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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 5  
(2022, chapter 28)

**An Act to ratify the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in parliamentary committees, to budgetary aspects and to other measures promoting work-family balance**

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Introduced 2 December 2022  
Passed in principle 2 December 2022  
Passed 2 December 2022  
Assented to 2 December 2022

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## EXPLANATORY NOTES

*The purpose of this Act is to ratify the Agreement relating to the concept of parliamentary group, to the conduct of proceedings in the Assembly and in parliamentary committees, to budgetary aspects and to other measures promoting work-family balance.*

*The Act modifies, for the duration of the 43rd Legislature, the conditions for opposition parties, other than the party of the Official Opposition, to be entitled to the parliamentary offices of leader, House leader and whip, as the case may be.*

*The Office of the National Assembly is given the power to establish the conditions, scales and modalities of payment of expenses for lodgings in the electoral division of Members whose principal residence is in the territory of Ville de Québec or in its immediate vicinity but who do not represent an electoral division located there.*

*The Act specifies, in the Code of ethics and conduct of the Members of the National Assembly, that a Member is not in default of maintaining a good attendance record when absent in connection with the Member's pregnancy, the birth of the Member's child or the adoption of a child, while on maternity leave, paternity leave or parental leave, or because of the state of health of a relative or a person for whom the Member acts as a caregiver.*

*Lastly, the Act empowers the Office of the National Assembly to make any regulation necessary to implement these changes; such a regulation may be retroactive to the date of the beginning of the 43rd Legislature.*

## LEGISLATION AMENDED BY THIS ACT:

- Act respecting the National Assembly (chapter A-23.1);
- Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1);
- Act respecting the conditions of employment and the pension plan of the Members of the National Assembly (chapter C-52.1).

## Bill 5

### **AN ACT TO RATIFY THE AGREEMENT RELATING TO THE CONCEPT OF PARLIAMENTARY GROUP, TO THE CONDUCT OF PROCEEDINGS IN THE ASSEMBLY AND IN PARLIAMENTARY COMMITTEES, TO BUDGETARY ASPECTS AND TO OTHER MEASURES PROMOTING WORK-FAMILY BALANCE**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

ACT RESPECTING THE NATIONAL ASSEMBLY

**1.** Section 25 of the Act respecting the National Assembly (chapter A-23.1) is amended by adding the following paragraph at the end:

“For the duration of the 43rd Legislature, the second paragraph is amended by replacing “twenty” by “twenty-five”.”

**2.** Section 87 of the Act is amended by striking out the second paragraph.

**3.** Section 88 of the Act is amended by striking out the second paragraph.

**4.** Section 95 of the Act is amended by adding the following paragraph at the end:

“For the duration of the 43rd Legislature, a Member designated by the party recognized as the Third Opposition Group may take part, without the right to vote, in the proceedings of the Office.”

**5.** Section 97 of the Act is amended by striking out the second paragraph.

**6.** Section 104 of the Act is amended by replacing subparagraph 4 of the first paragraph by the following subparagraph:

“(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”.

**7.** Section 124.1 of the Act is amended by replacing the third paragraph by the following paragraph:

“For the duration of the 43rd Legislature, the first paragraph is replaced by the following paragraph:

“The Leader of the Official Opposition, the Leader of the party recognized as the Second Opposition Group, the Leader of the party recognized as the Third Opposition Group, the President and the Vice-Presidents of the National Assembly, the Government House Leader, the Official Opposition House Leader, the House Leader of the party recognized as the Second Opposition Group, the Chief Government Whip, the Chief Official Opposition Whip and the Whip of the party recognized as the Second Opposition Group may appoint their respective executive secretaries and the other persons required for the orderly administration of their respective offices.””

#### CODE OF ETHICS AND CONDUCT OF THE MEMBERS OF THE NATIONAL ASSEMBLY

**8.** Section 35 of the Code of ethics and conduct of the Members of the National Assembly (chapter C-23.1) is amended by adding the following paragraph at the end:

“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.”

#### ACT RESPECTING THE CONDITIONS OF EMPLOYMENT AND THE PENSION PLAN OF THE MEMBERS OF THE NATIONAL ASSEMBLY

**9.** 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) is amended by replacing the third paragraph by the following paragraph:

“For the duration of the 43rd Legislature, the first paragraph is amended

(1) by replacing subparagraph 6 by the following subparagraph:

“(6) a Member, other than the Member contemplated in subparagraph 4, who leads an opposition party represented in the Assembly following the 3 October 2022 general election shall receive on an annual basis an indemnity equal to 35% of the annual indemnity;”;

(2) by replacing subparagraph 6.1 by the following subparagraph:

“(6.1) the Member occupying the position of House Leader of the party recognized as the Second Opposition Group shall receive on an annual basis an indemnity equal to 25% of the annual indemnity;”;

(3) by replacing “of a party contemplated in paragraph 6” in subparagraph 11 by “of the party recognized as the Second Opposition Group”.

#### MISCELLANEOUS AND FINAL PROVISIONS

**10.** The persons appointed as members of the staff of a Member who holds the position of Leader of a party other than the party of the Official Opposition or of House Leader or Whip of the party recognized as the Second Opposition Group, during the period beginning on 12 October 2022 and ending on 1 December 2022, are deemed to have been appointed as members of the Member’s office staff.

**11.** The Office of the National Assembly may make any regulation necessary for the purposes of this Act. Such a regulation may have retroactive effect to any date not prior to 12 October 2022.

**12.** This Act comes into force on 2 December 2022.