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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 101  
(2016, chapter 18)

**An Act to give effect to the Charbonneau  
Commission recommendations on  
political financing**

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**Introduced 12 May 2016  
Passed in principle 24 May 2016  
Passed 10 June 2016  
Assented to 10 June 2016**

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## **EXPLANATORY NOTES**

*This Act amends the Election Act in order to give effect to the recommendations of the Commission of Inquiry on the Awarding and Management of Public Contracts in the Construction Industry mainly regarding political financing.*

*Under this Act, volunteer work for an authorized entity must be performed personally, voluntarily, without compensation and for no consideration.*

*The provisions of the Election Act regarding loans and suretyships are strengthened through the introduction of a new declaration intended to prevent name-lending and of a \$25,000 ceiling on loans granted and suretyships contracted by an elector.*

*Under this Act, official representatives, delegates, official agents and deputies must undergo training prepared by the Chief Electoral Officer. Moreover, financial reports and expense returns must be signed by the party leader, candidate, Member or, as applicable, the highest ranking official designated by the authorized party authority and must be accompanied by a declaration regarding the rules on financing and election expenses. The same obligations apply in the case of reports and returns in the context of a party leadership campaign. In addition, financial reports must be accompanied by a list of persons authorized to solicit contributions.*

*The Chief Electoral Officer must make public on the Chief Electoral Officer's website any request made to an authorized entity to remit a contribution or part of a contribution made contrary to the law.*

*The Chief Electoral Officer must prepare an annual report on the application of the financing rules set out in the Election Act, the Act respecting elections and referendums in municipalities and the Act respecting school elections and on the advisability of modifying those rules.*

*This Act makes various amendments to the Chief Electoral Officer's delegation, inspection and inquiry powers, makes some of those amendments declaratory, and extends the application of the subdivisions concerning inspections and inquiries to other election Acts and regulations.*

*This Act allows the Chief Electoral Officer and any person designated in accordance with the law to use the information contained in the list of electors for inspections, inquiries and proceedings.*

*This Act introduces a penal offence for electors who make a false declaration regarding a loan or suretyship and makes that offence a corrupt electoral practice. It also introduces an offence applicable to anyone who contravenes the provisions relating to the Chief Electoral Officer's access powers or fails to comply with a formal demand, as well as a general offence applicable to anyone who hinders the Chief Electoral Officer or the persons designated in accordance with the law. A daily fine is introduced for delays in providing certain financial information.*

*The prescription period for penal proceedings, and consequently the retention period for documents, is increased from five to seven years. Furthermore, the Act withdraws the time limit after which a contributor is no longer required to remit to the Chief Electoral Officer a contribution or part of a contribution made contrary to the Election Act and provides that all such contributions must from now on be paid to the Minister of Finance. The Act also provides that the Chief Electoral Officer may request an order from the competent court to have a contribution made contrary to the law remitted to the Chief Electoral Officer. In addition, the Chief Electoral Officer may inform an authorized entity in writing that it is holding such a contribution for which the prescription period for claiming it has expired.*

*Lastly, consequential amendments are made to the Act respecting elections and referendums in municipalities and the Act respecting school elections.*

**LEGISLATION AMENDED BY THIS ACT:**

- Act respecting elections and referendums in municipalities (chapter E-2.2);
- Act respecting school elections (chapter E-2.3);
- Election Act (chapter E-3.3).



# Bill 101

## AN ACT TO GIVE EFFECT TO THE CHARBONNEAU COMMISSION RECOMMENDATIONS ON POLITICAL FINANCING

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

### ELECTION ACT

**1.** The Election Act (chapter E-3.3) is amended by inserting the following section before section 40.39:

“**40.38.4.** The Chief Electoral Officer or any person designated by him in accordance with the law may use any information contained in the permanent list of electors for an inspection, inquiry and proceedings related to the application of this Act or the regulations or any other Act or regulation partly or wholly under his administration.”

**2.** The Act is amended by inserting the following section after section 45:

“**45.1.** Within 30 days after being appointed, official representatives and delegates shall undergo training given by the Chief Electoral Officer on political financing rules.

Official representatives and delegates shall also undergo any refresher training given by the Chief Electoral Officer.

The Chief Electoral Officer shall, by directive, determine the other particulars regarding all such training.”

**3.** Section 65 of the Act is amended by adding the following sentences at the end of the first paragraph: “The name, address and telephone number of the official agent of each authorized party and candidate and, if applicable, the official agent’s deputies shall also be set out in the registers. In addition, an entry shall be made in the registers to indicate whether or not the persons subject to section 45.1 or 408.1 have undergone the training required under the first paragraph of those sections.”

**4.** Section 88 of the Act is amended

(1) by replacing subparagraph 1 of the second paragraph by the following subparagraph:

“(1) volunteer work performed personally and voluntarily, the result of such work and the use of a personal vehicle for that purpose, provided they are performed or provided without compensation and for no consideration;”;

(2) by inserting “, in accordance with sections 105 and 105.1,” after “by an elector” in subparagraph 4 of the second paragraph;

(3) by striking out “, or a guarantee granted by an elector as surety” in subparagraph 4 of the second paragraph;

(4) by inserting the following subparagraph after subparagraph 4 of the second paragraph:

“(4.1) a suretyship contracted by an elector in accordance with sections 105 and 105.1;”.

**5.** Section 100 of the Act is amended

(1) by replacing the first two paragraphs by the following paragraphs:

“If a contribution or part of a contribution was made contrary to this division, the authorized entity shall, as soon as the fact is known, remit such a contribution to the Chief Electoral Officer.

The sums remitted must be paid to the Minister of Finance.

The Chief Electoral Officer may, after notifying the official representative of the authorized entity of his intention, apply to the competent court for an order to comply with the first paragraph.”;

(2) by striking out the third paragraph.

**6.** The Act is amended by inserting the following section after section 100:

**“100.0.1.** The Chief Electoral Officer may inform an authorized entity in writing that it is holding a contribution or part of a contribution made contrary to this division and whose prescription period has expired.”

**7.** The Act is amended by inserting the following section after section 104:

**“104.1.** Any loan granted by an elector shall be made by cheque or other order of payment signed by the elector and drawn on the elector’s account in a bank, trust company or financial services cooperative having an office in Québec.”

**8.** Section 105 of the Act is amended by inserting the following paragraph after the second paragraph:

“The deed of loan or of suretyship shall also include a declaration by the elector stating that the loan is granted or the suretyship contracted out of the elector’s own property, voluntarily, without compensation and for no consideration, and that it has not been nor will be reimbursed in any other way than as stipulated in the deed.”

**9.** The Act is amended by inserting the following section after section 105:

**“105.1.** For the same elector, the total of the following amounts may not exceed \$25,000:

(1) the outstanding principal of any loan granted for the benefit of one or more authorized entities; and

(2) any sum for which the elector remains surety in connection with loans contracted by one or more authorized entities.”

**10.** Section 106 of the Act is amended by replacing “comply with section 100, adapted as required” in the second paragraph by “remit them to the Chief Electoral Officer, who shall pay them over to the Minister of Finance”.

**11.** Section 115 of the Act is amended by inserting “in accordance with subparagraph 4.1 of the second paragraph of section 88” after “who became surety” in subparagraph 4 of the first paragraph.

**12.** The Act is amended by inserting the following section after section 115:

**“115.1.** The financial report of an authorized party shall be signed by the leader of the party and accompanied by a declaration by the party leader in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the party leader has been informed of the financing rules, that he has reminded the persons authorized to solicit contributions of their obligation to comply with those rules, that he has been informed of the party’s solicitation practices and considers that they comply with the law, that he has read the report and that he has obtained any clarification he wished to receive regarding its content.

The report shall also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.”

**13.** The Act is amended by inserting the following section after section 116:

“**116.1.** The annual financial report contemplated in section 113 must be accompanied by a list of the designations made under section 92 during the fiscal year covered by the report, drawn up in the form prescribed by the Chief Electoral Officer.”

**14.** Section 117 of the Act is amended by replacing the second paragraph by the following paragraphs:

“The financial report shall contain

(1) an income statement made in accordance with section 114;

(2) the information prescribed in section 115; and

(3) the signature of the authorized independent Member, the Member or, failing that in the latter case, the highest ranking official designated in writing by the authorized party authority.

The report must be accompanied by a declaration by the person referred to in subparagraph 3 of the second paragraph that is made in accordance with section 115.1, applied with the necessary modifications, and by a declaration by the official representative that is made in the form prescribed by the Chief Electoral Officer. In addition, a list of the designations made under section 92 during the fiscal year covered by the report must accompany the report. This list must be drawn up in the form prescribed by the Chief Electoral Officer.”

**15.** Section 122 of the Act is amended, in the second paragraph,

(1) by replacing “, and the information provided for in section 115” by “, the information prescribed in section 115 and the candidate’s signature”;

(2) by inserting “, as well as a list of the designations made under section 92 during the fiscal year covered by the report, drawn up in the form prescribed by the Chief Electoral Officer” at the end of the second sentence;

(3) by adding the following sentence at the end: “The report must also be accompanied by a declaration by the candidate that is made in accordance with section 115.1, applied with the necessary modifications, and by a declaration by the official representative that is made in the form prescribed by the Chief Electoral Officer.”

**16.** Section 126 of the Act is amended by inserting “the list of designations made under section 92,” after “public information, except” in the first paragraph.

**17.** Section 127.8 of the Act is amended by inserting “the reference to section 105.1 in subparagraphs 4 and 4.1 and” after “except” in the first paragraph.



**18.** The Act is amended by inserting the following section after section 127.16:

**“127.16.1.** The return of leadership campaign income and expenses shall be signed by the candidate and accompanied by a declaration by the candidate in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the candidate has been informed of the rules regarding financing and campaign expenses, that he has reminded the persons authorized to solicit contributions and those authorized to incur or authorize expenses of their obligation to comply with those rules, that he has been informed of the solicitation practices and considers that they comply with the law, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

The return shall also be accompanied by a declaration by the financial representative in the form prescribed by the Chief Electoral Officer.”

**19.** Section 127.17 of the Act is amended by adding the following sentence at the end of the first paragraph: “Section 127.16.1 applies, with the necessary modifications, to the latter return.”

**20.** The Act is amended by inserting the following section after section 127.19:

**“127.19.1.** The return of leadership campaign expenses shall be signed by the person holding the office of leader of the party or interim leader on the day of the vote and accompanied by a declaration by that person in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the person has been informed of the rules regarding campaign expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.

The return shall also be accompanied by a declaration by the official representative in the form prescribed by the Chief Electoral Officer.”

**21.** The Act is amended by inserting the following section after section 408:

**“408.1.** Within 10 days of being appointed, official agents and their deputies shall undergo training given by the Chief Electoral Officer on the control of election expenses.

Official agents and deputies shall also undergo any refresher training given by the Chief Electoral Officer.

The Chief Electoral Officer shall, by directive, determine the other particulars regarding all such training.”

**22.** Section 417 of the Act is amended by replacing the second paragraph by the following paragraph:

“A person may nevertheless personally and voluntarily, without compensation and for no consideration, do volunteer work and provide the use of his personal vehicle for that purpose.”

**23.** The Act is amended by inserting the following section after section 432:

**“432.1.** The return of election expenses of the official agent of a candidate shall be signed by the candidate and accompanied by a declaration by the candidate in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the candidate has been informed of the rules regarding campaign expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.”

**24.** The Act is amended by inserting the following section after section 434:

**“434.1.** The return of election expenses of the official agent of an authorized party shall be signed by the leader of the party and accompanied by a declaration by the party leader in the form prescribed by the Chief Electoral Officer.

The declaration shall state, in particular, that the party leader has been informed of the rules regarding election expenses, that he has reminded the persons authorized to incur or authorize expenses of their obligation to comply with those rules, that he has read the return and that he has obtained any clarification he wished to receive regarding its content.”

**25.** The Act is amended by inserting the following before section 485:

“§1. — *Role of the Chief Electoral Officer*”.

**26.** Section 485 of the Act is amended by inserting “and the regulations” after “of this Act” in the first paragraph.

**27.** Section 486 of the Act is amended

(1) by inserting “and the regulations” after “of this Act” in the introductory clause of the first paragraph;

(2) by inserting “or the regulations” after “of this Act” in subparagraph 3 of the first paragraph;

(3) by replacing “complaints and make inquiries where he considers it necessary” in subparagraph 4 of the first paragraph by “and process complaints”;

(4) by inserting “or the regulations” after “of this Act” in the second paragraph.

**28.** Section 488 of the Act is amended by inserting the following after paragraph 2:

“(2.1) make public the fact that he requested that an authorized entity remit to him a contribution or part of a contribution, pursuant to section 100, by publishing the request on his website 30 days after it was made, along with the name of the authorized entity, the number of contributors, the number and amount of the contributions or parts of contributions concerned, the period they cover, and whether or not they were prescribed;”.

**29.** The Act is amended by inserting the following after section 490:

“§2.—*Inspections*

“**490.1.** The Chief Electoral Officer may carry out inspections to verify compliance with this Act or the regulations.

The provisions of this subdivision apply, with the necessary modifications, to inspections carried out for the purposes of Chapters XIII and XIV of Title I of the Act respecting elections and referendums in municipalities (chapter E-2.2), Chapter XI of the Act respecting school elections (chapter E-2.3), and the regulations concerning matters related to those provisions.

“**490.2.** An inspector may

(1) enter, at any reasonable hour, premises where books, registers, accounts, records and other documents are or should be kept that are relevant for verifying compliance with this Act or the regulations, or where an activity is carried on in a field governed by this Act or the regulations;

(2) inspect the premises, take photographs and verify or examine anything that is relevant for the purposes of this Act or the regulations;

(3) use any computer, equipment or other thing that is on the premises in order to access data that is relevant to the inspection and contained in an electronic device, computer system or other medium or to audit, examine, process, copy or print out such data;

(4) require any information, the communication of any relevant document to examine it or make a copy of it, and the production of any book, register, account, record or other relevant document, in order to verify compliance with this Act or the regulations;

(5) use or cause to be used any copying equipment on the premises; and

(6) be accompanied by a person or persons of his or her choice when carrying out inspection duties.

A person having custody, possession or control of the documents or things referred to in this section shall, on request, communicate them to the inspector and facilitate their examination.

However, the inspector shall not enter a residence without the occupant's consent.

**“490.3.** An inspector may, by a formal demand notified by registered mail or personal service, require that any person, whether subject to this Act or not, file by registered mail or personal service, within a reasonable time specified in the demand, any information or documents useful for verifying compliance with this Act or the regulations.

The person to whom the demand is made shall comply with it within the specified time regardless of whether the person has already filed such information or documents pursuant to a similar demand or pursuant to an obligation under this Act or the regulations.

**“490.4.** If a person does not provide access, assistance, information, documents or things as required under section 490.2 or 490.3, the Chief Electoral Officer may apply to a judge of the Court of Québec acting in chambers and that judge may order the person to provide such access, assistance, information, documents or things to the Chief Electoral Officer, or may make any order to remedy the failure that is the subject of the application, if the judge is satisfied

(1) that the person was required under section 490.2 or 490.3 to provide such access, assistance, information, documents or things and did not do so; and

(2) that the professional secrecy to which lawyers and notaries are bound cannot be invoked.

A notice must be served on the person concerned at least five days before the application is heard.

The order must be notified to the person concerned by registered mail or personal service, unless it is made from the bench in the person's presence.

The order may be appealed to the Court of Appeal, with leave of a judge of that court. However, an appeal does not suspend the enforcement of the order, unless the judge seized of the appeal decides otherwise. The judgment cannot be appealed.

“§3. — *Inquiries*”.

**30.** Section 491 of the Act is amended

(1) by adding “or the regulations” at the end of the first sentence;

(2) by adding the following paragraph at the end:

“This subdivision applies, with the necessary modifications, to inquiries made for the purposes of the Act respecting elections and referendums in municipalities (chapter E-2.2), the Act respecting school elections (chapter E-2.3) and the regulations under those Acts.”

**31.** Section 492 of the Act is amended by replacing “where he considers the request” by “where the request is”.

**32.** The Act is amended by inserting the following section after section 493:

**“493.1.** In the course of an inquiry into an offence under this Act or the regulations, a judge of the Court of Québec may, on an *ex parte* application following an information laid in writing and under oath by the Chief Electoral Officer or a person he designates, order a person, other than the person under inquiry,

(1) to communicate information, or to produce documents, or copies of them certified by affidavit to be true copies; or

(2) to prepare and communicate a document that is based on existing documents or information.

The order shall require the documents or information to be communicated within the time, at the place and in the form specified and given to the person named in the order.

Before making an order, the judge must be satisfied that there are reasonable grounds to believe

(1) that an offence under this Act or the regulations is being or has been committed;

(2) that the documents or information will afford evidence respecting the commission of the offence; and

(3) that the person who is the subject of the order has possession or control of the documents or information.

The order may contain any terms and conditions that the judge considers appropriate, including terms and conditions to protect lawyers’ and notaries’ professional secrecy.

Where the judge who makes the order or any other judge having jurisdiction to make such an order is satisfied, on an *ex parte* application made on the basis of an affidavit submitted by the Chief Electoral Officer in support of the application or by any person he designates, that the interests of justice warrant the granting of the application, the judge may vary or revoke the order or set a new time limit.

Every copy of a document communicated under this section, on proof by affidavit that it is a true copy, is admissible in evidence in any proceeding and has the same probative force as the original document would have if it had been proved in the ordinary way.”

**33.** The Act is amended by inserting the following section after section 495:

“**495.1.** Subject to the first paragraph of section 488.1, sections 489, 489.1, 490, 516, 525, 542 and 542.2 and the first paragraph of section 550, the Chief Electoral Officer may entrust the exercise of any power or function conferred on him by this Act or the regulations to a member of his personnel.

The Chief Electoral officer or a member of his personnel authorized under the first paragraph may also designate any person to make inquiries or carry out inspections with regard to any matter relating to the application of this Act or the regulations. In such a case, the designated person may exercise any inspection or inquiry powers or functions conferred on the Chief Electoral Officer. Such a person must, on request, identify himself and produce a document attesting his authority.

The first paragraph does not prevent the Chief Electoral Officer from entrusting to any person the functions referred to in the first paragraph of section 59, the third paragraph of section 335.2, section 370.4, the second paragraph of section 370.11, the first paragraph of section 494, or sections 499 and 509.”

**34.** Section 496 of the Act is amended by striking out the second paragraph.

**35.** Section 542 of the Act is amended by striking out “or new rules regarding the financing of political parties” at the end of the second paragraph.

**36.** The Act is amended by inserting the following section after section 542.1:

“**542.2.** The Chief Electoral Officer shall prepare a report on the application of the financing rules set out in Title III and Chapter VI of Title IV of this Act, Chapters XIII and XIV of Title I of the Act respecting elections and referendums in municipalities (chapter E-2.2) and Chapter XI of the Act respecting school elections (chapter E-2.3) and on the advisability of modifying them.

The report shall be submitted before 1 April to the President of the National Assembly, who shall table it in the Assembly within 15 days or, if the Assembly is not sitting, within 15 days of resumption. The competent committee of the National Assembly shall subsequently examine the report.”

**37.** The Act is amended by inserting the following sections after section 559.1:

**“559.1.1.** Every person who contravenes section 490.2 or 490.3 is guilty of an offence and is liable to a fine of \$1,000 to \$10,000 in the case of a natural person and \$2,000 to \$20,000 in other cases.

The fines are doubled for a subsequent offence.

**“559.1.2.** Every person who hinders or attempts to hinder the actions of the Chief Electoral Officer or any person he designates in accordance with the law, while the Chief Electoral Officer or designated person is performing the functions of office and where no other penalty is prescribed, is guilty of an offence and is liable to a fine of \$500 to \$10,000 in the case of a natural person and \$1,000 to \$20,000 in other cases.

The fines are doubled for a subsequent offence.”

**38.** Section 563 of the Act is amended by adding the following paragraph at the end:

“In addition, every person who does not provide information or documents required in accordance with section 112.1 within the prescribed time is liable to a fine of \$50 for each day of delay.”

**39.** Section 564 of the Act is amended by replacing “102 to 106” by “102 to 104.1, the first and second paragraphs of section 105, sections 105.1, 106”.

**40.** The Act is amended by inserting the following section after section 564.1:

**“564.1.1.** An elector who falsely declares that a loan is granted or a suretyship contracted out of the elector’s own property, voluntarily, without compensation and for no consideration, and that it has not been nor will be reimbursed in any way other than as stipulated in the deed of loan is liable to a fine of \$5,000 to \$20,000 for a first offence and of \$10,000 to \$30,000 for every subsequent offence within 10 years.”

**41.** Section 567 of the Act is amended by inserting “, in section 564.1.1” after “in section 564.1” in the first paragraph.

**42.** Section 572.1 of the Act is amended by replacing “neither the Chief Electoral Officer nor his employees may” by “the Chief Electoral Officer, his employees, and any other person designated by the Chief Electoral Officer to carry out an inspection or inquiry may not”.

**43.** Section 572.2 of the Act is amended by replacing “or his employees” by “, his employees, or any other person designated by the Chief Electoral Officer to carry out an inspection or inquiry”.

**44.** Section 573 of the Act is amended by inserting “any person designated by him to carry out an inspection or inquiry,” after “Chief Electoral Officer,” in the first paragraph.

**45.** Sections 118, 127.16, 127.17, 127.19, 436 and 569 of the Act are amended by replacing all occurrences of “five years” by “seven years”.

#### ACT RESPECTING ELECTIONS AND REFERENDUMS IN MUNICIPALITIES

**46.** Section 90.6 of the Act respecting elections and referendums in municipalities (chapter E-2.2) is amended

(1) by replacing “may” by “shall”;

(2) by inserting the following paragraph after paragraph 1:

“(1.1) make public the fact that he requested that a party or an independent candidate remit to him a contribution or part of a contribution, under section 440, by publishing the request on his website 30 days after it was made, along with the name of the party or independent candidate, the number of contributors, the number and amount of the contributions or parts of contributions concerned, the period they cover, and whether or not they were prescribed;”.

**47.** Section 428 of the Act is amended by replacing paragraph 1 by the following paragraph:

“(1) volunteer work performed personally and voluntarily and the result of such work, without compensation and for no consideration;”.

**48.** Section 440 of the Act is amended

(1) by replacing the first two paragraphs by the following paragraphs:

“If a contribution or part of a contribution was made contrary to this chapter, the party or independent candidate shall, as soon as the fact is known, remit such a contribution to the treasurer.

The sums remitted must be paid into the municipality’s general fund.

The Chief Electoral Officer may, after notifying the official representative of a party or of an independent candidate of his intention, apply to the competent court for an order to comply with the first paragraph.”;

(2) by striking out the third paragraph.



**49.** The Act is amended by inserting the following section after section 440:

**“440.0.1.** The Chief Electoral Officer may inform a party or independent candidate in writing that the party or candidate is holding a contribution or part of a contribution made contrary to this chapter and whose prescription period has expired.”

**50.** Section 614 of the Act is replaced by the following section:

**“614.** Every person holding a contribution made contrary to Chapter XIII of Title I who fails to remit the amount of the contribution or the amount at which the contribution is evaluated to the treasurer immediately on becoming aware of the fact is guilty of an offence.”

#### ACT RESPECTING SCHOOL ELECTIONS

**51.** Section 30.9 of the Act respecting school elections (chapter E-2.3) is amended

- (1) by replacing “may” by “shall”;
- (2) by inserting the following paragraph after paragraph 1:

“(1.1) make public the fact that he requested that an authorized candidate remit to him a contribution or part of a contribution, under section 206.26, by publishing the request on his website 30 days after it was made, along with the name of the authorized candidate, the number of contributors, the number and amount of the contributions or parts of contributions concerned, the period they cover, and whether or not they were prescribed;”.

**52.** Section 206.26 of the Act is amended

- (1) by replacing the first two paragraphs by the following paragraphs:

“If a contribution or part of a contribution was made contrary to this chapter, the authorized candidate must, as soon as the fact is known, remit such a contribution to the director general of the school board.

The sums remitted must be paid into the school board’s general fund.

The Chief Electoral Officer may, after notifying the authorized candidate of his intention, apply to the competent court for an order to comply with the first paragraph.”;

- (2) by striking out the third paragraph.

**53.** The Act is amended by inserting the following section after section 206.26:

**“206.26.0.1.** The Chief Electoral Officer may inform an authorized candidate in writing that the authorized candidate is holding a contribution or part of a contribution made contrary to this chapter and whose prescription period has expired.”

#### TRANSITIONAL AND FINAL PROVISIONS

**54.** The official representatives, delegates, financial representatives, official assistants and deputies in office on 1 January 2017 must take the training required under section 2 or 21, as applicable, before 1 January 2018.

**55.** Paragraph 2 of each of sections 5, 48 and 52 has effect from 10 December 2010.

**56.** Sections 40.38.4, 490.1 and 495.1 of the Election Act (chapter E-3.3), enacted by sections 1, 29 and 33, and the new provisions of sections 485, 486, 491, 492, 572.1, 572.2 and 573 of the Election Act, enacted by sections 26, 27, 30, 31 and 42 to 44, are declaratory.

**57.** This Act comes into force on 10 June 2016, except sections 2 and 3, paragraphs 2 to 4 of section 4, sections 7 to 9, 11 and 12, sections 14 and 15 except insofar as they concern the sending of a list of designations made under section 92, and sections 17 to 21, 23, 24, 35 and 39 to 41, which come into force on 1 January 2017.



