



NATIONAL ASSEMBLY

FOURTH SESSION

THIRTY-SECOND LEGISLATURE

Bill 93

An Act to amend the National Museums Act

Introduction

Introduced by
Mr Clément Richard
Minister of Cultural Affairs



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EXPLANATORY NOTES

The object of this bill is to establish the Musée de la Civilisation.

The functions of the Musée de la Civilisation will consist in making known the history and the various elements of our civilization, preserving and developing the ethnographic and other representative cultural collections, and seeing to ensure the participation of Québec in international museological events through acquisitions, exhibitions and other cultural activities.

The Musée de la Civilisation will be governed by the National Museums Act (1983, chapter 52), and, its first director general will be appointed by the Government.

Bill 93

An Act to amend the National Museums Act

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The National Museums Act (1983, chapter 52) is amended by inserting, after section 3, the following section:

“**3.1** A national museum is hereby established under the name of “Musée de la Civilisation”.”

2. The said Act is amended by inserting, after section 24, the following section:

“**24.1** The functions of the Musée de la Civilisation are

(1) to make known the history and the various cultural elements of our civilization, particularly the social and material aspects of the cultures of the occupants of the territory of Québec and the cultures that have contributed to the enrichment of those cultures;

(2) to ensure the preservation and development of the ethnographic collection and other representative collections of our civilization;

(3) to ensure the participation of Québec in the international network of museological events through acquisitions, exhibitions and other cultural activities.”

3. Section 41 of the said Act is amended

(1) by replacing the word “or” in the first line by a comma;

(2) by adding, after the word “Montréal” in the second line, the words “or “Musée de la Civilisation””.

4. The said Act is amended by inserting, after section 45, the following section:

“45.1 Any person in the employ of the Musée de la Civilisation may apply for a transfer to a position in the public service or enter a competition for promotion in accordance with the Public Service Act if, on *(insert here the date of coming into force of section 3.1)*, he was a public servant with permanent tenure of the Ministère des Affaires culturelles and if his appointment to the Musée de la Civilisation occurred within six months after that date.

The first paragraph also applies to a civil servant with permanent tenure of the Ministère des Finances, the Ministère de la Justice or the Ministère des Travaux publics who was in service at the Ministère des Affaires culturelles on *(insert here the date of coming into force of section 3.1)* and is in the employ of the Musée de la Civilisation.”

5. Section 46 of the said Act is amended by replacing the words and figures “in section 44 or in section 45” in the second line by the following words and figures: “in section 44, 45 or 45.1”.

6. Section 47 of the said Act is amended

(1) by replacing the word and figure “or 45” in the first line of the first paragraph by the word and figures “,45 or 45.1”;

(2) by replacing the word “or” in the last line of the first paragraph by a comma;

(3) by adding the words “or the Musée de la Civilisation” at the end of the first paragraph;

(4) by replacing the word and figure “or 45” in the first line of the last paragraph by the word and figures “, 45 or 45.1”.

7. Section 48 of the said Act is amended

(1) by replacing the words “or of”, in the second line of the first paragraph, by a comma;

(2) by inserting, after the word “Montréal” in the third line of the first paragraph, the words “or the Musée de la Civilisation”;

(3) by replacing the word and figure “or 45” in the third line of the first paragraph by the word and figures “, 45 or 45.1”.

8. Section 49 of the said Act is amended

(1) by replacing the word “or”, after the word “Québec” in the second line, by a comma;

(2) by inserting, after the word “Montréal” in the third line, the words “or the Musée de la Civilisation”.

9. Section 50 of the said Act is amended by inserting, after the figure “44” in the second line, the word and figures “, 45 or 45.1”.

10. Section 51 of the said Act is amended

(1) by replacing the word “or”, after the word “Québec” in the fifth line of the first paragraph, by a comma;

(2) by adding, after the word “Montréal” in the sixth line of the first paragraph, the words “or at the Musée de la Civilisation”.

TRANSITIONAL AND FINAL PROVISIONS

11. The Musée de la Civilisation established under this Act, becomes, from (*insert here the date of coming into force of this section*), the owner of the works of man and the products of nature included in collections under the care of the Direction de la mise en valeur des collections d’ethnographie at the Ministère des Affaires culturelles and which are part of the public domain.

12. Unless otherwise required by the context, the Musée de la Civilisation is substituted of right for the Musée de la Civilisation division and that of La mise en valeur des collections d’ethnographie at the Ministère des Affaires culturelles, in any regulation, by-law, order in council, order, directive, contract or other document where those divisions are mentioned.

13. The first director general of the Musée de la Civilisation shall be appointed by the Government for a term of not over five years.

The Government shall fix the salary and allowances and the other conditions of employment of the first director general.

14. For the purposes of sections 45.1, 46, 47, 48, 49 and 50 of the National Museums Act (1983, chapter 52), a reference to the Civil Service Act (R.S.Q., chapter F-3.1) or to any of its provisions is deemed to be a reference to the Public Service Act (1983, chapter 55) or to the equivalent provision of the said Act and in particular, a reference to sections 87 and 97 of the Civil Service Act (R.S.Q., chapter F-3.1) is deemed to be a reference to section 33 of the Public Service Act (1983, chapter 55).

15. This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the

16. This Act comes into force on the date fixed by proclamation of the Government, except the provisions excluded by that proclamation, which will come into force on any later date fixed by proclamation of the Government.