

SECOND SESSION
THIRTY-FIRST LEGISLATURE

ASSEMBLÉE NATIONALE DU QUÉBEC

Bill 97

An Act to amend the Charter of the Québec Deposit
and Investment Fund

First reading



M. JACQUES PARIZEAU
Ministre des finances

EXPLANATORY NOTES

Section 1 of this bill increases the number of directors on the board of the Fund from seven to nine. One of the two new members will have to be chosen from among the directors of cooperative associations.

Section 2 adds a qualification, that of being an officer of the Ministère des affaires municipales, as one enabling associate membership on the board of directors of the Fund.

Section 3 strikes out the prohibition against a board member of the Fund's having an interest in a trust company.

Section 4 confers responsibility for management of its personnel on the Fund, placing the administration of appointments, remuneration and the other conditions of employment under regulations or resolutions, as the case may be, of the board of directors of the Fund, which must be approved by the Government. It preserves the acquired rights of the employees of the Fund in respect of permanence of employment and membership in retirement plans.

Section 5 is for concordance.

Section 6 specifies the nature of various kinds of deposits that the Fund may accept and of the various kinds of funds it administers.

Section 7 specifies the Fund's regulation-making powers.

Sections 9, 10, 11 and 12 are concordance provisions.

Bill 97

An Act to amend the Charter of the Québec Deposit and Investment Fund

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

1. Section 5 of the Act to amend the Charter of the Québec Deposit and Investment Fund (1965, 1st session, chapter 23) is replaced by the following:

“5. The Fund shall be administered by a board of directors consisting of the General Manager of the Fund, the president of the Régie des rentes du Québec and seven other members appointed for three years by the Lieutenant-Governor in Council who shall fix, as the case may be, the salary, additional salary, fees or allowances of each of them.

Of such seven members, two shall be chosen from among the officers of the government or the directors of a government agency, another shall be chosen from among the representatives of associations of employees and another shall be chosen from among the directors of cooperative associations.

A government agency mentioned in the second paragraph is one to which the majority of its members are appointed by the Lieutenant-Governor in Council or a minister, or at least one-half of whose capital stock is derived from the consolidated revenue fund.”

2. Section 6 of the said act, replaced by section 1 of chapter 27 of the statutes of 1969, is amended by adding after the word “Commission” in the eighth line the words “or an officer of the Ministère des affaires municipales,”.

3. Section 12 of the said act is amended by replacing the first paragraph by the following:

“12. No member of the board of directors shall have an interest in a securities business.”

4. Section 15 of the said act is replaced by the following sections:

“15. The officers and other employees of the Fund shall be appointed in the manner provided in its regulations and in accordance with the staff requirements established thereunder.

Remuneration standards and scales, as well as other conditions of employment of the officers and other employees of the Fund shall be established by resolution of the board of directors and submitted to the Lieutenant-Governor in Council for approval.

“15a. The officers and other employees of the Fund who have been appointed on a permanent basis under the Civil Service Act (1965, 1st session, chapter 14) before (*insert here the date of sanction of Bill 97*) shall not be dismissed or removed except under section 61 of the said act. They retain their right to be kept available or to be transferred to a position in the civil service requiring the same classification as they held on that date.

“15b. The following apply to the officers and other employees of the Fund:

(a) the Civil Service Superannuation Plan (Revised Statutes, 1964, chapter 14) for those appointed before 1 July 1973, except those having elected for the plan mentioned in paragraph *b*, and for those appointed after that date if it applied to them on their appointment;

(b) the Government and Public Employees Retirement Plan (1973, chapter 12) for those not mentioned in paragraph *a*.”

5. Section 16 of the said act is amended by replacing, in the third line of the French version, the word “fonctionnaires” by the word “dirigeants”.

6. Section 19 of the said act, amended by section 4 of chapter 27 and replaced by section 6 of chapter 50 of the statutes of 1969, is again replaced by the following:

“19. The moneys received by the Fund shall be entrusted to it in the form of demand deposits, of term deposits or of participation deposits, as the depositor sees fit.

The demand deposits and the term deposits constitute an indebtedness of the Fund to the depositors, and bear interest.

The Fund may receive participation deposits in its general fund, in individual funds and in segregated funds. The participation deposits do not bear interest; they constitute a participation of their holders in the net equity and in the net revenues of the fund in which they are made and their holders share the net revenues thereof.

The general fund and the segregated funds are common funds; the individual funds have only one depositor each.

The general fund and the individual funds consist of different categories of investments. Each segregated fund consists of investments of only one category."

7. Section 20 of the said act, replaced by section 4 of chapter 27 of the statutes of 1969, is again replaced by the following:

"20. The Fund shall establish by regulation

(a) the terms and conditions governing each category of deposits;

(b) the method of computing the rate of interest payable on demand deposits or term deposits;

(c) the method of calculating the reserves to be constituted in each fund whose net annual revenue, after deduction of such reserves, must be wholly paid out to the depositors."

8. Section 34 of the said act is amended by replacing, in the third line of the French version, the word "fonctionnaires" by the word "dirigeants".

9. Section 36 of the said act, amended by section 86 of chapter 9 of the statutes of 1968, is again amended by replacing, in the third and fourth lines of the first paragraph of the French version, the word "fonctionnaires" by the word "dirigeants".

10. Section 37 of the said act is amended by replacing, in the first line of the first paragraph of the French version, the word "fonctionnaire" by the word "dirigeant".

11. Section 38 of the said act is amended by replacing, in the first line of the second paragraph of the French version, the word "fonctionnaire" by the word "dirigeant".

12. Section 41 of the said act, amended by section 13 of chapter 27 and section 8 of chapter 50 of the statutes of 1969, is again amended by replacing paragraph *e* by the following:

“(e) the average annual interest rate paid on demand deposits and term deposits, and the annual average yield of participation deposits.”

13. This act shall come into force on the day of its sanction, except sections 4, 5, 8, 9, 10 and 11, which shall come into force on the date fixed by proclamation of the Government.