



PROPRIÉTÉ DE
L'ASSEMBLÉE LÉGISLATIVE
QUÉBEC.

CHAPTER 56

An Act respecting the Provincial Police Force and the
Liquor Police Force

[Assented to, the 17th of May, 1940]

HIS MAJESTY, with the advice and consent of the
Legislative Council and of the Legislative As-
sembly of Quebec, enacts as follows:

Provincial Police Force

1. A police force exercising its functions throughout the Province is constituted under the name of ^{Quebec} Provincial Police Force.

Wherever the expression "Police Force" occurs in this act it shall designate the said Provincial Police Force.

Duties and Functions of Police Force

2. The Police Force shall be charged with:
- the maintenance of public peace, order and safety;
 - the maintenance of order before the courts;
 - the guarding of government property;
 - the prevention and investigation of criminal offences and misdemeanors and of violations of the laws relating to road traffic and of any other laws of the Province, except the laws relating to alcoholic liquor;
 - all other duties assigned to such Police Force by the Police Force regulations adopted under section 28.

Territorial Division of Police Force

Division into
police
districts:
Quebec
district;

3. The Province of Quebec shall be divided into two police districts:

a. Quebec district, with headquarters in the city of Quebec, comprising the territory of the judicial districts of Abitibi, Arthabaska, Beauce, Chicoutimi, Gaspé, Kamouraska, Montmagny, Nicolet, Quebec, Rimouski, Roberval, Saguenay and Three Rivers;

Montreal
district.

b. Montreal district, with headquarters in the city of Montreal, comprising the territory of the judicial districts of Beauharnois, Bedford, Hull, Iberville, Joliette, Montcalm, Montreal, Pontiac, Richelieu, St. Francis, St. Hyacinthe and Terrebonne.

Establishing
of police
sub-districts.

4. The Lieutenant-Governor in Council may establish police sub-districts in each of the districts of Quebec and Montreal and fix the place in each such sub-district at which the Police Force offices shall be kept.

Id., of in-
dividual
posts.

5. The Attorney-General may, in addition, establish temporarily or permanently, in such places in the Province as he may deem appropriate, for local or regional police purposes, individual posts of the Police Force.

Police Force Services

Designation.

6. All members of the Police Force shall bear the title of officers of the Provincial Police Force:

Powers, etc.,
of officers.

7. Such officers shall all be constables and peace officers for the whole Province and shall have all the powers, attributions and privileges, with which constables and peace officers are endowed by the written law or by the common law.

Branches of
police force:

8. Without restricting the powers, attributions and privileges accorded to them by section 7, each officer of the Police Force is more specially attached to a special police service and comprised within the scope of any one of the following branches of the Police Force:

Judicial
police.

1. The judicial police, charged with the investigation of criminal offences and misdemeanors and of violations of the laws of this Province, except the laws relating to road traffic or to alcoholic liquor;

2. The constabulary force, charged with the maintenance of the public peace, order and safety, and of order before the courts; the guarding of government property; the prevention of criminal offences and misdemeanors and of violations of the laws of the Province, and with any other duty which may be assigned to such constabulary by the regulations of the Police Force; Constabulary force;

3. The highway police, charged with the prevention and investigation of violations of the highway traffic laws. Highway police.

Direction and Composition of the Police Force

9. The direction and control of the Police Force shall be under the authority of the Attorney-General. Direction and control.

10. The Police Force shall consist of the following officers: Officers.:

1. An officer called "Director of the Provincial Police Force", to whom shall be assigned, under the direction and control of the Attorney-General, the command and administration of the Police Force; Director.

2. An officer to assist him in exercising his functions, called "Deputy-Director of the Provincial Police Force", who, in the event of the Director's absence or inability to act, shall exercise the authority and powers of the latter; Deputy-Director.

3. The functionaries, inspectors, sub-inspectors, sergeants, policemen and constables, in the number determined by the Lieutenant-Governor in Council, appointed by the Attorney-General as members of the Police Force's services. Inspectors, etc.

11. The officers mentioned in paragraphs 1 and 2 of section 10 shall be appointed by the Lieutenant-Governor in Council, who shall fix their place of residence and their salary. Appointing, etc., of officers.

12. The command of any patrol in charge of a sub-district shall be entrusted to an inspector or a sub-inspector, and that of any post established under section 5, either to a sub-inspector or to a sergeant. Entrusting of certain command.

13. The Attorney-General may attach to the Police Force such secretaries, accountants, stenographers, clerks, instructors and other employees whose services Attaching of secretaries, etc.

he may deem necessary for the proper administration and functioning of the said force.

Under whose control. They shall, like the officers of the Police Force, be under the control of the Director.

Attaching, etc., of counsel, etc. **14.** The Attorney-General may attach legal counsel and physicians to assist the Police Force and may determine their duties and fix their remuneration.

Conditions of Admission to the Police Force

Qualifications. **15.** No person may be a member of the Police Force unless he be a British subject, of good moral character and repute and free from any sentence in criminal matters, and have sufficient education for the performance of his duties and a fair knowledge of the English and French languages and have satisfactorily passed an examination on his state of health before a physician of the Police Force or a physician selected by the Attorney-General.

Oaths of allegiance and office. **16.** Every officer of the Police Force must, before entering upon his duties, take the oath of allegiance and the oath of office according to the Public Officers Act (Revised Statutes, 1925, chapter 9).

Transmitting of duplicate certificate. A duplicate of the certificate of the taking of such oaths shall be transmitted without delay to the Attorney-General by the officer before whom they were taken.

Provisions applicable to certain officers, etc. **17.** The provisions of Division IV of the aforesaid act shall apply to every officer or official of the Police Force who is required by his duties to receive moneys for which he must render an account to the Crown or to the Police Force.

Sundry Provisions

Ex officio justices of the peace. **18.** The Director and the Deputy-Director shall be *ex officio* justices of the peace with jurisdiction throughout the Province.

Holding of inquiry by Director. **19.** The Director may hold an inquiry whenever he deems it necessary into the conduct of the officers and employees under his direction and any other inqui-

ry authorized by the Attorney-General respecting the administration of the Police Force.

In exercising the functions assigned to him by this section, the Director shall have the powers of a commissioner appointed under the Public Inquiry Commission Act (Revised Statutes, 1925, chapter 8). Powers of Director.

20. An officer shall not be competent to act as a juror, nor as an official or member of any municipal council or school commission. Incapacity as juror, etc.

21. All property placed by the Government at the disposition of the Police Force or of its officers and officials shall remain the property of the Government. Deemed Government property.

22. The Lieutenant-Governor in Council may authorize continuation of the payment, to any officer of the Police Force, of the whole or part of his remuneration after such officer has become unable to perform his duties because of wounds received in the performance of his duties. Remuneration, in event of officer being wounded.

In the event of the death of an officer as a result of such wounds, the Lieutenant-Governor in Council may grant to his widow and the children of whom he was the support, if they are in want, a compensation not exceeding three thousand dollars. Grant in event of death.

23. All expenditure incurred for the organizing and functioning of the Police Force and, in general, for the carrying out of this act shall be paid out of the funds appropriated each year for such purpose. Payment of expenditure.

24. Every action against an officer of the Police Force by reason of an act done by him or a complaint lodged by him, in his official capacity, must be preceded by at least thirty days' notice to the defendant, in writing, and be brought in the district wherein the said act was done or the said complaint lodged. Formalities for bringing of certain action.

Such action shall be prescribed by six months. Prescription.

25. Common repute shall be sufficient proof of the due appointment of any police officer and of his right to act as such, without the necessity of establishing any appointment or of producing other matter in proof of such right, or, when a complaint has been laid by him Deemed proof of due appointment

as a police officer, without the necessity of proving that he was authorized to lay such complaint.

Suspending of officer. **26.** Any officer of the Police Force may be suspended for cause by the Director or by the Deputy-Director.

Duration, etc., of suspension. Such suspension must forthwith be made known to the Attorney-General and shall continue until adjudication thereon by the latter.

Taverns forbidden to officers. **27.** No keeper of a tavern shall knowingly receive or harbour any officer of the Police Force in such tavern, nor permit him to remain therein, except for the purpose of fulfilling a duty assigned to him.

Penalty. Every person infringing the provisions of this section shall be liable to a fine of not more than one hundred dollars and costs, and, upon failure to pay, to imprisonment for not more than three months.

Police Force Regulations

Making of regulations for: **28.** The Lieutenant-Governor in Council may make regulations:

Classification; 1. To provide for a classification of the officers of the Police Force enumerated in paragraph 3 of section 10, determine their powers and attributions and fix the remuneration or salaries payable for each class;

Districts; 2. To change the limits of the police districts mentioned in section 3;

Internal govt.; 3. Generally, to assure the direction, discipline, supervision, internal government, proper administration and efficiency of the Police Force;

Penalties. 4. To impose penalties for contravention of such regulations.

Liquor Police

Liquor Police. **29.** A body of police exercising its functions throughout the Province is constituted under the name of Liquor Police.

Duties of Liquor Police. **30.** The Liquor Police shall be charged with the prevention and investigation of violations of the laws relating to alcoholic liquor, and with any other duties that shall be assigned to it by the regulations made in virtue of section 34.

31. Every member of the Liquor Police shall bear the title of *Liquor Police Officer*. Designation.

All such officers shall be constables and peace officers for the whole Province and shall have all the powers, attributions and privileges, with which constables and peace officers are endowed by the written law or by the common law. Powers, etc., of officers.

Without restricting the powers, attributions and privileges granted to them by the preceding paragraph, each Liquor Police Officer shall be charged with the prevention and investigation of violations of the alcoholic liquor laws, and shall be granted all the powers given by the Alcoholic Liquor Act (Revised Statutes, 1925, chapter 37) to an officer or an inspector of the Quebec Liquor Commission. Special duties.

32. The direction and control of the Liquor Police shall be under the authority of the Attorney-General. Direction and control of Liquor Police.

Such police shall consist of the following officers: Officers:

1. An official called Director of the Liquor Police at Quebec, exercising the functions of commandant of the Liquor Police in the district of Quebec; Director at Quebec;

2. An official called Director of the Liquor Police at Montreal, exercising the functions of commandant of the Liquor Police in the district of Montreal; Director at Montreal;

3. The inspectors, sub-inspectors and policemen, in the number determined by the Lieutenant-Governor in Council, appointed by the Attorney-General as members of the Liquor Police. Inspectors, etc.

The officers, mentioned in paragraphs 1 and 2, shall be appointed by the Lieutenant-Governor in Council, who shall fix their place of residence and their salary. Appointing, etc., of officers.

33. The Attorney-General may attach to the Liquor Police such secretaries, accountants, stenographers, clerks, and other officials whose services he may deem necessary for the proper administration and functioning of the Liquor Police. Attaching of secretaries, etc.

They shall, like the officers of the Liquor Police, be under the authority of the Attorney-General. Under whose control.

34. The Lieutenant-Governor in Council may make regulations: Making of regulations. for:

1. To provide for a classification of the officers of the Liquor Police enumerated in paragraph 3 of section 32, Classification;

determine their powers and attributions and fix the remuneration or salaries payable for each class;

Districts;

2. To change the limits of the police districts for the purposes of the Liquor Police;

Internal
govt.;

3. Generally, to assure the direction, discipline, supervision, internal government, proper administration and efficiency of the Liquor Police;

Penalties.

4. To impose penalties for contravention of such regulations.

Provisions
relating to
Police Force,
applicable.

35. The provisions relating to the Police Force shall also apply to the Liquor Police in so far as they are not incompatible with the special provisions relating to the latter.

Final Provisions

When in-
compatible.

36. The provisions of this act shall, in the case of incompatibility, prevail over those of every other general law or special act.

Repeal

2 Geo. VI,
c. 76, re-
pealed.

37. The Act respecting the Provincial Police Force (2 George VI, chapter 76) is repealed, and consequently the offices of Commissioner of the Provincial Police Force, Deputy Commissioner of the Provincial Police Force, Superintendent of the Provincial Police Force at Quebec, Superintendent of the Provincial Police Force at Montreal, Director of Traffic and Director of the Liquor Police are abolished; nevertheless, section 24 of the said act shall remain in force until the first of July, 1940.

Exception.

Coming into force

Coming into
force.

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