



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 11

(1999, chapter 3)

An Act to amend the Act respecting the National Assembly and the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly

Introduced 23 March 1999

Passage in principle 23 March 1999

Passage 23 March 1999

Assented to 24 March 1999

EXPLANATORY NOTES

The object of this bill is to change the composition of the Office of the National Assembly by increasing by two the number of its members and fixing the quorum at five.

In addition, the bill amends the Act respecting the National Assembly to provide a procedure for the replacement of the President of the Assembly in case of absence, inability to act or vacancy.

The bill also specifies certain rules applicable to the regular personnel hired to assist, for research and support purposes, a party represented in the National Assembly.

Lastly, the bill provides that whenever the caucus of the Official Opposition consists of twenty Members or more, an additional indemnity is to be paid to a Member who occupies the position of chairman of the caucus.

LEGISLATION AMENDED BY THIS BILL :

- Act respecting the National Assembly (R.S.Q., chapter A-23.1);
- Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (R.S.Q., chapter C-52.1).

Bill 11

AN ACT TO AMEND THE ACT RESPECTING THE NATIONAL ASSEMBLY AND THE ACT RESPECTING THE CONDITIONS OF EMPLOYMENT AND THE PENSION PLAN OF THE MEMBERS OF THE NATIONAL ASSEMBLY

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 87 of the Act respecting the National Assembly (R.S.Q., chapter A-23.1) is amended by replacing “seven” in the second line by “nine”.

2. Section 88 of the said Act is amended

(1) by replacing “four” in paragraph 1 by “five”;

(2) by replacing “three” in the first line of paragraph 2 by “four”;

(3) by replacing “two” in the second line of paragraph 2 by “three”.

3. Section 96 of the said Act, replaced by section 1 of chapter 54 of the statutes of 1998, is again replaced by the following section :

“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 or also becomes 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.”

4. Section 97 of the said Act is amended by replacing “Four” in the first line by “Five”.

5. Section 108 of the said Act is amended

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

“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.”;

(2) by adding the following paragraph at the end :

“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.”

6. Section 117 of the said Act, replaced by section 2 of chapter 54 of the statutes of 1998, and section 118 of the said Act are replaced by the following sections :

“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 or also becomes 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.

“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.”

7. Section 143 of the said Act is amended by striking out the second paragraph.

8. Section 7 of the Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (R.S.Q., chapter C-52.1) is amended by inserting the following subparagraph after subparagraph 11.1 of the first paragraph :

“(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 twenty Members or more;”.

9. For the purposes of the First Session of the Thirty-Sixth Legislature, the fifteen-day period provided for in section 90 of the Act respecting the National Assembly is extended to thirty days.

10. For the purpose of computing the severance pay payable to the personnel referred to in the third paragraph of section 108 of the Act respecting the National Assembly, the accumulated service of a member of the personnel in office on 24 March 1999 is computed from the date on which the personnel member was appointed for the first time to assist the political party for research and support purposes.

11. Notwithstanding paragraph 1 of section 5 of this Act, the second paragraph of section 108 of the Act respecting the National Assembly, as it read before being replaced by that paragraph, shall continue to apply in respect of the Government party for the duration of the Thirty-Sixth Legislature.

12. Sections 1, 2, 4 and 8 have effect from 2 March 1999.

13. This Act comes into force on 24 March 1999.