

NATIONAL ASSEMBLY

FIRST SESSION THIRTY-SIXTH LEGISLATURE

Bill 113

An Act to establish a national identification card

Introduction

Introduced by
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Minister of Relations with the Citizens and Immigration

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EXPLANATORY NOTES

This bill authorizes the registrar of civil status to issue on request a national identification card to any person domiciled in Québec whose act of birth is registered in the register of civil status. The bill describes the contents of the card, provides that the card suffices to establish the identity of the holder and specifies that the card cannot be demanded for the purpose of identification or any other purpose.

The bill amends the Election Act, the Act respecting elections and referendums in municipalities and the Act respecting school elections to provide that the identification card may be produced as identification by an elector before voting.

LEGISLATION AMENDED BY THIS BILL:

– Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1);

– Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2);

– Act respecting school elections (R.S.Q., chapter E-2.3);

– Election Act (R.S.Q., chapter E-3.3).

Bill 113

AN ACT TO ESTABLISH A NATIONAL IDENTIFICATION CARD

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. A national identification card shall be issued by the registrar of civil status to any person domiciled in Québec whose act of birth is registered in the register of civil status, on the application of the person concerned or of a person who establishes his or her interest.

The application must be signed by the person concerned and be submitted with an attestation of identity furnished by a person who has known the applicant for at least two years.

2. The holder's surname and the given name used by the holder and appearing in the act of birth shall appear on the identification card as well as the holder's date and place of birth, sex, height and eye colour.

The identification card shall include a photograph of the holder and the expiry date, the date and place of issue and the sequence number of the card. It shall bear the signature of the card holder and the signature of the registrar of civil status. It may also carry an electronic transcription of the information it contains.

3. An identification card issued by the registrar of civil status is authentic.

4. An identification card remains the property of the registrar of civil status and must be returned to the registrar on request.

5. No person may demand that the identification card be produced for identification or any other purpose.

Presented by its holder, the identification card suffices, however, to establish the holder's identity.

6. For the purpose of identification card management, a register of all identification cards issued shall be maintained by the registrar of civil status.

The personal information recorded in the register is confidential, except as regards the person concerned or a person who establishes his or her interest.

The register and the information recorded in the register may not be used for purposes other than the management of identification cards.

The register may be consulted only with the authorization of the registrar of civil status. Where the registrar allows the register to be consulted, the registrar shall determine the conditions necessary to safeguard the information recorded in the register.

7. Clerical errors on identification cards or in the register shall be corrected by the registrar of civil status.

8. The court may, on the application of an interested person, review any decision of the registrar of civil status relating to an identification card or the register of identification cards.

9. The period of validity of identification cards, based on age categories, the classes of persons authorized to furnish attestations of identity, the conditions of attestation, photograph requirements and issuance fees shall be determined by regulation made by the Government.

10. A woman married before 2 April 1981 may request that her spouse's surname appear on her identification card in addition to her own surname.

11. Section 2 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1), amended by section 3 of chapter 40 of the statutes of 1999, is again amended by adding "or the register established pursuant to the Act to establish a national identification card (*insert here the year and chapter number of this Act*)" at the end of paragraph 1.

12. Section 215 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2), amended by section 35 of chapter 15 of the statutes of 1999, is again amended by inserting "national identification card issued by the registrar of civil status," after "inconsistent provision, his" in the second line of the third paragraph.

13. Section 114 of the Act respecting school elections (R.S.Q., chapter E-2.3), amended by section 47 of chapter 15 of the statutes of 1999, is again amended by inserting "national identification card issued by the registrar of civil status," after "inconsistent provision, his" in the second line of the second paragraph.

14. Section 337 of the Election Act (R.S.Q., chapter E-3.3), amended by section 18 of chapter 15 of the statutes of 1999, is again amended by inserting "national identification card issued by the registrar of civil status," after "inconsistent provision, his" in the second line of the second paragraph.

15. The Minister responsible for civil status is responsible for the administration of this Act.

16. This Act comes into force on the date to be determined by the Government.