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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-NINTH LEGISLATURE

Bill 31

**An Act to amend various provisions  
concerning the organization of police  
services**

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**Introduction**

**Introduced by  
Mr. Robert Dutil  
Minister of Public Security**

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**Québec Official Publisher  
2011**

## **EXPLANATORY NOTES**

*This bill amends various provisions concerning the organization of police services.*

*The maximum population a police force offering level 2 police services may serve is increased from 199,999 to 249,999.*

*The population below which a municipality whose territory is not included in the territory of a metropolitan community or in a census metropolitan area must be served by the Sûreté du Québec is increased from 50,000 to 100,000. Such a municipality with a population of 50,000 inhabitants or more, however, may abolish its police force in order to be served by the Sûreté du Québec only if it holds a public consultation on the matter and subsequently obtains the authorization of the Government.*

*In addition, a municipality that is served by the Sûreté du Québec continues to be served by the Sûreté du Québec even though its population reaches 100,000 inhabitants or more, unless it is authorized by the Minister of Public Security to be served by a municipal police force.*

*Municipalities are authorized to enter into agreements with each other, or with the Minister of Public Security for the Sûreté du Québec, concerning the provision of police dispatching services or the sharing of certain activities relating to the support services or emergency measures determined by the Minister.*

*Lastly, consequential amendments and transitional provisions are introduced.*

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

- Police Act (R.S.Q., chapter P-13.1).

### **REGULATION AMENDED BY THIS BILL:**

- Regulation respecting the police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction (R.R.Q., chapter P-13.1, r. 6).

# Bill 31

## AN ACT TO AMEND VARIOUS PROVISIONS CONCERNING THE ORGANIZATION OF POLICE SERVICES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

### POLICE ACT

**1.** Section 70 of the Police Act (R.S.Q., chapter P-13.1) is amended

(1) by replacing “199,999” in subparagraph 2 of the second paragraph by “249,999”;

(2) by replacing “200,000” in subparagraph 3 of the second paragraph by “250,000”;

(3) by replacing the sixth paragraph by the following paragraphs:

“Without prejudice to that obligation, the municipalities may enter into agreements with each other, for a maximum period of five years, concerning

(1) the joint use of equipment, premises or space;

(2) the provision of detention services, transportation services for accused persons or police dispatching services; or

(3) the sharing of any support services or emergency measures determined by the Minister.

The agreements and their termination before their expiry date must be approved by the Minister.”

**2.** Section 72 of the Act is amended

(1) by replacing “50,000” wherever it appears in the first paragraph by “100,000”;

(2) by replacing the second paragraph by the following paragraph:

“A municipality that is served by the Sûreté du Québec and whose population reaches 100,000 inhabitants or more continues to be served by the Sûreté du Québec, unless it is authorized by the Minister, on the conditions determined by the Minister, to be served by a municipal police force.”

**3.** Section 73 of the Act is replaced by the following sections:

**“73.** A municipality that wishes to abolish its police force or reduce its size must obtain authorization from the Minister.

Despite the first paragraph, a municipality with a population of 50,000 inhabitants or more that wishes to abolish its police force in order to be served by the Sûreté du Québec must be authorized to do so by the Government, on the recommendation of the Minister. The municipality may not request such an authorization unless it first held a public consultation in accordance with section 73.1 and sent a report on the consultation to the Minister.

Before authorizing the abolition or reduction in size of a police force or before recommending the abolition of a police force to the Government, the Minister shall consult the organizations representing municipalities and the associations representing police officers, and set the time within which they are to give their opinion.

**“73.1.** The mayor or another member of the municipal council designated by the mayor shall hold a public consultation on the municipality’s proposal to abolish its police force after having caused the publication of a notice stating the date, time, location and purpose of the consultation in a newspaper distributed in the territory of the municipality, at least 30 days before the consultation is held. The notice must also state that every citizen of the municipality may make comments on the proposal during the consultation or submit them in writing within 15 days after the consultation.

**“73.2.** Where the abolition or reduction in size of the police force is authorized, the Minister shall establish, where expedient, a reclassification committee to examine the possibility of integrating the police officers concerned into another police force or of finding them other employment within the municipality. The abolition or reduction in size of the police force has effect from the date determined by the committee in its recommendations, or on the date occurring six months after the date on which the committee is established, whichever is sooner.

If no reclassification committee is established, the abolition or reduction in size of the police force becomes effective on the date determined by the Minister.

The reclassification committee is to consist of six members appointed by the Minister, including two members from the Ministère de la Sécurité publique and the Ministère des Affaires municipales, des Régions et de l’Occupation du territoire respectively, the other members being chosen, in equal numbers, from the organizations representing municipalities and the associations representing police officers. Where the abolition of the police force of a municipality is followed by an agreement under which the Sûreté du Québec is to provide police services in the municipality, two additional members of the committee

must represent the administration of the Sûreté du Québec and the association representing its members, respectively.”

**4.** Section 353.1 of the Act is amended

(1) by replacing “50,000” in the first paragraph by “100,000”;

(2) by replacing “21 June 2001” in the first paragraph by “(*insert the date of coming into force of this section*)”;

(3) by replacing the first sentence of the second paragraph by the following sentence: “Every municipality that has its own police force on (*insert the date of coming into force of this section*) may continue to be served by that police force to the extent that the police force provides services at the level applicable to it under section 70.”

**5.** Section 353.3 of the Act is amended by replacing “on 15 May 2001” in the fifth paragraph by “at the time it is abolished”.

**6.** Section 353.7 of the Act is amended by replacing the first sentence of the first paragraph by the following sentence: “A member of the non-police personnel of a municipality who, at the time the police force is abolished, has a permanent position and exercises functions considered necessary to the activities of the municipal police force abolished because the services provided in the territory it served will be provided by the Sûreté du Québec becomes an employee of the Gouvernement du Québec insofar as the personnel member is referred to in a decision of the Conseil du trésor and subject to the conditions determined in the decision.”

REGULATION RESPECTING THE POLICE SERVICES THAT  
MUNICIPAL POLICE FORCES AND THE SÛRETÉ DU QUÉBEC MUST  
PROVIDE ACCORDING TO THEIR LEVEL OF JURISDICTION

**7.** Section 3 of the Regulation respecting the police services that municipal police forces and the Sûreté du Québec must provide according to their level of jurisdiction (R.R.Q., chapter P-13.1, r. 6) is amended by replacing “199,999” by “249,999”.

**8.** Section 4 of the Regulation is amended by replacing “200,000” by “250,000”.

TRANSITIONAL AND FINAL PROVISIONS

**9.** Agreements entered into between municipalities before (*insert the date of introduction of this bill*) concerning the provision of police dispatching services may not be declared invalid on the ground that the municipalities were not authorized to enter into such agreements.

However, the agreements cease to apply on the earlier of

(1) the date set for their termination; and

(2) *(insert the date that occurs 12 months after the date of coming into force of this section).*

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



