

NATIONAL ASSEMBLY  
Thirty-fourth Legislature, second session

1993, chapter 49

## AN ACT TO AMEND THE ACT RESPECTING THE SOCIÉTÉ QUÉBÉCOISE D'INITIATIVES AGRO-ALIMENTAIRES

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### **Bill 98**

Introduced by Mr Yvon Picotte, Minister of Agriculture, Fisheries and Food

Introduced 19 May 1993

Passage in principle 20 October 1993

Passage 10 November 1993

**Assented to 16 November 1993**

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### **Coming into force: on the date or dates to be fixed by the Government**

- 1 January 1994: ss. 1 to 5, 7 to 12  
G.O., 1994, Part 2, p. 1

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### **Act amended:**

Act respecting the Société québécoise d'initiatives agro-alimentaires (R.S.Q., chapter S-21)



## CHAPTER 49

### An Act to amend the Act respecting the Société québécoise d'initiatives agro-alimentaires

[Assented to 16 November 1993]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. S-21,  
heading,  
repealed

**1.** The Act respecting the Société québécoise d'initiatives agro-alimentaires (R.S.Q., chapter S-21) is amended by striking out, before section 1, the following heading:

#### "DIVISION I

#### "ESTABLISHMENT OF THE SOCIÉTÉ QUÉBÉCOISE D'INITIATIVES AGRO-ALIMENTAIRES".

c. S-21, s. 8,  
am.

**2.** Section 8 of the said Act is amended by replacing the word "seven" in the second line of the first paragraph by the word "nine".

c. S-21,  
s. 13, am.

**3.** Section 13 of the said Act is amended by replacing the first paragraph by the following paragraph:

Appoint-  
ment and  
remunera-  
tion

**"13.** The secretary and the other members of the personnel of the company shall be appointed and remunerated in accordance with the staff requirements, standards and scales established by by-law of the company; the company may, in the same manner, fix their social benefits and other conditions of employment. Such a by-law shall be submitted to the Government for approval and shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in the by-law."

c. S-21,  
s. 13.1,  
added

**4.** The said Act is amended by inserting, after section 13, the following section:

Subsidiary

**"13.1** For the purposes of sections 14, 17 and 17.1, a legal person is the subsidiary of the company if the latter holds shares or stocks

conferring on it more than 50 % of the voting rights attached to all issued and outstanding shares or stocks of the legal person or allowing the company to elect a majority of its directors.”

c. S-21,  
s. 14,  
replaced  
Develop-  
ment plan

**5.** Section 14 of the said Act is replaced by the following section :

**“14.** The company shall establish a three-year development plan, including the activities of its subsidiaries, in the form and with the content fixed by the Government. The development plan shall be submitted to the Government every three years for approval.”

c. S-21,  
s. 17,  
replaced  
Authoriza-  
tion of the  
Government

**6.** Section 17 of the said Act is replaced by the following sections :

**“17.** The company and each of its subsidiaries must, in such cases and on such conditions as the Government may determine by regulation, obtain the authorization of the Government in order

(a) to acquire or dispose of shares, stocks or assets of a legal person;

(b) to borrow any sum of money;

(c) to grant loans or sureties;

(d) to acquire or dispose of immovables.

Applicability  
of regulation

The provisions of a regulation made under the first paragraph may apply to the group formed by the company and its subsidiaries or to one or more of such legal persons.

Exception

This section does not apply to transactions between the company and its subsidiaries or between the subsidiaries.

Guarantees

**“17.1** The Government may, on such conditions as it determines, guarantee the payment in principal and interest of any sum borrowed by the company or its subsidiaries. The sums that the Government may be called upon to pay under those guarantees are taken out of the consolidated revenue fund.

Internal  
management

**“17.2** The company may, by by-law, provide for its internal management; such by-law shall be submitted to the Government for approval.”

c. S-21,  
s. 19, am.

**7.** Section 19 of the said Act is amended by striking out the words “and the companies contemplated in Divisions II and III” in the first and second lines.

c. S-21,  
Div. II  
and III,  
repealed

**8.** Divisions II and III of the said Act are repealed.

c. S-21,  
heading,  
repealed

**9.** The said Act is amended by striking out, before section 29, the following heading:

“DIVISION IV

“FINAL PROVISION”.

Presumption

**10.** The provisions of any regulation of the Government concerning the appointment and remuneration of the personnel of the company are deemed to have been enacted by by-law of the company and remain in force until they are replaced or repealed by the company.

Rights and  
obligations

**11.** The company acquires the rights and assumes the obligations of the Société québécoise des pêches.

Coming into  
force

**12.** This Act will come into force on the date or dates to be fixed by the Government.