

NATIONAL ASSEMBLY

FIRST SESSION

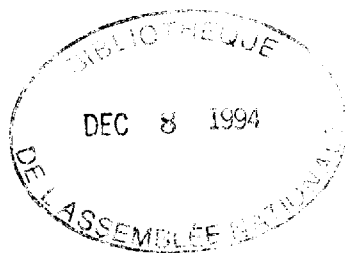
THIRTY-FIFTH LEGISLATURE

Bill 39

**An Act to amend the Act respecting
elections and referendums in
municipalities**

Introduction

**Introduced by
Mr Guy Chevette
Minister of Municipal Affairs**



**Québec Official Publisher
1994**

EXPLANATORY NOTES

This bill authorizes a candidate who ran concurrently for the office of mayor of a city having a population of 100 000 or more and, with a co-candidate, for the office of councillor of the city, and who has been declared elected to the latter office, to renounce taking up the office of councillor rather than accepting it by taking the oath of office.

The bill provides that the person must act within 30 days after being declared elected.

In the case of renunciation or where the candidate dies during the time within which he is still entitled to renounce holding the office of councillor, the returning officer shall declare the co-candidate elected to that office.

Bill 39

An Act to amend the Act respecting elections and referendums in municipalities

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 168.1 of the Act respecting elections and referendums in municipalities (R.S.Q., chapter E-2.2) is amended by adding, at the end, the following paragraph:

“Notwithstanding the foregoing, a candidate for the office of mayor who has been declared elected to the office of councillor under the second paragraph may, if he has not made the oath prescribed in section 313, renounce holding the office of councillor by transmitting to the returning officer, within 30 days after the declaration, a writing to that effect signed by him. In such a case and in the case where the candidate dies during the time within which he is still entitled to renounce holding the office of councillor, the returning officer shall declare the co-candidate elected to that office; the latter declaration cancels the former declaration.”

2. Section 257.1 of the said Act is amended by adding, at the end, the following paragraph:

“Notwithstanding the foregoing, a candidate for the office of mayor who has been declared elected to the office of councillor under the second paragraph may, if he has not made the oath prescribed in section 313, renounce holding the office of councillor by transmitting to the returning officer, within 30 days after the declaration, a writing to that effect signed by him. In such a case and in the case where the candidate dies during the time within which he is still entitled to renounce holding the office of councillor, the returning officer shall declare the co-candidate elected to that office; the latter declaration cancels the former declaration.”

3. This Act comes into force on *(insert here the date of assent to this Act)*.