STANDING ORDERS AND OTHER RULES OF PROCEDURE

44th LEGISLATURE

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ASSEMBLÉE NATIONALE
DU QUÉBEC

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ABBREVIATIONS

A.C.E.	Act Respecting the Conditions of Employment and the Pension Plan of the Members of the National Assembly
A.D.C.	Act Respecting the Demise of the Crown
A.L.S.	Act Respecting the Laicity of the State
C.A., 1867	Constitution Act, 1867
C.A., 1982	Constitution Act, 1982
Code	Code of Ethics and Conduct of the Members of the National Assembly
E.A.	Election Act
I.A.	Interpretation Act
N.A.A.	Act Respecting the National Assembly
P.A.A.	Public Administration Act
R.C.P.	Rules for the Conduct of Proceedings in the National Assembly
See S.O.	See Standing Order
S.O.	Standing Order

EDITOR'S NOTE

The note in bold inserted between the number and the text of each Standing Order or statutory provision has not been adopted by Parliament or the National Assembly. The same applies to the notes under the line at the end of a provision, where the dates of amendments made since the adoption of these texts are indicated.

STANDING ORDERS
OF
THE NATIONAL ASSEMBLY

HISTORICAL SUMMARY

The present Standing Orders were adopted by the National Assembly on 13 March 1984, on a provisional basis. On 16 April 1985, they entered into force on a permanent basis.

Permanent amendments were made to the Standing Orders on 11 March 1986, on 20 June and 21 November 1991, on 1 December 1994, and on 21 October 1998.

On 15 April 1999, permanent amendments were made to the Standing Orders; these amendments were deemed to have been in effect since 2 March 1999.

On 21 April 2009, after a major parliamentary reform, additional amendments were made to the Standing Orders.

On 4 October 2011, new permanent amendments were made to the Standing Orders. Some amendments relating to the *Code of ethics and conduct of the Members of the National Assembly* took effect on 1 January 2012, the date on which the Code came fully into force.

On 7 October 2015 and on 30 November 2022, new permanent amendments were made to the Standing Orders.

On 8 June 2023, new permanent amendments were made to the Standing Orders. These entered into force on 12 September 2023.

Temporary amendments were also made to the Standing Orders for the duration of the 36th, 38th, 40th, 41st, 42nd and 43rd Legislatures. These amendments are no longer in effect.

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CHAPTER II
THE CONDUCT OF PERSONS OTHER THAN MEMBERS OF PARLIAMENT

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TITLE I
THE ASSEMBLY

CHAPTER I
GENERAL PROVISIONS

SECTION 1
THE PRESIDENT

§ 1. – OFFICE

1. **Duties** – The President of the National Assembly shall chair the meetings of the Assembly and direct its services; he shall likewise represent it, most particularly in its relations with other parliaments.

2. **Powers** – In addition to such powers as may be invested in the President by statute, it shall be his office to:

(1) call to order, suspend, and adjourn the meetings of the Assembly;

(2) preserve order and decorum, for which purpose he shall exercise all the necessary powers;

(3) enforce the Standing Orders;

(4) propose every motion from the Chair, put the question thereon, and declare the sense of the Assembly;

(5) convene and preside over conferences with the House leaders of the parliamentary groups;

(6) organize the limited debates;

(7) choose the place in which the Assembly shall meet when it cannot meet in the Parliament Building;

(8) exercise such other powers as he may require to perform his duties and to protect the privileges of the Assembly and its Members.

3. **Neutrality** – The Member called to the Chair of the Assembly as its President shall, during his tenure of that office, belong to no parliamentary group.

4. **Abstention and casting vote** – The President shall take no part in any debate before the Assembly, nor shall he vote: Provided that when the numbers are equal upon any division, he shall give the casting vote.

§ 2. – WHEN ELECTION HELD

5. **Election of President** – At the opening of the first meeting in every Legislature and whenever thereafter the office of President may become vacant, the Members of the Assembly shall, by secret ballot, elect one of their number to be President.

The Secretary General shall report any vacancy in the office of President to the Assembly, which shall forthwith elect a new President; and such election shall take precedence over all other business.

2009.04.21

5.1. **Sole matter to be considered; hours of meeting; adjournment** – No other business shall be taken at any meeting of the Assembly during which a new President and, if necessary, new Vice-Presidents are to be elected.

Except as otherwise provided in Standing Order 8.10, any meeting of the Assembly held for this purpose shall continue until the new President and Vice-Presidents have been called to the Chair.

Such election being concluded, the Government House Leader shall move the adjournment of the proceedings; and the question on such motion shall be put without debate.

2009.04.21

§ 3. – PRESIDING OFFICER DURING ELECTION

6. Longest-serving Member – Whenever it may be necessary to elect a new President, the Chair shall be taken by that Member who has served longest as a Member of this Assembly:

Provided that no Member who stands candidate for the office of President, nor any minister, nor the leader of any parliamentary group, nor any member of the Committee on the National Assembly shall be deemed to have served longest as a Member of the Assembly for the purposes of this Standing Order;

Provided further that when more than one Member satisfies the criteria set forth in the preceding paragraph, the eldest among them shall take the Chair as presiding officer during the election of the President.

Whenever the longest-serving Member is absent or unable to act, the Chair during such election shall be taken by some other Member who shall be chosen in the manner provided in the second and third paragraphs of this Standing Order.

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2009.04.21

6.1. Powers of Presiding Officer – The Presiding Officer shall exercise all the powers invested in the President of the Assembly. In particular, he may suspend the proceedings at any time during pleasure.

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2009.04.21

6.2. Presiding Officer's vote – The Presiding Officer shall be entitled to vote in the election of the President.

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2009.04.21

§ 4. – BALLOTING PROCEDURE

7. **Eligibility and candidacies** – Every Member who wishes to stand candidate for the office of President shall, not later than at twelve o'clock noon on the day prior to the meeting at which a new President is to be elected, file a declaration of candidacy with the office of the Secretary General.

No Member who is a minister or the leader of a parliamentary group shall be eligible to stand in election for the office of President.

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2009.04.21
See R.C.P. 0.1

7.1. **List of candidates** – The Secretary General shall prepare an alphabetical list, by surname, of the candidates for the office of President.

_____
2009.04.21
See R.C.P. 0.1, 0.2 and 0.3

8. **Sole candidate** – If there is but one candidate for the office of President, the Presiding Officer shall declare that Member elected President.

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2009.04.21

8.1. **Multiple candidates; requisite majority** – When two or more Members stand as candidates for the office of President, that Member shall be elected President who shall have received a number of votes that is not less than that of the majority of ballots validly cast.

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2009.04.21

8.2. **Conduct of Members while voting** – No Member shall enter the Assembly Chamber after a ballot has commenced or leave it before the Presiding Officer has suspended the proceedings in order to count the votes.

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2009.04.21

8.3. **Vote** – Each Member shall vote in a booth and then deposit his ballot paper in an urn provided for that purpose and return to his place.

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2009.04.21
See R.C.P. 0.4 to 0.6

8.4. **Ballot paper** – The ballot paper shall provide the forename, the surname, and the electoral district of every candidate and shall list the candidates' names in alphabetical order by surname.

Each Member voting shall make his mark in the appropriate circle on the ballot paper using a pencil that the Secretary General shall have handed to him with the ballot paper.

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2009.04.21

8.5. **Counting the votes** – The Secretary General shall count the votes, in the presence of the Ethics Commissioner or, if the Ethics Commissioner is unable to act, in the presence of the Jurisconsult, in some place outside the Assembly Chamber. The election of the President having been concluded, the Secretary General shall destroy all ballot papers together with any record that may show the number of votes received by any candidate.

No person present when the ballots are counted shall divulge the number of votes received by any candidate.

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2009.04.21; 2011.10.04

8.6. Announcing the result – Five minutes before the result of a ballot is to be announced, the Presiding Officer shall cause the division bells recalling the Members to be rung.

If some candidate has received the requisite number of votes, the Presiding Officer shall declare that Member elected President.

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2009.04.21
See R.C.P. 0.7

8.7. Subsequent ballot – If no candidate has received the requisite number of votes, a new ballot shall be taken as provided in the present section.

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2009.04.21
See R.C.P. 0.8

8.8. New list of candidates – The Secretary General shall prepare an alphabetical list of the names of the candidates for the subsequent ballot.

He shall exclude from such list the names of the candidate or candidates who received the smallest number of votes during the previous ballot. He shall likewise exclude the name of every candidate who received five votes or fewer, unless in so doing he would exclude every candidate, or prevent the election of some candidate as President.

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2009.04.21
See R.C.P. 0.2 and 0.8

8.9. Equality of numbers – When every candidate has received the same number of votes during a ballot, the name of no candidate shall be excluded from the list of candidates prepared for the subsequent ballot:

Provided that when the numbers are equal during two consecutive ballots, the Presiding Officer shall, before any further ballot is taken, suspend the proceedings for sixty minutes.

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2009.04.21

8.10. Adjournment of proceedings – When the numbers are equal during three consecutive ballots, the Presiding Officer shall adjourn the Assembly and the proceedings respecting the election of a new President shall be resumed at the next meeting.

Except as otherwise provided, the rules set forth in the present section shall apply during such subsequent meeting.

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2009.04.21

8.11. Withdrawal of candidacy – A Member may, before any ballot, withdraw his candidacy for the office of President either orally before the Assembly or by prior written notice to the Secretary General.

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2009.04.21
See R.C.P. 0.3

§ 5. – ELECTION OF VICE-PRESIDENTS

9. Election of Vice-Presidents – A First, a Second, and a Third Vice-President shall be elected severally, with the President in the Chair, as follows:

The First and Second Vice-Presidents shall be elected from among the Members of the parliamentary group forming the Government, and the Third Vice-President shall be elected from among those of the parliamentary group forming the Official Opposition.

_____
1999.04.15

9.1. **Nominations** – Any Member may, without notice, propose some other Member to assume the office of First, Second, or Third Vice-President. Each Member shall be proposed upon a separate motion, to which no amendment shall be received.

1999.04.15

9.2. **Putting the question** – If only one Member is proposed for some office of Vice-President, that Member shall be deemed elected.

If two or more Members are proposed, the motions proposing them shall be debated together. The debate concluded, the question shall be put on the several motions in the order in which they were made, until one of them shall have been carried: Provided always that a motion by the Prime Minister respecting the offices of First and Second Vice-President shall be put before any other; and the same procedure shall apply with regard to a motion by the Leader of the Official Opposition respecting the office of Third Vice-President. In the event of an equality of numbers, a motion shall be declared defeated.

1999.04.15; 2009.04.21

9.3. **Vacancy** – Whenever some office of Vice-President becomes vacant, there being no vacancy in that of the President, the election of a new Vice-President shall be held during the Routine Proceedings when Motions Without Notice are entered upon.

2009.04.21

§ 6. – UNAVOIDABLE ABSENCE OF PRESIDENT AND VICE-PRESIDENTS

10. Unavoidable absence of President – In the unavoidable absence of the President or whenever asked by him to do so, a Vice-President shall take the Chair, and he shall perform the duties of the President and exercise his authority in relation to all proceedings of the Assembly.

11. Unavoidable absence of President and Vice-Presidents – Whenever the President and the Vice-Presidents are absent or unable to act, the Secretary General shall so advise the Assembly.

The Assembly shall appoint one of its Members to take the Chair temporarily; and the Member so appointed shall perform the duties of the President and exercise his authority in relation to all proceedings of the Assembly.

The longest-serving Member of the Assembly, as defined in Standing Order 6, shall chair the proceedings leading to the appointment of a Member to take the Chair temporarily.

2009.04.21

11.1. Nominations – Any Member may, without notice, propose some other Member to take the Chair in the absence of the President. Each Member shall be proposed upon a separate motion, to which no amendment shall be received.

2009.04.21

11.2. Putting the question – If but one Member is proposed, the Presiding Officer shall declare him elected to take the Chair in the absence of the President.

When two or more Members are proposed, the motions proposing them shall be debated together. The debate concluded, the question shall be put on the several motions in the order in which they were made, until one of them shall have been carried: Provided always that a motion by the Prime Minister shall be put before any other. In the event of an equality of numbers, a motion shall be declared defeated.

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2009.04.21

12. (*Repealed*).

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2009.04.21

SECTION 2
PARLIAMENTARY GROUPS

13. Definition – Any group of not fewer than twelve Members returned to the Assembly by the same political party, or any group of Members returned by a political party that shall have received not less than twenty percent of the popular vote in the most recent general election, shall form a parliamentary group.

Members who do not belong to any parliamentary group, save the President, shall sit as independent Members.

14. May join parliamentary group – Any Member returned to the Assembly during the life of a Legislature may join a parliamentary group or sit as an independent Member.

15. May change affiliation – Any Member who ceases to belong to a parliamentary group without joining another shall sit as an independent Member.

Any Member sitting as an independent may join a parliamentary group.

16. House leaders – The leader of each parliamentary group may appoint one of the members of his group to be its House leader. The House leader of the parliamentary group forming the Government shall be known as the Government House Leader; that of the parliamentary group forming the Official Opposition shall be known as the Official Opposition House Leader.

17. Deputy House leaders – In the Assembly Chamber deputy House leaders may act in the stead of the Government House Leader and the Official Opposition House Leader. A minister may likewise act in the stead of the Government House Leader.

CHAPTER II
ORGANIZATION AND CONDUCT OF PROCEEDINGS

SECTION 1
SUMMONING, SESSIONAL PERIODS, AND HOURS OF MEETING

18. **Summoning** – The Assembly shall meet for the opening of a new Legislature on the day appointed for this purpose in the proclamation that summons it.

19. **Sessional periods** – During the life of a Legislature the Assembly shall ordinarily hold two sessional periods each year, as follows:

(1) from the second Tuesday in February for sixteen weeks during ordinary hours of meeting followed by two weeks during extended hours of meeting;

(2) from the third Tuesday in September for ten weeks during ordinary hours of meeting followed by two weeks during extended hours of meeting.

2009.04.21

19.1. **Work in electoral districts** – At the beginning of each of the said sessional periods the President shall, after having conferred with the House leaders, allot in the following manner certain weeks for work in the electoral districts during which the Assembly may not ordinarily meet and during which no committee may meet:

(1) three weeks within the period in which the Assembly may meet during ordinary hours as provided in subparagraph (1) of the first paragraph of Standing Order 19;

(2) one week within the period in which the Assembly may meet during ordinary hours as provided in subparagraph (2) of the first paragraph of Standing Order 19 and one week after the conclusion of the period in which the Assembly may meet during extended hours as provided in the same subparagraph.

For the purposes of Standing Order 19 any week allotted for work in the electoral districts that falls within a period when the Assembly may meet shall be deemed a week in which the Assembly is meeting.

2009.04.21

20. Ordinary hours of meeting – In periods when the Assembly may meet during ordinary hours it shall meet as follows:

(1) On Tuesdays from 1.40 o'clock until 9.30 o'clock p.m., the proceedings being suspended from 6.00 o'clock until 7.30 o'clock p.m.

(2) On Wednesdays and Thursdays from 9.40 o'clock a.m. until 6.00 o'clock p.m., the proceedings being suspended from 1.00 o'clock until 3.00 o'clock p.m.

The Assembly may also resolve, on motion without notice by the Government House Leader, which motion may not be debated, to meet on a Monday during the hours provided in subparagraph (1) of the first paragraph of this Standing Order.

Whenever it may be expedient to do so in order to give effect to Standing Orders 271 or 278, and upon request to the President of the Assembly by the Government House Leader, a sitting envisaged in subparagraph (2) of the first paragraph of this Standing Order may continue as of 7.30 o'clock p.m. The President shall inform the Assembly of such request at the earliest opportunity, and the proceedings shall accordingly be suspended from 6.00 o'clock until 7.30 o'clock p.m.

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1998.10.21; 2009.04.21; 2015.10.07

21. Extended hours of meeting – In periods when the Assembly may meet during extended hours it shall meet as follows:

(1) On Tuesdays from 1.40 o'clock until 9.30 o'clock p.m., the proceedings being suspended from 6.00 until 7.30 o'clock p.m.;

(2) On Wednesdays from 9.40 o'clock a.m. until 6.00 o'clock p.m., the proceedings being suspended from 1.00 o'clock until 3.00 o'clock p.m.;

(3) On Thursdays from 9.40 o'clock a.m. until 10.30 o'clock p.m., the proceedings being suspended from 1.00 o'clock until 3.00 o'clock p.m. and from 6.00 o'clock until 7.30 o'clock p.m.;

(4) On Fridays from 9.40 o'clock a.m. until 1.00 o'clock p.m.

The Assembly may also resolve, on motion without notice by the Government House Leader, which motion shall be moved during the Routine Proceedings when Motions Without Notice are entered upon, to meet on a Monday during the hours appointed in subparagraph (1) of the first paragraph of this Standing Order.

The mover of such motion and a representative of every parliamentary group in opposition may speak to the motion for up to five minutes each, and the mover may thereafter speak for up to two minutes in reply.

Whenever it may be expedient to do so in order to give effect to Standing Orders 271 or 278, and upon request to the President of the Assembly by the Government House Leader, a sitting envisaged in subparagraph (2) of the first paragraph of this Standing Order may continue as of 7.30 o'clock p.m. The President shall inform the Assembly of such request at the earliest opportunity, and the proceedings shall accordingly be suspended from 6.00 o'clock until 7.30 o'clock p.m.

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1998.10.21; 2009.04.21; 2015.10.07

22. Introduction and passage of bill during same sessional period – No bill introduced after the fifteenth day of May or after the fifteenth day of November may be called for final passage during the sessional period in which it is introduced.

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2009.04.21

23. Extraordinary sittings – Whenever the Assembly stands adjourned it may at any time, not being a period, day, or hour at which it may ordinarily meet as provided in the present section of these Standing Orders, meet for extraordinary sittings upon request by the Prime Minister.

24. Request for extraordinary sittings – Such request shall be made to the President or, in his absence, to the Secretary General.

25. Extraordinary sittings following prorogation – Whenever the Assembly, having been prorogued, is summoned to meet for extraordinary sittings, the rules pertaining to the opening of a session, save those regarding the address by the Lieutenant Governor, shall be suspended.

2009.04.21

26. (*Repealed*).

2009.04.21

26.1. Extraordinary sittings; hours of meeting – The Government House Leader shall, during the Routine Proceedings when Motions Without Notice are entered upon, make a motion to appoint the hours during which such extraordinary sittings shall be held. Such motion shall specify the matters for which the Assembly has been summoned.

The Government House Leader may thereafter make a motion to introduce an exceptional procedure, pursuant to Standing Order 182.

2009.04.21

27. Limited debate – The causes for which the Assembly has been summoned, the motion envisaged in Standing Order 26.1, and that envisaged in Standing Order 182, if there be one, shall be discussed during one and the same limited debate; and such debate shall not be interrupted at the hours appointed in Standing Orders 20 and 21 for the suspension or the adjournment of the proceedings.

The limited debate having been concluded, the President shall put the question on the motion envisaged in Standing Order 26.1; he shall thereafter likewise put the question on that envisaged in Standing Order 182, if there be one. Should the latter motion be carried, the Routine Proceedings shall be concluded forthwith.

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2009.04.21

27.1. Other business; limited debate – When the Assembly has been summoned for the consideration of more than one matter and, at the conclusion of the consideration of the first matter, motions for an exceptional procedure are made, each of the said motions shall be discussed during a limited debate that shall not exceed one hour.

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2009.04.21

27.2. Conclusion of extraordinary sittings – Any extraordinary sittings shall be concluded when the Assembly shall have dispatched the matters for which it was summoned.

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2009.04.21

28. (*Repealed*).

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2009.04.21

SECTION 2
ORDER AND DECORUM

29. **Meetings in public or in secret** – The Assembly shall meet in public: Provided that it may, on a motion made during the time set aside for motions without notice, resolve to meet in secret.

The mover of such motion and a representative of every parliamentary group may speak to this question for up to ten minutes each, and the mover may thereafter speak for up to five minutes in reply.

30. **Call to order** – Upon taking the Chair each day the President, having satisfied himself that a quorum is present, shall call the Assembly to order.

31. **Conduct of Members and strangers** – When the President enters the Assembly Chamber, Members and strangers shall rise and, at his invitation, observe a moment of reflection.

While the Assembly or any committee of the whole is meeting, strangers admitted to the galleries shall remain seated and be silent, and they shall refrain from making any sign of approval or disapproval. In the event of misconduct the President may order any stranger to withdraw.

When the Assembly adjourns, Members and strangers shall rise in their places and remain standing, in silence, until the President has left the Assembly Chamber.

32. **Decorum** – Members shall keep order and decorum in the Assembly.

They shall occupy the places that the President has assigned them, and they shall remain seated and observe silence unless called upon to speak.

They shall refrain from any course of action that may infringe another Member's freedom of speech or disrupt the orderly conduct of the proceedings.

During the time allotted for oral questions, Members shall also refrain from applauding.

2015.10.07

33. Member desiring to speak – Every Member who desires to speak shall rise in his place and address himself to the President.

34. Questions asked of President – Members may ask of the President questions only about the procedure of the Assembly or its business.

35. Words inadmissible in debate – No Member speaking shall:

(1) refer to the President or to any other Member except by his title of office;

(2) refer to the proceedings of any committee that is meeting in camera before such committee has reported to the Assembly;

(3) refer to any matter that is under adjudication before a court of law or a quasi-judicial body, or that is the subject of an inquiry, where such reference may be prejudicial to the interests of any person or party;

(4) direct his speech to another Member;

(5) cast reflections upon the conduct of another Member, unless he shall present some motion impugning that conduct;

(6) impute improper motives to another Member or refuse to take him at his word;

(7) use language that is violent, abusive, or insulting;

(8) use language that is unbecoming or disrespectful of the Assembly;

(9) threaten another Member;

(10) utter seditious words.

36. Interruption of Member speaking – When a Member is speaking, no other Member shall interrupt him except to call attention to the want of a quorum or to a point of order or privilege suddenly arising.

37. President to be heard without interruption – Whenever the President rises, any Member then speaking or offering to speak shall resume his seat. All Members shall remain seated while the President is standing.

38. President to raise points of order – The President shall immediately call attention to any breach of order that comes to his notice.

39. Member may raise point of order – A Member may rise at any time to speak to a point of order. He shall do so immediately the irregularity is perceived and shall name the Standing Order he believes to have been breached; and his comments must be strictly relevant to the point raised.

40. Arguments on point of order – The President may allow arguments on a point of order, but they must be strictly relevant to the Standing Order named and the point raised.

41. Rulings – The President shall make his ruling on any point of order at such time as he may deem expedient and, in so doing, he shall explain the reasons for his ruling: Provided that he may instead submit the matter to the Assembly for its decision.

There shall be no discussion of any ruling by the President or the Assembly.

42. Naming of Member – When any Member, upon being called to order twice consecutively for an offence against these rules, wilfully disregards the authority of the Chair, the President may direct him to resume his seat and not again call upon him to speak during the remainder of that sitting day.

If that Member then continues to speak, the President shall again call him to order. Should he still persist in speaking, the President may order him to withdraw from the Assembly Chamber for the remainder of that sitting day.

43. Expulsion – A Member who has been ordered to withdraw from the Assembly Chamber shall take no part in any committee meeting. Should he disregard this prohibition, the President may have him expelled from such meeting.

44. President may suspend or adjourn sitting – The President may, at any time, adjourn the Assembly without question put, or suspend the sitting during pleasure.

SECTION 3
SESSIONS

45. **First meeting** – Subject to Standing Orders 5 and 5.1, on the opening day of every session the Lieutenant Governor shall first read an address, after which the Prime Minister shall deliver an opening speech. In concluding his speech the latter shall move, "That this Assembly approves the general policy of the Government."

2009.04.21

46. **Adjournment of first meeting** – After the opening speech has been delivered, the President shall adjourn the Assembly.

47. **Effects of prorogation** – Unless the Assembly shall otherwise order, upon the prorogation of a session every select committee appointed by the Assembly shall cease to exist, every order not fully executed shall cease to have effect, and every matter pending and every bill not passed shall lapse: Provided that a prorogation shall not have the effect of nullifying an order for the production or printing of papers.

48. **Lapsed bill may be proceeded with in next session** – Except when the Assembly has been dissolved, any bill that would otherwise lapse by reason of a prorogation may, on motion without notice by the Government House Leader, be proceeded with in the next session at the stage it had reached when the Assembly was prorogued. Such motion shall be made before the third sitting that follows the conclusion of the debate on the opening speech, and the question thereon shall be decided without debate.

2009.04.21

SECTION 4
OPENING SPEECH DEBATE

49. Speech by Leader of Official Opposition – The debate on the opening speech of the session shall commence on the next sitting day after it is delivered. The Leader of the Official Opposition shall open the debate, and his address shall have precedence.

50. Time limits on debate and on speeches; want of confidence motions; grievances – The opening speech of the session and the debate thereon shall not exceed twenty-five hours. The Prime Minister and the Leader of the Official Opposition, or their representatives, shall be entitled to speak for up to two hours each, and the leaders of any other parliamentary groups, or their representatives, shall be entitled to speak for up to one hour each.

Every Member may speak once in the debate on the opening speech, and in so doing he may discuss any and all matters. While speaking, he may move a motion stating a grievance or a want of confidence motion, which motion shall require no notice and may not be amended.

A representative of the Government may thereafter speak for up to one hour in reply.

2009.04.21

50.1. Putting the question – The debate having been concluded, the question shall be put on any motions stating a grievance, then on any want of confidence motions, and finally on the motion by the Prime Minister.

2009.04.21

SECTION 5
MEETINGS

51. Routine Proceedings and Orders of the Day – Every meeting of the Assembly shall comprise two parts, the Routine Proceedings and the Orders of the Day.

52. When Routine Proceedings to be taken – Every sitting of the Assembly shall commence with the Routine Proceedings.

1998.10.21; 2009.04.21

53. Routine Proceedings: sequence – The Routine Proceedings shall be taken up in the following sequence:

(0.1) Statements by Members;

(1) Statements by Ministers;

(2) Introduction of Bills;

(3) Presenting:

(a) Papers;

(b) Reports from Committees;

(c) Petitions;

(3.1) Oral Answers to Petitions;

(4) Complaints of Breach of Privilege or Contempt and Personal Explanations;

(5) Oral Questions and Answers;

(6) Deferred Divisions;

(7) Motions Without Notice;

(8) Notices of Proceedings in Committees;

(9) Information on the Proceedings of the Assembly.

2009.04.21

54. Orders of the Day: sequence – The Orders of the Day shall be taken up in the following sequence:

(1) Business Having Precedence;

(2) Urgent Debates;

(3) Debates on Reports from Committees;

(4) Other Business Standing on the Order Paper;

(5) Business Standing in the Name of Members in Opposition.

SECTION 6
ROUTINE PROCEEDINGS

§ 0.1 – STATEMENTS BY MEMBERS

54.1. Notice of statement – Every Member may make a statement on a specific subject. He shall, not later than at 5.00 o'clock p.m. on the previous day, hand in a notice to be placed on the Order Paper and Notices. Such notice shall specify the subject of the statement.

Upon the expiry of the period envisaged in the first paragraph of this Standing Order the Secretary General shall forward a copy of any notices received to the House leaders and to the independent Members.

2009.04.21

54.2. Substitution – The statement shall be made by the Member who gave notice of it on the day on which it appears on the Order Paper and Notices: Provided that, with his leave, some other Member may make the statement in his stead.

2009.04.21

54.3. Number; time allotted – Not more than twelve Members may make statements at any sitting. A Member may speak for up to one minute during his statement.

2009.04.21; 2022.11.30

54.4. Allocation – At the beginning of each Legislature, and as the need may arise during the life of a Legislature, the President shall, after having conferred with the House leaders, allocate statements among the parliamentary groups; and in so doing he must have regard to the presence of independent Members. He shall likewise determine the order in which such statements are to be made.

2009.04.21

54.5. End of statements; continuation of sitting – Twenty minutes after the time appointed for calling the Assembly to order or, if Statements by Members is not yet finished, immediately thereafter, the Assembly shall continue the Routine Proceedings.

During extraordinary sittings, the period envisaged in the first paragraph of this Standing Order shall be ten minutes.

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2015.10.07

§ 1. – STATEMENTS BY MINISTERS

55. Time allotted; copies to be delivered – A statement by any minister shall not exceed five minutes. A copy thereof shall have been delivered, in confidence, to the President and to the leaders of the parliamentary groups one hour before the Routine Proceedings are to be taken.

56. Comments and reply – After every such statement the Leader of the Official Opposition and the leader of every other parliamentary group, or their representatives, shall be entitled to comment thereon for up to five minutes each; and the minister shall thereafter be entitled to speak for up to five minutes in reply.

§ 2. – INTRODUCTION OF BILLS

57. Procedure – Bills shall be introduced before the Assembly as provided under Title III of these Standing Orders at Chapter I, Section 2, and at Chapter IV.

§ 3. – TABLINGS

58. List of papers required to be tabled – It shall be the duty of the President to lay upon the Table at the opening of every session a list of the papers that are required in pursuance of any statute to be tabled in the Assembly.

This list shall be published in the Votes and Proceedings.

59. Presenting papers – A minister may lay upon the Table any paper that he deems to be of public interest.

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See R.C.P. 47

60. Answers to petitions and written questions – The Government House Leader shall lay upon the Table any paper containing the answer to a petition or to a question that a Member has placed on the Order Paper and Notices.

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2009.04.21
See R.C.P. 47

61. Presenting reports from committees – A report from any standing committee shall be laid upon the Table of the Assembly by the chairman of that committee or by such other member thereof as he may designate.

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See R.C.P. 47

62. Right to petition – Every person or association of persons may petition the Assembly through one of its Members for the redress of some present grievance that lies within the competence of the State.

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2009.04.21

63. Form of petition – A petition may be submitted on paper or in electronic form.

A petition submitted on paper must contain the original signatures of all the petitioners; a petition submitted in electronic form must be initiated and signed on the Assembly's website.

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2009.04.21
See R.C.P. 42 to 45

63.1. Contents of petition – A petition must state the facts on which it is based as well as the intervention sought. It must contain a clear, concise, and accurate statement of the facts for which the intervention of the Assembly is sought. It must be written in temperate terms and must not exceed 250 words. The petition may identify the group to which the petitioners belong.

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2009.04.21
See R.C.P. 42 to 45

64. Presenting petitions; abstract of petition – Every Member presenting a petition on paper shall lodge such petition with the Secretary General not later than one hour before the Routine Proceedings are to be taken. If a petition is to be presented in electronic form, it shall be sufficient to hand in notice thereof.

Members shall present petitions at the time set aside for this purpose during the Routine Proceedings: Provided that not more than fifteen minutes shall be allotted for presenting petitions.

A Member when presenting any petition shall lay upon the Table a paper that he shall certify to be true to the petition and in which he shall specify the parties from whom it comes, if any, the number of signatures attached to such petition, the material allegations it contains, and the redress sought.

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2009.04.21
See R.C.P. 44 and 46

64.1. Conservation of petition – The Secretary General shall keep the original of the petition, or the file containing a petition in electronic form, not less than seven days after it has been presented, after which time he shall return it to the Member who lodged the petition.

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2009.04.21

64.2. Transmittal of petition – Immediately a petition is presented, the Secretary General shall forward to the House leaders, the independent Members, and the appropriate committee a copy of the paper tabled:

Provided that when an individual petitions the Assembly by reason of a motion it has carried that explicitly blames such individual for words spoken or an act committed, not being words spoken or an act committed in the exercise of some public office, a copy of the paper tabled shall be forwarded to the Committee on the National Assembly.

2009.04.21

64.3. Deliberative meeting; time limit – A committee to which a petition has been referred shall, at the request of one of its members, hold a deliberative meeting within fifteen days of the presentation of such petition to determine whether it will examine the petition.

Whenever requests have been made with regard to more than one petition pursuant to the first paragraph of this Standing Order, a committee may agree to examine several such petitions at one and the same meeting.

2009.04.21

64.4. Motion; requisite majority – A committee shall determine whether to examine some petition as provided in Standing Order 149.

A committee that has agreed to examine more than one petition may choose to group together those concerning the same subject.

2009.04.21

64.5. Refusal to examine petition; notice to Government – If a committee decides not to examine some petition, or if, upon the expiry of the fifteen days provided in Standing Order 64.3, the committee has not agreed to examine the petition, the clerk of the committee shall so inform the Secretary General, who shall immediately forward notice to that effect to the Government House Leader.

2009.04.21

64.6. Acceptance of petition by committee; convening; report; notice to Government – If a committee decides to examine some petition, it may choose to hear its originator, or his representatives, as well as other persons or bodies. The clerk of the committee shall convene such persons or bodies not less than seven days before they are to be heard.

The committee shall lay its report upon the Table not later than 30 days after its decision to examine the petition. Such report shall not be debated in the Assembly.

Immediately the report is tabled in the Assembly, the Secretary General shall transmit a copy of the report together with a notice to the Government House Leader.

2009.04.21

64.7. Time limits not to run – The time limits provided in Standing Orders 64.3 and 64.6 shall not run when the Assembly stands prorogued, or when it stands adjourned for more than fifteen days, or during any week allotted for work in the electoral divisions. They shall likewise not run in any period when the Assembly may meet during extended hours or during the examination of the estimates of expenditure by the standing committees.

2009.04.21

64.8. Answer from the Government – The Government shall answer every petition in writing not later than 30 days after the Secretary General shall have forwarded to the Government House Leader the notice provided for in Standing Orders 64.5 and 64.6.

The answer shall be laid upon the Table at the time set aside during the Routine Proceedings for Presenting Papers. If upon the expiry of the time limit envisaged in the first paragraph of this Standing Order the Assembly is not then meeting, such answer shall be laid upon the Table not later than at the third sitting after the resumption of the proceedings.

The Secretary General shall forward a copy of the answer to the Member who presented the petition.

2009.04.21

64.9. Expiry of time limit; to be placed on Order Paper and Notices – Failing an answer from the Government within the period envisaged in Standing Order 64.8, a petition shall be set down upon the Order Paper and Notices for the next sitting day after the expiry of the said period.

The entry on the Order Paper and Notices shall consist of the subject of the petition and the date on which it was presented.

2009.04.21

64.10. Oral Answers to Petitions – Not later than on the second sitting day after a petition has been set down upon the Order Paper and Notices, at the time set aside during the Routine Proceedings for Oral Answers to Petitions, a minister shall communicate to the Assembly the Government's answer to such petition:

Provided that when two or more petitions concern one and the same subject, the Government may give a single oral answer for all such petitions jointly.

The Secretary General shall inform the Member who presented the petition of the oral answer given by the Government.

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2009.04.21

64.11. Answer deemed unsatisfactory – The opinion that a minister's answer to a petition is unsatisfactory cannot be raised as a point of order.

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2009.04.21

64.12. Prorogation of session – Save when the Assembly has been dissolved, whenever a session has been prorogued, the provisions of Standing Orders 62 to 64.11 shall continue to apply, notwithstanding Standing Order 47.

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2009.04.21

65. Tablings to be entered in Votes and Proceedings – A record of every paper laid upon the Table shall be entered in the Votes and Proceedings.

§ 4. – COMPLAINTS OF BREACH OF PRIVILEGE OR CONTEMPT AND PERSONAL EXPLANATIONS

66. Points of privilege – Every breach of the privileges and immunities of the Assembly or one of its Members may be raised in the Assembly.

67. Privilege: general scope – A point of privilege must raise a matter affecting the peculiar privileges and immunities that have been conferred upon the Assembly or its Members by statute or acquired by custom.

68. Statements to be brief – A Member in raising a point of privilege shall confine himself to a brief statement of the matter that may not be debated.

69. How raised – A Member may speak at any time to a matter of privilege suddenly arising.

He may also notify the President in writing, not later than one hour before the Routine Proceedings are to be taken, that he intends to rise on a matter of privilege. His notice shall state the privilege or immunity he alleges to have been breached and shall briefly set forth the facts complained of.

70. Notice of intent to move motion – Any Member who, in the cases envisaged under Standing Order 317, intends to move a motion calling upon the Assembly to take some measure shall state his intent either in raising the point of privilege or in his notice to the President.

71. Notices and personal explanations – By leave of the President, a Member may explain some matter that, though it not constitute any breach of privilege, yet concerns him as a Member of the Assembly. In particular, he may explain that he has been misquoted or misunderstood, or deny published accusations against him.

The Member's explanation must be concise and must not be so framed as to provoke debate. He shall hand in to the President, not less than one hour before the Routine Proceedings are to be taken, a written notice briefly setting forth the substance of his explanation.

72. Contents of notice – If the Member's explanation is in reply to written words, he shall attach a copy thereof to the notice handed in to the President. If it is in reply to words uttered, these shall be set down in writing and shall accompany the said notice.

73. Explanations on behalf of absent Members – Any Member may likewise explain a matter that concerns another Member who is then absent.

§ 5. – ORAL QUESTIONS AND ANSWERS

74. **Time allotted for oral questions** – The time allotted for Members to ask oral questions of ministers shall not exceed forty-five minutes: Provided that if at the hour appointed for the proceedings to be suspended oral question period has not been concluded, the proceedings shall not be suspended until oral questions have been concluded.

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2009.04.21

75. **Subject matter of questions** – Oral questions shall relate to matters of urgent or topical public importance for which a minister or the Government is officially responsible. All other questions shall be placed on the Order Paper and Notices.

76. **How put** – An oral question shall be concisely put. A brief preamble may be allowed in order to place a question in its context.

77. **Inadmissible questions** – A question should not:

(1) offer any argument or express any opinion;

(2) be founded upon a supposition;

(3) seek a personal or professional opinion;

(4) suggest its own answer;

(5) be so framed as to provoke debate.

78. **Supplementary questions** – One or more supplementary questions may be asked. They must be brief and precise, and arise out of the main question and the Government's answers. The number of supplementary questions allowed shall be at the discretion of the President.

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2009.04.21

79. **Answers** – The answer to an oral question must be concise, be confined to the subject matter of the question, and neither offer any argument nor express any opinion; nor shall it be so framed as to provoke debate.

80. **Question taken as notice** – The minister to whom an oral question is directed may take such question as notice and answer it at the end of oral question period or on a future sitting day.

If he chooses to answer on a future sitting day, he shall so notify the President in writing not less than one hour before the Routine Proceedings are to be taken on that day. The President shall communicate this notice to the Assembly at the beginning of oral question period and shall set aside after that period such time as may be needed for the minister's answer. He may then allow one supplementary question to be asked.

81. **Answer deemed unsatisfactory** – The opinion that a minister's answer to a question directed to him is unsatisfactory cannot be raised as a point of order.

82. **Minister may decline to answer** – A minister to whom an oral question is directed may decline to answer, in particular:

(1) if he is of the opinion that it would be injurious to the public interest to provide the information sought;

(2) if such information could be collected only through a considerable expenditure of effort that its usefulness does not warrant.

He must decline to answer such question if in providing the information sought he would contravene subparagraph (2) or (3) of Standing Order 35.

A minister's refusal to answer any question may not be discussed.

§ 6. – DEFERRED DIVISIONS

83. **Deferred divisions** – Every division that has been deferred to a future sitting day shall be taken during the Routine Proceedings. The division bells shall be rung throughout the Assembly five minutes before the end of oral question period.

§ 7. – MOTIONS WITHOUT NOTICE

84. **Prescribed motions** – The motions relating to the proceedings of the Assembly that may be moved without notice are prescribed by statute and in these Standing Orders. Such motions shall not be subject to the provisions of Standing Orders 84.1 to 84.3.

2009.04.21

84.1. **How moved; number** – Notwithstanding Standing Order 188, any Member may, without prior notice, make a motion. Such motion may be debated only by leave of the Assembly without any dissentient voice:

Provided that only one Member from each parliamentary group and only one independent Member may make a motion during any sitting day;

Provided further that one and the same independent Member may make not more than one motion at every third sitting.

2009.04.21

84.2. **Amendments; subamendments; motion to divide** – Such motion may not be divided; nor may it be amended, save with the leave of its mover. The debate shall be on both the amendment, if there be any, and the main motion; and no subamendment may be moved.

2009.04.21

84.3. Sequence – The President shall determine the sequence in which such motions are to be moved during a sitting in such a way as to ensure rotation among the parliamentary groups.

Any motion made by an independent Member shall be the last to be moved.

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2009.04.21

§ 8. – NOTICES OF PROCEEDINGS IN COMMITTEES

85. Notices by Government House Leader and President – The Government House Leader shall communicate to the Assembly the notices of proceedings on any business that is to be considered by committees pursuant to an order of reference from the Assembly.

The President shall communicate to the Assembly the notices of proceedings on any business that is to be considered by committees pursuant to an order made on their own initiative.

§ 9. – INFORMATION ON THE PROCEEDINGS OF THE ASSEMBLY

86. Information from House leader – The Government House Leader may, as a matter of course or at the request of some other Member, communicate to the Assembly information on its proceedings:

Provided that any information so requested shall pertain only to business standing on the Order Paper and Notices.

SECTION 7
ORDERS OF THE DAY

§ 1. – BUSINESS HAVING PRECEDENCE

87. Business having precedence; sequence – Subject to Standing Order 184.2, the Orders of the Day for business having precedence shall be taken up in the following sequence:

(1) the opening speech of the session and, during the debate thereon, the addresses by the leaders of the parliamentary groups or their representatives;

(2) motions relating to breaches of privilege or contempt;

(3) motions relating to the conduct of Members of Parliament;

(4) the budget speech and, during the debate thereon, the addresses by the leaders of the parliamentary groups or their representatives;

(4.1) the consideration of interim supply;

(5) the order for resuming the debate on the budget speech;

(6) the limited debate on the reports from the committees respecting the main estimates;

(7) the order for resuming the debate on the opening speech;

(8) want of confidence motions.

Proceedings in all committees shall be suspended during the consideration of the Orders of the Day envisaged in subparagraphs (1) and (4) of this Standing Order.

2009.04.21

§ 2. – URGENT DEBATES

88. **Request for leave** – Any Member may ask leave to debate a definite and important matter involving the responsibility of the Assembly that requires urgent consideration and cannot be, or could not have been, otherwise discussed. The Member in asking leave may briefly state the arguments in its favour.

89. **Notice to President** – The Member shall hand in to the President, not later than one hour before the Routine Proceedings are to be taken, a written notice of his request.

90. **Ruling** – The President shall decide, without debate, whether or not the matter is proper to be discussed.

91. **Limited debate –** If leave is granted, a limited debate shall arise on the matter submitted; but there shall be no right of reply.

The debate shall expire without question put.

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2009.04.21

92. (*Repealed*).

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1998.10.21; 2009.04.21

93. **Number per sitting** – On any sitting day leave may be asked for not more than two such debates, and only one debate may be held.

§ 3. – DEBATES ON REPORTS FROM COMMITTEES

94. **Reports containing recommendations** – Subject to Standing Order 97, the Assembly shall, not later than fifteen days after a committee has laid upon the Table a report containing recommendations, take such report into consideration; but this Standing Order shall not apply to any report relating to a bill or to financial commitments or issuing from a deliberative meeting:

Provided that the aforementioned fifteen days shall not run during the debate on the opening speech of the session or the budget speech, or when estimates are under consideration in any committee, or on any day when business having precedence is before the Assembly.

1998.10.21

95. **Limited debate** – The Government House Leader shall designate the report that is to be discussed. A limited debate may be held on such report, but no amendment thereto shall be received.

This debate shall expire without question put.

§ 4. – OTHER BUSINESS STANDING ON THE ORDER PAPER

96. **Business to be taken: how determined** – Except as otherwise provided in Standing Order 97, items of business standing on the Order Paper shall be taken up at the discretion of the Government House Leader.

§ 5. – BUSINESS STANDING IN THE NAME OF MEMBERS IN OPPOSITION

97. **When taken** – Business Standing in the Name of Members in Opposition shall be taken on Wednesdays from 3.00 o'clock p.m. until not later than 5.00 o'clock p.m.

This Standing Order shall not apply during any period in which the Assembly shall have extended hours of meeting.

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1998.10.21; 2009.04.21

97.1. Notice – A Member wishing to move a motion under Business Standing in the Name of Members in Opposition shall, not later than 12.00 o'clock noon on the sitting day prior to that on which such business is to be taken, hand in a notice thereof for publication in the Order Paper and Notices.

If such notice is handed in on the sitting day prior to that on which such business is to be taken, the President shall, at the time set aside during the Routine Proceedings for Presenting Papers on the day the said notice is handed in, lay upon the Table a copy of the said notice.

Notwithstanding Standing Order 188, a motion standing in the name of a Member in opposition may be moved on the sitting day on which it first appears in the Order Paper and Notices.

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1998.10.21; 2011.10.04

97.2. Sequence of debates – The President shall decide the sequence in which such matters are to be raised: Provided that in so doing he shall have regard to the order in which the notices thereof were placed on the Order Paper and Notices or received for publication therein, to rotation among the parliamentary groups, and to the presence of independent Members.

The President shall, at the sitting prior to that at which such business is to be taken, inform the Assembly of the matter that is to be debated.

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1998.10.21; 2009.04.21

98. Length of debate and time allocation – A motion, not being a motion respecting a stage in the consideration of a bill, may be debated at up to two consecutive Wednesday meetings. At the conclusion of the debate the question shall be submitted to the Assembly for its decision.

The President shall apportion the time for this debate among the several parliamentary groups, after he shall first have conferred with the House leaders thereof; and in so doing he must have regard to the presence of independent Members.

98.1. Amendments; subamendments; motion to divide – Such motion may not be divided; nor may it be amended, save with the leave of its mover. The debate shall be on both the amendment, if there be any, and the main motion; and no subamendment may be moved.

2009.04.21

99. Debate on bill may be prolonged – A motion respecting a stage in the consideration of a bill may be debated at more than two consecutive Wednesday meetings, and the rules set forth in Title III shall apply.

SECTION 8
ADJOURNMENTS

§ 1. – ADJOURNMENT OF THE DEBATE

100. Moving adjournment – A motion to adjourn the debate shall always be in order, but no subsequent motion to that effect may be made during the same sitting except by a minister or a Deputy Government House Leader. Such motion shall not require notice and may not be amended.

101. Time limits on speeches – The mover of such motion and a representative of every parliamentary group may speak to the question for up to ten minutes each, and the mover may thereafter speak for up to five minutes in reply.

102. Resumption of debate – The Member upon whose motion the debate is adjourned shall be entitled to be heard first when it is resumed. If the debate is adjourned before his address is begun he may, upon its resumption, defer his right to speak to a later period of the debate. But if the debate is adjourned after his address is begun he must claim his right to speak immediately the debate is resumed; otherwise, his address shall be deemed concluded.

§ 2. – ADJOURNMENT OF THE PROCEEDINGS

103. Conclusion of sitting – At the time appointed by these Standing Orders for the Assembly to rise the President shall interrupt the proceedings and adjourn the Assembly without question put. Any debate then in progress shall be deemed adjourned; and any dilatory or superseding motion, not being a hoist motion or a motion that a complicated question be divided, shall thereupon lapse:

If any division is in progress, or any question is then being put from the Chair, the proceedings shall not be adjourned or suspended until the sense of the Assembly shall have been declared.

104. When Assembly in committee of the whole – If at the hour of rising the Assembly is in committee of the whole, the committee shall first report progress, and the President shall then adjourn the Assembly without question put.

105. Motion by Government House Leader – A motion for the adjournment of the proceedings may be made only during the Orders of the Day when no other business is before the Assembly. Such motion must be moved by the Government House Leader, shall require no notice, and may not be amended.

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1998.10.21; 2009.04.21

106. Time limits on speeches – The mover of such motion and a representative of every parliamentary group in opposition may speak to the question for up to ten minutes each.

The mover may thereafter speak for up to five minutes in reply.

107. Adjournment for more than fifteen days – Whenever a motion shall have been made to adjourn the proceedings for more than fifteen days, such motion may be discussed in a limited debate.

SECTION 9
COMMITTEES OF THE WHOLE

108. Resolution of Assembly into committee of the whole – When the Orders of the Day have been entered upon, the Government House Leader may move without notice that the Assembly resolve itself into a committee of the whole, which question shall be decided without debate.

109. Chair – The Chair of every committee of the whole shall be taken by a Vice-President of the Assembly.

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2009.04.21

109.1. Decorum – Members in a committee of the whole shall not be required to occupy the places that the President has assigned them, save during an electronic division.

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2009.04.21; 2023.06.08

110. Reports – When a matter referred to a committee of the whole has been fully considered, a Member present during the proceedings of the committee shall make an oral report to the Assembly; and the report shall be received without question put.

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2009.04.21

111. Suspension of proceedings – If at the time appointed by these Standing Orders for the proceedings to be suspended a matter referred to a committee of the whole has not been fully considered, the chairman shall leave the Chair, and the proceedings shall thereupon be suspended.

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1990.10.21; 2009.04.21

112. Adjournment of proceedings; progress – If at the time appointed by these Standing Orders for the Assembly to rise a matter referred to a committee of the whole has not been fully considered, the proceedings of the committee shall be adjourned to a future sitting day, unless a vote is in progress.

A Member present during the proceedings of the committee shall thereupon report progress to the Assembly, and the President shall then adjourn the Assembly.

2009.04.21

113. Motion to adjourn proceedings – Any Member may, without notice, move that the committee of the whole adjourn proceedings.

2009.04.21

114. Debate – Such motion may be made but once during any sitting, save by a minister. It may be discussed in a debate during which the mover of the motion and a representative of every parliamentary group may speak for up to ten minutes each. Such motion may not be amended, and the mover may speak for up to five minutes in reply.

114.1. Adjournment of proceedings; progress – If such motion is carried, the proceedings of the committee shall stand adjourned to a future sitting day.

A Member present during the proceedings of the committee shall thereupon report progress to the Assembly.

2009.04.21

114.2. Vote – Subject to Standing Order 223, the provisions of Standing Orders 219 to 228 shall apply to votes held in committees of the whole.

Before any electronic division is held in a committee of the whole, the chairman thereof shall invite any persons present, not being Members, to withdraw from the Assembly Chamber until the sense of the committee has been declared.

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2009.04.21; 2023.06.08

CHAPTER III
COMMITTEES

SECTION 1
COMMITTEE ON THE NATIONAL ASSEMBLY

115. **Members** – The Committee on the National Assembly shall consist of:

(1) the President of the National Assembly, who shall be its chairman;

(2) the Vice-Presidents of the National Assembly;

(3) the House leaders and whips of the parliamentary groups;

(4) the chairmen of the standing committees, as soon as they shall have been elected.

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2009.04.21

116. **Duties** – In addition to such other duties as may be conferred upon it by statute and in these Standing Orders, this committee shall:

(1) draft the Standing Orders and the Rules for the Conduct of Proceedings in the Assembly and its committees and submit them to the Assembly for its approval;

(2) coordinate the proceedings of the other committees, in particular by naming the committee before which some government department or other body shall be answerable and, where necessary, by clarifying the area of competence of each committee;

(3) authorize committees to travel or to meet in a place other than the precincts of the National Assembly;

(3.1) if necessary, hear any persons who, in pursuance of some statute, must be appointed by the Assembly, and report to the Assembly thereon without formulating any observations, conclusions or recommendations;

(4) attend to any matter not expressly referred to some other committee.

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1991.06.20; 1998.10.21; 2009.04.21
See R.C.P. 1 and 4.1

117. Subcommittee on Parliamentary Reform – The Committee on the National Assembly shall also have power to examine matters relating to parliamentary reform. To this end, it shall have a standing subcommittee that shall consist of:

(1) the President of the National Assembly, who shall be its chairman;

(2) the Vice-Presidents of the National Assembly, who may not vote;

(3) the House leaders and the whips of the parliamentary groups;

(4) three committee chairmen, of whom one shall be a member of a parliamentary group sitting in opposition;

Provided that in the absence of the President or whenever asked by him to do so a Vice-President whom he shall designate shall take the chair of the committee in his stead;

Provided further that a deputy House leader may substitute for a House leader of a parliamentary group.

The standing subcommittee may, on motion by one of its members, consider any matter relating to the powers of the Assembly or its committees and the conduct of their proceedings. It shall make at least one report to the Committee on the National Assembly each year.

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1991.06.20; 1999.04.15

SECTION 1.1
COMMITTEE ON PUBLIC ADMINISTRATION

117.1. Members – The Committee on Public Administration shall consist of:

(1) ten permanent members, who shall be apportioned as follows:

(a) six Members from the parliamentary group forming the Government;

(b) four Members sitting in opposition, not fewer than three of whom shall be from the Official Opposition; and

(2) eight temporary members, who shall be apportioned as follows:

(a) five Members from the parliamentary group forming the Government;

(b) three Members from the Official Opposition.

1998.10.21

117.2. Appointment and designation of members – The permanent members of this committee shall be appointed by the Committee on the National Assembly as provided in Standing Order 127; and they shall serve on the committee for two years.

The temporary members of this committee shall be designated by the whips of their respective parliamentary groups, who shall further specify whether each such member is to serve on the committee throughout the proceedings with respect to some particular matter or for a single meeting.

1998.10.21
See R.C.P. 1.1 and 1.2

117.3. Temporary members – The temporary members of this committee may take part in all its proceedings, but they may not vote.

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1998.10.21

117.4. Participation of Members sitting in opposition – Any independent Member or Member from a parliamentary group sitting in opposition other than the Official Opposition may take part in the proceedings of this committee; but he may not vote or move any motion.

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1998.10.21

117.5. Chairman and vice-chairman – The committee shall, at the opening of the first session of every Legislature and, as the necessity may arise, during the course of a Legislature, elect one of its permanent members to be chairman and another to be vice-chairman; and they shall hold office for two years:

Provided that the chairman shall be chosen among the Members from the Official Opposition, and the vice-chairman shall be chosen among those from the parliamentary group forming the Government.

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1998.10.21

117.6. Duties – This committee shall:

(1) examine the financial commitments;

(2) hear the Auditor General every year with respect to his annual management report;

(3) hear, as provided in the *Public Administration Act*, each minister who deems it expedient to be so heard and each deputy minister or chief executive officer of a public body, as the case may be, in order to discuss their administrative management when it has been the subject of any report from the Auditor General or the Public Protector;

(3.1) hear, as provided in the *Public Administration Act*, each minister who deems it expedient to be so heard and each deputy minister or chief executive officer of a public body, as the case may be, at least once every four years in order to discuss their administrative management;

(3.2) examine the annual report on the implementation of the *Public Administration Act*; and

(4) examine any other matter that the Assembly may refer to it.

1998.10.21; 2009.04.21
See R.C.P. 8.1 and 17 to 31

117.7. Convocation at chairman's request – Unless it is to consider some matter referred to it by the Assembly, the committee shall meet upon notice that its clerk shall send to the members thereof at the request of its chairman. Such notice shall state the purpose, the day, the time, and the place of the meeting, and copies thereof shall be sent to the President, to the chairmen of the other committees, and to the House leaders and the whips of the parliamentary groups.

1998.10.21

117.8. Quorum – The quorum of the committee shall be one third of the number of its permanent members, including its chairman.

The quorum of any subcommittee thereof shall be a majority of its permanent members, including its chairman.

1998.10.21

SECTION 2
SECTORIAL COMMITTEES

118. Names and areas of competence – In addition to the Committee on the National Assembly and the Committee on Public Administration there shall be nine standing committees of the Assembly, whose names and areas of competence shall be as follows:

(1) Committee on Agriculture, Fisheries, Energy and Natural Resources:

Agriculture, fisheries, food, energy, natural resources;

(2) Committee on Planning and the Public Domain:

Land use planning and development, municipal affairs, housing, sport and recreation, local and regional community development;

(3) Committee on Culture and Education:

Culture, education, vocational training, higher education, communications;

(4) Committee on Labour and the Economy:

Industry, trade, tourism, labour, manpower, science, technology, income security;

(5) Committee on Public Finance:

Finance, the budget, government administration, the public service, revenue, services, supply, pension plans;

(6) Committee on Institutions:

Chairmanship of the Conseil exécutif, justice, public security, the Constitution, aboriginal affairs, international and intergovernmental relations;

(7) Committee on Citizen Relations:

Citizen relations, cultural communities, immigration, status of women, the family, seniors, youth, consumer protection;

(8) Committee on Health and Social Services:

Health, social and community services;

(9) Committee on Transportation and the Environment:

Transportation, the environment, wildlife, parks.

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1986.03.11; 1994.11.30; 1998.10.21; 2009.04.21; 2009.12.02

119. Orders of reference – The said committees shall, when so ordered by the Assembly, examine:

(1) bills;

(2) the estimates of expenditure;

(3) any other matter that may be referred to them.

120. Orders of initiative – The said committees shall have power, without special reference from the Assembly, to initiate examinations of the following matters:

(1) draft regulations and regulations;

(2) the policy directions, activities, and management of the departments and bodies envisaged in Standing Orders 293.1 and 294;

(2.1) petitions;

(3) any other matter that may be of public interest.

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1998.10.21; 2009.04.21

SECTION 3
MEMBERSHIP

121. **Members** – Every committee shall consist of ten Members, who shall be appointed for two years and shall be apportioned as follows:

(1) six Members from the parliamentary group forming the Government; and

(2) four Members from the Official Opposition.

1998.10.21

122. **Additional members** – Notwithstanding Standing Order 121, any independent Member or Member from a parliamentary group sitting in opposition other than the Official Opposition may be appointed to serve as a member of a committee; and such committee shall accordingly consist of twelve Members, who shall be apportioned as follows:

(1) seven Members from the parliamentary group forming the Government;

(2) four Members from the Official Opposition; and

(3) one Member from a group sitting in opposition other than the Official Opposition or one independent Member.

1998.10.21

123. (*Repealed*).

1998.10.21

124. **Member by order of Assembly** – A minister shall be a member of a committee during its deliberations in pursuance of an order of reference from the Assembly if that order so provides.

125. Member when author of bill – A minister or a Member who introduces a bill shall be entitled to sit as a participating member of the committee that considers it.

126. Allocation of chairmanships – Six committees shall be chaired by Members from the parliamentary group forming the Government and three shall be chaired by Members sitting in opposition.

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1998.10.21

127. Selection of chairmen and committee members – Not later than the third day on which the Assembly meets after the election of the President at the opening of a Legislature, and from time to time thereafter as the necessity may arise, the Committee on the National Assembly shall meet to select the committees that are to be chaired by a Member from the group forming the Government and those that are to be chaired by a Member sitting in opposition. It shall also prepare lists of Members to serve on the several committees and shall name the date on which they are first to meet. All such decisions must be unanimous.

The President shall report on this meeting to the Assembly; a Vice-President shall thereupon move concurrence in this report, and the Assembly shall decide the question forthwith.

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2009.04.21

128. Allocation of chairmanships failing consensus – Failing consensus on the manner in which the chairmanships of the several committees are to be allocated, the parliamentary groups shall select the committees they wish to be chaired by one of their own Members in the following sequence:

First choice:	group forming the Government;
Second choice:	group forming the Government;
Third choice:	Official Opposition;

Fourth choice:	group forming the Government;
Fifth choice:	Official Opposition;
Sixth choice:	group forming the Government;
Seventh choice:	group sitting in opposition other than the Official Opposition, if there be any;
Eighth choice:	group forming the Government;
Ninth choice:	group forming the Government.

1998.10.21

129. Vacancies and permanent substitutions – The Assembly may, on a motion moved without notice and decided without debate, fill any vacancy or make any permanent substitution in the membership of a committee:

Provided that when the Assembly stands prorogued or adjourned for more than five days, such vacancy may be filled or such permanent substitution may be made by the Committee on the National Assembly.

The President shall report to the Assembly at the earliest opportunity on the meeting of the said committee held for this purpose; a Vice-President shall thereupon move concurrence in this report, and the Assembly shall decide the question forthwith.

130. Temporary substitutions – Any temporary substitution made for a member of a committee shall apply only while some particular matter is under consideration therein. The committee must be notified of such substitution as soon as its proceedings on the matter are begun.

See R.C.P. 2

131. Substitutions for one meeting only – Notwithstanding the foregoing, when a committee is to consider some matter that has been referred to it by the Assembly, a substitution may be made for one of its members for an entire meeting. The committee shall be notified of such substitution as soon as this meeting is called to order.

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See R.C.P. 3

132. Participation by other Members – A Member who has not been appointed to serve on some committee of the Assembly may take part in the proceedings of any of its committees; but he may not vote therein.

A Member who has been appointed to serve on some committee of the Assembly may take part in the proceedings of any other committee, by its leave; but he may not vote or move any motion therein:

Provided that leave shall not be required when such committee is to consider estimates of expenditure.

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1998.10.21; 2009.04.21

133. Participation of independent Members – Any independent Member of the Assembly may take part in the proceedings of a committee with respect to a bill, but he may not vote.

SECTION 4
CHAIRMEN, VICE-CHAIRMEN,
AND CLERKS

134. **Elections** – Each committee shall, at the opening of the first session of every Legislature and, as the necessity may arise, during the course of a Legislature, elect a chairman and a vice-chairman, who shall hold office for two years.

135. **Organization** – No member of any committee shall be deemed elected its chairman or its vice-chairman unless a majority of the members thereof from each parliamentary group shall have voted in his favour.

136. **Presiding officer at election** – The President of the Assembly shall take the Chair of each committee for the election of its chairman.

137. **Election of vice-chairmen** – The chairman of each committee shall preside at the election of its vice-chairman.

The members of a committee who belong to the same parliamentary group as its chairman shall not be eligible for the office of vice-chairman.

138. **Duties and powers of chairman** – The chairman shall organize and direct the proceedings of his committee and take part in its deliberations, and he shall be entitled to vote.

139. **Temporary chairmen** – At the request of its chairman or whenever the Assembly so directs in an order of reference, the proceedings of a committee shall be presided over by a temporary chairman whom the President of the Assembly shall appoint from a list approved by the Committee on the National Assembly.

The temporary chairman of a committee shall take no part in its deliberations.

Unless he is a member of that committee, a temporary chairman shall not be entitled to vote.

140. Vacancy – Whenever the office of chairman of any committee becomes vacant, the vice-chairman of that committee shall take the Chair, and he shall perform the duties of the chairman and exercise his authority. The committee shall, within thirty days, elect a new chairman.

141. Absence or inability to act – In the unavoidable absence of the chairman of any committee or whenever asked by him to do so, the vice-chairman of that committee shall take the Chair, and he shall perform the duties of the chairman and exercise his authority.

Whenever the chairman and the vice-chairman are absent or unable to act, the clerk shall so inform the committee, which shall take the appropriate measures.

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See R.C.P. 6

142. Committee clerks – In each committee there shall be a public servant appointed by the President of the Assembly to act as its clerk.

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See R.C.P. 7.1

SECTION 5
CONVENING OF MEMBERS AND
HOURS OF MEETING

143. Ordinary hours of meeting – In periods when the Assembly may meet during ordinary hours committees may meet:

(1) on Mondays from 2.00 o'clock until 6.00 o'clock p.m.;

(2) on Tuesdays from 10.00 o'clock a.m. until 9.30 o'clock p.m., the proceedings being suspended from 12.00 o'clock noon until 1.40 o'clock p.m. and from 6.00 o'clock until 7.30 o'clock p.m.;

(3) on Wednesdays and Thursdays from 9.40 o'clock a.m. until 6.00 o'clock p.m., the proceedings being suspended from 1.00 o'clock until 3.00 o'clock p.m.;

(4) on Fridays from 9.30 o'clock a.m. until 12.30 o'clock p.m.

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1998.10.21; 2009.04.21; 2015.10.07

143.1. Extended hours of meeting – In periods when the Assembly may meet during extended hours committees may meet:

(1) on Mondays from 2.00 o'clock until 6.00 o'clock p.m.;

(2) on Tuesdays from 10.00 o'clock a.m. until 9.30 o'clock p.m., the proceedings being suspended from 12.00 o'clock noon until 1.40 o'clock p.m. and from 6.00 o'clock until 7.30 o'clock p.m.;

(3) on Wednesdays and Thursdays from 9.40 o'clock a.m. until 10.30 o'clock p.m., the proceedings being suspended from 1.00 o'clock until 3.00 o'clock p.m. and from 6.00 o'clock until 7.30 o'clock p.m.;

(4) on Fridays from 9.40 o'clock a.m. until 1.00 o'clock p.m.

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1998.10.21; 2009.04.21; 2015.10.07

143.2. Hours of meeting outside sessional periods – During any period, not being a period in which the Assembly may meet pursuant to Standing Order 19, committees may meet:

(1) on Mondays from 2.00 o'clock until 6.00 o'clock p.m.;

(2) on Tuesdays, Wednesdays, and Thursdays from 9.30 o'clock a.m. until 6.00 o'clock p.m., the proceedings being suspended from 12.30 o'clock until 2.00 o'clock p.m.;

(3) on Fridays from 9.30 o'clock a.m. until 12.30 o'clock p.m.

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2009.04.21

144. Changes in timetable – By leave of its members without any dissentient voice, a committee may so change the timetable of its proceedings as to continue to meet after the hour appointed for their suspension or adjournment.

By leave of its members without any dissentient voice, a committee that is to hold a deliberative meeting may likewise meet before the hour appointed for its proceedings to begin.

145. Number of committees that may meet – When the Assembly is sitting, no committee that is to meet in the precincts of the Assembly shall do so during the Routine Proceedings, with the exception of committees hearing witnesses, which may meet immediately after the end of the Notices of Proceedings in Committees. During the Orders of the Day, up to four committees may meet concurrently.

When the Assembly is not sitting, up to five committees may meet concurrently.

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2009.04.21; 2022.11.30

146. Referral of matter to committee – The Assembly may refer any matter to a committee for its examination. Such reference may be ordered either on a motion made by the Government House Leader, which motion cannot be amended but may be discussed in a limited debate that shall not exceed one hour; or on a motion made pursuant to Standing Order 97 by a Member in opposition at a Wednesday meeting. Such order of reference from the Assembly shall have precedence.

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1998.10.21

147. Convocation by House leader – A committee that has received an order of reference from the Assembly shall be convened by its chairman upon notice from the Government House Leader. Such notice shall state the purpose, the day, the time, and the place of the meeting, and a copy thereof shall be sent to the President: Provided that if the Assembly is then meeting, the Government House Leader shall convene the committee at the time set aside for this purpose during the Routine Proceedings.

148. Convocation at chairman's request – Unless it is to consider some matter referred to it by the Assembly, a committee shall meet upon notice that its clerk shall send to the members thereof at the request of its chairman. Such notice shall state the purpose, the day, the time, and the place of the meeting, and copies thereof shall be sent to the President and to the House leaders and the whips of the parliamentary groups.

149. Proceedings initiated by committee – Every committee shall have power, on motion by one of its members, to initiate proceedings with respect to some matter; but no such motion shall be deemed carried unless a majority of the members from each parliamentary group shall have voted in its favour.

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See R.C.P. 8

150. Subcommittees – Every committee shall have power, on motion by one of its members, to appoint a subcommittee consisting of certain of its members for the purpose of examining a matter that has been referred to it by the Assembly or in respect of which it has initiated proceedings; but no such motion shall be deemed carried unless a majority of the members from each parliamentary group shall have voted in its favour.

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See R.C.P. 9 to 9.2

151. Reports from subcommittees – Every subcommittee shall report to the committee that appointed it.

The report of a subcommittee on an order of reference from the Assembly may be discussed in a limited debate that shall not exceed one hour and during which amendments may be moved thereto; but the committee shall vote only on such amendments. It shall thereafter report to the Assembly.

152. Procedure – Except as otherwise provided, the rules pertaining to committees shall be observed in subcommittees, and subcommittees shall have the like powers as are exercised by committees.

153. Joint committees or subcommittees – Two or more committees or subcommittees may, in conjunction, ask the approval of the Committee on the National Assembly to establish a joint committee or subcommittee, as the case may be, to examine some matter.

These committees shall determine in a deliberative meeting whether it is possible to establish a joint committee or subcommittee.

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See R.C.P. 10

SECTION 6
MEETINGS

154. **Procedure** – Except as otherwise provided, the rules pertaining to the Assembly shall be observed in committees.

155. **Rules may be set aside** – Every committee may, by leave of its members without any dissentient voice, set aside the rules pertaining to the allocation of speaking time.

156. **Quorum** – The quorum of any committee shall be one third of the number of its members, including its chairman; that of any subcommittee shall be a majority of the number of its members, including its chairman.

The presence of a quorum shall be required whenever a vote is taken, and no decision shall be deemed to have been arrived at by any vote taken when a quorum is not present.

A committee meeting having once been called to order, a quorum shall thereafter be held to be present; but if any member takes notice of the want thereof, or if it appears on a division that a quorum is not present, the chairman shall suspend the proceedings.

If no quorum is present within a reasonable time, the chairman shall adjourn the proceedings.

157. **Voting** – Voting shall be by a show of hands unless a member of the committee demands a recorded division.

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See R.C.P. 11

157.1. **Divisions: how taken** – During a recorded division, the committee clerk shall call the Members, each in turn, to communicate orally whether they vote yea, nay or wish to abstain.

When all Members have voted, the chairman declares the sense of the committee.

2023.06.08

158. Notice not required – No notice shall be required for any motion made in committee.

159. Meetings to be public – Committee meetings, except deliberative meetings, shall be held in public.

160. Meetings in camera – Any committee may resolve to meet in camera; but no motion to that effect shall be deemed carried unless a majority of the members from each parliamentary group shall have voted in its favour.

Any evidence a committee may hear or papers it may receive and any deliberations it may hold while meeting in camera shall be secret and may be disclosed only insofar and under such conditions as the concerned parties and the members of the committee without dissentient voice shall determine.

See R.C.P. 12 et 13

161. Journal des débats; minutes – The *Journal des débats* shall record the proceedings of every committee that meets in public pursuant to an order of reference from the Assembly or any statute or Standing Order. In all other cases a committee may ask that its deliberations be so recorded.

Minutes shall be kept of the proceedings at every committee meeting.

See R.C.P. 14

162. Tabling of papers – No paper may be tabled before a committee except with the leave of its chairman.

See R.C.P. 47

163. Hearings of ministers – Every committee shall hear any minister who asks to speak to some matter that is before it for consideration.

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See R.C.P. 15

164. Requests for appearance of ministers – A committee that wishes to hear a minister with respect to some matter shall so notify him in writing not less than fifteen days before he is to be heard, unless the minister shall forgo such notice.

The notice shall state the purpose, the day, the time, and the place of the committee's proceedings.

165. Adjournment of proceedings – Any member of a committee may move the adjournment of its proceedings.

Such motion may not be amended, and no subsequent motion to that effect may be made during the same meeting except by the chairman or by a minister who is a member of the committee, nor shall any debate be allowed thereon; but a representative from every parliamentary group may speak for up to ten minutes each.

SECTION 7
CONSULTATIONS

§ 1. – GENERAL CONSULTATIONS

166. Notices of consultations – By means of a notice that the Committee Secretariat shall cause to be published in the *Gazette officielle* and in the newspapers a committee may:

(1) invite any persons or bodies who may wish to do so to forward briefs to it on paper or in electronic form setting forth their views on some matter. Each brief must be accompanied by a concise summary of its contents;

(2) invite any persons who may wish to do so to ask to be heard during its public hearings without forwarding a written brief. Such request shall be accompanied by a concise statement of the nature of the presentation to be made.

The notice shall specify that any papers submitted must be forwarded to the Committee Secretariat within a period of not less than thirty days.

2009.04.21

167. Public hearings; selection of persons and bodies to be heard – The committee shall hold a deliberative meeting in which to peruse any briefs and any requests to be heard without a written brief that it may have received. It may then decide to hold public hearings.

Should the committee decide to hold public hearings, it may choose:

(1) such persons and bodies having lodged briefs as it may wish to hear. It shall determine the total length of each hearing as well as the respective lengths of each witness' presentation and of his exchanges with the committee;

(2) such persons having asked to be heard without having forwarded a written brief as it may wish to hear. A period not exceeding forty-five minutes shall be set aside for all such presentations. The committee shall determine the total length of each presentation, the respective lengths of each witness' statement and of his exchanges with the committee, and the moment at which he will be heard.

2009.04.21

168. Convening of witnesses – The clerk of the committee shall, at least seven days before they are to attend, convene those persons and bodies that the committee has chosen to hear. The invitation shall state the day, the time, the place, and the total length of each hearing as well as the time that each witness will be allotted for his presentation.

See R.C.P. 16.2 and 16.3

169. Time allocation during hearings – The chairman shall allocate among the Members from the parliamentary group forming the Government and those sitting in opposition such time as the committee has decided to allot to each person or body. Subject to the principle of alternation, every Member may speak as often as he wishes, but no Member may speak for more than ten minutes at any one time.

2009.04.21

§ 2. – SPECIAL CONSULTATIONS

170. Special invitations – A committee may also, by special invitation, solicit the views of persons or bodies that have expertise or experience specific to a field it is investigating.

171. Public hearings – The committee shall determine in a deliberative meeting the total length of each hearing and the respective lengths of each witness' presentation and of his exchanges with the committee.

172. Convening of witnesses – The clerk shall convene those persons and bodies that the committee has chosen to hear. The invitation shall state the day, the time, the place, and the total length of each hearing as well as the time that each witness will be allotted for his presentation.

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See R.C.P. 16.2 and 16.3

173. Time allocation during hearings – The chairman shall allocate among the Members from the parliamentary group forming the Government and those sitting in opposition such time as the committee has decided to allot to each person or body. Subject to the principle of alternation, every Member may speak as often as he wishes, but no Member may speak for more than ten minutes at any one time.

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2009.04.21

§ 3. – ON-LINE CONSULTATIONS

173.1. On-line consultations – A committee may, pursuant to any order of initiative, decide to hold on-line consultations.

The Assembly may, when it makes an order of reference to some committee to hold a general consultation, likewise order it to hold on-line consultations.

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2009.04.21

SECTION 8
REPORTS

174. Committee reports – When a committee has concluded its proceedings with respect to some matter, its chairman, or such other member thereof as he may designate, shall lay the committee's report upon the Table of the Assembly:

Provided that when a committee has considered some matter during one or more deliberative meetings not followed by a public meeting or a meeting in camera, its report shall instead be lodged with the Committee on the National Assembly.

175. Interim reports – Every committee may make an interim report to the Assembly, but only one motion to that effect may be moved during any committee meeting.

176. Report containing observations, conclusions, or recommendations – When the proceedings of a committee with respect to any matter referred to it by the Assembly have been completed, and upon the request of one of its members, such committee shall have three clear days in which to hold deliberative meetings for the purpose of agreeing upon any observations, conclusions, or recommendations it may wish to submit to the Assembly:

Provided that such committee shall have only one clear day when the matter referred to it is a bill.

For the purposes of this Standing Order a clear day is any day on which committees may meet.

2009.04.21

177. Contents of reports – A committee report shall comprise the minutes of its proceedings and its observations, conclusions, or recommendations to the Assembly, if there be any.

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See R.C.P. 16

SECTION 9
SELECT COMMITTEES

178. Appointment; applicable rules – The Assembly may appoint one or more select committees. It shall define the terms of reference of each such committee and name its members. The Assembly may also order such committee to report within a certain time, and it may name its chairman and its vice-chairman.

Except as the Assembly may otherwise order, the rules pertaining to the standing committees shall be observed in select committees.

Every select committee having once laid its report upon the Table of the Assembly shall cease to exist.

TITLE II
GENERAL PROCEDURE

CHAPTER I
GENERAL PROVISIONS

SECTION 1
PROCEDURE IN THE ASSEMBLY

179. **Sources** – The proceedings of the Assembly shall be conducted in accordance with:

(1) the statutes;

(2) these Standing Orders and the rules for the conduct of proceedings;

(3) such other orders as the Assembly may from time to time make.

180. **Usages and precedents** – In deciding all questions of procedure not so provided for, resort shall be had to the usages and precedents of this Assembly.

181. ***Interpretation Act*** – The *Interpretation Act* shall apply to these Standing Orders: Provided that where any section of the said Act conflicts with these orders, the latter shall prevail.

SECTION 2
EXCEPTIONAL PROCEDURE

182. Motion to introduce an exceptional procedure – The Government House Leader may, without notice, move a motion to introduce an exceptional procedure for the consideration of some matter that may or may not stand on the Order Paper and Notices: Provided that each such motion may introduce an exceptional procedure with regard to but a single matter.

Such motion may be discussed in a limited debate, but it may be neither amended nor divided.

The motion having been carried, any provisions of these Standing Orders that are at variance with the procedure envisaged in the motion shall, for the purposes of the consideration of the matter stated therein, be deemed suspended, subject to the provisions set forth in the present section of the Orders.

Only one motion to introduce an exceptional procedure may be before the Assembly at any time.

2009.04.21

183. (*Repealed*).

2009.04.21

184. Motion or bill to be distributed – If the object of the motion to introduce an exceptional procedure is to allow to be carried some motion not yet standing on the Order Paper and Notices or to allow to be passed some bill not yet introduced in the Assembly, the text of the said motion or bill shall be distributed when the motion to introduce an exceptional procedure is moved.

2009.04.21

184.1. Exceptional legislative procedure – If the object of the motion to introduce an exceptional procedure is to allow the consideration of some bill, the exceptional legislative procedure set forth in Standing Orders 257.1 to 257.10 shall apply.

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2009.04.21

184.2. Business having precedence; adjournment of debate – The limited debate on a motion to introduce an exceptional procedure and every debate in the Assembly relating to the matter to which such motion may apply shall have precedence of the business envisaged in the first paragraph of Standing Order 87.

Notwithstanding Standing Order 100, no Member other than a minister or a Deputy Government House Leader may move a motion to adjourn any debate relating to the matter to which a motion to introduce an exceptional procedure may apply.

Any exceptional procedure shall, until it has been concluded, take precedence over all other business before the Assembly.

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2009.04.21

CHAPTER II
MOTIONS

SECTION 1
GENERAL PROVISIONS

185. Matter submitted to Assembly for decision – A Member who wishes to obtain the decision of the Assembly on some matter shall make a motion for that purpose.

186. Orders and resolutions; discharge or rescission – Every motion, when carried, becomes either an order or a resolution of the Assembly. By its orders the Assembly directs its committees, its Members, or any other person to do something; by its resolutions the Assembly declares its own opinions and purposes or affirms some fact or principle.

An order or a resolution may be discharged or rescinded only upon motion by a minister to that effect, which motion shall not require notice.

The question on any motion to discharge or rescind an order for an exceptional procedure shall be put forthwith, without debate.

2009.04.21

187. Substantive motions and formal motions – Every motion is either substantive or formal.

A substantive motion is a self-contained proposal that places some matter before the Assembly for its decision.

A formal motion relates to the way in which a substantive motion is to be disposed of or concerns the procedure of the Assembly.

188. Notice – Except as otherwise provided by statute or in these Standing Orders, any Member who wishes to make a motion shall give prior notice thereof.

Notice shall consist of the text of the motion, which may not be moved until the next sitting day after that on which it is first published in the Order Paper and Notices.

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2009.04.21

189. Moving motions – Every motion shall be moved by the Member in whose name it stands: Provided that some other Member may, with his leave, move such motion in his stead; and provided always that any minister may act on behalf of another.

190. Motions to be in writing – Every motion other than a motion whose terms do not vary shall be in writing.

191. Inadmissible contents; exceptions – No motion shall recite either the grounds on which it is moved or arguments in behalf of its object:

Provided that the motions envisaged in Standing Orders 50 and 274 may set forth briefly the grounds on which they are based.

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2009.04.21

192. Ministerial prerogative – No Member other than a minister shall move any motion that proposes:

(1) to appropriate a part of the public revenue;

(2) to impose a charge upon the people;

(3) to remit a debt due to the province;

(4) to grant a property of the province:

Provided that this rule shall not apply to a motion that is couched in general terms or that merely expresses an abstract opinion on the matters enumerated above.

193. President to decline or correct inadmissible motion or notice of motion – The President shall rule out of order any motion or notice of motion that is contrary to these Standing Orders:

Provided that he may correct such motion or notice of motion in its form so that it complies with the rules and orders of the Assembly.

194. Lapsing of motion – Whenever any part of a motion lapses in the course of proceedings thereon, such motion shall be rendered irregular in its entirety.

195. Withdrawal of motion – The mover of a motion or, with his leave, some other Member may propose that it be withdrawn.

If such motion has not been proposed from the Chair, he may cause it to be withdrawn upon a written request to the Secretary General or upon an oral request to the President of the Assembly.

If such motion is in the possession of the Assembly, its mover and a representative of every parliamentary group may speak to the question for its withdrawal for up to ten minutes each; and the mover may thereafter speak for up to five minutes in reply: Provided that the question on any motion to withdraw a motion to introduce an exceptional procedure shall be put without debate.

2009.04.21

SECTION 2
AMENDMENTS

196. Main question may be amended – Except as otherwise provided, any main question having been proposed may be amended.

197. Contents – Every amendment must be relevant to the subject matter of the main question and must not reverse its principle. An amendment may propose only to strike out certain words, to insert or add certain words, or to strike out certain words and to substitute others therefor.

198. Receivability – No notice shall be required for an amendment to any question; but when such amendment is moved, the text thereof shall be handed to the President, who shall determine whether it is in order.

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2009.04.21

199. Effect when carried – An amendment having once been carried, the debate shall resume on the main question, as amended, to which further amendments may then be moved.

200. Subamendments – Subamendments may be moved to any amendment: Provided that each subamendment shall be disposed of before another may be moved. The rules pertaining to amendments shall apply to subamendments.

201. Putting the question – The question on every subamendment shall be decided before that on any amendment may be put, and that on every amendment shall likewise be decided before the main question may be put.

SECTION 3
THE PREVIOUS QUESTION

202. Previous question – Any Member while speaking may, if no amendment to the main question is then before the Assembly, move, "That this question be now put," which motion may not be amended.

203. Motion may be declined – The President may decline to put such motion if he is of the opinion that the debate on the original question has not been unduly prolonged or that to put this question forthwith would infringe the rights of the Members.

204. Time limits on speeches – The mover of the previous question and a representative of every parliamentary group may speak thereto for up to ten minutes each, and the mover may thereafter speak for up to five minutes in reply.

SECTION 4
MOTION TO DIVIDE A COMPLICATED QUESTION

205. Contents – Any substantive question containing two or more distinct propositions, each of which is capable of standing on its own, may, on motion without notice, be divided. Such motion shall state how the division is to be made.

206. Receivability – The President shall determine whether the question can be divided as proposed. If he so rules, the motion to divide may be discussed during a limited debate, after which it shall be put to the Assembly for its decision.

207. Putting the question – The new questions issuing from such division shall be separately discussed and decided by the Assembly in the order in which they were to be found in the original question.

208. Precedence – A motion to divide a complicated question shall have precedence of that question.

CHAPTER III
DEBATE

SECTION 1
TIME LIMITS ON SPEECHES

209. Allocation of time – Except as otherwise provided, no Member may speak twice to any question before the Assembly; nor may he speak for more than ten minutes to a formal motion or for more than twenty minutes to any other matter:

Provided that the mover of a motion, the Prime Minister, and the leader of any other parliamentary group, or their representatives, may speak for up to one hour each to a substantive motion and for up to thirty minutes each to a formal motion.

SECTION 2
LIMITED DEBATES

210. Length; speaking time – Except as otherwise provided, a limited debate shall last for not more than two hours. The President shall apportion this time among the several parliamentary groups, after he shall first have conferred with the House leaders thereof; and in so doing he must have regard to the presence of independent Members.

SECTION 3
RELEVANCE IN DEBATE

211. **Rule** – Speeches shall be directed only to the matter under discussion.

SECTION 4
EXPLANATIONS

212. Contents – Any Member who has spoken to a question may again be heard to explain himself very briefly in regard to some material part of his speech that may have been misquoted or misunderstood.

Such Member shall make his explanation immediately the remarks that give rise to it are concluded; and he may not then introduce any new matter, nor shall he provoke any debate.

213. Questions regarding speech – Any Member may, immediately another Member has finished speaking and with his consent, ask him a question. Both the question and the answer shall be concisely put.

SECTION 5
QUOTATIONS FROM PAPERS

214. To be tabled if required – Any Member may require that a minister who has quoted from some paper, even if only in part, forthwith lay such paper upon the Table; and the minister must comply unless he is of the opinion that it would be injurious to the public interest to do so.

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See R.C.P. 47

SECTION 6
RIGHT OF REPLY

215. Mover of substantive motion has right of reply – In addition to any other right of reply envisaged in these Standing Orders, a reply shall be allowed to a Member who has moved a substantive motion.

216. Speaking time in reply – Except as otherwise provided, a Member may speak for up to twenty minutes in reply.

217. No right of reply in committee – There shall be no right of reply in committee.

218. Effect of reply – The reply shall close the debate.

CHAPTER IV
PUTTING THE QUESTION

219. Voting – All questions arising in the Assembly shall be decided by a majority of the votes cast.

The presence of a quorum shall be required whenever a vote is taken, and no decision shall be held to have been arrived at by any vote taken when a quorum is not present.

220. Show of hands or electronic division – Voting shall be by a show of hands unless five Members demand an electronic division.

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2023.06.08

221. Motion to be read from Chair – Before the question is put on any motion, it shall be read from the Chair.

222. Voting on amendments and subamendments – When any amendment is to be put, unless the terms thereof have been circulated among the Members, the President shall state first the main question, then the amendment, and finally the main question as it would read if so amended.

He shall proceed in a like manner with any subamendment.

223. Deferral of divisions – The President may, at the request of the Government House Leader, defer any electronic division until later on the same sitting day. He may likewise defer such division until the Routine Proceedings on the next sitting day thereafter:

Provided that this Standing Order shall not apply to any motion for adjournment or for the previous question.

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2023.06.08

224. Division bells to be rung – Five minutes before an electronic division is to be taken, the division bells shall be rung throughout the Assembly. The proceedings of any committee then meeting shall thereupon be interrupted.

When he is of the opinion that sufficient time has elapsed, the President shall put the question.

2023.06.08

225. Conduct of Members while dividing – When the Assembly is to hold an electronic division, no Member shall enter the Chamber after the question has been stated or leave it until the sense of the Assembly has been declared.

2023.06.08

226. Divisions: how taken – The President shall direct the Members to record their electronic votes before the expiry of the time limit set.

The Secretary General shall report the numbers to the President, who shall thereupon declare the sense of the Assembly.

2023.06.08

226.1. Alternative means of voting – In the event of a failure of the electronic vote, the President may allow a division to be held by another means he shall specify.

2023.06.08

227. Entitlement to speak during vote – While the Assembly is voting, no Member shall be entitled to speak except to a point of order or privilege suddenly arising.

228. Dissent or abstention – Any Member may, when a vote by a show of hands is taken, require that the Votes and Proceedings for that sitting day record his dissent or his abstention, or indicate that the concurrence of the Assembly in some matter was not unanimous.

TITLE III
LEGISLATIVE PROCEDURE

CHAPTER I
BILLS

SECTION 1
STAGES

229. Designation – The following are the five stages in the consideration of a bill:

(1) introduction;

(2) passage in principle;

(3) committee stage;

(4) report stage;

(5) passage.

230. To be taken on separate sitting days – Each stage shall be taken on a separate sitting day:

Provided that the committee stage of a bill may be proceeded with during the sitting day on which such bill is passed in principle;

Provided further that when the committee stage of a bill is proceeded with in a committee of the whole, such bill may also be reported and the report concurred in during the same sitting day.

231. Effect when division deferred – The consideration of a bill at any stage on any sitting day shall not be precluded by the taking on that same sitting day of a division on the preceding stage of such bill that was deferred on the previous sitting day.

SECTION 2
INTRODUCTION

232. **Notice** – Every Member wishing to introduce a bill shall publish notice of his intent in the Order Paper and Notices not later than on the sitting day before it is to be introduced.

The title of the bill shall constitute notice. The Member shall provide a copy of the bill to the President before the Routine Proceedings are to be taken.

233. **Explanatory notes** – When the appropriate item of the Routine Proceedings is entered upon, the Member may move that leave be granted to introduce his bill, and he shall then read the explanatory notes accompanying it or a summary thereof. Such notes shall briefly explain the purposes of the bill and shall recite neither arguments in behalf of its object nor the grounds for its introduction.

2009.04.21

234. **Putting the question** – A motion that leave be granted to introduce a bill in the Assembly shall be decided without debate.

235. **Referral for consultations** – The Government House Leader may, without notice, move that any bill be referred to a committee for a general consultation thereon, which committee shall invite submissions from any persons or bodies that may wish to make their views known; and such question shall be decided without debate.

He may also move, without notice, that any bill be referred to a committee for special consultations thereon, and such question shall likewise be decided without debate: Provided that if it is in derogation of any rule pertaining to special consultations, such motion may be discussed in a limited debate that shall not exceed one hour.

2009.04.21

SECTION 3
PASSAGE IN PRINCIPLE

236. Bill to be set down on Orders of the Day – The debate on the passage in principle of every bill shall be set down as an order of the day for the next sitting after it is introduced or after the committee has reported thereon, as the case may be.

237. When debate may begin – The debate on the principle of a bill may begin not less than one week after it is introduced:

Provided that this rule shall not apply during the week which follows the beginning of any sessional period; nor shall it apply during any extraordinary sitting.

2009.04.21

238. When debate may begin on reprinted bill –When the committee to which a bill has been referred upon its introduction recommends that such bill be reprinted, the debate on the principle thereof may begin on the third sitting day after that on which the bill, as reprinted, shall have been laid upon the Table.

2009.04.21

239. Scope of debate; time limits on speeches – The debate shall be limited to the expediency, principles, and merits of the bill and to alternative means of achieving its purpose.

The time limits on speeches with respect to a motion for passage in principle shall be those that apply to a substantive motion, and the mover shall have a right of reply.

240. Hoist motion – No amendment shall be received to any motion for the passage in principle of a bill, unless it be an amendment that proposes to defer such passage; and no subamendment may be moved thereto.

A motion to defer passage in principle may be discussed during a limited debate.

241. Motion to divide bill – Any bill containing two or more distinct principles may, before the question is put for the passage thereof, be proposed to be divided. If such motion is carried, the bills issuing from the original bill, as divided, shall be again placed on the Order Paper and Notices at the introduction stage.

A motion to divide any bill may be made but once: Provided always that a minister may make some subsequent motion to that effect. Such motion shall not be amended, but it may be discussed during a limited debate.

242. When question put without debate – The Government House Leader may, without notice, move that the question for the passage in principle of any bill be decided without debate, and no debate shall be allowed on such motion: Provided that this motion cannot be made if opposition thereto is taken by five Members.

SECTION 4
COMMITTEE STAGE

243. Committal – When any bill has been passed with respect to its principle, the Government House Leader shall move, without notice, to commit such bill for clause-by-clause consideration to the appropriate standing committee or to a committee of the whole.

Such motion shall be decided without debate.

2009.04.21

244. Clause-by-clause consideration; special consultations – The committee to which a bill has been ordered shall examine every clause thereof. The discussion shall be confined to the details of the bill, and any amendments proposed thereto shall be relevant to its subject matter and consistent with its nature and purpose.

Before entering upon the clause-by-clause consideration of a bill, the committee may resolve to hold special consultations within the terms of its order of reference.

See R.C.P. 16.1

245. Members' speaking times – Every member of the committee may speak as often as he wishes but in any case for not more than twenty minutes to each clause, paragraph, or subparagraph of the bill, to each amendment or subamendment that may be moved thereto, and to each section that it may be proposed to amend within or insert into an existing act.

246. Mover's speaking times – The minister or Member who introduced the bill shall be entitled to the same speaking time as any other member of the committee; and he shall in addition be permitted to speak for up to five minutes after each other member has spoken.

247. Discussion on principle of bill – When a bill has been passed in respect of its principle without debate, every member of the committee to which it is ordered may, at the opening of the proceedings thereon, speak to the principle and general content thereof.

248. Contents of report – The report from a committee on any bill shall consist of the minutes of its proceedings with respect to such bill and the text of the bill as agreed to by the committee.

When any bill has been considered clause by clause in a committee of the whole, the report on such bill shall consist of the text of the bill as agreed to by the committee. The question for concurrence in such report shall be disposed of without debate, and the bill shall thereupon be set down for final passage on a future sitting day.

2009.04.21

249. Agreement on tabling of report – The Government House Leader may ask the President to convene the House leaders of the parliamentary groups in order that they may appoint the time when a committee shall be ordered to lay upon the Table of the Assembly its report in respect of a certain bill. The President shall inform the Assembly whether or not the House leaders have reached some agreement to that effect.

250. Agreement to be concurred in by Assembly – If an agreement has been reached, the Government House Leader shall thereupon move, without notice, that it be concurred in and made an order of the Assembly. The question shall be put forthwith and decided without debate.

251. Closure motion – If no agreement has been reached, the Government House Leader may thereupon make a motion appointing the time when the committee shall interrupt its proceedings on the bill and report to the Assembly. Such motion, which may be made without notice and cannot be amended, shall be debated on a future sitting day; and at the conclusion of such debate the Government House Leader shall be permitted to speak for up to ten minutes in reply.

If the motion is carried, no motion to introduce an exceptional procedure may be made with respect to the bill.

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2009.04.21

SECTION 5
REPORT STAGE

252. Tabling of report; new amendments – Every Member may, at not later than 10.00 o'clock p.m. on the day when the report from a committee on its clause-by-clause consideration of a bill has been laid upon the Table of the Assembly, hand in to the Secretary General a copy of any amendment or amendments he may wish to move thereto.

The President shall decide whether such amendments are in order and shall select them so as to prevent repetition and overlapping. The Secretary General shall immediately forward copies thereof to the House leader of each parliamentary group. No subamendment to any such amendment may be received.

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2009.04.21

253. When report stage to be taken; time limits on speeches – The report stage of any bill reported from a committee may be taken into consideration on the sitting day following that on which such report is laid upon the Table.

After conferring with the House leaders of the parliamentary groups the President shall organize the putting of the question on any amendments that may be proposed thereto.

The time limits on speeches shall be those that apply to a formal motion: Provided that the minister or Member who introduced the bill shall in addition be permitted to comment for up to five minutes after each other Member has spoken.

254. Putting the question – When the debate has concluded, the question shall be put on the amendments severally in such manner as the President shall specify. Any amendments carried shall be incorporated in the report; and the question for concurrence in the report shall thereupon be put.

255. Bill may be reprinted – A minister who is of the opinion that a bill he has introduced ought to be reprinted owing to the amendments made therein may, without notice, make a motion to that effect; and such motion shall be decided without debate.

2009.04.21

SECTION 6
PASSAGE

256. Debate on motion for passage – The debate on the motion for the passage of a bill shall be limited to the contents thereof, and no amendment to such motion shall be received.

Each Member may speak to this question for up to ten minutes: Provided that the minister or Member who introduced the bill and the leaders of the parliamentary groups, or their representatives, may speak thereto for up to one hour each.

The minister or Member who introduced the bill shall thereafter be permitted to speak for up to twenty minutes in reply.

257. Referral to committee of the whole – During the debate the Member who introduced the bill may, without notice, move that it be referred to a committee of the whole for the consideration of one or more amendments that he shall specify. The Member may briefly explain, and a representative of each parliamentary group may then briefly comment; but this motion shall not otherwise be debated.

The question on such motion, to which no amendment may be received, shall be put forthwith. The committee of the whole shall have power to consider only the amendment or amendments proposed.

2009.04.21

SECTION 7
EXCEPTIONAL LEGISLATIVE PROCEDURE

257.1. Introduction; when moved; allocation of time – Except as otherwise provided in Standing Order 251, the exceptional legislative procedure may be introduced with regard to any bill at any stage in its consideration. This procedure establishes limits on the time allotted for debate at each stage remaining to be completed in the consideration of the bill. The motion having been carried, the bill shall be debated during the number of hours specified below:

(1) five hours for the debate on passage in principle, including the debate on a motion to divide the bill, if there be any;

(2) five hours for clause-by-clause consideration in a committee of the whole;

(3) one hour for the report stage;

(4) one hour for the debate on the motion for the passage of the bill, subject to Standing Order 257.9.

The debate at any stage shall conclude when the number of hours specified shall have elapsed, or when all Members wishing to speak shall have been heard.

All of these stages may be taken during one and the same sitting.

2009.04.21

257.2. Motion to divide bill – If a motion to divide the bill is made during the debate on the passage in principle thereof, and if such motion is declared in order, the debate shall be on both the motion to divide and the principle of the bill.

If the motion to divide the bill is carried, the bills issuing from the original bill, as divided, shall again be placed on the Order Paper and Notices at the introduction stage.

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2009.04.21

257.3. Report from standing committee – When the bill is being considered clause by clause in a standing committee, the latter shall interrupt its proceedings thereon immediately the motion to introduce the exceptional legislative procedure is carried, and it shall have not more than one hour thereafter in which to lay its report upon the Table of the Assembly. The proceedings of the Assembly shall then be suspended until the expiry of this period. The report shall be laid upon the Table immediately the proceedings of the Assembly are resumed.

The report from the committee shall consist of the text of the bill at the stage it had reached when the committee interrupted its proceedings, together with the minutes of its proceedings with respect to the bill; and it shall state whether the committee has completed its consideration of the bill. When the clause-by-clause consideration of a bill has not been completed, it shall be resumed in a committee of the whole.

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2009.04.21

257.4. Clause-by-clause consideration in committee of the whole – The bill shall be considered clause by clause in a committee of the whole.

At the conclusion of the period provided for the committee stage of the bill the committee of the whole shall interrupt its proceedings and forthwith report to the Assembly.

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2009.04.21

257.5. Report from committee of the whole – The report from the committee of the whole shall consist of the text of the bill at the stage it had reached when the committee interrupted its proceedings; and it shall state whether the committee has completed its consideration of the bill.

2009.04.21

257.6. Amendments to report – Not later than one hour after the committee of the whole shall have reported to the Assembly every Member may hand in to the Secretary General a copy of any amendment or amendments he may wish to move thereto. No subamendment to any such amendment may be received.

The Secretary General shall immediately forward a copy thereof to the House leader of each parliamentary group and to every independent Member. The President shall decide whether such amendments are in order and shall select them so as to prevent repetition and overlapping.

The Assembly may enter upon the debate on the report of the committee of the whole not less than one hour thereafter.

2009.04.21

257.7. Amendments; putting the question – Upon the expiry of the debate each amendment shall be read from the Chair before the question is put thereon; and the voting on every question shall be by a show of hands.

The question shall next be put severally on the sections of the bill so amended, then on any sections that the committee may not have disposed of, and finally on all remaining elements of the bill; but the text thereof shall not be read from the Chair before each question is put; and the voting on every question shall be by a show of hands.

Any sections or other elements of the bill so carried, whether amended not, shall be incorporated in the report; and the question for concurrence in the report shall thereupon be put.

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2009.04.21

257.8. Amendments; putting the question; deferral – At the request of the Government House Leader the putting of the question on the amendments may be deferred until the Orders of the Day at a subsequent sitting. The question on any such amendments may be put not less than ten hours after the Secretary General shall have forwarded copies thereof as provided in the second paragraph of Standing Order 257.6.

The President shall convene the House leaders of the parliamentary groups in order to organize the putting of the question on such amendments as may have been proposed. Failing an agreement among the House leaders, the question on the amendments shall be put severally. The text thereof shall not be read from the Chair before each question is put; and the voting on every question shall be by a show of hands.

The question shall next be put on any sections so amended, then on those that the committee may not have disposed of, and finally on all remaining elements of the bill as provided in the second paragraph of this Standing Order.

Any sections or other elements of the bill so carried, whether amended or not, shall be incorporated in the report; and the question for concurrence in the report shall thereupon be put.

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2009.04.21

257.9. Passage; referral to committee of the whole – During the debate on the motion for passage of the bill the Member who introduced it may, without notice, move that it be referred to a committee of the whole for the consideration of one or more amendments that he shall specify. The question on this motion shall be put forthwith and decided without debate; and the vote thereon shall be by a show of hands. If the motion is carried, the debate on the motion for passage of the bill shall thereupon be suspended. The said amendment or amendments may be considered in a committee of the whole for a period that shall not exceed thirty minutes.

Each amendment shall be read from the Chair before the question is put thereon; and the voting on every question shall be by a show of hands. Upon the expiry of the period envisaged in the first paragraph of this Standing Order the question on any amendments not otherwise disposed of shall be put in a like manner.

The question on the report from the committee of the whole shall be put without debate; and the vote thereon shall be by a show of hands. The debate on the motion for passage of the bill shall thereupon resume.

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2009.04.21

257.10. Procedure – The general rules pertaining to bills, save Standing Order 240, shall apply to the exceptional legislative procedure insofar as they are not at variance with the motion to introduce an exceptional procedure.

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2009.04.21

CHAPTER II

BILL AMENDING TWO OR MORE ACTS

258. Bill within area of competence of more than one committee – The Government may introduce a bill whose sole object is to make minor, technical, corrective, or consequential amendments to statutes that fall within the area of competence of two or more committees.

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2009.04.21

259. Bill within area of competence of one committee – Any minister may introduce a bill whose sole object is to make minor, technical, corrective, or consequential amendments to statutes that fall within the area of competence of a single committee.

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2009.04.21

260. Principles – The principles of such bill shall be:

(1) any series of amendments proposed to be made to one or more statutes, where such series of amendments embodies but one principle;

(2) any series of amendments proposed to be made to a single statute that embodies but one principle;

(3) any series of amendments proposed to be made to one or more parts of a statute that embodies more than one principle, where every part thereof that such series of amendments proposes to amend embodies one and the same principle.

261. Committal of bill within area of competence of more than one committee – If such bill falls within the area of competence of two or more committees the Government House Leader may, after it has been passed in respect of its principles, move without notice to commit the bill for clause-by-clause consideration to a select committee, to a committee of the whole, or to such standing committee as he may designate.

If such motion proposes to appoint a select committee the Government House Leader and a representative of every parliamentary group in opposition may speak to this question for up to ten minutes each, and the Government House Leader may thereafter speak for up to five minutes in reply.

A minister shall be a member of the select or standing committee to which such bill is committed for as long as it shall examine the provisions thereof for which he has jurisdiction.

2009.04.21

262. Committal of bill within area of competence of one committee – If such bill falls within the area of competence of a single committee it shall, having once been passed in respect of its principles, be committed thereto for clause-by-clause consideration.

2009.04.21

CHAPTER III
APPROPRIATION BILLS

263. Introduction and passage – An appropriation bill shall require no explanatory notes.

Such bill shall be introduced without notice; and the question for the passage in principle and the final passage thereof may not be debated but shall be put forthwith on the same sitting day.

CHAPTER IV
PRIVATE BILLS

264. Notice and introduction – Any Member may, at the request of an interested person, introduce a bill relating to private or local matters.

He shall give notice of his intent not later than the day preceding that on which such bill is to be introduced and shall provide a copy thereof to the President before the sitting at which it is to be introduced.

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See R.C.P. 33

265. Report from Law Clerk – Before such bill is introduced, the President shall communicate to the Assembly the contents of the report from the Law Clerk thereon.

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See R.C.P. 33 to 39

266. Preamble – A private bill shall require no explanatory notes; but every such bill shall contain a preamble setting out the facts on which it is founded.

267. Referral to committee – When a private bill has been introduced the Government House Leader shall move, without notice, that it be referred to a committee; and such motion shall be decided without debate.

The committee shall hear the interested parties, examine the bill clause by clause, and report thereon to the Assembly. The question for concurrence in such report shall be put forthwith and decided without debate.

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See R.C.P. 40

268. Motions for passage in principle and passage – The passage in principle of the bill shall be set down for a future sitting day. No motion may be made to divide such bill or to defer its passage in principle.

A private bill when passed in principle shall not again be referred to a standing committee but may be passed during the same sitting day, and Standing Order 257 shall apply: Provided that the bill may not then be passed if opposition to its passage is taken by five Members.

269. Debate – During the debates on the passage in principle and the final passage of a private bill, each Member may speak for up to ten minutes: Provided that the Member sponsoring the bill and the leaders of the parliamentary groups may each speak for up to thirty minutes.

270. Procedure – Except as otherwise provided in this chapter of these Standing Orders, the general rules pertaining to bills shall apply to private bills.

TITLE IV
THE BUDGET

TITLE IV
THE BUDGET

271. Budget speech and comments – The Minister of Finance, when delivering the budget speech, may speak for up to two hours; and in concluding it he shall move, "That this Assembly approves the budgetary policy of the Government."

The Finance critic of each parliamentary group in opposition may thereupon comment for up to ten minutes.

272. Time limits on debate – The budget speech, the comments by the Finance critics of the parliamentary groups in opposition, and the ensuing debate shall not exceed twenty-five hours, fifteen of which shall take place in the Assembly and ten of which shall take place in the Committee on Public Finance. The Orders of the Day for the budget speech and for the debate thereon in the Assembly shall have precedence.

1998.10.21

273. Commencement of debate – On the second sitting day after the budget speech is delivered the representative of the Official Opposition shall commence the debate thereon. He may speak for up to two hours.

274. Members' speeches; want of confidence motions; grievances – Every Member may speak once in the debate on the budget speech, and in so doing he may discuss any and all matters. While speaking, he may move a motion stating a grievance or a want of confidence motion, which motion shall require no notice and may not be amended.

2009.04.21

275. Continuation of debate in committee – When all Members wishing to speak have been heard, or when thirteen hours and thirty minutes have elapsed since the Minister of Finance began the budget speech, the debate thereon shall be suspended in the Assembly, and it shall be resumed by the Committee on Public Finance not later than on the next sitting day. The Minister of Finance shall be a member of the said committee during its proceedings with respect to the budget speech.

1998.10.21

276. Resumption and conclusion of debate in Assembly – The chairman of the said committee shall report to the Assembly during the Routine Proceedings that next follow the conclusion of this debate in committee. Immediately the Orders of the Day for that sitting are called, the representative of the parliamentary group forming the Official Opposition shall resume the debate for up to thirty minutes. The Minister of Finance may then reply for up to one hour, and his reply shall close the debate.

277. Questions to be put – The debate having been concluded, the question shall be put on any motions stating a grievance, then on any want of confidence motions, and finally on the motion by the Minister of Finance.

2009.04.21

278. Supplementary statement – The Minister of Finance may make a supplementary statement on the budget.

The rules relating to the budget speech and to the ensuing debate shall apply: Provided that a supplementary statement on the budget and any debate thereon shall not exceed twelve hours and thirty minutes in all, and the speaking times allowed the Minister of Finance and the Finance critics of the parliamentary groups shall be reduced by half.

TITLE V
PARLIAMENTARY POWERS OF SURVEILLANCE AND SUPERVISION

CHAPTER I
FINANCIAL PROCEDURE

SECTION 1
SUPPLY

279. Consideration – The Assembly, in exercising its powers of surveillance and supervision over the Government and the public administration, shall examine the estimates of expenditure that the Government shall place before it each year for its authorization.

280. Interim supply – The Assembly may, before the first day of April, grant interim supply, being one quarter of the main estimates of expenditure considered as a unit.

The proceedings in respect of interim supply shall take place before a committee of the whole and shall have precedence. The discussion may relate to any or all of the main estimates; but it shall not exceed five hours, and at the end of such period the question shall be put for concurrence in one quarter of the estimates.

2009.04.21

281. Concurrence in report; referral of main estimates to committee – The chairman of the committee shall report the interim supply estimates to the Assembly; and the question for concurrence in such report and that for the passage of the consequent appropriation bill shall be put without debate.

On a motion that the Government House Leader shall thereupon move without notice and that may not be debated the main estimates of expenditure, save those for the National Assembly, shall be referred to the several standing committees for consideration.

282. Timetable for committee consideration – The committees shall consider the estimates of expenditure that fall within their areas of competence.

Such consideration shall begin not less than fifteen days after the estimates have been laid upon the Table of the Assembly and shall continue for ten consecutive sitting days, from Monday to Friday, at the hours when committees may meet pursuant to the provisions for extended hours of meeting.

During this period the Assembly shall take only the Routine Proceedings.

2009.04.21

283. Duration of committee consideration – The time allowed for considering the main estimates of expenditure in committee shall not exceed two hundred hours; that allowed for the estimates of any one government department shall not exceed twenty hours.

2009.04.21

284. Members' speaking times – The speaking time available to each committee member shall apply to every program element and may be taken in one or more speeches.

2009.04.21

285. Organization – The President shall hold a conference with the House leaders of the parliamentary groups in order to specify how the consideration of the estimates of expenditure is to be proceeded with.

286. Organization (continued) – If two hundred hours have not elapsed at the end of the ten sitting days allotted therefor, the committees shall, as necessary, conclude their deliberations in the ensuing days, and the same rules shall apply. The consideration of the estimates for the government departments having once been completed, a meeting of the committee of the whole shall be held to consider those for the National Assembly, and this matter shall have precedence.

2009.04.21

287. When President or minister may speak – The President and any minister called upon to defend his estimates before a committee shall be permitted to speak as often as they like.

288. Concurrence in supply – When the committees have carried all the estimates, or when the time allotted for this purpose has expired, the several reports on these proceedings shall together be laid upon the Table at one and the same sitting.

The said reports shall be discussed on the next sitting day thereafter in a limited debate during which no amendment shall be received unless it be moved by a minister for the purpose of reinstating some estimate or estimates reduced or negatived in committee. The debate having been concluded, the question shall be put on any amendment so moved, then for concurrence in the several reports together, be they amended or not, and finally on the consequent appropriation bill: Provided that the Assembly shall first have disposed of the motions envisaged in Standing Order 277.

1991.11.21; 2009.04.21

289. Supplementary estimates – When any supplementary estimates of expenditure have been laid upon the Table of the Assembly, the Government House Leader shall move without notice that they be referred for consideration to a committee of the whole; and such motion shall be decided without debate.

2009.04.21

290. Consideration in committee of the whole – At the opening of proceedings in committee of the whole, a representative of each parliamentary group may speak for up to twenty minutes, and the representative of the Government may speak for up to twenty minutes in reply.

291. Time limit on consideration; putting the question – The proceedings with respect to these estimates in committee shall not exceed eight hours. Upon the expiry of this period, the committee shall report to the Assembly; and the question for concurrence in this report and that for the passage of the consequent appropriation bill shall be put without debate.

SECTION 2
BUDGETARY POLICY

292. Examination in committee – The Committee on Public Finance shall devote one meeting in each fiscal quarter to an examination of the Government's budgetary policy and the evolving state of the public finances.

Any meeting held by the said committee to resume the debate on the budget speech shall be deemed a quarterly meeting for the purposes of this Standing Order.

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1998.10.21

SECTION 3
FINANCIAL COMMITMENTS

293. (*Repealed*).

1998.10.21

CHAPTER II
ACCOUNTABILITY

293.1. Accountability of government departments and public bodies – Pursuant to the *Public Administration Act*, every sectorial committee shall, within its area of competence, hear each minister who deems it expedient to be so heard and each deputy minister or chief executive officer of a public body, as the case may be, at least once every four years to discuss their administrative management.

During the execution of any order regarding the accountability of some public body pursuant to the first paragraph of this Standing Order the committee shall likewise examine that body's policy directions and activities.

Public bodies shall be selected for examination as provided in Standing Order 149. Failing agreement thereon, the Committee on the National Assembly shall designate the departments and the bodies that are to be heard.

2009.04.21

294. Examination in committee – Every committee shall examine each year the policy directions, activities, and management of at least one public body that is subject to its power of surveillance.

A public body is a body to which the National Assembly, the Government or a minister appoints the majority of the members, to which, by law, the personnel is appointed in accordance with the *Public Service Act* (CQLR, chapter F-3.1.1), or whose capital forms part of the domain of the State.

Public bodies shall be selected for examination as provided in Standing Order 149. Failing agreement thereon, the Committee on the National Assembly shall designate the bodies that are to be heard.

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2009.04.21; 2011.10.04

CHAPTER II.I

OFFICERS OF THE NATIONAL ASSEMBLY

294.1. Hearings in committee – The Committee on Institutions shall hear annually the Chief Electoral Officer and the Public Protector.

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1998.10.21

CHAPTER III
INTERPELLATIONS

295. **Requests** – Every Member sitting in opposition may interpellate a minister on a matter of general interest for which he is officially responsible.

296. **Notice** – Notice of an interpellation shall be published in the Order Paper and Notices not later than on the last sitting day of the week. Such notice shall state the subject to be discussed and name the minister concerned.

297. **Subject to be chosen** – If notice is given of two or more interpellations, the President shall decide which of them is to be proceeded with: Provided that in so doing he shall have regard to the sequence in which the notices were given, their allocation among the parliamentary groups, and the presence of independent Members. He shall announce to the Assembly the subject matter of the interpellation so chosen on the last sitting day of the week, at the time set aside during the Routine Proceedings for Information on the Proceedings of the Assembly.

298. **Time** – The interpellation shall be held the following week at a meeting of the appropriate committee, on Friday morning from 10.00 o'clock a.m. to 12.00 o'clock noon, in such place as the President may designate.

299. **Number** – One interpellation may be held in each week during the periods in which the Assembly may ordinarily meet: Provided that no interpellation may be held during any period in which the Assembly shall have extended hours of meeting or while the Assembly stands adjourned for more than five days.

1998.10.21

300. Order of speaking – The Member who gave notice of the interpellation shall be the first to speak therein, and he shall be followed by the minister. Each may speak for up to ten minutes.

301. Time limits on speeches; alternation – The members of the committee may thereafter speak for up to five minutes at a time, and there shall be alternation between those from the parliamentary group forming the Government and those sitting in opposition. The minister shall be permitted to comment after each Member in opposition has spoken.

2009.04.21

302. Time limits on speeches; conclusion of proceedings – Twenty minutes before the committee is to rise, the chairman shall allow the minister to conclude for up to ten minutes and the interpellant to speak for the same period in reply.

2009.04.21

303. Special rules – When an interpellation is held, no motion may be moved, nor shall any report thereof be made or any vote be taken; and the want of a quorum may not be noticed.

CHAPTER IV
CONFIDENCE OF THE ASSEMBLY IN THE GOVERNMENT

303.1. Confidence of the Assembly in the Government: how raised – The confidence of the Assembly in the Government may be raised only by means of a vote on:

(1) a want of confidence motion;

(2) a motion by the Prime Minister, "That this Assembly approve the general policy of the Government";

(3) a motion by the Minister of Finance, "That this Assembly approve the budgetary policy of the Government";

(4) a motion for the passage of an appropriation bill introduced pursuant to Standing Order 288; or

(5) any other motion that the Prime Minister, or his representative, shall have expressly declared a question of confidence in the Government.

2009.04.21

304. Want of confidence motions; number – Members sitting in opposition may move seven want of confidence motions during any session; and the said motions shall comprise those they are entitled to move during the debate on the opening speech of the session and during that on the budget speech.

2009.04.21

304.1. Purpose – A want of confidence motion shall state that the Assembly withdraws its confidence in the Government.

2009.04.21

305. Allocation – The President shall allocate such want of confidence motions among the parliamentary groups in opposition; and in so doing he must have regard to the presence of independent Members.

306. Notice; precedence; how disposed of – Except as otherwise provided, one clear day's notice shall be given of a want of confidence motion, and the debate on such motion shall have precedence. It must be held within a single sitting day and shall conclude one quarter hour before the Assembly is to rise, whereupon the question on the motion shall be put:

Provided that during any period when the Assembly may meet during extended hours the debate on a want of confidence motion shall conclude three hours after the time appointed in these Standing Orders for the Assembly to meet.

_____
2009.04.21

306.1. Amendments – No amendment to a want of confidence motion may be received.

_____
2009.04.21

307. (*Repealed*).

_____
1998.10.21; 2009.04.21

CHAPTER V
DEBATES UPON ADJOURNMENT

308. Request; notice to President – Any Member who is of the opinion that a matter he has raised during oral question period has not been sufficiently discussed may debate it further upon adjournment.

He shall give notice to the President, not later than thirty minutes after the conclusion of oral question period, of the matter he wishes to debate.

_____
1998.10.21; 2009.04.21

309. Announcement; when held – The President shall announce to the Assembly at the earliest opportunity any matter or matters that are to be debated upon the adjournment of a Tuesday or Thursday sitting. Such debates shall be held at 6.00 o'clock p.m., and the suspension or the rising of the Assembly shall be accordingly delayed.

_____
1998.10.21; 2009.04.21

310. Time limits on speeches – The Member raising the matter and the minister responding thereto may each speak for up to five minutes.

The Member may thereafter speak for up to two minutes in reply.

311. Order of debates – When more than one Member has requested a debate upon adjournment, the President shall decide the order in which such matters are to be raised: Provided that in so doing he shall have regard to the sequence in which the notices were received, the urgency of the matters raised, rotation among the parliamentary groups, and the presence of independent Members.

312. Number of debates – Not more than three debates may be held upon adjournment on any sitting day. The want of a quorum may not be noticed.

There shall be no debates upon adjournment during any period in which the Assembly shall have extended hours of meeting.

_____
1998.10.21

CHAPTER VI
WRITTEN QUESTIONS

313. To be placed on Order Paper – Questions on matters that are not sufficiently urgent or important to justify an immediate answer, or that are of such a nature as to require research, shall be placed on the Order Paper and Notices.

Replies to written questions shall be tabled at the time set aside for this purpose during the Routine Proceedings.

314. Procedure – Except as otherwise provided, the Standing Orders pertaining to oral questions shall apply to written questions.

TITLE VI
THE PRIVILEGES OF PARLIAMENT AND THE CONDUCT OF ITS MEMBERS

CHAPTER I
THE CONDUCT OF MEMBERS OF PARLIAMENT

315. **Motions** – Any Member of Parliament who wishes to impugn the conduct of some other Member acting in that capacity shall make a motion for this purpose.

316. **Grounds** – A Member may, by means of such motion:

(1) (*Repealed*);

(2) complain that some other Member has breached the privileges of the Assembly or one of its members;

(3) impugn an act, not being a situation envisaged in paragraph (2) of this Standing Order or in the *Code of ethics and conduct of the Members of the National Assembly*, accomplished by a Member of Parliament in the course of his duties.

2011.10.04

317. **Announcement of motion** – When it is complained that some Member has breached the privileges of the Assembly or one of its members, the Member so complaining shall first raise a question of privilege and then announce that he intends to move a motion impugning this conduct.

2011.10.04

318. **Contents of motion** – The motion shall contain an explicit but temperate statement of the complaint and of the facts adduced to substantiate it. It shall propose in conclusion that the Assembly rule on the alleged offence by voting on a report from the Committee on the National Assembly, which shall previously have inquired into the matter without special reference. Such motion may be neither amended nor divided.

319. Committee on the National Assembly – The mover of the motion and the Member whose conduct is impugned may speak to this question for up to twenty minutes each. The President shall then convene the Committee on the National Assembly for its inquiry into the matter.

In reporting to the Assembly the committee may, in addition to its conclusions respecting such matter, make recommendations.

320. Ruling by Assembly – The Assembly shall dispose of the committee's report not later than fifteen days after it shall have been laid upon the Table; but the Assembly may not amend such report with respect to its conclusions.

321. Penalty – If the complaint is found to be substantiated the Assembly shall determine the penalty that is to be imposed; and in so doing it shall have regard to the recommendations of the committee, if there be any.

322. Unsubstantiated complaint – Every Member who makes an unsubstantiated complaint against another may be found to have breached the privileges of the Assembly or one of its members. When ruling on the committee's report the Assembly may impose such penalty as it shall deem appropriate.

323. Committee on the National Assembly not convened – When complaint is made of an act accomplished by a Member of Parliament in the course of his duties, not being a breach of the privileges of the Assembly or one of its members or a situation envisaged in the *Code of ethics and conduct of the Members of the National Assembly*, the Assembly may dispose of the motion to that effect without the Committee on the National Assembly's first having been convened.

Such motion may be neither amended nor divided.

2011.10.04

CHAPTER II
THE CONDUCT OF PERSONS OTHER THAN MEMBERS OF PARLIAMENT

324. Question of privilege and notice of motion – Any Member who believes that a person who is not a Member of Parliament has breached the privileges of the Assembly or one of its members may move a motion impugning his conduct.

The Member so complaining shall first raise a question of privilege and then announce that he intends to move a motion respecting the matter.

325. Ruling by Assembly – The Assembly shall dispose of this motion: Provided that the Committee on the National Assembly may first be convened for an inquiry into the matter.

Such motion may be neither amended nor divided.

326. Penalty – If the complaint is found to be substantiated the person whose conduct is impugned shall be liable to such penalty as the Assembly may determine; and in determining such penalty the Assembly shall have regard to the recommendations of the committee, if there be any.

327. Procedure – The rules pertaining to inquiries into the conduct of a Member of Parliament shall apply.

RULES FOR THE CONDUCT OF PROCEEDINGS IN THE NATIONAL ASSEMBLY

HISTORICAL SUMMARY

The Rules for the Conduct of Proceedings were adopted by the National Assembly on 13 March 1984, on a provisional basis. On 16 April 1985, they entered into force on a permanent basis.

Permanent amendments were made to the Rules on 4 June 1987, on 20 June and 18 December 1991, and on 21 October 1998.

On 21 April 2009, after a major parliamentary reform, the Rules were further amended on a permanent basis.

On 30 November 2022, the Rules were again amended on a permanent basis.

Temporary amendments were also made to the Rules for the duration of the 38th, 40th, 41st, 42nd and 43rd Legislatures. These amendments are no longer in effect.

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CHAPTER 0.I
ELECTION OF THE PRESIDENT

0.1. List of candidates; forwarding – As soon as the period envisaged in Standing Order 7 for the declaration of candidacies has expired, the Secretary General shall prepare an alphabetical list, by surname, of the candidates for the office of President and shall forward such list to the Members of the Assembly not later than at 4.00 o'clock p.m. the same day.

_____
2009.04.21
See S.O. 7 and 7.1

0.2. List of candidates; distribution – Before any meeting held for the purpose of electing a new President is called to order, the Secretary General shall cause the list of candidates to be placed upon the Members' desks in the Assembly Chamber. He shall likewise make the said list available to the Members in each voting booth.

_____
2009.04.21
See S.O. 7.1 and 8.8

0.3. Communicating the list of candidates – The Presiding Officer shall, before each ballot, communicate orally to the Assembly the names of the candidates for the office of President; and in so doing he shall indicate the name of any Member who may have withdrawn his candidacy.

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2009.04.21
See S.O. 7.1 and 8.11

0.4. Voting booths – Two booths shall be provided for voting, one on the west side of the Assembly Chamber and the other on the east side.

_____
2009.04.21
See S.O. 8.3

0.5. **Voting procedure** – When any ballot is to be taken, the Members having occupied their assigned places, the Prime Minister, the Leader of the Official Opposition, and the leaders of any other parliamentary groups shall be called, each in turn, to cast their ballots. The Members shall thereafter be called two by two to cast their ballots, as follows: First shall be called a Member who occupies a place on the west side of the Assembly Chamber, and next shall be called a Member who occupies a place on the east side of the Chamber.

Subject to the first paragraph of this Rule, the Members shall be called to cast their ballots in the same order as in a recorded division; and the Presiding Officer shall be the last to vote.

_____
2009.04.21
See S.O. 8.3

0.6. **Urn** – The Members shall deposit their ballot papers in an urn placed upon the Table of the Assembly for that purpose.

_____
2009.04.21
See S.O. 8.3

0.7. **Communicating the result** – Upon the resumption of the proceedings after the ballots have been counted, the Secretary General shall inform the Presiding Officer whether some candidate has received the requisite number of votes.

_____
2009.04.21
See S.O. 8.6

0.8. **Subsequent ballot** – If no candidate has received the requisite number of votes, the Presiding Officer shall thereupon suspend the proceedings in order to allow the subsequent ballot to be prepared.

During such suspension the Secretary General shall cause a new list of candidates to be placed upon the Members' desks in the Assembly Chamber.

_____
2009.04.21
See S.O. 8.7 to 8.9

CHAPTER I
PARLIAMENTARY COMMITTEES

SECTION 1
GENERAL RULES

1. **Travel** – Every committee or steering committee that wishes to travel or to meet in a place other than the precincts of the National Assembly shall submit to the Committee on the National Assembly a written request in which it shall state the reason for such travel and provide an estimate of any costs that are to be incurred thereby.

Whenever the Committee on the National Assembly approves such a request and the costs thereby incurred exceed the budgetary envelope authorized by the Office of the National Assembly for committee expenses, the Office shall authorize an additional budgetary envelope in an amount equivalent to the cost overrun.

At the conclusion of its proceedings the committee or steering committee shall submit to the Committee on the National Assembly an account of its activities and expenditures.

_____
1991.12.18; 2009.04.21
See S.O. 116 (3)

1.1. **Members designated for a particular matter** – The Whip of each parliamentary group, or his representative, shall notify the clerk of the Committee on Public Administration of the Members he has designated to serve on this committee for the duration of the proceedings with respect to some particular matter.

1.2. Members designated for a single meeting – The Whip of each parliamentary group, or his representative, shall notify the clerk of the Committee on Public Administration of the members he has designated to serve on this committee for a single meeting.

The clerk shall inform the committee of the Members so designated as soon as each meeting is called to order.

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1998.10.21
See S.O. 117.2

2. Temporary substitutions – The Whip of each parliamentary group, or his representative, shall notify the clerk of a committee of every temporary substitution that is to be made in the membership of that committee; and the clerk shall inform the committee thereof as soon as its first meeting is called to order.

_____
See S.O. 130

3. Announcement of substitutions – When a committee is to consider any matter referred to it by the Assembly, the clerk shall, as soon as each meeting is called to order, announce any substitutions that the whips or their representatives may have indicated to him.

_____
See S.O. 131

4. Steering committees – A committee shall, at the request of its chairman, establish a steering committee consisting of its chairman, its vice-chairman, and its clerk.

The steering committee shall prepare and submit to the full committee a plan of the latter's proceedings. The steering committee shall also, between meetings of the full committee, take any decisions it may deem necessary.

4.1. Steering committee of the CNA; duties – There shall be a steering committee of the Committee on the National Assembly, which shall consist of the President of the National Assembly, the House leaders of the parliamentary groups, and the clerk of the committee.

Between meetings of the Committee on the National Assembly the said steering committee shall:

(a) authorize committees or steering committees to travel or to meet in a place other than the precincts of the National Assembly;

(b) receive accounts from committees and steering committees respecting their travel;

(c) approve the establishment of joint committees or subcommittees and appoint their co-chairmen;

(d) fill vacancies and make permanent substitutions in committee memberships when the Assembly stands prorogued or adjourned for more than five days;

(e) approve changes to the list of temporary chairmen;

(f) adjust the budgetary envelope of the committees out of the budgetary reserve of the Committee on the National Assembly;

(g) determine whether it is expedient to televise the proceedings of committees;

(h) designate, on behalf of the Committee on the National Assembly, the committee to which any matter that is to be examined in pursuance of statutory provisions shall be referred;

(i) coordinate, in respect of calendars, timetables, meeting rooms, and resources, the proceedings of any committees that are to consider matters not having precedence, and plan the proceedings of the Committee on the National Assembly;

(j) decide whether it is expedient for the Committee on the National Assembly to hear, before he is appointed, any person whom it is the responsibility of the Assembly to appoint, and determine how such hearing is to be organized.

_____
1991.06.20; 1991.12.18; 1998.10.21; 2009.04.21
See S.O. 116

4.2. Meetings of steering committee of CNA – The President of the National Assembly shall establish the order of business for meetings of the steering committee.

The steering committee may meet by telephone.

_____
1991.06.20

4.3. Duties of clerk of CNA – The clerk of the Committee on the National Assembly shall participate ex officio in the meetings of the steering committee. He shall receive any requests, maintain contact with the members of the steering committee, and communicate its decisions to all members of the full committee.

_____
1991.06.20

4.4. Reports from steering committee of CNA – The steering committee shall report to the Committee on the National Assembly at the earliest opportunity.

_____
1991.06.20; 2009.04.21

5. Places to be occupied – The vice-chairman and the clerk shall be seated at the committee table on either side of the chairman.

The temporary chairman shall be seated between the chairman and the vice-chairman.

See S.O. 138

6. Unavoidable absence of chairman and vice-chairman – Whenever the chairman and the vice-chairman are absent or unable to act, the chair of a committee may be taken by some other member thereof.

See S.O. 141

7. Committee clerks – The clerk shall be selected from among the staff of the Committee Secretariat Directorate. He shall perform his duties under the authority of the chairman of the committee and under the administrative supervision of the director of the Committee Secretariat.

7.1. Duties – It shall be the duty of the clerk, in particular, to:

(1) assist the President of the Assembly or the chairman of the committee whenever an election is to be held within his committee;

(2) prepare the committee's order of business, keep its minutes, and arrange for the drafting of its reports;

(3) give such notices as may be required by the Standing Orders and by these Rules, notify members when the committee is to meet, invite persons and bodies to appear before it, and summon witnesses;

(4) receive and keep custody of such submissions and other papers as may be tabled before the committee or placed at its disposal;

(5) attend to the committee's correspondence, certify and distribute its official papers, and communicate its decisions to those whom they may concern;

(6) administer oaths to witnesses or receive their solemn affirmations;

(7) advise the committee and its chairman, in collaboration with the Parliamentary Law Counsel Directorate, on questions of parliamentary procedure;

(8) coordinate the efforts of such expert, research, and support staff as may be in the committee's service;

(9) take all such measures as may be necessary to ensure the orderly operation of the committee, including its travel;

(10) in general, carry out such orders as the committee may, from time to time, give him.

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See S.O. 142

8. Orders of initiative – Whenever a committee has carried a motion envisaged in Standing Order 149, the clerk shall forward to the President and to the House leaders of the parliamentary groups an excerpt from the committee's minutes containing the text of such motion and the results of the vote thereon.

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See S.O. 149

8.1. Accountability; notice – Whenever the Committee on Public Administration shall adopt an order envisaged in subparagraph (3.1) of the first paragraph of Standing Order 117.6, it shall so notify the appropriate sectorial committee.

The sectorial committee shall have ten days in which to advise the Committee on Public Administration of its intention to execute the said order. If the sectorial committee chooses not to execute such order, or if upon the expiry of the period of ten days it shall have failed to respond, the Committee on Public Administration may execute the order.

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2009.04.21
See S.O. 117.6

9. Membership of subcommittees – A committee shall determine the membership of any subcommittee and appoint its chairman; but no motion to that effect shall be deemed carried unless a majority of the members from each parliamentary group shall have voted in its favour.

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See S.O. 150

9.1. Clerk – The clerk of the committee may act, ex officio, as clerk of a subcommittee.

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See S.O. 150

9.2. Temporary chairman – A temporary chairman shall preside over the deliberations of any subcommittee that is to meet in pursuance of an order of reference as provided under Standing Order 139.

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See S.O. 139 and 150

10. Co-chairmen of joint committees – The Committee on the National Assembly shall appoint the co-chairmen of any joint committee or joint subcommittee.

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See S.O. 153

11. Member absent when question put – No Member shall be entitled to vote unless he was present when the question was put.

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See S.O. 157

12. Meeting held in camera; clerk – The clerk shall participate ex officio in any meeting his committee may hold in camera.

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See S.O. 160

13. Meeting held in camera; secrecy of evidence and papers – Any evidence a committee may hear or papers it may receive while meeting in camera may be disclosed, whether wholly or in part, only upon a motion carried by the members of such committee without any dissentient voice, which motion must be accompanied by the written consent of the concerned parties.

The terms of such motion and of such written consent shall be public.

_____
See S.O. 160

14. Recording of debates – Any committee whose proceedings are not required to be recorded in the *Journal des débats* shall, in order to request that they be so recorded, obtain the assent of the majority of its members.

The President of the National Assembly shall decide each such request.

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See S.O. 161

15. Hearings requested by ministers – A minister who wishes to speak to a matter that is under consideration by a committee shall so advise the committee in writing.

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See S.O. 163

16. Minutes – The clerk of a committee shall sign, and its chairman shall countersign, the minutes of the committee's proceedings.

Every report from a committee shall become public immediately it is laid upon the Table of the Assembly.

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See S.O. 177

16.1. Certification of bill – The chairman or the clerk of a committee that considers any bill clause by clause shall sign with his initials, as soon as they are carried, every clause and schedule of the bill as well as its preamble, headings, and title, and likewise every amendment that the committee may make thereto.

The chairman who adjourns the proceedings of a committee that has completed its clause-by-clause consideration of a bill shall certify to the committee's concurrence in such bill by signing it, at the end thereof, with his name at length.

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1987.06.04
See S.O. 244

SECTION 2
VIDEO CONFERENCING

16.2. Video conference – Any witness may ask to be heard by video conference.

The committee shall decide upon such request, and in so doing it shall have regard, in particular, to the following criteria:

(1) the impossibility for the witness to travel or to be represented by some other person;

(2) the contribution of the testimony to the proceedings of the committee;

(3) the availability of the requisite equipment at the Assembly;

(4) the committee's business calendar.

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2009.04.21
See S.O. 168 and 172

16.3. Video conference; costs – Any and all costs related to the use by a witness of video conferencing equipment outside the precincts of the Assembly shall be assumed by the witness:

Provided that the committee shall assume any costs incurred by reason of the delay, the prolongation, the postponement, or the cancellation of a hearing by the committee.

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2009.04.21
See S.O. 168 and 172

CHAPTER II

EXAMINATION OF THE FINANCIAL COMMITMENTS

17. Financial commitments to be examined – The Committee on Public Administration shall examine all financial commitments equal to or exceeding $25,000 that the Conseil du trésor, the Conseil exécutif, or any government department has authorized within a financial management system.

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1998.10.21
See S.O. 117.6

18. Commitments not to be examined – The said committee shall not have power to examine the following:

(1) indemnities paid in respect of expropriations;

(2) expenditures of a confidential nature made for the collection of taxes and for national security;

(3) expenditures inherent in the conveyance of securities and cash and in the protection of government property where the public interest is at stake;

(4) expenditures relating to studies and inquiries undertaken to increase the efficacy of the administration where the public interest is at stake; and

(5) expenditures relating to the appointment, remuneration, interchange, and pensioning of public servants and government employees.

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1998.10.21
See S.O. 117.6

19. Categories of approvals to be excluded – The following categories of approvals shall likewise be excluded from the examination of the financial commitments by the said committee:

(1) transfers of appropriations;

(2) loans from the contingency fund;

(3) loan guarantees;

(4) a priori approvals.

_____
1998.10.21
See S.O. 117.6

20. Examination in depth – The said committee shall have power to select, in a deliberative meeting, such financial commitments as it may wish to examine in depth in the presence of a minister during a meeting held for this purpose.

In particular, it may choose to examine in depth the financial commitments relating to some particular month or government department.

Any financial commitments that the committee may choose not to examine in depth shall be deemed to have been examined.

_____
1998.10.21
See S.O. 117.6

21. Organization – During a deliberative meeting the said committee may determine:

(1) the number of meetings it wishes to devote to the examination of financial commitments;

(2) the order in which it wishes to examine these commitments;

(3) the financial commitments it wishes to examine in depth in the presence of a minister;

(4) the time it wishes to allot to the examination of the financial commitments envisaged in subparagraph (3) of this rule and the manner in which such time is to be allocated;

(5) the minister in whose presence it wishes to examine in depth certain financial commitments;

(6) the order of business for any such meeting:

Provided that no motion to the above effect shall be deemed carried unless a majority of the members from each parliamentary group shall have voted in its favour.

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1998.10.21
See S.O. 117.6

22. List of commitments to be provided – The Secretary of the Conseil du trésor shall, on the fifteenth day of every month, forward to the clerk of the said committee the list of the financial commitments.

_____
1998.10.21
See S.O. 117.6

23. Notice of convocation – The committee clerk shall, not less than fifteen days before the committee is to hold a meeting to examine financial commitments, forward to the committee members as well as to the House leaders, the whips, and the research services of the parliamentary groups the notice of convocation, the order of business for the meeting, and the financial commitments to be examined. He shall also forward a copy of the notice of convocation to the chairmen of the other committees.

By leave of the committee, without any dissentient voice, the notice of convocation, the order of business, and the financial commitments may be forwarded to the interested parties upon shorter notice.

_____
1998.10.21
See S.O. 117.6

24. Summoning of ministers – When the said committee wishes to examine financial commitments in depth in the presence of some minister but cannot so notify him fifteen days before his presence is required, he may forgo the fifteen days' notice to which he is entitled under Standing Order 164.

_____
1998.10.21
See S.O. 117.6 and 164

25. Substitutions for ministers – A minister who is unable to attend a meeting for the examination of financial commitments may ask another minister who is a member of the Conseil du trésor to do so in his stead.

_____
1998.10.21
See S.O. 117.6

26. Answers to requests for information – A minister shall have fifteen days in which to provide any information requested by the members of the said committee during the examination of financial commitments.

He shall send his replies to the clerk of the committee, who shall forward copies thereof to all committee members and to the research services of the parliamentary groups.

_____
1998.10.21
See S.O. 117.6

27. **Production of papers** – Any request for information made by a member of the said committee may give rise to the production of papers, unless the minister is of the opinion that to produce such papers would be injurious to the public interest.

_____
1998.10.21
See S.O. 117.6

28. **Supplementary information and papers** – Any member of the said committee may, during a meeting for the examination of financial commitments, ask that a minister provide supplementary information or papers relating to a financial commitment examined at an earlier such meeting.

_____
1998.10.21
See S.O. 117.6

29. **Deferral of examination** – The said committee may defer to a future meeting day the consideration of any financial commitments whose examination has not been concluded: Provided that no motion to that effect shall be deemed carried unless a majority of the members from each parliamentary group shall have voted in its favour.

_____
1998.10.21
See S.O. 117.6

30. **Speaking time** – During the examination of financial commitments every member of the said committee may speak as often as he likes but in any case for not longer than twenty minutes.

The said speaking time shall apply to each financial commitment that the chairman shall call during a meeting to examine financial commitments.

_____
1998.10.21
See S.O. 117.6

31. Report on examination to be tabled – The said committee, having concluded the examination of the financial commitments, shall lay upon the Table of the Assembly a report thereon.

Such report shall consist of the minutes of the committee's deliberative meetings and of its meetings for the examination of financial commitments; and it may contain such observations, conclusions, and recommendations as the committee may wish to make to the Assembly.

_____
1998.10.21
See S.O. 117.6

CHAPTER III
PRIVATE BILLS

32. Objects – A bill relating to private or local matters must be introduced by a Member of the Assembly.

33. Deposit with Law Clerk – A Member who sponsors a bill relating to private or local matters shall deposit such bill with the Law Clerk.

The said Member shall not be answerable for the contents of the bill, nor shall he be required to endorse anything that may be provided therein.

_____
See S.O. 264 and 265

34. Documents to be provided – Such bill shall be accompanied by a notice stating the name of the Member who is to introduce it and by a copy of every document mentioned therein and of every other document that may be pertinent thereto.

Any bill relating to a municipal corporation governed by the *Cities and Towns Act*, the *Québec Municipal Code*, or a special charter shall likewise be accompanied by a certified true copy of the resolution authorizing its introduction.

_____
See S.O. 265

35. Introduction and passage during same sessional period – No bill deposited with the Law Clerk during a sessional period envisaged in Standing Order 19 may be passed within that same period.

_____
2009.04.21
See S.O. 265

36. **Notice in *Gazette officielle du Québec*** – The applicant for a private bill shall cause to be published in the *Gazette officielle du Québec*, over his signature, a notice entitled "Avis de présentation d'un projet de loi d'intérêt privé".

Such notice shall specify the objects of the bill and state that any party whose interest may be affected by it and who wishes to make submissions with respect thereto must so advise the Law Clerk.

_____
See S.O. 265

37. **Notices in newspaper** – The said notice shall likewise be published in a newspaper in the judicial district wherein the applicant is domiciled; and if there be no newspaper in that district, it shall be published in a newspaper in the nearest district thereto.

Such notice shall be published once in each week for four weeks.

A copy of this notice shall accompany the bill upon its deposit with the Law Clerk.

_____
See S.O. 265

38. **Reports from Law Clerk** – The Law Clerk shall submit to the President of the Assembly a report stating whether such notice has been drafted and published in accordance with these Rules.

The President shall forward a copy of this report to the Government House Leader and to the Member sponsoring the bill.

_____
See S.O. 265

39. Private bills register – The Law Clerk shall keep a register in which he shall enter the name, the occupation, and the place of residence of the applicant for a private bill and those of every party who has advised him that his interest is affected by such bill and that he wishes to make submissions with respect thereto.

The Law Clerk shall provide to the Government House Leader and to the Member who is to introduce such bill a list of the parties who have advised him of their wish to make submissions with respect thereto.

_____
See S.O. 265

40. Notices to interested parties – The director of the Committee Secretariat shall convene the interested parties not less than seven days before such bill is to be considered in committee.

_____
See S.O. 267

41. Annual publication of rules – The Law Clerk shall publish in the *Gazette officielle du Québec*, in January of each year, the rules pertaining to private bills, together with Title III, Chapter IV, of the Standing Orders of the National Assembly.

CHAPTER IV
PETITIONS

SECTION 1
RECEIVABILITY AND COMPLIANCE

42. Grounds for refusal of petition; non-receivability – The President shall decline to allow any petition to be presented in the Assembly that is out of order on one of the following grounds:

(1) the petition exceeds 250 words;

(2) the petition contravenes the provisions of Standing Order 35;

(3) the petition is printed on sheets of paper that are not of the usual size;

(4) the petition, being in electronic form, was not initiated and signed on the Assembly's website.

_____
2009.04.21
See S.O. 63 and 63.1

43. Grounds for refusal of petition; non-compliance; leave – The President shall decline to allow any petition to be presented in the Assembly that is non-compliant, in particular, on one of the following grounds:

(1) the petition does not ask for the redress of some present grievance that lies within the competence of the State;

(2) the petition, submitted on paper, is not a handwritten or typewritten original;

(3) the petition, submitted on paper, does not contain the signatures of all the petitioners;

(4) the intervention sought does not appear on every sheet of a petition, submitted on paper, that bears signatures:

Provided that a Member may present such petition by leave of the President and that of the Assembly without any dissentient voice.

_____
2009.04.21
See S.O. 63 and 63.1

SECTION 2
ELECTRONIC PETITIONS

44. Acceptance by Member; notice; period for collecting signatures – A Member who agrees to present a petition in electronic form shall hand in to the Secretary General a notice stating the period of time during which the said petition may be signed.

Such period may vary from one week to three months.

During this period no other petition having the same object may be initiated.

_____
2009.04.21
See S.O. 63, 63.1, and 64

45. Receivability; time limit for ruling by President – Within seven days of the receipt of such notice by the Secretary General the President shall rule on whether the petition is receivable and compliant.

_____
2009.04.21
See S.O. 63 and 63.1

46. Time limit for presentation – Subject to the second paragraph of Standing Order 64, a Member shall present a petition in electronic form not later than on the third sitting day that follows the conclusion of the period envisaged in Rule 44 in the present section.

_____
2009.04.21
See S.O. 67

CHAPTER V
GENERAL PROVISIONS

47. Digital tabling of documents – All documents must be tabled digitally.

_____
2022.11.30

ACTS PERTAINING TO THE PROCEDURE OF THE NATIONAL ASSEMBLY

EDITOR'S NOTE

The following administrative compilation has no official value and is not intended to be exhaustive. For the purposes of interpreting or applying the law, one ought to refer to the authentic texts.

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CONSTITUTION ACT,
1867
(EXTRACTS)

CONSTITUTION ACT, 1867 (Extracts)

30 & 31 Victoria, c. 3 (U.K.)

Voting in House of Commons

49. Questions arising in the House of Commons shall be decided by a Majority of Voices other than that of the Speaker, and when the Voices are equal, but not otherwise, the Speaker shall have a Vote.

Recommendation of Money Votes

54. It shall not be lawful for the House of Commons to adopt or pass any Vote, Resolution, Address, or Bill for the Appropriation of any Part of the Public Revenue, or of any Tax or Impost, to any Purpose that has not been first recommended to that House by Message of the Governor General in the Session in which such Vote, Resolution, Address, or Bill is proposed.

Royal Assent to Bills, etc.

55. Where a Bill passed by the Houses of the Parliament is presented to the Governor General for the Queen's Assent, he shall declare, according to his Discretion, but subject to the Provisions of this Act and to Her Majesty's Instructions, either that he assents thereto in the Queen's Name, or that he withholds the Queen's Assent, or that he reserves the Bill for the Signification of the Queen's Pleasure.

Disallowance by Order in Council of Act assented to by Governor General

56. Where the Governor General assents to a Bill in the Queen's Name, he shall by the first convenient Opportunity send an authentic Copy of the Act to One of Her Majesty's Principal Secretaries of State, and if the Queen in Council within Two Years after Receipt thereof by the Secretary of State thinks fit to disallow the Act, such Disallowance (with a Certificate of the Secretary of State of the Day on which the Act was received by him) being signified by the Governor General, by Speech or Message to each of the Houses of the Parliament or by Proclamation, shall annul the Act from and after the Day of such Signification.

Signification of Queen's Pleasure on Bill reserved

57. A Bill reserved for the Signification of the Queen's Pleasure shall not have any Force unless and until, within Two Years from the Day on which it was presented to the Governor General for the Queen's Assent, the Governor General signifies, by Speech or Message to each of the Houses of the Parliament or by Proclamation, that it has received the Assent of the Queen in Council.

An Entry of every such Speech, Message, or Proclamation shall be made in the Journal of each House, and a Duplicate thereof duly attested shall be delivered to the proper Officer to be kept among the Records of Canada.

Legislature for Quebec

71. There shall be a Legislature for Quebec consisting of the Lieutenant Governor and of Two Houses, styled the Legislative Council of Quebec and the Legislative Assembly of Quebec.

Summoning of Legislative Assemblies

82. The Lieutenant Governor of Ontario and of Quebec shall from Time to Time, in the Queen's Name, by Instrument under the Great Seal of the Province, summon and call together the Legislative Assembly of the Province.

Speaker, Quorum, etc.

87. The following Provisions of this Act respecting the House of Commons of Canada shall extend and apply to the Legislative Assemblies of Ontario and Quebec, that is to say,—the Provisions relating to the Election of a Speaker originally and on Vacancies, the Duties of the Speaker, the Absence of the Speaker, the Quorum, and the Mode of voting, as if those Provisions were here re-enacted and made applicable in Terms to each such Legislative Assembly.

Application to Legislatures of Provisions respecting Money Votes, etc.

90. The following Provisions of this Act respecting the Parliament of Canada, namely,—the Provisions relating to Appropriation and Tax Bills, the Recommendation of Money Votes, the Assent to Bills, the Disallowance of Acts, and the Signification of Pleasure on Bills reserved,—shall extend and apply to the Legislatures of the several Provinces as if those Provisions were here re-enacted and made applicable in Terms to the respective Provinces and the Legislatures thereof, with the Substitution of the Lieutenant Governor of the Province for the Governor General, of the Governor General for the Queen and for a Secretary of State, of One Year for Two Years, and of the Province for Canada.

Oath of Allegiance, etc.

128. Every Member of the Senate or House of Commons of Canada shall before taking his Seat therein take and subscribe before the Governor General or some Person authorized by him, and every Member of a Legislative Council or Legislative Assembly of any Province shall before taking his Seat therein take and subscribe before the Lieutenant Governor of the Province or some Person authorized by him, the Oath of Allegiance contained in the Fifth Schedule to this Act; and every Member of the Senate of Canada and every Member of the Legislative Council of Quebec shall also, before taking his Seat therein, take and subscribe before the Governor General, or some Person authorized by him, the Declaration of Qualification contained in the same Schedule.

128Q.1. Section 128 does not apply to Quebec.

_____

2022, c. 30, s. 1.

Use of English and French Languages

133. Either the English or the French Language may be used by any Person in the Debates of the Houses of the Parliament of Canada and of the Houses of the Legislature of Quebec; and both those Languages shall be used in the respective Records and Journals of those Houses; and either of those Languages may be used by any Person or in any Pleading or Process in or issuing from any Court of Canada established under this Act, and in or from all or any of the Courts of Quebec.

The Acts of the Parliament of Canada and of the Legislature of Quebec shall be printed and published in both those Languages.

THE FIFTH SCHEDULE.

OATH OF ALLEGIANCE

I *A.B.* do swear, That I will be faithful and bear true Allegiance to Her Majesty Queen Victoria.

Note. The Name of the King or Queen of the United Kingdom of Great Britain and Ireland for the Time being is to be substituted from Time to Time, with proper Terms of Reference thereto.

CONSTITUTION ACT, 1982 (EXTRACTS)

CONSTITUTION ACT, 1982 (EXTRACTS)

being Schedule B to the *Canada Act 1982*, 1982, c. 11 (U.K.)

PART I

CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Maximum duration of legislative bodies

4. (1) No House of Commons and no legislative assembly shall continue for longer than five years from the date fixed for the return of the writs at a general election of its members.

Continuation in special circumstances

(2) In time of real or apprehended war, invasion or insurrection, a House of Commons may be continued by Parliament and a legislative assembly may be continued by the legislature beyond five years if such continuation is not opposed by the votes of more than one-third of the members of the House of Commons or the legislative assembly, as the case may be.

Annual sitting of legislative bodies

5. There shall be a sitting of Parliament and of each legislature at least once every twelve months.

PART V

PROCEDURE FOR AMENDING CONSTITUTION OF CANADA

Amendments by provincial legislatures

45. Subject to section 41, the legislature of each province may exclusively make laws amending the constitution of the province.

ACT RESPECTING THE NATIONAL ASSEMBLY

EDITOR'S NOTE

Temporary amendments were made to the *Act respecting the National Assembly* (chapter A-23.1) for the duration of the 42nd and 43rd Legislatures. These amendments are no longer in effect.

ACT RESPECTING THE NATIONAL ASSEMBLY

(CQLR chapter A-23.1)

Preamble.

WHEREAS the people of Québec have a deep attachment to democratic principles of government;

Whereas the National Assembly is, through the elected representatives who compose it, the supreme and legitimate organ by which those principles are expressed and applied;

Whereas it behooves this Assembly, as the guardian of the historical and inalienable rights and powers of the people of Québec, to defend it against any attempt to despoil it of its rights and powers or to derogate from them;

Whereas it is befitting, therefore, that the perdurance, the sovereignty and the independence of the National Assembly be affirmed, and that its proceedings be protected against all interference,

HER MAJESTY, with the advice and consent of the National Assembly of Québec, enacts as follows:

CHAPTER I
ORGANIZATION AND OPERATION

DIVISION I
COMPOSITION, TERM AND POWERS

Composition of the National Assembly.

1. The National Assembly is composed of the Members elected for each of the electoral divisions established in accordance with the Election Act (chapter E-3.3) and whose names have been transmitted to the Secretary General by the chief electoral officer in accordance with section 380 of the said Act.

_____
1982, c. 62, s. 1; 1984, c. 51, s. 526; 1989, c. 1, s. 582.

Parliament.

2. The National Assembly and the Lieutenant-Governor form the Parliament of Québec. The Parliament of Québec assumes all the powers conferred on the Legislature of Québec.

Powers.

No provision of this Act restricts the scope or exercise of those powers.

_____
1982, c. 62, s. 2.

Legislative powers.

3. The Parliament has the exercise of the legislative power.

_____
1982, c. 62, s. 3.

Power of supervision.

4. The Assembly has the power of supervision over all the acts of the Government and of its departments and agencies.

_____

1982, c. 62, s. 4.

Lieutenant-Governor.

5. The Assembly is convoked, prorogued and dissolved by the Lieutenant-Governor.

_____

1982, c. 62, s. 5.

Term of Legislature.

6. A Legislature starts upon the receipt by the Secretary General, after a general election, of the list of the candidates declared elected transmitted by the Chief Electoral Officer pursuant to section 380 of the Election Act (chapter E-3.3).

A Legislature ends on 29 August of the fourth calendar year following the year that includes the most recent general election polling day.

However, if the publication provided for in the first paragraph of section 129.1 of the Election Act has been made, the Legislature ends instead on 27 February, or 28 February in the case of a leap year, of the fifth calendar year following the year that includes the most recent general election polling day.

Dissolution.

Only the Lieutenant-Governor may dissolve the National Assembly before the expiry of a Legislature.

_____

1982, c. 62, s. 6; 1984, c. 51, s. 527; 2013, c. 13, s. 9.

Sittings.

7. The Assembly sits in the territory of Ville de Québec; it may also sit at any other place in Québec.

_____

1982, c. 62, s. 7; 1996, c. 2, s. 75.

Quorum.

8. The quorum of the Assembly or of a committee of the whole House is one-sixth of the Members, including the President.

However, when a committee of the Assembly is sitting, the quorum of the Assembly or of the committee of the whole House is one-tenth of the Members, including the President.

_____

1982, c. 62, s. 8.

Rules of procedure.

9. The rules of procedure of the Assembly are established by the Assembly, and it alone has authority to see that they are observed.

_____

1982, c. 62, s. 9.

DIVISION II
THE COMMITTEES

Committees.

10. The National Assembly may appoint committees, composed of Members of the Assembly, to examine any matter within the jurisdiction assigned to them by the Assembly, and to carry out any mandate given to them by the Assembly.

_____
1982, c. 62, s. 10.

Committee on the Assembly.

11. The Assembly must appoint a committee on the Assembly to examine any matter referred to it by the Assembly.

Functions.

The committee shall also carry out any other function vested in it by this Act.

_____
1982, c. 62, s. 11.

Subcommittees.

12. A committee may form subcommittees composed of Members of the Assembly.

_____
1982, c. 62, s. 12.

Sittings.

13. A committee or a subcommittee may sit even when the Assembly is not in session.

_____
1982, c. 62, s. 13.

Sittings.

14. A committee or a subcommittee may sit anywhere in Québec, in accordance with the Standing Orders of the Assembly.

_____

1982, c. 62, s. 14.

DIVISION III
THE MEMBERS

Oath.

15. No Member may sit in the Assembly before making the oath provided in Schedule I.

_____
1982, c. 62, s. 15; 1999, c. 40, s. 25.

Resignation.

16. A Member may resign his seat verbally at a sitting of the Assembly.

Resignation.

He may also resign in a writing countersigned by two other Members and sent to the President or the Secretary General of the Assembly.

Information of Assembly.

If a Member resigns in writing, the President must so inform the Assembly at its next sitting.

_____
1982, c. 62, s. 16.

Vacancy.

17. The seat of a Member of the Assembly becomes vacant if he

(1) dies;

(2) resigns;

(3) becomes a candidate at a federal election or a provincial election in another province;

(4) is appointed to the Senate;

(5) is convicted of treason;

(6) is convicted of corrupt electoral or referendum practices;

(7) *(subparagraph repealed)*;

(8) is sentenced to imprisonment for an indictable offence punishable by imprisonment for over two years;

(9) is in a situation that makes him disqualified within the meaning of the Election Act (chapter E-3.3), except the situation contemplated in subparagraph 4 of the second paragraph of section 235 of that Act.

A Member's seat also becomes vacant in the cases provided for in section 134 and in the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1).

1982, c. 62, s. 17; 1984, c. 51, s. 528; 1989, c. 1, s. 583; 1990, c. 4, s. 66; 1997, c. 8, s. 21; 2010, c. 30, s. 115.

Nullity of election.

18. If the seat of a Member of the Assembly becomes vacant at a time when the election held in the electoral division of the Member is contested or could still be contested within the legal limit of time, any subsequent election held in the electoral division during the same Legislature becomes null if, as a result of the contestation, the court declares elected a person other than the person proclaimed elected at the contested election or at a subsequent election.

1982, c. 62, s. 18.

DIVISION IV
THE PRESIDENT OF THE ASSEMBLY

President and vice-presidents.

19. At the beginning of its first sitting after a general election, the National Assembly shall elect a President and, subsequently, a first, a second and a third Vice-President from among its Members.

Vice-presidents.

The first Vice-President and the second Vice-President shall be elected from among the Members forming the Government and the third Vice-President from among the Members forming the Official Opposition.

_____
1982, c. 62, s. 19; 1999, c. 1, s. 1.

Replacement.

20. If the President is absent or unable to act, or at his request, one of the Vice-Presidents shall replace him and exercise his parliamentary duties.

_____
1982, c. 62, s. 20.

Interim President.

21. If the President and the Vice-Presidents are absent or unable to act, the Secretary General shall notify the Assembly, and it shall designate a Member as interim President for his parliamentary duties.

_____
1982, c. 62, s. 21.

Vacancy in the office of President.

22. If the office of President becomes vacant, the Secretary General shall inform the Assembly, and no business may be transacted until a new President is elected.

_____
1982, c. 62, s. 22.

Duties.

23. In addition to his duties under this Act, the President shall carry out the duties conferred on him by the Assembly.

_____
1982, c. 62, s. 23.

Continuance in office.

24. On the dissolution of the Assembly, the President and the Vice-Presidents remain in office until they are replaced or reappointed by the new Assembly.

Applicable provisions.

In such a case, they continue to receive the indemnity provided for in paragraphs 1 and 2 of section 7 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1).

_____
1982, c. 62, s. 24; 2006, c. 10, s. 1.

DIVISION V
PARLIAMENTARY ASSISTANTS

Appointment.

25. The Government may appoint one or several Members as parliamentary assistants to assist a minister in the discharge of his duties. A parliamentary assistant may reply to questions addressed to the minister or take note of them on his behalf.

Number.

In no case, however, may the number of parliamentary assistants exceed twenty.

_____
1982, c. 62, s. 25; 2022, c. 28, s. 1.

DIVISION VI
THE SECRETARY GENERAL

Appointment.

26. The National Assembly, on a motion of the Prime Minister, shall appoint a Secretary General and one or more associate secretaries general.

_____
1982, c. 62, s. 26.

Replacement.

27. If the Secretary General is absent or unable to act, or in case of vacancy of the office of Secretary General, the President shall designate one of the associate secretaries general to replace the Secretary General during his absence or inability to act or during the vacancy of the office.

_____
1982, c. 62, s. 27; 1984, c. 47, s. 8; 1999, c. 40, s. 25.

Duties.

28. In addition to his duties under this Act, the Secretary General shall carry out the duties conferred on him by the Assembly.

_____
1982, c. 62, s. 28.

CHAPTER II
LEGISLATIVE ACTS

Adoption and assent.

29. The National Assembly passes the legislative Acts and the Lieutenant-Governor gives assent to them.

_____
1982, c. 62, s. 29.

Bill by Members.

30. Any Member may present a bill.

Bill by Ministers.

However, only a minister may present a bill having as its object the commitment of public funds, the creation of a charge on the taxpayers, the remission of a debt owing to the Province or the alienation of property owned by the Province.

_____
1982, c. 62, s. 30.

Introductory formula.

31. Every legislative bill must have the following introductory formula:

"The Parliament of Québec enacts as follows:".

_____
1982, c. 62, s. 31.

Date of assent.

32. Upon the giving of assent to an Act, the Secretary General shall enter the date of assent therein. The entry forms part of the Act.

_____
1982, c. 62, s. 32.

Custody of original Acts.

33. The Secretary General has custody of the originals of the Acts.

Loss or destruction.

In case of the loss or destruction of an original, the Secretary General may substitute for it a certified true copy; thereafter, that copy serves as the original.

_____

1982, c. 62, s. 33.

True copy.

34. The Secretary General shall affix his seal to every copy of an Act that he certifies true.

_____

1982, c. 62, s. 34.

Copy certified true.

35. After an Act has been assented to, the Secretary General shall send the Québec Official Publisher a copy certified true to the original enacted by Parliament.

_____

1982, c. 62, s. 35; 2009, c. 3, s. 2.

Annual compilation.

36. Every year, the Québec Official Publisher shall publish a compilation of the statutes assented to during the preceding year.

_____

1982, c. 62, s. 36.

Printing and publication.

37. The Office of the Assembly shall by by-law establish the conditions and modalities of printing, publication and distribution of the legislative Acts, the copies of the annual compilation of the statutes, the bills, and the other parliamentary documents.

Free copies.

The Secretary General shall provide printed copies of the Acts, free of charge, to the Lieutenant-Governor, government departments and public bodies, according to the rules established by the Office.

Public body.

For the purposes of this section, a public body is a body to which the National Assembly, the Government or a minister appoints the majority of the members, to which, by law, the personnel is appointed in accordance with the Public Service Act (chapter F-3.1.1), or whose capital forms part of the domain of the State.

_____

1982, c. 62, s. 37; 2010, c. 30, s. 116.

Copies of annual compilation.

38. The Secretary General shall deliver a copy of the annual compilation of the statutes to the Lieutenant-Governor, and to the Registrar of Québec.

_____

1982, c. 62, s. 38.

True copies.

39. The Secretary General, or the person designated by him for that purpose, shall supply certified true copies of any Act to any person who applies therefor, upon payment of the cost fixed by the by-law of the Office of the Assembly. The designation has effect from its publication in the *Gazette officielle du Québec*.

Sums collected.

Sums received under this section are paid into the consolidated revenue fund.

_____

1982, c. 62, s. 39; 1986, c. 71, s. 2.

Authenticity.

40. A copy of an Act certified true by the Secretary General, or the person designated for that purpose, or the text of an Act published by the Québec Official Publisher is authentic and is proof of its existence and contents.

_____

1982, c. 62, s. 40; 1986, c. 71, s. 3.

Private bill.

41. Every person who makes a request to the National Assembly for the passage of a private bill must pay to the Assembly the fees prescribed by regulation.

_____

1982, c. 62, s. 41; 1989, c. 22, s. 1.

CHAPTER III
INDEPENDENCE OF THE NATIONAL ASSEMBLY

DIVISION I
RIGHTS, PRIVILEGES AND IMMUNITIES

Power over proceedings.

42. The Assembly has the power to protect its proceedings against all interference.

_____
1982, c. 62, s. 42.

Independence of Members.

43. Every Member is vested with full independence for the carrying out of his duties.

_____
1982, c. 62, s. 43.

Immunity.

44. No Member may be prosecuted, arrested or imprisoned by reason of anything said or done or any document tabled by him in the carrying out of his parliamentary duties in the Assembly or in any committee or subcommittee.

_____
1982, c. 62, s. 44.

Court proceedings.

45. No Member may be bound to appear to answer a charge of contempt of court nor arrested or held for contempt of court while the Assembly or a committee or subcommittee in whose work he is taking part is sitting, or during the two preceding or two following days.

_____
1982, c. 62, s. 45.

Court proceedings.

46. A Member is exempt from appearing as a witness in court or before any body or person empowered to summon witnesses while the Assembly or a committee or subcommittee in whose work he is taking part is sitting, and during the two preceding and two following days.

_____
1982, c. 62, s. 46.

Assembly personnel.

47. The President of the Assembly may exempt a member of the personnel of the Assembly from appearing as a witness in court, or before any body or person empowered to summon witnesses where he considers his presence required for the proper functioning of the Assembly and its services.

_____
1982, c. 62, s. 47.

Immunity.

48. No person may be prosecuted for publishing or distributing an unedited report or official summary of the debates of the Assembly or of a committee or subcommittee, or for distributing, unedited, such debates or any document that has been submitted to them.

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1982, c. 62, s. 48.

Malicious intent.

49. No person may be found guilty for publishing or distributing an abstract of the debates of the Assembly or of a committee or subcommittee, of a report or of an official summary of the debates, or of a document that has been submitted to them, or for giving an account of them, unless it is proved that he acted with malicious intent.

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1982, c. 62, s. 49.

Admissible evidence.

50. A copy of a written or audio-visual document contemplated in section 48 or 49 certified true by the Secretary General of the Assembly is admissible as evidence.

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1982, c. 62, s. 50.

Power to summon.

51. The Assembly or a committee may summon and compel the appearance before it of any person, either to answer questions put to him or to produce such papers and things as it may deem necessary for its acts, inquiries or proceedings.

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1982, c. 62, s. 51.

Oath.

52. The President or any Member of the Assembly or the chairman or any member of a committee or subcommittee may require a person appearing before it to make the oath provided in Schedule II.

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1982, c. 62, s. 52; 1999, c. 40, s. 25.

Immunity.

53. In no case may a person's testimony before the Assembly or a committee or subcommittee be held against him in a court of law, unless he is being prosecuted for perjury.

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1982, c. 62, s. 53.

Immunity.

54. No action may be instituted by reason of an official act performed in good faith by a person in the exercise of duties assigned to him under this Act or in carrying out an order of the Assembly or a committee or subcommittee.

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1982, c. 62, s. 54.

Breach of privileges.

55. No person may breach the privileges of the Assembly. The following acts, in particular, constitute breaches of the privileges of the Assembly:

(1) refusing to comply with an order of the Assembly, a committee or a subcommittee;

(2) giving false or incomplete testimony before the Assembly, a committee or a subcommittee;

(3) presenting a false document to the Assembly, a committee or a subcommittee with intent to deceive;

(4) forging, falsifying or altering, with intent to deceive, any document of the Assembly, a committee or a subcommittee or any document tabled or presented before it;

(5) creating a disturbance liable to disrupt the course of parliamentary proceedings;

(6) using or threatening to use force or using undue pressure to have a sitting cancelled or suspended;

(7) assaulting, interfering with, bullying or threatening Members of the Assembly in the carrying out of their duties or members of the personnel of the Assembly in the carrying out of their parliamentary duties;

(8) intimidating, harassing or defaming a Member of the Assembly or using abusive language about him;

(9) bribing or attempting to bribe a Member of the Assembly or a member of the personnel of the Assembly;

(10) attempting to influence the vote, opinion, judgment or action of a Member by means of deceit, threats or undue pressure;

(11) suborning or attempting to suborn or threatening a person in regard to any evidence to be given by him before the Assembly, a committee or a subcommittee;

(12) instituting an action with malicious intent against a Member;

(13) performing an act contrary to the parliamentary immunity conferred on a Member.

1982, c. 62, s. 55; 2024, c. 24, s. 11.

Assistance of peace officer.

56. The person responsible for carrying out a warrant of the Assembly, a committee or a subcommittee may demand the assistance of a peace officer or any other person.

Refusal.

Refusal to give assistance when demanded constitutes a breach of the privileges of the Assembly.

1982, c. 62, s. 56.

Injunction.

56.1. A Member who, due to being an elected officer, is the subject of comments or actions from a person other than a Member that abusively hinder the exercise of their functions or that constitute an unlawful infringement of their privacy may apply to the Superior Court for an injunction to put an end to the situation.

The Court assesses the application taking into account the public interest. It may, in particular, order a person

(1) to not be in the Member's electoral division office;

(2) to not be in the offices of the staff of a member of the Conseil exécutif;

(3) to cease communicating with the Member; or

(4) to cease disseminating in the public sphere comments referred to in the first paragraph.

An application shall be heard and decided on an urgent basis.

For the purposes of the first paragraph, expressing an opinion, by any means, in a manner that is in keeping with the democratic values of Québec does not constitute a hindrance.

A copy of the application must be notified to the President.

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2024, c. 24, s. 12.

DIVISION II *(Repealed)*.

2010, c. 30, s. 117.

57. *(Repealed)*.

1982, c. 62, s. 57; 1988, c. 84, s. 544; 2010, c. 30, s. 117.

58. *(Repealed)*.

1982, c. 62, s. 58; 2010, c. 30, s. 117.

59. *(Repealed)*.

1982, c. 62, s. 59; 1999, c. 40, s. 25; 2010, c. 30, s. 117.

60. *(Repealed)*.

1982, c. 62, s. 60; 1999, c. 40, s. 25; 2010, c. 30, s. 117.

DIVISION III *(Repealed)*.

2010, c. 30, s. 117.

61. *(Repealed)*.

1982, c. 62, s. 61; 2010, c. 30, s. 117.

62. *(Repealed)*.

1982, c. 62, s. 62; 2010, c. 30, s. 117.

63. *(Repealed).*

1982, c. 62, s. 63; 2010, c. 30, s. 117.

64. *(Repealed).*

1982, c. 62, s. 64; 2010, c. 30, s. 117.

65. *(Repealed).*

1982, c. 62, s. 65; 1999, c. 40, s. 25; 2010, c. 30, s. 117.

66. *(Repealed).*

1982, c. 62, s. 66; 1983, c. 55, s. 161; 1999, c. 40, s. 25; 2000, c. 8, s. 242; 2010, c. 30, s. 117.

67. *(Repealed).*

1982, c. 62, s. 67; 2010, c. 30, s. 117.

68. *(Repealed).*

1982, c. 62, s. 68; 1986, c. 61, s. 66; 1988, c. 21, s. 66; 1997, c. 43, s. 38; 2010, c. 30, s. 117.

69. *(Repealed).*

1982, c. 62, s. 69; 2010, c. 30, s. 117.

70. *(Repealed).*

1982, c. 62, s. 70; 2010, c. 30, s. 117.

71. *(Repealed).*

1982, c. 62, s. 71; 2002, c. 6, s. 84; 2010, c. 30, s. 117.

72. *(Repealed).*

1982, c. 62, s. 72; 2010, c. 30, s. 117.

73. *(Repealed).*

1982, c. 62, s. 73; 1986, c. 3, s. 1; 2010, c. 30, s. 117.

DIVISION IV *(Repealed).*

2010, c. 30, s. 117.

74. *(Repealed).*

1982, c. 62, s. 74; 2010, c. 30, s. 117.

75. *(Repealed).*

1982, c. 62, s. 75; 2010, c. 30, s. 117.

76. *(Repealed).*

1982, c. 62, s. 76; 2010, c. 30, s. 117.

77. *(Repealed).*

1982, c. 62, s. 77; 2010, c. 30, s. 117.

78. *(Repealed).*

1982, c. 62, s. 78; 2010, c. 30, s. 117.

79. *(Repealed).*

1982, c. 62, s. 79; 2010, c. 30, s. 117.

80. *(Repealed).*

1982, c. 62, s. 80; 2010, c. 30, s. 117.

81. *(Repealed).*

1982, c. 62, s. 81; 2010, c. 30, s. 117.

DIVISION V
(Heading repealed).

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2010, c. 30, s. 117.

82. *(Repealed).*

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1982, c. 62, s. 82; 2010, c. 30, s. 117.

83. *(Repealed).*

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1982, c. 62, s. 83; 2010, c. 30, s. 117.

84. *(Repealed).*

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1982, c. 62, s. 84; 2010, c. 30, s. 117.

Breach of privileges.

85. The bringing of a complaint before the Assembly by a Member against another Member without a serious reason constitutes a breach of the privileges of the Assembly.

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1982, c. 62, s. 85.

DIVISION VI
DEFENCE COSTS, JUDICIAL COSTS, EXPENSES FOR COUNSEL AND INDEMNIFICATION

Costs.

85.1. A Member or a former Member is entitled, subject to sections 85.2 to 85.4, to the payment of the defence costs and judicial costs arising out of proceedings brought against the Member or former Member by a third person for any act or omission in the performance of the Member's or former Member's duties of office.

Expenses.

The Member or former Member is also entitled to the payment of expenses incurred for counsel where the Member or former Member is summoned to appear at an inquiry, a preliminary inquiry or judicial or quasi-judicial proceedings in connection with the Member's or former Member's duties of office or where the Member takes the legal action provided for in section 56.1.

Maximum amount.

In each case submitted to it, the Office of the National Assembly may, after obtaining the advice of the jurisconsult appointed under the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1), fix the maximum amount to be paid under the first and second paragraphs. It may also refuse to reimburse the costs incurred in connection with the legal action taken under section 56.1 but only if the Superior Court refused to grant an injunction and the jurisconsult is of the opinion that the legal action was taken without reasonable cause.

1998, c. 11, s. 1; 2010, c. 30, s. 118; 2024, c. 24, s. 13.

Criminal proceedings.

85.2. In the case of criminal proceedings, the defence costs and judicial costs shall be paid only if the case was withdrawn or dismissed or if the Member or former Member was acquitted by a judgment that has become *res judicata*, or was discharged.

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1998, c. 11, s. 1.

Penal offence.

85.3. Where a Member or former Member is found guilty of a penal offence in a judgment that has become *res judicata*, no costs or expenses may be paid and the Assembly shall recover any costs or expenses paid except where the Office, after obtaining the advice of the jurisconsult, is of the opinion that the Member or former Member had reasonable grounds for believing that the conduct in question was in conformity with the law. In the latter case, the Assembly shall assume the payment of any pecuniary penalty.

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1998, c. 11, s. 1.

Civil suit.

85.4. Where, in judgment in a civil suit that has become *res judicata*, a Member or former Member is held liable for damage by reason of an act or omission in the performance of the Member's or former Member's duties of office, no costs or expenses may be paid and the Assembly shall recover any costs or expenses paid if the Office, after obtaining the advice of the jurisconsult, is of the opinion that the Member or former Member acted in bad faith.

Pecuniary penalty.

The Assembly shall, however, assume the payment of any pecuniary penalty arising out of a judgment in a civil suit, except where the Office, after obtaining the advice of the jurisconsult, is of the opinion that a gross fault was committed by the Member or former Member or that the judgment should be appealed by the Member or former Member.

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1998, c. 11, s. 1.

CHAPTER IV
ADMINISTRATION OF THE ASSEMBLY

DIVISION I
THE OFFICE OF THE NATIONAL ASSEMBLY

Establishment.

86. An Office of the National Assembly is hereby established.

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1982, c. 62, s. 86.

Composition.

87. The President of the Assembly is the chairman of the Office. The Office is also composed of nine other Members.

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1982, c. 62, s. 87; 1999, c. 3, s. 1; 2018, c. 28, s. 1; 2022, c. 28, s. 2.

Designation.

88. The members of the Office other than the chairman are designated by the Members of each party in the following manner:

(1) five from the Government party;

(2) four from the party of the Official Opposition or, where there are several opposition parties, three from the Official Opposition party and one from the party among the remaining opposition parties having obtained the greatest number of seats or, in case of equality of seats, from that having obtained the greatest number of valid votes.

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1982, c. 62, s. 88; 1999, c. 3, s. 2; 2018, c. 28, s. 2; 2022, c. 28, s. 3.

Substitutes.

89. Each of the designating parties shall also designate the same number of Members as substitute members of the Office; each of them may act in the place of a member who is absent or unable to act.

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1982, c. 62, s. 89.

Communication to the President.

90. Within fifteen days from the beginning of a session, each party shall communicate to the President of the Assembly the names of the members and substitute members it has designated.

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1982, c. 62, s. 90.

Adoption of the list.

91. The President shall submit the list of the designated Members to the Assembly. The Assembly shall adopt or reject the list as a whole.

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1982, c. 62, s. 91.

Designation by the chairman.

92. If a party fails to designate its representatives or if the composition of the Assembly does not allow the application of sections 88 and 89, the chairman shall himself designate the Members to complete the composition of the Office.

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1982, c. 62, s. 92.

Continuance in office.

93. When the Assembly is prorogued, the members of the Office remain in office until they are replaced or designated again.

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1982, c. 62, s. 93.

Dissolution.

94. On the dissolution of the Assembly, the President and the Vice-Presidents of the Assembly shall perform the duties of the Office.

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1982, c. 62, s. 94.

Vice-Presidents.

95. The Vice-Presidents of the Assembly may take part, without the right to vote, in the proceedings of the Office.

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1982, c. 62, s. 95; 2022, c. 28, s. 4.

Replacement.

96. If the President is absent, or at the President's request, the Vice-President designated by the President shall act as chairman. Only the first Vice-President or the second Vice-President may be designated for that purpose.

If the President is unable to act or the office of President is vacant, the first Vice-President shall act as chairman during such inability or vacancy.

However, if the first Vice-President also is unable to act or the office of first Vice-President also is or also becomes vacant, the second Vice-President shall replace the first Vice-President in the circumstances described in the second paragraph.

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1982, c. 62, s. 96; 1998, c. 54, s. 1; 1999, c. 3, s. 3; 1999, c. 40, s. 25.

Quorum.

97. Five members, including the chairman, constitute a quorum of the Office. In the event of a tie-vote, the chairman has a casting vote.

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1982, c. 62, s. 97; 1999, c. 3, s. 4; 2018, c. 28, s. 3; 2022, c. 28, s. 5.

Secretary.

98. The Secretary General of the Assembly is the secretary of the Office. If the Secretary General is absent or unable to act, the Office shall designate an associate secretary general to replace him.

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1982, c. 62, s. 98.

Rules of procedure.

99. The Office shall establish its rules of procedure.

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1982, c. 62, s. 99.

Functions.

100. The Office shall have managerial and regulatory functions, in accordance with this Act.

It shall have such other functions as the Assembly may assign to it.

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1982, c. 62, s. 100.

Opinion.

101. The Office shall give its opinion on any matter referred to it by the President.

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1982, c. 62, s. 101.

Regulations.

102. The Office shall establish, by regulation, the terms and conditions, scales and modalities of reimbursement to the members, except members of the Conseil exécutif, members of the staff of the National Assembly and the persons contemplated in the first paragraph of section 124.2, of expenses incurred in carrying out official assignments requested by the President of the Assembly.

Delegation of powers.

The Office may, according to the modalities, on the terms and conditions and for the time it determines, delegate to the person it designates the power to determine the amount of the expenses that may be reimbursed according to the fixed scale.

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1982, c. 62, s. 102; 1984, c. 27, s. 33.

Regulations.

103. The Office shall, by regulation, establish the conditions, scales and modalities of payment of an attendance allowance to its members and to the members of and participants in a committee or subcommittee of the Assembly.

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1982, c. 62, s. 103; 1984, c. 27, s. 34.

Regulations.

104. The Office shall, by regulation, establish the conditions, scales and modalities of payment to Members of, in particular,

(1) transportation allowances and travel expenses;

(2) the cost of renting premises in the electoral division of each Member to receive his electors as well as any other cost provided for by the Office in the regulations to ensure the proper administration of the Member's offices;

(3) allowances for the remuneration of their personnel and for payment of professional services;

(4) expenses for lodgings,

(*a*) in the territory of Ville de Québec or in its immediate vicinity, of a Member whose principal residence is outside the territory formed by that of Ville de Québec and an electoral division adjacent to the territory of that city, or of the Member whose principal residence is within the electoral division of Charlevoix–Côte-de-Beaupré and more than 50 kilometres from the Parliament Building by the shortest road, or;

(*b*) in the electoral division of a Member whose principal residence is in the territory of Ville de Québec or in its immediate vicinity but who does not represent an electoral division located there; and

(5) the cost of purchase or lease of property or services for communications.

Transfers.

The Office may, by regulation, in the cases, on the conditions and to the extent it determines, allow a Member to whom the first paragraph of section 124.1 applies to make transfers from the sums granted by the Office under subparagraphs 2 and 3 of the first paragraph to the sums granted under the first paragraph of section 104.2.

Allowances and repayment of expenses.

The Office may, by regulation, in the cases, on the conditions and to the extent it determines, pay the allowances or repay the expenses and other costs provided for in this section for a period, fixed in the regulation, between the day on which the seat of a Member becomes vacant or the Assembly is dissolved and the thirtieth day, or the sixtieth day as regards persons referred to in the first paragraph of section 124.1, after the day on which a poll is held to fill the vacancy or a poll is held following the dissolution of the Assembly.

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1982, c. 62, s. 104; 1984, c. 27, s. 35; 1985, c. 19, s. 1; 1986, c. 3, s. 2; 1989, c. 22, s. 2; 1996, c. 2, s. 76; 1997, c. 13, s. 1; 1999, c. 40, s. 25; 2004, c. 19, s. 1; 2006, c. 10, s. 2; 2016, c. 5, s. 1; 2022, c. 28, s. 6.

Additional allowances.

104.1. The Office may, by regulation, provide for one or several categories of Members and establish the conditions, scales and modalities of payment to such Members of additional allowances for the same purposes as those paid under section 104.

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1989, c. 22, s. 3.

Administration of offices.

104.2. The Office shall, by regulation, establish the conditions, scales and modalities of payment of the expenses connected with the administration of the offices of the persons contemplated in the first paragraph of section 124.1.

Transfers.

The Office may, by regulation, in the cases, on the conditions and to the extent it determines, allow those persons to make transfers from the sums granted by the Office under the first paragraph to the sums granted under subparagraphs 2 and 3 of the first paragraph of section 104.

1989, c. 22, s. 3; 2004, c. 19, s. 2.

Conditions, rates and terms.

104.3. The Office shall fix, by regulation, the conditions, rates and terms governing the payment of any amount pursuant to sections 85.1 to 85.4.

1998, c. 11, s. 2.

Payment of indemnities and expenses.

105. The Office shall fix the intervals for the payment of indemnities and expense allowances provided in the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1).

1982, c. 62, s. 105.

Group insurance.

106. The Minister of Finance shall pay, for each Member participating in the plan, such portion of the premium of a group life insurance and disability insurance plan or of any other insurance plan as the Office may determine.

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1982, c. 62, s. 106.

Regulations.

107. The Office shall, by regulation, determine the rules according to which the personnel and the financial resources are to be allocated to any committee or subcommittee of the Assembly.

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1982, c. 62, s. 107.

Regulations.

108. The Office shall, by regulation, determine the moneys that may be received from the Assembly, for research and support purposes, by the political parties represented in the Assembly following the last general election and by independent Members, and the terms and conditions of payment thereof.

Remuneration.

The Member who is the leader of the Government party and the Member who is the leader of the Official Opposition party may transfer the moneys required for the remuneration of the regular personnel hired to assist the party for research and support purposes to the budget granted, under subparagraph 3 of the first paragraph of section 104, to the offices referred to in section 124.1. The personnel hired to assist the party for such purposes forms part of the personnel of the offices so designated in the same manner as the other members of the personnel of those offices.

In the case of another party to which the first paragraph applies, the Member who is the leader of that party or the authorized Member may transfer the moneys required for the remuneration of the regular personnel hired to assist the party for research and support purposes to the budget granted to the Member under subparagraph 3 of the first paragraph of section 104. The personnel hired to assist the party for such purposes forms part of the personnel of that Member in the same manner as the other members of his personnel.

Independent Members may transfer the moneys required for the remuneration of regular personnel hired to assist them for research and support purposes to the budget granted to them under subparagraph 3 of the first paragraph of section 104. The personnel hired to assist independent Members for such purposes forms part of their personnel in the same manner as the other members of their personnel.

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1982, c. 62, s. 108; 1985, c. 19, s. 2; 1986, c. 3, s. 3; 1989, c. 22, s. 4; 1994, c. 39, s. 1; 1999, c. 3, s. 5; 2012, c. 24, s. 1.

Research and support.

108.1. *(This section ceased to have effect on 24 July 1994).*

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1992, c. 7, s. 1; 1993, c. 20, s. 1.

Tabling of rules and regulations.

109. The President shall table in the Assembly the rules and regulations adopted by the Office within fifteen days of their adoption if the Assembly is in session or, if it is not sitting, within fifteen days of the opening of the next session or resumption.

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1982, c. 62, s. 109.

DIVISION II
MANAGEMENT OF THE ASSEMBLY

Management of the Assembly.

110. Subject to this Act, the Assembly shall continue to be managed within the scope of the Acts, regulations and rules applicable.

Derogation.

The Office may, however, by regulation, derogate from the applicable Acts, regulations and rules by specifically indicating the provisions derogated from and the provisions that are to apply in their place and stead.

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1982, c. 62, s. 110.

Regulations.

110.1. Subject to this Act and for the purposes of this division, the Office may make any regulation it deems necessary for the management of the Assembly.

_____
1984, c. 47, s. 9.

Provisions applicable.

110.2. Subject to the second paragraph of section 110, Chapter III, Chapter IV with the exception of section 44, the second and fourth paragraphs of section 45, sections 46 and 53 and the third paragraph of section 57 and section 73 of the Public Administration Act (chapter A-6.01) apply to the National Assembly.

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2000, c. 8, s. 103; 2011, c. 19, s. 28.

Regulations.

111. The Office may, by regulation, prescribe the rules governing the expenditures of the Assembly.

1982, c. 62, s. 111.

112. *(Repealed).*

1982, c. 62, s. 112; 2000, c. 15, s. 95.

Staff.

113. The Office shall fix the maximum number of staff needed by the Assembly to administer its services and shall determine the apportionment of the staff.

Organization plan.

The Office shall adopt the administrative organization plan of the Assembly.

1982, c. 62, s. 113; 1984, c. 47, s. 10.

Premises and equipment.

114. The organization and use of the premises as well as the use of the equipment of the Assembly and its services must be approved by the Office.

1982, c. 62, s. 114.

DIVISION III
SERVICES OF THE ASSEMBLY

Administration of services.

115. The President of the Assembly shall direct and administer the services of the Assembly.

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1982, c. 62, s. 115.

Security.

116. The President is responsible for the security of the buildings or premises occupied by the Members and the members of the personnel of the Assembly; he shall also provide protection for persons and property in the premises.

Advisory committee.

For that purpose, the President may establish an advisory committee to assist him with the examination and implementation of security and protective measures; the members of the committee are entitled, where such is the case, to the fees and other allowances determined by the Office.

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1982, c. 62, s. 116; 1984, c. 47, s. 11.

Replacement.

117. If the President is absent, or at the President's request, the Vice-President designated by the President shall act as President. Only the first Vice-President or the second Vice-President may be designated for that purpose.

If the President is unable to act or the office of President is vacant, the first Vice-President shall act as President during such inability or vacancy.

However, if the first Vice-President also is unable to act or the office of first Vice-President also is or also becomes vacant, the second Vice-President shall replace the first Vice-President in the circumstances described in the second paragraph.

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1982, c. 62, s. 117; 1998, c. 54, s. 2; 1999, c. 3, s. 6; 1999, c. 40, s. 25.

Delegation.

118. The President may delegate some of the President's administrative responsibilities to the first or the second Vice-President who shall, within the limits of the delegation, have the same powers and duties as the President.

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1982, c. 62, s. 118; 1999, c. 3, s. 6.

Secretary General.

119. Under the responsibility of the President, the Secretary General of the Assembly has the supervision of the members of the personnel of the Assembly; he shall administer its day-to-day business and exercise the other functions assigned to him by the Office.

Orders.

The orders of the Secretary General must be carried out in the same manner as those of the President.

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1982, c. 62, s. 119.

Personnel.

120. Every member of the personnel of the Assembly, except a casual employee, is a member of the personnel of the civil service, whether appointed under the Public Service Act (chapter F-3.1.1) or by derogation by virtue of the second paragraph of section 110, unless, in the latter case, the Office excludes him therefrom.

Powers of the Secretary General.

The Secretary General has, in respect of the personnel of the Assembly, the powers vested in a deputy minister by the Public Service Act.

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1982, c. 62, s. 120; 1983, c. 55, s. 161.

Associate secretaries general.

121. The Assembly may vest in the associate secretaries general, in their deeds of appointment, the rank and privileges of an assistant deputy minister.

The associate secretaries general are members of the personnel of the civil service.

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1982, c. 62, s. 121.

Duties of personnel.

122. The respective duties of the members of the personnel of the Assembly not expressly defined by law or by the Office are determined by the President.

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1982, c. 62, s. 122.

Signature.

123. No deed, document or writing binds the Assembly or may be attributed to the President unless it is signed by him, by the Secretary General or by another officer, and only, in this last case, to the extent determined by regulation of the Office.

Automatic device.

The Office may, however, upon the conditions it fixes, allow the required signature to be affixed by means of an automatic device to such documents as it determines.

Facsimile.

The Office may also allow a facsimile of the signature to be engraved, lithographed or printed on such documents as it determines. In such a case, the facsimile has the same force as the signature itself if the document is countersigned by a person authorized by the President.

Authenticity.

Any copy of a document forming part of the records of the services of the Assembly and certified true by a person authorized to sign the document under the first paragraph is authentic and has the same force as the original.

1982, c. 62, s. 123.

Custody of the records.

123.1. The Secretary General shall have custody of the records of the Assembly. He may, however, entrust their care to any members of the personnel of the Assembly he may designate.

1984, c. 27, s. 36.

Agreements.

124. The President may, with the approval of the Office, enter into any agreement with a department, an agency or a person to facilitate the carrying out of this Act.

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1982, c. 62, s. 124.

DIVISION III.1
OFFICE STAFF AND MEMBER'S STAFF

Executive secretaries.

124.1. The Leader of the Official Opposition, a Member to whom paragraph 6 of section 7 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1) applies, the President and the Vice-Presidents of the National Assembly, the Government House Leader, the Official Opposition House Leader and the House Leader of a party contemplated in paragraph 6 of section 7 of the said Act, and the Chief Government Whip, the Chief Official Opposition Whip and the Whip of a party contemplated in subparagraph 6 of the first paragraph of section 7 of the said Act, may appoint their respective executive secretaries and the other persons required for the orderly administration of their respective offices.

Members' staff.

Members other than those contemplated in the first paragraph or in sections 11.5 and 11.6 of the Executive Power Act (chapter E-18) may appoint such persons as are required to assist them in carrying out their duties.

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1983, c. 55, s. 136; 2012, c. 24, s. 2; 2018, c. 28, s. 4; 2022, c. 28, s. 7.

Recruitment and remuneration.

124.2. The standards and scales according to which the executive secretary and the other members of the office staff are recruited, appointed and remunerated, as well as their other conditions of employment, are fixed by regulation of the Office of the National Assembly.

Member's staff.

This section applies to the members of the staff of a Member.

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1983, c. 55, s. 136.

Rules of ethics.

124.3. The Office of the National Assembly shall, by a unanimous decision, after consultation with the Ethics Commissioner appointed under the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1), adopt rules of ethics applicable to the office staff of the House officers of the National Assembly and the staff of the Members referred to in section 124.1. The Office shall publish the rules on the website of the National Assembly.

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2010, c. 30, s. 119.

DIVISION III.2
COMMISSIONER FOR RESPECT

124.4. The Office of the National Assembly shall, by a unanimous decision of its members and for a fixed period not exceeding five years, appoint the Commissioner for Respect to be responsible for dealing with situations of incivility, conflict and harassment involving a Member or a member of his staff, a staff member of a National Assembly office or any other person prescribed by regulation of the Office. At the expiry of the term, the Commissioner remains in office until replaced or reappointed.

The Office may, by a unanimous decision of its members, appoint a substitute to replace the Commissioner when the latter is unable to act.

In addition, the Office shall, by regulation, determine the situations where a person is ineligible for the office of Commissioner, as well as the Commissioner's remuneration and reimbursable expenses, the rules applicable to the Commissioner concerning conflicts of interest and the conditions applicable to the contracts of the Commissioner.

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2022, c. 27, s. 1.

DIVISION IV
BUDGETARY AND FINANCIAL PROVISIONS

Budget estimates.

125. The President shall prepare the budget estimates for the Assembly every year. He shall, for that purpose, consult the Office.

Supplementary budget estimates.

Where, during a year, the President foresees that he will be required to exceed the budget estimates, he must prepare supplementary budget estimates and, for that purpose, consult the Office.

Approval.

Furthermore, the budget estimates and, as the case may be, the supplementary budget estimates must be approved by the Office.

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1982, c. 62, s. 125; 1989, c. 22, s. 5.

Sums required.

126. The sums required for the carrying out of this Act shall be taken out of the consolidated revenue fund.

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1982, c. 62, s. 126; 1989, c. 22, s. 6.

127. *(Replaced).*

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1982, c. 62, s. 127; 1983, c. 55, s. 137; 1984, c. 27, s. 37; 1989, c. 22, s. 6.

DIVISION V
LIBRARY OF THE NATIONAL ASSEMBLY

Library.

128. The Assembly shall put a library, called the "Library of the National Assembly", at the disposal of its Members and the members of its personnel.

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1982, c. 62, s. 128.

Personnel.

129. The head of the Library, his assistants and the other employees of the Library are members of the personnel of the Assembly.

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1982, c. 62, s. 129.

130. *(Repealed).*

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1982, c. 62, s. 130; 1984, c. 27, s. 38.

Updating and transfer.

131. The head of the Library may update unusable or obsolete documents, transpose them to other data systems or treat them in any other manner approved by the Office.

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1982, c. 62, s. 131.

Legal deposit.

132. The Québec Official Publisher, the departments and the government agencies governed by the Auditor General Act (chapter V-5.01), including bodies referred to in section 6 of that Act, institutions referred to in Schedule II to the Act respecting the governance of the health and social services system (chapter G-1.021), private institutions under agreement governed by that Act, public institutions or private institutions under agreement governed by the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2), the regional council established by the Act respecting health services and social services for Cree Native persons (chapter S-5), and the inquiry commissions and study committees set up by the Government shall transmit two copies of the documents they publish to the head of the Library.

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1982, c. 62, s. 132; 2010, c. 30, s. 120; 2013, c. 16, s. 89; 2023, c. 34, s. 894.

CHAPTER V
PENAL PROVISIONS

Offence and penalty.

133. Any person other than a Member who performs any act or makes any omission contemplated in sections 55 and 56 is guilty of an offence and liable to a maximum fine of $10,000.

1982, c. 62, s. 133; 1990, c. 4, s. 67.

Offence and penalty.

134. A Member who commits an act or omission described in section 55, 56 or 85 is guilty of an offence and liable to one or more of the following sanctions, as determined by the Assembly:

(1) a reprimand;

(2) a penalty, specifying the amount;

(3) the reimbursement of any unlawful profit;

(4) the reimbursement of the indemnities, allowances or other sums received as a Member while the offence continued;

(5) the loss of his or her seat.

Application of the penalty.

A sanction is applicable as soon as the Assembly imposes it.

1982, c. 62, s. 134; 2010, c. 30, s. 121.

135. *(Replaced).*

1982, c. 62, s. 135; 2010, c. 30, s. 121.

136. *(Replaced).*

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1982, c. 62, s. 136; 2010, c. 30, s. 121.

Competence of the Assembly.

137. The Assembly is fully competent to judge any offence provided for in section 134 and to apply the penalties prescribed therein.

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1982, c. 62, s. 137; 2010, c. 30, s. 122.

Homologation.

138. Where the Assembly condemns a Member to pay or reimburse an amount for an offence against this Act, it may, in default of payment, have its decision homologated by the Superior Court or the Court of Québec, according to the amount involved.

Executory decision.

The decision thereby becomes executory as a judgment of that court in its civil law jurisdiction.

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1982, c. 62, s. 138; 1988, c. 21, s. 66.

Sums collected.

139. Every sum received under this chapter is paid into the consolidated revenue fund.

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1982, c. 62, s. 139.

CHAPTER VI
TRANSITIONAL AND FINAL PROVISIONS

140. *(Repealed).*

1982, c. 62, s. 140; 1989, c. 22, s. 7.

141. *(Repealed).*

1982, c. 62, s. 141; 1989, c. 22, s. 7.

Standing Orders.

142. The Standing Orders of the National Assembly of Québec, any sessional order, and any resolution, decision or order of the commissioners appointed under sections 41 and 82 of the Legislature Act (chapter L-1) and the regulations, orders or orders in council adopted under sections 116, 118 and 119 of the said Act remain in force to the extent that they are consistent with this Act or the Act respecting the Ministère des Communications (chapter M-24), as the case may be, until they are repealed or replaced.

1982, c. 62, s. 142.

Reference to the Act.

143. In any Act, order in council, order, contract or any other document, a reference to a provision of the Legislature Act (chapter L-1), except the provisions of that Act that are not replaced by this Act, is a reference to the equivalent provision of this Act or to the equivalent provision of the Act respecting the Ministère des Communications (chapter M-24) enacted under this Act.

1982, c. 62, s. 143; 1999, c. 3, s. 7.

144. *(Omitted).*

1982, c. 62, s. 144.

145. *(Amendment integrated into c. E-3.1, s. 10).*

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1982, c. 62, s. 145.

146. *(Amendment integrated into c. F-3.1, s. 92).*

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1982, c. 62, s. 146.

147. *(Amendment integrated into c. F-3.1, s. 118).*

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1982, c. 62, s. 147.

148. *(Amendment integrated into c. I-16, s. 1).*

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1982, c. 62, s. 148.

149. *(Omitted).*

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1982, c. 62, s. 149.

150. *(Amendment integrated into c. I-16, heading of Division II).*

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1982, c. 62, s. 150.

151. *(Omitted).*

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1982, c. 62, s. 151.

152. *(Amendment integrated into c. I-16, s. 5).*

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1982, c. 62, s. 152.

153. *(Amendment integrated into c. I-16, s. 9).*

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1982, c. 62, s. 153.

154. *(Amendment integrated into c. I-16, s. 11).*

1982, c. 62, s. 154.

155. *(Omitted).*

1982, c. 62, s. 155.

156. *(Amendment integrated into c. I-16, s. 60).*

1982, c. 62, s. 156.

157. *(Amendment integrated into c. I-16, s. 61).*

1982, c. 62, s. 157.

158. *(Amendment integrated into c. I-16, s. 62).*

1982, c. 62, s. 158.

159. *(Amendment integrated into c. J-2, s. 5).*

1982, c. 62, s. 159.

160. *(Amendment integrated into c. L-1, s. 85).*

1982, c. 62, s. 160.

161. *(Amendment integrated into c. L-1, s. 86).*

1982, c. 62, s. 161.

162. *(Amendment integrated into c. L-1, s. 89).*

1982, c. 62, s. 162.

163. *(Amendment integrated into c. M-24, heading of chapter I, of chapter II, and ss. 15-19).*

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1982, c. 62, s. 163.

164. *(Amendment integrated into c. S-4, s. 6).*

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1982, c. 62, s. 164.

165. *(Amendment integrated into c. S-20, s. 23).*

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1982, c. 62, s. 165.

166. *(Amendment integrated into c. T-16, s. 133).*

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1982, c. 62, s. 166.

167. *(Repealed).*

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1982, c. 62, s. 167; 1989, c. 22, s. 7.

168. *(This section ceased to have effect on 18 December 1987).*

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1982, c. 62, s. 168; U. K., 1982, c. 11, Sch. B, Part I, s. 33.

169. *(Repealed).*

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1982, c. 62, s. 169; 1989, c. 22, s. 7.

170. *(Omitted).*

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1982, c. 62, s. 170.

SCHEDULE I
(Section 15)

OATH OF A MEMBER

I, *(name of the Member)*, declare under oath that I will be loyal to the people of Québec and that I will perform the duties of Member honestly and justly in conformity with the constitution of Québec.

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1982, c. 62, Schedule I; 1999, c. 40, s. 25.

SCHEDULE II
(Section 52)

DECLARATION UNDER OATH

I, *(name of the witness)*, declare under oath that the testimony that I will give will be the truth, the whole truth and nothing but the truth.

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1982, c. 62, Schedule II; 1999, c. 40, s. 25.

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

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

(CQLR, chapter C-23-1)

Preamble.

AS, in their capacity as representatives of the people of Québec, Members of the National Assembly take part in the passage of legislation and the making of regulations, exercise the National Assembly's power of supervision over the actions of the Government and its departments, bodies and agencies, assist individuals and groups who request help in their relations with the State, and participate in public debate;

AS, because of those functions, the people of Québec expect Members to embrace the values of the National Assembly and to observe certain rules of conduct, including, if they are members of the Conseil exécutif, when carrying out their duties as Ministers;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

PRELIMINARY TITLE
Purpose, Application and Interpretation

Purpose.

1. The purpose of this Code is to affirm the principal values of the National Assembly embraced by its Members, to set out the rules of conduct which they must observe, and to provide for the application and enforcement of those rules.

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2010, c. 30, s. 1.

Application.

2. This Code applies to all Members of the National Assembly ("Members"). It also applies to the members of the Conseil exécutif ("Cabinet Ministers") when carrying out their duties as Ministers.

Members.

For the purposes of this Code,

(1) a Cabinet Minister who has not been elected to the National Assembly, or

(2) as far as the imposition of a sanction for a violation of this Code is concerned, a person who has ceased to be a Member

is deemed to be a Member.

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2010, c. 30, s. 2.

Responsible for the administration.

3. The Ethics Commissioner is responsible for the administration of this Code and comes under the National Assembly.

Rights, privileges and immunities.

The Ethics Commissioner exercises the duties of office within the framework of the rights, privileges and immunities of the National Assembly.

Effect.

This Code does not operate to limit the rights, privileges or immunities of the National Assembly.

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2010, c. 30, s. 3.

Effect.

4. This Code in no way affects the authority conferred by law on the Office of the National Assembly.

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2010, c. 30, s. 4.

Definitions.

5. For the purposes of this Code,

(1) "public body" means

(*a*) a government agency governed by the Auditor General Act (chapter V-5.01);

(*b*) a body referred to in section 6 of that Act, an institution referred to in Schedule II to the Act respecting the governance of the health and social services system (chapter G-1.021), a private institution under agreement governed by that Act, a public institution or a private institution under agreement governed by the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2), or the regional council established by the Act respecting health services and social services for Cree Native persons (chapter S-5); or

(*c*) any person designated by the National Assembly to carry out duties that come under the National Assembly and any body to which the National Assembly or a committee of the National Assembly appoints the majority of members;

(2) "family member" means the Member's spouse within the meaning of the Interpretation Act (chapter I-16), or a dependent child of the Member or the Member's spouse.

2010, c. 30, s. 5; 2013, c. 16, s. 92; 2023, c. 34, s. 954.

TITLE I
VALUES AND ETHICAL PRINCIPLES

Values of the Assembly.

6. The following are the values of the National Assembly:

(1) commitment to improving the social and economic situation of Quebecers;

(2) high regard for and the protection of the National Assembly and its democratic institutions; and

(3) respect for other Members, public servants and citizens.

Conduct of Members.

The conduct of Members must be characterized by benevolence, integrity, adaptability, wisdom, honesty, sincerity and justice. Consequently, Members

(1) show loyalty towards the people of Québec;

(2) recognize that it is their duty to serve the citizens;

(3) show rigour and diligence;

(4) seek the truth and keep their word; and

(5) preserve the memory of how the National Assembly and its democratic institutions function.

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2010, c. 30, s. 6.

Adherence.

7. Members embrace the values set out in this Title.

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2010, c. 30, s. 7.

Guide.

8. Members recognize that these values must guide them in carrying out their duties of office and determining the rules of conduct applicable to them, and be taken into account in interpreting those rules. They strive for consistency between their actions and the values set out in this Title, even when their actions do not in themselves contravene the applicable rules of conduct.

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2010, c. 30, s. 8.

Respect.

9. Members recognize that their adherence to these values is essential to maintain the confidence of the people in them and the National Assembly and enable them to fully achieve their mission of serving the public interest.

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2010, c. 30, s. 9.

TITLE II
RULES OF CONDUCT APPLICABLE TO ALL MEMBERS

CHAPTER I
INCOMPATIBLE OFFICES OR POSTS

Incompatibility.

10. The office of member of a municipal council, a school service centre's board of directors or a school board is incompatible with the office of Member.

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2010, c. 30, s. 10; 2020, c. 1, s. 178.

Incompatible offices.

11. Employment, a position or any other post to which remuneration or a benefit in lieu of remuneration is attached is incompatible with the office of Member if it is held with

(1) the Government or one of its departments or a public body;

(2) the Government of Canada, the government of another province or of a territory, or a department or agency of such a government, except the regular Armed Forces or the Reserve;

(3) a foreign country; or

(4) an international non-profit organization.

Compatible office.

However, being a Cabinet Member is not incompatible with the office of Member.

Compatible activities.

This section does not prohibit engaging in remunerated teaching activities or practising a profession within a body referred to in subparagraph *b* of paragraph 1 of section 5, subject to the Member having informed, and obtained permission from, the Ethics Commissioner.

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2010, c. 30, s. 11.

Incompatible offices.

12. The post of director or officer of a legal person, partnership or association engaged in professional, commercial, industrial or financial activities is incompatible with the office of President of the National Assembly.

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2010, c. 30, s. 12.

Resignation from incompatible office.

13. A Member who, when elected, holds an incompatible office or post within the meaning of section 10 or 11 must resign from that office or post before taking the oath of office.

Timeframe.

If a post incompatible with the office of Member devolves on a Member during his or her term, the Member must resign from one or the other within 30 days. Meanwhile, the Member is barred from sitting in the National Assembly.

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2010, c. 30, s. 13.

Incompatible activities.

14. A Member must not engage in lobbying within the meaning of the Lobbying Transparency and Ethics Act (chapter T-11.011).

Permitted activities.

However, this section does not prohibit any activities normally engaged in by Members acting in their official capacity.

Consultation.

In determining whether a Member has engaged in lobbying, the Ethics Commissioner must consult the Lobbyists Commissioner.

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2010, c. 30, s. 14.

CHAPTER II
CONFLICTS OF INTEREST

Private interests.

15. A Member must not place himself or herself in a situation where his or her private interests may impair independence of judgment in carrying out the duties of office.

2010, c. 30, s. 15.

Favoritism prohibited.

16. When carrying out the duties of office, a Member must not

(1) act, attempt to act or refrain from acting, so as to further his or her private interests or those of a family member or non-dependent child, or to improperly further another person's private interests; or

(2) use the position of Member to influence or attempt to influence another person's decision so as to further the Member's private interests or those of a family member or non-dependent child, or to improperly further another person's private interests.

2010, c. 30, s. 16.

Use of information prohibited.

17. A Member must not use, communicate or attempt to use or communicate information obtained in or in connection with the carrying out of the duties of office that is not generally available to the public so as to further the Member's or another person's private interests.

2010, c. 30, s. 17.

Contracts prohibited.

18. No Member may, directly or indirectly, be party to a contract with the Government or a department or public body.

Exceptions.

However, a Member may

(1) have interests in an enterprise that is party to such a contract, subject

(a) in the case of an enterprise whose securities are not listed on an exchange and for which there is no published market, to informing the Ethics Commissioner as soon as the Member becomes aware of the contract and to the Ethics Commissioner authorizing the Member to retain the interest, on the conditions specified by the Commissioner, such as the creation of a blind trust managed by an independent trustee or the establishment of a blind management agreement with an independent mandatary; and

(b) in the case of any other enterprise, to collusion or undue influence being unlikely given the extent of the interests or the circumstances in which the contract is made;

(2) receive a loan, a reimbursement, a grant, an indemnity or any other benefit from the Government or a department or public body under any Act, regulation or program; and

(3) hold securities issued by the Government or a public body on the same terms as are applicable to all.

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2010, c. 30, s. 18.

Contract prior to election.

19. A Member may claim and receive remuneration or a benefit resulting from a contract mentioned in the first paragraph of section 18 if the contract was entered into and carried out before the Member's election.

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2010, c. 30, s. 19.

Acquisition of property belonging to a Member.

20. If the Government or a department or public body acquires property belonging in whole or in part to a Member, or a real right affecting such property, the purchase price or indemnity must be set by the Administrative Tribunal of Québec. The Member informs the Ethics Commissioner within 30 days.

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2010, c. 30, s. 20.

Remunerated activities.

21. A Member may, in the course of professional or similar activities, receive remuneration to which he or she is entitled even if it is paid in whole or in part by the Government or a department or public body, provided that the service recipient is not the Government or a department or public body.

Compatible activities.

This section does not prohibit engaging in remunerated teaching activities or practising a profession within a body referred to in subparagraph *b* of paragraph 1 of section 5, subject to the Member having informed, and obtained permission from, the Ethics Commissioner.

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2010, c. 30, s. 21.

Conflict of interest at time of election.

22. A Member whose election places him or her in a conflict of interest situation must inform the Ethics Commissioner without delay and put an end to that situation within 60 days, unless a different compliance period is set by the Ethics Commissioner.

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2010, c. 30, s. 22.

Conflict of interest during term.

23. A Member placed in a conflict of interest situation during his or her term by the operation of an Act or by entering into a marriage, civil union or de facto union or by accepting a gift, a legacy or the office of liquidator of a succession must inform the Ethics Commissioner without delay and put an end to that situation within 60 days unless a different compliance period is set by the Ethics Commissioner.

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2010, c. 30, s. 23.

Involuntary conflicts of interest.

24. A Member placed in a conflict of interest situation without his or her knowledge or against his or her will must inform the Ethics Commissioner without delay and put an end to that situation within 60 days after becoming aware of it, unless a different compliance period is set by the Ethics Commissioner.

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2010, c. 30, s. 24.

Public declaration and withdrawal.

25. A Member who knowingly has a private financial interest, not shared by the other Members or the general public, in a matter that is being discussed in the National Assembly or a committee of which he or she is a member must, if present, publicly and without delay declare the general nature of the interest and withdraw from the meeting or sitting without participating in debate or voting on the matter.

Notice.

The Member must also inform the Secretary General of the National Assembly and the Ethics Commissioner.

2010, c. 30, s. 25.

Other post.

26. A Member who, while in office, holds another post must avoid any conflict between the duties of that post and the duties of office.

2010, c. 30, s. 26.

CHAPTER III
REMUNERATION

Remuneration from a party.

27. A Member must not receive, directly or indirectly, any form of salary, indemnity, financial assistance or other benefit from a political party or party authority.

Reimbursement.

A Member may, however, be reimbursed by a political party or party authority authorized under the Election Act (chapter E-3.3) for reasonable expenses incurred in the course of a partisan activity.

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2010, c. 30, s. 27.

Former Member.

28. A former Member must inform the Ethics Commissioner in writing, within 60 days, of any salary, indemnity, financial assistance or other benefit arising from the Member's prior office that is paid directly or indirectly to him or her. The Ethics Commissioner gives public notice of the information within 15 days after receiving it.

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2010, c. 30, s. 28.

CHAPTER IV
GIFTS AND BENEFITS

Benefit prohibited.

29. A Member must not solicit, elicit, accept or receive any benefit, whether for himself or herself or for another person, in exchange for speaking or taking a certain position on any issue, including one that may be brought before the National Assembly or a committee.

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2010, c. 30, s. 29.

Independence of judgment and integrity.

30. A Member must refuse or, at the first opportunity and after requesting an advisory opinion from the Ethics Commissioner, return to the donor or deliver to the Ethics Commissioner any gift, hospitality or other benefit, whatever its value, that may impair his or her independence of judgment in carrying out the duties of office, or that may compromise the Member's integrity or that of the National Assembly. If the Member refuses such a benefit, he or she so informs the Ethics Commissioner in writing.

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2010, c. 30, s. 30.

Value of more than $200.

31. A Member who receives, directly or indirectly, a gift, hospitality or other benefit that has a value of more than $200 and chooses not to return it to the donor or not to deliver it to the Ethics Commissioner must, within 30 days, file with the Ethics Commissioner a disclosure statement containing an accurate description of the gift, hospitality or benefit received and specifying the name of the donor and the date on which and circumstances under which it was received.

Public register.

The Ethics Commissioner keeps a public register in which such statements are recorded.

Notice.

If a Member returns a thing to the donor, the Member so informs the Ethics Commissioner in writing.

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2010, c. 30, s. 31.

Private life.

32. Section 31 does not apply to gifts, hospitality or other benefits received by a Member in the context of a purely private relationship.

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2010, c. 30, s. 32.

Repetition.

33. For the purposes of sections 30 and 31, the repeated receipt of gifts, hospitality and other benefits from the same source must be taken into account.

Period.

For the purposes of section 31, the $200 is computed over a 12-month period.

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2010, c. 30, s. 33.

Handing over of property.

34. The things delivered to the Ethics Commissioner under this chapter are turned over to the Secretary General of the National Assembly. The Secretary General disposes of them as appropriate.

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2010, c. 30, s. 34.

CHAPTER V
ATTENDANCE RECORD

Attendance record.

35. A Member must maintain a good attendance record in carrying out the duties of office. He or she may not be absent from sittings of the National Assembly for an unreasonable length of time without a valid reason.

A Member is not in default of maintaining a good attendance record when absent for the following reasons:

(1) in connection with the Member's pregnancy, the birth of the Member's child or the adoption of a child;

(2) while on maternity leave, paternity leave or parental leave; or

(3) because of the state of health of a relative or a person for whom the Member acts as a caregiver.

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2010, c. 30, s. 35; 2022, c. 28, s. 8.

CHAPTER VI

USE OF STATE PROPERTY AND SERVICES

State property and services.

36. A Member uses, and allows the use of, State property, including property leased by the State and services made available to the Member by the State, for activities related to the carrying out of the duties of office.

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2010, c. 30, s. 36.

CHAPTER VII
DISCLOSURE STATEMENT

Timeframe and frequency.

37. Within 60 days after the notice of his or her election is published in the *Gazette officielle du Québec*, and annually on or before the date set by the Ethics Commissioner, a Member must file with the Ethics Commissioner a statement disclosing his or her private interests and those of his or her family members. The statement is kept at the office of the Ethics Commissioner.

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2010, c. 30, s. 37.

Content.

38. The disclosure statement must

(1) state the value of all income and all benefits that the Member has received during the 12 months preceding the disclosure statement and is entitled to receive during the next 12 months for services already provided, as well as the nature and source of that income and those benefits;

(2) identify the immovable property, situated in Québec and elsewhere, in which the Member or a family member possesses a real right for purposes other than personal residential use;

(3) mention any notice of expropriation issued for property in which the Member or a family member possesses a real right, whether or not it is property described in paragraph 2;

(4) state the name, occupation and address of any person, other than a financial institution or a family member, who owes money to the Member or a family member or to whom the Member or a family member owes money as a result of a loan in excess of $3,000, and state the balance owing if in excess of $20,000;

(5) state the nature of any professional, commercial or industrial activity engaged in by the Member or a family member during the 12 months preceding the disclosure statement, other than a dependent child's employment that generated income not exceeding $10,000, and state the name of the employer or enterprise on whose behalf the activity was engaged in or the fact that the activity was engaged in on the Member's or family member's own account;

(6) state all benefits that the Member or a family member has received during the 12 months preceding the disclosure statement, and is entitled to receive during the next 12 months, from a contract with the Government or a department or public body, other than a contract described in subparagraph 2 or 3 of the second paragraph of section 18, and describe the subject-matter, value and nature of each such contract;

(7) state the name of any enterprise whose securities are listed on an exchange or for whose securities there is a published market and in which the Member or a family member has an interest, including shares, stocks or pecuniary benefits, and specify the nature and value of that interest;

(8) state the name of any enterprise, other than an enterprise described in paragraph 7, in which the Member or a family member has an interest, including shares, stocks or pecuniary benefits, and specify the nature and value of that interest; the Member must provide any of the following information about any such enterprise that the Member is able to obtain by making reasonable inquiries:

(a) the enterprise's activities and sources of income;

(b) the ties that may exist between the enterprise and the Government, a department or a public body;

(c) the name and address of the persons who have interests in the enterprise; and

(d) the names of any legal persons related to the enterprise;

(9) list all legal persons, associations and partnerships of which the Member or a family member has been a director, an officer or a partner, including a general or special partner, during the 12 months preceding the disclosure statement;

(10) provide information concerning any succession or trust under which the Member or a family member is a beneficiary entitled to a value of $10,000 or more; and

(11) include any other information that the Ethics Commissioner may require.

2010, c. 30, s. 38.

Meeting.

39. After reviewing a Member's disclosure statement filed under section 37, the Ethics Commissioner may request a meeting with the Member to ensure that adequate disclosure has been made and to discuss the Member's obligations under this Code.

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2010, c. 30, s. 39.

Summary made public.

40. A disclosure summary of the private interests of each Member is prepared by the Ethics Commissioner after consulting with the Member. The summary must state the general nature of the interests mentioned in the disclosure statement and be made public by the Ethics Commissioner.

Content.

The summary must

(1) set out the nature and source of the income and benefits mentioned in the disclosure statement other than

(a) a source of income or benefits if the total of the income and benefits from that source during the 12 months before the relevant date is less than $10,000; or

(b) any other source of income or benefits that the Ethics Commissioner determines should not be disclosed;

(2) identify any immovable property in which the Member possesses a real right and for which a notice of expropriation has been issued;

(3) state the nature of any professional, commercial or industrial activity engaged in by the Member during the 12 months preceding the disclosure statement and state the name of the employer or enterprise on whose behalf the activity was engaged in or the fact that the activity was engaged in on the Member's own account;

(4) describe the subject-matter and nature of any contract described in paragraph 6 of section 38;

(5) identify any interest with respect to which a blind trust or a blind management agreement has been created in accordance with section 18, and state the name and address of the trustee or mandatary and the date of the trust deed or management agreement;

(6) list the names of any enterprises, legal persons, partnerships, associations, successions and trusts mentioned in the Member's disclosure statement, and state the nature of the interest; and

(7) provide any other information that the Ethics Commissioner sees fit to make public.

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2010, c. 30, s. 40.

CHAPTER VIII
ACTS CONTRARY TO THIS CODE

Acts contrary to this Code.

41. A Member acts contrary to this Code if he or she

(1) refuses or fails to respond to a written request of the Ethics Commissioner within a reasonable time;

(2) refuses or fails to provide within a reasonable time information or a document the Ethics Commissioner has required in writing;

(3) misleads or attempts to mislead the Ethics Commissioner in the exercise of the Ethics Commissioner's functions; or

(4) in any way hinders the Ethics Commissioner in the exercise of the Ethics Commissioner's functions.

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2010, c. 30, s. 41.

TITLE III
SPECIAL RULES OF CONDUCT APPLICABLE TO CABINET MINISTERS

CHAPTER I
INTERPRETATION

Cabinet Minister.

42. For the purposes of this Title, a Member who is not a Cabinet Minister but is authorized to sit in the Cabinet is considered a Cabinet Minister.

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2010, c. 30, s. 42.

CHAPTER II
EXCLUSIVITY OF DUTIES

Incompatible office.

43. Cabinet Ministers must devote themselves exclusively to the duties of office. No Cabinet Minister may, for example, hold the post of director or officer of a legal person, partnership or association.

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2010, c. 30, s. 43.

Resignation from incompatible office.

44. A Cabinet Minister must, as soon as possible after being sworn in, resign as a director or officer of any legal person, partnership or association and cease any activity other than carrying out the duties of office. Meanwhile, the Cabinet Minister is barred from taking part in Cabinet meetings and in meetings of Cabinet committees or the Conseil du trésor.

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2010, c. 30, s. 44.

CHAPTER III
CONFLICTS OF INTEREST

Enterprise whose securities are listed on an exchange.

45. A Cabinet Minister must, within 60 days after appointment to the Cabinet or after being conferred interests in an enterprise whose securities are listed on an exchange or for whose securities there is a published market, either dispose of such interests, place them in a blind trust managed by an independent trustee or entrust them to an independent mandatary under a blind management agreement. The Cabinet Minister must also comply with any other measure or condition imposed by the Ethics Commissioner.

Exceptions.

However, this section does not apply in respect of an investment in an open-ended mutual fund, a guaranteed investment certificate or similar financial instrument, an interest in a pension plan, a registered retirement savings plan that is not self-directed, an employee benefit plan, a life insurance policy or similar annuity, an investment in the Fonds de solidarité des travailleurs et des travailleuses du Québec (FTQ) or Fondaction, le Fonds de développement de la Confédération des syndicats nationaux pour la coopération et l'emploi or any similar interest which the Ethics Commissioner considers should be excluded from the application of this section.

2010, c. 30, s. 45; 2024, c. 11, s. 18.

Other enterprise.

46. A Cabinet Minister who, either directly or indirectly, has interests in an enterprise other than an enterprise described in the first paragraph of section 45 must, within 60 days after appointment to the Cabinet or after being conferred any such interests and subject to the exception provided in subparagraph 3 of the second paragraph of section 18, see to it that the enterprise abstain from becoming, directly or indirectly, party to a contract with the Government or a department or public body.

Family member.

The first paragraph also applies, with the necessary modifications, if such interests are held by a family member of a Cabinet Minister. However, if, in the Ethics Commissioner's opinion, there is no resulting risk of the Cabinet Minister violating this Code or of the public interest not being served, the Ethics Commissioner may, after informing the Secretary General of the Conseil exécutif, authorize contracts or certain types of contracts between an enterprise in which a family member of a Cabinet Minister has interests and the Government or a department or public body, provided that

(1) neither the department or a public body under the Cabinet Minister's responsibility nor the Ministère du Conseil exécutif are involved in such a contract;

(2) the enterprise has already been a party to such contracts or types of contracts and the general conditions applicable to them remain identical, even if the department or a public body under the Cabinet Minister's responsibility or the Ministère du Conseil exécutif is involved in the contract;

(3) no such contract is entered into by mutual agreement between the enterprise and the Government or a department or public body;

(4) the enterprise is not a sole source supplier with respect to such contracts or types of contracts;

(5) the Cabinet Minister concerned undertakes never to discuss, with Cabinet colleagues or any other interested person, even privately, any file even remotely connected to a contract that has been or could be made, directly or indirectly between the Government or a department or public body and the enterprise, not to exert or attempt to exert, directly or indirectly, any influence in relation to such a file and to withdraw from any Cabinet meeting or meeting of a Cabinet committee or the Conseil du trésor while such a file is being discussed;

(6) the Cabinet Minister concerned attaches to his or her disclosure statement a signed document identifying the enterprise, and stating the interests the family member holds in it; and

(7) the Cabinet Minister concerned informs the deputy minister of the department and the chief executive officers of the public bodies under the Cabinet Minister's responsibility, in writing, that there are to be no contracts between the department or such a public body and an enterprise identified in the document attached to the Cabinet Minister's disclosure statement.

Requirements imposed by the Ethics Commissioner.

In addition, the Ethics Commissioner may at any time impose any requirement the Ethics Commissioner considers appropriate, limit the contracts or types of contracts authorized or ask that authorized contracts be terminated.

Public notice.

Public notice of any authorization granted under this section or any change made to such an authorization must be given by the Ethics Commissioner without delay and must include the grounds for the authorization or change, the name of the enterprise, the name of the Cabinet Minister and the family member concerned, the nature of the contracts or types of contracts and the conditions imposed by the Ethics Commissioner.

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2010, c. 30, s. 46.

Speculation prohibited.

47. No Cabinet Minister may acquire, for speculation purposes, land in Québec, interests in land in Québec or interests in a land development company that carries on business in Québec.

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2010, c. 30, s. 47.

Post-term measures.

48. A Cabinet Minister must inform the Ethics Commissioner in writing of any serious effort he or she makes or participates in with respect to an appointment the Cabinet Minister could accept or to any employment, position or post the Cabinet Minister could hold after cessation of office.

Request of the Ethics Commissioner.

In such a case, the Ethics Commissioner may request the Cabinet Minister either to terminate the effort or to comply with conditions the Ethics Commissioner determines. In the latter case, the Ethics Commissioner informs the Premier.

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2010, c. 30, s. 48.

Conflict of interest.

49. As soon as a Cabinet Minister becomes aware of a situation described in section 22, 23 or 24, he or she must inform the Ethics Commissioner and the Secretary General of the Conseil exécutif. The Cabinet Minister must undertake in writing to abstain, for as long as the situation is not regularized, from discussing with Cabinet colleagues, even privately, any file even remotely connected to the interest concerned, not to exert or attempt to exert, directly or indirectly, any influence in relation to such a file and to withdraw from any Cabinet meeting or meeting of a Cabinet committee or the Conseil du trésor while such a file is being discussed. The Cabinet Minister must also expressly direct the deputy minister of the department and the chief executive officers of the public bodies under the Cabinet Minister's responsibility never to bring to the Cabinet Minister's attention any information concerning such a file, to deal themselves with such information and to make any decision relating to such a file on their own.

Different compliance period.

Moreover, if the Ethics Commissioner sets a compliance period different from that provided for in sections 22, 23 and 24, the Ethics Commissioner informs the Secretary General of the Conseil exécutif.

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2010, c. 30, s. 49.

CHAPTER IV
REMUNERATION

Remuneration from a party.

50. Despite section 27, a Cabinet Minister who has not been elected to the National Assembly may receive from an authorized political party or an authorized party authority, from the date he or she becomes a Cabinet Minister until he or she ceases to be a Cabinet Minister or is elected as a Member, whichever occurs first, an amount not exceeding the amount the Cabinet Minister would receive under section 1 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1) if he or she were a Member.

Salary.

That amount must not be taken into account in computing allowances, pensions or benefits provided for by that Act. However, the amount is income for the purposes of article 698 of the Code of Civil Procedure (chapter C-25.01).

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2010, c. 30, s. 50; I.N. 2016-01-01 (NCCP).

CHAPTER V
DISCLOSURE STATEMENT

Timeframe and frequency.

51. Within 60 days after being sworn in as a Cabinet Minister, and annually on or before the date set by the Ethics Commissioner, a Member must file with the Ethics Commissioner a statement disclosing his or her private interests and those of his or her family members. The statement is kept at the office of the Ethics Commissioner.

Cumulation.

Such a statement must be filed even if the Cabinet Minister has already filed a Member's statement under section 37.

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2010, c. 30, s. 51.

Content.

52. The disclosure statement must

(1) state the income, benefits, assets and liabilities of the Cabinet Minister and his or her family members, and their value, including

(a) the movable and immovable property, situated in Québec and elsewhere, in which the Cabinet Minister or a family member possesses a real right and the immovable property of which the Cabinet Minister or a family member is the lessee, except movable property intended for personal use; however, any property for which a notice of expropriation has been issued must be added to the disclosure statement;

(b) the value of all income and all benefits that the Cabinet Minister or a family member has received during the 12 months preceding the disclosure statement, and is entitled to receive during the next 12 months for services already provided, other than a dependent child's income not exceeding $10,000, as well as the nature and source of that income and those benefits;

(c) information concerning any succession or trust under which the Cabinet Minister or a family member is a beneficiary entitled to a value of $10,000 or more;

(d) the name, occupation and address of any person, other than a financial institution or a family member, who owes money to the Cabinet Minister or a family member or to whom the Cabinet Minister or a family member owes money as a result of a loan in excess of $3,000, and the balance owing if in excess of $10,000;

(e) the amount of any other debt or surety bond, except

(i) a debt or surety bond of $10,000 or less;

(ii) a debt on movable property intended for personal use; or

(iii) the balance on a credit card;

(2) state the nature of any professional, commercial or industrial activity engaged in by the Cabinet Minister during the 12 months preceding his or her swearing in and state the name of the employer or enterprise on whose behalf the activity was engaged in or the fact that the activity was engaged in on the Cabinet Minister's own account;

(3) state the nature of any professional, commercial or industrial activity engaged in by a family member of the Cabinet Minister during the 12 months preceding the disclosure statement, other than a dependent child's employment that generated income not exceeding $10,000, and state the name of the employer or enterprise on whose behalf the activity was engaged in or the fact that the activity was engaged in on the family member's own account;

(4) state all benefits that the Cabinet Minister has received during the 12 months preceding his or her swearing in, and is entitled to receive subsequently, from a contract entered into with the Government or a department or public body before his or her swearing in, other than a reimbursement or indemnity described in subparagraph 2 of the second paragraph of section 18 or a contract described in subparagraph 3 of that paragraph, and describe the subject-matter, value and nature of each such contract;

(5) state all benefits that a family member of the Cabinet Minister has received during the 12 months preceding the disclosure statement, and is entitled to receive during the next 12 months, from a contract with the Government or a department or public body, other than a reimbursement or indemnity described in subparagraph 2 of the second paragraph of section 18 or a contract described in subparagraph 3 of that paragraph, and describe the subject-matter, value and nature of each such contract;

(6) state the name of any enterprise whose securities are listed on an exchange or for whose securities there is a published market and in which the Cabinet Minister or a family member has an interest, including shares, stocks or pecuniary benefits, and specify the nature and value of that interest;

(7) state the name of any enterprise, other than an enterprise described in paragraph 6, in which the Cabinet Minister or a family member has an interest, including shares, stocks or pecuniary benefits, specify the nature and value of that interest, and include any of the following information about any such enterprise that the Cabinet Minister is able to obtain by making reasonable inquiries:

(a) the enterprise's activities and sources of income;

(b) the ties that may exist between the enterprise and the Government, a department or a public body;

(c) the name and address of the persons who have interests in the enterprise; and

(d) the names of any legal persons related to the enterprise;

(8) list all legal persons, associations and partnerships of which the Cabinet Minister has been a director, an officer or a partner, including a general or special partner, during the 12 months preceding his or her swearing in;

(9) list all legal persons, associations and partnerships of which a family member of the Cabinet Minister has been a director, an officer or a partner, including a general or special partner, during the 12 months preceding the disclosure statement;

(10) provide information concerning proceedings before a court of law or adjudicative body in respect of which the Cabinet Minister is involved as a party;

(11) disclose any amount received under section 50; and

(12) include any other information that the Ethics Commissioner may require.

2010, c. 30, s. 52.

Change.

53. A Cabinet Minister must inform the Ethics Commissioner in writing of any material change in the information required in his or her disclosure statement within 60 days after the change occurs.

2010, c. 30, s. 53.

Meeting.

54. After reviewing a Cabinet Minister's disclosure statement filed under section 51, the Ethics Commissioner may request a meeting with the Cabinet Minister to ensure that adequate disclosure has been made and to discuss the Cabinet Minister's obligations under this Code.

2010, c. 30, s. 54.

Summary made public.

55. A disclosure summary is prepared by the Ethics Commissioner for each Cabinet Minister and his or her family members after consulting with the Cabinet Minister. The summary must state the general nature of the interests mentioned in the disclosure statement and be made public by the Ethics Commissioner.

Content.

With respect to the Cabinet Minister, the summary must

(1) state the nature and source of income, benefits, assets and liabilities other than

(a) an asset or liability with a value of less than $10,000;

(b) a source of income or benefits if the total of the income and benefits from that source during the 12 months before the relevant date is less than $10,000; and

(c) any other asset, liability or source of income or benefits that the Ethics Commissioner determines should not be disclosed;

(2) identify any immovable property among the Cabinet Minister's assets for which a notice of expropriation has been issued;

(3) state the name, occupation and address of a person described in subparagraph *d* of paragraph 1 of section 52, if the Cabinet Minister owes money to that person, and state the balance owing if in excess of $20,000;

(4) state the nature of any professional, commercial or industrial activity engaged in by the Cabinet Minister during the 12 months preceding his or her swearing in and state the name of the employer or enterprise on whose behalf the activity was engaged in or the fact that the activity was engaged in on the Cabinet Minister's own account;

(5) describe the subject-matter and nature of any contract described in paragraph 4 of section 52;

(6) identify any interest with respect to which a blind trust or a blind management agreement has been created, and state the name and address of the trustee or mandatary and the date of the trust deed or management agreement;

(7) list the names of any enterprises, legal persons, partnerships and associations mentioned in the Cabinet Minister's disclosure statement, and state the nature of the interest;

(8) state the nature and source of any benefit received under section 50; and

(9) provide any other information that the Ethics Commissioner sees fit to make public.

Content.

With respect to each family member of the Cabinet Minister, the summary must

(1) state the names of the enterprises described in paragraph 6 of section 52, unless the interests in those enterprises have been transferred to a blind trust or a blind management agreement; in the latter case, the summary must state the name and address of the trustee or mandatary and the date of the trust deed or management agreement;

(2) state the names of the enterprises described in paragraph 7 of section 52;

(3) provide a list of all immovable property having a value of $10,000 or more in which the family member possesses a real right for purposes other than personal residential use;

(4) identify any immovable property included in the family member's assets for which a notice of expropriation has been issued;

(5) provide information concerning any succession or trust under which the family member is a beneficiary entitled to a value of $10,000 or more;

(6) state the name, occupation and address of a person described in subparagraph *d* of paragraph 1 of section 52, if the family member owes money to that person, and state the balance owing if in excess of $20,000; and

(7) provide any other information that the Ethics Commissioner sees fit to make public.

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2010, c. 30, s. 55.

CHAPTER VI
POST-TERM ISSUES

State entity.

56. For the purposes of this chapter, "State entity" means any of the following persons, agencies, bodies or institutions:

(1) any public body or government agency within the meaning of the Auditor General Act (chapter V-5.01);

(2) the Université du Québec and its constituent universities, research institutes and superior schools within the meaning of the Act respecting the Université du Québec (chapter U-1);

(3) any university-level institution referred to in paragraphs 1 to 11 of section 1 of the Act respecting educational institutions at the university level (chapter E-14.1), other than those mentioned in paragraph 2;

(4) any general and vocational college established under the General and Vocational Colleges Act (chapter C-29);

(5) any school service centre governed by the Education Act (chapter I-13.3), any school board governed by the Education Act for Cree, Inuit and Naskapi Native Persons (chapter I-14) or the Comité de gestion de la taxe scolaire de l'île de Montréal;

(6) any private institution accredited for purposes of subsidies under the Act respecting private education (chapter E-9.1);

(7) any other educational institution more than half of whose expenditures are provided for in the budgetary estimates tabled in the National Assembly otherwise than under a transferred appropriation;

(7.1) any institution referred to in Schedule II to the Act respecting the governance of the health and social services system (chapter G-1.021) or any private institution under agreement governed by that Act;

(8) any public or private institution that is a party to an agreement referred to in the Act respecting health services and social services for the Inuit and Naskapi (chapter S-4.2);

(9) the regional council established under the Act respecting health services and social services for Cree Native persons (chapter S-5);

(10) any municipality or any body referred to in section 18 or 19 of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3);

(11) the James Bay Regional Administration and any delegate organization referred to in section 126.4 of the Municipal Powers Act (chapter C-47.1); and

(12) any agency described in paragraph 4 of section 4 of the Lobbying Transparency and Ethics Act (chapter T-11.011).

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2010, c. 30, s. 56; 2013, c. 16, s. 93; 2015, c. 8, s. 217; 2020, c. 1, s. 179; 2023, c. 34, s. 955.

Undue benefit.

57. Former Cabinet Ministers must conduct themselves so as not to obtain undue benefit from their prior office.

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2010, c. 30, s. 57.

Confidential information.

58. Former Cabinet Ministers must not disclose confidential information obtained in or in connection with the carrying out of the duties of office, and must not give advice to any person based on information not available to the public, obtained in or in connection with the carrying out of the duties of office.

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2010, c. 30, s. 58.

Prohibited activities.

59. Cabinet Ministers who acted in connection with a proceeding, negotiation or other transaction may not act for or on behalf of anyone else in the same proceeding, negotiation or other transaction after leaving office.

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2010, c. 30, s. 59.

Prohibited activities.

60. Cabinet Ministers may not, in the two years after they leave office,

(1) accept any appointment to a board of directors or as a member of any body, agency, enterprise or other entity that is not a State entity and with which they had official, direct and significant dealings in the year preceding the cessation in office, or accept employment, a position or any other post within such an entity; and

(2) unless they are still Members and subject to the prohibition set out in section 14, intervene on behalf of anyone else with any department or other State entity with which they had official, direct and significant dealings in the year preceding their cessation in office.

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2010, c. 30, s. 60.

Minister's responsibility.

61. A Cabinet Minister in office must, upon discovering that another person who is subject to this chapter is violating a provision of section 59 or paragraph 2 of section 60 in connection with a proceeding, negotiation or other transaction, abstain from dealing with that person within the context of the proceeding, negotiation or other transaction, and inform the Ethics Commissioner in writing. The Cabinet Minister must also see to it that the Minister's staff and the personnel of the department or any State entity under the Minister's responsibility also abstain from dealing with that person within the context of the proceeding, negotiation or other transaction.

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2010, c. 30, s. 61.

TITLE IV
ADMINISTRATION AND ENFORCEMENT

CHAPTER I
ETHICS COMMISSIONER

DIVISION I
APPOINTMENT, FUNCTIONS AND ORGANIZATION

Appointment.

62. On the joint motion of the Premier and the Leader of the Official Opposition, after consulting with the Leaders of the other authorized parties represented in the National Assembly and with the approval of two thirds of the Members, the National Assembly appoints an Ethics Commissioner to be responsible for the administration of this Code.

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2010, c. 30, s. 62.

Remuneration.

63. The Assembly determines in the same manner the remuneration, employment benefits and other conditions of employment of the Ethics Commissioner.

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2010, c. 30, s. 63.

Exclusivity of duties of office.

64. The Ethics Commissioner exercises the duties of office exclusively and on a full-time basis.

Function.

The Ethics Commissioner exercises any other function assigned by law to the Ethics Commissioner.

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2010, c. 30, s. 64.

Exercise of duties of office.

65. In exercising the duties of office, the Ethics Commissioner focusses on information and prevention and maintains high standards of confidentiality, objectivity and impartiality.

Values and principles.

In all interventions and more particularly in determining the rules of conduct applicable to Members, the Ethics Commissioner takes into account the Members' adherence to the values of the National Assembly and the principles set out in Title I.

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2010, c. 30, s. 65.

Term of office.

66. The Ethics Commissioner is appointed for a fixed term of five years or less. At the expiry of the term, the Ethics Commissioner remains in office until reappointed or replaced.

Resignation and removal.

The Ethics Commissioner may resign at any time by giving notice in writing to the President of the National Assembly. The Ethics Commissioner may only be removed by a resolution of the Assembly approved by two thirds of the Members.

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2010, c. 30, s. 66.

Interim Commissioner.

67. If the Ethics Commissioner leaves office or is unable to act, the Government, after consulting with the Leaders of the authorized parties that are represented in the National Assembly, may designate a person to act as Ethics Commissioner for a period not exceeding six months. The Government determines the designated person's remuneration and conditions of employment.

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2010, c. 30, s. 67.

Oath.

68. Before entering into office, the Ethics Commissioner must take the oath set out in the schedule before the President of the National Assembly.

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2010, c. 30, s. 68.

Disqualification.

69. The Ethics Commissioner may not

(1) be related by blood, or connected by marriage or civil union, to a Member of the National Assembly, a person described in the second paragraph of section 2 or the Premier's chief of staff up to the third degree inclusively; or

(2) be a member of a federal, provincial or municipal political party or be a candidate on a ticket in a school election.

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2010, c. 30, s. 69.

Conflict of interest.

70. The Ethics Commissioner must not place himself or herself in a situation involving any direct or indirect conflict between the Ethics Commissioner's private interests and the Ethics Commissioner's duties of office.

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2010, c. 30, s. 70.

Regulation of the Office of the National Assembly.

71. The Office of the National Assembly may, by a regulation adopted by a unanimous decision, establish rules applicable to the Ethics Commissioner concerning conflicts of interest.

Disclosure statement.

The Ethics Commissioner must make a disclosure statement every year in accordance with section 38 and publish a disclosure summary in accordance with section 40.

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2010, c. 30, s. 71.

Ad hoc commissioner.

72. If, in a specific case, the Ethics Commissioner finds that he or she cannot act in particular because of a conflict of interest situation or because his or her impartiality could be questioned, the Ethics Commissioner, after consulting with the Leaders of the authorized parties that are represented in the National Assembly, refers the case to an ad hoc commissioner.

Applicable provisions.

The provisions applicable to the Ethics Commissioner apply, with the necessary modifications, to the ad hoc Commissioner, and any advisory opinion or report of the ad hoc Commissioner has the same effect as if it had been produced by the Ethics Commissioner.

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2010, c. 30, s. 72.

Staff members.

73. Subject to the appropriations voted by the Office of the National Assembly, the Ethics Commissioner determines the maximum number of staff members needed for the exercise of the Ethics Commissioner's functions, their assignment and the level of their positions.

Public service staff.

Ethics Commissioner staff members are appointed in accordance with the Public Service Act (chapter F-3.1.1).

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2010, c. 30, s. 73.

DIVISION II
FINANCIAL AND ADMINISTRATIVE PROVISIONS

Budget estimates.

74. The Ethics Commissioner prepares budget estimates every year and submits them before 1 April to the Office of the National Assembly, which approves them with or without modification.

Services provided by the Assembly.

At the Ethics Commissioner's request, the Office of the National Assembly may determine the human, physical, financial and information management resource services to be provided at no charge to the Ethics Commissioner by the National Assembly.

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2010, c. 30, s. 74.

Supplementary budget estimates.

75. If, during a fiscal year, the Ethics Commissioner foresees that the budget estimates approved by the Office of the National Assembly will be exceeded, the Ethics Commissioner prepares supplementary budget estimates and submits them to the Office of the National Assembly, which approves them with or without modification.

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2010, c. 30, s. 75.

Public Administration Act.

76. Chapter III, Chapter IV with the exception of section 44, of the second and fourth paragraphs of section 45, of sections 46 and 53 and of the third paragraph of section 57, Chapter VI and section 73 of the Public Administration Act (chapter A-6.01) apply to the Ethics Commissioner.

Derogation.

The Office of the National Assembly may, however, by a regulation adopted by a unanimous decision, derogate from that Act by specifying the provisions derogated from and the provisions that are to apply in their place.

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2010, c. 30, s. 76.

Financial Administration Act.

77. The provisions of the Financial Administration Act (chapter A-6.001) applicable to budget-funded bodies, except sections 30 and 31, apply to the management of the financial resources of the Ethics Commissioner.

Derogation.

The Office of the National Assembly may, however, by a regulation adopted by a unanimous decision, derogate from that Act by specifying the provisions derogated from and the provisions that are to apply in their place.

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2010, c. 30, s. 77.

Contracts.

78. The Ethics Commissioner may, by regulation, determine the conditions applicable to the contracts of the Ethics Commissioner.

Regulation.

A regulation under this section comes into force on the date it is approved by the Office of the National Assembly, and is published in the *Gazette officielle du Québec*.

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2010, c. 30, s. 78.

Activity report.

79. On or before 30 September each year, the Ethics Commissioner must submit a report on the Ethics Commissioner's activities to the President of the National Assembly, together with financial statements for the preceding fiscal year.

Tabling in the Assembly.

The President of the National Assembly lays the reports and the financial statements before the National Assembly within the next 15 days or, if the Assembly is not sitting, within 15 days of resumption.

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2010, c. 30, s. 79.

Sums required.

80. The sums required for the administration of this Code and for the carrying out of the duties of office assigned by law to the Ethics Commissioner are taken out of the consolidated revenue fund.

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2010, c. 30, s. 80.

DIVISION III
MISCELLANEOUS

Authority.

81. The Ethics Commissioner retains his or her authority in respect of a former Member for a period of five years after the end of the person's term. Even after the expiry of that period, the Ethics Commissioner may continue an inquiry that had already begun.

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2010, c. 30, s. 81.

Retention of documents.

82. The Ethics Commissioner must retain all documents relating to a Member for a period of 60 months after he or she ceases to be a Member. The documents are then to be destroyed unless an inquiry under this Code is in progress or has been suspended or a charge has been laid against the Member under an Act, and the documents may be relevant.

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2010, c. 30, s. 82.

Immunity.

83. The Ethics Commissioner and the Ethics Commissioner's staff members may not be prosecuted for an act or omission in good faith in the exercise of their functions.

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2010, c. 30, s. 83.

Immunity.

84. No civil action may be brought by reason of the publication of a report of the Ethics Commissioner or the publication, in good faith, of an extract from or summary of such a report.

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2010, c. 30, s. 84.

Non-compellability.

85. The Ethics Commissioner and the persons the Ethics Commissioner has authorized to conduct an inquiry may not be compelled to give testimony relating to information obtained in the exercise of their functions or to produce a document containing such information.

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2010, c. 30, s. 85.

Recourse not permitted.

86. No remedy under the Code of Civil Procedure (chapter C-25.01), including an application for judicial review, may be made nor any injunction granted against the Ethics Commissioner or the persons the Ethics Commissioner has authorized to conduct an inquiry.

Annulment.

A judge of the Court of Appeal may, on an application, annul by a summary proceeding any decision rendered or order or injunction issued contrary to the first paragraph.

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2010, c. 30, s. 86; 2014, c. 1, s. 779; I.N. 2016-01-01 (NCCP).

CHAPTER II

ADVISORY OPINIONS OF THE ETHICS COMMISSIONER

Advisory opinion to Member.

87. In response to a request in writing from a Member on any matter respecting the Member's obligations under this Code, the Ethics Commissioner provides the Member with a written advisory opinion containing reasons and any recommendations the Ethics Commissioner considers appropriate. The advisory opinion must be given within 30 days after the Member's request, unless otherwise agreed by the Member and the Ethics Commissioner.

Confidentiality.

An advisory opinion of the Ethics Commissioner is confidential and may only be made public by the Member or with the Member's written consent, subject to the Ethics Commissioner's power to conduct an inquiry and report on the facts alleged in or discovered in connection with the Member's request.

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2010, c. 30, s. 87.

Favourable advisory opinion.

88. An act or omission by a Member is deemed not to be a breach of this Code if he or she previously requested an advisory opinion from the Ethics Commissioner and the advisory opinion concluded that the act or omission did not contravene this Code, so long as the facts relevant to the request were fully and accurately presented to the Ethics Commissioner.

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2010, c. 30, s. 88.

Guidelines.

89. The Ethics Commissioner may publish guidelines for the Members regarding the application of this Code, provided that no personal information is included.

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2010, c. 30, s. 89.

Educational activities.

90. The Ethics Commissioner organizes educational activities for Members and the general public on the role of the Ethics Commissioner and the application of this Code.

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2010, c. 30, s. 90.

CHAPTER III
INQUIRY AND REPORT

Inquiry request.

91. A Member who has reasonable grounds for believing that another Member has violated a provision of Chapters I to VII of Title II or a provision of Title III may request that the Ethics Commissioner conduct an inquiry into the matter.

Procedure.

The request must be made in writing and set out the reasonable grounds for the belief that this Code has not been complied with. The Ethics Commissioner sends a copy of the request to the Member named in it.

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2010, c. 30, s. 91.

Ex officio inquiry.

92. The Ethics Commissioner may, on the Ethics Commissioner's own initiative and after giving the Member concerned reasonable written notice, conduct an inquiry to determine whether the Member has violated this Code.

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2010, c. 30, s. 92.

Special authorization.

93. If the Ethics Commissioner considers it necessary, the Ethics Commissioner may specially authorize a person to conduct an inquiry.

Powers and immunity.

The Ethics Commissioner and any such specially authorized person have, for the purposes of an inquiry, the powers and immunity conferred on commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

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2010, c. 30, s. 93.

Joint inquiries.

94. The Ethics Commissioner may make agreements with other persons such as the Auditor General and the Lobbyists Commissioner for the conduct of joint inquiries, each under the legislative provisions that person administers.

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2010, c. 30, s. 94.

Unsubstantiated request.

95. If, after a verification, the Ethics Commissioner is of the opinion that there are no grounds for a request for an inquiry, the Ethics Commissioner terminates the inquiry process and records that fact in the report on the matter. Section 98 applies, with the necessary modifications, to the report.

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2010, c. 30, s. 95.

Procedure.

96. The Ethics Commissioner must conduct inquiries in private and with due dispatch. The Ethics Commissioner must allow the Member concerned to present a full and complete defence, including an opportunity to submit observations and, if the Member so requests, to be heard

(1) first, on whether the Member has violated this Code; and

(2) after being informed of the Ethics Commissioner's conclusion and the grounds for it, on the sanction that could be imposed.

Public comments.

The Ethics Commissioner must not comment publicly on a verification or inquiry but may confirm that a request for a verification or an inquiry has been received or that a verification or inquiry is under way or has been completed. The Ethics Commissioner may also state why, after a verification, the Ethics Commissioner decided not to conduct an inquiry.

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2010, c. 30, s. 96.

Verification of motives.

97. The Ethics Commissioner may, on the Ethics Commissioner's own initiative or at the request of the Member who was the subject of a request for an inquiry that led to a decision under section 95, conduct verifications to determine whether the complaint was made in bad faith or with intent to harm.

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2010, c. 30, s. 97.

Inquiry report.

98. Following an inquiry, the Ethics Commissioner reports without delay to the President of the National Assembly, the Member under inquiry and the leader of the authorized party to which the Member belongs. The report must include reasons for its conclusions and recommendations.

Exception.

However, if the Ethics Commissioner conducted the inquiry under section 92, no report is required.

Tabling in the Assembly.

The President of the National Assembly lays the report before the National Assembly within the next three days or, if the Assembly is not sitting, within three days of resumption.

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2010, c. 30, s. 98.

Violation and sanction.

99. If the Ethics Commissioner concludes that a Member has violated this Code, the Ethics Commissioner so states in the report and, according to the circumstances, may recommend that no sanction or one or more of the following sanctions be imposed:

(1) a reprimand;

(2) a penalty, specifying the amount;

(3) the return to the donor, delivery to the State or reimbursement of the value of the gift, hospitality or benefit received;

(4) the reimbursement of any unlawful profit;

(5) the reimbursement of the indemnities, allowances or other sums received as a Member or a Cabinet Minister while the violation of this Code continued;

(6) a suspension of the Member's right to sit in the National Assembly, together with a suspension of any indemnity or allowance, until the Member complies with a condition imposed by the Ethics Commissioner;

(7) the loss of his or her seat as a Member;

(8) the loss of his or her position as a Cabinet Minister, if applicable.

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2010, c. 30, s. 99.

Request in bad faith.

100. If the Ethics Commissioner concludes that a request for an inquiry was made in bad faith or with intent to harm, the Ethics Commissioner may recommend in the report on the matter that one or more of the sanctions provided for in section 99 be imposed.

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2010, c. 30, s. 100.

Guidelines and recommendations.

101. The Ethics Commissioner may include in the report any guidelines for the general interpretation of this Code and any recommendations for revision of this Code.

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2010, c. 30, s. 101.

CHAPTER IV
DECISION OF THE NATIONAL ASSEMBLY

Reply from Member.

102. A person who is the subject of a report of the Ethics Commissioner and is a Member at that time has the right to reply to the report, within five sitting days after the tabling of the report in the National Assembly, by making a statement not exceeding 20 minutes at the time set aside during Routine Proceedings for complaints of breach of privilege or contempt and personal explanations.

Person who is not a Member.

If the person who is the subject of the report is not a Member, he or she may address a written notice to the President of the National Assembly within the time set out in the first paragraph asking to be heard by the Assembly. The President convenes the appropriate committee without delay to hear the person's statement, which must not exceed 20 minutes. The report of the committee is then laid before the National Assembly.

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2010, c. 30, s. 102.

Vote.

103. At the sitting following the reply or the tabling of a committee report under section 102, or, if no reply is made or report tabled, on the expiry of the time specified in that section, the National Assembly votes, during Deferred Divisions, on the report of the Ethics Commissioner if the latter recommended the imposition of a sanction. No debate or amendments to the report are admissible.

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2010, c. 30, s. 103.

Application of a sanction.

104. Any sanction recommended in a report of the Ethics Commissioner is applicable upon adoption of the report by the National Assembly by the vote of two thirds of the Members.

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2010, c. 30, s. 104.

Implementation of a sanction.

105. The National Assembly is fully competent to apply a sanction under this chapter.

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2010, c. 30, s. 105.

Homologation.

106. If the National Assembly orders the payment or reimbursement of a sum of money or the delivery or reimbursement of the value of a benefit, it may have its decision homologated by the Superior Court or the Court of Québec, according to the amount or value involved.

Enforceable decision.

In that case, the decision becomes enforceable as a judgment of that court in civil matters.

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2010, c. 30, s. 106.

Sum paid into the consolidated fund.

107. Any sum of money collected under this Code is paid into the consolidated revenue fund.

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2010, c. 30, s. 107.

CHAPTER V
ADVISORY OPINION OF JURISCONSULT

Appointment.

108. The Office of the National Assembly appoints a jurisconsult by a unanimous vote of its members to be responsible for providing advisory opinions on ethics and professional conduct to any Member who requests it. The jurisconsult may not be a Member.

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2010, c. 30, s. 108.

Confidentiality.

109. The advisory opinions provided by the jurisconsult are confidential, unless the Member concerned consents to their being disclosed.

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2010, c. 30, s. 109.

Effect.

110. The advisory opinions provided by the jurisconsult are not binding on the Ethics Commissioner.

Restriction.

The jurisconsult may not provide an advisory opinion to a Member who is under verification or under inquiry until the verification process or inquiry process is completed.

Notification from Ethics Commissioner.

The Ethics Commissioner notifies the jurisconsult of the beginning and termination of a verification or inquiry. Such a notification is confidential.

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2010, c. 30, s. 110.

Remuneration.

111. The Office of the National Assembly determines, if need be, the remuneration, employment benefits and other conditions of employment of the jurisconsult and of the personnel the jurisconsult requires.

Disqualification and conflict of interest.

Sections 69 and 70 and the first paragraph of section 71 apply, with the necessary modifications, to the jurisconsult.

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2010, c. 30, s. 111.

Term of office.

112. The jurisconsult is appointed for a term of five years or less. On the expiry of the term, the jurisconsult remains in office until reappointed or replaced.

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2010, c. 30, s. 112.

TITLE V
MISCELLANEOUS, AMENDING, TRANSITIONAL AND FINAL PROVISIONS

Access to information.

113. Despite section 168 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), that Act does not apply to this Code or to any other legislative provision that assigns a function to the Ethics Commissioner.

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2010, c. 30, s. 113.

Report on the carrying out of this Code.

114. No later than 1 January 2015 and every five years after that, the Ethics Commissioner must report on the carrying out of this Code and the advisability of amending it.

Tabling in the Assembly.

The report is submitted to the President of the National Assembly, who tables it in the Assembly within 15 days or, if the Assembly is not sitting, within 15 days of resumption. The competent committee of the National Assembly subsequently examines the report.

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2010, c. 30, s. 114.

115. *(Amendment integrated into c. A-23.1, s. 17).*

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2010, c. 30, s. 115.

116. *(Amendment integrated into c. A-23.1, s. 37).*

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2010, c. 30, s. 116.

117. *(Omitted)*.

2010, c. 30, s. 117.

118. *(Amendment integrated into c. A-23.1, s. 85.1)*.

2010, c. 30, s. 118.

119. *(Amendment integrated into c. A-23.1, s. 124.3)*.

2010, c. 30, s. 119.

120. *(Amendment integrated into c. A-23.1, s. 132)*.

2010, c. 30, s. 120.

121. *(Amendment integrated into c. A-23.1, s. 134)*.

2010, c. 30, s. 121.

122. *(Amendment integrated into c. A-23.1, s. 137)*.

2010, c. 30, s. 122.

123. *(Amendment integrated into c. E-18, ss. 11.7-11.10)*.

2010, c. 30, s. 123.

124. *(Omitted)*.

2010, c. 30, s. 124.

125. *(Amendment integrated into c. J-3, schedule II)*.

2010, c. 30, s. 125.

126. *(Amendment integrated into c. P-32, s. 15)*.

2010, c. 30, s. 126.

Applicable regulation.

127. The Règlement sur les conflits d'intérêts du jurisconsulte, made on 23 November 1983 by Decision 57 of the Office of the National Assembly, applies to the jurisconsult appointed under section 108.

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2010, c. 30, s. 127.

Applicable rules of ethics.

128. Until the coming into force of rules of ethics adopted under section 124.3 of the Act respecting the National Assembly (chapter A-23.1), sections 56 to 61 of this Code apply, except in respect of support staff, to the office staff of the House officers of the National Assembly and the staff of the Members referred to in section 124.1 of the Act respecting the National Assembly if they work for a Member referred to in section 42 of this Code; however, the two-year compliance period prescribed in section 60 is reduced to one year.

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2010, c. 30, s. 128.

Applicable rules of ethics.

129. Until the coming into force of rules of ethics adopted under section 11.7 of the Executive Power Act (chapter E-18), the following provisions stand in lieu of such rules for the staff of a minister's office:

(1) sections 35 and 36 of the Directive concernant le recrutement, la nomination, la rémunération et les autres conditions de travail du personnel des cabinets de ministre (Directive 4-83 consolidated by C.T. 164805 dated 30 June 1987); and

(2) sections 56 to 61 of this Code, except in respect of support staff; however, the two-year compliance period prescribed in section 60 is reduced to one year.

Cessation of effect.

Sections 35 and 36 referred to in subparagraph 1 of the first paragraph cease to have effect on the date of coming into force of the rules of ethics adopted under section 11.7 of the Executive Power Act.

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2010, c. 30, s. 129.

First disclosure statement.

130. A Cabinet Minister in office on 1 July 2011 must, not later than 30 September 2011, file a disclosure statement with the Ethics Commissioner in accordance with section 51.

First disclosure statement.

A Member who is not a Cabinet Minister and is in office on 1 October 2011 must, not later than 31 December 2011, file a disclosure statement with the Ethics Commissioner in accordance with section 37.

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2010, c. 30, s. 130.

Request for an advisory opinion.

131. No request for an advisory opinion submitted by a Member who is not a Cabinet Minister may be accepted by the Ethics Commissioner before 1 October 2011.

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2010, c. 30, s. 131.

Appointment of jurisconsult.

132. The Office of the National Assembly may appoint a jurisconsult in accordance with section 108 before 1 July 2011. However, no request for an advisory opinion submitted by a Cabinet Minister may be accepted by the jurisconsult before 1 July 2011, and no such request submitted by a Member who is not a Cabinet Minister may be accepted by the jurisconsult before 1 October 2011.

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2010, c. 30, s. 132.

133. *(Omitted).*

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2010, c. 30, s. 133.

SCHEDULE
(Section 68)

OATH

I, (*name*), declare under oath that I will exercise the functions of Ethics Commissioner with honesty and justice.

I further declare under oath that I will not reveal or disclose, unless duly authorized, anything that may come to my knowledge in or in connection with the exercise of my functions.

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2010, c. 30, schedule.

ACT RESPECTING THE CONDITIONS OF EMPLOYMENT AND THE PENSION PLAN OF THE MEMBERS OF THE NATIONAL ASSEMBLY (EXTRACTS)

EDITOR'S NOTE

Temporary amendments were made to the *Act respecting the conditions of employment and the pension plan of the Members of the National Assembly* (chapter C-52.1) for the duration of the 39th, 41st, 42nd and 43rd Legislatures. These amendments are no longer in effect.

ACT RESPECTING THE CONDITIONS OF EMPLOYMENT AND THE PENSION PLAN OF THE MEMBERS OF THE NATIONAL ASSEMBLY (EXTRACTS)

(CQLR, chapter C-52.1)

Additional indemnity.

7. In addition to the annual indemnity,

(1) the President of the Assembly shall receive on an annual basis an indemnity equal to 75% of the annual indemnity;

(2) each of the Vice-Presidents of the Assembly shall receive on an annual basis an indemnity equal to 35% of the annual indemnity;

(3) each of the parliamentary assistants shall receive on an annual basis an indemnity equal to 20% of the annual indemnity;

(4) the Member occupying the recognized position of Leader of the Official Opposition in the Assembly shall receive on an annual basis an indemnity equal to 75% of the annual indemnity;

(5) the Member occupying the recognized position of House Leader of the Official Opposition shall receive on an annual basis an indemnity equal to 35% of the annual indemnity;

(6) any Member, other than the Member contemplated in subparagraph 4, who leads an opposition party in the Assembly shall receive on an annual basis an indemnity equal to 35% of the annual indemnity if that party

(a) had at least 12 Members elected at the last general election; or

(b) obtained 20% of the valid votes cast, according to the official addition of the votes cast throughout Québec at the last general election;

(6.1) the Member occupying the position of House Leader of a party contemplated in subparagraph 6 shall receive on an annual basis an indemnity equal to 25% of the annual indemnity;

(7) the Member occupying the recognized position of Chief Government Whip in the Assembly shall receive on an annual basis an indemnity equal to 35% of the annual indemnity;

(8) the Member occupying the recognized position of Chief Whip of the Official Opposition shall receive on an annual basis an indemnity equal to 30% of the annual indemnity;

(9) a Member who is not a member of the Conseil exécutif and who occupies the recognized position of Deputy Government House Leader shall receive on an annual basis an indemnity equal to 25% of the annual indemnity;

(10) a Member occupying the recognized position of Deputy House Leader of the Official Opposition shall receive on an annual basis an indemnity equal to 20% of the annual indemnity;

(11) the Member occupying the position of Whip of a party contemplated in paragraph 6, Assistant Government Whip or Assistant Whip of the Official Opposition shall receive on an annual basis an indemnity equal to 20% of the annual indemnity. For the purposes of this paragraph, the Government and the Official Opposition are entitled to a number of Assistant Whips equal to the multiple of 20 Members in excess of 20, any fraction of 20 not being counted for the purposes of this section;

(11.1) the Member occupying the position of caucus chairman of the Government party shall receive an indemnity equal to 25% of the annual indemnity;

(11.2) the Member occupying the position of caucus chairman of the Official Opposition shall receive an indemnity equal to 22.5% of the annual indemnity if the caucus consists of 20 Members or more;

(12) the Member who is the chairman of a standing committee shall receive on an annual basis an indemnity equal to 25% of the annual indemnity;

(13) a Member who is the vice-chairman of a standing committee shall receive on an annual basis an indemnity equal to 20% of the annual indemnity;

(13.1) the Member who presides over a sitting of a standing committee shall receive on an annual basis an indemnity equal to 15% of the annual indemnity;

(14) a Member who is a member of the Office of the National Assembly shall receive on an annual basis an indemnity equal to 15% of the annual indemnity.

Single indemnity.

A Member who exercises more than one function for which indemnities are granted under this section or section 7 of the Executive Power Act (chapter E-18) is entitled to only the higher indemnity.

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1982, c. 66, s. 7; 1983, c. 54, s. 30; 1984, c. 1, s. 1; 1984, c. 27, s. 58; 1986, c. 20, s. 3; 1987, c. 109, s. 35; 1999, c. 3, s. 8; 2001, c. 22, s. 1; 2009, c. 3, s. 1; 2012, c. 24, s. 3; 2014, c. 5, s. 1; 2018, c. 28, s. 5.; 2022, c. 28, s. 9.

ACT RESPECTING THE DEMISE OF THE CROWN

ACT RESPECTING THE DEMISE OF THE CROWN

(CQLR, c. D-9.1.01)

1. The demise of the Crown does not terminate the activities of the Parliament of Québec, the Government or the courts, nor does it in any manner interrupt those activities.

In addition, the demise of the Crown does not terminate any office or employment.

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2021, c. 17, s. 1.

2. Oaths of allegiance or office need not be retaken due to the demise of the Crown.

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2021, c. 17, s. 2.

3. *(Amendments integrated into c. E-6, ss. 7 and 8).*

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2021, c. 17, s. 3.

4. *(Omitted).*

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2021, c. 17, s. 4.

ELECTION ACT
(EXTRACTS)

ELECTION ACT (EXTRACTS)

(CQLR, chapter E-3.3)

Same day for all electoral divisions.

129. At a general election, the polling day is the same for all electoral divisions.

Date of general election.

For the purposes of the second paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1), the general election following the end of a Legislature shall be held on the first Monday of October of the fourth calendar year following the year that includes the polling day of the last general election.

Power of the Lieutenant-Governor.

Nothing in this section affects the power of the Lieutenant-Governor to dissolve the National Assembly before the end of a Legislature.

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1989, c. 1, s. 129; 2013, c. 13, s. 3; 2021, c. 37, s. 40.

Overlapping of election periods.

129.1. If, 15 days before the end of the Legislature provided for in the second paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1), the Chief Electoral Officer notes that the election period for the general election provided for in section 129 would overlap the election period for the next federal or municipal general election, the Chief Electoral Officer shall publish the dates of the election periods and the dates of the overlap in the *Gazette officielle du Québec*.

Legislature extending beyond five years.

However, if the application of the third paragraph of section 6 of the Act respecting the National Assembly would extend the term of the Legislature beyond five years, the Chief Electoral Officer shall not make the publication provided for in the first paragraph.

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2013, c. 13, s. 4.

Postponement of election.

129.2. If two election periods overlap and the dates of the overlap are published in the *Gazette officielle du Québec* in accordance with the first paragraph of section 129.1, the general election shall be held, in accordance with the third paragraph of section 6 of the Act respecting the National Assembly (chapter A-23.1), on the first Monday of April of the fifth calendar year following the year that includes the polling day of the last general election.

Publication of notice of election and advertisement.

The Chief Electoral Officer shall publish the date of the general election determined under the first paragraph in the *Gazette officielle du Québec*. The Chief Electoral Officer shall also make any advertisement necessary and provide all relevant information in order to inform the public of that date.

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2013, c. 13, s. 4; 2021, c. 37, s. 41.

By-election.

130. Where the seat of a Member in the National Assembly becomes vacant, the order instituting the holding of a by-election must be issued not later than six months after it becomes vacant.

However, the Government is not required to make such an order if the vacancy occurs six months or less before the date of the next general election fixed under the second paragraph of section 129, or after that date if the general election is to be held on the date fixed under the first paragraph of section 129.2.

Once the order instituting the holding of a general election is issued, any order instituting the holding of a by-election ceases to have effect.

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1989, c. 1, s. 130; 1998, c. 52, s. 44; 1999, c. 40, s. 116; 2013, c. 13, s. 5.

Polling day.

131. Except in the case of a general election whose date is fixed under the second paragraph of section 129 or the first paragraph of section 129.2, the polling shall take place on the fifth Monday following the issue of the order instituting the election if the order is issued on a Monday, Tuesday or Wednesday, or on the sixth Monday if the order is issued on another day.

If polling day falls on a holiday, the poll shall be held on the following day.

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1989, c. 1, s. 131; 1995, c. 23, s. 13; 2013, c. 13, s. 6.

Publication of notice of election

380. After transmitting a list of the candidates declared elected to the Secretary General of the National Assembly, the chief electoral officer shall, as soon as possible, publish a notice in the *Gazette officielle du Québec* indicating the surname and given name of each elected candidate, his political affiliation, the name of his electoral division and the date of receipt of the list by the Secretary General.

Members of the National Assembly

The candidate declared elected shall become a Member of the National Assembly from the receipt, by the Secretary General of the National Assembly, of the list of the candidates declared elected.

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1989, c. 1, s. 380.

INTERPRETATION ACT

INTERPRETATION ACT

(CQLR, chapter I-16)

Application.

1. This Act shall apply to every statute of the Parliament of Québec, unless and in so far as such application be inconsistent with the object, the context, or any of the provisions of such statute.

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R. S. 1964, c. 1, s. 1; 1982, c. 62, s. 148.

DIVISION I
(*Repealed)*

2. — 3. *(Repealed).*

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1982, c. 62, s. 149.

DIVISION II
COMING INTO FORCE OF AN ACT

4. *(Repealed).*

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1982, c. 62, s. 151.

Coming into force.

5. Unless otherwise provided by law, an Act comes into force on the thirtieth day after its sanction.

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R. S. 1964, c. 1, s. 5; 1982, c. 62, s. 152.

DIVISION III
DISALLOWANCE

Effect of disallowance.

6. Every statute shall cease to have force and effect from the day on which it is announced, either by proclamation or by speech or by message to the National Assembly, that such statute has been disallowed within the year following the receipt by the Governor-General of the authentic copy which has been sent to him.

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R. S. 1964, c. 1, s. 6; 1968, c. 9, s. 58.

DIVISION IV
AMENDMENT OR REPEAL

Amendments at same session.

7. Any statute may be amended, altered or repealed by any other statute passed in the same session.

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R. S. 1964, c. 1, s. 7.

Effect of repeal.

8. When any provisions of a statute are repealed and others substituted therefor, the provisions repealed remain in force until the provisions substituted become executory under the repealing statute.

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R. S. 1964, c. 1, s. 8.

Repeal of repealing enactment.

9. When a legislative enactment which repeals another is itself repealed, the legislative enactment first repealed does not come again into force, unless Parliament expresses such intention.

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R. S. 1964, c. 1, s. 9; 1982, c. 62, s. 153.

Interpretation.

10. The repeal, replacement or amendment of a legislative enactment contained in a revised statute implies and has always implied the repeal, replacement or amendment of the legislative enactment which it reproduces.

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R. S. 1964, c. 1, s. 10.

Power to repeal or to modify.

11. Every statute is deemed to reserve to Parliament, whenever required by public interest, the power of repealing it, and also of revoking, restricting or modifying any power, privilege or advantage thereby vested in any person.

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R. S. 1964, c. 1, s. 11; 1982, c. 62, s. 154; 1999, c. 40, s. 161.

Acquired rights, not affected by repeal.

12. The repeal of an act or of regulations made under its authority shall not affect rights acquired, infringements committed, penalties incurred or proceedings instituted; and the acquired rights may be exercised, the infringements prosecuted, the penalties imposed and the proceedings continued, notwithstanding such repeal.

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R. S. 1964, c. 1, s. 12.

Effect of replacement, consolidation.

13. When any legislative provision is replaced or consolidated, office-holders shall continue to act as if they had been appointed under the new provisions; legal persons constituted shall continue in existence and shall be governed by the new provisions; proceedings instituted shall be continued, infringements committed shall be prosecuted and prescriptions begun shall be completed under such provisions in so far as they are applicable.

Regulations in force.

Regulations or other instruments made under the replaced or consolidated provision remain in force to the extent that they are consistent with the new provisions; the instruments remaining in force are deemed to have been made under the new provisions.

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R. S. 1964, c. 1, s. 13; 1986, c. 22, s. 30; 1999, c. 40, s.161.

DIVISION V
PRINTING AND DISTRIBUTION OF THE STATUTES

14. — 16. *(Repealed).*

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1982, c. 62, s. 155.

17. *(Repealed).*

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R. S. 1964, c. 1, s. 17; 2015, c. 26, s. 23.

Reserved acts.

18. Statutes reserved and afterwards assented to by the Governor-General in Council shall be published in the *Gazette officielle du Québec*, and afterwards printed in the first annual compilation of the statutes which is printed after the signification of such assent.

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R. S. 1964, c. 1, s. 18; 1968, c. 8, s. 3.

Publication.

19. After the thirty-first of December 1952, notwithstanding any other legislative provision inconsistent herewith, the obligation imposed by an act to publish in the statutes a document of any kind whatsoever, shall be carried out exclusively by its publication in the *Gazette officielle du Québec*.

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R. S. 1964, c. 1, s. 19.

20. — 21. *(Repealed).*

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1982, c. 62, s. 155.

Orders in council sent to Québec Official Publisher.

22. The clerk of the Conseil exécutif shall supply the Québec Official Publisher, as occasion requires, with copies of all orders in council made under the provisions of this Act.

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R. S. 1964, c. 1, s. 22; 1968, c. 23, s. 8; 1969, c. 26, s. 2; 1977,

c. 5, s. 14.

23. — 27. *(Repealed).*

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1982, c. 62, s. 155.

DIVISION VI
(Repealed)

28. — 36. *(Repealed).*

1982, c. 62, s. 155.

DIVISION VII
(Repealed)

37. *(Repealed).*

1982, c. 62, s. 155.

DIVISION VIII
DECLARATORY AND INTERPRETATIVE PROVISIONS

Application of rules of construction.

38. No statute shall be taken out of any rule of construction applicable thereto, and which is otherwise not inconsistent with this Act, because this Act does not reproduce such rule.

R. S. 1964, c. 1, s. 38.

Statutes deemed public.

39. Every statute shall be public unless declared to be private.

Cognizance.

Everyone is bound to take cognizance of public statutes, but private statutes must be pleaded.

R. S. 1964, c. 1, s. 39.

Preamble.

40. The preamble of every statute shall form part thereof, and assist in explaining its purport and object.

Construction.

In case of doubt, the construction placed on any act shall be such as not to impinge on the status of the French language.

_____

R. S. 1964, c. 1, s. 40; 1977, c. 5, s. 213.

40.1. Acts shall be construed so as not to suppress or limit the enjoyment or exercise of any right intended to protect the French language conferred by the Charter of the French language (chapter C-11).

_____

1979, c. 61, a. 5; 1993, c. 40, a. 64; 2022, c. 14, s. 150.

40.2. Every Act is presumed to allow using only French in the performance of the obligations it prescribes.

_____

2022, c. 14, s. 150.

40.3. Every Act shall be construed so as to promote the use and protection of French.

_____

2022, c. 14, s. 150.

Deemed object.

41. Every provision of an Act is deemed to be enacted for the recognition of rights, the imposition of obligations or the furtherance of the exercise of rights, or for the remedying of some injustice or the securing of some benefit.

Liberal construction.

Such statute shall receive such fair, large and liberal construction as will ensure the attainment of its object and the carrying out of its provisions, according to their true intent, meaning and spirit.

_____
R. S. 1964, c. 1, s. 41; 1992, c. 57, s. 602

Interpretation.

41.1. The provisions of an Act are construed by one another, ascribing to each provision the meaning which results from the whole Act and which gives effect to the provision.

_____
1992, c. 57, s. 603.

Obligation to adjudicate.

41.2. A judge cannot refuse to adjudicate under pretext of the silence, obscurity or insufficiency of the law.

_____
1992, c. 57, s. 603.

Nullity.

41.3. Prohibitive laws entail nullity, even if nullity is not pronounced therein.

_____
1992, c. 57, s. 603.

Private agreement.

41.4. No one may by private agreement validly contravene the laws of public order.

_____
1992, c. 57, s. 603.

Rights of State.

42. No statute shall affect the rights of the State, unless they are specially included.

Rights of third parties.

Similarly, no statute of a local and private nature shall affect the rights of third parties, unless specially mentioned therein.

_____

R. S. 1964, c. 1, s. 42; 1999, c. 40, s. 161.

Reference to a section.

43. Any reference, in any act of these Revised Statutes, to a section, without mentioning the chapter of which such section forms part, shall be a reference to a section of the said act.

_____

R. S. 1964, c. 1, s. 43.

Reference to a series of sections.

44. Every series of sections of an act to which any legislative enactment refers, shall include the sections the numbers of which serve to indicate the beginning and the end of such series.

_____

R. S. 1964, c. 1, s. 44.

Acts of validation and of interpretation.

45. No provision in any act of Québec shall nullify any act passed for the purpose of confirming and making valid, legalizing or interpreting any act, statute or law, deed or instrument whatever.

_____

R. S. 1964, c. 1, s. 45.

Abbreviated reference.

46. Any abbreviated form of reference to a statute shall be sufficient if intelligible; and no particular form of words shall be required.

_____
R. S. 1964, c. 1, s. 46.

Forms.

47. Any form designated in any act by a figure shall mean the corresponding form in any annex to such act.

_____
R. S. 1964, c. 1, s. 47.

Use of forms.

48. The strict use of the forms enacted by statutes to ensure the execution of their provisions shall not be required on pain of nullity, if the deviations therefrom do not affect the meaning.

_____
R. S. 1964, c. 1, s. 48.

Tense of verb.

49. The law is ever commanding; and whatever be the tense of the verb or verbs contained in a provision, such provision shall be held to be in force at all times and under all circumstances to which it may apply.

_____
R. S. 1964, c. 1, s. 49; 1999, c. 40, s. 161.

Present tense.

50. No provision of law shall be declaratory or have a retroactive effect, by reason alone of its being enacted in the present tense.

_____
R. S. 1964, c. 1, s. 50.

“shall”, “must”, “may”.

51. Whenever it is provided that a thing “shall” be done or “must” be done, the obligation is imperative; but if it is provided that a thing “may” be done, its accomplishment is permissive.

_____

R. S. 1964, c. 1, s 51.

Time expiring on holidays.

52. If the time fixed for any proceeding or for the doing of anything expire on a holiday, such time shall be extended until the next following working day.

Time expiring on Saturday.

If the time fixed for the registration of a right at the registry office expire on a Saturday, such time shall be extended until the next following working day.

_____

R. S. 1964, c. 1, s. 52; 1970, c. 4, s. 1; 1999, c. 40, s. 161; I.N. 2016-01-01 (NCCP).

Gender.

53. The masculine gender shall include both sexes, unless the contrary intention is evident by the context.

_____

R. S. 1964, c. 1, s. 53.

Number.

54. The singular number shall extend to more than one person or more than one thing of the same sort, whenever the context admits of such extension. The plural number can apply to one person only or to one thing only if the context so permits.

_____

R. S. 1964, c. 1, s. 54; 1992, c. 57, s. 604.

Removal from office.

55. The right of appointment to an employment or office shall involve that of removal therefrom.

Appointments.

Whenever an Act or any provision of an Act comes into force at a date subsequent to its sanction, appointments to an employment or to an office thereunder may validly be made within the 30 days preceding the date of such coming into force, to take effect on such date, and the regulations contemplated therein may validly be made and published before such date.

However as to an Act or any provision of an Act coming into force by proclamation or order, such appointments may be made only as from the date of such proclamation or order.

Resignation.

The resignation of any civil servant or employee may be validly accepted by the Minister who presides over the Department to which the said civil servant or employee belongs.

_____

R. S. 1964, c. 1, s. 55; 1968, c. 8, s. 13; 1999, c. 40, s. 161.

Adjudicative functions.

55.1. The fact that a person exercising adjudicative functions is appointed to a court or body in which no concurrent functions may be exercised shall not operate to cause that person, by that sole fact, to lose jurisdiction over the cases of which the person was seized at the time of the appointment. The person may then conclude those cases without remuneration therefor and without it being necessary to obtain authorization.

_____

2002, c. 32, s. 3.

Jurisdiction.

56. (1) When anything is ordered to be done by or before a judge, magistrate, functionary or public officer, one is understood whose powers or jurisdiction extend to the place where such thing is to be done.

Powers of successors and deputies.

(2) The duties imposed, and the powers conferred, upon an officer or public functionary in his official capacity, shall pass to his successor and belong to his deputy, in so far as they are compatible with the office of the latter.

_____

R. S. 1964, c. 1, s. 56.

Implied powers.

57. The authority given to do a thing shall carry with it all the powers necessary for that purpose.

_____

R. S. 1964, c. 1, s. 57.

Solemn affirmation.

58. That which is expressed by an oath may be expressed by way of a solemn affirmation; any form of oath prescribed by an Act or a regulation shall be adapted accordingly.

Oaths.

Unless otherwise specially provided, whenever an oath is ordered to be taken or administered, such oath shall be administered and the certificate of its having been taken shall be given by any judge, magistrate or commissioner authorized for that purpose, having jurisdiction in the place where the oath is taken, or by any notary.

_____

R. S. 1964, c. 1, s. 58; 1986, c. 95, s. 172.

Powers of majority.

59. When an act is to be performed by more than two persons, it may be validly done by the majority of them, unless otherwise specially provided.

_____

R. S. 1964, c. 1, s. 59.

Vacancy not entailing dissolution.

60. A body constituted under an Act of Parliament, whether constituted as a legal person or not, and consisting of a determined number of members, shall not be dissolved on account of one or more vacancies occurring among its members through death, resignation or otherwise.

_____

R. S. 1964, c. 1, s. 60; 1982, c. 62, s. 156; 1999, c. 40, s. 161.

Definitions:

61. In any statute, unless otherwise specially provided,

"His Majesty";

(1) The words "His Majesty", "Her Majesty", "the King", "the Sovereign", "the Queen", "the Crown", mean the Sovereign of the United Kingdom, Canada and His or Her other Realms and Territories, and Head of the Commonwealth;

"Governor-General", "Lieutenant-Governor";

(2) The words "Governor-General" mean the Governor-General of Canada, or the person administering the Government of Canada; and the words "Lieutenant-Governor", the Lieutenant-Governor of Québec, or the person administering the Gouvernement du Québec;

"Governor-General in Council", "Lieutenant-Governor in Council";

(3) The words "Governor-General in Council" mean the Governor-General or person administering the Government, acting with the advice of the Queen's Privy Council for Canada; and the words "Lieutenant-Governor in Council", the Lieutenant-Governor or person administering the Government, acting with the advice of the Conseil exécutif du Québec;

"United Kingdom", "United States", "Dominion", "Canada";

(4) The words "United Kingdom" mean the United Kingdom of Great Britain and Ireland; the words "United States", the United States of America; the words "Dominion" and "Canada", the Dominion of Canada;

"Union";

(5) The words "the Union" mean the union of the Provinces effected under the British North America Act, 1867, and subsequent Acts;

"Lower Canada";

(6) The words "Lower Canada" mean that part of Canada which heretofore constituted the Province of Lower Canada, and mean now the Province of Québec;

"Province", "provincial";

(7) The word "Province", when used alone, means the Province of Québec; and the qualification "provincial", added to the word "Act", "statute" or "law" means an Act, statute or law of Québec;

“Federal Parliament”, “Legislature”, “Parliament”;

(8) The words “Federal Parliament” mean the Parliament of Canada; the word “Legislature” or “Parliament” means the Parliament of Québec;

“session”;

(9) The word “session” means a session of the Parliament, and includes both the day of its opening and the day of its prorogation;

“Federal Act”, “Federal statutes”, “Act”, “statute”, “law”;

(10) The words “Federal Acts” or “Federal statutes” mean the laws passed by the Parliament of Canada; the words “Act”, “statute” and “law”, whenever used without qualification, mean the Acts, statutes or laws of Parliament;

(11) (Paragraph repealed);

“Government”;

(12) The words “Government” or “Executive Government” mean the Lieutenant-Governor and the Conseil exécutif du Québec;

“law officer”;

(13) The words “the law officer” or “the law officer of the Crown” mean the Minister of Justice of Québec;

Department, public officer;

(14) Words designating a department or public officer refer to the department or officer of like name for Québec;

(15) *(Paragraph repealed);*

"person";

(16) The word "person" includes natural or legal persons, their heirs or legal representatives, unless inconsistent with the statute or with special circumstances of the case;

Name of a country, of a legal person, of an officer;

(17) The name commonly given to a country, place, body, legal person, partnership, officer, functionary, person, party or thing designates and means the country, place, body, legal person, partnership, officer, functionary, person, party or thing thus named, without further description being necessary;

"Great Seal";

(18) The words "Great Seal" mean the Great Seal of Québec;

"commission";

(19) The word "commission", whenever it refers to a commission issued by the Lieutenant-Governor under any statute or order in council, means a commission under the Great Seal, running in the Queen's name;

"proclamation";

(20) The word "proclamation" means a proclamation under the Great Seal;

(21) *(Paragraph repealed);*

(22) *(Paragraph repealed);*

“holidays”;

(23) By holidays are understood the following days:

(a) Sundays;

(b) 1 January;

(c) Good Friday;

(d) Easter Monday;

(e) 24 June, the National Holiday;

(f) 1 July, the anniversary of Confederation, or 2 July when 1 July is a Sunday;

(g) The first Monday of September, Labour Day;

(g.1) The second Monday of October;

(h) 25 December;

(i) The day fixed by proclamation of the Governor-General for the celebration of the birthday of the Sovereign;

(j) Any other day fixed by proclamation or order of the Government as a public holiday or as a day of thanksgiving.

“month”;

(24) The word “month” means a calendar month;

“now”, “next”;

(25) The words “now” and “next” apply to the time when the Act becomes executory;

(26) (Paragraph repealed);

“Bankruptcy”;

(27) “Bankruptcy” means the condition of a trader who has discontinued his payments;

"centin";

(28) The word "*centin*", used in the French version of the laws of Québec, means the coin called "cent" in the laws of Canada and in the English version of the laws of Québec;

(29) *(Paragraph repealed).*

_____

R. S. 1964, c. 1, s. 61 (*part*); 1965 (1st sess.), c. 16, s. 21; 1966-67, c. 14, s. 1; 1977, c. 5, s. 14; 1978, c. 5, s. 12; 1980, c. 39, s. 62; 1981, c. 14, s. 33; 1981, c. 23, s. 19; 1982, c. 62, s. 157; 1984, c. 46, s. 20; 1986, c. 95, s. 173; 1990, c. 4, s. 527; 1992, c. 57, s. 605; 2001, c. 32, s. 100; 2004, c. 12, s. 24.

"spouse".

61.1. The word "spouse" means a married or civil union spouse.

De facto spouse.

The word "spouse" includes a *de facto* spouse unless the context indicates otherwise. Two persons of opposite sex or the same sex who live together and represent themselves publicly as a couple are *de facto* spouses regardless, except where otherwise provided, of how long they have been living together. If, in the absence of a legal criterion for the recognition of a *de facto* union, a controversy arises as to whether persons are living together, that fact is presumed when they have been cohabiting for at least one year or from the time they together become the parents of a child.

_____

2002, c. 6, s. 143.

61.2. Subject to special provisions to the contrary, in the expressions "the father and the mother or the parents", "the father or the mother or the parent", "the father or the mother or one of the parents", "the father or mother or the parents or one of them", "the father and mother or the parents", "the father or the mother or either parent" or in any other similar expression, a parent is any person with regard to whom a child's filiation is established in accordance with the rules of the Civil Code.

2022, c. 22, s. 150.

References.

62. Any reference to an Act of Parliament assented to from and after 1 January 1969 shall be sufficient if it indicates the calendar year during which such Act was assented to and the number of the bill which introduced it or the chapter number assigned to it in the annual compilation of the statutes.

Any reference to an Act of Parliament assented to before 1 January 1969 shall be sufficient if it indicates, in addition to the chapter number assigned to it in the volume of statutes published for each session by the Québec Official Publisher, the calendar year or years during which the session of the Parliament during which the Act was assented to was held, and if several sessions were held during one calendar year, by adding the ordinal designation of the session concerned for such calendar year, in accordance with the last column of the table reproduced as Schedule A.

1968, c. 8, s. 14; 1968, c. 23, s. 8; 1982, c. 62, s. 158.

63. *(This section ceased to have effect on 17 April 1987).*

1982, c. 21, s. 1; U.K., 1982, c. 11, Sch. B, Part I, s. 33.

SCHEDULE A
(Section 62)

The Schedule A is not reproduced.

ACT RESPECTING THE LAICITY OF THE STATE
(EXTRACTS)

ACT RESPECTING THE LAICITY OF THE STATE
(Extracts)

(CQLR, c. L-0.3)

CHAPTER II
PROHIBITION ON WEARING RELIGIOUS SYMBOLS

6. The persons listed in Schedule II are prohibited from wearing religious symbols in the exercise of their functions.

A religious symbol, within the meaning of this Act, is any object, including clothing, a symbol, jewellery, an adornment, an accessory or headwear, that

(1) is worn in connection with a religious conviction or belief; or

(2) is reasonably considered as referring to a religious affiliation.

_____
2019, c. 12, s. 6; 2026, c. 6, s. 4.

CHAPTER III
SERVICES WITH FACE UNCOVERED

7. For the purposes of this chapter, "personnel member of a body" means a member of the personnel of a body listed in Schedule I or a person listed in Schedule III who is considered to be such a member.

_____
2019, c. 12, s. 7.

8. Personnel members of a body must exercise their functions with their face uncovered.

Persons must have their face uncovered when they are in a place, such as an immovable or a room, under the authority of a body referred to in any of paragraphs 7, 11 and 12.1 of Schedule I, except a school service centre referred to in paragraph 7 of that schedule, and when they are receiving a service from such a body.

Persons must have their face uncovered when they are receiving, from a parliamentary institution or from a body other than a body referred to in any of paragraphs 7, 11, 12 and 12.1 of Schedule I,

(1) an educational, training or professional development service; or

(2) any other service, where doing so is necessary to allow their identity to be verified or for security reasons.

For the purposes of the second and third paragraphs, persons are deemed to be receiving a service when they are interacting or communicating, in person or remotely, with a personnel member of an institution or body in the exercise of the personnel member's functions or with a person providing the service on behalf of an institution or body.

No person who fails to comply with the obligation set out in the second or third paragraph may receive the service they request.

This section does not apply

(1) to persons recognized as subsidized home educational childcare providers under the Educational Childcare Act (chapter S-4.1.1) outside the hours devoted to the provision of educational childcare services;

(2) to persons present in a place that constitutes a private residence and that is under the authority of a body referred to in paragraph 7 or 12.1 of Schedule I and mentioned in the second paragraph, where they are not receiving a service from such a body; or

(3) to persons going to or present in a place under the authority of a body referred to in paragraph 7 or 12.1 of Schedule I, except a school service centre, leased according to the conditions determined by government regulation.

_____

2019, c. 12, s. 8; 2026, c. 6, s. 6.

9. Section 8 does not apply to persons whose face is covered for health reasons or because of a handicap or of requirements tied to their functions or to the performance of certain tasks.

_____

2019, c. 12, s. 9.

SCHEDULE II
(Sections 6, 15 and 31)

PERSONS SUBJECT TO THE PROHIBITION ON WEARING RELIGIOUS SYMBOLS IN THE EXERCISE OF THEIR FUNCTIONS

(1) the President and Vice-Presidents of the National Assembly;

_____
2019, c. 12, s. Sch. II; 2020, c. 1, s. 285; 2019, c. 28, s. 158; 2020, c. 2, s. 1 and 2; 2021, c. 33, s. 33; 2023, c. 20, s. 114.

SCHEDULE III
(Section 7)

PERSONS CONSIDERED TO BE PERSONNEL MEMBERS OF A BODY FOR THE PURPOSES OF MEASURES RELATING TO SERVICES WITH FACE UNCOVERED

(1) Members of the National Assembly;

_____
2019, c. 12, s. Sch. III; 2020, c. 1, s. 285; 2023, c. 34, s. 1092.

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