

FOURTH SESSION

THIRTY-FIRST LEGISLATURE

ASSEMBLÉE NATIONALE DU QUÉBEC

Bill 47

**An Act to amend the Act to govern
the financing of political parties**

First reading

Second reading

Third reading



M. ROBERT BURN

Ministre d'État à la réforme
électorale et parlementaire

L'ÉDITEUR OFFICIEL DU QUÉBEC

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EXPLANATORY NOTES

The object of this bill is to insert in the Act to govern the financing of political parties, provisions intended to govern the purchase and sale of advertising space in a newspaper or periodical published by an organization of a political party at the level of an electoral district, at the regional level or at the level of Québec, and the revenues derived from such a publication.

It confers on the director general the responsibility of preparing regulations relating to these new matters, and it provides that these regulations will be submitted to the Standing Committee on the Assemblée nationale for approval.

Bill 47

An Act to amend the Act to govern the financing of political parties

HER MAJESTY, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

1. Section 1 of the Act to govern the financing of political parties (1977, chapter 11) is amended by replacing paragraph *j* by the following paragraph:

“(j) “party authority” means the organization of a political party at the level of an electoral district, of a region or of Québec, or a county association.”

2. Section 2 of the said act is amended by inserting after subparagraph *g* of the first paragraph the following subparagraph:

“(h) amounts received by a party authority for the sale of advertising space in a newspaper or periodical contemplated in Chapter II A.”

3. Section 16 of the said act is amended:

(a) by replacing subparagraph *f* of paragraph 1 by the following subparagraph:

“(f) inquire into the legality of contributions, expenditures and the sale of advertising space in a newspaper or periodical published by a party authority;”;

(b) by replacing subparagraph *a* of paragraph 2 by the following subparagraph:

“(a) provide any person with advice or guidelines regarding the application and interpretation of Chapters I and II A;”.

4. Section 17 of the said act is amended by replacing the first paragraph by the following paragraph:

“17. Any person may apply to the director general for an inquiry into the legality of contributions, expenditures or the sale of advertising space in a newspaper or periodical published by a party authority.”

5. Section 20 of the said act is amended by replacing the first paragraph by the following paragraph:

“20. With the authorization of a judge of the Superior Court and on the conditions he may fix, the director general and the persons designated by him in writing may consult documents relating to contributions, expenditures and the sale of advertising space in a newspaper or periodical published by a party authority and make copies of them.”

6. The said act is amended by inserting after section 122 the following chapter and sections:

“CHAPTER II A

“SALE OF ADVERTISING SPACE IN A NEWSPAPER OR PERIODICAL

“122-1 No person may purchase advertising space in a newspaper or periodical published by a party authority unless he has his residence or a place of business, as defined by regulation of the director general, in the circulation zone of that newspaper or periodical.

“122-2 A party authority which sells advertising space in a newspaper or periodical it publishes must set out, in each publication, a statement of the revenues and expenditures connected with that publication, in accordance with the terms and conditions provided by regulation of the director general.

“122-3 No person may sell advertising space in a newspaper or periodical published by a party authority at a cost higher than the market rate determined in the manner provided by regulation of the director general.

“122-4 A party authority which publishes a newspaper or periodical must turn over to the director general, for remittance to the Ministre des finances, the revenues derived from that publication which exceed the costs incurred for its publication and

distribution, to the extent that the excess is greater than the amount determined by regulation of the director general.

“122-5 The director general must prepare regulations determining

(a) the manner of delimiting the circulation zone of a newspaper or periodical, and the conditions on which a person must be considered to reside in or have a place of business in that zone;

(b) the form and tenor of the statement of revenues and expenditures contemplated in section 122-2;

(c) the maximum price that may be demanded for the purchase of advertising space in a newspaper or periodical, taking market conditions into account;

(d) the amount of the excess of revenues over expenditures above which a party authority must make the payment contemplated in section 122-4 to the director general.

These regulations must be submitted to the Standing Committee on the Assemblée nationale for approval.

Once approved, with or without amendment by that Committee, these regulations shall be published in the *Gazette officielle du Québec*. They come into force on the date of that publication or on any later date fixed therein.

“122-6 Any revenue derived from the sale of advertising space in a newspaper or periodical received contrary to this chapter and the regulations must, as soon as the fact is known, be turned over to the director general, who shall remit it to the Ministre des finances.

“122-7 Every person who contravenes this chapter or the regulations is guilty of an offence and is liable, on summary proceeding, to a fine of not more than \$1 000.

Section 98 applies to these proceedings.”

7. This act comes into force on the day of its sanction.