



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 119

(2000, chapter 14)

An Act to establish the Québec Youth Fund

Introduced 9 May 2000

Passage in principle 24 May 2000

Passage 14 June 2000

Assented to 16 June 2000

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EXPLANATORY NOTES

The object of this bill is to provide for the establishment of a fund to be known as the Québec Youth Fund. The fund will provide financing for actions undertaken to further the social, community, cultural and professional integration of young Quebecers.

The bill specifies the rules of operation of the fund and the sums to be paid into it.

LEGISLATION AMENDED BY THIS BILL :

- Taxation Act (R.S.Q., chapter I-3).

Bill 119

AN ACT TO ESTABLISH THE QUÉBEC YOUTH FUND

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. A fund to be known as the Québec Youth Fund is hereby established at the Ministère du Conseil exécutif.

The fund shall be dedicated to the financing of actions undertaken to further the social, community, cultural and professional integration of young Quebecers.

2. The Government shall fix the date on which the fund begins to operate and determine its assets and liabilities and the nature of the costs that may be charged to the fund.

3. The fund shall be made up of the following sums :

(1) the sums paid into it by the Minister of Revenue pursuant to section 1186.10 of the Taxation Act (R.S.Q., chapter I-3), enacted by section 14 of chapter 14 of the statutes of 2000 ;

(2) the sums paid into it by the Minister of Finance pursuant to sections 5, 6 and 12 ;

(3) the sums paid into it by a minister out of the appropriations allocated for that purpose by Parliament ;

(4) the gifts, legacies and other contributions paid into it to further the achievement of the objects of the fund ;

(5) the interest earned on bank balances in proportion to the sums referred to in paragraphs 1 and 4.

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 the Minister of Finance.

Notwithstanding section 13 of the Financial Administration Act (R.S.Q., chapter A-6), the minister responsible for the administration of this Act shall keep the books of account for and record the financial commitments chargeable

to the fund. The minister shall also certify that such commitments and the payments arising therefrom do not exceed, and are consistent with, the available balances.

5. 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 advance to the consolidated revenue fund, on a short-term basis and subject to the conditions the Minister determines, 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.

6. The minister may, as the manager of the fund, borrow from the Minister of Finance sums taken out of the financing fund established at the Ministère des Finances.

7. The sums required for the following purposes shall be taken out of the fund :

(1) the payment of subsidies granted by the minister to the Société de gestion du Fonds jeunesse for the carrying out of actions undertaken to further the social, community, cultural and professional integration of young Quebecers ;

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

(3) the payment of any expense necessary for the carrying out of the functions entrusted to the minister by this Act.

The Government shall determine the dates and the terms of payment and the conditions subject to which the payments are made to the Société de gestion du Fonds jeunesse.

8. The provisions of 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 apply to the fund, with the necessary modifications.

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

10. 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 Québec Youth Fund the sums required for the execution of a judgment against the State that has become *res judicata*.

11. The minister responsible for the application of this Act shall table in the National Assembly, for each fiscal year, a report on the actions financed by the fund.

The competent parliamentary committee of the National Assembly shall examine the report.

12. The Minister of Finance shall pay into the fund, before 15 March 2004, the sums required to ensure that the fund receives not less than \$120,000,000, including interest. Such sums shall be taken out of the consolidated revenue fund.

Any sum not used on the date on which this Act ceases to have effect not exceeding \$120,000,000 shall be appropriated to the financing of such complementary measures consistent with the objects of the fund as the Government determines, in the manner fixed by the Government.

Any sum remaining in the fund in excess of \$120,000,000 on the date on which this Act ceases to have effect shall be paid into the consolidated revenue fund and shall be appropriated to the financing of such complementary measures consistent with the objects of the fund as are determined by the Government, in the manner fixed by the Government.

13. The Premier, or the minister designated by the Government, is responsible for the application of this Act.

TAXATION ACT

14. The Taxation Act (R.S.Q., chapter I-3) is amended by inserting the following after section 1186.5:

“PART VII.2

“CONTRIBUTION TO THE QUÉBEC YOUTH FUND

“1186.6. In this Part,

“financial institution” means a corporation referred to in subparagraph *a* of the first paragraph of section 1132;

“Minister” means the Minister of Revenue;

“reference period” means the period from 15 March 2000 to 14 March 2003;

“taxation year” has the meaning assigned by Part I;

“tax under Part I” of a corporation for a taxation year means the tax which the corporation would be required to pay for the year under Part I were it not for sections 1183 and 1184.

“1186.7. Every corporation referred to in Book II of Part I shall, in relation to a taxation year included in whole or in part in the reference period, pay to the Minister for the year a contribution equal to the proportion that the number of days in the year included in the reference period is of the number of days in the year, of the aggregate of

(a) 1.6% of its tax under Part I for the year; and

(b) 1.6% of its tax payable for the year under Part IV, if the corporation is a financial institution.

“1186.8. Except where inconsistent with this Part, the second paragraph of section 87.4, subsection 2 of section 333.2, section 427.4.1, the second paragraph of section 455.0.1, section 485.48, section 520.2, the third paragraph of sections 620.1 and 716.0.1, section 710.3, the second paragraph of section 737.18.4, sections 1000 to 1014, the first paragraph of section 1027, the second paragraph of section 1029.8.36.91 and sections 1034 to 1079.16 apply, with the necessary modifications, to this Part.

“1186.9. A corporation is not required to make, pursuant to subparagraph *a* of the first paragraph of section 1027, a payment on account of its contribution payable for a taxation year under this Part if the corporation is not required, under Part I, to make such a payment of its tax payable under that Part and, where applicable, of its tax payable under Part IV, for that year.

“1186.10. The Minister shall remit the contributions paid pursuant to section 1186.7 to the Québec Youth Fund established under the Act to establish the Québec Youth Fund (2000, chapter 14).

However, the contributions paid pursuant to section 1186.7 by a corporation on or after the date on which the Act to establish the Québec Youth Fund ceases to have effect shall be paid into the consolidated revenue fund.”

15. Sections 1 to 13 have effect from 15 March 2000. Those sections will cease to have effect on 15 March 2004 or on such later date as the Government may determine.

16. Section 14 applies to a taxation year of a corporation that ends after 14 March 2000. In addition, for the purposes, by reason of section 1186.8 of the Taxation Act enacted by section 14, either of subparagraph *a* of the first paragraph of section 1027 of that Act for the purpose of computing, after 30 June 2000, the amount of a payment that a corporation is required to make, in respect of its contribution payable pursuant to Part VII.2 of that Act, enacted by section 14, for a particular taxation year, or of section 1038 of that Act for the purpose of computing the interest provided for therein that the corporation is required to pay, if any, in respect of the payment, the following rules apply :

(1) Part VII.2 is deemed to have also been in force for any preceding taxation year for which it would not otherwise have been in force; and

(2) the contribution payable by the corporation pursuant to Part VII.2 for the particular year or a preceding taxation year shall be computed as if the reference period within the meaning of section 1186.6 of that Act, enacted by section 14, also included the portion, prior to the date on which the period commenced, of the particular year and of any preceding taxation year.

17. This Act comes into force on 16 June 2000.