



NATIONAL ASSEMBLY OF QUÉBEC

SECOND SESSION

FORTY-THIRD LEGISLATURE

Bill 13

**An Act to promote the population's
safety and sense of security
and to amend various provisions**

Introduction

**Introduced by
Mr. Ian Lafrenière
Minister of Public Security**

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EXPLANATORY NOTES

This bill enacts two Acts to promote the population's safety and sense of security and amends various legislative provisions regarding public security.

The bill first enacts the Act respecting the public disclosure of information concerning certain sex offenders at high risk of reoffending, which establishes a committee whose main function is to decide whether such information must be disclosed to the public. That Act provides that the Sûreté du Québec and the correctional services of the Ministère de la Sécurité publique are to communicate to the committee the information determined by a government regulation concerning sex offenders. It empowers the Government to establish, by regulation, the definition of "sex offender" for the purposes of that Act and the elements that the committee must take into account as part of its analysis. The Act establishes the information to be contained in a public disclosure concerning a sex offender and limits the period of dissemination to three years. It provides a framework for the content and communication of the committee's decision and allows the sex offender concerned to contest the decision before the Administrative Tribunal of Québec. Under the Act, the Sûreté du Québec must disseminate the information concerning a sex offender in accordance with the conclusions of the committee's decision. Lastly, the Act establishes the manner in which the disseminated information is to be re-examined.

The bill also enacts the Act to promote peace, order and public security in Québec, which prohibits anyone from demonstrating less than 50 metres from the grounds on which is located the residence of a member of Parliament, municipal officer or warden elected by a general vote. The Act also prohibits a person from possessing or throwing certain objects or substances that may be used to interfere with the physical integrity of a person or to threaten or intimidate a person or that may cause damage to property during a demonstration. It allows a member of a police force to search a person and the person's immediate environment where they have reasonable grounds to believe that the person possesses such an object, and to seize it. Furthermore, the Act prohibits, with certain exceptions, exposing to public view any object identifying an entity entered on the list of entities with a criminal purpose established by the Minister of Public

Security. The Act provides the various terms and conditions related to entering an entity on the list.

The bill amends the Police Act in particular to allow the Minister to determine the policing services that can be shared and to authorize the sharing of other police services between police forces. It establishes the rules allowing Indigenous police management boards to be constituted for the establishment and management of a joint police force. The bill also establishes the management board's status, its composition, how its affairs are to be administered as well as certain rules relating to its operation. It allows the management board to enter into an agreement with the Government to establish or maintain an Indigenous police force in the territory over which the management board has jurisdiction and determines the rules applicable to it.

The bill amends the Act respecting Access to documents held by public bodies and the Protection of personal information so as to provide a framework for the communication of personal information, by a police force and in certain circumstances, to a body or to a person who is a victim.

The bill also amends the Private Security Act to review certain rules relating to the term of office of the members of the board of directors of the Bureau de la sécurité privée as well as the Act respecting the Québec correctional system to authorize a person who is a victim to read their written representations during certain sittings of the Commission québécoise des libérations conditionnelles.

Lastly, the bill contains consequential and transitional provisions.

LEGISLATION ENACTED BY THIS BILL:

- Act respecting the public disclosure of information concerning certain sex offenders at high risk of reoffending (insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting the public disclosure of information concerning certain sex offenders at high risk of reoffending);*
- Act to promote peace, order and public security in Québec (insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act to promote peace, order and public security in Québec).*

LEGISLATION AMENDED BY THIS BILL:

- Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);
- Highway Safety Code (chapter C-24.2);
- Tobacco Tax Act (chapter I-2);
- Act respecting administrative justice (chapter J-3);
- Police Act (chapter P-13.1);
- Consumer Protection Act (chapter P-40.1);
- Private Security Act (chapter S-3.5);
- Act respecting the Québec correctional system (chapter S-40.1).

Bill 13

AN ACT TO PROMOTE THE POPULATION'S SAFETY AND SENSE OF SECURITY AND TO AMEND VARIOUS PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

ENACTMENT OF THE ACT RESPECTING THE PUBLIC DISCLOSURE OF INFORMATION CONCERNING CERTAIN SEX OFFENDERS AT HIGH RISK OF REOFFENDING

1. The Act respecting the public disclosure of information concerning certain sex offenders at high risk of reoffending, the text of which appears in this chapter, is enacted.

“ACT RESPECTING THE PUBLIC DISCLOSURE OF INFORMATION
CONCERNING CERTAIN SEX OFFENDERS AT HIGH RISK OF
REOFFENDING

“DIVISION I

“PURPOSE

“1. The purpose of this Act is the public disclosure of information concerning certain sex offenders at high risk of reoffending in order to enable any person to take the precautionary measures they consider appropriate to ensure their safety and that of their close relations.

“DIVISION II

“ESTABLISHMENT OF THE COMITÉ DE DIVULGATION DE RENSEIGNEMENTS CONCERNANT DES DÉLINQUANTS SEXUELS

“2. The Comité de divulgation de renseignements concernant des délinquants sexuels (the Committee) is hereby established.

The main function of the Committee is to decide, in accordance with Division IV, whether information concerning a sex offender at high risk of reoffending must be disclosed to the public.

“3. The Committee is composed of the following members, appointed by the Minister:

(1) an employee of the Sûreté du Québec recommended by the Director General of the Sûreté du Québec;

(2) an employee of the correctional services of the Ministère de la Sécurité publique;

(3) a lawyer chosen from among those recommended by the Barreau du Québec;

(4) a person who has special expertise in assistance for persons who are victims of an offence of a sexual nature; and

(5) a person who has special expertise in reintegration of offenders into society or in sexual delinquency.

The chair and the vice-chair of the Committee are designated by the Minister from among its members. The chair directs and coordinates the work of the Committee. The vice-chair replaces the chair if the chair is absent or unable to act or if the office of chair is vacant.

The secretariat of the Committee is the responsibility of the Sûreté du Québec.

“4. The Committee members are appointed for a term of up to five years, which may be renewed.

Upon the expiry of their term, the members remain in office until they are reappointed or replaced.

Any vacancy occurring during a member’s term of office is filled in accordance with the mode of appointment provided for in section 3.

“5. The members of the Committee receive no remuneration, except in the cases, on the conditions and to the extent that may be determined by the Government. They are, however, entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

“6. The Committee adopts internal by-laws including, in particular, rules to prevent conflict of interest situations.

“7. Committee meetings are closed to the public.

The quorum at Committee meetings is the majority of its members.

The decisions of the Committee are to be made by a majority of its members.

“8. Not later than 30 June each year, the Committee sends an annual report of its activities to the Minister.

“DIVISION III

“COMMUNICATION OF INFORMATION TO THE SÛRETÉ DU QUÉBEC AND TO THE COMMITTEE

“9. A police force communicates as soon as possible to the Sûreté du Québec the information communicated to it by the Correctional Service of Canada under subsection 3 of section 25 of the Corrections and Conditional Release Act (S.C. 1992, c. 20) concerning a person incarcerated for an offence of a sexual nature who is about to be released by reason of having served their entire term of imprisonment.

“10. The Sûreté du Québec communicates to the Committee, among the information communicated to it by a police force under section 9 or by the Correctional Service of Canada under subsection 3 of section 25 of the Corrections and Conditional Release Act (S.C. 1992, c. 20), the information determined by government regulation concerning a sex offender as soon as possible prior to the offender’s release.

If the correctional services of the Ministère de la Sécurité publique have reasonable grounds to believe that a sex offender who is about to be released by reason of having served their entire term of imprisonment is at high risk of reoffending, the correctional services of the Ministère de la Sécurité publique communicate to the Committee the information determined by government regulation concerning the offender, as soon as possible prior to the release.

For the purposes of this Act, “sex offender” means a sex offender as defined by government regulation.

“DIVISION IV

“ANALYSIS AND DECISION OF THE COMMITTEE

“11. The Committee analyzes the information concerning a sex offender communicated to it under section 10 and decides whether information concerning that sex offender must be disclosed to the public.

The information must be disclosed if the Committee considers that the interest of public security outweighs the potential impacts of the disclosure on the sex offender concerned, including with respect to the offender’s safety, freedom and privacy.

As part of its analysis, the Committee takes into account the elements determined by government regulation.

“12. The Committee may require from a police force or the correctional services of the Ministère de la Sécurité publique any information it considers necessary as part of its analysis. The Committee may also request that the Correctional Service of Canada communicate such information to it.

“13. The Committee informs the sex offender in writing that it must decide whether information concerning the offender must be disclosed and gives the offender the opportunity to submit written observations within the time it determines.

The Committee may, if it considers it appropriate, so inform any person who is a victim of an offence of a sexual nature for which the sex offender has been convicted and whose identity is known and give the person the opportunity to submit written observations within the time it determines.

“14. Where the Committee finds that information concerning a sex offender must be disclosed, the disclosure is to contain the following information:

(1) the name of the sex offender and any name the offender goes by or by which the offender is known;

(2) the offender’s year of birth;

(3) the offender’s physical description, including any physical distinguishing mark;

(4) a photograph of the offender;

(5) the municipality or, if the Committee considers it more appropriate, the region where the offender is released and that where the offender resides or is expected to reside;

(6) the offender’s date of release, the length of the term of imprisonment served, the offence for which the offender was convicted and, if the Committee considers it appropriate, the circumstances of the commission of the offence;

(7) the offences for which the offender was previously convicted and the circumstances of the commission of those offences, if the Committee considers it appropriate;

(8) the conditions with which the offender must comply upon release; and

(9) the common characteristics of the persons who are victims, provided this does not allow them to be identified directly or indirectly.

The Committee specifies, in the conclusions of its decision, the information to be disclosed and establishes the period of its dissemination, which is not to exceed three years.

“15. The Committee notifies its decision in writing, with reasons, to the sex offender concerned. It communicates the conclusions of its decision to the Sûreté du Québec, to the police force serving the territory in which the sex offender is released and to that serving the territory where the offender is expected to reside. It may also communicate its conclusions to any other police force, person or body, if it considers it necessary.

“16. Every decision of the Committee may, within 60 days of its notification, be contested by the sex offender concerned before the Administrative Tribunal of Québec.

“17. Despite section 83 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), the sex offender is not to receive communication of the Committee’s deliberations or of the written observations of a person who is a victim concerning the offender.

“DIVISION V

“DISSEMINATION OF INFORMATION

“18. The Sûreté du Québec disseminates information concerning a sex offender in accordance with the conclusions of the Committee’s decision.

The dissemination must be accompanied by a warning indicating that its purpose is to enable any person to take the precautionary measures they consider appropriate to ensure their safety and that of their close relations and that its purpose is not to encourage vigilantism against the sex offender in any manner.

“19. The dissemination of information concerning a sex offender ends as soon as the offender dies or is no longer subject to this Act.

In addition, the imprisonment of the sex offender suspends the dissemination of information concerning them until the offender’s release.

“DIVISION VI

“UPDATING OF DISCLOSED INFORMATION AND RE-EXAMINATION OF THE COMMITTEE’S DECISION

“20. A police force communicates to the Committee, as soon as possible, any new fact that could warrant an update of the information concerning a sex offender. After analysis, the Committee decides whether the disclosed information must be updated.

“21. Within 90 days after the end of the period during which the information concerning a sex offender is disseminated, the Committee re-examines the decision it rendered to determine whether there is cause to render a new decision.

“22. The provisions of Divisions IV and V apply to the update under section 20 and to the re-examination under section 21, with the necessary modifications.

“DIVISION VII

“IMMUNITY

“23. The Sûreté du Québec and its employees as well as the Committee and its members incur no civil liability for injury resulting from an act performed or omitted in good faith in the exercise of their functions.

“DIVISION VIII

“AMENDING PROVISIONS

“ACT RESPECTING ADMINISTRATIVE JUSTICE

“24. Section 18 of the Act respecting administrative justice (chapter J-3) is amended by inserting “of public disclosure of information concerning certain sex offenders at high risk of reoffending,” after “others,”.

“25. The Act is amended by inserting the following sections after section 23:

“23.1. In matters of public disclosure of information concerning certain sex offenders at high risk of reoffending, the social affairs division is charged with making determinations in respect of the proceedings referred to in section 2.2 of Schedule I.

“23.2. Proceedings shall be heard and determined by a single member who shall be an advocate or notary.”

“26. Section 119 of the Act is amended by inserting the following paragraph after paragraph 1:

“(1.1) a proceeding under section 16 of the Act respecting the public disclosure of information concerning certain sex offenders at high risk of reoffending (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting the public disclosure of information concerning certain sex offenders at high risk of reoffending*), which pertains to a decision of the Comité de divulgation de renseignements concernant des délinquants sexuels;”.

“27. Schedule I to the Act is amended by inserting the following section after section 2.1:

“2.2. In matters of public disclosure of information concerning certain sex offenders at high risk of reoffending, the social affairs division hears and determines proceedings under section 16 of the Act respecting the public

disclosure of information concerning certain sex offenders at high risk of reoffending (*insert the year and chapter number of this Act and the number of the section of this Act that enacts the Act respecting the public disclosure of information concerning certain sex offenders at high risk of reoffending*).”

“DIVISION IX

“FINAL PROVISION

“28. The Minister of Public Security is responsible for the administration of this Act.”

CHAPTER II

ENACTMENT OF THE ACT TO PROMOTE PEACE, ORDER AND PUBLIC SECURITY IN QUÉBEC

2. The Act to promote peace, order and public security in Québec, the text of which appears in this chapter, is enacted.

“ACT TO PROMOTE PEACE, ORDER AND PUBLIC SECURITY IN QUÉBEC

“DIVISION I

“PURPOSE

“1. The purpose of this Act is to prevent adverse effects on peace, order and public security in order to promote the peaceful enjoyment of premises and property in the public sphere and the safety of persons.

“DIVISION II

“DEMONSTRATIONS

“2. For the purposes of this division, “demonstration” means an assembly, gathering or march of persons who express an opinion, dissatisfaction or support for a person, a group of persons or a cause, and “demonstrate” means to take part in such a demonstration.

“3. No one may demonstrate less than 50 metres from grounds on which is located the residence of a member of Parliament, of a municipal officer or of a warden elected in accordance with section 210.29.2 of the Act respecting municipal territorial organization (chapter O-9).

No one may organize a demonstration with the intention of contravening the first paragraph.

“4. No one may, during a demonstration,

(1) have in their possession, without a valid reason, an object or substance that may be used to interfere with the physical integrity of a person or to threaten or intimidate a person or that may cause damage to property, in particular a tool, billiard ball, piece of pavement or weapon, such as an airgun, bow, cross-bow, knife or chemical agent;

(2) have in their possession, unless so authorized by a competent authority or by the police force serving the territory in which the demonstration is being held, pyrotechnic devices, substances meant to produce a gaseous or smoke effect, or other explosive materials; or

(3) throw an object or substance referred to in paragraph 1 or 2.

“5. A member of a police force who has reasonable grounds to believe that a person is contravening the provisions of section 4 may, without a warrant, search that person and the person’s immediate environment, and, if applicable, seize the object or substance in the person’s possession.

“DIVISION III

“PROHIBITION TO EXPOSE AN OBJECT IDENTIFYING AN ENTITY WITH A CRIMINAL PURPOSE

“6. No one may expose to public view, in particular by wearing, disseminating, posting or displaying it, any object identifying an entity entered on the list of entities with a criminal purpose drawn up by the Minister that exhibits one of the following symbols or names:

(1) a symbol, such as an emblem, an insignia or a representation, used by the entity or associated with it or a symbol that could be mistaken for such a symbol; or

(2) the name of the entity or another name, such as an abbreviation or acronym, used by the entity or associated with it or a name that could be mistaken for any of those names.

The prohibition set out in the first paragraph applies to an object identifying an entity entered on the list of entities with a criminal purpose as of the date of the publication in the *Gazette officielle du Québec*, under the first paragraph of section 8, of the Minister’s decision to enter the name of the entity on the list.

“7. An exception is made to the first paragraph of section 6 where an object identifying an entity entered on the list of entities with a criminal purpose is, in good faith and in a reasonable manner, exposed to public view in

(1) a journalistic context;

(2) an educational or pedagogical context;

(3) an artistic or cultural context, to the extent that exposing the object is necessary as part of representing, exposing, disseminating or distributing a work;

(4) a judicial context; or

(5) any other context where exposing the object is clearly relevant for the public interest.

“8. The Minister enters the name of an entity on the list of entities with a criminal purpose for the purposes of section 6 or removes it on the substantiated recommendation of a division of law enforcement designated by the Minister whose mandate relates to criminal information management. Every decision of the Minister is published in the *Gazette officielle du Québec*.

The designated division of law enforcement may consult any police force for the purpose of making a recommendation to the Minister under this division.

“9. The name of an entity may be entered on the list of entities with a criminal purpose, with a view to fighting against the sense of insecurity or the attractiveness the entity may engender, on the following conditions:

(1) members of the entity or persons associated with or related to it are active in the territory of Québec;

(2) there are reasonable grounds to believe that members of the entity or persons associated with or related to it pursue, individually or collectively, a criminal purpose by committing or attempting to commit criminal offences, by participating or collaborating in the commission of such offences or by facilitating or promoting the commission of such offences; and

(3) members of the entity or persons associated with or related to it could expose to public view a symbol or a name referred to in the first paragraph of section 6.

“10. Where an entity entered on the list of entities with a criminal purpose considers that the conditions set out in section 9 are not met, it may apply in writing to the Minister to be removed from it, indicating the reasons for the application.

The designated division of law enforcement examines the reasons submitted by the entity and verifies whether the conditions are met. The Minister informs the entity of the follow-up given to its application, within a reasonable time.

“11. The list of entities with a criminal purpose must undergo a review every five years. To that end, the designated division of law enforcement verifies, for each entity, whether the conditions under section 9 are met.

“DIVISION IV

“PENAL PROVISIONS

“12. Anyone who contravenes the provisions of section 3 is liable to a fine of \$250 to \$1,250 in the case of a natural person and \$750 to \$3,750 in any other case.

“13. Anyone who contravenes the provisions of section 4 is liable to a fine of \$500 to \$5,000 in the case of a natural person and \$1,500 to \$15,000 in any other case.

“14. Anyone who contravenes the provisions of the first paragraph of section 6 is liable to a fine of \$1,000 to \$5,000 in the case of a natural person and \$3,000 to \$15,000 in any other case.

“15. Anyone who, by an act or omission, helps or, by encouragement, advice or consent, or by an authorization or an order, induces another person to commit an offence under this Act commits the same offence.

“16. Where a legal person or an agent, mandatary or employee of a legal person, partnership or association without legal personality commits an offence under this Act, the directors or officers of the legal person, partnership or association are presumed to have committed the offence, unless it is established that they exercised due diligence, taking all necessary precautions to prevent the commission of the offence.

For the purposes of this section, in the case of a partnership, all partners, except special partners, are presumed to be directors of the partnership, unless there is evidence to the contrary appointing one or more of them, or a third person, to manage the affairs of the partnership.

“17. The amounts of the fines prescribed in this Act are doubled for a second or subsequent offence.

“18. A local municipality may institute penal proceedings for an offence under this Act that was committed within its territory.

The fines belong to the municipality that instituted the proceedings.

A proceeding referred to in the first paragraph is instituted before any municipal court that has jurisdiction in the territory where the offence was committed. The costs relating to a proceeding instituted before a municipal court belong to the municipality to which that court is attached, except the part of the costs remitted to another prosecutor by the collector under article 345.2 of the Code of Penal Procedure (chapter C-25.1) and the costs remitted to the defendant or imposed on the municipality under article 223 of that Code.

“DIVISION V

“TRANSITIONAL AND FINAL PROVISIONS

“19. An exception is made to the first paragraph of section 6 in the case where a funeral monument or urn identifying an entity entered on the list of entities with a criminal purpose, in a place of burial where lie the remains of a deceased person, is exposed to public view before the date of the publication in the *Gazette officielle du Québec* of the Minister’s decision to enter the name of the entity on the list.

“20. The Minister of Public Security is responsible for the administration of this Act.”

CHAPTER III

PROVISIONS RELATING TO POLICE

POLICE ACT

3. Section 70 of the Police Act (chapter P-13.1) is amended, in the sixth paragraph,

(1) by striking out subparagraph 2;

(2) by replacing “any support services or emergency measures” in subparagraph 3 by “policing services”;

(3) by adding the following subparagraph at the end:

“(4) the sharing of investigations services, emergency measures services or support services, with the authorization of the Minister.”

4. The Act is amended by inserting the following division after section 93:

“DIVISION IV.1

“INDIGENOUS POLICE MANAGEMENT BOARDS

“§1.—*Establishment of the management board*

“93.1. Indigenous communities, each represented by its band council, may enter into an agreement with each other for the purpose of requesting that the Government form an Indigenous police management board responsible for establishing and managing a joint police force. The Indigenous communities shall send to the Government a prior notice stating their intention to enter into such an agreement.

“93.2. The agreement under section 93.1 indicates, among others, the following particulars:

- (1) the name of the management board;
- (2) the place where the head office of the management board will be situated;
- (3) the composition of the management board’s board of directors, the mode of appointment of its members, including the chair, and the duration of their term;
- (4) the number of votes, which may be in number and in value, attributed to each of the members of the board of directors of the management board;
- (5) the rules governing the operation of the management board;
- (6) the mode of apportionment of the financial contributions, among the Indigenous communities that are parties to the agreement, for the operation of the management board;
- (7) the mechanism to be used in settling disputes;
- (8) the duration, renewal procedures and the grounds for cancellation of the agreement; and
- (9) the apportionment of the assets and liabilities as well as the allocation of the members of the police force and of the personnel where the management board is modified or dissolved.

“93.3. The Indigenous communities send to the Minister the agreement under section 93.1 and the resolutions by which it was authorized.

The Minister may request that the Indigenous communities provide any information or document the Minister considers necessary for the analysis of the agreement.

The Minister and the Indigenous communities who are parties to the agreement are to agree on the territory in which the management board will have jurisdiction and on any changes to be made to the agreement, if applicable.

“93.4. The Government may, by order, establish an Indigenous police management board in accordance with the agreement appended to it.

“93.5. The Indigenous communities may agree to modifications to the agreement entered into under section 93.1. In such a case, they send to the Minister a prior notice stating their intention to modify the agreement.

The provisions of section 93.3 apply, with the necessary modifications.

The Government may only amend the order establishing the management board if the agreement under section 93.1 is modified.

“93.6. The Government may, by order, dissolve the management board in the following cases:

(1) at the request of all the Indigenous communities that are parties to the agreement under section 93.1;

(2) at the expiry of the agreement under section 93.1; or

(3) if the Government considers that the dissolution is necessary in the public interest.

“93.7. The management board is a legal person.

The management board is composed of the members of the board of directors.

“93.8. The affairs of the management board are administered by a board of directors composed of members of the band councils representing the Indigenous communities in whose territory the management board has jurisdiction.

“93.9. The meetings of the board of directors of the management board are public.

“93.10. The majority of the board members constitutes a quorum.

“93.11. Decisions of the board of directors are made by a majority vote.

“93.12. A member of the board of directors ceases to be part of the board if he loses the status of band council member on the basis of which he was appointed.

However, such a person does not cease to hold office at the expiry of his term as a member of the band council if he is re-elected at the election held after the expiry of his term.

“93.13. The board of directors appoints, where it considers it advisable, any employee it considers useful for the operation of the management board.

“93.14. The board of directors of the management board may make internal by-laws.

“§2. — Establishment of the police force

“93.15. A management board established under section 93.4 may enter into an agreement with the Government to establish or maintain an Indigenous police force in the territory over which the management board has jurisdiction.

The police force thus established or maintained is, during the term of the agreement, a police force for the purposes of this Act.

Sections 91 to 93 apply, with the necessary modifications.”

HIGHWAY SAFETY CODE

5. Section 597 of the Highway Safety Code (chapter C-24.2) is amended by replacing “section 90” in subparagraph 1 of the second paragraph by “sections 90 and 93.15”.

TOBACCO TAX ACT

6. Section 15.0.1 of the Tobacco Tax Act (chapter I-2) is amended by replacing “section 90” in subparagraph 1 of the second paragraph by “sections 90 and 93.15”.

CONSUMER PROTECTION ACT

7. Section 290.2 of the Consumer Protection Act (chapter P-40.1) is amended by replacing “section 90” in subparagraph *a* of the second paragraph by “sections 90 and 93.15”.

CHAPTER IV

OTHER AMENDING PROVISIONS

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

8. Section 59 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 “61.1, 61.2,” after “sections 61,” in subparagraph 8 of the second paragraph.

9. The Act is amended by inserting the following sections after section 61:

“61.1. A police force may, without the consent of the person concerned and following a police intervention in respect of a person suspected of having committed an act in the context of spousal violence, communicate personal information concerning that person that is contained in an event report or a related document, to a body designated by the Minister of Justice, if that information is necessary for that body to carry out an initial intervention with that person.

“61.2. In a context where a person suspected of having committed a criminal offence is released while awaiting their court appearance following an arrest, a police force may communicate to a person who is a victim the conditions of the release that are necessary to ensure the latter’s safety, without the consent of the person concerned.

For the purpose of this section, a criminal offence is an offence under the Criminal Code (R.S.C. 1985, c. C-46), which interferes with the physical or mental integrity of a person.”

PRIVATE SECURITY ACT

10. Section 48 of the Private Security Act (chapter S-3.5) is replaced by the following section:

“48. Board members are appointed for a term of three years.

At the expiry of their term, the members remain in office until they are reappointed or replaced.”

11. Section 51 of the Act is replaced by the following section:

“51. Six months before a board member’s term expires, the Bureau must give the Minister and, if applicable, the association that appointed the member a notice of the expiry of the term.

Where the term of a member appointed by an association expires, the Minister may, in particular if new applications for recognition have been made in accordance with section 45, assess the representativeness of the association that appointed the member and, if the Minister considers that the association has lost its status as the association most representative of the private security industry, grant recognition to another association.”

ACT RESPECTING THE QUÉBEC CORRECTIONAL SYSTEM

12. Section 176 of the Act respecting the Québec correctional system (chapter S-40.1) is amended

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

“A person who is a victim and who so requests may also be authorized by the chair of the parole board to read aloud, at the sitting for the examination of an application for a temporary absence in preparation for conditional release or of a conditional release, the written representations sent under the first paragraph, unless there is reasonable cause to believe that the safety of the person who is a victim or of another person could be compromised.”

CHAPTER V

FINAL PROVISION

13. The provisions of this Act come into force on (*insert the date of assent to this Act*), except the provisions of section 1, which come into force on the date of the coming into force of the first regulation made under sections 10 and 11 of the Act respecting the public disclosure of information concerning certain sex offenders at high risk of reoffending, enacted by that section.