

1988, chapter 12

**AN ACT TO AMEND THE ACT RESPECTING THE
MINISTÈRE DES APPROVISIONNEMENTS ET SERVICES**

Bill 25

Introduced by Mr Gilles Rocheleau, Minister of Supply and Services

Introduced 12 May 1988

Passage in principle 31 May 1988

Passage 13 June 1988

Assented to 15 June 1988

Coming into force: 15 June 1988

Act amended:

Act respecting the Ministère des Approvisionnement et Services (R.S.Q., chapter M-23.01)





CHAPTER 12

An Act to amend the Act respecting the Ministère des Approvisionnement et Services

[Assented to 15 June 1988]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. M-23.01,
ss. 15.1 to
15.10,
added

1. The Act respecting the Ministère des Approvisionnement et Services (R.S.Q., chapter M-23.01) is amended by inserting, after section 15, the following chapter:

“CHAPTER III.1

“SPECIAL FUNDS

Special
funds

“15.1 Four special funds hereinafter called “office machines maintenance and repair fund”, “Government documents reproduction fund”, “computer hardware and software fund” and “supplies and furnishings fund” are hereby established at the department for the purpose of financing the goods and services to which they relate.

Operation,
goods and
services

“15.2 The Government shall determine the assets and liabilities of each fund and the date on which it begins to operate. It shall also determine the nature of the goods and services to be supplied by and the nature of the costs to be charged to each fund.

Sums
required

“15.3 Each fund shall be constituted of the following sums, except interest:

(1) the sums collected for the goods and services financed by the fund;

(2) the advances granted by the Minister of Finance under the first paragraph of section 15.5;

(3) the sums paid by the Minister of Supply and Services out of the appropriations allocated for that purpose by Parliament.

Management

“15.4 The management of the sums paid into the funds shall be entrusted to the Minister of Finance. Such sums shall be paid to his order and deposited with the financial institutions he determines.

Financial commitments

Notwithstanding section 13 of the Financial Administration Act (R.S.Q., chapter A-6), the Minister of Supply and Services shall keep the books of account for and record the financial commitments chargeable to the funds. He shall also certify that such commitments and the payments arising therefrom do not exceed the available balances and comply therewith.

Advances

“15.5 The Minister of Finance may, with the authorization of the Government and subject to conditions it determines, advance to the funds sums taken out of the consolidated revenue fund.

Advances

He may conversely advance to the consolidated revenue fund, on a short-term basis and subject to the conditions he determines, any part of the sums paid into the funds that is not required for their operations.

Repayment

Any advance paid to a fund shall be repayable out of that fund.

Remuneration and expenses

“15.6 The remuneration and expenses pertaining to social benefits and other conditions of employment of the persons assigned, in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), to activities related to a fund shall be paid out of that fund.

Surpluses

“15.7 All surpluses accumulated by a fund shall be paid into the consolidated revenue fund on the dates and to the extent determined by the Government.

Applicable provisions

“15.8 Sections 22 to 27, 33, 35, 45, 47 to 49, 51, 57 and 70 to 72 of the Financial Administration Act, adapted as required, apply to the funds.

Fiscal year

“15.9 The fiscal year of the funds ends on 31 March each year.

Payment out of the funds

“15.10 Notwithstanding any provision to the contrary, the Minister of Finance shall, in the event of a deficiency in the consolidated revenue fund, pay out of the funds the sums required for the execution of a judgment against the Crown that has become *res judicata*.”

Appropriations

2. The appropriations allocated to the Ministère des Approvisionnement et Services for the financing of the goods and services mentioned in section 15.1 of the Act constituting the department for the first fiscal year of a fund shall be transferred to the departments and public bodies which are the recipients of the goods and services, on the date on which the fund begins to operate, to the extent determined by the Government.

Appropriations

The same rule applies in respect of the appropriations allocated to the Office des ressources humaines for the payment of the employer's contributions for the first fiscal year of a fund referred to in the first paragraph.

Coming into force

3. This Act comes into force on 15 June 1988.