

SECOND SESSION  
THIRTY-FIRST LEGISLATURE

ASSEMBLÉE NATIONALE DU QUÉBEC

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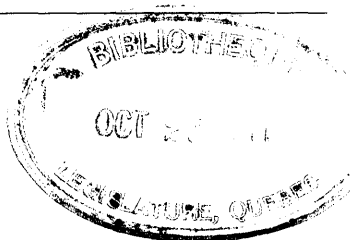
**Bill 69**

**An Act to amend the Act respecting the placing of the  
“International Union of Elevator Constructors,  
locals 89 and 101” under trusteeship and the Act respecting  
the placing of certain labour unions under trusteeship**

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First reading

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M. PIERRE-MARC JOHNSON

Ministre du travail et de la main-d'oeuvre

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CHARLES-HENRI DUBÉ, ÉDITEUR OFFICIEL DU QUÉBEC

## Bill 69

An Act to amend the Act respecting the placing of the  
“International Union of Elevator Constructors,  
locals 89 and 101” under trusteeship and the Act respecting  
the placing of certain labour unions under trusteeship

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

**1.** Section 5 of the Act respecting the placing of the “International Union of Elevator Constructors, locals 89 and 101” under trusteeship (1974, chapter 116), amended by section 16 of chapter 57 of the statutes of 1975, is again amended by adding, after paragraph *k* of subsection 2, the following paragraph:

“(l) take any measure necessary to ensure the proper operation of the employment office of the union, if any.”

**2.** The said act is amended by inserting after section 5 the following section:

**“5a.** Where the lieutenant-gouverneur en conseil is of opinion that a group in which members of the union participate carries on activities normally entrusted to such union, he may, by order in council, upon the recommendation of the board of trustees established by section 2 to exercise the powers of such union, place such group under the trusteeship of the board of trustees.

The management and direction of the group shall then be entrusted to the board of trustees which shall exercise all the powers thereof.

From the publication in the *Gazette officielle du Québec* of the order in council made under the first paragraph, this act shall apply *mutatis mutandis* to the group contemplated in the order in council and any reference therein to the union shall be considered a reference also to the group.

## EXPLANATORY NOTES

*Sections 1 to 6 of this bill amend the Act respecting the placing of the "International Union of Elevator Constructors, locals 89 and 101" under trusteeship, and sections 7 to 14 amend the Act respecting the placing of certain labour unions under trusteeship.*

*Sections 1 and 8 specify the powers of the board of trustees established by law in regard to the employment office of each of the unions.*

*Sections 2 and 9 enable the lieutenant-gouverneur en conseil to place a group under the trusteeship of the board of trustees of a union, if that group is carrying on activities normally entrusted to that union.*

*Sections 3 and 11 prohibit the requesting of money from members of a union under trusteeship without the authorization of the board of trustees of that union.*

*Sections 4 and 12 specify that proceedings under the trusteeship acts are instituted by the procureur général or a prosecutor delegated by him.*

*Sections 5 and 13 enable the lieutenant-gouverneur en conseil to terminate trusteeship in regard to any union, group or association.*

*Sections 6 and 14 provide concordance.*

*By the effect of section 7, the "Association unie des ouvriers en tuyauterie du Québec Inc." is placed under trusteeship.*

*By the effect of section 9, the "Association sportive du local 144 inc." is also placed under trusteeship.*

*Section 10 provides concordance.*

Notwithstanding any inconsistent provision of the law, of the letters patent or of the by-laws of the group contemplated in this section, its property may be used by the board of trustees for the purposes of the union.”

**3.** The said act is amended by inserting after section 10 the following section:

“**10a.** No sum of money may be requested or collected as a fee or contribution, or otherwise, from the members of a union without the consent of the board of trustees of such union; no person may accept any sum of money as a fee or contribution, or otherwise, from the members of a union without the consent of the board of trustees of such union.

Every sum of money requested, collected or accepted contrary to the provisions of this section must be remitted to the board of trustees of the union, on presentation of a claim to that effect by the board, which may dispose thereof for the purposes of its mandate or remit it to every member who has paid it.

Whosoever contravenes this section is guilty of an offence and liable to a fine of not over ten thousand dollars or to imprisonment for not over two years or to both the fine and imprisonment.”

**4.** Section 15 of the said act is amended by adding at the end the following paragraph:

“Proceedings under this act shall be instituted by the procureur général or by a person appointed generally or specially by him for such purpose.”

**5.** The said act is amended by inserting after section 15 the following section:

“**15a.** The placing under trusteeship of a union or group shall end on the date fixed by proclamation of the lieutenant-gouverneur en conseil.”

**6.** Section 16 of the said act, replaced by section 19 of chapter 57 of the statutes of 1975, is again replaced by the following:

“**16.** This act shall come into force on the day of its sanction.”

**7.** Section 1 of the Act respecting the placing of certain labour unions under trusteeship (1975, chapter 57) is amended by adding after subparagraph 3 of paragraph *a* the following subparagraph:

“(4) The professional syndicate established under the Professional Syndicates Act (Revised Statutes, 1964, chapter 146), known as the “Association unie des ouvriers en tuyauterie du Québec Inc.”, a group of employees formed for the pursuit of a common objective in the province of Québec, generally deemed to be affiliated or to have been affiliated with the Québec Federation of Labour or with the Conseil provincial des métiers de la construction and having its place of business at Montreal;”.

**8.** Section 5 of the said act is amended by adding after paragraph *k* of subsection 2 the following paragraph:

“(l) take any measure necessary to ensure the proper operation of the employment office of the union, if any.”

**9.** The said act is amended by adding after section 5 the following sections:

**“5a.** In this section, the word “association” designates the Association sportive du local 144 inc. incorporated by letters patent issued 14 April 1970 under Part III of the Companies Act (Revised Statutes, 1964, chapter 271).

The management and direction of the association are entrusted to the board of trustees established for the union contemplated in subparagraph 1 of paragraph *a* of section 1; such board of trustees shall exercise all the powers of the association.

This act applies, *mutatis mutandis*, to the association and any reference therein to the union shall be considered a reference also to the association.

Notwithstanding any inconsistent provision of the law, of the letters patent or of the by-laws of the association, its property may be used by the board of trustees for the purposes of the union contemplated in subparagraph 1 of paragraph *a* of section 1.

**“5b.** Where the lieutenant-gouverneur en conseil is of opinion that a group in which the members of a union participate carries on activities normally entrusted to such union, he may, by order in council, upon the recommendation of the board of trustees established by section 2 to exercise the powers of such union, place such group under the trusteeship of the board of trustees.

The management and direction of the group shall then be entrusted to the board of trustees which shall exercise all the powers thereof.

From the publication in the *Gazette officielle du Québec* of the order in council made under the first paragraph, this act shall apply *mutatis mutandis* to the group contemplated by the order in council and any reference therein to the union shall be considered a reference also to the group.

Notwithstanding any inconsistent provision of the law, of the letters patent or of the by-laws of the group contemplated by this section, its property may be used by the board of trustees for the purposes of the union contemplated in the first paragraph.”

**10.** Section 10 of the said act is amended by adding after paragraph *c* of subsection 1 the following paragraph:

“In the case of the Association unie des ouvriers en tuyauterie du Québec Inc. and of L’Association sportive du local 144 inc., the operations contemplated in this section are cancellable if made on (*insert here the date of the tabling of Bill 69*) or after such date otherwise than on a decision of the board of trustees or of its representatives.”

**11.** The said act is amended by inserting after section 10 the following section:

“**10a.** No sum of money may be requested or collected as a fee or contribution, or otherwise, from the members of a union without the consent of the board of trustees of such union; no person may accept any sum of money as a fee or contribution, or otherwise, from the members of a union without the consent of the board of trustees of such union.

Every sum of money requested, collected or accepted contrary to the provisions of this section must be remitted to the board of trustees of the union, on the presentation of a claim to that effect by the board, which may dispose thereof for the purposes of its mandate or remit it to every member who has paid it.

Whosoever contravenes this section is guilty of an offence and liable to a fine of not over ten thousand dollars or to imprisonment for not over two years or to both the fine and imprisonment.

**12.** Section 15 of the said act is amended by adding the following paragraph:

“Proceedings under this act shall be instituted by the procureur général or by a person appointed generally or specially by him for that purpose.”

**13.** The said act is amended by inserting after section 15 the following section:

**“15a.** The placing under trusteeship of a union, group or association contemplated in section 5a shall end on the date fixed by proclamation of the lieutenant-gouverneur en conseil.”

**14.** Section 20 of the said act is replaced by the following:

**“20.** This act shall come into force on the day of its sanction.”

**15.** This act shall come into force on the day of its sanction.