

THIRD SESSION
THIRTY-FIRST LEGISLATURE

ASSEMBLÉE NATIONALE DU QUÉBEC

Bill 20

An Act respecting certain legislative provisions

First reading
Second reading
Third reading

M. MARC-ANDRÉ BÉDARD

Ministre de la justice

L'ÉDITEUR OFFICIEL DU QUÉBEC

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EXPLANATORY NOTES

This bill amends the Executive Council Department Act, the Natural Resources Department Act, the Industry and Commerce Department Act, the Justice Department Act, the Financial Administration Act and the Revenue Department Act to provide for the tabling in the Assemblée nationale of an annual report of the activities of these departments by the responsible ministers.

It also authorizes the delegation of the signature of certain documents that are binding on the Ministre des affaires municipales, the Ministre du tourisme, de la chasse et de la pêche, the Ministre de l'industrie et du commerce, the Ministre de la Justice, the Ministre de la fonction publique, the Ministre du travail et de la main-d'oeuvre and the Ministre des communications in the discharge of their duties.

The Professional Code is amended to give the Office des professions du Québec the legal status of a corporation within the meaning of the Civil Code and to allow the secretary and the other employees of the Office to be governed henceforward by the Civil Service Act.

Sec. 1. *The proposed section provides that the Prime Minister must table in the Assemblée nationale a report of the activities of his department.*

Sec. 2. *The proposed section provides that the Ministre des richesses naturelles must table in the Assemblée nationale a report of the activities of his department.*

Sec. 3. *The proposed amendment concerns the signature of documents binding on the Ministère des affaires municipales or that may be attributed to the Minister.*

Bill 20

An Act respecting certain legislative provisions

HER MAJESTY, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

1. The Executive Council Department Act (Revised Statutes, 1964, chapter 16) is amended by adding, at the end, the following section:

“4. Within six months following the end of each fiscal year, the Prime Minister shall table a report of the activities of his department for that fiscal year in the Assemblée nationale, if it is in session; if it is not sitting, he shall table it within thirty days after the opening of the next session or after resumption.”

2. The Natural Resources Department Act (Revised Statutes, 1964, chapter 83) is amended by inserting, after section 8, the following section:

“8a. Within six months following the end of each fiscal year, the Minister shall table a report of the activities of his department for that fiscal year in the Assemblée nationale, if it is in session; if it is not sitting, he shall table it within thirty days after the opening of the next session or after resumption.”

3. Section 6 of the Municipal Affairs Department Act (Revised Statutes, 1964, chapter 169) is amended by replacing the first paragraph by the following paragraphs:

“6. No deed, document or writing is binding on the department or may be attributed to the Minister unless it is signed by him, by the Deputy Minister or by an officer and only, in the case of an officer, to the extent determined by regulation of the Lieutenant-Governor in Council published in the *Gazette officielle du Québec*.

Sec. 4. *The proposed amendment concerns the signature of documents binding on the Ministère du tourisme, de la chasse et de la pêche or that may be attributed to the Minister.*

Sec. 5. *The proposed amendment concerns the signature of documents binding on the Ministère de l'industrie et du commerce or that may be attributed to the Minister.*

The Lieutenant-Governor in Council may, however, on conditions fixed by him, allow the required signature to be affixed by means of an automatic device to those documents he determines.

The Lieutenant-Governor in Council may also allow a facsimile of the required signature to be engraved, lithographed or printed on those documents he determines. In that case, the facsimile has the same value as the signature itself if the document is countersigned by a person authorized by the Minister."

4. Section 10 of the Tourism, Fish and Game Department Act (Revised Statutes, 1964, chapter 199) is replaced by the following section:

"10. No deed, document or writing is binding on the department or may be attributed to the Minister unless it is signed by him, by the Deputy Minister or by an officer and only, in the case of an officer, to the extent determined by regulation of the Lieutenant-Governor in Council published in the *Gazette officielle du Québec*.

The Lieutenant-Governor in Council may, however, on conditions fixed by him, allow the required signature to be affixed by means of an automatic device to those documents he determines.

The Lieutenant-Governor in Council may also allow a facsimile of the required signature to be engraved, lithographed or printed on those documents he determines. In that case, the facsimile has the same value as the signature itself if the document is countersigned by a person authorized by the Minister."

5. Section 8 of the Industry and Commerce Department Act (Revised Statutes, 1964, chapter 206) is replaced by the following section:

"8. No deed, document or writing is binding on the department or may be attributed to the Minister unless it is signed by him, by the Deputy Minister or by an officer and only, in the case of an officer, to the extent determined by regulation of the Lieutenant-Governor in Council published in the *Gazette officielle du Québec*.

The Lieutenant-Governor in Council may, however, on conditions fixed by him, allow the required signature to be affixed by means of an automatic device to those documents he determines.

The Lieutenant-Governor in Council may also allow a facsimile of the required signature to be engraved, lithographed or printed on those documents he determines. In that case, the facsimile has the same value as the signature itself if the document is countersigned by a person authorized by the Minister."

Sec. 6. *The proposed section provides that the Ministre de l'industrie et du commerce must table in the Assemblée nationale a report of the activities of his department.*

Sec. 7. *The proposed amendment provides that the signature of the Ministre de la justice may be affixed by means of an automatic device and that a facsimile of that signature may be engraved, lithographed or printed on documents.*

Sec. 8. *The proposed amendment provides that the Ministre de la justice must table in the Assemblée nationale a report of the activities of his department.*

Sec. 9. *The proposed amendment concerns the signature of documents binding on the Ministère de la fonction publique or that may be attributed to the Minister.*

6. The said act is amended by adding, at the end, the following section:

“11. Within six months following the end of each fiscal year, the Minister shall table a report of the activities of his department for that fiscal year in the Assemblée nationale, if it is in session; if it is not sitting, he shall table it within thirty days after the opening of the next session or after resumption.”

7. Section 13 of the Justice Department Act (1965, 1st session, chapter 16) is amended by adding, at the end, the following paragraphs:

“The Lieutenant-Governor in Council may, however, on conditions fixed by him, allow the required signature to be affixed by means of an automatic device to those documents he determines.

The Lieutenant-Governor in Council may also allow a facsimile of the required signature to be engraved, lithographed or printed on those documents he determines. In that case, the facsimile has the same value as the signature itself if the document is countersigned by a person authorized by the Minister.”

8. The said act is amended by inserting, after section 15, the following section:

“15a. Within six months following the end of each fiscal year, the Minister shall table a report of the activities of his department for that fiscal year in the Assemblée nationale, if it is in session; if it is not sitting, he shall table it within thirty days after the opening of the next session or after resumption.”

9. Section 8 of the Civil Service Department Act (1969, chapter 14) is replaced by the following section:

“8. No deed, document or writing is binding on the department or may be attributed to the Minister unless it is signed by him, by the Deputy Minister or by a functionary and only, in the case of a functionary, to the extent determined by regulation of the Lieutenant-Governor in Council published in the *Gazette officielle du Québec*.

The Lieutenant-Governor in Council may, however, on conditions fixed by him, allow the required signature to be affixed by means of an automatic device to those documents he determines.

The Lieutenant-Governor in Council may also allow a facsimile of the required signature to be engraved, lithographed or printed on those documents he determines. In that case, the facsimile has the same value as the signature itself if the document is countersigned by a person authorized by the Minister.”

Sec. 10. *The proposed amendment provides that the signature of the Ministre de la fonction publique may be affixed by means of an automatic device and that a facsimile of that signature may be engraved, lithographed or printed on documents.*

Sec. 11. *The proposed section concerns the signature of documents binding on the Ministère des communications or that may be attributed to the Minister.*

Sec. 12. *The proposed section provides that the Ministre des finances must table in the Assemblée nationale a report of the activities of his department.*

Sec. 13. *The proposed section provides that the Ministre du revenu must table in the Assemblée nationale a report of the activities of his department.*

10. Section 14 of the Labour and Manpower Department Act (1968, chapter 43) is amended by adding, at the end, the following paragraphs:

“The Lieutenant-Governor in Council may, however, on conditions fixed by him, allow the required signature to be affixed by means of an automatic device to those documents he determines.

The Lieutenant-Governor in Council may also allow a facsimile of the required signature to be engraved, lithographed or printed on those documents he determines. In that case, the facsimile has the same value as the signature itself if the document is countersigned by a person authorized by the Minister.”

11. Section 9 of the Communications Department Act (1969, chapter 65) is replaced by the following:

“**9.** No deed, document or writing is binding on the department or may be attributed to the Minister unless it is signed by him, by the Deputy Minister or by a functionary and only, in the case of a functionary, to the extent determined by regulation of the Lieutenant-Governor in Council published in the *Gazette officielle du Québec*.

The Lieutenant-Governor in Council may, however, on conditions fixed by him, allow the required signature to be affixed by means of an automatic device to those documents he determines.

The Lieutenant-Governor in Council may also allow a facsimile of the required signature to be engraved, lithographed or printed on those documents he determines. In such case, the facsimile has the same value as the signature itself if the document is countersigned by a person authorized by the Minister.”

12. The Financial Administration Act (1970, chapter 17) is amended by inserting, after section 11, the following section:

“**11a.** Within six months following the end of each fiscal year, the Minister shall table a report of the activities of his department for that fiscal year in the Assemblée nationale, if it is in session; if it is not sitting, he shall table it within thirty days after the opening of the next session or after resumption.”

13. The Revenue Department Act (1972, chapter 22) is amended by inserting, after section 9, the following section:

“**9a.** Within six months following the end of each fiscal year, the Minister shall table a report of the activities of his department for that fiscal year in the Assemblée nationale, if it is in session;

Sec. 14. *The proposed section is completely new legislation.*

Sec. 15. *Section 5 of the Professional Code presently reads as follows:*

“5. The secretary and the other employees of the Board shall be appointed, on its recommendation, by the Lieutenant-Governor in Council, who shall fix their remuneration; they cannot be dismissed except in accordance with section 61 of the Civil Service Act (1965, 1st session, chapter 14).”

Sec. 16. *The proposed section is completely new legislation.*

if it is not sitting, he shall table it within thirty days after the opening of the next session or after resumption."

14. The Professional Code (1973, chapter 43) is amended by inserting, after section 3, the following section:

"3a. The Board is a corporation within the meaning of the Civil Code and has the general powers of such a corporation and the special powers conferred upon it by this Code."

15. Section 5 of the said Code is replaced by the following section:

"5. The secretary and the other functionaries and employees of the Board are appointed and remunerated according to the Civil Service Act (1965, 1st session, chapter 14)."

16. The Civil Service Act (1965, 1st session, chapter 14) becomes, without further formality, applicable to the secretary and the other persons employed by the Office des professions du Québec at the time this act comes into force.

17. Section 32 of the Act to establish the Institut national de productivité (1978, chapter *insert here the chapter number of Bill 37*) is replaced by the following section:

"32. Section 2 of the Government and Public Employees Retirement Plan (1973, chapter 12), amended by section 1 of chapter 9 of the statutes of 1974, section 47 of chapter 41 of the statutes of 1975, section 9 of chapter 51 of the statutes of 1976, section 1 of chapter 21 and section 232 of chapter 68 of the statutes of 1977 and section 106 of chapter (*insert here the chapter number of Bill 9*) of the statutes of 1978, is again amended by adding after paragraph 11 of the first paragraph, the following paragraph:

"(12) the director general and the employees of the Institut national de productivité."

This section is effective as of 13 June 1978.

18. This act comes into force on the day of its sanction.