



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 490

**An Act to reinforce the qualified
majority required for the appointment
and removal of persons appointed by
the National Assembly**

Introduction

**Introduced by
Mr. Monsef Derraji
Member for Nelligan**

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EXPLANATORY NOTES

This bill makes changes to the modes of appointment and removal of persons appointed by the National Assembly to require that the required approval of two-thirds of the Members comes from at least two authorized parties represented in the National Assembly.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);
- Act respecting the Autorité des marchés publics (chapter A-33.2.1);
- Charter of the French language (chapter C-11);
- Charter of human rights and freedoms (chapter C-12);
- Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1);
- Act respecting the Director of Criminal and Penal Prosecutions (chapter D-9.1.1);
- Election Act (chapter E-3.3);
- Public Service Act (chapter F-3.1.1);
- Anti-Corruption Act (chapter L-6.1);
- Police Act (chapter P-13.1);
- Public Protector Act (chapter P-32);
- Lobbying Transparency and Ethics Act (chapter T-11.011);
- Auditor General Act (chapter V-5.01).

Bill 490

AN ACT TO REINFORCE THE QUALIFIED MAJORITY REQUIRED FOR THE APPOINTMENT AND REMOVAL OF PERSONS APPOINTED BY THE NATIONAL ASSEMBLY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING ACCESS TO DOCUMENTS HELD BY PUBLIC
BODIES AND THE PROTECTION OF PERSONAL INFORMATION

1. Section 104 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its members” in the third paragraph.

2. Section 107 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its members” in the second paragraph.

ACT RESPECTING THE AUTORITÉ DES MARCHÉS PUBLICS

3. Section 4 of the Act respecting the Autorité des marchés publics (chapter A-33.2.1) is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members” in the first paragraph.

CHARTER OF THE FRENCH LANGUAGE

4. Section 185 of the Charter of the French language (chapter C-11) is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members” in the first paragraph.

5. Section 188 of the Charter is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members”.

CHARTER OF HUMAN RIGHTS AND FREEDOMS

6. Section 58 of the Charter of human rights and freedoms (chapter C-12) is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of the Members of the National Assembly” in the second paragraph.

CODE OF ETHICS AND CONDUCT OF THE MEMBERS OF THE NATIONAL ASSEMBLY

7. Section 62 of the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1) is amended by inserting “from at least two authorized parties represented in it” after “two thirds of the Members”.

8. Section 66 of the Code is amended by inserting “from at least two authorized parties represented in it” after “two thirds of the Members” in the second paragraph.

ACT RESPECTING THE DIRECTOR OF CRIMINAL AND PENAL PROSECUTIONS

9. Section 2 of the Act respecting the Director of Criminal and Penal Prosecutions (chapter D-9.1.1) is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members” in the first paragraph.

10. Section 6 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members” in the first paragraph.

ELECTION ACT

11. Section 478 of the Election Act (chapter E-3.3) is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members”.

12. Section 480 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of the Members of the Assembly”.

13. Section 526 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its members”.

14. Section 530 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members” in the second paragraph.

15. Section 531 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members” in the second paragraph.

PUBLIC SERVICE ACT

16. Section 106 of the Public Service Act (chapter F-3.1.1) is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its members” in the second paragraph.

17. Section 108 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its members” in the second paragraph.

18. Section 122 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its members” in the first paragraph.

ANTI-CORRUPTION ACT

19. Section 5 of the Anti-Corruption Act (chapter L-6.1) is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members” in the first paragraph.

20. Section 5.2.1 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members” in the first paragraph.

21. Section 35.8 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members”.

22. Section 35.11 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members” in the third paragraph.

POLICE ACT

23. Section 56 of the Police Act (chapter P-13.1) is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members” in the first paragraph.

24. Section 56.5 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its Members” in the first paragraph.

PUBLIC PROTECTOR ACT

25. Section 1 of the Public Protector Act (chapter P-32) is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of the members of the National Assembly” in the second paragraph.

26. Section 3 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of its members” in the second paragraph.

LOBBYING TRANSPARENCY AND ETHICS ACT

27. Section 33 of the Lobbying Transparency and Ethics Act (chapter T-11.011) is amended by inserting “from at least two authorized parties represented in it” after “2/3 of its members” in the first paragraph.

28. Section 34 of the Act is amended by inserting “from at least two authorized parties represented in it” after “2/3 of its members” in the second paragraph.

AUDITOR GENERAL ACT

29. Section 7 of the Auditor General Act (chapter V-5.01) is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of the Members of the National Assembly”.

30. Section 13 of the Act is amended by inserting “from at least two authorized parties represented in it” after “two-thirds of the Members of the National Assembly”.

FINAL PROVISION

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

