



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 92

(2002, chapter 34)

An Act respecting the Commission des droits de la personne et des droits de la jeunesse

Introduced 8 May 2002

Passage in principle 22 May 2002

Passage 13 June 2002

Assented to 14 June 2002

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EXPLANATORY NOTE

The bill amends the Charter of human rights and freedoms and the Youth Protection Act concerning the operation of the Commission des droits de la personne et des droits de la jeunesse. For that purpose, the bill grants the same jurisdiction to all the members of the Commission in the exercise of their functions. In addition, the bill changes the period covered by the annual report of the Commission and the conditions governing the publication and distribution of the report.

LEGISLATION AMENDED BY THIS BILL :

- Charter of human rights and freedoms (R.S.Q., chapter C-12);
- Youth Protection Act (R.S.Q., chapter P-34.1).

Bill 92

AN ACT RESPECTING THE COMMISSION DES DROITS DE LA PERSONNE ET DES DROITS DE LA JEUNESSE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 58 of the Charter of human rights and freedoms (R.S.Q., chapter C-12) is amended by replacing “15” in the first paragraph by “13”.

2. Section 58.1 of the said Charter is replaced by the following section:

“58.1. Five members of the Commission shall be chosen from among persons capable of making a notable contribution to the examination and resolution of problems relating to human rights and freedoms, and five other members from among persons capable of making a notable contribution to the examination and resolution of problems relating to the protection of the rights of young persons.”

3. Section 58.2 of the said Charter is repealed.

4. Section 65 of the said Charter is amended by adding the following paragraph at the end:

“The president shall designate a vice-president who shall be responsible more particularly for the mandate entrusted to the Commission by this Charter, and another vice-president who shall be responsible more particularly for the mandate entrusted by the Youth Protection Act. The president shall inform the President of the National Assembly thereof, who shall inform the Assembly.”

5. Section 73 of the said Charter is amended

(1) by replacing “31 March” in the first line of the first paragraph by “30 June” and by replacing “for the preceding calendar year” in the second and third lines by “for the preceding fiscal year”;

(2) by replacing “determined by order of the Government” in the last line of the second paragraph by “and in the manner deemed appropriate by the Commission”.

6. Section 23.1 of the Youth Protection Act (R.S.Q., chapter P-34.1) is replaced by the following section:

“23.1. The duty provided for in paragraph *b* of section 23 must be discharged by a group of not less than three members of the Commission designated by the president.

However, the decision to hold an investigation, to file an application for the disclosure of information under the second paragraph of section 72.5 or to disclose information under the second paragraph of section 72.6 or under section 72.7 shall be made by the president or by a person designated by the president from among the members of the Commission or its personnel.

The Commission may review the decision to hold an investigation made under the second paragraph.”

7. This Act comes into force on 14 June 2002, except section 1, which comes into force on the date fixed by the Government.