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# NATIONAL ASSEMBLY

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SECOND SESSION

THIRTY-FIFTH LEGISLATURE

## Bill 76

(1996, chapter 72)

### **An Act to establish a tourism partnership fund**

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**Introduced 14 November 1996**

**Passage in principle 10 December 1996**

**Passage 20 December 1996**

**Assented to 23 December 1996**

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**EXPLANATORY NOTE**

*The purpose of this bill is to establish a tourism partnership fund for the promotion and development of tourism, and to define the operating rules applicable to the fund.*

**LEGISLATION AMENDED BY THIS BILL :**

- Act respecting the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie (R.S.Q., chapter M-17).

## Bill 76

### AN ACT TO ESTABLISH A TOURISM PARTNERSHIP FUND

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

**1.** The Act respecting the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie (R.S.Q., chapter M-17) is amended by inserting, after section 17, the following division :

#### “DIVISION II.2

#### “TOURISM PARTNERSHIP FUND

“**17.1.** A tourism partnership fund is hereby established for the promotion and development of tourism.

“**17.2.** The Government shall fix the date on which the fund begins to operate and determine its assets and liabilities. The Government shall also determine the nature of the activities that may be financed by the fund and the nature of the costs and expenses that may be charged to the fund. Moreover, the Government may change the name of the fund.

“**17.3.** The fund shall be made up of

(1) the proceeds from the sale of the goods and services financed by the fund;

(2) the sums paid into the fund by the Minister and taken 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 pursuant to section 17.5 and the first paragraph of section 17.6;

(5) the sums paid into the fund by the Minister of Revenue as the proceeds from the specific accommodation tax collected pursuant to the Act respecting the Québec sales tax (chapter T-0.1);

(6) the sums paid into the fund by the Minister of Revenue, out of the proceeds of the Québec sales tax collected pursuant to the Act respecting the Québec sales tax, on the dates and to the extent determined by the Government;

and

(7) the interest earned on bank balances proportionate to the sums referred to in paragraphs 3 and 5.

**“17.4.** The management of the sums making up the fund shall be entrusted to the Minister of Finance. The sums shall be paid to the order of the Minister of Finance and deposited with the financial institutions designated by him.

Notwithstanding section 13 of the Financial Administration Act (chapter A-6), the Minister shall keep the books of account of the fund and record the financial commitments chargeable to the fund. In addition, the Minister shall certify that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.

**“17.5.** The Minister, as manager of the fund, may borrow from the Minister of Finance sums taken out of the financing fund established under section 69.1 of the Financial Administration Act.

**“17.6.** The Minister of Finance may, with the authorization of and subject to the conditions determined by the Government, advance to the fund sums taken out of the consolidated revenue fund.

Conversely, the Minister of Finance may, subject to the conditions he determines, 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.

**“17.7.** The sums referred to in paragraph 5 of section 17.3 and the interest earned thereon shall be paid out to the regional tourism associations representing the tourism regions where the specific accommodation tax is applicable.

The Minister shall determine the dates on which and the conditions subject to which the payments are to be made as well as the terms and conditions of payment.

**“17.8.** The sums required to pay the remuneration of and expenditures relating to the employment benefits and other conditions of employment of the persons assigned, in accordance with the Public Service Act (chapter F-3.1.1), to fund-related activities shall be taken out of the fund.

**“17.9.** The surpluses accumulated in the fund shall be paid into the consolidated revenue fund on the dates and to the extent determined by the Government.

**“17.10.** Sections 22 to 27, 33, 35, 45, 47 to 49, 49.2, 49.6, 51, 57 and 70 to 72 of the Financial Administration Act, adapted as required, apply to the fund.

**“17.11.** The fiscal year of the fund shall end on 31 March.

**“17.12.** Notwithstanding any provision to the contrary, the Minister of Finance shall, in the event of a deficiency in the consolidated revenue fund, pay out of the fund the sums required for the execution of a judgment against the Crown that has become *res judicata*.”

**2.** This Act comes into force on 23 December 1996.