



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 64

(2004, chapter 36)

An Act to amend the Election Act

Introduced 17 June 2004

Passage in principle 3 December 2004

Passage 16 December 2004

Assented to 17 December 2004

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EXPLANATORY NOTES

This bill amends the Election Act to revise authorization criteria for political parties following the ruling handed down by the Supreme Court of Canada on 27 June 2003 in the Figueroa case. The bill eliminates the requirement that a political party present 20 candidates to obtain and maintain an authorization.

The bill also grants the status of private intervenor to an authorized political party that presents no candidate at a general election or a by-election and notifies the chief electoral officer accordingly.

Bill 64

AN ACT TO AMEND THE ELECTION ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 47 of the Election Act (R.S.Q., chapter E-3.3) is amended by replacing the first two paragraphs by the following paragraph:

“**47.** A political party applying for authorization must submit with its application to the chief electoral officer the names, addresses, membership card numbers and expiration dates and signatures of at least 100 members of the party who are qualified electors and in favour of the application for authorization.”

2. Section 69 of the said Act is amended

(1) by striking out the first paragraph;

(2) by striking out “also” in the first line of the second paragraph.

3. Section 457.2 of the said Act is amended by adding the following paragraphs at the end:

“An authorized political party that presents no candidate at a general election or a by-election and wishes to intervene as private intervenor must notify the chief electoral officer. It is deemed to hold an authorization from the chief electoral officer as a private intervenor from the date of receipt of the notification and the chief electoral officer shall issue an authorization number to it.

Sections 457.7 to 457.9 and 457.13 to 457.21 and the second paragraph of section 559 apply to the party, with the necessary modifications. For the purposes of those provisions, the leader of the party is deemed to be the elector representing the private intervenor referred to in the last paragraph of section 457.4.

An authorized political party that availed itself of sections 419 and 420 during an election period may not obtain the status of private intervenor during that period.”

4. This Act comes into force on 17 December 2004.