

1984, chapter 24

AN ACT RESPECTING THE ORDRE NATIONAL DU QUÉBEC

Bill 80

Introduced by Mr Pierre Marc Johnson, Minister of Justice

Introduced 16 May 1984

Passage in principle 19 June 1984

Passage 20 June 1984

Assented to 20 June 1984

Coming into force: 20 June 1984

Act amended: None



CHAPTER 24

An Act respecting the Ordre national du Québec

[Assented to 20 June 1984]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

THE ORDRE NATIONAL DU QUÉBEC

§ 1.—*Establishment and Composition*

Estab-
lishment

1. The Ordre national du Québec is hereby established.

Composition

2. The order is composed of all the persons appointed in accordance with this Act to one of the following degrees:

- (1) grand officer of the Ordre national du Québec;
- (2) officer of the Ordre national du Québec;
- (3) recipient of the medal of merit of the Ordre national du Québec.

§ 2.—*Appointment*

Appointment

3. The Government, on the recommendation of the Prime Minister, may appoint any person resident in Québec a grand officer of the Ordre national du Québec, an officer of the Ordre national du Québec or a recipient of the medal of merit of the Ordre national du Québec.

Posthumous
appointment

The appointment may also be made posthumously.

Non-resident

4. A distinguished person who is not resident in Québec but on whom the Québec Government wishes to bestow an honorary distinction may be appointed a grand officer or officer of the Ordre national du

Québec or recipient of the medal of merit of the Ordre national du Québec in the manner provided in section 3.

Advice of
the Conseil

5. Except in the case of section 4, the Prime Minister shall seek the advice of the Conseil de l'Ordre before recommending to the Government that an appointment be made under this Act.

Favourable
advice

The favourable advice of the Conseil de l'Ordre in respect of the appointment is appended to the order made under section 3.

Promotion

6. A recipient of the medal of merit of the order may be promoted to grand officer or officer of the order in the manner provided in section 3, and such an officer may be promoted to grand officer of the order.

Restriction

Notwithstanding the first paragraph, no person appointed thereunder may hold two or more appointments simultaneously.

Members of
the National
Assembly

7. Notwithstanding section 3, no Member of the National Assembly may, during his term of office, be appointed a grand officer or officer of the order or recipient of the medal of merit of the order. Nor may he be promoted in accordance with section 6 during that time.

Resignation

8. A person ceases to be a member of the order

(1) on the day his resignation is received by the president of the Conseil de l'Ordre;

(2) on the day he is struck by the Government on the recommendation of the Prime Minister.

Privilege

9. An appointment made in accordance with this Act confers no privilege other than that of having a fixed rank under the rules of protocol obtaining in Québec.

DIVISION II

THE CONSEIL DE L'ORDRE

Council

10. The order is administered by a council composed of nine members of the order.

Advice to
the Prime
Minister

11. The council has the responsibility of advising the Prime Minister in respect of the appointment of grand officers or officers of the order or recipients of the medal of merit of the order.

Term of
office

12. The members of the council are elected for three years by the members of the order.

Represent-
atives

Each class of members of the order mentioned in section 2 must have at least one representative on the council.

- President** The members of the council shall elect one of their number as president.
- Term of office** **13.** The president of the council is elected for two years. His term is not renewable consecutively.
- Duties** **14.** The president shall see to the functioning of the council, call and preside at its meetings and assume all other functions assigned to him by this Act and the by-laws of the council.
- Meetings** The president shall, in addition, call and preside over all meetings of the members of the order.
- Absence** **15.** In the unavoidable absence of the president, any other member of the council may call a meeting of the council or of the members of the order.
- Chairman** The members present shall then elect one of their number to chair the sitting.
- Meetings** **16.** The council shall meet at least once a year.
- By-laws** **17.** The council may adopt by-laws for its internal management.
- Attendance allowance** **18.** The members of the council are entitled, to the extent and on the conditions fixed by the Government, to an attendance allowance and the reimbursement of the expenses they incur in performing their duties.
- Secretarial services** **19.** The Ministère du Conseil exécutif shall put such secretarial services at the disposal of the council as it requires to carry out its functions.
- Sums required** The sums required for the purposes of this section are taken out of the sums granted annually by Parliament to the Ministère du Conseil exécutif.
- Registers and records** **20.** The secretary general of the Conseil exécutif is the custodian of the register of signatures, the records of the order and the matrixes of the insignia of the order.

DIVISION III

INSIGNIA

- Regulations** **21.** The Government, by regulation, may

(1) determine the insignia that may be conferred on a person appointed a grand officer or officer of the order or recipient of the medal of merit of the order;

(2) prescribe the form of the insignia;

(3) determine the procedure by which they are awarded and granted.

Coming into force Regulations made under this Act come into force fifteen days after their publication in the *Gazette officielle du Québec* or on any later date fixed therein.

Insignia **22.** Only a grand officer or officer of the order or a recipient of the medal of merit of the order is entitled to wear the insignia awarded to him pursuant to this Act.

Insignia **23.** Except in such cases as the Government may determine by regulation, the insignia of the order remain the property of the Government.

Return of insignia **24.** Any person ceasing to be a grand officer or officer of the order or a recipient of the medal of merit of the order otherwise than as a result of his death shall immediately return to the president of the Conseil de l'Ordre the insignia awarded to him upon his appointment.

DIVISION IV

TRANSITIONAL AND FINAL PROVISIONS

First members **25.** The Government, on the recommendation of the Prime Minister, shall appoint the first grand officers and officers of the order and recipients of the medal of merit of the order in sufficient number to permit the election of the first Conseil de l'Ordre.

Advisory committee Before recommending to the Government that an appointment be made under this section, the Prime Minister shall seek the advice of an advisory committee made up of the following members:

- (1) the Secretary General of the Conseil exécutif;
- (2) the Deputy Minister of Justice;
- (3) the president of the Conseil de la magistrature du Québec;
- (4) the president of the University of Québec;
- (5) the Secretary General of the Assembly of the Bishops of Québec;
- (6) the Public Protector;

- (7) the chairperson of the Conseil du statut de la femme;
- (8) two other persons appointed by the Government.

Members of
the Conseil
de l'Ordre

26. The first Conseil de l'Ordre shall be made up as follows:

- (1) three persons elected for a term of three years;
- (2) three persons elected for a term of two years;
- (3) three persons elected for a term of one year.

Consolidated
revenue fund

27. The sums required for the administration of this Act are taken for the fiscal period 1984-85 out of the consolidated revenue fund, to such extent as the Government may determine.

Minister res-
ponsible

28. The Prime Minister is responsible for the administration of this Act.

Exception

29. This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).

Coming into
force

30. This Act comes into force on 20 June 1984.