



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 415

(1998, chapter 9)

An Act to establish a fund in respect of the ice storm of 5 to 9 January 1998

Introduced 25 March 1998
Passage in principle 1 April 1998
Passage 21 May 1998
Assented to 22 May 1998

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EXPLANATORY NOTES

This bill provides for the creation of a fund in relation to the ice storm that occurred between 5 and 9 January 1998.

The fund is dedicated to the management and financing of the exceptional expenditures borne by government departments and government bodies and of the expenditures pertaining to various financial assistance programs established to provide compensation for damage caused by the disaster.

In addition, the bill sets out the rules of operation of the fund.

Bill 415

AN ACT TO ESTABLISH A FUND IN RESPECT OF THE ICE STORM OF 5 TO 9 JANUARY 1998

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. A fund relating to the ice storm is hereby established at the Conseil du trésor.

The fund shall be dedicated to the management and financing of the exceptional expenditures borne by government departments and bodies and of the expenditures pertaining to the various financial assistance programs established to provide compensation for damage caused by the ice storm of 5 to 9 January 1998.

A government body includes any government agency or corporation to which sections 4 and 5 of the Auditor General Act (R.S.Q., chapter V-5.01) apply.

2. The fund shall be made up of

(1) the sums deposited in the “Compte d’aide financière concernant la catastrophe du 5 au 9 janvier 1998” established under section 3;

(2) sums paid by the Minister of Finance for the purposes of the first paragraph of section 7 or section 8;

(3) appropriations committed, in the course of the fiscal year 1997-98 and in the following fiscal years, for the purposes of expenditures incurred by a government department or government body in relation to the disaster;

(4) gifts, legacies and other contributions paid to further the attainment of the objects of the fund.

3. A specific purpose account entitled “Compte d’aide financière concernant la catastrophe du 5 au 9 janvier 1998” is established at the Conseil du trésor for the deposit of the sums received or to be received from the Government of Canada in relation to the disaster, as financial assistance allocated in the event of a disaster or under any program or any intergovernmental agreement entered into for that purpose.

The disbursements that are chargeable to the account shall be the expenses eligible for federal assistance in the event of a disaster, for such programs or for such agreements.

The limits applicable to the disbursements that may be made out of the account shall correspond to the sums received or to be received from the Government of Canada.

4. The sums required for the following purposes are taken out of the fund :

(1) the payment of the financial assistance granted by a government department or a government body pursuant to the financial assistance programs established, authorized or approved by the Government in relation to the disaster ;

(2) the payment of exceptional expenditures borne by a government department or a government body for emergency measures taken during or after the disaster and for the implementation of the programs referred to in paragraph 1 ;

(3) the operation of the Commission scientifique et technique chargée d'analyser les événements relatifs à la tempête de verglas established pursuant to Order in Council number 80-98 dated 28 January 1998 ;

(4) the payment of the remuneration and expenses pertaining to the social 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 activities related to the fund ;

(5) the payment of any other expense related to the disaster and determined by the Government.

5. The Government shall determine the nature of the disbursements chargeable to the fund.

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

Notwithstanding section 13 of the Financial Administration Act (R.S.Q., chapter A-6), the chairman of the Conseil du trésor shall keep the books of account for and record the financial commitments chargeable to the fund. The chairman of the Conseil du trésor shall also certify that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.

7. The Minister of Finance may, with the authorization of the Government and on the conditions it determines, advance to the fund sums taken out of the consolidated revenue fund.

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

Any advance paid into a fund shall be repayable out of that fund.

8. The chairman of the Conseil du trésor may, as the manager of the fund, borrow from the Ministère des Finances sums taken out of the financing fund administered by the Ministère des Finances.

9. 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.

10. The fiscal year of the fund ends on 31 March.

11. 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*.

12. The chairman of the Conseil du trésor is responsible for the administration of this Act.

13. This Act has effect from 5 January 1998. It will cease to have effect on the date to be determined by the Government.

The surplus of the fund on the date on which this Act ceases to have effect shall be paid into the consolidated revenue fund.

14. This Act comes into force on 22 May 1998.