

SECTION 21

Police – Inuit

21.0.1 Subject to the laws of Québec of general application, the Regional Government is hereby authorized to establish by ordinance and maintain a Regional Police Force in its territory.

21.0.2 The Regional Police Force shall be governed by the provisions of the Police Act (S.Q. 1968, c. 17) and all other laws of Québec of general application, save where these laws are inconsistent with this Section, in which event the provisions of this Section shall prevail.

21.0.3 Members of the Regional Police Force shall be posted in the most populated municipalities based on the criterion of one member for every five hundred (500) inhabitants including the floating population in the territory.

21.0.4 The Regional Government has the authority to make ordinances to :

- a) provide for the organization, equipment and maintenance of a Regional Police Force and the discipline of its members;
- b) prescribe the duties and powers of the members of such force and prescribe the penalties applicable in case of infringement of the ordinances respecting discipline;
- c) provide for the imposition of penalties, including dismissal or fine, upon any member of the Regional Police Force who accepts or demands, directly or indirectly, any sum of money, favour or alcoholic beverage as a consideration for the exercise of influence or for an act or omission in the discharge of his duties;
- d) determine the places where the members of the Regional Police Force may reside, classify them, specify the ranks that may be assigned to them and prescribe the inspections to which they shall be subject.

Such ordinances shall apply subject to the provisions of this Section and to the by-laws of the Québec Police Commission made under section 17 of the Police Act.

After an ordinance dealing with any subject contemplated in this paragraph has been passed, the Secretary of the Regional Government must send a copy thereof to the Québec Police Commission within fifteen (15) days following its coming into force.

21.0.5 The Regional Government must at the request of the Québec Police Commission pass and forward to it within sixty (60) days of such request an ordinance providing for the discipline of the members of the Regional Police Force and providing for the penalties applicable in the case of infringement of such ordinance; such an ordinance shall come into force upon approval by the Québec Police Commission.

21.0.6 It shall be the duty of the Regional Police Force and each member thereof to maintain peace, order and public safety in the territory, to prevent crime and infringements of the by-laws of the municipal corporations, the ordinances of the Regional Government and the laws of the Province of Québec and to seek out the offenders.

21.0.7 The Regional Police Force shall be under the control of a director or chief who shall command it.

No person can fulfill the duties of director or chief or member of the Regional Police Force until he has taken the oaths prescribed in section 4 of the Police Act.

21.0.8 The Secretary of the Regional Government shall keep a register of all the policemen who are members of the Regional Police Force and of the special constables appointed by the chairman of the Executive Committee under paragraph 21.0.13; each such policeman and special constable may require of the Secretary a certificate attesting his appointment.

21.0.9 Sub-paragraphs (d) and (e) of section 3 of the Police Act respecting qualifications to become a Police Force cadet, a member of the Police Force or a municipal cadet or policeman shall not apply to Inuit members of the Regional Police Force.

21.0.10 With respect to Inuit members of the Regional Police Force, any by-law of the Québec Police Commission made for the purposes of qualifications required for admission in the said Police Force shall be made after prior consultation with the Regional Government.

21.0.11 The names of the candidates to become members of the Regional Police Force shall first be proposed by the Regional Government to the Department of Justice or by the Department of Justice to the Regional Government for consideration and approval.

After attending the Québec Police Institute and completing their courses, such candidates shall be appointed members of the Regional Police Force by the Regional Government.

21.0.12 The director or chief of the Regional Police Force is appointed by the Attorney-General on the recommendation of the Regional Government, and shall take the oaths prescribed in section 4 of the Police Act before any judge contemplated in section 64 of the Police Act; other members of the Regional Police Force and special constables appointed under paragraph 21.0.13 shall take the oaths prescribed in section 4 of the Police Act before the chairman of the Executive Committee of the Regional Government pursuant to the approval of the Attorney-General.

The approval of the Attorney-General shall not be necessary for special constables appointed under paragraph 21.0.13.

21.0.13 The Council of the Regional Government may, by ordinance, authorize the chairman of the Executive Committee to appoint in writing, in case of emergency and for a period not exceeding seven (7) days, persons called special constables, to maintain peace, order and public safety in the territory of the Regional Government, to prevent crime and infringements of the by-laws of the municipal corporations, the ordinances of the Regional Government, and the laws of the Province of Québec and seek out the offenders.

Any ordinance adopted under the preceding paragraph may prescribe the maximum number of persons whom the chairman of the Executive Committee may appoint as special constables and establish the maximum remuneration that they may be paid.

21.0.14 The writing attesting the appointment of a special constable shall be made in duplicate and one of the duplicates shall be given to the person so appointed.

JBNQA, par. 21.0.14
A. corr.

21.0.15 Any member of the Regional Police Force and any special constable appointed under paragraph 21.0.13 may be dismissed by any judge contemplated in section 64 of the Police Act when an application to that effect is made to him by the Attorney-General.

JBNQA, par. 21.0.15
A. corr.

21.0.16 Training and course programs shall be established pursuant to the provisions of the by-laws that shall be enacted by the Québec Police Commission under paragraph (b) of section 17 of the Police Act, after consultation with the Regional Government. Québec shall pay for training and course fees and lodging for the candidates at the Québec Police Institute.

21.0.17 The Regional Government may establish by ordinance and maintain a police school. Such ordinance, to be valid, must be approved by the Lieutenant-Governor in Council.

21.0.18 Notwithstanding the provisions of paragraph 2.9 of Schedule 2 of Section 12 and of paragraph 2.9 of Schedule 2 of Section 13 of the Agreement, any ordinance passed by the Regional Government under this Section shall apply within the whole territory of the Regional Government and its application shall not be limited to municipalities.

21.0.19 Inuit people who do not meet the qualifications for admission in the Québec Police Force may be appointed special constables under section 64 of the Police Act, in which case paragraphs 21.0.9 and 21.0.10 shall apply, *mutatis mutandis*.

The names of the candidates to become special constables shall first be proposed by the Regional Government to the Department of Justice or by the Department of Justice to the Regional Government for consideration and approval.

21.0.20 The provisions of this Section can only be amended with the consent of Québec and the interested Native party.

Legislation enacted to give effect to the provisions of this Section may be amended from time to time by the National Assembly of Québec.