



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 34

(2006, chapter 52)

**An Act to amend the Act respecting
the Conseil supérieur de l'éducation
and other legislative provisions**

Introduced 14 June 2006

Passage in principle 16 November 2006

Passage 14 December 2006

Assented to 14 December 2006

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EXPLANATORY NOTES

This bill amends the Act respecting the Conseil supérieur de l'éducation to specify that the function of the Council is to advise the Minister of Education, Recreation and Sports on any matter relating to education.

The bill also proposes changes to the power of the Council to establish commissions to carry out its work or examine specific issues.

Lastly, the bill provides for changes to the appointment of the members of the Council and to the Council's internal management.

LEGISLATION AMENDED BY THIS BILL:

- General and Vocational Colleges Act (R.S.Q., chapter C-29);
- Act respecting the Conseil supérieur de l'éducation (R.S.Q., chapter C-60);
- Education Act (R.S.Q., chapter I-13.3);
- Act respecting the Ministère de l'Éducation, du Loisir et du Sport (R.S.Q., chapter M-15).

Bill 34

AN ACT TO AMEND THE ACT RESPECTING THE CONSEIL SUPÉRIEUR DE L'ÉDUCATION AND OTHER LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The preamble of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., chapter C-60) is amended by replacing the fourth paragraph by the following paragraphs:

“Whereas it is expedient, in accordance with these principles, to establish, as a think tank dedicated to the development of a global vision of education, a Conseil supérieur de l'éducation to collaborate with the Minister of Education, Recreation and Sports and to advise that Minister on any matter relating to education;

Whereas an advisory committee responsible for advising the Minister of Education, Recreation and Sports on the financial accessibility of education will be attached to the Conseil supérieur de l'éducation and any commission that the Conseil sees fit to establish may be attached to it.”

2. Section 3 of the Act is amended by inserting “, if any” after “commissions” in the second line.

3. Section 4 of the Act is amended by inserting “students,” after “representative of the” in the second line of the first paragraph.

4. Section 5 of the Act is amended

(1) by replacing the first paragraph by the following paragraph:

“**5.** Such members shall be appointed for a term not exceeding four years.”;

(2) by striking out the third paragraph;

(3) by replacing the fourth paragraph by the following paragraph:

“The members shall not be appointed for a second consecutive term.”

5. Section 7 of the Act is amended by replacing “and to its committee and commissions” in the first and second lines of the second paragraph by “, to its committee and to its commissions, if any,”.

6. Section 9 of the Act is amended by replacing the first paragraph by the following paragraphs:

“9. The function of the Council is to advise the Minister on any matter relating to education.

For that purpose, the Council must report at least every two years to the Minister on the state and needs of education.”

7. Section 10 of the Act is replaced by the following section:

“10. In the exercise of its function, the Council may

(1) advise or make recommendations to the Minister on any matter relating to education;

(2) solicit or receive petitions, opinions and suggestions from interested bodies or groups and from the general public on any matter relating to education; and

(3) conduct or commission studies and investigations that it considers useful or necessary for the exercise of its function.”

8. The Act is amended by inserting the following sections after section 10:

“10.1. The Council shall advise the Minister on draft regulations that the Minister is required to submit to the Council and on any matter submitted by the Minister.

“10.2. The Council may adopt internal management by-laws.”

9. Section 11 of the Act is amended by striking out the second paragraph.

10. Section 12 of the Act is amended by replacing “commissions” in the second line of the first paragraph by “of its commissions, if any,”.

11. Section 13 of the Act is replaced by the following section:

“13. The secretary and the other members of the personnel of the Council shall be appointed in accordance with the Public Service Act (chapter F-3.1.1).”

12. Section 14 of the Act is amended

(1) by replacing “and its committee and commissions” in the first line of the first paragraph by “, its committee and its commissions, if any,”;

(2) by striking out the second paragraph.

13. Section 23.2 of the Act is amended by inserting “is not entitled to vote and” after “Sport” in the first line of the second paragraph.

14. Section 24 of the Act is replaced by the following section:

“**24.** The Council may establish commissions to carry out its work or to examine specific issues.”

15. Sections 25 to 27 of the Act are repealed.

16. Section 28 of the Act is replaced by the following section:

“**28.** The committee and any commissions of the Council may sit at any place in Québec.”

17. Section 29 of the Act is amended by replacing “, of the committee or of a commission” in the first and second lines by “or of the committee”.

18. Section 30 of the Act is repealed.

OTHER AMENDMENTS

19. Section 2 of the General and Vocational Colleges Act (R.S.Q., chapter C-29) is amended by striking out “and after consultation with the Conseil supérieur de l’éducation” in the second line.

20. Section 30 of the Act is amended by striking out “after consultation with the Conseil supérieur de l’éducation” in the second and third lines of the first paragraph.

21. Section 30.0.1 of the Act is amended by striking out “after consultation with the Conseil supérieur de l’éducation” in the second and third lines of the first paragraph.

22. Section 31 of the Act is amended by striking out “after consultation with the Conseil supérieur de l’éducation” in the first and second lines of the first paragraph and “after consultation with the Conseil supérieur de l’éducation,” in the second line of the second paragraph.

23. Section 458 of the Education Act (R.S.Q., chapter I-13.3) is amended by replacing “, 448, 450 and 456” in the first and second lines by “, 448 and 456”.

24. The preamble of the Act respecting the Ministère de l'Éducation, du Loisir et du Sport (R.S.Q., chapter M-15) is amended by striking out “and its commissions” at the end of the fourth paragraph.

25. The commissions of the Conseil supérieur de l'éducation established under section 24 of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., chapter C-60), as it read before being replaced, continue to exist and the members of those commissions continue to act until the Council provides otherwise.

26. This Act comes into force on 14 December 2006.

