

THIRD SESSION  
THIRTY-FIRST LEGISLATURE

# ASSEMBLÉE NATIONALE DU QUÉBEC

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## Bill 103

**An Act to amend the Act respecting health services  
and social services and other legislation**

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First reading .....  
Second reading .....  
Third reading .....

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M. DENIS LAZURE  
Ministre des affaires sociales

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L'ÉDITEUR OFFICIEL DU QUÉBEC

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## EXPLANATORY NOTES

*The main objects of the amendments proposed to the Act respecting health services and social services are*

(a) *to grant to the Government the power to dissolve a regional council and to provide a mechanism for the liquidation of the property of that council;*

(b) *to broaden the functions of a regional council and to subject it to the provisions respecting provisional administration by the Minister or the appointment, by the Government, of an investigator or a controller;*

(c) *to replace, in certain cases, the authorization of the Government by the written authorization of the Minister;*

(d) *to enable the Ministre des consommateurs, coopératives et institutions financières to correct or to cancel letters patent containing an error in a name, an inaccurate designation or a clerical error and to issue, thereupon, accurate letters patent;*

(e) *to enable the Ministre des consommateurs, coopératives et institutions financières to cancel the letters patent of a public establishment incorporated under this act, at the request of that establishment and with the written authorization of the Minister, and also to provide a mechanism for the liquidation of the property of that establishment;*

(f) *to specify that it is according to its financial resources that a hospital centre must provide, in its organization plan, for the establishment of clinical departments and the number of physicians and dentists who may practise and that the right of a physician or dentist to practise in such a centre is subject to the same reservation, and to provide that that part of the organization plan of a hospital centre is to be submitted to the written authorization of the Minister;*

(g) *to provide that, where the majority of the funds used for the acquisition of property of a corporation which maintains a public establishment come from subsidies of the Government or public subscriptions, the Minister will be able to obtain letters*

patent from the *Ministre des consommateurs, coopératives et institutions financières* to convert or amalgamate the corporations maintaining such establishments, without the consent of the corporations concerned;

(h) to make various amendments to the existing provisions respecting the operating permits of establishments;

(i) to create an offence for every person who hinders or impedes a person authorized by the Minister to enter any premises where he has reason to believe that activities for which a permit is required under this act are carried on;

(j) enable an establishment to exempt a recipient from payment of his contribution and also to enable the Minister to pay to a children's day-care centre, for a child for whom an exemption has been granted, financial assistance corresponding to that exemption;

(k) to make various amendments to the regulatory powers of the Government;

(l) to limit the authority of the Minister to finance a private establishment, by a contract for a fixed price or by a repayment agreement, only to private establishments which, on the date of the coming into force of the act, were already receiving sums paid under such a contract or agreement;

(m) to enable the Government to guarantee the payment in capital and interest of any loan or to assume the cost of any other obligation contracted by a non-profit corporation the members of which are designated by the Minister, incorporated for an exclusively charitable purpose, where that loan or that obligation is effected for the acquisition, construction or conversion of an establishment; also, to provide that the Minister may guarantee the payment in capital and interest of any loan or assume the cost of any supply contract within the meaning of the regulations, contracted by such a corporation where that loan or supply contract is made for the purposes of the establishment; and to provide, finally, that such a corporation must, once a year, furnish a report of its activities to the Minister and have its accounts audited by the *Vérificateur général*;

(n) to repeal the Act to establish the Office for the Prevention of Alcoholism and Other Toxicomanias (1968, chapter 48); and

(o) to amend the *Social Affairs Department Act* (1970, chapter 42) so as to provide that documents, books or registers emanating from the Department may be destroyed immediately after they have been reproduced.

Sec. 1. *This amendment is new law and is directed at providing, in addition to the mode of dissolution of a regional council, a mechanism for the liquidation of the property of such a regional council.*

Sec. 2. *This amendment is entirely new law.*

Sec. 3. *The fifth paragraph of section 21 of the act presently reads as follows:*

*“The members contemplated in subparagraphs a and b and two of the members contemplated in subparagraphs c to f of the third paragraph shall not hold any employment or carry on any occupation in an establishment except as a director.”*

## Bill 103

### An Act to amend the Act respecting health services and social services and other legislation

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

1971, c. 48,  
s. 13, am.      **1.** Section 13 of the Act respecting health services and social services (1971, chapter 48) is amended by adding, at the end, the following paragraphs:

Dissolu-  
tion.            “The Lieutenant-Governor in Council may also dissolve such a regional council and that dissolution is effective on the sixtieth day following the publication of a notice to that effect in the *Gazette officielle du Québec*.

Devolution  
of  
property.        The regional council is thereby dissolved and its property devolves, after the payment of its debts and performance of its obligations, to the Government or to a public establishment designated by the Lieutenant-Governor in Council.”

1971, c. 48,  
s. 16, am.      **2.** Section 16 of the said act, amended by section 6 of chapter 48 of the statutes of 1977, is again amended by adding, at the end, the following paragraph:

“(g) to carry out, within its territory, any other function or assume the cost of any programme relating to the administration of health services and social services that is entrusted to it by the Lieutenant-Governor in Council.”

1971, c. 48,  
s. 21, am.      **3.** Section 21 of the said act, amended by section 12 of chapter 42 of the statutes of 1974 and by section 7 of chapter 48 of the statutes of 1977, is again amended by replacing the fifth paragraph by the following paragraph:

Exclusive  
services.        “The members contemplated in subparagraphs *a* and *b* and two of the members contemplated in each of subparagraphs *c*

Sec. 4. *Section 26 of the act presently reads as follows:*

**“26.** Any vacancy occurring among the members of the board of directors of a regional council other than the general manager shall be filled, for the unexpired portion of the term of office of the member to be replaced, by the members of the board of directors remaining in office.”

Sec. 5. *Section 35 of the act presently reads as follows:*

**“35.** The general manager, the secretary and the other employees of the regional council shall be appointed by the board of directors; they shall be remunerated according to the standards and scales established for that purpose by regulation.

When the board of directors discusses or decides the dismissal, remuneration, renewal of engagement and other conditions of employment of the general manager, the latter shall abstain from sitting.”

Sec. 6. *Section 38c is amended for concordance with section 39 of the act as proposed in section 8 of this bill.*

to *f* of the third paragraph shall not hold any employment or carry on any occupation in an establishment except as a director.”

1971, c. 48,  
s. 26,  
replaced.

**4.** Section 26 of the said act, replaced by section 13 of chapter 42 of the statutes of 1974, is again replaced by the following section:

Vacancy.

**“26.** Any vacancy occurring among the members of the board of directors of a regional council other than the general manager shall be filled, for the unexpired portion of the term of office of the member to be replaced, by a resolution of the members of the board of directors remaining in office.”

1971, c. 48,  
s. 35, am.

**5.** Section 35 of the said act, amended by section 15 of chapter 42 of the statutes of 1974, is again amended by replacing the first paragraph by the following paragraphs:

Appointment of senior management personnel.

**“35.** The board of directors shall appoint the general manager and shall also appoint the senior management personnel on the recommendation of the general manager.

Other members of personnel.

The other members of the personnel shall be appointed by the general manager.

Remuneration.

The members of the personnel shall be remunerated in accordance with the standards and scales established for that purpose by the Lieutenant-Governor in Council.”

1971, c. 48,  
s. 38c, am.

**6.** Section 38c of the said act, enacted by section 9 of chapter 48 of the statutes of 1977, is amended by replacing the first paragraph by the following paragraph:

Administration of public establishments.

**“38c.** Notwithstanding sections 50 to 53, the powers of a public establishment belonging to the classes enumerated in subparagraphs *a*, *b*, *d* and *e* of the first paragraph of section 39 and situated in a sector of Region 10A, shall be exercised by a board of directors consisting of the following members:

(*a*) one representative from, and elected for three years by, each municipality of the sector;

(*b*) three persons elected for three years by the members of the clinical staff advisory council constituted in the establishment and chosen among the members of that council, with not more than one representative for each professional corporation;

(*c*) one person elected for three years by all the members of the non-clinical staff of the establishment and chosen among such members;

(*d*) the director of the community health department of a hospital centre, of an agency governed by the Region 10A Health

Sec. 7. *Section 38j of the act is amended for concordance with section 39 of the act as proposed in section 8 of this bill.*

Sec. 8. *In addition to replacing the words "Minister of Financial Institutions, Companies and Cooperatives", the intent of this provision is to substitute the written authorization of the Minister for the authorization of the Lieutenant-Governor in Council. It also provides for the correction of an error of concordance.*

Sec. 9. *In addition to replacing the words "Minister of Financial Institutions, Companies and Cooperatives", the intent of this provision is to substitute the written authorization of the Minister for the authorization of the Lieutenant-Governor in Council.*

and Social Services Council or of a hospital centre with which the said council has a service contract, or his nominee, or the director of professional services or his nominee; such persons shall be appointed by the Region 10A Health and Social Services Council if there is more than one such hospital centre;

(e) the head of the Health and Social Services Department of the Regional Government or his nominee;

(f) the general manager of the establishment.”

1971, c. 48,  
s. 38j,  
replaced.

**7.** Section 38j of the said act, enacted by section 9 of chapter 48 of the statutes of 1977, is replaced by the following section:

Establish-  
ment of  
council;  
additional  
function.

“**38j.** The Lieutenant-Governor in Council may delineate the territory of Region 10B and establish in such Region a health and social services council which shall, in addition to fulfilling the functions, duties and powers of such a council, maintain a public establishment belonging to the classes enumerated in subparagraphs *a*, *b*, *d* and *e* of the first paragraph of section 39 through which health services and social services are provided to any person ordinarily resident or temporarily present in the Region.”

1971, c. 48,  
s. 39, am.

**8.** Section 39 of the said act, amended by section 16 of chapter 42 of the statutes of 1974 and by section 10 of chapter 48 of the statutes of 1977, is again amended by replacing the first paragraph by the following paragraph:

Establish-  
ment by  
letters  
patent.

“**39.** The Ministre des consommateurs, coopératives et institutions financières may, with the written authorization of the Minister, establish by letters patent under his hand and seal, public establishments of one or more of the five following classes:

(a) local community service centres;

(b) hospital centres;

(c) functional rehabilitation centres;

(d) social service centres;

(e) reception centres.”

1971, c. 48,  
s. 41, am.

**9.** Section 41 of the said act is amended by replacing the first paragraph by the following paragraph:

Amend-  
ments.

“**41.** The Ministre des consommateurs, coopératives et institutions financières may, with the written authorization of the Minister, issue supplementary letters patent amending the letters patent or the supplementary letters patent of an establishment.”

Sec. 10. *This provision is entirely new law.*

Sec. 11. *This provision is entirely new law.*

Sec. 12. *Section 43b of the act presently reads as follows:*

**“43b.** The organization plan of a hospital centre must provide for the organization of the clinical departments in the centre.”

1971, c. 48,  
s. 41a,  
added. **10.** The said act is amended by inserting, after section 41,  
the following section:

Clerical  
error. **“41 a.** Where letters patent contain an error of name, an incorrect designation or a clerical error, the *Ministre des consommateurs, coopératives et institutions financières*, if no contrary claim is made, may order that these letters patent be corrected or cancelled and that accurate letters patent be issued.

Effect and  
acquired  
rights. The corrected letters patent or the new letters patent have the same effect as if accurate letters patent had been issued at the date of the original letters patent and the acquired rights of third persons are not affected by that correction or new issuance.

Notice. Notice of the correction of the letters patent or of the issuance of new letters patent is immediately published in the *Gazette officielle du Québec* by the *Ministre des consommateurs, coopératives et institutions financières*.”

1971, c. 48,  
s. 42, am. **11.** Section 42 of the said act, amended by section 17 of chapter 42 of the statutes of 1974, is again amended by replacing the second paragraph by the following paragraphs:

Cancellation  
of  
letters  
patent. **“The** *Ministre des consommateurs, coopératives et institutions financières*, at the request of a public establishment constituted pursuant to this act, and with the written authorization of the Minister, may cancel the letters patent of such an establishment, and that cancellation is effective on the sixtieth day following the publication of a notice to that effect in the *Gazette officielle du Québec*.

Devolution  
of  
property. The establishment is thereby dissolved and its property devolves, after the payment of its debts and performance of its obligations, to the Government or to a public establishment designated by the Lieutenant-Governor in Council.”

1971, c. 48,  
s. 43b,  
replaced. **12.** Section 43b of the said act, enacted by section 18 of chapter 42 of the statutes of 1974, is replaced by the following section:

Departments  
and  
practitioners. **“43b.** Subject to section 43a, the organization plan of a hospital centre must provide for the formation of clinical departments in the centre according to its permit and the financial resources at its disposal and must also provide the number of physicians and dentists who will be entitled to carry on their functions in each of such departments.

Minister's  
approval. That part of the organization plan contemplated in this section is subject to the written approval of the Minister.”

Sec. 13. *As proposed, section 13 of the bill maintains the existing second and fourth paragraphs of section 44 of the act, amends the first and third paragraphs and adds a new paragraph.*

*The amended provisions presently read as follows:*

**“44.** No person may found, alter, enlarge, convey or cease to operate an establishment in whole or in part without the authorization of the Lieutenant-Governor in Council.

Notwithstanding the first and second paragraphs, the authorization of the Lieutenant-Governor in Council is not required for construction or alteration works or for the signing of leases the value of or total rental for which is within the financial limits fixed by regulation. The written authorization of the Minister is sufficient in such cases.”

Sec. 14. *As proposed, section 14 of the bill amends the first and third paragraphs of section 47 while retaining the existing second paragraph.*

*The proposed amendments presently read as follows:*

**“47.** No charter other than an act of the Legislature, whether it be letters patent or another document incorporating an establishment, may be granted, amended, revoked or abandoned without the consent of the Lieutenant-Governor in Council.

However, the Lieutenant-Governor in Council may, with the same effects, give the consent required in the first paragraph in any case where a charter has been granted, amended, revoked or abandoned before 1 January 1977 without such consent.”

Sec. 15. *Paragraph b of section 50 presently reads as follows:*

*“(b) two persons appointed for two years by the Lieutenant-Governor in Council from among the population of the territory served by the centre;”.*

1971, c. 48,  
s. 44, am. **13.** Section 44 of the said act, amended by section 19 of chapter 42 of the statutes of 1974 and by section 12 of chapter 48 of the statutes of 1977, is again amended:

(a) by replacing the first paragraph by the following paragraph:

Authoriza-  
tion  
required. **“44.** No person may found, alter, enlarge, convey or cease to operate an establishment in whole or in part without having consulted with the regional council concerned and having obtained the authorization of the Lieutenant-Governor in Council.”;

(b) by replacing the third paragraph by the following paragraphs:

Convey-  
ance. **“The conveyance of an establishment includes the alienation or the leasing of an immovable that has been used as an establishment.**

Exception. However, the authorization of the Lieutenant-Governor in Council is not required for construction or alteration works or for the signing of leases the value of or total rental for which is within the financial limits fixed by regulation. The written authorization of the Minister is sufficient in such cases.”

1971, c. 48,  
s. 47, am. **14.** Section 47 of the said act, amended by section 13 of chapter 48 of the statutes of 1977, is again amended:

(a) by replacing the first paragraph by the following paragraph:

Charter  
granted. **“47.** No charter other than an act of the Legislature, whether it be letters patent or another document incorporating an establishment, may be granted, amended, revoked or abandoned without the written authorization of the Minister.”;

(b) by replacing the third paragraph by the following paragraph:

Exception. **“However, the Minister may, with the same effects, give the authorization contemplated in the first paragraph in any case where a charter has been granted, amended, revoked or abandoned without such authorization.”**

1971, c. 48,  
s. 50, am. **15.** Section 50 of the said act, amended by section 23 of chapter 42 of the statutes of 1974, is again amended by replacing paragraph *b* by the following paragraph:

**“(b) two persons appointed for two years by the Minister, chosen from among the population of the territory served by the centre;”**

Sec. 16. *Paragraph b of section 51 presently reads as follows:*

“(b) two persons appointed for two years by the Lieutenant-Governor in Council after consultation with the most representative socio-economic groups in the territory served by the centre;”.

Sec. 17. *As proposed, section 17 of the bill amends paragraphs a, b and c of section 51a of the act which presently read as follows:*

“(a) in the case of a functional rehabilitation centre that accepts adults only, two of such adults elected for two years by such adults as a body; in the case of a functional rehabilitation centre that accepts children under eighteen years of age only, two of the parents of such children elected for two years by such parents as a body;

(b) in the case of a functional rehabilitation centre that accepts both adults and children under eighteen years of age, one adult and one parent of a child elected for two years, the former by the adults as a body and the latter by the parents of the children as a body;

(c) two persons appointed for two years by the Lieutenant-Governor in Council after consultation with the most representative socio-economic groups in the territory served by the centre;”.

Sec. 18. *Paragraph b of section 52 of the act presently reads as follows:*

“(b) two persons appointed for two years by the Lieutenant-Governor in Council after consultation with the most representative socio-economic groups of the territory served by the centre;”.

Sec. 19. *As proposed, section 19 of the bill amends subparagraphs a, b and c of the first paragraph of section 53 of the act, which presently read as follows:*

“(a) in the case of a reception centre exclusively for adults, two of such adults elected for two years by all of such adults; in the case of a reception centre exclusively for children under 18 years of age, two of the parents of such children, elected for two years by all of such parents;

1971, c. 48,  
s. 51, am. **16.** Section 51 of the said act, amended by section 24 of chapter 42 of the statutes of 1974, is again amended by replacing paragraph *b* by the following paragraph:

“(b) two persons appointed for two years by the Minister after consultation with the most representative socio-economic groups in the territory served by the centre;”.

1971, c. 48,  
s. 51*a*, am. **17.** Section 51*a* of the said act, enacted by section 16 of chapter 48 of the statutes of 1977, is amended by replacing paragraphs *a*, *b* and *c* by the following paragraphs:

“(a) in the case of a functional rehabilitation centre that accepts adults only, two persons of full age elected for two years by the meeting of the users of the centre and chosen among such users; in the case of a functional rehabilitation centre that accepts children under eighteen years of age only, two of the parents of such children elected for two years by the meeting of the parents of the children;

(b) in the case of a functional rehabilitation centre that accepts both adults and children under eighteen years of age, one person of full age elected for two years by the meeting of such users and one parent of such a child elected for two years by the meeting of the parents of the children;

(c) two persons appointed for two years by the Minister after consultation with the most representative socio-economic groups in the territory served by the centre;”.

1971, c. 48,  
s. 52, am. **18.** Section 52 of the said act, amended by section 25 of chapter 42 of the statutes of 1974 and by section 2 of chapter 61 of the statutes of 1975, is again amended by replacing paragraph *b* by the following paragraph:

“(b) two persons appointed for two years by the Minister after consultation with the most representative socio-economic groups in the territory served by the centre;”.

1971, c. 48,  
s. 53, am. **19.** Section 53 of the said act, amended by section 26 of chapter 42 of the statutes of 1974, section 3 of chapter 61 of the statutes of 1975 and by section 17 of chapter 48 of the statutes of 1977, is again amended by replacing subparagraphs *a*, *b* and *c* of the first paragraph by the following subparagraphs:

“(a) in the case of a reception centre exclusively for adults, two persons of full age elected for two years by the meeting of the users of the centre and chosen among such users; in the case of a reception centre exclusively for children under 18 years of age, two of the parents of such children, elected for two years by the meeting of the parents of the children;

(b) in the case of a reception centre for both adults and children under 18 years of age, one adult and one of the parents of such children, elected for two years, the former by all of such adults and the latter by all of such parents of the children;

(c) two persons appointed for two years by the Lieutenant-Governor in Council after consultation with the most representative socio-economic groups of the territory served by the centre;"

*Sec. 20. The first paragraph of section 54 of the act is amended for concordance with sections 51a and 53 of the act, proposed by sections 17 and 19 of the bill, respectively.*

*Sec. 21. Section 54a of the act presently reads as follows:*

*"54a. The elections under each of paragraphs a of section 50, a and c of section 51, a, b and d of section 51a and a and c of section 52 and under each of subparagraphs a, b and d of the first paragraph of section 53 shall be held during even years. The other elections and appointments under the same sections shall be held during odd years."*

*Sec. 22. Section 55a of the act is amended for concordance with sections 51a and 53 of the act, proposed by sections 17 and 19 of the bill, respectively.*

“(b) in the case of a reception centre for both adults and children under 18 years of age, one person of full age chosen among such adults, elected for two years by the meeting of such users and one parent of such a child, elected for two years by the meeting of the parents of the children;

“(c) two persons appointed for two years by the Minister after consultation with the most representative socio-economic groups of the territory served by the centre;”.

1971, c. 48,  
s. 54, am.

**20.** Section 54 of the said act, replaced by section 28 of chapter 42 of the statutes of 1974 and amended by section 19 of chapter 48 of the statutes of 1977, is again amended by replacing the first paragraph by the following paragraph:

Biennial  
meeting.

“**54.** The meeting contemplated in paragraph *a* of each of sections 50, 51 and 52, in paragraph *a* or *b* of section 51*a* or in subparagraph *a* or *b* of the first paragraph of section 53 must be held every two years, on the fourth Sunday of the month of May.”

1971, c. 48,  
s. 54*a*,  
replaced.

**21.** Section 54*a* of the said act, enacted by section 28 of chapter 42 of the statutes of 1974 and replaced by section 20 of chapter 48 of the statutes of 1977, is again replaced by the following section:

First  
elections  
and  
appoint-  
ments.

“**54*a.*** The first elections or appointments in accordance with each of sections 50 to 53 are held during the first month of May following the issue of the first permanent permit issued in accordance with subdivision 1 of Division IV.

Alternate  
elections.

The elections provided for in paragraph *a* of section 50, paragraph *a* or *c* of section 51, paragraph *a*, *b* or *d* of section 51*a* and paragraph *a* or *c* of section 52 and in subparagraph *a*, *b* or *d* of the first paragraph of section 53 shall be held during even years. The other elections and appointments provided for in the same sections shall be held during odd years.”

1971, c. 48,  
s. 55*a*,  
replaced.

**22.** Section 55*a* of the said act, enacted by section 24 of chapter 48 of the statutes of 1977, is replaced by the following section:

Destitu-  
tion.

“**55*a.*** A person shall cease to be a member of a board of directors of an establishment upon losing the qualifications necessary for appointment or election, except any member elected under paragraph *a* of each of sections 50, 51 and 52, paragraph *a* or *b* of section 51*a*, or subparagraph *a* or *b* of the first paragraph of section 53.”

Exception.

Sec. 23. *The second paragraph of section 56 of the act presently reads as follows:*

“Any vacancy which occurs one year or more after the election or appointment shall be filled, for the unexpired portion of the term of the member to be replaced, by the members of the board who remain in office.”

Sec. 24. *Section 62 of the act is amended for concordance with sections 51a and 53 of the act, proposed by sections 17 and 19 of the bill, respectively.*

Sec. 25. *Paragraph b of section 81 of the act presently reads as follows:*

“(b) verify the functioning of the committees of the professionals’ advisory council and the council of physicians and dentists and satisfy himself that they are performing their functions and, in the case of the council of physicians and dentists, that they adequately supervise the medical and dental acts performed in the establishment.”

*This section is for concordance with subparagraph k of the first paragraph of section 1 of the act and with the second paragraph of that section.*

Sec. 26. *Section 82 of the act presently reads as follows:*

“**82.** The Minister of Financial Institutions, Companies and Cooperatives may, with the authorization of the Lieutenant-Governor in Council, issue letters patent under his hand and seal amalgamating with any corporation which maintains an establishment incorporated under this act:

(a) any other such establishment;

(b) any other corporation which has similar objects, by whatever law governed, even if it is constituted under a special act.”

Sec. 27. *Section 83 of the act is amended for concordance with section 82 of the act, proposed by section 26 of the bill.*

1971, c. 48,  
s. 56, am.

**23.** Section 56 of the said act, replaced by section 29 of chapter 42 of the statutes of 1974, is amended by replacing the second paragraph by the following paragraph:

Vacancy.

“Any vacancy which occurs one year or more after the election or appointment shall be filled, for the unexpired portion of the term of the member to be replaced, by a resolution of the members of the board who remain in office.”

1971, c. 48,  
s. 62,  
replaced.

**24.** Section 62 of the said act, amended by section 30 of chapter 42 of the statutes of 1974, is replaced by the following section:

Composi-  
tion.

“**62.** The administrative committee shall consist of the chairman of the board of directors, the general manager and four other members of the board of directors of the establishment appointed each year by such board, one of whom must be elected under paragraph *a* of each of sections 50, 51 and 52, paragraph *a* or *b* of section 51*a* or subparagraph *a* or *b* of the first paragraph of section 53.”

1971, c. 48,  
s. 81, am.

**25.** Section 81 of the said act, amended by section 42 of chapter 42 of the statutes of 1974, is again amended by replacing paragraph *b* by the following paragraph:

“(b) verify the functioning of the committees of the clinical staff advisory council and the council of physicians and dentists and satisfy himself that they are performing their functions and, in the case of the council of physicians and dentists, that it adequately supervises the medical and dental acts performed in the establishment.”

1971, c. 48,  
s. 82,  
replaced.

**26.** Section 82 of the said act is replaced by the following section:

Amalga-  
mation.

“**82.** The Ministre des consommateurs, coopératives et institutions financières may, with the written authorization of the Minister, issue letters patent under his hand and seal amalgamating with any corporation which maintains an establishment incorporated under this act:

(a) any other such corporation; or

(b) any other corporation which has similar objects, by whatever law governed, even if it is constituted under a special act.”

1971, c. 48,  
s. 83,  
replaced.

**27.** Section 83 of the said act, amended by section 43 of chapter 42 of the statutes of 1974, is replaced by the following section:

Conver-  
sion.

“**83.** The Ministre des consommateurs, coopératives et institutions financières may in like manner convert any corporation

Sec. 28. *This amendment is entirely new law.*

Sec. 29. *Section 85 of the act is amended for concordance with section 84 of the act, proposed by section 28 of the bill.*

Sec. 30. *Section 89 of the act is amended, on the one hand, for concordance with sections 51a and 53 of the act, proposed by sections 17 and 19 of the bill, respectively, and, on the other hand, to add a provision of entirely new law.*

Sec. 31. *The sixth paragraph of section 92a of the act is amended for concordance with section 43b of the act, proposed by section 12 of the bill.*

contemplated in paragraph *b* of section 82 into a corporation contemplated in paragraph *a* of the same section, or amalgamate several corporations contemplated in paragraph *b* of the said section.”

1971, c. 48,  
s. 84, am. **28.** Section 84 of the said act, amended by section 31 of chapter 48 of the statutes of 1977, is again amended by adding at the end the following paragraph:

Conversion  
or amalga-  
mation  
without  
consent.

“Notwithstanding the first paragraph, the Minister, if he considers it to be in the public interest and after consultation with the regional council concerned, may publish in the *Gazette officielle du Québec* a notice indicating that he will propose to the Lieutenant-Governor in Council, at the expiry of a delay of not less than thirty days from the publication of that notice, that he order the *Ministre des consommateurs, coopératives et institutions financières* to issue letters patent for the purposes of

(a) converting, in accordance with section 83, a corporation which maintains a public establishment, in the case where the majority of the funds used for the acquisition of the property of that establishment are derived from subsidies of the Government or public subscriptions; or

(b) amalgamating, in accordance with section 82, several corporations contemplated in paragraph *a*.”

1971, c. 48,  
s. 85, am. **29.** Section 85 of the said act is amended by replacing the first paragraph by the following paragraph:

Publica-  
tion.

“**85.** Notice of issue of the letters patent under sections 82, 83 and 84 must be published in the *Gazette officielle du Québec*.”

1971, c. 48,  
s. 89, am. **30.** Section 89 of the said act, amended by section 45 of chapter 42 of the statutes of 1974 and by section 32 of chapter 48 of the statutes of 1977, is again amended by replacing the fourth paragraph by the following paragraphs:

Public in-  
formation  
meeting.

“The annual public information meeting held under this section may take place at the same time as the meeting of users contemplated in paragraph *a* of each of sections 50, 51 and 52, in paragraph *a* or *b* of section 51*a* or in subparagraph *a* or *b* of the first paragraph of section 53.

Joint  
meeting.

That meeting may be held jointly by several public establishments serving the same territory.”

1971, c. 48,  
s. 92*a*, am. **31.** Section 92*a* of the said act, enacted by section 48 of chapter 42 of the statutes of 1974, is amended by replacing the sixth paragraph by the following paragraph:

Sec. 32. *This section is entirely new law.*

Sec. 33. *Section 94 of the act presently reads as follows:*

**94.** No person may operate an establishment unless he holds a permit issued for such purpose by the Minister.”

Sec. 34. *The first paragraph of section 95 of the act presently reads as follows:*

**95.** The permit shall indicate the category of the establishment, its class and type if any and the limits within which it is authorized to carry on its activities.”

Sec. 35. *The second paragraph of section 96 of the act presently reads as follows:*

“The Minister shall issue the permit if he deems it in the public interest to do so.”

Sec. 36. *Section 97 of the act presently reads as follows:*

**97.** Every permit shall be granted for twelve months ending on the 31st of December each year; it shall be renewed on that date for one year, if the holder fulfils the conditions prescribed for obtaining it, in accordance with the regulations.”

Refusal of  
candida-  
ture.

“Any refusal of candidature must be substantiated and be based on criteria of qualifications, scientific competence or conduct of the physician or dentist and take account of the financial resources of the hospital centre and of the number of physicians and dentists who may practise in the clinical departments contemplated in the organization plan of the centre.”

1971, c. 48,  
s. 93, am.

**32.** Section 93 of the said act, amended by section 49 of chapter 42 of the statutes of 1974, is again amended by inserting after the first paragraph the following paragraph:

Report of  
contribu-  
tions.

“The establishment must furnish to the Minister and to the regional council of the region where it is situated an annual report of the benevolent contributions received, in the form and at the time determined by the Minister.”

1971, c. 48,  
s. 94, re-  
placed.

**33.** Section 94 of the said act is replaced by the following section:

Permit.

“**94.** No person may operate an establishment unless he holds a permanent permit or a temporary permit issued for such purpose by the Minister.”

1971, c. 48,  
s. 95, am.

**34.** Section 95 of the said act, replaced by section 50 of chapter 42 of the statutes of 1974 and amended by section 5 of chapter 61 of the statutes of 1975, is again amended by replacing the first paragraph by the following paragraphs:

Contents.

“**95.** The permanent permit indicates the category of the establishment and its class, kind and capacity, if any.

Temporary  
permits.

The temporary permit indicates, in addition, the conditions within which the establishment is authorized to carry on its activities.”

1971, c. 48,  
s. 96, am.

**35.** Section 96 of the said act is amended by replacing the second paragraph by the following paragraph:

Issue.

“The Minister shall issue a permanent permit or a temporary permit if he considers that it is in the public interest.”

1971, c. 48,  
s. 97, re-  
placed.

**36.** Section 97 of the said act is replaced by the following section:

Duration  
and  
renewal.

“**97.** Every permanent permit shall be granted for a period of two years ending on 31 March. It shall be renewed on that date for the same period if the holder fulfils the conditions prescribed by regulation.

Change of  
category.

Upon the renewal of the permanent permit, the Minister may change the category and, as the case may be, the class, kind

Sec. 37. *The proposed amendment adds, to the present text, the obligation of every permit holder to restrict his activities to the limits fixed in his permit.*

Sec. 38. *Section 101 of the act presently reads as follows:*

**“101.** Every permit holder, every foster family or every person maintaining facilities, other than a professional's private consulting office, where lodging, care and treatment services are furnished, must allow access to any person authorized in writing by the Minister to make an investigation in order to ascertain if the law and regulations are complied with.”

Sec. 39. *Section 104 of the act is amended for concordance with sections 94 and 97 of the act, proposed by sections 33 and 36 of the bill, respectively.*

Sec. 40. *Section 105 of the act is amended for concordance with section 104 of the act proposed by section 39 of the bill and adds, to the present text, the right of a permit holder to express in writing his intention to be heard within a delay of fifteen days following the invitation of the Minister to that effect. That delay is mandatory.*

and capacity of the establishment. The Minister may also issue a temporary permit for any period of less than two years.”

1971, c. 48,  
s. 99, re-  
placed. **37.** Section 99 of the said act is replaced by the following section:

Books, etc. **“99.** Every permit holder must carry on his activities within the limits fixed in his permit and keep the books and accounts prescribed by the regulations.”

1971, c. 48,  
s. 101, re-  
placed. **38.** Section 101 of the said act, replaced by section 52 of chapter 42 of the statutes of 1974, is again replaced by the following section:

Access. **“101.** A person authorized in writing by the Minister to make an inquiry may, at any reasonable time, enter any premises other than a professional’s private consulting office, where he has reason to believe that operations or activities for which a permit is required under this act are carried on.

Certifi-  
cate. That person must, if he is so required, produce a certificate signed by the Minister attesting his capacity.

Hindering,  
etc. Every person who hinders, impedes or attempts to hinder or to impede that person in the performance of his duties is guilty of an offence.”

1971, c. 48,  
s. 104, re-  
placed. **39.** Section 104 of the said act, amended by section 35 of chapter 48 of the statutes of 1977, is replaced by the following section:

Suspen-  
sion, etc.,  
of permit. **“104.** The Minister may suspend or cancel any permit or refuse to renew the permanent permit of any holder who:

(a) is guilty of an offence against this act or the regulations;

(b) no longer fulfils the conditions for obtaining a permit;

(c) is insolvent or is about to become so; or

(d) is not able to ensure adequate health services or social services.”

1971, c. 48,  
s. 105, re-  
placed. **40.** Section 105 of the said act is replaced by the following section:

Hearing. **“105.** The Minister shall, before cancelling or suspending any permit or refusing to renew a permanent permit, give the holder an opportunity to be heard. The latter must express in writing his intention to be heard within fifteen days after the invitation of the Minister to that effect. That delay is mandatory and entails forfeiture.

Sec. 41. *Sections 117, 118 and 119 of the act presently read as follows:*

**“117.** The Minister may, upon the request of a person from whom payment of a contribution is required under section 116, exempt such person from paying that contribution in the cases determined by regulation.

**“118.** The Lieutenant-Governor in Council shall determine, by regulation, the conditions and cases in which the Minister may pay an expense allowance to a recipient sheltered in an establishment or pay that allowance in the name of a recipient to the establishment where he is sheltered, and fix the amount of the allowance.

**“119.** Any person may appeal before the Commission from any decision of the Minister respecting the exemption from payment requested under section 117 or the payment of an expense allowance requested under section 118.”

Sec. 42. *The period for which the Minister may assume provisional administration of an establishment is extended from sixty to one hundred and twenty days.*

Decision substantiated.

The Minister shall give notice of his decision in writing, with the reasons on which it is based, to any person whose permit he cancels, suspends or refuses to renew.”

1971, c. 48, ss. 117, 118 and 119, replaced.

**41.** Sections 117, 118 and 119 of the said act, replaced by section 57 of chapter 42 of the statutes of 1974, are again replaced by the following sections:

Exemption from contribution.

“**117.** The Minister or an establishment designated by regulation may, upon the request of a person from whom payment of a contribution is required under section 116, exempt such person from paying that contribution in accordance with the terms and conditions and in the cases determined by regulation.

Expense allowance and financial assistance.

||“**118.** The Lieutenant-Governor in Council shall determine by regulation the conditions and cases in which and up to what amount of allowance or financial assistance the Minister may

(a) pay an expense allowance to a recipient sheltered in an establishment or pay that allowance in the name of a recipient to the establishment where he is sheltered; or

(b) pay to a children’s day-care centre, for a child for whom an exemption has been granted under section 117, financial assistance corresponding to that exemption.||

Appeal.

“**119.** Any person may appeal before the Commission from any decision respecting the exemption from payment requested under section 117 or the payment of an expense allowance or financial assistance requested under section 118.”

1971, c. 48, s. 120, replaced.

**42.** Section 120 of the said act is replaced by the following section:

Provisional administration of an establishment.

“**120.** The Minister may assume provisional administration of an establishment for not more than one hundred and twenty days,

(a) if that establishment has no permit, no longer meets the conditions required for obtaining a permit, or has had its permit cancelled under this act;

(b) if that establishment’s permit has been suspended under this act and the causes of such suspension have not been remedied within thirty days after the date on which it took place;

(c) if an establishment indulges in practices or tolerates a situation which could endanger the health or well-being of persons the establishment receives or could receive; or,

(d) in case of malfeasance, breach of trust or other misconduct by one or more members of the board of directors or the

Sec. 43. *This section is entirely new law.*

Sec. 44. *Sections 121 to 128 of the act are amended for concordance with sections 120 and 120a, proposed by sections 42 and 43 of the bill, respectively.*

administrative committee of a public establishment or of a private establishment under agreement, or if that board or committee is seriously remiss in the performance of the obligations imposed upon it under this act, especially by incurring expenditures not provided for in the budget approved by the Minister or not specially authorized under section 135.”

1971, c. 48,  
s. 120a,  
added.

**43.** The said act is amended by inserting, after section 120, the following section:

Provi-  
sional ad-  
ministra-  
tion of a  
regional  
council.

“**120a.** The Minister may also assume provisional administration of a regional council for not more than one hundred and twenty days in case of malfeasance, breach of trust or other misconduct by one or more members of the board of directors or the administrative committee or if that board or committee is seriously remiss in the performance of the obligations imposed upon it by this act.”

1971, c. 48,  
ss. 121-128,  
replaced.

**44.** Sections 121 to 128 of the said act are replaced by the following sections:

Delay  
extended.

“**121.** The one hundred and twenty days’ delay provided in sections 120 and 120a may be extended by the Lieutenant-Governor in Council for such period as he determines provided that the additional delay does not exceed ninety days.

Provi-  
sional  
report.

“**122.** As soon as possible after he assumes provisional administration of an establishment or a regional council, the Minister shall make a provisional report of his findings to the Lieutenant-Governor in Council, accompanied by his recommendations.

View  
presented.

“**123.** Before submitting his provisional report to the Lieutenant-Governor in Council, the Minister shall give the establishment or the regional council an opportunity to present its point of view.

Representa-  
tions.

The Minister must attach to his report a summary of the representations the establishment or the regional council has made to him.

Powers of  
Lt.-G. in C.

“**124.** The Lieutenant-Governor in Council may, if the Minister’s provisional report confirms the existence of any situation contemplated in section 120 or 120a,

(a) attach such restrictions and conditions to the establishment’s permit as he sees fit;

(b) prescribe a delay within which the establishment must remedy any situation contemplated in section 120;

Sec. 45. *Section 128a of the act presently reads as follows:*

**“128a.** The Lieutenant-Governor in Council may, upon the recommendation of the Minister, appoint a controller charged with ensuring the proper

(c) order the Minister to continue administering the establishment or to discontinue it and not resume it unless the establishment fails to comply with the conditions the Lieutenant-Governor in Council imposes under subparagraph *a* or *b*, and to make a final report to him.

Provisions applicable. Subparagraphs *b* and *c* of the first paragraph apply *mutatis mutandis* to a regional council.

Suspension of powers. **"125.** Where the Minister assumes provisional administration of an establishment or a regional council under this division, the powers of the board of directors of the establishment or of the regional council or of the director of the establishment or the regional council shall be suspended and the Minister shall exercise the powers of such board of directors or director and all those of the establishment or the regional council.

Final report. **"126.** The Minister must make a final report to the Lieutenant-Governor in Council upon ascertaining that the situation contemplated in section 120 or 120*a* has been corrected or cannot be corrected.

Powers on final report. **"127.** After receiving the Minister's final report, the Lieutenant-Governor in Council may,  
 (a) declare the members of the board of directors of the establishment or of the regional council or the director of the establishment or of the regional council forfeited of office and provide for the appointment or election of the persons replacing them;  
 (b) exercise any power granted him under section 124.

Inquiry. **"128.** The Lieutenant-Governor in Council may entrust a person whom he designates with making an inquiry into any matter in connection with the administration or operation of an establishment or a regional council.

Powers and immunity. The person so designated shall, for the purposes of such inquiry, have the powers and immunity of a commissioner appointed under the Public Inquiry Commission Act (Revised Statutes, 1964, chapter 11).

Administrator. When an inquiry is so ordered, the Lieutenant-Governor in Council may order that the powers of the board of directors of the establishment or of the regional council be suspended and appoint an administrator to exercise its powers for the duration of the inquiry."

1971, c. 48, s. 128*a*, replaced. **45.** Section 128*a* of the said act, enacted by section 58 of chapter 42 of the statutes of 1974, is replaced by the following section:

use of public funds in any establishment which does not exercise an adequate budgetary control.

Where a controller is appointed in accordance with this section, his powers shall be determined by the order in council appointing him and every person holding administrative duties in the establishment shall be bound to submit to the directives of such controller within the limits of the powers assigned him.

No engagements may be made in the name of the establishment nor any disbursement made without the counter-signature of such controller. Every engagement made without compliance with this paragraph shall be void."

Sec. 46. *The effect of this section is to amend subparagraphs a, b, c, i, j, and l of the first paragraph of section 129 of the act.*

*Those provisions presently read as follows:*

"(a) establish categories of foster families and, within each category of establishments fixed by this act, classes of establishments and, within each of those classes, kinds of establishments, and determine the activities that each of such classes or kinds of establishments may carry on and prescribe the by-laws which a regional council or an establishment may or must make;

(b) rule on the content, keeping and examination of records and their photographic reproduction;

(c) determine the conditions and formalities of admission and discharge of recipients in an establishment or of their taking in charge by a foster family, depending, if necessary, on the category, class or kind of establishment or the category of the foster family and fix the composition of the admission committees in reception centres and hospital centres;

(i) determine standards as to the compulsory elements of the organization plans and budgets of establishments, especially, regarding organization plans, as to the administration and finance of establishments, and subject, as to physicians and dentists, to the agreements entered into under the Health Insurance Act (1970, chapter 37), professional activity, and, regarding budgets, as to authorized expenses and supply contracts, and specify the terms and conditions as well as the effects of approval by the Minister;

(j) compel every establishment to give access to an official auditor appointed by the Minister or to obtain the authorization of the Minister in connection with the borrowings made by the establishment, with the endowment funds, with the accepting of a gift subject to conditions or with building or alteration projects, in the manner and cases he specifies;

(l) determine in what cases certain categories of establishments must establish a recipients or benevolent committee and describe the role of that committee;"

Appoint-  
ment of  
controller.

**“128a.** The Lieutenant-Governor in Council may, upon the recommendation of the Minister, appoint a controller charged with ensuring the proper use of public funds in any establishment or regional council which does not exercise adequate budgetary control.

Powers.

Where a controller is appointed in accordance with this section, his powers shall be determined by the order in council appointing him and every person holding administrative duties in the establishment or regional council shall be bound to submit to the directives of such controller within the limits of the powers assigned him.

Counter-  
signature  
for engage-  
ments.

No engagements may be made in the name of the establishment or regional council nor any disbursement made without the counter-signature of such controller. Every engagement made without compliance with this paragraph shall be void.”

1971, c. 48,  
s. 129, am.

**46.** Section 129 of the said act, replaced by section 59 of chapter 42 of the statutes of 1974 and amended by section 6 of chapter 61 of the statutes of 1975 and by section 39 of chapter 48 of the statutes of 1977, is again amended:

(a) by replacing subparagraphs *a* to *c* of the first paragraph by the following subparagraphs:

“(a) establish categories of foster families and, within each category of establishments fixed by this act, classes of establishments and, within each of those classes, kinds of establishments, and determine the activities that each of such classes or kinds of establishments may carry on, prescribe the by-laws which a regional council or an establishment may or must make and determine which of those by-laws must be submitted to the written approval of the Minister or regional council, as the case may be;

“(b) rule on the essential elements and documents of the records of the recipients, the keeping and examination of records and their photographic reproduction;

“(c) determine the formalities of registration, admission and discharge of recipients in an establishment or of their taking in charge by a foster family, depending, if necessary, on the category, class or kind of establishment or the category of the foster family;”;

(b) by replacing subparagraphs *i* and *j* of the first paragraph by the following subparagraphs:

“(i) establish standards as to the compulsory elements of the organization plans of establishments, their budgets, the administration of their revenues and expenses and their supply contracts and determine the cases where the authorization of the Minister or of the regional council is required;

Sec. 47. *This section is entirely new law.*

*Section 130 of the act presently reads as follows:*

**“130.** Every regulation made by the Lieutenant-Governor in Council under this act shall come into force on the date of its publication in the *Québec Official Gazette* or on any later date fixed therein.”

Sec. 48. *Section 133 of the act presently reads as follows:*

**“133.** The Minister may make a contract with a private establishment to remunerate it, for the health services or social services it provides under the contract, at a rate fixed outright by the regulations for each class of establishments or of services which they designate.”

Sec. 49. *As proposed, section 49 of the bill amends section 134 of the act and adds a section of entirely new law.*

*Section 134 of the act presently reads as follows:*

**“134.** The Minister may also, in all cases where an outright rate is not fixed by regulation in accordance with section 133, agree with a private establishment to repay to it all or part of the expenses incurred by it which are permissible under the regulations and to also pay to it a fee corresponding to an annual percentage, fixed by the regulations, computed on the operating expenses incurred by the establishment in providing the services which are the object of the agreement. Such amounts may be paid to the establishment in advance or periodic instalments.”

“(j) compel every establishment to give access to an official auditor appointed by the Minister or to obtain the authorization of the Minister or of the regional council, as the case may be, in connection with the borrowings made by the establishment, with the endowment funds, with the accepting of a gift subject to conditions or with building or alteration projects, in the manner and cases he specifies;”;

(c) by replacing subparagraph *l* of the first paragraph by the following subparagraph:

“(l) determine in what cases certain categories of establishments must establish a recipients or benevolent committee, determine its composition and describe its role;”.

1971, c. 48,  
s. 130, re-  
placed.

**47.** Section 130 of the said act is replaced by the following section:

Coming  
into force  
of regula-  
tion.

“**130.** Every regulation made by the Lieutenant-Governor in Council under this act comes into force on the day of the publication in the *Gazette officielle du Québec* of a notice indicating that it has received the approval of the Lieutenant-Governor in Council, or, if amended by him, of its final text, or on any other later date fixed in the notice or in the final text.

Coming  
into force  
of regula-  
tion.

However, every regulation not subject to the notice provided for in the second paragraph of section 129 comes into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein.”

1971, c. 48,  
s. 133, re-  
placed.

**48.** Section 133 of the said act, amended by section 60 of chapter 42 of the statutes of 1974, is replaced by the following section:

Contract  
or remun-  
eration.

“**133.** The Minister may make a contract with a private establishment contemplated in section 134*a* to remunerate it, for the health services or social services it provides under the contract, at a rate fixed outright by the regulations for each category of establishments or of services which they designate.”

1971, c. 48,  
s. 134, re-  
placed;  
s. 134*a*,  
added.

**49.** Section 134 of the said act, amended by section 61 of chapter 42 of the statutes of 1974, is replaced by the following sections:

Expenses  
repaid.

“**134.** The Minister may also, in all cases where an outright rate is not fixed by regulation in accordance with section 133, agree with a private establishment contemplated in section 134*a* to repay to it all or part of the expenses incurred by it which are permissible under the regulations and to also pay to it fees corresponding to an annual percentage fixed by the regulations,

Sec. 50. *This section is entirely new law.*

Sec. 51. *This section is entirely new law.*

computed on the operating expenses incurred by the establishment in providing the services which are the object of the agreement. Such amounts may be paid to the establishment in advance or periodic instalments.

Applica-  
tion of  
certain  
sections.

“**134a.** Sections 133 and 134 do not apply except to a private establishment which on (*insert here the date of the coming into force of sections 48 and 49 of Bill 103*) is already receiving amounts paid under a contract or an agreement made with the Minister for the purposes contemplated in those sections.”

1971, c. 48,  
ss. 136a-  
136c,  
added.

**50.** The said act is amended by inserting, after section 136, the following sections:

Loan guar-  
anteed,  
cost as-  
sumed.

||“**136a.** The Lieutenant-Governor in Council may, on the conditions he determines, guarantee the payment in capital and interest of any loan or assume the cost of any other obligation contracted by a non-profit corporation the members of which are designated by the Minister, incorporated for an exclusively charitable purpose where that loan or obligation is effected for the acquisition, construction or alteration of an establishment.

Supply  
contract.

The Minister may, on the conditions he determines, guarantee the payment in capital and interest of any loan or assume the cost of any supply contract within the meaning of the regulations, made by such a corporation when that loan or that supply contract is effected for the operation of an establishment.

Moneys  
required.

The sums that the Government may be called upon to pay under this section are taken out of the moneys granted each year for that purpose by the Legislature.||

Report of  
activities.

“**136b.** Not later than 30 June each year, a corporation contemplated in section 136a must make to the Minister a report of its activities for the preceding fiscal year; that report must also contain all the information that the Lieutenant-Governor in Council or the Minister may prescribe.

Informa-  
tion.

Such a corporation must, in addition, furnish at any time to the Minister any information he may require on its operations.

Audit of  
books and  
accounts.

“**136c.** The books and accounts of a corporation contemplated in section 136a are audited each year by the Vérificateur général and, in addition, each time the Lieutenant-Governor in Council so orders; those reports must accompany the annual report of such corporation.”

1971, c. 48,  
s. 139b,  
am.

**51.** Section 139b of the said act, enacted by section 62 of chapter 42 of the statutes of 1974 and amended by section 41 of

Sec. 52. *This provision repeals the Act to establish the Office for the Prevention of Alcoholism and other Toxicomanias (1968, chapter 48).*

Sec. 53. *This provision is transitional.*

Sec. 54. *This provision provides concordance with section 97 of the act proposed by section 36 of the bill.*

Sec. 55. *Section 2 of the Photographic Proof of Documents Act reads as follows:*

**“2.** A print, enlarged or not, made from a photographic film of a document in the custody or possession of an institution, shall make the same proof for all purposes of the contents of such document as its original, provided that such document has been

(a) accurately reproduced on such photographic film in the presence of at least two employees of such institution specially authorized by it for the purposes of such operation; and

(b) destroyed in the presence of at least two employees of the institution specially authorized by it for that purpose, immediately after such reproduction or subsequently, but never before the expiry of five years from the date of such document, but such delay shall be fifteen years in the case of a document or book or register in the possession of the Government.

In the case of documents...”.

chapter 48 of the statutes of 1977, is again amended by replacing the first paragraph by the following paragraph:

Prohibited names without permit. **“139b.** No person may operate an establishment under a name or corporate name including the words “hospital”, “hospital centre”, “reception centre”, “social service centre”, “local community service centre” or “functional rehabilitation centre” unless he holds a permit issued in conformity with this act.”

1968, c. 48, repealed. **52.** The Act to establish the Office for the Prevention of Alcoholism and Other Toxicomanias (1968, chapter 48) is repealed.

Valid consent. **53.** The Government may, with the same effects, give the consent contemplated in the first paragraph of section 47 of the Act respecting health services and social services (1971, chapter 48) in the case where a charter has been granted, amended, revoked or abandoned before (*insert here the date of the coming into force of section 14 of Bill 103*), without that consent.

Permits continued in force. **54.** Permits delivered before (*insert here the date of the coming into force of section 36 of Bill 103*) remain in force until 31 March 1979.

1970, c. 42, s. 9a, added. **55.** The Social Affairs Department Act (1970, chapter 42) is amended by inserting, after section 9, the following section:

Destruction of documents. **“9a.** For the purposes of the application of the Photographic Proof of Documents Act (Revised Statutes, 1964, chapter 280), any document, book or register emanating from the Department or forming part of its records may, notwithstanding the delay provided in subparagraph *b* of the first paragraph of section 2 of the said act, be destroyed immediately after it has been reproduced.”

Coming into force. **56.** This act will come into force on the date to be fixed by proclamation of the Government, except the provisions excluded by that proclamation, which will come into force on any later date to be fixed by proclamation of the Government.