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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 219

(Private)

## **An Act respecting the Association des policiers provinciaux du Québec**

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**Introduced 11 November 2004**

**Passage in principle 16 December 2004**

**Passage 16 December 2004**

**Assented to 17 December 2004**

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## **Bill 219**

(Private)

### **AN ACT RESPECTING THE ASSOCIATION DES POLICIERS PROVINCIAUX DU QUÉBEC**

AS the Association des policiers provinciaux du Québec was constituted as an association under the Professional Syndicates Act (R.S.Q., chapter S-40) on 5 April 1966;

As section 13.04 of the articles and operating by-laws of the Association confers on the general assembly of active members the power to ratify or revoke decisions that are made and that are submitted to it by the executive committee and the conference of delegates of the Association;

As section 13.03 of the articles and operating by-laws of the Association provides that the quorum for the general assembly of members is 250 active members;

As the articles and operating by-laws of the Association, and their subsequent amendments, and the other decisions made by the executive committee and the conference of delegates were never validly ratified by the general assembly of active members because the quorum required for the valid constitution and operation of the general assembly could not be reached;

As section 9 of the Professional Syndicates Act provides that the Association may establish and administer special funds for assistance in case of illness for the benefit of its members;

As the Association adopted by-laws entitled “Règlements du régime d’assurance-maladie de l’Association des policiers provinciaux du Québec” establishing a health insurance plan for its members, which plan came into force on 1 January 1980;

As section 3.06 of the health insurance plan by-laws provides that the executive committee of the Association may amend the provisions of the plan at any time provided that the amendments are ratified by the general assembly of active members;

As several amendments were made to the health insurance plan after it came into force without being validly ratified by the general assembly of active members of the Association because the quorum required for the valid constitution and operation of the general assembly could not be reached;

As the approval required by sections 9 and 29 of the Professional Syndicates Act with respect to the articles and by-laws governing a special fund for assistance in case of illness was never obtained;

As it is in the interest of the Association des policiers provinciaux du Québec that these irregularities be remedied;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** From 17 December 2004 and until sections 13.02 and 13.03 of the articles and operating by-laws of the Association des policiers provinciaux du Québec are amended according to the procedure set out in the articles and by-laws, the general assembly of active members of the Association may be held on the same date as the conference of delegates, and the quorum for that general assembly is 175 active members.

**2.** In the event that the general assembly of active members of the Association approves the articles and operating by-laws of the Association des policiers provinciaux du Québec adopted on 6 February 1966 and all amendments made to those articles and operating by-laws from the date they were adopted to 31 August 2004, the articles and operating by-laws and the amendments so approved are deemed to have been ratified and to be enforceable from the date they were adopted by the executive committee of the Association.

The same applies to the decisions made by the executive committee and the conference of delegates from the date the Association des policiers provinciaux du Québec was formed until 31 August 2004.

**3.** In the event that the general assembly of active members of the Association approves the health insurance plan by-laws of the Association des policiers provinciaux du Québec in force since 1 January 1980 and all amendments made to those by-laws from the date they came into force to 31 August 2004, except the amendment adopted on 31 May 2003 eliminating the requirement to submit amendments to the health insurance plan to an assembly of active members of the Association for ratification, the by-laws and the amendments so approved are deemed to have been ratified by the general assembly of active members of the Association and approved in accordance with sections 9 and 29 of the Professional Syndicates Act. They are deemed to be enforceable from the date they were adopted by the executive committee of the Association.

**4.** No irregularity or illegality may be alleged against the articles and operating by-laws, the decisions made by the executive committee and the conference of delegates or the by-laws of the health insurance plan of the Association des policiers provinciaux du Québec referred to in sections 1, 2 and 3, except the amendment mentioned in section 3, on the grounds that they were not ratified by the general assembly of active members of the Association or that they were not approved in accordance with sections 9 and 29 of the Professional Syndicates Act.

**5.** This Act does not affect cases pending or decisions or judgments already rendered.

**6.** This Act comes into force on 17 December 2004.