

NATIONAL ASSEMBLY

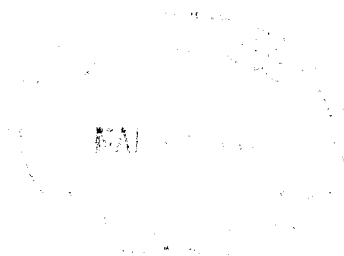
FIFTH SESSION

THIRTY-SECOND LEGISLATURE

Bill 191

An Act to recognize the right to self-determination of the people of Québec

Introduction



**Introduced by
Mr Gilbert Paquette
Member for Rosemont**

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EXPLANATORY NOTES

This Bill generally recognizes the right to self-determination of the people of Québec, that is, the exclusive right, on its territory, to determine the political system and the legal status of Québec.

The preamble outlines the characteristics of the citizens of Québec which make them a people with the right to self-determination.

The first chapter indicates that the State of Québec derives its legitimacy and its legislative authority from the practice of democracy in an elective parliamentary system and describes, in its general provisions, the persons who constitute the people of Québec.

In the second chapter, sections 4 and 5 define the political rights of the people of Québec, while sections 6 and 7 establish the relevant prerogatives of the National Assembly and the Government of Québec.

In chapter three, section 8 sets forth the limitations with respect to interpretation of the Act, and section 9 stipulates that the Act shall be part of the Constitution of Québec.

Bill 191

An Act to recognize the right to self-determination of the people of Québec

WHEREAS the people of Québec, as a distinct community, has its own characteristics and a historical continuity rooted in the territory of Québec, over which it exercises a right of possession through its Government and its Legislature;

Whereas the Legislature has the power to adopt laws in order to amend the Constitution of Québec;

Whereas the members of the National Assembly of Québec are elected through universal suffrage by the people of Québec;

Whereas the National Assembly of Québec derives its legitimacy from the people of Québec and constitutes the only legislative institution under its control;

Therefore, Her Majesty, with the advice and consent of the National Assembly of Québec, enacts as follows:

CHAPTER I

GENERAL PROVISIONS

1. The people of Québec is composed of:

- (a) persons born and domiciled in Québec;
- (b) Canadian citizens resident in Québec.

2. Birth and residence in Québec are established in conformity with the Civil Code.

3. The legislative authority of the State of Québec derives its legitimacy from possession of its territory and from the will of the people who reside there; this will is expressed through universal suffrage and by secret ballot or through an equivalent process guaranteeing such freedom.

CHAPTER II

POLITICAL RIGHTS AND FREEDOMS OF THE PEOPLE OF QUÉBEC

4. The people of Québec is endowed, in fact as well as in law, with such rights as are universally recognized by virtue of the principle of equality of the rights of peoples and of their right to self-determination.

5. The people of Québec has the exclusive right to determine the political system and the legal status of Québec.

6. The National Assembly has the exclusive right to legislate with respect to the nature, the extent and the technical conditions by which the people of Québec shall exercise its right to self-determination.

7. In the event of denial of the right to self-determination of the people of Québec, should the National Assembly be prevented from exercising its powers or should the free operation of the political institutions of Québec be impaired, the Government of Québec, upon the advice of the National Assembly, has the right to appeal directly to international organizations to ensure respect of the rights of the people of Québec.

CHAPTER III

MISCELLANEOUS PROVISIONS

8. This Act shall not be interpreted in a manner to restrict the rights defined herein.

9. This Act is inscribed in the Constitution of Québec.

10. This Act shall come into force on the day of its sanction.