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2

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Laws and Regulations

Volume 141

Summary

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Legal deposit – 1st Quarter 1968
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Contents

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- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
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- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
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Regulations and other Acts

Gouvernement du Québec

O.C. 975-2009, 9 September 2009

An Act respecting Bibliothèque et Archives nationales du Québec
(R.S.Q., c. B-1.2)

Deposit of published documents — Amendments

Regulation to amend the Regulation respecting the deposit of published documents

WHEREAS, under section 20.1 of the Act respecting Bibliothèque et Archives nationales du Québec (R.S.Q., c. B-1.2), every publisher is to deposit with Bibliothèque et Archives nationales, free of charge, two copies of every edition of every document published by the publisher, within seven days of its publication;

WHEREAS, under paragraphs 1 and 3 of section 20.10 of the Act, the Government may, by regulation, after consultation with Bibliothèque et Archives nationales,

— determine the classes of published documents, other than films, for which the deposit of a single copy of one edition of the document is required;

— exempt from mandatory deposit certain classes of published documents and any document, other than a film, the retail price of which exceeds the amount fixed by regulation;

WHEREAS, in accordance with section 20.10 of the Act, Bibliothèque et Archives nationales du Québec was consulted by the Government on that Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Regulation respecting the deposit of published documents was published in Part 2 of the *Gazette officielle du Québec* of 6 May 2009 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS the 45-day period has expired;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Culture, Communications and the Status of Women:

THAT the Regulation to amend the Regulation respecting the deposit of published documents, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the deposit of published documents*

An Act respecting Bibliothèque et Archives nationales du Québec
(R.S.Q., c. B-1.2, s. 20.10, pars. 1 and 3)

1. The Regulation respecting the deposit of published documents is amended by replacing the title by the following:

“Regulation respecting the legal deposit of published documents other than films”.

2. Section 1 is amended by adding “, prints and artists’ books” after “skies”.

3. Section 2 is amended by striking out “and the retail price of a microfilm or a microfiche is the retail price of a unit sold separately” in the second paragraph.

4. Section 3 is amended

(1) by replacing “40 cm by 50 cm or 2000 cm²,” in paragraph 1 by “1300 cm²” and by striking out “100 cm by 158 cm or” in the same paragraph;

(2) by striking out paragraph 10;

(3) by adding “except show programs” at the end of paragraph 25;

* The Regulation respecting the deposit of published documents made by Order in Council 359-92 dated 18 March 1992 (1992, G.O. 2., 1800) has not been amended since it was made.

(4) by adding the following after paragraph 34:

“(35) school yearbooks;

(36) directories of students or employees;

(37) board games;

(38) microforms.”.

5. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

Agreement

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

AGREEMENT CONCERNING THE TESTING OF NEW POLLING FORMALITIES

BETWEEN

MR. JEAN CHAREST, LEADER OF THE QUÉBEC
LIBERAL PARTY, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MS. PAULINE MAROIS, LEADER OF THE
PARTI QUÉBÉCOIS, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MS. SYLVIE ROY, LEADER OF THE
ACTION DÉMOCRATIQUE DU QUÉBEC,
AN AUTHORIZED PARTY REPRESENTED IN
THE NATIONAL ASSEMBLY

AND

MR. BENOIT RENAUD, LEADER OF QUÉBEC
SOLIDAIRE, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. MARCEL BLANCHET IN HIS CAPACITY AS
THE CHIEF ELECTORAL OFFICER OF QUÉBEC

WHEREAS pursuant to section 312.1 of the Election Act, an identity verification panel is established where more than one polling station is located;

WHEREAS an identity verification panel is composed of three members, including a chairman appointed by the returning officer and two other members appointed on the recommendation of the candidates of authorized parties whose candidates came first and second during the previous election;

WHEREAS the function of the panel members is to verify the identity of electors who have been unable to produce identification pursuant to the second paragraph of section 337 of the Election Act;

WHEREAS, since the introduction of the requirement that electors must use one of the prescribed documents to identify themselves for the purpose of exercising their right to vote, very few electors appear before the identity verification panel to have their identity verified;

WHEREAS the Chief Electoral Officer would like to avail himself of section 489 of the Election Act in order to assess the impacts of performing the duty of the member of the identity verification panel, other than that of the chairman, by the deputy returning officer and the poll clerk during the by-election in the electoral division of Rousseau and of any other by-election ordered by government writ that should be held at the same date;

WHEREAS the recommendation of the Chief Electoral Officer has been accepted by the four leaders of authorized parties represented at the National Assembly;

WHEREAS section 489 of the Election Act states that when the recommendation of the Chief Electoral Officer is accepted by the party leaders, an agreement must be signed in this respect by these party leaders and the Chief Electoral Officer;

WHEREAS this agreement has force of law.

CONSEQUENTLY, THE PARTIES AGREE AS FOLLOWS:

1. PREAMBLE

The preamble to this agreement forms an integral part of this agreement.

2. PURPOSE OF THE AGREEMENT

The purpose of the present agreement is to have the duty of member of the identity verification panel, other than the chairman, performed by the deputy returning officer and the poll clerk during the by-election in the electoral division of Rousseau and of any other by-election ordered by government writ that should be held at the same date.

3. AMENDMENTS OF THE ELECTION ACT

3.1 Section 307 of the Election Act is amended by striking out the second paragraph;

3.2 Section 308 of the Act is amended by replacing “members” in the second line by “chairmans”;

3.3 Section 312.1 of the Act is replaced by the following section:

“312.1. An identity verification panel, composed of three members, is established by the returning officer.

The deputy returning officer and the poll clerk act as panel members. The chairman is appointed by the returning officer.

The function of the panel members is to verify the identity of electors who have been unable to produce identification pursuant to the second paragraph of section 337. Decisions are made by a majority vote.”

3.4 Section 313 of the Act is amended by replacing “members”, in the third line of the first paragraph, by “chairmans”.

3.5 Section 328 of the Act is amended by replacing “members”, in the second line of the first paragraph, by “chairman”.

3.6 Section 335.2 of the Act is amended by replacing “in the register kept by”, in subparagraph 2 of the first paragraph and in subparagraph *b* of subparagraph 3 of the first paragraph, by “before”.

3.7 Section 335.4 of the Act is repealed.

3.8 Section 490 of the Act is amended by adding the following paragraph:

“The present section applies to an agreement made between the leaders of the authorized parties represented in the National Assembly and the chief electoral officer in accordance with section 489.”.

4. AMENDMENTS OF THE ELECTION REGULATIONS

4.1 Division IV.1 of the Regulation respecting the determination of the candidates entitled to recommend certain election officers is repealed.

4.2 Section 2 of the Regulation respecting the tariff of remuneration and expenses of election officers is amended by striking out subparagraph 17.

4.3 Section 4 of the Voting Regulation is amended by striking out “, the identity verification panel members”.

5. APPLICATION OF THE AGREEMENT

The Chief Electoral Officer, the returning officer of the electoral division of Rousseau and the returning officer of any other electoral division where a by-election will have been ordered at the same date as the one ordered in the electoral division of Rousseau are responsible for the application of the present agreement.

6. EVALUATION REPORT

Within 90 days following the date of the by-elections referred to in the present agreement, the Chief Electoral Officer shall transmit to the leaders of the political parties represented at the National Assembly, a report covering the following points:

— election preparations related to the present agreement;

— the advantages and disadvantages encountered in applying the present agreement;

— recommended amendments to the provisions of the Election Act, if any.

7. EFFECT OF THE AGREEMENT

The present agreement takes effect on the date on which the last signature is affixed on this agreement.

IN WITNESS WHEREOF, THE PARTIES HAVE SIGNED, IN FIVE COPIES,

In Montréal, on 25 August 2009

JEAN CHAREST,
Leader of the Québec Liberal Party

In Montréal, on 28 August 2009

PAULINE MAROIS,
Leader of the Parti Québécois

In Laurier-Station, on 1 September 2009

SYLVIE ROY,
Leader of the Action démocratique du Québec

In Gatineau, on 7 September 2009

BENOIT RENAUD,
Leader of Québec solidaire

In Québec, on 9 September 2009

MARCEL BLANCHET,
Chief Electoral Officer of Québec

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Gouvernement du Québec

Agreement

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

AGREEMENT CONCERNING THE TESTING OF NEW POLLING FORMALITIES

BETWEEN

MR. JEAN CHAREST, LEADER OF THE QUÉBEC
LIBERAL PARTY, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MS. PAULINE MAROIS, LEADER OF THE
PARTI QUÉBÉCOIS, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MS. SYLVIE ROY, LEADER OF THE
ACTION DÉMOCRATIQUE DU QUÉBEC,
AN AUTHORIZED PARTY REPRESENTED IN
THE NATIONAL ASSEMBLY

AND

MR. BENOIT RENAUD, LEADER OF QUÉBEC
SOLIDAIRE, AN AUTHORIZED PARTY
REPRESENTED IN THE NATIONAL ASSEMBLY

AND

MR. MARCEL BLANCHET IN HIS CAPACITY AS
THE CHIEF ELECTORAL OFFICER OF QUÉBEC

WHEREAS pursuant to section 310.1 of the Election Act, two officers assigned to the list of electors are appointed for every polling station by the returning officer on the recommendation of the candidates of authorized parties whose candidates came first and second during the previous election;

WHEREAS the officers assigned to the list of electors have the duty of providing information to the poll runners about electors who have voted;

WHEREAS since the creation of this position in 2001, difficulties have been encountered on several occasions in general elections or by-elections in recruiting officers assigned to the list of electors;

WHEREAS these difficulties have obliged the Chief Electoral Officer to use, on several occasions, the special powers outlined in section 490 of the Election Act in order to stipulate that only one person can perform the duty of officer assigned to the list of electors or that if there is no officer the poll clerk can also perform this function;

WHEREAS the Chief Electoral Officer would like to avail himself of section 489 of the Election Act in order to assess the impacts of performing the duty of officer assigned to the list of electors by the poll clerk during the by-election in the electoral division of Rousseau and of any other by-election ordered by government writ by the holding of the next general election;

WHEREAS the recommendation of the Chief Electoral Officer has been accepted by the four leaders of authorized parties represented at the National Assembly;

WHEREAS section 489 of the Election Act states that when the recommendation of the Chief Electoral Officer is accepted by the party leaders, an agreement must be signed in this respect by these party leaders and the Chief Electoral Officer;

WHEREAS this agreement has force of law.

CONSEQUENTLY, THE PARTIES AGREE AS FOLLOWS:

1. PREAMBLE

The preamble to this agreement forms an integral part of this agreement.

2. PURPOSE OF THE AGREEMENT

The purpose of the present agreement is to have the duty of officer assigned to the list of electors performed by the poll clerk for every polling station during the by-election in the electoral division of Rousseau and of any other by-election ordered by government writ by the holding of the next general election.

3. AMENDMENTS OF THE ELECTION ACT

3.1 Section 139 of the Election Act is amended by striking out the second paragraph;

3.2 Section 301.1 of the Act is amended by striking out the second paragraph;

3.3 Section 308 of the Act is amended by striking out “officers assigned to the list of electors,” in the first line.

3.4 Section 310.1 of the Act is repealed.

3.5 Section 311 of the Act is amended by replacing “, poll clerk or officer assigned to the list of electors” in the fourth and fifth lines by “or poll clerk”.

3.6 Section 313 of the Act is amended by replacing “, poll clerks and officers assigned to the list of electors” in the first paragraph by “and poll clerks”.

3.7 Section 315 of the Act is amended by adding the following subparagraph:

“(3) to inform the poll runners, in accordance with the directives of the chief electoral officer, as to the electors who have exercised their right to vote.”.

3.8 Section 315.1 of the Act is repealed.

3.9 Section 328 of the Act is amended by striking out “, the officers assigned to the list of electors” in the first paragraph.

3.10 Section 490 of the Act is amended by adding the following paragraph:

“The present section applies to an agreement made between the leaders of the authorized parties represented in the National Assembly and the chief electoral officer in accordance with section 489.”.

4. AMENDMENTS OF THE ELECTION REGULATIONS

4.1 Division IV.2 of the Regulation respecting the determination of the candidates entitled to recommend certain election officers is repealed.

4.2 Section 2 of the Regulation respecting the tariff of remuneration and expenses of election officers is amended by striking out subparagraph 14.

4.3 Section 4 of the Voting Regulation is amended by striking out “the officers assigned to the list of electors,”.

5. APPLICATION OF THE AGREEMENT

The Chief Electoral Officer, the returning officer of the electoral division of Rousseau and the returning officer of any other electoral division where a by-election will be ordered by the holding of the next general election are responsible for the application of the present agreement.

6. EVALUATION REPORT

Within 90 days following the date of the by-elections referred to in the present agreement, the Chief Electoral Officer shall transmit to the leaders of the political parties represented at the National Assembly, a report covering the following points:

— election preparations related to the present agreement;

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BENOIT RENAUD,
Leader of Québec solidaire

In Québec, on 9 September 2009

MARCEL BLANCHET,
Chief Electoral Officer of Québec

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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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