

1986, chapter 106

## **AN ACT TO AGAIN AMEND THE ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES**

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### **Bill 142**

Introduced by Madam Thérèse Lavoie-Roux, Minister of Health and Social Services

Introduced 12 November 1986

Passage in principle 10 December 1986

Passage 18 December 1986

**Assented to 19 December 1986**

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### **Coming into force: on the date fixed by the Government**

— 7 January 1987: ss. 1 to 9 and 11

G.O., 1987, Part 2, p. 363

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### **Act amended:**

Act respecting health services and social services (R.S.Q., chapter S-5)





## CHAPTER 106

### An Act to again amend the Act respecting health services and social services

[Assented to 19 December 1986]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

c. S-5, s. 3,  
am.

**1.** Section 3 of the Act respecting health services and social services (R.S.Q., chapter S-5) is amended by replacing paragraph *d* by the following paragraph:

“(d) better adapt the health services and social services to the needs of the population, taking into account regional characteristics, including the geographical, linguistic, sociocultural and socioeconomic characteristics of the region, and apportion among such services the human and financial resources in the most equitable and rational manner possible;”.

c. S-5, s. 3,  
am.

**2.** Section 3 of the said Act is amended by adding, after paragraph *d*, the following paragraph:

“(d.1) promote, for the members of the various cultural communities of Québec, access to health services and social services in their own language;”.

c. S-5, s.  
5.1, added

**3.** The said Act is amended by adding, after section 5, the following section:

Services in  
English

**“5.1** Every English-speaking person is entitled to receive health services and social services in the English language, taking into account the organization and resources of the establishments providing such services and to the extent provided by an access program contemplated in section 18.01.”

c. S-5, s.  
18.01,  
added

**4.** The said Act is amended by inserting, after section 18, the following section:

Access  
program

**“18.01** Every regional council, in cooperation with the establishments, and jointly with other regional councils, as the case may be, shall prepare a program of access to health services and social services in the English language for persons contemplated in section 5.1 in the establishments it indicates, taking into account the organization and resources of such establishments. The program must be approved by the Government.”

c. S-5, s.  
72, am.

**5.** Section 72 of the said Act is amended

(1) by replacing the word “Government” in the third line of the first paragraph by the words “Conseil du trésor”;

(2) by replacing the word “Government” in the first line of the second paragraph by the words “Conseil du trésor”.

s. S-5, s. 73,  
am.

**6.** Section 73 of the said Act is amended

(1) by replacing the word “Government” in the third line of the first paragraph by the words “Conseil du trésor”;

(2) by replacing the words “Government or” in the third line of the second paragraph by the words “Conseil du trésor or, for rights granted before 19 December 1986, with the authorization of the Government or”.

c. S-5, s.  
73.1, added

**7.** The said Act is amended by adding, after section 73, the following section:

Delegation  
of powers

**“73.1** The Conseil du trésor may delegate to the Minister, in writing, on the conditions and to the extent it determines, the powers vested in it by sections 72 and 73.

Publication

The deed of delegation shall be published in the *Gazette officielle du Québec* not later than 15 days after the decision of the Conseil du trésor.”

c. S-5, s.  
75, am.

**8.** Section 75 of the said Act is amended by adding, after the word “Government,” in the second line, the words “the Conseil du trésor,”.

c. S-5, s.  
95, replaced

**9.** Section 95 of the said Act is replaced by the following section:

Conflict of  
interest

**“95.** No director general of a public establishment shall, under pain of forfeiture of office, have any direct or indirect interest in an undertaking causing his personal interest to conflict with that of the establishment. Such forfeiture shall not take place, however, if such interest devolves to him by succession or gift, provided he renounces or disposes of it with all possible dispatch.

Disclosure  
of interest

Every member of the board of directors of a public establishment, other than the director general, who has a direct or indirect interest in an undertaking causing his personal interest to conflict with that of the establishment shall, under pain of forfeiture of office, disclose his interest in writing to the board of directors and abstain from sitting on the board and participating in the deliberations or decisions on any question relating to the undertaking in which he has an interest.”

c. S-5, s.  
173, am.

**10.** Section 173 of the said Act, amended by section 5 of chapter 57 of the statutes of 1986, is again amended by inserting, after the first paragraph, the following paragraph:

Designated  
establish-  
ments

“The Government may, by regulation, for any region it indicates, designate which of the establishments recognized under paragraph *f* of section 113 of the Charter of the French language (R.S.Q., chapter C-11) are required to make their health services and social services available in the English language to the persons contemplated in section 5.1.”

Coming into  
force

**11.** The provisions of this bill will come into force on the date or dates fixed by the Government.