



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-THIRD LEGISLATURE

Bill 26

An Act to amend the Act respecting the Ministère des Communications

Introduction

**Introduced by
Mr Richard D. French
Minister of Communications**

**Québec Official Publisher
1988**

EXPLANATORY NOTES

This bill amends the Act respecting the Ministère des Communications and provides for the creation of the Government publications fund and the media booking fund. It confers upon the Minister of Communications the duty to provide, upon a request and in return for payment,

(1) printing, publishing, distribution and marketing services with respect to documents produced by or for the departments and public bodies designated by the Government;

(2) media booking services to the departments and public bodies designated by the Government.

These funds will serve to defray the costs of Government publications and media booking services provided by the Official Publisher or the Minister of Communications.

The bill also provides for the management, funding and operation of those funds.

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THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 3 of the Act respecting the Ministère des Communications (R.S.Q., chapter M-24), amended by section 1 of chapter 45 of the statutes of 1987, is again amended

(1) by replacing the words “for a consideration” in the first line of subparagraphs *d.1*, *d.2* and *d.3* of the first paragraph by the words “in return for payment”;

(2) by adding, after subparagraph *h* of the first paragraph, the following subparagraphs:

“(i) supply, on request and in return for payment, printing, publishing, distribution and marketing services in respect of documents produced by or for the departments and public bodies designated by the Government;

“(j) supply, in return for payment, media booking services to the departments and public bodies designated by the Government.”

2. Chapter III of the said Act, enacted by section 2 of chapter 45 of the statutes of 1987, is replaced by the following chapter:

“CHAPTER III

“SPECIAL FUNDS

“**19.1** Four special funds hereinafter called “Government publications fund”, “computer services fund”, “media booking services fund” and “telecommunications services fund” are hereby established at the department for the purpose of financing the goods and services to which they relate.

“**19.2** The Government shall determine 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 financed by and the nature of the costs to be charged to each fund.

“**19.3** 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 19.5;

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

“**19.4** 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.

Notwithstanding section 13 of the Financial Administration Act (R.S.Q., chapter A-6), the Minister of Communications 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.

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

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.

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

“**19.6** 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.

“**19.7** 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.

“**19.8** 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.

“**19.9** The fiscal year of the funds shall end on 31 March each year.

“**19.10** 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*.”

3. The appropriations allocated to the Ministère des Communications for the financing of the goods and services related to Government publications or media booking for the first fiscal year of the fund established for the purpose of financing such goods or services shall be transferred to the departments and public bodies which are the recipients of the said goods and services, on the date on which the fund begins to operate, to the extent determined by the Government.

The same applies to 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.

4. This Act comes into force on (*insert here the date of assent to this Act*).