

SECOND SESSION
THIRTY-FIRST LEGISLATURE

ASSEMBLÉE NATIONALE DU QUÉBEC

Bill 78

An Act to amend the Legislature Act

First reading



M. ROBERT BURNS

Ministre d'État à la réforme électorale et parlementaire

CHARLES-HENRI DUBÉ, ÉDITEUR OFFICIEL DU QUÉBEC

1977

Bill 78

An Act to amend the Legislature Act

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

1. Section 67 of the Legislature Act (Revised Statutes, 1964, chapter 6), amended by section 13 of chapter 9 of the statutes of 1968, is again amended by replacing the first paragraph by the following:

“67. No member shall be liable to any action, arrest, imprisonment or damages by reason of any matter or thing brought by him by petition, bill, resolution, motion or otherwise, before the Assemblée nationale or any of its committees, or by reason of anything said by him before such Assemblée or any of its committees, whatever may be the medium by which his words are published or broadcast.”

2. Section 72 of the said act, amended by section 18 of chapter 9 of the statutes of 1968, is again amended by replacing the first paragraph by the following paragraphs:

“72. If any civil action be instituted because of the publication of any copy of any report, paper, official report of the debates, or vote or proceeding of the Assemblée nationale, the defendant may, at any stage of the proceedings, lay before the court or judge such report, paper, official report of the debates or vote or proceeding, and such copy, with an affidavit as to the identity of such report, paper, official report of the debates or vote or proceeding, and the correctness of such copy.

If such an action be instituted because of the live broadcast by radio, television or cable delivery of the proceedings of the Assemblée nationale or any of its committees, the defendant may,

EXPLANATORY NOTE

This bill establishes that the parliamentary immunity granted to the members of the Assemblée nationale regarding their remarks before the Assemblée or any of its committees is guaranteed, whatever may be the medium by which their words are published or broadcast. Broadcasters will enjoy the same immunity, under certain terms and conditions, regarding the live or recorded broadcast, by radio, television or cable delivery, of the proceedings of the Assemblée nationale or any of its committees.

at any stage of the court proceedings, give in evidence a copy of the official report of the debates, with an affidavit as to the correctness of the broadcast and the simultaneous nature thereof.”

3. Section 73 of the said act is amended by adding at the end the following paragraph:

“The same applies if, in the case of a recorded broadcast of the whole or part of the proceedings of the Assemblée nationale or any of its committees, evidence is given that such broadcast was made in good faith and without malice.”

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