

NATIONAL ASSEMBLY
Thirty-fourth Legislature, second session

1992, chapter 64
AN ACT RESPECTING THE CONSEIL DES AÎNÉS

Bill 51

Introduced by Mr Marc-Yvan Côté, Minister of Health and Social Services

Introduced 25 November 1992

Passage in principle 2 December 1992

Passage 21 December 1992

Assented to 22 December 1992

Coming into force: on the date fixed by the Government

Act amended: None



CHAPTER 64

An Act respecting the Conseil des aînés

[Assented to 22 December 1992]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

DIVISION I

ESTABLISHMENT AND ORGANIZATION

Establish-
ment

1. A council is hereby established under the name of “Conseil des aînés”.

Composition

2. The council shall consist of eighteen members of whom twelve are voting members.

Voting
members

3. The voting members of the council shall be chosen for their concern for the elderly and in a manner ensuring the most equitable representation possible of both women and men and of the various age groups of such persons, and representation of the various regions of Québec. Voting members shall be appointed by the Government, on the recommendation of the Minister responsible for the administration of this Act, following consultation with the most representative bodies involved, for the whole of Québec, in the protection of the rights or the promotion of the interests of the elderly. These members shall include

(1) a chairman;

(2) two persons chosen from among the users of health services and social services;

(3) five persons from bodies which have been involved for at least one year, for the whole of Québec, in the protection of the rights of the elderly or the promotion of their interests or their participation in community life;

(4) four persons from socio-economic groups active, in particular, in the fields of health and social services, municipal affairs, recreation and housing.

Non-voting members

The Deputy Minister of Health and Social Services, the Deputy Minister of Justice, the Deputy Minister of Transport, the Deputy Minister of Manpower, Income Security and Vocational Training, the associate secretary general of the Executive Council having responsibility for the status of women and the chairman of the Société d'habitation du Québec, or the persons delegated by them, shall also be members of the council, but are not entitled to vote.

Vice-chairman

4. On the Minister's recommendation, a vice-chairman shall be designated by the Government from among the voting members.

Term of office

5. The chairman shall be appointed for a maximum term of five years, and the other voting members for a maximum term of three years.

End of terms

At the end of their terms, the chairman and the voting members shall remain in office until they are reappointed or replaced. Their appointment may be renewed only once.

Vacancy

6. Any vacancy occurring during the term of office of a voting member shall be filled in accordance with the method of appointment set out in section 3.

Chairman

7. The chairman shall be responsible for the administration and general management of the council. He shall also act as liaison between the council and the Minister.

Vice-chairman

The vice-chairman shall replace the chairman when the latter is absent or unable to act.

Remuneration

8. The Government shall fix the remuneration, social benefits and other conditions of employment of the chairman and of the vice-chairman when he replaces the chairman.

Expenses

Subject to the provisions of the first paragraph, the voting members of the council receive no remuneration. They are entitled, however, to the reimbursement of expenses incurred in the performance of their duties, on the conditions and to the extent determined by the Government.

Meetings

9. The council may hold its meetings anywhere in Québec.

- Quorum** A majority of the voting members, including the chairman or the vice-chairman, constitutes a quorum at meetings of the council.
- Decisions** **10.** Council decisions shall be made by a majority vote of the voting members present.
- Tie-vote** In the case of a tie-vote, the chairman of the council or, in his absence, the vice-chairman, has a casting vote.
- Secretary and staff** **11.** The secretary and the other staff members of the council shall be appointed and remunerated in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).
- Secretariat** **12.** The secretariat of the council shall be located in the territory of the Communauté urbaine de Québec, at the place determined by the Government.
- Notice of location** Notice of the location of the secretariat or of any change in its location shall be published in the *Gazette officielle du Québec*.

DIVISION II

FUNCTIONS AND POWERS

- Functions** **13.** The main functions of the council are to promote the rights and interests of the elderly and their participation in community life, and to advise the Minister on any matter concerning the elderly.
- Powers** **14.** In exercising its functions, the council may
- (1) advise the Minister in the planning, implementation and coordination of government policies and the programs and services intended to respond to the needs of the elderly;
 - (2) advise the Minister on the order of priority to be given to such programs and services;
 - (3) bring to the Minister's attention any matter relating to the elderly which calls for government attention or action, and submit recommendations in this respect;
 - (4) propose to the Minister the setting up of programs and services that respond to the needs of the elderly and are intended to prevent or correct the situations of abuse to which they may fall victim;
 - (5) solicit and receive opinions and recommendations from persons and bodies on any matter relating to the elderly;

(6) engage in or commission surveys and research on the particular preoccupations of the elderly;

(7) prepare and distribute, and encourage third parties to prepare and distribute, documents and information programs relating to the elderly and the services and benefits offered to them.

Advisory functions **15.** The council shall advise the Minister on any question he submits to it with respect to the elderly.

Advice The council may not make public any advice formulated under the first paragraph until 60 days have elapsed since the forwarding of the advice to the Minister.

Committees **16.** The council may form committees for the examination of specific matters and determine their powers and duties.

By-laws **17.** The council may adopt by-laws to regulate its internal management.

DIVISION III

FISCAL YEAR

Fiscal year **18.** The fiscal year of the council ends on 31 March each year.

Report **19.** Not later than 30 September each year, the council shall transmit to the Minister a report on its activities for the preceding fiscal year.

Tabling The Minister shall table the report before the National Assembly within 30 days of receipt or, if it is not sitting, within 30 days of resumption.

DIVISION IV

FINAL PROVISIONS

Report **20.** The council must, not later than 1 January 1998 and every five years thereafter, report to the Government on the administration of this Act.

Tabling The report shall be tabled within the following 15 days before the National Assembly or, if it is not sitting, deposited with the President.

Committee **21.** The Committee on the National Assembly shall designate, as soon as possible, the committee which will study the report on the administration of this Act.

Duties of
committee

Within one year from the date of the tabling of the report before the National Assembly, the designated committee must study the advisability of maintaining the Act in force or, where necessary, of amending it, and hear the representations of interested persons and bodies in that respect.

Sums
required

22. The sums required for the carrying out of this Act shall be taken, for the *(insert here the fiscal year during which this section comes into force)* fiscal year, out of the consolidated revenue fund to the extent determined by the Government.

Minister
responsible

23. The Minister designated by the Government is responsible for the administration of this Act.

Coming into
force

24. This Act comes into force on the date fixed by the Government.