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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 191

## Constitution of Québec

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### Introduction

Introduced by  
**Mr. Daniel Turp**  
Member for Mercier

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## **EXPLANATORY NOTES**

*The purpose of this bill is to set out in a Constitution of Québec the main characteristics of Québec and its institutions as well as its constitutional foundation.*

*Accordingly, the bill deals with Québec's values, with Québec citizenship and with Québec's territory, heritage, national capital, language, symbols and national holiday.*

*The bill affirms the supremacy of sections 1 to 48 of the Charter of human rights and freedoms and sections 2 to 6 of the Charter of the French language, and addresses the matter of Québec's legislative authority.*

*In addition, the bill presents the state institutions of Québec, that is, the Head of State, the National Assembly, the Government and the courts of justice.*

*Lastly, the bill describes the procedure for amending the Constitution of Québec and declares the supremacy of that Constitution.*

# **Bill 191**

## **CONSTITUTION OF QUÉBEC**

AS Québec possesses specific characteristics and a deep-rooted historical continuity in a territory over which it exercises its rights through the medium of a state endowed with a National Assembly, a government and impartial and independent courts of justice;

AS Quebecers form a nation;

AS the Amerind and Inuit nations are present in Québec;

AS Québec has an English-speaking community;

AS Quebecers of all origins contribute to Québec's development;

AS the constitutional foundation of Québec has been enriched over the years by the passage of fundamental laws and the creation of democratic institutions specific to Québec;

AS Québec is free to take charge of its own destiny, determine its political status and pursue its development;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

### **CHAPTER I**

#### **VALUES OF QUÉBEC**

**I.** Québec is a free and democratic society.

Québec is governed by the rule of law.

Québec is a land where individuals are free and equal in dignity and rights and where the equality of men and women is protected.

Québec guarantees the secularity of its public institutions.

Québec promotes and protects its culture.

Québec contributes to the maintenance of peace and international security and supports social progress, economic prosperity and cultural diversity throughout the world.

Québec acts in accordance with the principles of human development and sustainable development.

## **CHAPTER II**

### **QUÉBEC CITIZENSHIP**

**2.** Québec citizenship is hereby established. Québec citizenship is acquired, kept or lost as determined by law.

## **CHAPTER III**

### **TERRITORY OF QUÉBEC**

**3.** Québec exercises its powers throughout its territory.

The territory and boundaries of Québec may not be altered except with the consent of the National Assembly of Québec.

The Gouvernement du Québec must ensure that the territorial integrity of Québec is maintained and respected.

## **CHAPTER IV**

### **HERITAGE OF QUÉBEC**

**4.** Québec preserves and enhances its natural and cultural heritage, including its archaeological, architectural, archival, artistic, ethnological, historical and religious heritage.

## **CHAPTER V**

### **CAPITAL OF QUÉBEC**

**5.** The national capital of Québec is Ville de Québec.

## **CHAPTER VI**

### **LANGUAGE OF QUÉBEC**

**6.** French is the official language of Québec.

## **CHAPTER VII**

### **SYMBOLS AND NATIONAL HOLIDAY OF QUÉBEC**

**7.** The flag of Québec is a white cross on a blue field, with a white fleur-de-lis in each canton or, in heraldic terms, azure, a cross between four fleurs-de-lis argent.

The emblematic tree of Québec is the yellow birch. The emblematic flower of Québec is the blue flag. The emblematic bird of Québec is the snowy owl.

The motto of Québec is “Je me souviens”.

The coat of arms of Québec uses tierced per fess, first azure, three fleurs-de-lis Or; second gules, a lion passant guardant of the second, armed and langued of the first; third, of the second, a sprig of three sugar maple leaves vert, nerved of the field.

The 24th of June is Québec’s national holiday.

## **CHAPTER VIII**

### **RIGHTS AND FREEDOMS IN QUÉBEC**

**8.** Sections 1 to 48 of the Charter of human rights and freedoms (R.S.Q., chapter C-12) and sections 2 to 6 of the Charter of the French language (R.S.Q., chapter C-11) are an integral part of this Constitution.

Any interpretation of those sections must be consistent with the objective of ensuring that Québec’s values, as set out in section 1 of this Constitution, are protected and promoted.

## **CHAPTER IX**

### **POWERS OF QUÉBEC**

**9.** Québec is sovereign in the areas that are under its jurisdiction by law and according to constitutional conventions.

Québec exercises jurisdiction over international relations in all matters under its jurisdiction provided for in this section.

## **CHAPTER X**

### **HEAD OF STATE OF QUÉBEC**

**10.** The Head of State sees to the continuity and protects the integrity of Québec’s institutions, represents Québec and assents to its laws.

The manner in which the Head of State is to be appointed and the organization and operation of the office of the Head of State are provided for by law.

## **CHAPTER XI**

### **NATIONAL ASSEMBLY OF QUÉBEC**

**11.** The National Assembly passes legislative Acts and supervises the actions of the Government.

The National Assembly approves Québec's important international commitments.

The National Assembly is composed of 125 Members. This number may be modified to reflect demographic changes in Québec.

Members of the National Assembly are elected as provided for by law.

General elections are held every four years on a fixed date, that is, on the second Monday in May.

The organization and operation of the National Assembly are provided for by law.

## **CHAPTER XII**

### **GOUVERNEMENT DU QUÉBEC**

**12.** The Government sets and oversees general policy in Québec. It carries out legislation and has the power, as provided for by law, to make regulations.

The Government negotiates Québec's international commitments and represents Québec in relations with other States and international institutions.

The Prime Minister heads the Government and chairs the Conseil exécutif.

The organization and operation of the Government are provided for by law.

## **CHAPTER XIII**

### **COURTS OF JUSTICE OF QUÉBEC**

**13.** The Court of Québec and the Superior Court of Québec are the courts of first instance having jurisdiction in civil, criminal and penal matters and youth-related matters.

The Court of Appeal of Québec has jurisdiction in respect of all cases, matters and things that may be appealed.

The courts are independent and impartial. Judges are appointed to serve during good behaviour and may not be transferred, suspended or dismissed against their will except pursuant to a judicial decision and on the sole grounds and in the sole manner prescribed by law.

The organization and operation of the courts are provided for by law.

## **CHAPTER XIV**

### **AMENDMENTS TO THE CONSTITUTION OF QUÉBEC**

**14.** A bill to amend this Constitution may be introduced by the Prime Minister or jointly by at least 25% of the Members of the National Assembly.

Such an amending bill must be supported by a two-thirds majority of Members of the National Assembly.

## **CHAPTER XV**

### **SUPREMACY OF THE CONSTITUTION OF QUÉBEC**

**15.** The laws and constitutional conventions applicable in Québec when this Constitution comes into force continue to apply provided they are consistent with the Constitution and so long as they are not amended in accordance with the applicable legislative provisions.

This Constitution prevails over any rule of Québec law that is inconsistent with its provisions.

