



# Submitting an application for authorization of a municipal political party

For additional information, to order forms or for questions concerning the *Application for authorization of a municipal political party*, please visit our website (**[www.electionsquebec.qc.ca](http://www.electionsquebec.qc.ca)**). You can also contact us by email (**[repaq@electionsquebec.qc.ca](mailto:repaq@electionsquebec.qc.ca)**) or telephone (418-644-3570 in the Québec City region or 1-866-232-6494 toll-free).

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# Why is an authorization application required?

A political formation that intends to carry out activities in a municipality with 5,000 or more inhabitants must obtain an authorization from the Chief Electoral Officer. A political party that holds such an authorization may solicit or collect contributions, incur expenses or contract loans.



# 1

## Primary obligations of an authorized municipal political party

The party's officers must comply with the requirements of the *Act respecting elections and referendums in municipalities* (AERM) and fulfil various obligations incumbent on them.

Failure to comply with these requirements may result in penalties ranging from a fine up to the withdrawal of the party's authorization.

Prior to completing the authorization application form, you are advised to review certain legal requirements (see below) that the party's officers must comply with once the party has obtained its authorization from the Chief Electoral Officer.

### Submit the required reports

**Each year**, no later than April 1, the official representative of a political party must submit a financial report detailing the party's financial activities during the previous calendar year.

In addition, if the political party fields one or more candidates during an election, its official agent must submit a return of election expenses no later than 90 days after the polling day.

- If party's official representative or official agent does not submit a report on time, a \$50 fine for each day of delay may be imposed. Failure to submit the report on time would also have repercussions for the party's leader, whether elected or not, as he or she would be unable to run as a candidate in subsequent elections until such time as the report is submitted. The party leader could also lose the right to sit on the council meetings.

## Have the annual financial report audited

A political party that collects more than \$5,000 in the course of a calendar year must submit its financial report to an auditor. The party must then pay the auditor's fees, which typically range from \$1,500 to \$8,000 (these amounts are provided for guidance only).

- An unaudited financial report is inadmissible. In that case, the party's official representative would be subject to a \$50 fine for each day of delay. Failure to submit the report on time would also have repercussions for the party's leader, whether elected or not, as he or she would be unable to run as a candidate in subsequent elections until such time as the report is submitted. The party leader could also lose the right to sit on the council meetings.

## Submit contribution receipts

**Every three months**, the party's official representative must submit the contribution receipts (issued when contributions are collected) to the municipal treasurer, who must submit them in turn to the Chief Electoral Officer.

## Appoint a party leader, an official representative, an official agent, two executive officers and an auditor

The AERM stipulates that the following positions must be filled at all times: party leader, official representative, official agent, executive officers (two positions) and auditor. The responsibilities and tasks associated with each of these positions are described below (see items 4, 5, 6 and 9).

- The Chief Electoral Officer may withdraw a political party's authorization if one or more of these positions are vacant.

## Provide the Chief Electoral Officer with the required information for the Register of authorized political entities of Québec

The first name, last name and contact details of the following people are listed in the *Register of authorized political entities of Québec* (RAPEQ):

- the party leader
- the official representative
- the official agent
- the executive officers
- the auditor

Any modifications to this information must be submitted to the Chief Electoral Officer without delay.

- The Chief Electoral Officer may withdraw a political party's authorization if it fails to submit the relevant modifications to this information.

## Comply at all times with the minimum required number of qualified electors with valid membership cards

A political party's application for authorization must be submitted together with supporting signatures provided by the required minimum number of party members (25, 50 or 100, as applicable). If the political party already holds an official authorization, the minimum required number of members must be maintained at **all times**.

- The Chief Electoral Officer may withdraw a political party's authorization if it does not maintain at all times the required minimum number of members who are registered municipal electors with valid membership cards.



## Once a year, submit a list of the party's members in good standing

**Each year**, no later than April 1, the political party must submit a list of the names and addresses of the required minimum number (25, 50 or 100) of members who are registered municipal electors with valid membership cards.

- The Chief Electoral Officer may withdraw a political party's authorization if it does not submit a list of its members in good standing by the prescribed deadline.

The AERM states that the Chief Electoral Officer may take any necessary steps to verify the accuracy of the information provided in the list of party members.

- The Chief Electoral Officer is required to withdraw a political party's authorization if the membership list verifications do not enable him to conclude that the party maintained the required minimum number of members at all times.

### → **DON'T FORGET!**

If these provisions of the *Act* are violated, criminal penalties may apply. The Chief Electoral Officer may withdraw a political party's authorization if it does not comply with the requirements of the *Act*.

# 2

## How should an application for authorization of a municipal political party be submitted?

To submit an authorization application for a municipal political party to the Chief Electoral Officer, you must fill out the form entitled *Application for authorization of a municipal political party* (DGE-1042), along with a sufficient number of slips entitled *Signature of support from a member of the party – Application for the authorization of a municipal political party* (DGE-1042.1).

Please note that once the party has been authorized, the data provided on the application form and the slips\* becomes public for the purposes of the *Act respecting access to documents held by public bodies and the protection of personal information*.

\*Except for members' telephone numbers and email addresses.

→ **Although reserving a party's name is not mandatory, you are strongly advised to do so.** Reservations are valid for six months. You can use that time to carry out the various tasks required prior to submitting your application for authorization, including member recruitment. If you reserve your party's name, you won't have to worry about another group choosing the same name as yours during the reservation period. In addition, you'll be assured that your party's name meets the criteria set by the AERM and by Élections Québec.

To obtain the form *Application to have a name reserved for a political party* (DGE-1036), please consult our website or contact us.



# 3

## Fill out the form *Application for authorization of a municipal political party*

When filling out form DGE-1042, the following information must be provided.

### 1. Name of the political party

Indicate the name designating your political party. It will be printed on the ballot papers and will appear alongside the names of all candidates representing your party.

#### **Have you already reserved a name by applying to the Chief Electoral Officer?**

If so, you are assured that the name meets the criteria set by the AERM and Élections Québec. However, you are not required to use that name; you can write in a different one. In that case, the other name will be reviewed to see whether it meets the established criteria.

#### **You have not reserved a name by applying to the Chief Electoral Officer?**

If so, write in the name of your choosing. It will be reviewed to see whether it meets the established criteria.

## Selected name

- *The party name may not include the word “independent”.*

In the AERM, the term “independent” is used to characterize candidates who are not affiliated with any political party. For that reason, it would be inappropriate to use the word “independent” in the name of a political party.

- *The party’s name must not lead to potential confusion in electors’ minds regarding the party to which they are contributing.*

Your party’s name must not be identical or similar to that of a party that is currently or was previously active within the same municipality or to that of any other publicly known group or organization.

Persons who make financial contributions to a party must be able to do so without the risk of confusion, i.e. they need assurance that they are contributing to the party of their choice.

To avoid selecting a name that might cause confusion, please consult the Élections Québec website ([www.electionsquebec.qc.ca](http://www.electionsquebec.qc.ca)), where you will find a list of authorized political parties, a list of reserved party names and a list of political parties whose application for authorization is pending.

## Spelling of the party name

Élections Québec’s linguistic policy stipulates that political parties’ names must comply with rules set by the Office québécois de la langue française (OQLF) concerning spelling and the use of upper-case letters. The spelling of your party’s name will be reviewed while your application for authorization is being processed. Spelling alone is not a valid reason for rejecting an application.

If your party’s name is not spelled in keeping with the OQLF’s rules, your application may still be accepted provided that you adopt our recommended spelling.

## Review of your party’s name

Your proposed name will be reviewed and submitted to a committee that will determine its suitability by taking the aforementioned criteria into account.

If any of those criteria are not met, the party’s name will be rejected.

## Logo and initials

The AERM contains no provisions governing logos or initials. Therefore, this information does not have to be provided.

## 2. Address to which communications intended for the party must be sent

Indicate the party's postal address. Élections Québec will use this address for sending party-related communications.

Your party's mailing address may be a post office box or the address of the party's permanent office, as applicable (see item 7), or the home address of one of the party's stakeholders. In the latter case, the person residing at that address is responsible for forwarding mail to the recipient in question without delay.

This address will be listed in the Register of authorized political entities of Québec (RAPEQ), which is posted on Élections Québec's website.

## 3. Address where the books and accounts pertaining to party funds, expenses and loans are to be kept

Indicate the address of the place where the party's books and accounts are to be kept. This must be a geographical address at which the books and accounts will be physically located. This address often corresponds to that of the party's official representative since he or she is responsible for the party's books, accounts, expenses and loans.

## 4. Name, domiciliary address and telephone number of the leader of the party

Indicate the party leader's last name, first name, telephone number, home address and **email address**.

The leader must be a registered elector of the municipality. That is why you must record the leader's home address: it is used to verify whether he or she is a qualified elector. If the leader is a qualified elector at an address other than his or her home address, that address must also be indicated.

### The leader must:

- Be an **elector** of the municipality in which the party carries out its activities, either because he or she resides within the municipality or because he or she is the owner of an immovable (building/real estate) or occupies a business establishment within the municipality.
- Not have been found guilty of an offence constituting a corrupt electoral practice for at least the past five years.
- Not be the official representative of the party or of any other authorized party in the municipality.
- Not be the party's auditor.
- Not be one of the party's executive officers listed in the RAPEQ.

### The leader must primarily:

- Fill the positions of official representative; official representative's delegate, as applicable; official agent; executive officers; and auditor within the prescribed timeframe.
- Ensure that the necessary information for RAPEQ updates is submitted to Élections Québec and to the municipal treasurer.
- Notify the returning officer if the party wishes to act as a private intervenor, in the event that it fields no candidates during an election.
- Submit a change of party name application, as applicable.
- Submit a withdrawal of authorization application for the party, as applicable.

## 5. Name, address and telephone number of two executive officers of the party

Indicate the last names, first names, telephone numbers, home addresses and email addresses of two people serving as the party's executive officers. The leader may not be one of the executive officers. All political parties are required to have two executive officers, in addition to a leader.

**The executive officers must not:**

- Be the party's leader.
- Be the party's auditor.

**The executive officers must primarily:**

- Support the leader, in accordance with the party's internal policies.
- Submit the required RAPEQ information to Élections Québec, as applicable.
- Certify the compliance of the copy of the resolution appointing a new party leader or requesting the withdrawal of the party's authorization, as applicable.

## 6. Name of the party's auditor and the auditor's address

If the auditor or the accounting firm performing this task is already known, indicate the relevant name, address, telephone number and email address; otherwise, please leave this section blank. The party leader will have 30 days as of the authorization date to appoint someone to this position and to provide his or her name and contact information in writing to the Chief Electoral Officer.

The person appointed to this position must be entitled to practice public sector auditing in Québec. In that regard, he or she must be a member of the Ordre des comptables professionnels agréés du Québec and must hold a permit as an auditor (CPA auditor).

The auditor will review the authorized party's financial report if the party receives more than \$5,000 per year.

**PLEASE NOTE** that even if a political party does not plan to collect more than \$5,000 in contributions, it must still designate a person who meets the AERM's requirements to fill the position of auditor.

**The auditor must not:**

- Be a municipal officer or an employee of the municipality in which the party carries out its activities or of a mandatary body of the municipality.
- Be a member of the Parliament of Québec or Canada.
- Be the party's leader or one of the party's officials.
- Be the official agent or official representative of a party carrying out its activities within the municipality or of an independent candidate running for councillor within the municipality.
- Have been a candidate for councillor within the municipality during the last election, a subsequent by-election or the current election period.
- Be an auditor of the municipality.
- Be an election officer of the municipality.
- Have been found guilty, within the past five years, of an offence constituting a corrupt electoral practice within the meaning of section 645 of the AERM, the *Act respecting school elections* or the *Election Act*.
- Be an associate or staff member of any of the abovementioned persons.

**The auditor must primarily:**

- Have access to all books, accounts and documents pertaining to the party's financial affairs.
- Take all necessary steps to verify the accuracy of the party's financial report (if it receives more than \$5,000 per year) and submit the audit report to the official representative no later than five days prior to April 1 of the following year.

## 7. Address of the party's permanent office, where applicable

Indicate the address of the party's permanent office, if it has one; otherwise, please leave this section blank. Political parties are not required to have a permanent office.

If the party does have a permanent office, the Chief Electoral Officer must be notified of its address at least three months prior to the publication of the election notice. This is to ensure that expenses ordinarily incurred for the office are not claimed as election expenses.

This address must correspond to premises for whose use the party is required to make payment.



## 8. Name of the municipality

Indicate the name of the municipality within which the party will carry out its activities.

## 9. Appointment and consent of the official representative of the party

Indicate the last name, first name, telephone number, home address and email address of the party's official representative.

### **The party's official representative must be a registered elector of the municipality.**

That is why you are required to indicate the official representative's home address, which is used to determine whether he or she is a qualified elector. If the official representative does not reside within the municipality in which the party carries out its activities, you must also provide the address via which he or she qualifies as an elector.

The person appointed to this position must review the various statements and responsibilities listed in this section.

The official representative must provide his or her signature and must record the date at the bottom of this section, thereby indicating that he or she consents to hold this position and confirms that he or she understands that he or she also holds the position of the party's official agent, unless the party leader designates someone else to serve in that capacity.

### **The official representative must:**

- Be an **elector of the municipality** in which the party carries out its activities, either because he or she resides within the municipality or because he or she is the owner of an immovable (building/real estate) or occupies a business establishment within the municipality.
- Not be a candidate for councillor within the municipality.
- Not be the party's leader or the leader of another authorized party within the municipality.
- Not be an election officer of the municipality or an employee of an election officer.
- Not be a municipal officer or a staff member of the municipality or of a municipal body referred to in subsection 307 (1) or (2) of the AERM.
- Not be an Élections Québec staff member.
- Not have been found guilty, within the past five years, of an offence constituting a corrupt electoral practice within the meaning of section 645 of the AERM, the *Act respecting school elections* (section E-2.3) or the *Election Act* (section E-3.3).
- Not be the party's auditor.

**The official representative must primarily:**

- Complete a mandatory training course within 30 days following his or her appointment date.
- Open an account for the party in a financial institution with an office in Québec.
- Keep the party's accounting records.
- Collect and deposit contributions.
- Ensure that contribution receipts are sent to contributors.
- Ensure that contributions are in compliance.
- Deposit funds collected during political activities or demonstrations.
- Appoint solicitors, draw up a list of their names and issue certificates.
- Keep records of receipts that have been issued.
- Ensure that receipts used are issued by Élections Québec or by the party and approved by Élections Québec.
- Return any non-compliant contributions to contributors.
- Contract loans.
- Pay annual loan interest.
- Receive election expense reimbursements, as applicable, from the municipal treasurer.
- Provide each candidate of the party with a list of the advertising expenses incurred prior to the filing of his or her nomination papers.
- Ask the municipal treasurer to reimburse the audit costs for the annual financial report if more than \$5,000 are received.
- Deposit any other revenues.
- Pay into the official agent's electoral fund.
- Incur expenses other than election expenses.
- Submit the financial report.
- Act as the party's official agent, as applicable.
- Submit the required RAPEQ information to Élections Québec, as applicable.

### **Mandatory training**

The official representative and the official agent, as applicable, are required to complete the extranet training activities that Élections Québec makes available to various political stakeholders concerning political financing rules and election expense monitoring. To indicate their commitment to completing these training activities, the official representative and the official agent, as applicable, should record their email addresses and signatures in this section.

## **10. Declaration of the party leader**

The party leader completes this section by recording his or her first name and last name and, as applicable, the amount of funds the party has at its disposal on the authorization application date. This amount must include all membership fees collected, as applicable. If an amount is recorded in this section, the leader must attach a statement detailing these funds.

In the box reserved for this purpose, the party leader should record the number of slips entitled *Signature of support from a member of the party – Application for the authorization of a municipal political party* attached to the application for authorization.

The party leader should then record his or her signature along with the date.

# 4

## Complete the member slips *Signature of support from a member of the party – Application for the authorization of a municipal political party*

Even if the party is not yet authorized, it must demonstrate that it has the minimum required number of members. These members must be registered electors and must have valid membership cards.

In support of the application for authorization, you must attach the required number of signature slips by **electors of the municipality** stating that they are **members** of the party and are in favour of the application. These slips must be filled out and signed.

The minimum number of supporting signatures that you must provide depends on the population of the municipality in which the party carries out its activities.

For a municipality with:	You must provide at least:
At least 100,000 inhabitants	100 signatures
Between 50,000 and 99,999 inhabitants	50 signatures
Between 5,000 and 49,999 inhabitants	25 signatures

The abovementioned numbers of signatures that must be provided correspond to the minimums required by the AERM. You are advised, however, to provide more than the minimum number required in case some members do not meet the relevant criteria.

### → IMPORTANT

The member and the recruiter must read sections 601 and 602 of the AERM printed on the back of the slip

Each slip must contain the following:

### **Name of party**

Indicate the name of your party, as it appears in section 1 of form DGE-1042.

### **Municipality**

Indicate the name of the municipality within which your party will carry out its activities. This name must match the name appearing in section 8 of form DGE-1042.

### **Identification of the elector and member of the party**

Indicate the last name and first name of the party member, the address via which he or she qualifies as an elector of the municipality, as well as his or her telephone number and email address.

Even though members' telephone numbers and email addresses are not required by the *Act*, Élections Québec would like to have this information on file in order to contact these individuals, if necessary, during the application review process.

### **Membership card (required)**

- **Number**

Record the number assigned to the member. The number format is not stipulated by the AERM.

- **Expiry date**

Record the membership card's expiry date (use the format *year-month-day*).

### **Membership fee**

Record the amount that the member paid to join the party. If membership is free and the member paid nothing, indicate "0".

The party may require individuals to pay a membership fee, **but it is not required to do so**. The annual membership fee cannot exceed \$25.

The party leader must report the total membership fees collected in item 3 of the "Declaration of the party leader" section of the form *Application for authorization of a political party* (DGE-1042).

### Declaration – elector and party member

The elector and party member must read this section, in which he or she declares that he or she is a qualified elector\* of the municipality, is a member of the political party and supports the application for authorization.

By recording his or her signature along with the date, the member confirms that he or she complies with these requirements.

#### → IMPORTANT

Anyone who signs someone else's name or completes this declaration knowing that he or she is not an elector of the municipality within which the party intends to carry out its activities is committing an offence and is subject to a fine ranging from \$500 to \$4,000.

\*To be qualified electors of the municipality, persons must be of legal age and must be Canadian citizens. In addition, they must not have lost their right to vote because of a tutorship or have been convicted of an offence constituting a corrupt electoral practice within the last five years. They must reside within the municipality and must have resided for at least six months in Québec. If they do not reside in the municipality, they must have owned an immovable or occupied a business establishment within the meaning of the *Act respecting municipal taxation* (chapter F-2.1) for at least 12 months.

### Declaration – person receiving the signature of support

The person collecting supporting signatures records his or her signature along with the date. In so doing, he or she declares that:

- He or she recruited this party member.
- To the best of his or her knowledge, the member's signature is authentic.
- To the best of his or her knowledge, the person who provided the supporting signature was qualified to do so at the moment of signing.

#### → IMPORTANT

If the person responsible for collecting supporting signatures allows another person to sign a slip knowing that said person is not an elector of the municipality mentioned in the application or did not sign his or her own true name, he or she is committing an offence and is subject to a fine ranging from \$500 to \$4,000.

**To be valid, the slip must contain all of the requested information.**

Once the slip has been duly completed and signed, the copies should be distributed as follows:

- 1 – DGE:** To be submitted to Élections Québec and attached to form DGE-1042.
- 2 – MEMBER:** To be kept by the member.
- 3 – POLITICAL PARTY:** To be kept by the political party.



# 5

## Submit your application for authorization to Élections Québec

The form entitled *Application for authorization of a municipal political party* and the slips entitled *Signature of support from a member of the party – Application for the authorization of a municipal political party* must be sent to the address below.

**Service du Registre, de la coordination  
et de la gestion des contributions politiques**

Direction du financement politique  
Élections Québec  
1045, avenue Wilfrid-Pelletier, bureau 200  
Québec (Québec) G1W 0C6

For additional information, to order forms or for any questions regarding municipal political party application for authorization, please consult our website ([www.electionsquebec.qc.ca](http://www.electionsquebec.qc.ca)). You can also contact us by email ([repaq@electionsquebec.qc.ca](mailto:repaq@electionsquebec.qc.ca)) or by telephone (418-644-3570 in the Québec City region or 1-866-232-6494 toll-free).

*The explanations provided in this guide do not take precedence over the provisions of the Act respecting elections and referendums in municipalities and are not intended to replace the official legal text. When interpreting or applying the Act, please refer to the version published by the Éditeur officiel du Québec, which may be consulted at the following address: [www.publicationsduquebec.gouv.qc.ca/cspq/en/](http://www.publicationsduquebec.gouv.qc.ca/cspq/en/).*