

1993, chapter 35

**AN ACT RESPECTING THE REDUCTION OF PERSONNEL IN  
PUBLIC BODIES AND THE ACCOUNTABILITY OF DEPUTY  
MINISTERS AND CHIEF EXECUTIVE OFFICERS OF PUBLIC  
BODIES**

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**Bill 198**

Introduced by Mr Henri-François Gauthrin, Member for Verdun

Introduced 11 December 1991

Passage in principle 4 December 1992

Passage 15 June 1993

**Assented to 15 June 1993**

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**Coming into force: 15 June 1993**

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**Act amended:** None



## CHAPTER 35

### **An Act respecting the reduction of personnel in public bodies and the accountability of deputy ministers and chief executive officers of public bodies**

*[Assented to 15 June 1993]*

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### DIVISION I

##### INTERPRETATION

Public  
bodies

**1.** For the purposes of this Act, the following bodies are public bodies:

(1) the Government, its departments and the government agencies whose personnel is appointed or remunerated in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1);

(2) school boards, colleges, establishments and bodies similar to a school board or held to be establishments to which the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., chapter R-8.2) applies, as well as regional boards and regional health and social service councils and the Conseil scolaire de l'Île de Montréal;

(3) any other government agency to which the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors applies, and any other body whose personnel is remunerated according to standards and scales which are, by law, determined or approved by the Government or stipulated in a collective agreement negotiated and agreed with the concurrence of the Government;

(4) educational institutions at the university level referred to in paragraphs 1 to 11 of section 1 of the Act respecting educational institutions at the university level (R.S.Q., chapter E-14.1).

National  
Assembly

**2.** The National Assembly, persons designated by the National Assembly pursuant to an Act and persons designated by the Government pursuant to an Act and whose personnel is appointed or remunerated in accordance with the Public Service Act shall be held to be public bodies.

## DIVISION II

### REDUCTION OF PERSONNEL IN PUBLIC BODIES

Reduction of  
personnel

**3.** Every public body referred to in paragraph 1 of section 1 shall, according to the rules and in the manner determined by the Conseil du trésor,

(1) reduce its managerial staff by 20 % before 1 April 1996 on the basis of their total authorized number on 31 March 1993;

(2) reduce its personnel, other than the personnel referred to in paragraph 1, by 12 % before 1 April 1998, on the basis of the total authorized work force on 31 March 1993.

Applicability

The first paragraph applies to the public bodies referred to in section 2.

Plans for  
work force  
reduction

**4.** The Minister of Health and Social Services, the Minister of Education and the Minister of Higher Education and Science shall, before 15 December each year, submit plans for their respective sectors to the Conseil du trésor that take account of the work force reduction objectives as established by section 3 and applicable to all the public bodies mentioned in paragraph 2 of section 1. The plans shall cover the period from 1 April 1994 to 31 March 1998 or from 1 July 1994 to 30 June 1998, as the case may be.

Tabling  
before  
National  
Assembly

The Ministers shall table their respective plans before the National Assembly in the 15 days following their transmission to the Conseil du trésor or, if the Assembly is not sitting, in the 15 days following resumption.

Parliamen-  
tary  
committees

At least once a year, the competent parliamentary committees of the National Assembly shall convene the Ministers individually to report on the carrying out of the plans.

Personnel  
reduction  
plans

**5.** A body referred to in paragraph 3 of section 1 shall, before 15 December 1993, send to the Minister responsible a personnel

reduction plan for the period from 1 April 1993 to 31 March 1998, based on the total work force on 31 March 1993. The Minister, within 30 days, shall submit such a plan to the Conseil du trésor for approval and shall table it before the National Assembly in the 15 days following approval or, if the Assembly is not sitting, in the 15 days following resumption.

Parliamen-  
tary  
committee

At least once a year, the competent parliamentary committee of the National Assembly shall convene the minister responsible for the body to report on the carrying out of the plan.

Annual  
budgetary  
rules

**6.** Until 30 September 1998, and not later than 30 September of each year, every body referred to in paragraph 4 of section 1 must send a report to the Minister of Higher Education and Science on the implications of the annual budgetary rules as regards the level of its work force. The Minister shall table the report before the National Assembly in the 15 days following receipt or, if the Assembly is not sitting, in the 15 days following resumption.

Parliamen-  
tary  
committee

At least once a year, the competent parliamentary committee of the National Assembly shall convene the chief executive officers of the bodies individually to discuss the reports. The Minister of Higher Education and Science is *ex officio* a member of the committee.

Exemption  
from appli-  
cation

**7.** The Conseil du trésor, at the request of the minister concerned, may decide, to the extent it determines, to exempt from the application of all or part of this division

- (1) a public body or class of public bodies;
- (2) a class of persons in the employ of a public body.

Tabling  
before  
National  
Assembly

The minister making the request shall table the Conseil du trésor's decision before the National Assembly in the 15 days following its adoption or, if the Assembly is not sitting, in the 15 days following resumption.

Office of the  
National  
Assembly

The Office of the National Assembly, by regulation, shall exercise the power of the Conseil du trésor granted by the first paragraph in respect of persons appointed by the National Assembly to an office under its jurisdiction.

## DIVISION III

ACCOUNTABILITY OF DEPUTY MINISTERS AND CHIEF EXECUTIVE OFFICERS OF  
PUBLIC BODIES

Account-  
ability of  
deputy  
ministers

**8.** Every deputy minister or person exercising the powers conferred by the Public Service Act on a deputy minister of a department, and every chief executive officer of a public body referred to in subparagraphs 1 and 2 of the first paragraph of section 4 of the Auditor General Act (R.S.Q., chapter V-5.01) shall, as prescribed by law, be accountable to the National Assembly for their administrative management, in particular with respect to the authority and powers of the minister to whom they are responsible.

Parliamen-  
tary  
committee

At least once a year, the competent parliamentary committee of the National Assembly shall hear the minister, if the minister considers it expedient, and shall hear the deputy minister of the department or chief executive officer of the body, as the case may be, to discuss their administrative management and, where applicable, any other administrative issue under the jurisdiction of the department or body and mentioned in the Auditor General's report.

## DIVISION IV

## OTHER PROVISIONS

Minister  
responsible

**9.** The Government shall designate the minister responsible for the administration of this Act.

Coming into  
force

**10.** This Act comes into force on 15 June 1993.