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**Extracts of the**

# **Election Act**

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**Private  
intervenors**



LE DIRECTEUR GÉNÉRAL  
DES ÉLECTIONS DU QUÉBEC



## **FOREWORD**

This publication is an administrative codification which groups the provisions of the Election Act (chapter E-3.3) with regard to the private intervenors. When it is intended to interpret or to enforce the Act, the official wording published by the Quebec Official Publisher should be used.

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Chief Electoral Officer  
President of the “Commission de la représentation électorale”

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## INFORMATION PERTAINING TO THE ELECTION ACT

The Election Act (1989, c. 1), approved March 22, 1989 and effective April 24, 1989, except subparagraph 4 of the first paragraph of section 1 which came into force on April 15, 1990, has been modified by the following acts:

1990, c. 4	2001, c. 2	2011, c. 21
1991, c. 48	2001, c. 13	2011, c. 27
1991, c. 73	2001, c. 26	2011, c. 38
1992, c. 38	2001, c. 45	2012, c. 26
1992, c. 21	2001, c. 72	2013, c. 5
1992, c. 61	2002, c. 6	2013, c. 13
1994, c. 18	2002, c. 10	2013, c. 16
1994, c. 23	2004, c. 36	2015, c. 6
1995, c. 23	2005, c. 7	
1996, c. 2	2006, c. 17	
1997, c. 8	2006, c. 22	
1998, c. 52	2007, c. 29	
1999, c. 15	2008, c. 22	
1999, c. 25	2009, c. 11	
1999, c. 40	2010, c. 32	
2000, c. 8	2010, c. 35	
2000, c. 15	2010, c. 36	
2000, c. 29	2011, c. 5	
2000, c. 59	2011, c. 19	



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**Chapter E-3.3**

**ELECTION ACT**

**TITLE I  
ELECTORS**

**CHAPTER I  
QUALIFIED ELECTORS**

- Qualification. **1.** Every person who
- (1) has attained eighteen years of age;
  - (2) is a Canadian citizen;
  - (3) has been domiciled in Québec for six months;
  - (4) is not under curatorship; and
  - (5) is not deprived of election rights pursuant to this Act, the Referendum Act (chapter C-64.1), the Act respecting elections and referendums in municipalities (chapter E- 2.2) or the Act respecting school elections (chapter E- 2.3).

Domicile. The domicile of a person is the domicile established under the Civil Code.

1989, c. 1, s. 1; 1992, c. 38, s. 1; 1995, c. 23, s. 5; 1997, c. 8; s. 1; 2006, c. 17, s. 1; 2010, c. 32, s. 1.

**TITLE IV  
ELECTION PERIOD**

**CHAPTER IV.1  
ELECTION POSTERS AND BILLBOARDS**

Election posters and billboards. **259.1.** Notwithstanding any inconsistent legislative or regulatory provision, election posters and billboards shall not be subject, during an election period, to any restriction or condition except as provided by this Act.

1998, c. 52, s. 57.

Restrictions. **259.2.** Election posters and billboards may be placed on any property, other than buildings, of the Government, public bodies, state enterprises, municipalities and school boards.

Utility poles. Election posters may also be placed on public utility poles.

1998, c. 52, s. 57.

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- Requirements. **259.3.** Election posters and billboards must be placed so as not to hinder vehicular or pedestrian traffic, interfere visually with road signs or compromise road safety or public security.  
1998, c. 52, s. 57.
- Restrictions. **259.4.** No election poster or billboard may be placed on a classified heritage immovable, on a classified heritage site within the meaning of the Cultural Heritage Act (chapter P-9.002) or in an area declared a national heritage site under that Act.  
1998, c. 52, s. 57; 2011, c. 21, s. 228.
- Restrictions. **259.5.** No election poster or billboard may be placed on a monument, a sculpture, a tree, a fire hydrant, a bridge, a viaduct or an electrical tower.
- Restrictions. No election poster or billboard may be placed on a bus shelter or on a public bench, unless space is provided for that purpose, in which case the applicable rules must be complied with.
- Restriction. No election poster or billboard may be placed on the right of way of a road if the right of way is contiguous to a residential immovable.  
1998, c. 52, s. 57; 2001, c. 72, s. 21.
- Requirements. **259.6.** Posters and billboards and their supports must be made of good quality materials and must be safe and be kept in good repair.
- Easy removal. Posters and billboards must be affixed in such a manner that they can be easily removed.  
1998, c. 52, s. 57.
- Conditions. **259.7.** Election posters placed on public utility poles must meet the following conditions:
- (1) the highest part of the poster must not be more than five metres above ground;
  - (2) the poster must not have any metal or wood frame;
  - (3) the poster must not be affixed with nails or metal fasteners or by means of a device that may damage or leave permanent marks on the pole;
  - (4) the poster must not obstruct any identification plate on the pole.
- Banner, streamer and flag. Moreover, no banner, streamer or flag may be affixed to a public utility pole.

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Removal by workers. Workers who maintain public utility poles may, if they consider it necessary for the purposes of the work to be done and, except in an emergency, after advising the candidate or, where applicable, the authorized party, remove any election poster from a pole.

1998, c. 52, s. 57; 1999, c. 15, s. 8; 2001, c. 72, s. 22.

Removal. **259.8.** All election posters and billboards must be removed not later than 15 days after the polling date, failing which they may be removed by the local municipality or by the owner of the property or poles, at the expense of the party or candidate concerned or, where applicable, of the private intervenor within the meaning of Division V of Chapter VI, following the expiry of a five-day notice to that effect transmitted to the party, candidate or private intervenor.

Notice and bill. The notice shall indicate the places where posters or billboards are to be removed. If posters or billboards had to be removed by the municipality or by the owner at the expense of the party, candidate or private intervenor, the bill shall indicate the place and date of removal.

1998, c. 52, s. 57.

Compliance. **259.9.** The party, candidate or private intervenor shall ensure that the provisions of this chapter are complied with.

1998, c. 52, s. 57.

## CHAPTER VI CONTROL OF ELECTION EXPENSES

### DIVISION I ELECTION EXPENSES

Interpretation,  
“election period”;

**401.** For the purposes of this chapter,

(1) the election period commences the day after the day of issue of the order instituting the election and ends on polling day at the hour of closing of the polling stations;

“candidate”;

(2) the word “candidate” includes any person who becomes a candidate;

“official agent”.

(3) the expression “official agent” includes any person who becomes an official agent.

“election expenses”  
and “official agent”.

In addition, for the purposes of sections 403, 415, 416, 417 and 421, the expression “election expenses” includes expenses referred to in paragraph 13 of section 404 and the expression “official agent” includes a private intervenor within the meaning of Division V if the private intervenor is an elector, and the representative of such an intervenor if the private intervenor is a group of electors.

1989, c. 1, s. 401; 1992, c. 38, s. 58; 1998, c. 52, s. 69; 2001, c. 2, s. 37.

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Use of goods or services. **403.** In the case of goods or services used both during and before an election period, the part of the cost thereof which constitutes an election expense shall be established according to a method based on the frequency of use during the election period compared to the frequency of use before and during the election period.

1989, c. 1, s. 403.

Exceptions. **404.** The following are not election expenses:

(1) the cost of publishing articles, editorials, news, interviews, columns or letters to the editor in a newspaper, periodical or other publication, provided that they are published without payment, reward or promise of payment or reward, that the newspaper, periodical or other publication is not established for the purposes or in view of the election and that the circulation and frequency of publication are as what obtains outside the election period;

(2) the cost at fair market value of producing, promoting and distributing a book that was planned to be put on sale at the prevailing market price regardless of the election order;

(3) the cost of broadcasting by a radio or television station of a program of public affairs, news or commentary, provided that the program is broadcast without payment, reward or promise of payment or reward;

(4) the necessary costs of holding a meeting in an electoral division for the selection of a candidate, including the cost of renting a hall, of convening the delegates and of the publicity made at the meeting; the costs cannot exceed \$4 000 nor include any other form of publicity;

(5) the reasonable costs incurred by a candidate for attending a meeting to select a candidate in an electoral division; the costs cannot include any publicity except that made by the candidate at the meeting;

(6) the reasonable expenses incurred by a candidate or any other person, out of his own money, for meals and lodging while traveling for election purposes, if the expenses are not reimbursed to him;

(7) the transportation costs of a candidate, if not subject to reimbursement;

(7.1) the other reasonable personal expenses incurred by a candidate, other than publicity expenses, if the expenses are not reimbursed to him;

(8) the transportation costs of any person other than a candidate, paid out of his own money, if the costs are not reimbursed to him;

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(8.1) the cost of the food and beverages served at a political activity where the cost is included in the entrance fee paid by participants;

(9) the reasonable expenses incurred for the publication of explanatory commentaries on this Act and the regulations thereunder, provided the commentaries are strictly objective and contain no publicity of such a nature as to favour or oppose a candidate or a party;

(10) the reasonable ordinary expenses incurred for the day-to-day operations of not more than two permanent offices of the party the addresses of which are entered in the register of the Chief Electoral Officer;

(11) interest accrued from the beginning of the election period to the day occurring 90 days after polling day, on any loan lawfully granted to an official representative for election expenses, unless the official agent has paid the interest and declared it as an election expense in his return of election expenses;

(12) the expenses incurred for the holding of meetings, the total of which does not exceed \$200 for the entire election period, including the renting of halls and the convening of participants, provided the meetings are not directly or indirectly organized on behalf of a candidate or party;

(13) the publicity expenses, the total of which does not exceed \$300 for the entire election period, incurred by an authorized private intervenor in accordance with Division V, without directly promoting or opposing a candidate or party, to publicize or obtain support for the intervenor's views on a matter of public interest or to advocate abstention or the spoiling of ballots;

(14) the remuneration paid to a representative referred to in section 316.

1989, c. 1, s. 404; 1992, c. 38, s. 59; 1998, c. 52, s. 70; 2001, c. 2, s. 38.

Use of goods and services.

**415.** No goods or services whose cost is wholly or partly an election expense may be used during the election period except by the official agent of a candidate or party or with his authorization.

1989, c. 1, s. 415; 1998, c. 52, s. 71.

Order for election expenses.

**416.** No person may accept or execute an order for election expenses not given or authorized by an official agent or in his name by his deputy or the advertising agency authorized by him.

1989, c. 1, s. 416.

Regular prices.

**417.** No person may, for goods or services whose cost is wholly or partly an election expense, claim or receive a price different from the regular price for similar goods or services outside the election period nor may he accept a different remuneration or renounce payment.

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- Unremunerated services. A person may, however, contribute his personal services and the use of his personal vehicle without remuneration and for no consideration, provided that he does so freely and not as part of his work in the service of an employer.  
1989, c. 1, s. 417; 2008, c. 22, s. 55.
- Object relating to an election. **421.** Any writing, object or advertising material relating to an election must bear the name of the printer or manufacturer and the name and title of the official agent or deputy official agent who had it produced.
- Advertisement published in a newspaper. Any election advertisement published in a newspaper or other publication must mention the name and title of the official agent or deputy official agent who had it published.
- Election advertisement broadcasting. In any election advertisement broadcast on radio or television or circulated by means of any other information medium or technology, the name and title of the official agent or deputy official agent must be mentioned at the beginning or at the end of the advertisement.  
1989, c. 1, s. 421; 2008, c. 22, s. 58.
- Authorization number. **421.1.** If, under section 401, a writing, an object, an advertising material or an advertisement must mention the name and title of a private intervenor within the meaning of Division V of this chapter or the name and title of the representative of such an intervenor, it must also mention the authorization number issued under section 457.6.
- Cost exceeding \$300. If the cost of a writing, object, advertising material or advertisement covered by section 421 exceeds \$300, only the name and title of the official agent or deputy official agent of a candidate or authorized party may be mentioned as the person who had the writing, object, material or advertisement produced, published or broadcast.  
1998, c. 52, s. 72; 2008, c. 22, s. 59.

### DIVISION II

#### RETURN OF ELECTION EXPENSES

- Summary of returns. **435.** The Chief Electoral Officer shall publish a summary of the returns of election expenses prescribed in sections 432 and 434 within 90 days after the expiry of the time prescribed for their filing.  
1989, c. 1, s. 435; 2001, c. 2, s. 44.
- Keeping of documents. **436.** The Chief Electoral Officer shall keep the returns, declarations, invoices, receipts and other vouchers provided for in sections 432 and 434 for a period of five years from their receipt.

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Delivery or destruction of vouchers. After the expiry of the period prescribed in the first paragraph, the Chief Electoral Officer shall deliver the invoices, receipts and other vouchers to the leader of the party or to the candidates if they so request; if not, he may destroy them.

Access to documents. Despite section 9 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), no person has a right of access to those documents before the expiry of the filing period. If they are filed after that period, they are accessible as soon as they are filed.

Documents examination. Any person may examine and copy the documents at the information centre of the Chief Electoral Officer during regular office hours.

1989, c. 1, s. 436; 2008, c. 22, s. 66; 2010, c. 35, s. 16.

Extension. **444.** If a candidate or party leader establishes before a judge that the absence, death, illness or misconduct of an official agent or any other reasonable cause prevents the preparation and filing of the return prescribed by section 432 or 434, the judge may make any order he deems necessary to enable the applicant to obtain all the information and documents necessary to prepare the return and declaration and grant an extension of time.

1989, c. 1, s. 444.

### **DIVISION V**

#### **AUTHORIZATION AND EXPENSES OF PRIVATE INTERVENORS**

Authorization. **457.2.** No person may incur expenses described in paragraph 13 of section 404 unless the person has been issued an authorization in accordance with this division.

Private intervenor. Only an elector or a group not endowed with legal personality and composed in the majority of natural persons who are qualified electors may apply for authorization as a private intervenor.

Notification. An authorized political party that presents no candidate at a general election or a by-election and wishes to intervene as private intervenor must notify the Chief Electoral Officer. It is deemed to hold an authorization from the Chief Electoral Officer as a private intervenor from the date of receipt of the notification and the Chief Electoral Officer shall issue an authorization number to it.

Provisions applicable. Sections 457.7 to 457.9 and 457.13 to 457.21 and the second paragraph of section 559 apply to the party, with the necessary modifications. For the purposes of those provisions, the leader of the party is deemed to be the elector representing the private intervenor referred to in the last paragraph of section 457.4.

Exception. An authorized political party that availed itself of sections 419 and 420 during an election period may not obtain the status of private intervenor during that period.

1998, c. 52, s. 77; 2004, c. 36, s. 3; 2008, c. 22, s. 72.

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Application for authorization.

**457.3.** An elector who applies for authorization must

- (1) indicate his name, date of birth, domiciliary address and telephone number;
- (2) declare that he is a qualified elector;
- (3) declare that he does not intend to directly promote or oppose any candidate or party;
- (4) state briefly the purpose of the application, specifying, where applicable, the matter of public interest on which he intends to express his views;
- (5) declare that he is not a member of any party;
- (6) declare that he is not acting directly or indirectly on behalf of any candidate or party;
- (7) declare that, to his knowledge, he does not belong to a group that has obtained an authorization as a private intervenor for a similar purpose or whose application for authorization is pending.

Oath and undertaking.

The application for authorization must be supported by the elector's oath and include an undertaking by the elector to comply with all applicable legal provisions.

1998, c. 52, s. 77.

Application for authorization.

**457.4.** A group that applies for authorization must

- (1) indicate its name, address, telephone number, date of formation and objects;
- (2) indicate the name, domiciliary address and telephone number of its leaders;
- (3) indicate the actual or approximate number of members of the group and declare that the majority of the members are qualified electors;
- (4) indicate the name, date of birth, domiciliary address and telephone number of the elector who is to act as the representative of the group;
- (5) declare that the group does not intend to directly promote or oppose any candidate or party;
- (6) state briefly the purpose of the application, specifying, where applicable, the matter of public interest on which the group intends to express its views;
- (7) declare that the group is not acting directly or indirectly on behalf of any candidate or party;
- (8) declare that the representative of the group is not a member of any party;

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(9) declare that, to the group's knowledge, no member of the group has obtained an authorization as a private intervenor for a similar purpose or made an application for authorization that is pending.

Representative, oath and undertaking.

The application for authorization must be made by the elector designated in the application to act as the representative of the group, be supported by the representative's oath and include an undertaking by the representative to comply with all applicable legal provisions.

1998, c. 52, s. 77.

Application.

**457.5.** An application for authorization must be filed at the office of the returning officer of the electoral division of the applicant's domicile.

Period.

The application must be filed during the period extending from the twenty-seventh to the thirteenth day preceding polling day.

1998, c. 52, s. 77.

Issue of authorization.

**457.6.** The returning officer shall, if the application is in conformity with the requirements of this division, issue the authorization and an authorization number without delay.

Rejection.

Before rejecting an application, the returning officer must allow the elector to present observations or make any necessary corrections. A decision to reject an application must be in writing and contain reasons.

1998, c. 52, s. 77.

Consultation.

**457.7.** Notwithstanding the first paragraph of section 59 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1), the returning officer shall, during the election period, allow an elector to consult, in the returning officer's main office, any application for authorization which was granted.

Copy of application.

However, notwithstanding the second paragraph of section 10 of that Act, only a candidate may obtain a copy of such an application.

1998, c. 52, s. 77.

List of authorization.

**457.8.** Not later than the tenth day preceding polling day, the returning officer shall transmit to the authorized parties represented in the National Assembly, to any other party which so requests and to each candidate a list of the authorizations which have been granted.

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- Contents. The list shall indicate the name of each private intervenor, the name of the private intervenor's representative, if any, and the number and date of the authorization. The list shall also indicate if the private intervenor intends to express views on a matter of public interest or to advocate abstention or the spoiling of ballots.  
1998, c. 52, s. 77.
- Election period. **457.9.** An elector or a group of electors may only obtain one authorization during an election period. The authorization is only valid for that period.
- Representative. The representative of a group of electors may only act for that group.  
1998, c. 52, s. 77.
- Resignation of representative. **457.10.** The representative of a group of electors who resigns shall notify the leader of the group and the returning officer in writing.
- Report and vouchers. Within five days of resigning, the representative shall submit a report of the expenses incurred, with vouchers, to the leader of the group.  
1998, c. 52, s. 77.
- Representative. **457.11.** If the representative of a group of electors dies, resigns, is dismissed or is unable to act, the leader of the group shall appoint another representative and shall notify the returning officer in writing forthwith.  
1998, c. 52, s. 77.
- Election period. **457.12.** A private intervenor who is an elector or the representative of a private intervenor may not become a member of a party during the election period.  
1998, c. 52, s. 77.
- Restriction on expenses. **457.13.** A private intervenor may not incur expenses that are not related to the purpose stated in the application for authorization or that directly promote or oppose a candidate or party.  
1998, c. 52, s. 77.
- Restriction on expenses. **457.14.** A private intervenor may not incur an expense jointly with any person or incur an expense individually but in agreement, collusion or association with any person.  
1998, c. 52, s. 77.
- Expenses. **457.15.** A private intervenor who is an elector must defray the cost of any expense out of his own funds.
- Expenses. A private intervenor that is a group of electors must defray the cost of any expense out of the funds of the members of the group who are electors.

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- Payment of expenses. A private intervenor must pay any expense by cheque or order of payment drawn on the private intervenor's account in a bank, trust company or financial services cooperative having an office in Québec. The cheque or order of payment must be signed by the private intervenor if the private intervenor is an elector, or by the representative if the private intervenor is a group of electors.  
1998, c. 52, s. 77; 2000, c. 29, s. 650.
- Expenses. **457.16.** In the case of a private intervenor that is a group of electors, only the representative may incur expenses on behalf of the private intervenor.
- Representative. The representative of a private intervenor is bound by the provisions of sections 457.13 to 457.15 and must ensure that they are complied with.  
1998, c. 52, s. 77.
- Voucher. **457.17.** A private intervenor who is an elector or the representative of a private intervenor may not pay an expense of \$25 or more without a voucher in the form of an itemized invoice.
- Invoice. The invoice must indicate the goods or services furnished and their rate or unit price.  
1998, c. 52, s. 77.
- Filing of report. **457.18.** A private intervenor who is an elector or the representative of a private intervenor shall, within 30 days after polling day, file with the Chief Electoral Officer a report of all the private intervenor's expenses, in the form prescribed by the Chief Electoral Officer.
- Accompanying documents. The report must be accompanied with the invoices, receipts and other vouchers, or certified copies of those documents, a list thereof and a declaration in the prescribed form.  
1998, c. 52, s. 77; 2008, c. 22, s. 73.
- Provisions applicable. **457.19.** Sections 435, 436 and 444 apply to the report referred to in section 457.18, with the necessary modifications.  
1998, c. 52, s. 77.
- Withdrawal. **457.20.** The Chief Electoral Officer may, on his own initiative or on an application, withdraw the authorization of a private intervenor  
(1) if the Chief Electoral Officer ascertains that the application for authorization contains false or inaccurate information;

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(2) if the Chief Electoral Officer ascertains that the private intervenor or, where applicable, the representative of the private intervenor is no longer qualified for such authorization;

(3) if the Chief Electoral Officer ascertains that the private intervenor or, where applicable, the representative of the private intervenor has contravened any applicable provision of this Act.

Procedure. Before withdrawing the authorization, the Chief Electoral Officer must allow the private intervenor to present observations or make any necessary corrections. A decision to withdraw the authorization must be in writing and contain reasons.

1998, c. 52, s. 77.

Appeal. **457.21.** Any person whose application for authorization is rejected or any private intervenor whose authorization is withdrawn may, by way of a motion, appeal the decision before a judge of the Court of Québec.

Service of motion. The motion must be served beforehand on the returning officer or the Chief Electoral Officer, as the case may be.

Appeal. The appeal shall be heard and decided by preference. The appeal does not suspend the execution of the decision, unless the court decides otherwise.

Decision. The decision of the judge is final.

1998, c. 52, s. 77.

### **TITLE VI** **ELECTORAL ORGANS**

#### **CHAPTER I** **THE CHIEF ELECTORAL OFFICER**

##### **DIVISION I** **APPOINTMENT**

Inquiry. **491.** The Chief Electoral Officer, of his own initiative or at the request of another person, may inquire into the administration of this Act.

1989, c. 1, s. 491.

Frivolous request. **492.** The Chief Electoral Officer may refuse to make or to pursue an inquiry where he considers the request frivolous, vexatious or made in bad faith, or unnecessary in the circumstances.

1989, c. 1, s. 492.

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Reasons for refusal. **493.** Each time the Chief Electoral Officer refuses to make or to pursue an inquiry at the request of a person, he shall inform that person of his refusal and give the reasons therefor in writing.

1989, c. 1, s. 493.

Powers. **494.** In respect of his inquiries, the Chief Electoral Officer or any person designated by him is vested with the powers and immunity of commissioners appointed under the Act respecting public inquiry commissions (chapter C-37), except the power to order imprisonment.

Witnesses. Articles 307 to 309 of the Code of Civil Procedure (chapter C-25) apply to witnesses heard at an inquiry.

1989, c. 1, s. 494; 1999, c. 15, s. 24.

### TITLE VIII PENAL PROVISIONS

Offences and penalties. **556.1.** The following persons are liable to a fine of \$500 to \$2,000:

(1) every person who erects an election poster or billboard in contravention of any of the provisions of sections 259.2 to 259.5 or of the conditions provided in the first paragraph of section 259.7;

(2) every person who affixes an election banner, streamer or flag on a public utility pole.

1998, c. 52, s. 84; 2011, c. 38, s. 20.

Official agent. **559.** Every official agent is liable to a fine of \$5,000 to \$20,000 who

(1) incurs or authorizes election expenses exceeding the maximum fixed by section 426;

(2) files a false report, return or statement;

(3) produces a false or falsified invoice, receipt or other voucher;

(4) after filing his report or return, pays a claim otherwise than as permitted by section 445.

Fine. Every elector referred to in section 457.3 or in the last paragraph of section 457.4 who makes a false declaration, files a false report or produces a false or falsified invoice, receipt or voucher is also liable to a fine of \$1 000 to \$10 000.

1989, c. 1, s. 559; 1998, c. 52, s. 85; 2011, c. 38, s. 23.

Fine. **559.1.** The following persons are liable to a fine of \$5,000 to \$20,000:

(1) (*paragraph repealed*);

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(2) every person who makes a false invoice, receipt or voucher;

(3) every person who falsifies an invoice, receipt or voucher.

1998, c. 52, s. 86; 2010, c. 32, s. 9; 2001, c. 38, s. 26.

Offence and penalties. **559.2.** The following persons are liable to a fine of \$500 to \$10,000:

(1) the printer, manufacturer or owner of the newspaper or other publication, the radio or television broadcaster or the person using another information medium or technology, if a writing, object, advertising material or advertisement relating to an election is printed, made, published, broadcast or circulated without the particulars required under section 421 or 421.1;

(2) the official agent or deputy official agent, or the private intervenor or the representative of a private intervenor, who allows a writing, object, advertising material or advertisement relating to an election to be printed, made, published, broadcast or circulated without the particulars required under section 421 or 421.1.

2008, c. 22, s. 78.

Omissions. **563.** Every person who fails to file a report or return prescribed by Titles III and IV, to send contribution slips in accordance with section 127.9 or to pay within the prescribed time a claim made by the Chief Electoral Officer under section 453 or section 455 is liable to a fine of \$50 for each day of delay.

1989, c. 1, s. 563; 2011, c. 38, s. 29.

Offences and penalties. **564.** A person who contravenes any of sections 62, 66, 74, 76, 92, 93, 95, 96, 97, 99, 102 to 106, 127.1, 127.2 and 127.4, the second paragraph of section 127.7, the second paragraph of section 127.8, sections 127.10, 408, 410, 416 to 420, 422 to 424, 457.2, 457.9 and 457.11 to 457.17, and the first paragraph of section 127.8 and section 127.11 to the extent that they refer to any of those sections is liable to a fine of \$500 to \$10,000.

1989, c. 1, s. 564; 1995, c. 23, s. 49; 1998, c. 52, s. 88; 2001, c. 72, s. 32; 2008, c. 22, s. 79; 2010, c. 32, s. 10; 2011, c. 38, s. 30.

Penal proceedings. **569.** The Chief Electoral Officer may institute penal proceedings for an offence under this Title. Section 18 of the Act respecting the Director of Criminal and Penal Prosecutions (chapter D-9.1.1) does not apply to the Chief Electoral Officer.

Prescription. Such proceedings are prescribed five years after the date the offence was committed. However, proceedings relating to an offence under section 551.1 or 553.1, paragraph 1 or 3 of section 554, paragraph 3 of section 555, paragraph 4 of section 556 or section 557 or 558 are prescribed 10 years after the date the offence was committed.

1989, c. 1, s. 569; 1990, c. 4, s. 966; 1992, c. 61, s. 285; 2010, c. 35, s. 18; 2010, c. 36, s. 6.

## ELECTION ACT

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**569.1.** The Chief Electoral Officer shall transmit to the Associate Commissioners for Audits appointed under section 8 of the Anti-Corruption Act (chapter L- 6.1) who exercise the function described in paragraph 1.1 of section 10 of that Act the information relating to any penal proceeding brought under this Title and any resulting finding of guilty for an offence listed in Schedule I to the Act respecting contracting by public bodies (chapter C- 65.1).

The Chief Electoral Officer shall also transmit to the Chair of the Conseil du trésor, in the manner determined in an agreement, the information required under paragraphs 1 to 3 of section 21.7 of the Act respecting contracting by public bodies concerning findings of guilty for offences under this Title that are listed in Schedule I to that Act.

2015, c. 6, s. 40.



