

1983, chapter 38  
**ARCHIVES ACT**

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**Bill 3**

Introduced by Mr Clément Richard, Minister of Cultural Affairs

First reading: 31 March 1983

Second reading: 5 December 1983

Third reading: 21 December 1983

**Assented to: 21 December 1983**

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**Coming into force: 21 December 1983, except sections 58, 63 to 67, 69 to 73 and 78 to 82, which will come into force by proclamation of the Government**

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**Acts amended:**

Act respecting the Ministère des Affaires culturelles (R.S.Q., chapter M-20)

Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1)

Financial Administration Act (R.S.Q., chapter A-6)

Cultural Property Act (R.S.Q., chapter B-4)

Cadastre Act (R.S.Q., chapter C-1)

Cities and Towns Act (R.S.Q., chapter C-19)

Act respecting the Inspector General of Financial Institutions (R.S.Q., chapter I-11.1)

Act respecting the Ministère de l'Énergie et des Ressources (R.S.Q., chapter M-15.1)

Act respecting the Ministère de l'Environnement (R.S.Q., chapter M-15.2)

Act respecting the Ministère de l'Habitation et de la Protection du consommateur (R.S.Q., chapter M-15.3)

Act respecting the Ministère de la Main-d'oeuvre et de la Sécurité du revenu (R.S.Q., chapter M-19.1)

Act respecting the Ministère des Affaires sociales (R.S.Q., chapter M-23)

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

Act respecting the Ministère du Commerce extérieur (R.S.Q., chapter M-29.1)

Act respecting the Ministère du Revenu (R.S.Q., chapter M-31)

Act respecting the Ministère du Travail (R.S.Q., chapter M-32.1)

Photographic Proof of Documents Act (R.S.Q., chapter P-22)

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

Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., chapter R-5)

Act respecting the Québec Pension Plan (R.S.Q., chapter R-9)

Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10)

Act respecting occupational health and safety (R.S.Q., chapter S-2.1)

Act to promote the advancement of science and technology in Québec (1983, chapter 23)

Municipal Code



## CHAPTER 38

### Archives Act

[Assented to 21 December 1983]

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

### CHAPTER I

#### APPLICATION AND DEFINITIONS

Scope	<b>1.</b> This Act applies to public and private archives.
Interpreta- tion	<b>2.</b> In this Act, unless the context indicates otherwise,
“archives”	“ <b>archives</b> ” means the body of documents of all kinds, regardless of date, created or received by a person or body in meeting requirements or carrying on activities, preserved for their general information value;
“private archives”	“ <b>private archives</b> ” means archives other than public archives;
“public archives”	“ <b>public archives</b> ” means the archives of public bodies;
“document”	“ <b>document</b> ” means any medium of information, including the data on it, legible directly or by machine, except documents referred to in the Act respecting the Bibliothèque nationale du Québec (R.S.Q., chapter B-2);
“active document”	“ <b>active document</b> ” means a document in current use for administrative or legal purposes;
“inactive document”	“ <b>inactive document</b> ” means a document no longer used for administrative or legal purposes;
“semi-active document”	“ <b>semi-active document</b> ” means a document in occasional use for administrative or legal purposes;
“public body”	“ <b>public body</b> ” means a body deemed a public body in the schedule.

Transfer      **3.** In this Act, the transfer of a document, unlike its deposit, transfers its ownership.

## CHAPTER II

### PUBLIC ARCHIVES

#### DIVISION I

##### ACTIVE AND SEMI-ACTIVE DOCUMENTS

Management of documents      **4.** The Minister of Cultural Affairs shall adopt a management policy for the active and semi-active documents of the public bodies referred to in paragraph 1 of the schedule.

Approval      The policy requires the prior approval of the Conseil du trésor.

Keeper of the Archives      The Keeper of the Archives nationales du Québec shall coordinate the implementation and supervise the administration of the policy, and advise the bodies mentioned in the first paragraph on matters related to the policy. He may also, at the request of the Conseil du trésor, preserve the semi-active documents of those bodies.

Management proposal      **5.** The Minister shall propose a management policy to the public bodies referred to in paragraphs 2 and 3 of the schedule, for their active and semi-active documents.

Agreement      The Keeper may, by agreement, preserve the semi-active documents of the bodies.

Management policy      **6.** The public bodies referred to in paragraphs 4 to 7 of the schedule shall adopt a management policy for their active and semi-active documents.

Keeper's advice      The Keeper may advise them on the matter.

Retention schedule      **7.** Every public body shall establish and keep up to date a retention schedule determining the periods of use and medium of retention of its active and semi-active documents and indicating which inactive documents are to be preserved permanently, and which are to be disposed of.

Approval      **8.** Every public body referred to in paragraph 1 or 3 of the schedule shall, in accordance with the regulations, submit its retention schedule and every modification of the schedule to the Minister for approval.

Copy      Every public body referred to in paragraph 2 of the schedule shall transmit a copy of its retention schedule and every modification of the schedule to the Minister for his information.

- Approval Every public body referred to in paragraphs 4 to 7 of the schedule shall, in accordance with the regulations, submit to the Minister, for approval, its retention schedule and any modification respecting the addition of new documents or documents scheduled for permanent preservation.
- Modification **9.** The Minister may, after consulting the public body concerned, modify a retention schedule submitted to him for approval.
- Approval Upon written notification of the Minister's approval, the retention schedule binds the public body.
- Modification **10.** The Minister may modify a formerly approved retention schedule after consulting the public body concerned.
- Notice The Minister shall, in writing, notify the public body of his decision, which binds it 30 days after receipt of the notice.
- Opinion **11.** Before approving or modifying a retention schedule, the Minister may obtain the opinion of the Commission des biens culturels.
- Custody **12.** Every person who ceases to hold office in a public body must leave in its custody every document he created or received in that capacity.
- Exception The first paragraph does not apply to Members of the National Assembly, but they may deposit their documents with the Keeper, or transfer them to him, and agree with him on when they will become accessible.
- Prohibition **13.** Except as provided in the retention schedule, no person may alienate or dispose of an active or semi-active document of a public body.

## DIVISION II

## INACTIVE DOCUMENTS

- Inactive documents **14.** The Minister shall adopt a management policy for the inactive documents of public bodies.
- Duties of the Keeper The Keeper shall coordinate the implementation and supervise the administration of the policy, and advise the bodies on matters related to the policy.
- Transfer to the Keeper **15.** Every public body referred to in paragraph 1 or 3 of the schedule shall annually transfer to the Keeper the inactive documents indicated for permanent preservation in the retention schedule.
- Transfer and deposit Every public body referred to in paragraph 2 of the schedule may transfer the documents to the Keeper or deposit them with him.

**Management of inactive documents** Every public body referred to in paragraphs 4 to 7 of the schedule shall, in accordance with the regulations of the Government, assume the management of its inactive documents.

**Deposit** **16.** After obtaining the advice of the Commission des biens culturels, the Minister, by agreement with a public body or a private archival agency accredited under this Act, may deposit with it inactive documents that have been transferred to the Keeper.

**Deposit** The Minister similarly may authorize a public body referred to in paragraphs 4 to 7 of the schedule, by agreement with another public body or an accredited private archival agency, to deposit its inactive documents with it.

**Cessation of operations** **17.** The documents of a public body that ceases its operations are transferred to the Keeper, provided its rights and obligations are not assumed by another public body.

**Permanent preservation** If a public body ceases its operations and its rights and obligations are assumed by more than one public body, its inactive documents scheduled for permanent preservation are required to be transferred to only one of those public bodies. In the absence of applicable provisions or any agreement, the Keeper shall designate the responsible body.

**Prohibition** **18.** No person may alienate, dispose of or alter inactive documents of a public body scheduled for permanent preservation.

**Authorized disposal** The Keeper, however, may authorize the disposal of the documents if they have been reproduced on another medium or if he considers them to be irremediably damaged or to no longer have any retention value.

**Restricted documents** **19.** Inactive documents scheduled for permanent preservation and to which restrictions to the right of access apply under the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1) may, notwithstanding that Act, be disclosed not later than 150 years after their date.

**Corrections** **20.** Notwithstanding sections 89 to 102 of the Act respecting Access to documents held by public bodies and the Protection of personal information, the right to correct inactive documents concerning a deceased person is exercisable only by appending a schedule containing the nominative information amended, added or to be deleted.

## CHAPTER III

## PRIVATE ARCHIVES

**21.** The Minister is responsible for promoting the preservation and accessibility of private archives.

**22.** Any person or body may apply to the Minister for accreditation as a private archival agency.

The Minister, after obtaining the advice of the Commission des biens culturels, may accredit the agency if it meets the conditions fixed by regulation and by the Minister.

**23.** The Minister, on the conditions he determines, may provide financial or technical assistance to an accredited private archival agency.

**24.** The Minister may suspend or revoke the accreditation of a private archival agency at its request, or if it does not comply with the conditions established by regulation or by the Minister.

**25.** The Keeper or a public body, by agreement with a person who is depositing private archives, may deposit them with another public body or an accredited private archival agency.

The deposit by the Keeper or public body is made by agreement with the other body or the agency.

**26.** A person who deposits private archives with or transfers them to the Keeper or a public body referred to in paragraphs 4 to 7 of the schedule may make a written agreement with him on a period during which the archives will not be accessible. Failing such an agreement, the Keeper or public body may determine the period.

In no case may the period be longer than 100 years from the date of the documents or, in the case of nominative information, 30 years from the death of the person concerned.

The person mentioned in the first paragraph retains access to the archives, however, for himself or for the person he authorizes.

**27.** Private archives deposited with or transferred to the Keeper or a public body referred to in paragraphs 4 to 7 of the schedule do not constitute documents held by a public body for the purposes of the Act respecting Access to documents held by public bodies and the Protection of personal information.

However, where the archives are accessible, they may be examined in the manner provided in sections 10 and 11 of the said Act.

**28.** No person may for commercial purposes disperse an archives group consisting of documents created or received by a person in the course of his duties.

## CHAPTER IV

### ADMINISTRATION

#### DIVISION I

##### MANAGEMENT

Appointment  
of the  
Keeper

**29.** The Minister shall appoint a person to be Keeper of the Archives nationales du Québec.

Officers and  
employees

The Keeper and the other officers and employees under his direction are appointed and remunerated according to the Civil Service Act (R.S.Q., chapter F-3.1).

Powers

**30.** The Keeper may

(1) require any information necessary for the administration of this Act or the regulations thereunder;

(2) revendicate public archives possessed without right;

(3) take possession of public archives the preservation of which is endangered;

(4) acquire archives or copy of archives;

(5) reproduce archives.

Preservation  
of copy

**31.** Where the Keeper considers that data included in a computer record of a public body require to be permanently preserved, he may require the preservation of a copy of all or part of the data.

Copy

**32.** The Keeper may make a copy of public archives that have been transferred to him and certify it as a true copy.

Proof

A copy issued by the Keeper is proof of its tenor and existence with the same force as the original.

Copy of  
accessible  
archives

**33.** The Keeper may issue a copy of any accessible archives deposited with him.

Alteration  
and  
restoration

**34.** If public archives are altered contrary to this Act, the person who has custody of them is bound to restore them to their former state, at his own expense, saving his right of action, if any, against the person who caused the alteration.

Court order      On a motion by the Attorney General, a person generally or specially authorized by him for that purpose or any interested person, the Superior Court may order the person who has custody of the altered public archives to restore them to their original state or allow the Minister to do so at the expense of that person.

Delegation      **35.** The Minister may, in writing and to the extent he indicates, generally or specially delegate to the Keeper of the Archives nationales du Québec or to any person or the holder of any office he may designate, his powers to approve or make changes as provided in sections 8, 9 and 10 or his power to enter into an agreement contemplated in section 16.

Delegation      **36.** The Keeper may, in writing and to the extent he indicates, generally or specially delegate to one of his officers or employees the powers conferred on him in the second paragraph of section 18 or in section 32 or 33.

## DIVISION II

### REGULATIONS

Regulations      **37.** The Government may, by regulation,

(1) exempt from the application of a provision of this Act or a regulation categories of persons and classes of public bodies or archives that it indicates;

(2) determine, according to classes of public bodies or public archives, the standards and conditions of management of the archives, particularly regarding their preservation, restoration, alienation, deposit with or transfer to the Keeper of the Archives nationales du Québec, or their removal, alteration and disposal;

(3) determine, according to classes of public bodies, the content and form of and the procedures for submission of the retention schedule;

(4) determine the classes of persons or bodies that may apply for accreditation of a private archival agency, the conditions of qualification for accreditation, the form and tenor of the documents required to be sent upon an application for accreditation, the duration of accreditation and the procedures for its maintenance and renewal;

(5) determine provisions of the regulations to contravene which is an offence.

Applicability      The first paragraph does not apply to a public body referred to in paragraph 2 of the schedule.



Publication      **38.** After obtaining the advice of the Commission des biens culturels, the Minister shall publish a draft regulation in the *Gazette officielle du Québec* with a notice that it may be adopted, with or without amendment, on the expiry of 60 days from that publication.

Coming into force      **39.** Regulations made under this Act come into force ten days after their publication in the *Gazette officielle du Québec* or on any later date determined therein.

## CHAPTER V

### SANCTIONS

Offences and penalties      **40.** Every person who contravenes section 7 or 8 or fails to comply with any provision of a regulation made under subparagraph 2, 3 or 4 of the first paragraph of section 37 to contravene which is an offence is guilty of an offence and liable, in addition to costs, to a fine of \$50 to \$500.

Offences and penalties      **41.** Every person who contravenes section 12, 13, 15 or 31 is guilty of an offence and liable, in addition to costs, to a fine of \$300 to \$3 000.

Offences and penalties      **42.** Every person who contravenes the first paragraph of section 18 or section 28 is guilty of an offence and liable, in addition to costs, to a fine of \$500 to \$25 000.

Offences and penalties      **43.** Every person who hinders or attempts to hinder the Minister, the Keeper or a person designated under section 35 or 36 in the exercise of his duties, or deceives him by concealment or false declaration is guilty of an offence and liable, in addition to costs, to a fine of \$300 to \$1 000.

Party to an offence      **44.** Every person who prescribes or authorizes the commission of an offence against this Act, consents thereto or acquiesces therein is deemed a party to the offence and liable to the same penalty as that provided for the offender, whether or not the latter has been prosecuted or convicted.

Proceedings      **45.** Proceedings for any offence against this Act or a regulation are brought in accordance with the Summary Convictions Act (R.S.Q., chapter P-15) by the Attorney General or by a person generally or specially authorized by him for that purpose.

Time limit      The Attorney General or the person authorized by him must institute proceedings in the year the Keeper has become aware of the offence.

## CHAPTER VI

## TRANSITIONAL AND FINAL PROVISIONS

Regulations  
in force

**46.** The regulations or parts of regulations made by a public body under the enabling provisions repealed or amended by sections 62, 77, 83 and 86 of this Act or those relating to any matter provided for in this Act remain in force to the extent that they are consistent with it until the regulations that may be made under this Act relating to the same matter are in force.

Deemed  
transfer

**47.** Inactive documents of public bodies referred to in paragraph 1 or 3 of the schedule, deposited with the Keeper of the Archives nationales before 21 December 1983, but which, within the meaning of this Act, should be transferred to the Keeper, are deemed to have been transferred to him.

Continuance  
in office

**48.** The Keeper of the Archives nationales appointed under Division V of the Act respecting the Ministère des Affaires culturelles (R.S.Q., chapter M-20) becomes, without other formality, the Keeper of the Archives nationales du Québec appointed under this Act.

c. M-20,  
Div. V,  
replaced

**49.** Division V of the Act respecting the Ministère des Affaires culturelles is replaced by this Act.

Interpreta-  
tion

In any Act, proclamation, regulation, by-law, order in council, order, contract or other document, any reference to the said Division V or to any of its provisions is deemed a reference to this Act or to the corresponding provision of this Act.

Retention  
schedule

**50.** Every public body shall, notwithstanding section 8, submit its retention schedule to the Minister before 21 June 1985 or on any later date fixed by agreement with the Minister. In such a case, the application is required to be made to the Minister six months before the expiry of the time limit provided for submitting the retention schedule.

Prohibition

**51.** A public body referred to in paragraph 1 or 3 of the schedule which, on 31 March 1983, was in possession of inactive documents has no authority to alienate them or dispose of them, and shall forward a list of them to the Minister before 21 December 1986. The Minister shall then indicate to the body the documents required to be transferred to the Keeper; the body may dispose of any other documents.

Approval of  
the Minister

**52.** Every public body referred to in paragraphs 4 to 7 of the schedule which, on 31 March 1983, was in possession of inactive documents shall submit the list of the documents to the Minister for his approval before 21 December 1986, indicating the documents which will be preserved as public archives and those which will be disposed of.

- Extension** Notwithstanding the first paragraph, the Minister may, by agreement with the public body, fix a later date to submit the list to him. In this case, the application is required to be forwarded to the Minister six months before the expiry of the prescribed time limit.
- Approval** The list is approved as provided in sections 9, 10 and 11 of this Act for the approval of the retention schedule.
- Provisions applicable** **53.** Sections 40, 44 and 45 of this Act apply in the case of an offence under section 51 or 52.
- c. A-2.1, s. 2, am.** **54.** Section 2 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1) is amended by adding the following paragraph:
- “(4) private archives referred to in section 27 of the Archives Act (1983, chapter 38).”
- c. A-2.1, s. 59, am.** **55.** Section 59 of the said Act is amended by replacing paragraph 6 by the following paragraph:
- “(6) to the Keeper of the Archives nationales du Québec, in accordance with the Archives Act;”.
- c. A-2.1, s. 73, replaced** **56.** Section 73 of the said Act is replaced by the following section:
- Destruction** **“73.** When the object for which nominative information was collected has been achieved, the public body shall destroy the document, subject to the Archives Act.”
- c. A-2.1, s. 79, am.** **57.** Section 79 of the said Act is amended by replacing the first paragraph by the following paragraph:
- Restrictions** **“79.** Sections 64 to 77 do not apply to documents transferred to the Keeper of the Archives nationales du Québec in accordance with the Archives Act.”
- c. A-6, s. 9.1, replaced** **58.** Section 9.1 of the Financial Administration Act (R.S.Q., chapter A-6) is replaced by the following section:
- Documents in the custody of financial institutions** **“9.1** The Photographic Proof of Documents Act (R.S.Q., chapter P-22) applies to documents emanating from the department in the custody or possession of financial institutions. The documents may, however, be photographically reproduced and be destroyed within the period provided in the retention schedule contemplated in the Archives Act (1983, chapter 38) if the Minister authorizes their destruction.”
- c. B-4, s. 7.5, am.** **59.** Section 7.5 of the Cultural Property Act (R.S.Q., chapter B-4) is amended by inserting, after the second paragraph, the following paragraph:

Functions  
exercised by  
committee

“The functions conferred on the Commission under the Archives Act (1983, chapter 38) are exercised on its behalf by a committee composed of three persons designated by the Commission.”

c. B-4, s.  
7.6, am.

**60.** Section 7.6 of the said Act is amended by replacing the first paragraph by the following paragraph:

Advice to  
Minister

“**7.6** The Commission must give its advice to the Minister on any question he refers to it. It may also make recommendations to the Minister on any matter relating to the conservation of cultural property contemplated in this Act and the management of the public and private archives contemplated in the Archives Act.”

c. C-1, s. 21,  
replaced

**61.** Section 21 of the Cadastre Act (R.S.Q., chapter C-1) is replaced by the following section:

Custody  
of  
duplicate  
cadastre

“**21.** The duplicate of the cadastre of each seigniority which, under the Seigniorial Act of 1859 (22 Victoria, chapter 48), should have remained in the hands of the seigniorial commissioners, is entrusted to the Minister of Energy and Resources, as also all plans, maps and other like documents.”

c. C-19, s.  
89, repealed

**62.** Section 89 of the Cities and Towns Act (R.S.Q., chapter C-19) is repealed.

c. I-11.1, s.  
38, am.

**63.** Section 38 of the Act respecting the Inspector General of Financial Institutions (R.S.Q., chapter I-11.1) is amended by repealing the second paragraph.

c. M-15.1, s.  
10, repealed

**64.** Section 10 of the Act respecting the Ministère de l'Énergie et des Ressources (R.S.Q., chapter M-15.1) is repealed.

c. M-15.2, s.  
8.1, am.

**65.** Section 8.1 of the Act respecting the Ministère de l'Environnement (R.S.Q., chapter M-15.2) is amended by replacing the first paragraph by the following paragraph:

Reproduc-  
tion of  
documents

“**8.1** Where documents forming part of the archives of the department have been reproduced in accordance with the Photographic Proof of Documents Act (R.S.Q., chapter P-22) before (*insert here the date of coming into force of section 40 of chapter 25 of the statutes of 1982*), they are deemed to have been validly reproduced even if they were so reproduced in the presence of only a single officer of the department.”

c. M-15.3, s.  
15, repealed

**66.** Section 15 of the Act respecting the Ministère de l'Habitation et de la Protection du consommateur (R.S.Q., chapter M-15.3) is repealed.

c. M-19.1, s.  
16, repealed

**67.** Section 16 of the Act respecting the Ministère de la Main-d'oeuvre et de la Sécurité du revenu (R.S.Q., chapter M-19.1) is repealed.

c. M-20, s. 4, replaced **68.** Section 4 of the Act respecting the Ministère des Affaires culturelles (R.S.Q., chapter M-20) is replaced by the following section:

Duties of Minister **“4.** The Minister shall have charge of the national libraries and museums and of archives, and control of the conservatories of music and dramatic art and of artistic, literary and scientific competitions.”

c. M-23, s. 9.1, repealed **69.** Section 9.1 of the Act respecting the Ministère des Affaires sociales (R.S.Q., chapter M-23) is repealed.

c. M-28, s. 8.1, repealed **70.** Section 8.1 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is repealed.

c. M-29.1, s. 17, repealed **71.** Section 17 of the Act respecting the Ministère du Commerce extérieur (R.S.Q., chapter M-29.1) is repealed.

c. M-31, s. 8.1, repealed **72.** Section 8.1 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31) is repealed.

c. M-32.1, s. 11, repealed **73.** Section 11 of the Act respecting the Ministère du Travail (R.S.Q., chapter M-32.1) is repealed.

c. P-22, s. 2, am. **74.** Section 2 of the Photographic Proof of Documents Act (R.S.Q., chapter P-22) is amended

(1) by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) destroyed in the presence of at least two employees of the institution specially authorized by it for that purpose, immediately after such reproduction or subsequently, but never before the expiry of five years from the date of such document.”;

(2) by replacing the second paragraph by the following paragraph:

Documents of the Government and government bodies **“Notwithstanding subparagraph *b* of the first paragraph, documents in the custody or possession of the Government or of a public company, a public corporation or a public body subject to the application of this Act and referred to in the schedule to the Archives Act (1983, chapter 38) must be photographically reproduced and destroyed within the time limit provided in the retention schedule contemplated in the Archives Act in the presence of at least two public servants or employees of the Government, of the public company, of the public corporation or of the public body designated by the Keeper of the Archives nationales du Québec.”**

c. P-22, s. 3, am. **75.** Section 3 of the said Act is amended by replacing the second paragraph by the following paragraph:

*Deposit*      “With respect to documents in the possession of the Government, one copy of such declaration shall be remitted to the Minister having custody of the document and the other to the Keeper of the Archives nationales du Québec; in every other case, one copy shall be preserved by the institution concerned and the other shall be deposited in the office of a notary practising in Québec.”

c. P-22, s. 4,  
am.      **76.** Section 4 of the said Act is amended by replacing the second paragraph by the following paragraph:

*Admissible  
evidence*      “Any extract or copy of the declaration certified true by the Keeper of the Archives nationales du Québec or the person specially authorized by him for that purpose in the case of documents in the custody or possession of the Government, a public company, a public corporation or a public body or, in all other cases, by the notary in whose records a copy has been deposited in Québec or, as the case may be, by the notary to or with whom such records have been transferred or deposited, may be received in evidence on the same footing as the original.”

c. S-5, s.  
173, am.      **77.** Section 173 of the Act respecting health services and social services (R.S.Q., chapter S-5) is amended by replacing subparagraph *b* of the first paragraph by the following subparagraph:

“(b) rule on the essential elements and documents of the records of the recipients, the examination of records and their photographic reproduction;”.

c. R-5, s. 16,  
am.      **78.** Section 16 of the Act respecting the Régie de l’assurance-maladie du Québec (R.S.Q., chapter R-5) is amended by replacing the second paragraph by the following paragraph:

*Provisions  
applicable*      “The Photographic Proof of Documents Act (R.S.Q., chapter P-22) applies to documents emanating from the Board or forming part of its records.”

c. R-9, s.  
25.1,  
replaced      **79.** Section 25.1 of the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9) is replaced by the following section:

*Provisions  
applicable*      “**25.1** The Photographic Proof of Documents Act (R.S.Q., chapter P-22) applies to documents and copies of documents emanating from the Board or forming part of its records.”

c. R-10, s.  
146,  
repealed      **80.** Section 146 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10), replaced by section 1 of chapter 24 of the statutes of 1983, is repealed.

- c. S-2.1, s. 158, am. **81.** Section 158 of the Act respecting occupational health and safety (R.S.Q., chapter S-2.1) is amended by replacing the second paragraph by the following paragraph:
- Provisions applicable **“The Photographic Proof of Documents Act (R.S.Q., chapter P-22) applies to documents or copies of documents emanating from the Commission or forming part of its records.”**
- 1983, c. 23, s. 19, repealed **82.** Section 19 of the Act to promote the advancement of science and technology in Québec (1983, chapter 23) is repealed.
- M.C., a. 161a, repealed **83.** Article 161a of the Municipal Code, enacted by section 16 of chapter 53 of the statutes of 1977, is repealed.
- Minister responsible **84.** The Minister of Cultural Affairs is responsible for the administration of this Act.
- Exception **85.** This Act shall operate notwithstanding the provisions of sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B of the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).
- Municipal charters **86.** Any provision of the charter of a municipality which is inconsistent with a provision of this Act is inoperative.
- Effect **87.** Sections 51 and 52 have effect from 31 March 1983.
- Coming into force **88.** This Act comes into force on the day of its sanction, except sections 58, 63 to 67, 69 to 73 and 78 to 82, which come into force on the date fixed by proclamation of the Government and will have effect, in respect of the bodies that are subject to this Act, to the extent specified in such a proclamation.

## SCHEDULE

## BODIES DEEMED PUBLIC BODIES

(1) The Government, the Conseil exécutif, the Conseil du trésor, the government departments and the governmental bodies not contemplated in paragraphs 3 to 7 to which the Government or a minister appoints at least the majority of their members, to which by law the public servants or employees are appointed or remunerated in accordance with the Civil Service Act (R.S.Q., chapter F-3.1) or whose capital stock is part of the public domain;

(2) The Lieutenant-Governor, the National Assembly and any person designated by the latter to perform duties under its jurisdiction or any body whose members are appointed by the National Assembly;

(3) The courts, the coroners and the investigation commissioners;

(4) The Communauté urbaine de Montréal, the Communauté urbaine de Québec, the Communauté régionale de l'Outaouais, the bodies and agencies established by the Acts incorporating the Communities, a municipality whether incorporated by a general law or special Act, a county municipality, a regional county municipality and any body constituted as an agency of any of the municipalities or otherwise coming under their authority, and the Kativik Regional Government;

(5) Municipal and intermunicipal transport corporations;

(6) Regional school boards, school boards and corporations of trustees governed by the Education Act (R.S.Q., chapter I-14), the Conseil scolaire de l'Île de Montréal, general and vocational colleges, universities, institutions declared to be of public interest or recognized for purposes of grants under the Act respecting private education (R.S.Q., chapter E-9), schools governed by the Specialized Schools Act (R.S.Q., chapter E-10) and any other educational institution not less than one-half of whose operating costs are paid out of appropriations appearing in the estimates tabled in the National Assembly;

(7) Public health or social services establishments contemplated in sections 10 and 11 of the Act respecting health services and social services (R.S.Q., chapter S-5), regional health and social service councils established under the said Act, hospital centres and reception centres which are private establishments under agreement within the meaning of the said Act and the Corporation d'hébergement du Québec.