



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 133

**An Act to make wearing of the uniform
by police officers and special constables
mandatory in the performance of their
duties**

Introduction

**Introduced by
Mr. Martin Coiteux
Minister of Public Security**

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EXPLANATORY NOTES

This bill amends the Police Act to introduce the obligation for police officers and special constables to wear the uniform and wear or carry the equipment issued by their employer in the performance of their duties.

A new obligation is also created for police force directors and competent authorities in respect of special constables in relation to the enforcement of those rules.

Lastly, penal sanctions are provided for offences under the new provisions.

LEGISLATION AMENDED BY THIS BILL:

- Police Act (chapter P-13.1).

REGULATION REPEALED BY THIS BILL:

- By-law respecting uniforms of municipal police forces (R.R.Q., 1981, chapter P-13, r. 18).

Bill 133

AN ACT TO MAKE WEARING OF THE UNIFORM BY POLICE OFFICERS AND SPECIAL CONSTABLES MANDATORY IN THE PERFORMANCE OF THEIR DUTIES

AS police officers and special constables are representatives of the law whose mission is to maintain peace, order and public security;

AS police officers and special constables, according to their respective responsibilities, play an essential role in the administration of justice by maintaining good order in courthouses and proper decorum in courtrooms, thus promoting the serenity of judicial hearings and allowing those who are party to judicial proceedings to fully exercise their rights;

AS the uniform of police officers and special constables, a symbol of their authority and credibility, commands the respect they require to accomplish their mission;

AS wearing of the uniform by police officers and special constables makes them unequivocally identifiable, thus helping them to effectively perform their duties and fostering their own and the public's safety;

AS wearing of the full uniform by police officers and special constables is necessary to enhance public confidence in them and ensure that the highest standards are met in matters of public security in Québec;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

POLICE ACT

1. Section 69 of the Police Act (chapter P-13.1) is amended by adding the following paragraph:

“It may, in those territories, enforce Chapter IV of Title IV.”

2. The Act is amended by inserting the following chapter after section 263:

“CHAPTER IV

“STANDARDS RELATING TO UNIFORMS AND EQUIPMENT

“263.1. Every police officer or special constable must, while performing his or her duties, wear the full uniform and wear or carry all the equipment

issued by the employer, without substituting any other element for them. He or she may not alter them, cover them substantially or in a way that hides a significant element or hinder the use for which they are intended.

The first paragraph applies subject to any legislative exemption or any authorization from the director of the police force or from the competent authority in respect of the special constable when the performance of the officer's or constable's duties requires or special circumstances warrant such an exemption or authorization.

“263.2. The competent authority in respect of a special constable is responsible for enforcing this chapter as regards the constable.

“263.3. The director of a police force must send an offence report to the Director of Criminal and Penal Prosecutions without delay if a police officer contravenes this chapter.

The same obligation applies to the competent authority in respect of a special constable.”

3. The Act is amended by inserting the following section after section 313:

“313.1. Every person who contravenes section 263.1 or 263.3 is guilty of an offence and is liable, for each day or part of a day during which the offence continues, to a fine of \$500 to \$3,000.

The amounts prescribed in the first paragraph are doubled for a subsequent offence.”

4. Section 314 of the Act is amended by adding the following paragraph:

“However, if an association representing police officers or special constables or an officer, representative or employee of such an association is found guilty under this section of assisting or inciting another person to commit an offence under section 313.1, that association, officer, representative or employee is liable to double the penalty prescribed in that section.”

MISCELLANEOUS AND FINAL PROVISIONS

5. The By-law respecting uniforms of municipal police forces (R.R.Q., 1981, chapter P-13, r. 18) is repealed.

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