



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 19

(2006, chapter 21)

An Act to establish the Sports and Physical Activity Development Fund

Introduced 10 May 2006

Passage in principle 26 May 2006

Passage 13 June 2006

Assented to 14 June 2006

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EXPLANATORY NOTES

This bill establishes the Sports and Physical Activity Development Fund, dedicated to providing financial support for the construction, renovation, equipping and bringing up to standards of sports and recreational facilities, for the organization of international and Canada-wide sports events and for bids to host such events. The bill also includes measures governing the makeup and management of the Fund.

Bill 19

AN ACT TO ESTABLISH THE SPORTS AND PHYSICAL ACTIVITY DEVELOPMENT FUND

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. A Sports and Physical Activity Development Fund is established at the Ministère de l'Éducation, du Loisir et du Sport.

The Fund is dedicated to providing financial support for the construction, renovation, equipping and bringing up to standards of sports and recreational facilities, for the organization of international and Canada-wide sports events and for bids to host such events.

The Fund is intended, among other purposes, to contribute to the development of a sports culture among the population.

2. The Government sets the date on which the Fund is to begin to operate and determines its assets and liabilities. It also determines the nature of the activities to be financed by the Fund, the nature of the costs that may be charged to it and the proportion of financial support to be granted to sports and recreational facilities and sports events, respectively.

3. The Fund is made up of

- (1) the sums paid into the Fund by the Minister of Revenue under section 5;
- (2) the sums paid into the Fund by the Minister of Education, Recreation and Sports out of the appropriations granted for that purpose by Parliament;
- (3) the gifts, legacies and other contributions paid into the Fund to further the achievement of the objects of the Fund;
- (4) the sums paid into the Fund by the Minister of Finance under sections 6 and 7; and
- (5) the income generated by the investment of the sums making up the Fund.

4. The management of the sums making up the Fund is entrusted to the Minister of Finance. The sums are paid to the order of that Minister and deposited with the financial institutions designated by that Minister.

The Minister of Education, Recreation and Sports keeps the books of account of the Fund and records the financial commitments chargeable to it. The Minister also ensures that such commitments and the payments arising from them do not exceed and are consistent with the available balances.

The particulars of the management of the Fund are determined by the Conseil du trésor.

5. On the dates and in the manner determined by the Government, the Minister of Revenue pays into the Fund part of the proceeds of the tobacco tax collected under the Tobacco Tax Act (R.S.Q., chapter I-2) for a total amount of \$30,000,000 per year.

6. 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.

Conversely, the Minister of Finance may, subject to the conditions determined by that Minister, advance to the consolidated revenue fund on a short-term basis any part of the sums making up the Fund that is not required for its operation.

Any sum advanced to a fund is repayable out of that fund.

7. The Minister of Education, Recreation and Sports, as manager of the Fund, may borrow sums from the Minister of Finance out of the financing fund established under the Act respecting the Ministère des Finances (R.S.Q., chapter M-24.01).

8. The sums required for the remuneration and the expenses pertaining to employee 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 Fund-related activities are paid out of the Fund.

9. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (R.S.Q., chapter A-6.001) apply to the Fund, with the necessary modifications.

10. Despite any provision to the contrary, the Minister of Finance must, in the event of a deficiency in the consolidated revenue fund, pay out of the Sports and Physical Activity Development Fund the sums required for the execution of a judgment against the State that has become *res judicata*.

11. The fiscal year of the Fund ends on 31 March.

12. For every fiscal year, the Minister tables a report on the activities of the Fund in the National Assembly.

13. For the fiscal year 2006-2007, the amount of \$30,000,000 in section 5 is replaced by that of \$15,000,000.

14. The Minister of Education, Recreation and Sports is responsible for the administration of this Act.

15. The provisions of this Act cease to have effect on the date or dates to be set by the Government, which may not precede 1 April 2020.

Any sum remaining in the Fund on the date section 1 ceases to have effect is paid into the consolidated revenue fund and is appropriated to the financing of such complementary measures consistent with the objects of the Fund as are determined by the Government, in the manner determined by the Government.

16. This Act comes into force on 14 June 2006.

