



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 31

(2006, chapter 15)

An Act to amend the Act respecting the Société nationale du cheval de course

Introduced 9 June 2006

Passage in principle 12 June 2006

Passage 13 June 2006

Assented to 13 June 2006

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EXPLANATORY NOTES

This bill amends the Act respecting the Société nationale du cheval de course to review the rules regarding the board of directors that administers the affairs of the Société.

The bill also introduces a new provision authorizing the Government to dissolve the Société on the date and on the terms and conditions it determines.

Bill 31

AN ACT TO AMEND THE ACT RESPECTING THE SOCIÉTÉ NATIONALE DU CHEVAL DE COURSE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Sections 2 to 10 of the Act respecting the Société nationale du cheval de course (R.S.Q., chapter S-18.2.0.1) are replaced by the following sections:

“**2.** The board of directors of the Société is composed of five members, including a chair appointed by the Minister. Their term of office begins on appointment.

The members of the board of directors hold office for up to four years.

“**3.** The State shall assume the defence of a member of the board of directors, appointed by the Minister, who is prosecuted by a third person for an act done in the performance of his or her duties and shall pay any damages awarded as compensation for any injury resulting from that act, unless the board member has committed a grievous offence or a personal offence separable from the performance of his or her duties.

In penal or criminal proceedings, however, the State shall assume the payment of the expenses of a member of the board of directors, appointed by the Minister, only if the board member had reasonable grounds to believe that his or her conduct was in conformity with the law, or if the board member has been discharged or acquitted.”

2. Section 13 of the Act is amended by adding the following paragraph at the end:

“If, at the time of dissolution, the debts of the Société exceed the value of its property, the State shall assume the debt surplus.”

3. Sections 14 to 16 of the Act are repealed.

4. The Act is amended by inserting the following section after section 20:

“**20.1.** The Government may, by order, dissolve the Société nationale du cheval de course on the date and on the terms and conditions it determines.

The Act respecting the Société nationale du cheval de course is repealed as of that date.

Civil proceedings to which the Société is a party are continued by the attorney acting for or on behalf of the Attorney General of Québec, on an appearance on behalf of the Attorney General of Québec and without continuance of suit.”

5. The term of office of the members of the board of directors of the Société nationale du cheval de course ends on the date of appointment of the members appointed under section 2 of the Act respecting the Société nationale du cheval de course (R.S.Q., chapter S-18.2.0.1), enacted by section 1 of this Act.

Section 3 of the Act respecting the Société nationale du cheval de course, enacted by section 1 of this Act, does not apply to a member referred to in the first paragraph.

6. Decisions made by the board of directors of the Société nationale du cheval de course on or after 1 September 2001 may not be invalidated for the sole reason that sections 4 to 10, 14 and 16 of the Act respecting the Société nationale du cheval de course (R.S.Q., chapter S-18.2.0.1) were not complied with.

7. Any decision made by the board of directors of the Société nationale du cheval de course on or after 8 June 2006 is without effect unless ratified by the new board of directors established under section 2 of the Act respecting the Société nationale du cheval de course (R.S.Q., chapter S-18.2.0.1), enacted by section 1 of this Act.

8. This Act comes into force on 13 June 2006.