

## **Submitting an application for authorization of a provincial political party**

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

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# Why apply for authorization?

Any political party wishing to solicit or collect contributions, incur expenses or borrow money must obtain authorization from the Chief Electoral Officer.

# 1

## Main responsibilities of an authorized provincial political party

**The political party's officers must comply with the requirements of the *Election Act* and perform their various responsibilities.**

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

Before completing the documents required to submit an authorization request, you should review the following legal requirements, which the party leadership will need to meet once the party has been authorized by the Chief Electoral Officer.

### Filing the different required reports

**Each year**, no later than April 30, the political party's official representative must file a financial report detailing the party's financial activities during the preceding calendar year.

In addition, in cases where a political party has run one or more candidates in an election, the party's official agent must file a return of election expenses no later than the 90<sup>th</sup> day after polling day.

An official representative or official agent who fails to file such a report or return by the deadline may be liable to a fine.

### Having the party's annual financial report audited

A political party must submit its financial report to an auditor. Audit fees generally range from \$1500 to \$8000 (these amounts are provided for information purposes only).

Unaudited financial reports are not admissible. The official representative of a political party that does not have its financial report audited may be liable to a fine.

## Submitting contribution slips

In the case of contributions made by cheque, credit card or a payment order signed by the contributor and drawn on his or her account (pre-authorized debit), the contribution slip signed by the contributor must be forwarded along with the payment to the Chief Electoral Officer.

## Appointing people to key party positions

The *Election Act* requires that the following positions be filled at all times: leader, official representative, official agent, officers (two positions) and auditor. The responsibilities and duties associated with each of these positions are described below (under points 4, 5 and 7 of Chapter 3).

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

## Submitting, to the Chief Electoral Officer, various information to be published in the Register of Authorized Political Entities of Québec

The given names, surnames and contact information of the following persons are listed in the Register of authorized political entities of Québec (RAPEQ):

- the party leader;
- the party's official representative and, where applicable, its authorities;
- its official agent;
- its officers;
- its auditor.

The Chief Electoral Officer must be immediately informed of any changes to this information.

- The Chief Electoral Officer may withdraw authorization from any political party that fails to submit such changes.

## Consistently maintaining a membership of at least 100 qualified electors who hold valid membership cards

A political party's application for authorization must be accompanied by the supporting signatures of at least 100 members. After obtaining authorization, the political party must maintain, **at all times**, a membership of at least 100 qualified electors who hold valid membership cards.

- The Chief Electoral Officer may withdraw authorization from a political party that does not consistently maintain the required number of members.

## Providing an annual list of party members in good standing

**Each year**, no later than April 30, an authorized political party must submit a list of the names and addresses of at least 100 members (the minimum number required) who are qualified electors and have a valid membership card.

- The Chief Electoral Officer may withdraw authorization from any political party that fails to provide a list of members in good standing by the prescribed deadline.

The *Election Act* specifies that the Chief Electoral Officer may take any necessary measures to verify the accuracy of the information contained in the list.

- The Chief Electoral Officer is required to withdraw authorization from a political party if he or she is unable to confirm that party consistently maintained a membership of at least 100 qualified electors.

### → REMEMBER!

There are criminal penalties for offences. The Chief Electoral Officer may withdraw authorization from any political party that fails to comply with the requirements of the *Act*.





## 2 Submitting an application for authorization of a provincial political party

To apply to the Chief Electoral Officer for authorization of a provincial political party, you must complete the form titled *Application for Authorization of a Provincial Political Party* (DGE-202) and submit it along with a sufficient number of slips titled *Supporting signature of a party member – Application for authorization of a provincial political party* (DGE-202.1).

Once a party obtains authorization, the information recorded on the form and the slips\* becomes public information for the purposes of the *Act respecting Access to documents held by public bodies and the Protection of personal information*.

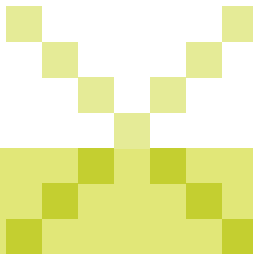
The completed application form must be accompanied by a \$500 deposit, payable by cheque or order of payment to the Chief Electoral Officer of Québec. The deposit will be refunded when either an initial financial report or a closing financial report is filed.

→ **We strongly recommend reserving a party name, even if this is not compulsory.** A name can be reserved for six months. During this time, you can perform the various tasks associated with filing an application for authorization, including membership recruitment. By reserving a name, you prevent another party from claiming it in the meantime. In addition, you can confirm in advance that the name meets the criteria established by the *Election Act* and *Élections Québec*.

Visit our website or contact us to obtain a copy of the form titled *Application to have a name reserved for a political party* (DGE-207).

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\* Except for the phone numbers and e-mail addresses of party members.



# 3 Completing the form titled *Application for authorization of a provincial political party*

You should complete the form titled *Application for authorization of a provincial political party* (DGE-202) by entering the following information.

## 3.1 Name of the political party

Enter the name that will be used to identify your party. This is the name that will appear on ballot papers; it will be listed alongside the names of candidates running under your party's banner.

### *Have you already reserved a party name with the Chief Electoral Officer?*

If yes, you have already confirmed that the name meets the criteria established by the *Election Act* and *Élections Québec*. However, you are not required to use the name you reserved; you may use a different name on the application form. In that case, the new name will be evaluated to verify its compliance with the established criteria.

### *Have you not already reserved a name with the Chief Electoral Officer?*

Enter the name of your choice. It will be evaluated to verify its compliance with the established criteria.

## Choice of name

- *The party's name must not include the word independent.*

In the *Election Act*, the term *independent* refers to candidates who are not associated with a political party. It would therefore not make sense to include this adjective in a political party's name.

- *A party's name must not be likely to mislead electors as to which party they are contributing.*

The name of your party must not be identical or similar to the name of an already authorized (or formerly authorized) party or to that of any other commonly known group or organization.

An elector contributing to a party must be able to do so without risk of confusion, in the knowledge that he or she is funding the party of his or her choice.

To avoid choosing a name that could be confused with that of another party, visit the Élections Québec website at [electionsquebec.qc.ca](http://electionsquebec.qc.ca). There, you will find a list of authorized political parties, a list of reserved party names and a list of political parties whose applications for authorization are being processed.

## Spelling of the party name

Élections Québec's language policy states that political party names must comply with the spelling and capitalization rules established by the Office québécois de la langue française. The spelling of your proposed party name will therefore be evaluated at the same time as your application for authorization. However, spelling issues do not constitute a reason for refusal.

## Evaluation of the party name

Your proposed party name will be evaluated and submitted to a committee that will determine its admissibility based on the different criteria outlined above.

If one or more of these criteria are not met, the party name will be rejected.

## Logo and acronym

The *Election Act* does not include any legal provisions on the use of logos and acronyms. You are therefore not required to submit this information.

## 3.2 Address for sending correspondence to the party

Enter the address where party correspondence should be sent. Élections Québec will use this address to send documents to the party.

This may be a post office box, the address of the party's permanent office, where applicable (see point 6), or the domiciliary address of a party worker. In the latter case, the person residing at that address will be responsible for forwarding correspondence to the appropriate recipient as quickly as possible.

This address will be published in the Register of authorized political entities of Québec (RAPEQ), which can be accessed via the Élections Québec website.

## 3.3 Address where the books and accounts pertaining to the party's funds, any expenses it incurs and any loans it takes out will be kept

Enter the address of the place where the party's books and accounts will be kept. This must be a physical address that makes it possible to locate the books and accounts. The address given is often that of the party's official representative, who is the person responsible for the party's books, accounts, expenses and loans.

## 3.4 Name and contact information of the party leader

Enter the surname, given name, telephone number, address **and e-mail address** of the party leader.

### **The leader must not:**

- have been convicted of an offence constituting a corrupt electoral practice within the previous five years;
- be the official representative of the party or of any other authorized party;
- be the auditor of the party;
- be one of the party officers listed in the Register.

**The leader is primarily responsible for:**

- appointing, by the prescribed deadlines, the official representative of the party; the official representative's delegate, where applicable; the official agent of the party; the officers of the party; and the auditor of the party.
- ensuring that Élections Québec receives the information necessary to update the RAPEQ;
- informing the Chief Electoral Officer of whether the party wishes to act as a private intervenor, in situations where the party does not run any candidates in an election;
- applying to have the party's name changed, where applicable;
- applying to have the party's authorization withdrawn, where applicable;
- submitting, to the Chief Electoral Officer, a copy of the party's by-laws duly adopted by its members at a general meeting within six months of the party's authorization or following any changes to the by-laws.

### 3.5 Names and contact information of two officers

Enter the surname, given name, telephone number, address and e-mail address of two persons who will act as officers of the party. The party leader cannot be one of these officers. A party is required to have two officers, in addition to a leader.

**The officers must not:**

- be the party leader;
- be the auditor of the party.

**The officers are primarily responsible for:**

- supporting the party leader, in accordance with the party's internal policies;
- submitting to Élections Québec, where applicable, the information necessary to update the RAPEQ;
- certifying the conformity of the copy of the resolution appointing a new party leader or requesting the withdrawal of the party's authorization, where applicable.

## 3.6 Address of the party's permanent office

Enter the address of the party's permanent office, if one exists. Otherwise, leave this section blank. A party is not required to have a permanent office.

## 3.7 Appointment of the official representative of the party

Enter the surname, given name, telephone number, address and e-mail address of the official representative of the party.

The official representative of a party must be a qualified elector.

To be an elector, a person must be of full age, a Canadian citizen and have been domiciled in Québec for six months. In addition, he or she must not have lost their right to vote due to a tutorship or have been convicted of an offence constituting a corrupt electoral practice in the last five years.

**The official representative must not:**

- be a candidate or a party leader;
- have been convicted, within the previous five years, of an offence constituting a corrupt electoral practice;
- be an election officer or an employee of an election officer;
- be the auditor of the party.

**The official representative is primarily responsible for:**

- taking compulsory training no later than 30 days after the date of his or her appointment;
- opening an account for the party in a financial institution that has an office in Québec;
- maintaining the party's accounting records;
- collecting and depositing contributions;
- ensuring that contribution slips are issued to contributors;
- ensuring that contributions are compliant;

- depositing amounts collected during political activities or events;
- appointing canvassers, maintaining a list of canvassers and issuing canvassers' certificates;
- overseeing the distribution of contribution slip booklets;
- ensuring that the contribution slips used are either produced by Élections Québec or produced by the party and approved by Élections Québec;
- returning non-compliant contributions to contributors;
- taking out loans;
- paying the interest due on loans at least once a year;
- receiving election expense reimbursements, where applicable;
- providing each candidate of the party with a list of advertising expenses incurred prior to the filing of the candidate's nomination paper;
- depositing any other revenues;
- paying into the election fund of the official agent of the party;
- incurring non-election expenses;
- preparing financial reports;
- acting as the official agent of the party, where applicable;
- submitting, to Élections Québec, the information necessary to update the RAPEQ, where applicable.

### **Compulsory training**

The official representative (and, where applicable, the official agent) is required to take training offered by Élections Québec to various political stakeholders via an extranet. The training covers the rules related to political financing and the monitoring of election expenses. For the official representative to access the compulsory training, his or her e-mail address must be provided on the party's application for authorization.

## 3.8 Party leader's declaration

The leader should complete this section by entering his or her given name, surname and, where applicable, the amount of funds at the disposal of the party on the date of the application for authorization. This amount must consist of the membership fees collected. If he or she enters an amount in this section, the leader must attach an itemized statement of such funds.

In the space provided for the purpose, he or she should record the number of slips titled *Supporting signature from a party member – Application for authorization of a provincial political party* being attached to the application for authorization.

The leader should then sign and date the application form.

The leader's sworn declaration must be made before a commissioner of oaths. To find a person qualified to administer an oath, you can use the tool available on the website of the Ministère de la Justice at [assermentation.justice.gouv.qc.ca/ServicesPublics/Accueil.aspx](https://assermentation.justice.gouv.qc.ca/ServicesPublics/Accueil.aspx).

→ No later than 30 days after the party receives authorization, the official representative must appoint an auditor, with the approval of the party leader. This person must be entitled to practise public auditing in Québec. He or she must be a member of the Ordre des comptables professionnels agréés du Québec and hold a public accountancy permit as an auditor.

### **The auditor must not:**

- be a member of the Assemblée nationale or of the Parliament of Canada;
- be the official agent or official representative of a political party;
- be a candidate in a current election;
- be a staff member of, or be associated with, the Assemblée nationale, the Parliament of Canada, the Chief Electoral Officer, a returning officer, an assistant returning officer or any of their assistants.

### **The auditor is primarily responsible for:**

- securing access to all books, accounts and documents relating to the party's financial affairs;
- auditing the party's financial report as provided for in section 113 of the *Election Act* and filing an audit report in compliance with the relevant directive issued by the Chief Electoral Officer.



# 4

## Completing the slips titled *Supporting signature from a party member – Application for authorization of a provincial political party*

Even if the party has yet to receive authorization, it is required to demonstrate that it has met the minimum membership threshold (100 members). Party members must be qualified electors and hold a valid membership card.

You must attach at least 100 slips that bear the signatures **of electors** confirming they are **members** of the party and support the application for authorization. All such slips must be completed and signed. We recommend submitting more than the required number of slips, in case some members do not meet the relevant criteria.

Each slip must contain the following information.

### **Name of the party**

Enter the name of your party as it appears in section 1 of the form titled *Application for authorization of a provincial political party* (DGE-202).

### **Name and contact information of the elector and party member**

Enter the party member's surname, given name, domiciliary address, telephone number and e-mail address.

Although the *Act* does not require members to provide a telephone number and e-mail address, this information can be helpful to Élections Québec if it needs to contact these persons when reviewing the application.

### Membership card (compulsory)

- **Number**

Enter the number assigned to the member. The *Election Act* does not impose a particular number format.

- **Expiry date**

Enter the expiry date for the membership card (use the *year-month-day* format).

### Membership fees

Enter the amount the member paid to join the party. If membership is free and the member has not paid anything, enter “0”.

A party **may** charge a membership fee **but is not required to do so**. Such a fee cannot exceed \$25 per year.

The party leader must declare the amount of membership fees collected under point 2 of the “Sworn Declaration” section of the form titled *Application for authorization of a provincial political party* (DGE-202).

### Declaration of the elector and party member

The elector and party member should read this section, in which he or she declares that he or she is an elector, that he or she is a member of the political party and that he or she supports the party’s application for authorization.

The member confirms compliance with these requirements by signing and dating the document.

→ To be an elector, a person must be of full age, a Canadian citizen and have been domiciled in Québec for six months. In addition, he or she must not have lost their right to vote due to a tutorship or have been convicted of an offence constituting a corrupt electoral practice in the last five years.

### **Declaration of the person collecting the supporting signatures**

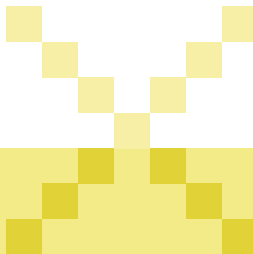
The person who collects each supporting signature should sign and date the corresponding slip to declare that:

- he or she recruited the party member in question;
- to his or her knowledge, the member's signature is authentic;
- to his or her knowledge and at the time the slip was signed, the member met the requirements for membership.

### **To be valid, a slip must contain all requested information.**

Once a slip has been duly completed and signed, distribute the copies as follows:

- 1 – DGE:** Submit to Élections Québec, attached to form DGE-202.
- 2 – MEMBER:** Return to the member.
- 3 – POLITICAL PARTY:** To be retained by the political party.



# 5 Transmettre votre demande d'autorisation à Élections Québec

Le formulaire *Demande d'autorisation d'un parti politique provincial*, les fiches *Signature d'un membre : demande d'autorisation d'un parti politique provincial* ainsi que le dépôt de 500 \$ doivent être transmis à l'adresse ci-dessous.

**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

Pour obtenir des informations supplémentaires, pour commander des formulaires ou pour toute question liée à la demande d'autorisation d'un parti politique, consultez notre site Web à l'adresse **[electionsquebec.qc.ca](http://electionsquebec.qc.ca)**. Vous pouvez aussi communiquer avec nous par courriel, à l'adresse **[repaq@electionsquebec.qc.ca](mailto:repaq@electionsquebec.qc.ca)**, ou par téléphone, au 418 644-3570 (dans la région de Québec) ou, sans frais, au 1 866 232-6494.

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