

1990, chapter 38
**AN ACT TO AMEND THE ACT RESPECTING
THE MINISTÈRE DES TRANSPORTS**

Bill 26

Introduced by Mr Sam L. Elkas, Minister of Transport

Introduced 14 March 1990

Passage in principle 27 March 1990

Passage 24 October 1990

Assented to 25 October 1990

Coming into force: on the date fixed by the Government

Act amended:

Act respecting the Ministère des Transports (R.S.Q., chapter M-28)



CHAPTER 38

An Act to amend the Act respecting the Ministère des Transports

[Assented to 25 October 1990]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. M-28,
s. 3, am.

1. The Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is amended by replacing paragraph *d* of section 3 by the following paragraph:

“(d) on request and for a consideration, supply air transport services within the framework of Government duties or missions;”.

c. M-28,
ss. 12.11-
12.21, added

2. The said Act is amended by inserting, after section 12.10, the following sections:

Special
fund

“**12.11** A special fund called the “Government air service fund” is hereby established.

Purpose

“**12.12** The fund shall serve to finance the cost of specialized goods and services pertaining to air transport supplied by the Minister in accordance with paragraph *d* of section 3.

Characteris-
tics

“**12.13** The Government shall determine the assets and liabilities of the fund and the date on which it begins to operate. It shall also determine the nature of the goods and services to be financed by and the costs to be charged to the fund.

Constitution

“**12.14** The fund shall be constituted of the following sums, except interest:

(1) the sums collected for the goods and services financed by the fund;

(2) the advances granted by the Minister of Finance under the first paragraph of section 12.16;

(3) the sums paid by the Minister of Transport and taken out of the appropriations allocated for that purpose by Parliament.

Management “**12.15** The management of the sums paid into the fund shall be entrusted to the Minister of Finance. Such sums shall be paid to his order and deposited with the financial institutions he determines.

Financial records Notwithstanding section 13 of the Financial Administration Act (R.S.Q., chapter A-6), the Minister of Transport shall keep the books of account for and record the financial commitments chargeable to the fund. He shall also certify that such commitments and the payments arising therefrom do not exceed the available balances and are consistent with them.

Sums advanced to the fund “**12.16** The Minister of Finance may, with the authorization of the Government and subject to the conditions it determines, advance to the fund sums taken out of the consolidated revenue fund.

Sums advanced to consolidated revenue fund He may conversely advance to the consolidated revenue fund, on a short-term basis and subject to the conditions he determines, any part of the sums paid into the fund that is not required for its operation.

Repayment of advanced sums Any advance paid into the special fund or the consolidated revenue fund shall be repayable by the fund which received it.

Remuneration and expenses “**12.17** The fund shall pay the remuneration and expenses pertaining to social benefits and other conditions of employment of the persons assigned, in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), to activities related to the fund.

Accumulated surplus “**12.18** Surpluses accumulated by the fund shall be paid into the consolidated revenue fund on the dates and to the extent determined by the Government.

Applicable provisions “**12.19** Sections 22 to 27, 33, 35, 45, 47 to 49, 51, 57 and 70 to 72 of the Financial Administration Act, adapted as required, apply to the fund.

Fiscal year “**12.20** The fiscal year of the fund ends on 31 March.

Execution of judgment “**12.21** Notwithstanding any provision to the contrary, the Minister of Finance shall, in the event of a deficiency in the

consolidated revenue fund, pay out of the fund the sums required for the execution of a judgment against the Crown that has become *res judicata*.”

Transfer of
appropriations

3. For the first fiscal year of the fund, the appropriations allocated to the Ministère des Transports for the financing of the goods and of the services mentioned in paragraph *d* of section 3 of the Act respecting the Ministère des Transports, enacted by section 1 of this Act, shall be transferred, on the date on which the fund begins to operate, to the departments and public bodies which are the recipients of the goods and services, to the extent determined by the Government.

Employer's
contributions

The same rule applies in respect of the appropriations allocated to the Office des ressources humaines for the payment of the employer's contributions for the first fiscal year of the fund.

Coming into
force

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