



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 44
(1999, chapter 29)

An Act to amend the Police Act

Introduced 11 May 1999
Passage in principle 27 May 1999
Passage 17 June 1999
Assented to 19 June 1999

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EXPLANATORY NOTE

The object of this bill is to amend certain provisions of the Police Act relating to the management personnel of the Sûreté du Québec. As well, it allows the Government to make a regulation determining the qualifications required to engage in investigative activities within a police force. Lastly, the bill provides that municipalities will be required to appoint an interim chief of police without delay if the office of chief of the police force becomes vacant.

Bill 44

AN ACT TO AMEND THE POLICE ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 6.1 of the Police Act (R.S.Q., chapter P-13) is amended by inserting “to carry out investigations for a police force, in the cases determined by the regulation, and” after “required” in paragraph 6.

2. Section 43 of the said Act, amended by section 211 of chapter 75 of the statutes of 1988, is again amended

(1) by replacing “four officers” at the beginning of subparagraph 2 of the first paragraph by “officers, in the number determined by the Government”;

(2) by striking out “and replace him when he dies or is absent or temporarily unable to act” at the end of subparagraph 2 of the first paragraph;

(3) by striking out the second paragraph.

3. Section 44 of the said Act is amended by adding the following at the end of the second paragraph: “A Director General may not remain in office for more than 10 years.”

4. The said Act is amended by inserting the following section after section 44 :

“44.1. In the case of the Director General’s death, absence or inability to act, the Deputy Director General designated by the Minister shall act as Director General in the interim.”

5. Section 59 of the said Act is amended

(1) by replacing “the members of the Police Force contemplated in paragraphs 1 to 3” in the first paragraph by “a member of the Police Force referred to in paragraph 1 or 2 or the members referred to in paragraph 3”;

(2) by replacing “the officer referred to in subparagraph 1 of the first paragraph” in the second paragraph by “the officers referred to in paragraph 1 or 2”.

6. The said Act is amended by inserting the following section after section 59 :

“59.1. Notwithstanding paragraph 5 of section 4 of the Act respecting the Government and Public Employees Retirement Plan (chapter R-10), the Government may cause the Government and Public Employees Retirement Plan to be applicable to a member of the Police Force referred to in subparagraph 1 or 2 of the first paragraph of section 43 if that plan applied to that member upon his appointment.”

7. Section 68 of the said Act is amended by inserting the following paragraph after the first paragraph :

“Where the office of chief is vacant, the municipality shall appoint an interim chief without delay.”

8. Section 6 of this Act has effect from 5 November 1998.

9. This Act comes into force on 19 June 1999.