



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 49
(1999, chapter 51)

An Act respecting the flag and emblems of Québec

Introduced 11 May 1999
Passage in principle 26 May 1999
Passage 28 October 1999
Assented to 5 November 1999

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EXPLANATORY NOTES

The object of this bill is to combine the main provisions concerning the flag and emblems of Québec under a single Act and to establish the various rules applicable to them.

The bill provides a description of the flag and specifies its proportions, fixes certain rules governing the displaying of the flag and authorizes the Government to complete such rules by regulation.

The bill specifies that the coat of arms of Québec is an emblem of the State and provides that the Government may authorize certain persons to use it.

The bill establishes the blue flag as the emblematic flower of Québec and maintains the yellow birch as the emblematic tree and the snowy owl as the emblematic bird of Québec.

Lastly, the bill empowers the Government to prescribe rules applicable to the use of the flag and other emblems as well as to the manufacture, reproduction and representation of the emblems of Québec.

LEGISLATION AMENDED BY THIS BILL :

- Cities and Towns Act (R.S.Q., chapter C-19);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1).

LEGISLATION REPLACED BY THIS BILL :

- Act respecting the official flag (R.S.Q., chapter D-13);
- Act respecting the avian emblem (R.S.Q., chapter E-4.1);
- Act respecting the floral emblem (R.S.Q., chapter E-5).

Bill 49

AN ACT RESPECTING THE FLAG AND EMBLEMS OF QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The flag of Québec is a white cross on a blue field, with a white fleur-de-lis in each canton or, in heraldic terms, *azure, a cross between four fleur-de-lis argent*.

The flag is of the proportions three by length and two by width.

2. The flag is the national emblem of Québec and must be flown on the central tower of the Parliament Building.

As the national emblem of Québec, the flag shall be displayed at official events and in the places, cases and circumstances determined by regulation of the Government.

In all cases, the flag of Québec has precedence over any other flag or emblem.

3. The twenty-first day of January shall be Québec Flag Day.

4. The coat of arms of Québec, which is the emblem of the State, is established by the Government, which may authorize its use.

5. The emblematic tree of Québec is the yellow birch, known scientifically as *Betula alleghaniensis Britton*.

The emblematic flower of Québec is the blue flag, known scientifically as *Iris versicolor L.*

The emblematic bird of Québec is the snowy owl, known scientifically as *Nyctea scandiaca (L.)*.

6. The Government may, by regulation,

- (1) determine conditions governing the use of the emblems of Québec,
- (2) fix standards for the manufacture and reproduction of the emblems, and
- (3) standardize the representation of the emblems.

7. No person may use an emblem of Québec in such a way as to falsely suggest that

(1) the user is vested with the authority of the State or acts on behalf or with the authorization or approval of the State, or

(2) a document, an instrument, information, a product or a service emanates from the State or one of its institutions.

8. Every person who contravenes section 7 is guilty of an offence and is liable to a fine of not less than \$250 nor more than \$50,000, having regard, in particular, to the profits derived from the offence and the damage caused to the State or one of its institutions.

9. The arms of Québec, granted on 26 May 1868 by Her Majesty Queen Victoria, shall remain the property of the State.

10. This Act replaces the Act respecting the official flag (R.S.Q., chapter D-13), the Act respecting the avian emblem (R.S.Q., chapter E-4.1) and the Act respecting the floral emblem (R.S.Q., chapter E-5).

11. Section 318.1 of the Cities and Towns Act (R.S.Q., chapter C-19) is repealed.

12. Article 146 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is repealed.

13. Section 2 of the Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1) is amended by striking out “the emblems of Québec and proposing” in subparagraph 7 of the first paragraph and by striking out the second and third paragraphs.

14. The Décret sur les armoiries du Québec (R.R.Q., chapter D-13, r.1), the Order respecting the flag of Québec (R.R.Q., chapter D-13, r.2) and the Order respecting the use of the flag and coat of arms of Québec (R.R.Q., chapter D-13, r.3) are deemed to have been made under this Act.

15. The Government shall designate the Minister responsible for the administration of this Act.

16. This Act comes into force on 5 November 1999, except sections 11 and 12, which come into force on the date to be fixed by the Government.