



---

---

# NATIONAL ASSEMBLY

---

---

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 92

**An Act to amend the Election Act with  
regard to electoral representation**

---

---

**Introduction**

**Introduced by  
Mr. Claude Bécharde  
Minister responsible for the Reform of Democratic  
Institutions**

---

**Québec Official Publisher  
2010**

## **EXPLANATORY NOTES**

*This bill amends the Election Act with regard to electoral representation by setting out new rules and a new procedure for the determination of the number and boundaries of electoral divisions.*

## **LEGISLATION AMENDED BY THIS BILL:**

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

## Bill 92

### AN ACT TO AMEND THE ELECTION ACT WITH REGARD TO ELECTORAL REPRESENTATION

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Sections 14 to 17 of the Election Act (R.S.Q., chapter E-3.3) are replaced by the following sections:

“**14.** Québec shall be divided into as many electoral divisions as are required to comply with the rules set out in this chapter, with due regard for the principle of effective representation of electors.

“**15.** For the purpose of determining the number of electoral divisions, the following administrative regions are used and the minimum number of electoral divisions for each region is as follows:

— Bas-St-Laurent	4
— Saguenay–Lac-Saint-Jean	5
— Capitale-Nationale	11
— Mauricie	5
— Estrie	5
— Montréal	28
— Outaouais	5
— Abitibi-Témiscamingue	3
— Côte-Nord	2
— Chaudière-Appalaches	8
— Laval	5
— Lanaudière	6
— Laurentides	8
— Montérégie	21
— Centre-du-Québec	4

The administrative region of Gaspésie-Îles-de-la-Madeleine is used, exclusive of the territory of Municipalité des Îles-de-la-Madeleine, and the minimum number of electoral divisions for that region is 3.

“**16.** The territory of Îles-de-la-Madeleine described in Schedule I, the territory of Ungava described in Schedule I.1 and the territory of Nunavik described in Schedule I.2 each constitute an electoral division.

**“17.** Each administrative region mentioned in section 15, including in the second paragraph, is to be attributed a preliminary number of electoral divisions corresponding to the quotient obtained by dividing the number of electors on the permanent list of electors for that region by the provincial quotient.

The provincial quotient is obtained by dividing the total number of electors on the permanent list of electors, excluding the electors of electoral divisions mentioned in section 16, by 123.

If the quotients determined under this section include a decimal, it is to be rounded off to the higher digit if it is equal to or greater than 5 and, if not, to the lower digit.

**“17.1.** If the preliminary number of electoral divisions attributed to a region in accordance with section 17 is equal to or less than the minimum number of electoral divisions specified in section 15 for that region, the region is allocated that minimum number of electoral divisions.

If the preliminary number of electoral divisions exceeds the minimum number, the region is allocated a number of electoral divisions equal to that preliminary number.

**“17.2.** The Commission de la représentation shall determine the number of electoral divisions in accordance with sections 16 and 17.1.

**“17.3.** The Commission de la représentation shall delimit each electoral division in compliance with the rules set out in sections 17.4 and 17.5.

**“17.4.** Except for the electoral divisions mentioned in section 16, every electoral division must be delimited in such a way that the number of electors on the permanent list of electors for the electoral division does not deviate by more than 25% from the quotient obtained by dividing the total number of electors on the permanent list of electors for the region in which the electoral division is located by the number of electoral divisions in that region.

**“17.5.** An electoral division is a natural community identified on the basis of demographic, geographical and sociological considerations such as population density, the foreseeable rate of population fluctuation, the accessibility, area and shape of the region, the natural local boundaries and the territories of municipalities and school boards.”

**2.** Section 19 of the Act is replaced by the following section:

**“19.** The Commission shall make a new determination of the number of electoral divisions and a new delimitation of those divisions according to the rules and in the manner set out in this chapter.”

**3.** Section 22 of the Act is amended by replacing the first paragraph by the following paragraph:

“**22.** On or before the ninth anniversary of the last publication in the *Gazette officielle du Québec* provided for in section 29, the Commission shall submit to the President or the Secretary General of the National Assembly a preliminary report containing a proposed number and delimitation of electoral divisions.”

**4.** Section 23 of the Act is amended by replacing “diffusion of the proposed boundaries of the electoral divisions submitted in” by “dissemination of the content of”.

**5.** Section 28 of the Act is amended by replacing “indicating the boundaries of the electoral divisions” in the first paragraph by “indicating the number of electoral divisions and their boundaries”.

**6.** Section 29 of the Act is amended by replacing “establish the boundaries of the electoral divisions” in the first paragraph by “determine the number of electoral divisions and their boundaries.”.

**7.** Section 30 of the Act is amended by replacing the second paragraph by the following paragraph:

“Notwithstanding the foregoing, the Commission shall take the necessary steps to ensure the best possible dissemination of the delimitation of the electoral divisions, particularly, the number of new electoral divisions, if applicable, and the changes made in relation to the previous delimitation.”

**8.** Schedule I to the Act is replaced by the following schedules:

#### “**SCHEDULE I**

##### “ELECTORAL DIVISION OF ÎLES-DE-LA-MADELEINE (Section 16)

The electoral division of Îles-de-la-Madeleine is made up of the territory of Municipalité des Îles-de-la-Madeleine.

#### “**SCHEDULE I.1**

##### “ELECTORAL DIVISION OF UNGAVA (Section 16)

The electoral division of Ungava includes the following municipalities: Baie-James, Chapais, Chibougamau, Chisasibi, Eastmain, Lebel-sur-Quévillon, Matagami, Mistissini, Nemiscau, Waskaganish, Waswanipi and Wemindji.

It includes the following reserved lands: Chisasibi, Eastmain, Mistissini, Nemiscau, Waskaganish, Waswanipi and Wemindji.

It also includes the Indian settlement of Oujé-Bougoumou.

**“SCHEDULE I.2**

**“ELECTORAL DIVISION OF NUNAVIK**  
*(Section 16)*

The electoral division of Nunavik is made up of the territory north of the 55th parallel, excluding the Cree Category IA and IB lands defined in the Agreement concerning James Bay and Northern Québec.”

**9.** On *(insert the date of assent to this Act)*, the Commission de la représentation must undertake a new determination of the number of electoral divisions and a delimitation of those divisions according to the rules and in the manner set out in Chapter I of Title II of the Election Act (R.S.Q., chapter E-3.3), as amended by this Act, as if they were in force.

However, despite section 22 of the Election Act, as amended by section 3, the first report submitted under that section must be submitted on or before *(insert the date that occurs one year after the date of assent to this Act)*.

**10.** This Act comes into force on *(insert the date of assent to this Act)*, except sections 1 to 7, which come into force on the date of coming into force of the first list of electoral divisions referred to in section 32 of the Election Act subsequent to *(insert the date of assent to this Act)*.



