his official representative’s solicitation practices and considers that they comply with the law, that he has read the report and that he has obtained any clarification he wished to receive regarding its content.

The report must also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.”

Adopté  
AML

Bill 83

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such matters as political financing**

Section 54.2

**AMENDMENT:**

Insert after section 54:

**54.2.** The Act is amended by inserting the following section after section 492:

**“492.1.** The return of election expenses must be signed by the leader of the party or the authorized independent candidate, as the case may be, and accompanied by a declaration by the party leader or the independent candidate in the form prescribed by the Chief Electoral Officer.

The declaration must state, in particular, that the party leader or the independent candidate has been informed of the rules regarding election expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.”

Adopté  
AMU

AM 54  
s. 56.1 (499.16)

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 56.1

**AMENDMENT:**

Insert after section 56:

**56.1.** Section 499.16 of the Act is amended by replacing “five” in the second paragraph by “seven”.

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 56.2

**AMENDMENT:**

Insert after section 56:

**56.2.** The Act is amended by inserting the following section after section 499.16:

**“499.16.1.** The return of the leadership campaign income and expenses must be signed by the candidate and accompanied by a declaration by the candidate in the form prescribed by the Chief Electoral Officer.

The declaration must state, in particular, that the candidate has been informed of the rules regarding financing and campaign expenses, that he has reminded the persons authorized to solicit contributions or to incur or authorize expenses of their obligation to comply with those rules, that he has been informed of the solicitation practices and considers that they comply with the law, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

The return must also be accompanied by a declaration by the financial representative in the form prescribed by the Chief Electoral Officer.”

*Adopté  
AML*

AM 56  
s. 56.3 (499.17)

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 56.3

**AMENDMENT:**

Insert after section 56:

**56.3.** Section 499.17 of the Act is amended by replacing “five” in the second paragraph by “seven”.

Adopté  
AML

AM 57  
s. 56.4 (499.19)

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 56.4

**AMENDMENT:**

Insert after section 56:

**56.4.** Section 499.19 of the Act is amended by replacing “five” in the third paragraph by “seven”.

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 56.5

**AMENDMENT:**

Insert after section 56:

**56.5.** The Act is amended by inserting the following section after section 499.19:

“**499.19.1.** The return of leadership campaign expenses of the party must be signed by the person holding the office of leader of the party or interim leader on the day of the vote and accompanied by a declaration by that person in the form prescribed by the Chief Electoral Officer.

The declaration must state, in particular, that the person has been informed of the rules regarding campaign expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the report and that he has obtained any clarification he wished to receive regarding its content.

The return must also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.”

Adopté  
AML

AM 59  
s. 56.6 (501)

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 56.6

**AMENDMENT:**

Insert after section 56:

**56.6.** Section 501 of the Act is amended by replacing “five” in the first and second paragraphs by “seven”.

*Adopté  
AML*

AM 60  
s. 58.2 (606)

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 58.2

**AMENDMENT:**

Insert after section 58:

**58.2.** Section 606 of the Act is amended

- (1) by replacing “five” by “seven”;
- (2) by inserting “invoices, evidences of payment and” after “as well as the”.

Adopté  
AML

AM 61  
s. 60.1 (648)

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 60.1

**AMENDMENT:**

Insert after section 60:

**60.1.** Section 648 of the Act is amended by replacing “five” by “seven”.

*Adopté  
AML*

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 61.1

**AMENDMENT:**

Insert after section 61:

**MUNICIPAL ETHICS AND GOOD CONDUCT ACT**

**61.1.** The Municipal Ethics and Good Conduct Act (chapter E-15.1.0.1) is amended by inserting the following section after section 7:

“7.1. The code of ethics and conduct must prohibit a member of a council of the municipality from announcing, during a political financing activity, the carrying out of a project, the making of a contract or the granting of a subsidy by the municipality, unless a final decision regarding the project, contract or subsidy has been made by the competent authority of the municipality.

A council member who employs office personnel must ensure that those employees comply with the prohibition under the first paragraph. If an employee fails to comply with that prohibition, the council member is accountable and subject to the sanctions set out in section 31.”

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 61.2

**AMENDMENT:**

Insert after section 61:

**61.2.** The Act is amended by inserting the following section after section 16:

“**16.1.** The code of ethics and conduct must include the prohibition imposed by section 7.1, with the necessary modifications.”

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 64.1

**AMENDMENT:**

Insert after section 64:

**ACT RESPECTING RETIREMENT PLANS FOR THE MAYORS AND  
COUNCILLORS OF MUNICIPALITIES**

**64.1.** The Act respecting retirement plans for the mayors and councillors of municipalities (chapter R-16) is amended by inserting the following after section 42:

**“DIVISION IX.1**

**“SUPPLEMENTARY BENEFITS PLAN**

**“42.0.1.** If the general plan fund is exhausted, the payments provided for in the plan shall be made out of a supplementary benefits plan established by the Government.

All the benefits payable under the general plan become benefits payable under the supplementary benefits plan according to the same terms of payment. The benefits accrued during a marriage or civil union under the general plan shall be paid by the supplementary benefits plan as if they were paid out of the general plan fund.

The sums required to make payments under the supplementary benefits plan shall be borne by the municipalities determined by the Government, which shall establish their annual contribution to the supplementary benefits plan, the time limit within which any payment is to be made and the rate of interest payable on an outstanding payment. The Government may also determine a threshold below which a municipality ceases to contribute to the supplementary benefits plan.

The sums paid under the supplementary benefits plan shall be unassignable and unseizable. However, such sums shall be unseizable only up to 50% in the case of partition of the family patrimony between married or civil union spouses or payment of support or of a compensatory allowance.

An order made under the first paragraph may have effect on any date not prior to 1 October 2016. Any other order made under the third paragraph may have effect 12 months or less before its adoption.

“42.0.2. Retraite Québec is responsible for the administration of the supplementary benefits plan.”

Adopté  
AMC

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 64.2

**AMENDMENT:**

Insert after section 64:

ACT RESPECTING LABOUR RELATIONS, VOCATIONAL TRAINING  
AND WORKFORCE MANAGEMENT IN THE CONSTRUCTION INDUSTRY

**64.2.** Section 19 of the Act respecting labour relations, vocational training and workforce management in the construction industry (chapter R-20) is amended by inserting “by permanent employees engaged directly by metropolitan communities and municipalities,” after “work done” in subparagraph 8 of the first paragraph.

*Adopté  
AML*

AM 66  
s. 72.1 (95)

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 72.1

**AMENDMENT:**

Insert after the heading “ACT RESPECTING PUBLIC TRANSIT AUTHORITIES”:

**72.1.** Section 95 of the Act respecting public transit authorities (chapter S-30.01) is amended by adding the following sentences at the end of the fourth paragraph: “If the tender documents are amended in such a way as to affect the prices, the amendment must be sent, at least seven days before the expiry of the time limit for the receipt of tenders, to the persons who requested a copy of the call for tenders, a document it refers to or a related document. If the seven-day period cannot be complied with, the time limit for the receipt of tenders shall be extended by the number of days needed to ensure compliance with that minimum period.”

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 72.2

**AMENDMENT:**

Insert after the heading “ACT RESPECTING PUBLIC TRANSIT  
AUTHORITIES”:

**72.2.** Section 96.1 of the Act is amended

- (1) by striking out the fifth paragraph;
- (2) by replacing “third, fourth and fifth” in the sixth paragraph by  
“third and fourth”.

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 72.3

**AMENDMENT:**

Insert after the heading “ACT RESPECTING PUBLIC TRANSIT AUTHORITIES”:

**72.3.** The Act is amended by inserting the following section after section 99:

“**99.1.** A transit authority must, by by-law, delegate to any employee the power to establish a selection committee under this division or a regulation made under section 100. The transit authority may set the conditions and procedures for exercising the delegation.

Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no member of a board of directors, or transit authority employee may disclose information allowing a person to be identified as a member of a selection committee.

The first two paragraphs do not apply to a selection committee established to determine the winner of a competition, but the board may delegate to any employee the power to establish the committee.”

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 72.4

**AMENDMENT:**

Insert after the heading "ACT RESPECTING PUBLIC TRANSIT AUTHORITIES":

**72.4.** Section 103.2 is amended

- (1) by striking out subparagraph 1 of the third paragraph;
- (2) by inserting the following paragraph after the fourth paragraph:

"It must also make available, in the same manner, any by-law regarding contract management, in particular any by-law delegating the power to incur an expense or make a contract."

*Adopté  
AML*

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 72.5

**AMENDMENT:**

Insert after the heading “ACT RESPECTING PUBLIC TRANSIT AUTHORITIES”:

**72.5.** The Act is amended by inserting the following section after section 108.1.2:

“**108.1.3.** Every person who communicates or attempts to communicate, directly or indirectly, with a member of a selection committee in order to influence the member concerning a call for tenders before a contract is awarded is guilty of an offence and liable to a fine of \$5,000 to \$30,000 in the case of a natural person and \$15,000 to \$100,000 in all other cases.

For a second or subsequent offence, the minimum and maximum fines are doubled.”

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 46

**AMENDMENT:**

1. Strike out “or a by-election” in the second paragraph of proposed section 431.
2. Insert after the second paragraph of proposed section 431:

In the case of undivided co-owners of an immovable or co-occupants of a business establishment, the maximum amounts set out in the first and second paragraphs apply as if the co-owners or co-occupants were a single elector.

Adopté  
AM

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 50

**AMENDMENT:**

Replace “five” in the second paragraph of proposed section 449.2 by “seven”.

Adopté  
AML

AM 73  
s. 51 (474.1)

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 51

**AMENDMENT:**

Replace “on the reimbursement of the election expenses of a party is made” and “that” in the third paragraph of proposed section 474.1 by “is made, in the case of a party,” and “, in the case”, respectively.

Adopté  
AMUL

Bill 83

**An Act to amend various municipal-  
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Section 52

**AMENDMENT:**

Replace by:

**52.** Section 475 of the Act is amended by adding the following paragraph at the end:

“When computing the reimbursement, the treasurer shall subtract from the amount of the election expenses reported in the return the amount to which a party is entitled under sections 442.1 to 442.3 for its candidate for the office of mayor or borough mayor and for each of its candidates for the office of councillor.”

Adopté  
AMU

AM 75  
s. 53 (476)

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 53

**AMENDMENT:**

Strike out paragraph 1.

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
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Section 54

**AMENDMENT:**

Replace by:

**54.** Section 483 of the Act is amended

- (1) by replacing “five” in the first paragraph by “seven”;
- (2) by adding the following paragraph at the end:

“The official representative of the party shall also keep the invoices, evidences of payment and other vouchers relating to the preparation of the financial report for seven years.”

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 54.0.1

**AMENDMENT:**

Insert after section 54:

**54.0.1.** The Act is amended by inserting the following section after section 483:

“**483.1.** The official representative of an independent candidate who was authorized in the year preceding the year of the general election shall, not later than 1 April of the election year, file with the treasurer a financial report that must contain the same information, with the necessary modifications, as the financial report of a party, except the balance sheet and cash flow statement, and that must be accompanied by a copy of each receipt issued for the contributions collected during the period covered by the report.”

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 54.1

**AMENDMENT:**

Insert after section 54:

**54.1.** Section 490 of the Act is amended

- (1) by replacing “\$1,000” in paragraph 1 by “\$1,900”;
- (2) by replacing “\$1,500” in paragraph 2 by “\$2,800”;
- (3) by replacing “\$3,000” in paragraph 3 by “\$5,600”;
- (4) by adding the following paragraphs at the end:

“The amounts prescribed in the first paragraph are adjusted on 1 January each year according to the amendment in the average Consumer Price Index for the preceding year, based on the index established for the whole of Québec by Statistics Canada.

Those amounts are rounded down to the nearest dollar if they include a fraction that is less than \$0.50, or up to the nearest dollar if they include a fraction that is equal to or greater than \$0.50. The Minister of Municipal Affairs, Regions and Land Occupancy shall publish the results of the adjustment in the *Gazette officielle du Québec*.”

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
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Section 56

**AMENDMENT:**

Replace by:

**56.** Section 499.7 of the Act is amended

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

“However, an undivided co-owner of an immovable or a co-occupant of a business establishment may only make such a contribution if the co-owner or co-occupant is the person designated in accordance with section 429.1.”;

(2) by replacing “\$300” and “\$700” in the third paragraph by “\$200” and “\$800”, respectively;

(3) by adding the following paragraph after the third paragraph:

“In the case of undivided co-owners of an immovable or co-occupants of a business establishment, the maximum amount prescribed in the fourth paragraph applies as if the co-owners or co-occupants were a single elector.”

Adopté  
AML

AM 80  
s. 56.7 (Title I, Chapter XIV, heading)

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 56.7

**AMENDMENT:**

Insert after section 56:

**56.7.** The heading of Chapter XIV of Title I is replaced by “DISCLOSURE OF CERTAIN GIFTS AND RETURNS OF ELECTION EXPENSES”.

*Adopté  
AML*

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 56.8

**AMENDMENT:**

Insert after section 56.7:

**56.8.** Section 513.1 is amended

(1) by replacing the first two occurrences of “\$100 or more” and “any amount of \$100 or more” in the first paragraph by “more than \$50” and “any amount that is more than \$50”, respectively;

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

“The person who is a candidate shall also, within the same period, transmit to the treasurer a return of election expenses relating to that person’s election in the form prescribed by the Chief Electoral Officer.”;

(3) by replacing “referred to in the first paragraph” in the second paragraph by “and the return referred to in the first and second paragraphs”;

(4) by replacing “received” in the third paragraph by “and returns received”.

*Adopté  
AML*

Bill 83

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Section 56.9

**AMENDMENT:**

Insert after section 56.8:

**56.9.** The Act is amended by inserting the following section after section 513.1:

“**513.1.0.1.** Every person described in the first paragraph of section 513.1 who has not received or collected a gift of money or incurred an expense relating to his election shall, within 90 days after polling day, transmit to the treasurer a declaration, in the form prescribed by the Chief Electoral Officer, stating that he did not receive or collect any gifts or incur any election expenses.

The treasurer shall send the declarations received in accordance with this section to the Chief Electoral Officer, in the manner prescribed by the latter.”

Adopté  
AML

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Section 57.1

**AMENDMENT:**

Insert after section 57:

**57.1.** Section 513.2 of the Act is amended by replacing “transmitted pursuant to section 513.1” by “and the return transmitted under section 513.1 or the declaration transmitted under section 513.1.0.1”.

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
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Section 58.1

**AMENDMENT:**

Insert after section 58:

**58.1.** The Act is amended by inserting the following section after section 605:

**“605.1.** Every treasurer who pays an allowance to the authorized parties otherwise than in circumstances described in sections 449.1 and 449.2 is guilty of an offence.”

Adepte  
AML

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 58.3

**AMENDMENT:**

Insert after section 58:

**58.3.** Section 628.1 of the Act is replaced by the following section:

**“628.1.** Every person is guilty of an offence who does not transmit within the prescribed time

- (1) the list or return required under section 513.1; or
- (2) the declaration required under section 513.1.0.1.”

*Adopté  
AM*

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 59.1

**AMENDMENT:**

Insert after section 59:

**59.1.** Section 645 of the Act is amended

(1) by replacing “589 to 598” in the first paragraph by “589 to 593, paragraphs 1 and 2 of section 594, sections 595 to 598”;

(2) by replacing both occurrences of “and 4” in the first paragraph by “, 4 and 5”.

*Adopté  
AML*

Bill 83

**An Act to amend various municipal-  
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Section 61

**AMENDMENT:**

Replace by:

**61.** The Act is consequentially amended as follows:

(1) section 64 is amended by inserting “483.1,” after “479,” in the first paragraph;

(2) section 65 is amended by replacing “arising from his election expenses” in the first paragraph by “contracted during the term of his authorization”;

(3) section 401 is amended

(a) by replacing “arising from his election expenses” in the second and third paragraphs by “contracted during the term of his authorization”;

(b) by replacing “for political, religious, scientific or charitable purposes or for other” in the second paragraph by “for the”;

(4) the heading of Division IV of Chapter XIII of Title I is amended by inserting “FINANCING,” after “CONTRIBUTIONS,”;

(5) section 474 is amended by replacing “the calendar year” and “arising from his election expenses” by “the second calendar year” and “contracted during the term of his authorization”, respectively;

(6) section 480 is amended

(a) by replacing “less than \$100” in paragraph 2 by “\$50 or less”;

(b) by replacing “\$100 or more” in paragraph 5 by “more than \$50”;

(7) section 481 is amended by replacing “\$100 or more” in subparagraph 3 of the first paragraph by “more than \$50”;

(8) section 485 is amended

(a) by replacing “arising from his election expenses” in the first paragraph by “contracted during the term of his authorization”;

(b) by replacing “arising from the candidate’s election expenses” in the third paragraph by “contracted during the term of his authorization”;

(9) section 487 is amended by adding “as well as any invoices, evidences of payment and vouchers he has in his possession” at the end of the first paragraph;

(10) section 500 is amended by replacing “less than \$100” by “\$50 or less”;

(11) section 509 is amended

(a) by replacing “the calendar year” in the first paragraph by “the second calendar year”;

(b) by replacing “arising from his election expenses” in the first paragraph by “contracted during the term of his authorization”;

(12) section 510 is amended

(a) by replacing “the calendar year” in the second paragraph by “the second calendar year”;

(b) by replacing “arising from his election expenses” in the second paragraph by “contracted during the term of his authorization”;

(13) section 513.1.2 is amended by replacing “\$100 or more” by “more than \$50”;

(14) section 605 is amended

(a) by inserting “474.1 or” after “sections” in paragraph 1;

(b) by inserting “the return referred to in section 474.1 or” after “before” in paragraph 2;

(15) section 607 is amended

(a) by replacing “resulting from election expenses then incurred” in paragraph 1 by “contracted during the term of the independent candidate’s authorization”;

(b) by replacing “political, religious, scientific or charitable purposes or purposes” in paragraph 2 by “those”;

(c) by striking out “political, religious, scientific or charitable purposes or” in paragraph 3;

(d) by replacing “resulting from election expenses then incurred” in paragraph 3 by “contracted during the term of the independent candidate’s authorization”;

(e) by replacing “resulting from election expenses then incurred” in paragraph 4 by “contracted during the term of the independent candidate’s authorization”;

(f) by striking out “political, religious, scientific or charitable purposes or” in paragraph 4;

(16) section 610 is amended

(a) by adding “or is not an elector designated by the undivided co-owners of an immovable or the co-occupants of a business establishment, when such a designation is required” at the end of subparagraph *a* of paragraph 1;

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

“(5) every elector who falsely declares that a loan is being granted or a suretyship contracted out of the elector’s own property, voluntarily, without compensation and for no consideration, and that it will not be reimbursed in any way other than as stipulated in the deed of loan.”;

(17) section 612 is amended

(a) by replacing “\$100 or more” in paragraph 2 by “more than \$50”;

(b) by striking out “transfer of funds,” in paragraph 2;

(c) by striking out “a transfer of funds” in paragraph 2.1;

(d) by striking out paragraph 2.2;

(18) section 612.1 is amended by replacing “\$100 or more” by “more than \$50”;

(19) section 618 is amended

(a) by inserting the following subparagraph before subparagraph 1 of the first paragraph:

“(0.1) contracts a loan with an elector in a manner that is not in accordance with section 446.1;”;

(b) by inserting “in a manner that is not in accordance with section 446.1 or grants a loan” after “loan” in the second paragraph;

(20) section 625.1 is amended by replacing “second” in paragraph 1 by “third”;

(21) section 626 is amended by inserting “483.1,” after “479,”;

(22) the following section is inserted after section 626:

“**626.0.1.** Every official representative who fails to pay a claim made by the treasurer under section 474.2 within the time prescribed is guilty of an offence.”;

(23) section 642 is amended by striking out “in transmitting the document contemplated in the section”;

(24) section 659 is amended by replacing “less than \$100” in the second paragraph by “\$50 or less”.

Adopté  
AML

Bill 83

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Section 64

**AMENDMENT:**

1. Replace paragraph 1 by:

(1) by replacing “a party or” in the first paragraph by “an authorized party or” and by inserting “entitled” before “to receive”;

(1.1) by replacing “party leadership candidate authorized” in the first paragraph by “leadership candidate of an authorized party”;

2. Replace “candidate to the leadership” in paragraph 2 by “leadership candidate”.

Adopté  
AML

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Section 74

**AMENDMENT:**

Withdraw.

*Adopté  
AML*

Bill 83

**An Act to amend various municipal-  
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such matters as political financing**

Section 75

**AMENDMENT:**

1. Replace proposed sections 31.5.1, 31.5.2, 31.5.3 and 31.5.4 by the following sections:

**“31.5.1.** The budget of any municipality having a population of 20,000 or more must include an appropriation to provide for payment of sums to councillors as reimbursement for their research and support expenses.

Subject to the third paragraph, the appropriation must be equal to or greater than 1/15 of 1% of the total of all other appropriations provided for in the budget, except in the case of Ville de Montréal where such an appropriation must be equal to or greater than 1/30 of 1% of the total of all other appropriations provided for in the budget.

Where the budget of the municipality provides for appropriations for expenses related to the operation of a system of production, transmission or distribution of electric power, only 50% of those appropriations shall be taken into account in establishing the total of the appropriations referred to in the second paragraph.

A regulation of the Minister of Municipal Affairs, Regions and Land Occupancy determines which research and support expenses are covered under the first paragraph.

**“31.5.2.** The amount of the sums referred to in the first paragraph of section 31.5.1 is established by dividing the appropriation equally among all the councillors.

However, in the case of a municipality where borough councillors are elected, the appropriation shall be divided into a number of shares corresponding to the total obtained by adding twice the number of city councillors to the number

of borough councillors. Two shares shall be assigned to each city councillor and one share to each borough councillor.

“**31.5.3.** In the case of the urban agglomeration of Montréal, the part of the central municipality’s budget under the responsibility of the urban agglomeration council must include an appropriation to provide for payment of sums to the members of that council, except the mayor of the central municipality, as reimbursement for research and support expenses that comply with the regulation made under section 31.5.1.

The appropriation must be equal to or greater than 1/60 of 1% of the total of all other appropriations provided for in that part of the budget.

The amount of the sums referred to in the first paragraph is established by dividing the appropriation equally among all the members of the urban agglomeration council, except the mayor of the central municipality.

The sums established under section 31.5.2 for a councillor of the regular council of the central municipality who is a member of the urban agglomeration council must be reduced by the sums established for the member under this section, and the budget of the central municipality must be adjusted to reflect that reduction.”

2. Strike out proposed section 31.5.6.

Adopté  
AMC

Bill 83

**An Act to amend various municipal-  
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Section 85.1

**AMENDMENT:**

Insert after section 85:

**85.1.** Section 302 of the Act respecting elections and referendums in municipalities, as amended by section 44.1, applies to any person who is convicted after 30 November 2015 of an offence described in that section. If the conviction was rendered before the date of assent to this Act, the disqualification under the second paragraph of that section begins to run as of the day on which this Act is assented to, the day on which the judgment convicting the person becomes final or the day the final sentence is pronounced, whichever is later. The term of a member of the council of a municipality who is disqualified because the member is convicted of such an offence ends at that time.”

*Adopté  
amendé  
AM*

SAM 1  
AM 91  
s. 85.1

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 85.1

**AMENDMENT:**

Insert “or whose sentence for such an offence is pronounced after that date” after  
“an offence described in that section”.

*Adopté  
AM*

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 89.1

**AMENDMENT:**

Insert after section 89:

**89.1.** Sections 4 to 13 of Order in Council 645-2005 (2005, *G.O.* 2, 2303), amended by sections 24 and 25 of chapter 19 of the statutes of 2008, apply for the purposes of any general election and by-election held in the territory of Ville de Montréal.

Adopté  
AMM

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 89.2

**AMENDMENT:**

Insert after section 89:

**89.2.** For the purposes of the division of the territory of Ville de Montréal into electoral districts for the 2017 general election, the date mentioned in the first paragraph of section 21 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is replaced by 31 December 2016 and the date in section 30 of that Act is replaced by 31 March 2017.

Adopté  
AM/L

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 89.2.1

**AMENDMENT:**

Insert after section 89:

**89.2.1.** The division of the territory of Municipalité des Îles-de-la-Madeleine into electoral districts, for the purposes of the 2017 general election and any by-election held before the 2021 general election, is that which applied for the purposes of the 2013 general election.

*Adopté  
AM*

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 5.1

**AMENDMENT:**

Insert after section 5:

CHARTER OF VILLE DE MONTRÉAL

**5.1.** Section 34.1 of the Charter of Ville de Montréal (chapter C-11.4) is amended by striking out the second paragraph.

*Adapté  
AMC*

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 38.1

**AMENDMENT:**

Insert after section 38:

**ACT RESPECTING CONTRACTING BY PUBLIC BODIES**

**38.1.** Schedule I to the Act respecting contracting by public bodies (chapter C-65.1) is amended by inserting the following Acts and regulations in alphanumerical order:

“Cities and Towns Act (chapter C-19)	573.3.3.4	Communicate or attempt to communicate with a member of a selection committee
“Municipal Code of Québec (chapter C-27.1)	938.3.4	Communicate or attempt to communicate with a member of a selection committee
“Act respecting the Communauté métropolitaine de Montréal (chapter C-37.01)	118.1.3	Communicate or attempt to communicate with a member of a selection committee
“Act respecting the Communauté métropolitaine de Québec (chapter C-37.02)	111.1.3	Communicate or attempt to communicate with a member of a selection committee
“Act respecting public transit authorities (chapter S-30.01)	108.1.3	Communicate or attempt to communicate with a member of a selection committee”.

*A dépté  
AMU*

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 61.3

**AMENDMENT:**

Insert after section 61:

**61.3.** Section 20 of the Act is amended

(1) by replacing “the Minister” in the first paragraph by “the Commission municipale du Québec”;

(2) by replacing both occurrences of “the Minister” in the third paragraph by “the Commission”.

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 61.4

**AMENDMENT:**

Insert after section 61:

**61.4.** Section 21 of the Act is amended

(1) by replacing “The Minister may dismiss a request if the Minister” in the first paragraph by “The Commission may dismiss a request if the Commission”;

(2) by replacing “provide the Minister” and “the Minister requires” in the first paragraph by “provide the Commission” and “the Commission requires”, respectively;

(3) by replacing “If the Minister dismisses the request, the Minister” in the third paragraph by “If the Commission dismisses the request, the Commission”.

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 61.5

**AMENDMENT:**

Insert after section 61:

**61.5.** Section 22 of the Act is amended

(1) by replacing the first paragraph by the following:

“**22.** If the Commission municipale du Québec does not dismiss the request, it conducts an inquiry.”;

(2) by replacing “The Minister” in the second paragraph by “The Commission”.

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 61.6

**AMENDMENT:**

Insert after section 61:

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

“**23.** A member, advocate or notary designated by the president of the Commission conducts an inquiry into the request.”

*Adopté  
AMC*

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 61.7

**AMENDMENT:**

Insert after section 61:

**61.7.** Section 24 of the Act is amended by striking out “holds its inquiry in camera. It” in the first paragraph.

Adopté  
AM

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 61.8

**AMENDMENT:**

Insert after section 61:

**61.8.** Section 35 of the Act is amended

(1) by replacing “The Minister” in the first paragraph by “The Commission”;

(2) by replacing “the website of the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire” in the third paragraph by “the Commission’s website”.

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 62

**AMENDMENT:**

Replace “unique insular nature” in the proposed paragraph by “unique insular nature, isolated location and special restrictions”.

Adopté  
AML

AM 104  
s. 63.1 (118.7)

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 63.1

**AMENDMENT:**

Insert after section 63:

**63.1.** Section 118.7 of the Act is amended by inserting the following paragraph after paragraph 2:

“(2.1) by replacing subparagraph *d* of paragraph 11 by the following subparagraph:

“(d) convention centres and ports;”;

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 74.1

**AMENDMENT:**

Insert after section 74:

**74.1.** Section 31 of the Act is amended

(1) by inserting “Subject to sections 31.0.1 and 31.0.2,” before “The council” in the first paragraph;

(2) by inserting “Subject to sections 31.0.1 and 31.0.2,” before “The council” in the second paragraph;

(3) by adding the following sentence at the end of the third paragraph:  
“In the case of a resigning person who obtained a favourable decision under section 31.0.1, the amount paid must be reduced by an amount equal to the employment, professional, business or retirement income or the disability insurance benefits the person receives or is entitled to receive during the period defined in section 31.0.2.”

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 79.3

**AMENDMENT:**

Insert after section 79:

**ACT RESPECTING MUNICIPALITÉ DE POINTE-À-LA-CROIX**

**79.3.** Section 1 of the Act respecting Municipalité de Pointe-à-la-Croix (2006, chapter 61) is amended by replacing “2010” in the fourth paragraph by “2020”.

Abbe  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 79.4

**AMENDMENT:**

Insert after section 79:

ACT RESPECTING VILLE DE PERCÉ, VILLE D'AMOS AND VILLE DE  
ROUYN-NORANDA

**79.4.** Section 3 of the Act respecting Ville de Percé, Ville d'Amos and Ville de Rouyn-Noranda (2009, chapter 73) is amended by adding “, except in the case of the program of Ville d’Amos, for which the eligibility period may not extend beyond 31 December 2020” at the end.

Adopté  
AM

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 89.3

**AMENDMENT:**

Insert after section 89:

**89.3.** Ville de Longueuil is declared the owner of lots 4 758 949, 4 758 950 and 4 758 951 of the cadastre of Québec.

The Act respecting duties on transfers of immovables (chapter D-15.1) does not apply to transfers made under the first paragraph.

Section 39 of Order in Council 1214-2005 (2005, *G.O.* 2, 5159A) applies to those lots, with the necessary modifications, as if Ville de Longueuil had continued to own them on 1 January 2006.

A declaration by Ville de Longueuil in an application for registration in the land register, stating that it is the holder of the rights that are the subject of the application and that were formerly registered in favour of Ville de Brossard, is sufficient to establish with the registrar that Ville de Longueuil is the holder of those rights. The application for registration in the land register is made in the form of a notice. In addition to what is specified in this section and what is required by the regulation made under Book Nine of the Civil Code, the notice must indicate the legislative provision under which it is given. Only one copy of the notice is required and it need not be certified.

Aderste  
AMC

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 89.4

**AMENDMENT:**

Insert after section 89:

**89.4.** Sections 74.1 and 74.2 have effect from (*insert the date of introduction of those sections in parliamentary committee*).

However, the 30-day period provided for in the second paragraph of section 31.0.1 of the Act respecting the remuneration of elected municipal officers, enacted by section 74.2, begins to run as of the date of assent to this Act for a resignation that occurs before that date.

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 89.5

**AMENDMENT:**

Insert after section 89:

**89.5.** Sections 79.3 and 79.4 have effect from 1 January 2016.

Adopté  
AM

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 89.6

**AMENDMENT:**

Insert after section 89:

**89.6.** The prohibition referred to in sections 7.1 and 16.1 of the Municipal Ethics and Good Conduct Act (chapter E-15.1.0.1), enacted by sections 61.1 and 61.2, must be integrated in the code of ethics and conduct of the elected municipal officers and municipal employees not later than 30 September 2016.

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 71

**AMENDMENT:**

1. Replace proposed section 68.13 by:

“**68.13.**The Société shall administer and distribute the contributions paid to it under section 68.12 in accordance with the conditions determined by the Government. The order made under this section shall determine the purposes for which the contributions are to be used and the procedures for joint management with the representatives of the contributors designated by the Government.”

2. Replace “15” in the first paragraph of proposed section 68.14 by “30”.

3. Replace the last two sentences of the third paragraph of proposed section 68.14 by: “No recourse under article 407 of the Code of Civil Procedure (chapter C-25.01) may be exercised or application for judicial review under that Code presented or any injunction granted against that person to the extent that the person is acting in the exercise of the powers and duties conferred on the person under this section. A judge of the Court of Appeal may, on an application, summarily quash any judgment or decision rendered, any order made or any injunction granted contrary to this section.”

Adopté  
amendé  
AM

SAM 1  
AM 112  
s. 71 (68.14)

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 71

**SUBAMENDMENT:**

Replace "30" in paragraph 2 by "45".

*Adopté  
AMZ*

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 74.2

**AMENDMENT:**

Insert after section 74:

**74.2.** The Act is amended by inserting the following sections after section 31.1:

**“31.0.1.** A person who resigns during his term of office is entitled to the transition allowance provided for in the by-law made by the council of the municipality under section 31 on condition that his resignation is due to a serious family matter or a major health issue affecting him or a member of his immediate family.

At the resigning person’s request made to the Commission not later than the 30th day after his resignation, the Commission, acting through a single member designated by the president of the Commission in accordance with section 6 of the Act respecting the Commission municipal (chapter C-35), shall determine whether one of the conditions set out in the first paragraph has been met.

Before rendering a decision, the member designated by the president of the Commission shall give the resigning person an opportunity to present observations and be heard in camera.

The Commission shall render its decision not later than the 30th day after the day on which it received the request. It shall send its decision in writing to the resigning person and the municipality. The Commission shall not disclose the reasons for the decision, except to the resigning person.

If the decision is favourable, the allowance is paid retroactively from the date the resigning person’s term ended.

**“31.0.2.** If the resigning person who obtained a favourable decision under section 31.0.1 received or was entitled to receive employment, professional,

business or retirement income or disability insurance benefits during the period immediately after the end of his term and equal to the period corresponding to the number of months of salary to which he is entitled as a transition allowance, the resigning person must file a written statement with the municipality, on or before the 60th day after the end of that period, stating the nature and total amount of such income or benefits.

If the total amounts paid as a transition allowance exceed what the resigning member was entitled to, given the income or benefits referred to in the first paragraph, the person shall reimburse the overpayment.

If the resigning person fails to file the required statement with the municipality within the time prescribed in the first paragraph, the municipality shall demand the full reimbursement of the transition allowance, unless the person subsequently files the required information with the municipality within a reasonable time.”

Adopté  
amendé  
AMC

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 74.2

**SUBAMENDMENT:**

Add after proposed section 31.0.2:

**“31.0.3.** The council may, by by-law, provide that a resigning person entitled to a transition allowance pursuant to a decision of the Commission municipale continues, despite section 31.0.2, to be entitled to the full amount of that allowance if it is established, to the Commission’s satisfaction and based on evidence it considers relevant, that the total annual remuneration to which the person was entitled as an elected municipal officer for the 24 months immediately preceding his resignation represents more than 20% of the person’s total annual income for that period. In such a case, the allowance to which the person is entitled may not, however, exceed the total remuneration to which he was entitled as an elected municipal officer during the portion of his term that remains before the next general municipal election. If applicable, the Commission determines the amount of the allowance to which the person is entitled.”

Adopté  
AMC

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 85.2

**AMENDMENT:**

Insert after section 85:

**85.2.** An authorized party's official representative and his delegate, an authorized independent candidate's official representative and, if the official representative and the official agent are not the same person, the official agent and his deputy in office on 1 January 2017 must, within 30 days after that date, undergo the training required under section 387.1 of the Act respecting elections and referendums in municipalities (chapter E-2.2), enacted by section 44.3.

Adopté  
AML

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 88

**AMENDMENT:**

Insert “, reimbursed” after “reduced”.

Adopté  
AMU

Bill 83

**An Act to amend various municipal-  
related legislative provisions concerning  
such matters as political financing**

Section 90

**AMENDMENT:**

Replace by:

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

(1) section 44.4, paragraph 2 of section 45, paragraph 2 of section 45.1, section 54.0.1, paragraphs 1 and 2, subparagraph *a* of paragraph 3, paragraph 5, paragraph 8, subparagraph *b* of paragraph 11, subparagraph *b* of paragraph 12, subparagraphs *a*, *d* and *e* of paragraph 15 and paragraph 21 of section 61, and sections 61.3 to 61.5, which come into force on 30 September 2016;

(2) sections 27, 44.3 to 44.3.2, paragraph 1 of section 45, sections 45.1.1 to 47, 49 to 49.2, 50 to 53.1, 54.0.2 to 56, 56.2, 56.5, 56.7 to 56.9, 57, 57.1, 58.1, 58.3, paragraph 2 of section 59.1, subparagraph *b* of paragraph 3, paragraphs 4, 6, 7 and 10, subparagraph *a* of paragraph 11, subparagraph *a* of paragraph 12, paragraphs 12 to 14, subparagraphs *b*, *c* and *f* of paragraph 15, paragraphs 16 to 20 and paragraphs 22 to 24 of section 61, and sections 64, 75 and 86, which come into force on 1 January 2017;

(3) section 67, which comes into force on 30 June 2017;

(4) section 49.3, which comes into force on 1 January 2018.

Adopté  
AMZ