

75.7. Notwithstanding sections 75.5 and 75.6, no amount is allocated to the student in respect of a category of allowable expenses when amounts are allocated to him for the same purpose for the trimester concerned by a government department or body.

75.8. No loan certificate is issued for an amount under \$100.

DIVISION III ELIGIBILITY PERIOD

75.9. A student is eligible for a loan for a maximum of 14 trimesters.

DIVISION IV LEVEL OF INDEBTEDNESS

75.10. The balance of all loans granted under this loans program may not exceed \$8 000.

DIVISION V MANAGEMENT OF A LOAN

75.11. The provisions of Division XII of Chapter I pertaining to the presentation of the loan certificate, to the payment of the loan, to the repayment of the loan, to cases where a borrower is considered to be in default, to the applicable rates of interest or to the obligations of a borrower in a precarious financial situation shall apply, with the necessary modifications, when the borrower obtains a loan under Division II of Chapter III of the Act respecting financial assistance for education expenses.”.

4. The Regulation is amended by inserting the following division after section 78:

“DIVISION II.1 APPLICATIONS MADE UNDER MORE THAN ONE FINANCIAL ASSISTANCE PROGRAM

78.1. A student may, for a same year of allocation, make applications under more than one financial assistance program. He may, however, receive financial assistance under the loans program for a given trimester only if he is not receiving financial assistance under the loans and bursaries program for the same trimester.”.

5. This Regulation comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.

5078

Draft Regulation

Public Service Act
(R.S.Q., c. F-3.1.1)

Ethics and discipline

Notice is hereby given, in accordance with section 128 of the Public Service Act (R.S.Q., c. F-3.1.1) that the “Regulation respecting ethics and discipline in the public service”, the text of which appears below, may be adopted by the Government, with or without amendments, upon the expiry of 30 days from this publication.

The purpose of this draft regulation is to update the rules governing ethics in the public service, to take into account the current and foreseeable context. Among other things, it proposes additional rules for the post-employment period, in line with current standards, and clarifies certain provisions of the Public Service Act.

Additional information may be obtained from Pierre Boudreault, General Manager, Cadre de gestion du personnel, Sous-secrétariat au personnel de la fonction publique, 875, Grande-Allée, Québec (Québec) G1R 5R8, who may be contacted by telephone at (418) 528-6225.

Any interested person wishing to make comments on this draft regulation should send them in writing, before the end of the 30-day period mentioned above, to the Minister of State for Administration and the Public Service, Minister Responsible for Administration and the Public Service and Chair of the Conseil du trésor, 885, Grande-Allée Est, 4^e étage, Québec (Québec) G1R 6C2.

JOSEPH FACAL,
*Minister of State for Administration
and the Public Service
Minister responsible for Administration
and the Public Service
Chair of the Conseil du trésor*

Regulation respecting ethics and discipline in the public service

Public Service Act
(R.S.Q., c. F-3.1.1, s. 126, pars. 1 to 3)

DIVISION I OBJECT AND APPLICATION

1. The purpose of this regulation is to specify the standards of ethics and discipline applicable to public servants, as stipulated in the Public Service Act (R.S.Q., c. F-3.1.1), to establish new standards and to stipulate

the measures applicable, among other things to protect and strengthen public confidence in the integrity and impartiality of the public service and to maintain a high level of quality in the services offered to the general public.

2. In case of doubt, a public servant shall act in accordance with the spirit of the applicable standards of ethics and discipline.

DIVISION II DUTIES OF PUBLIC SERVANTS

3. The duty of discretion set out in section 6 of the Public Service Act, which includes non-disclosure of confidential information, also extends to information obtained by the public servant in the performance of his duties.

4. A public servant may not consult confidential information not required for the performance of his duties, nor may he take steps to obtain such information.

5. A public servant must avoid placing himself in a situation where his personal interest enters into conflict with the duties of his position.

A public servant who believes he may be in a situation contemplated in the first paragraph shall inform the deputy minister of his department or the director of the agency for which he works, who may seek an opinion from the Ministère de la Justice and shall advise the public servant of the proper attitude to take.

Where the conflict of interest involves a deputy minister or the secretary of the Conseil du trésor, disclosure shall be made to the Secretary General of the Conseil exécutif.

6. A public servant shall not accept gifts, tokens of hospitality or benefits other than customary benefits of modest value.

All other gifts, tokens of hospitality or benefits received must be returned to the giver or handed to the State.

7. A public servant shall not mix the property of the State with his own property, nor shall he use the property of the State or information obtained in or during the performance of his duties for the benefit of a third party.

8. A public servant who intends to publish a text or be interviewed on matters related to the performance of his duties or to the activities of the department or agency for which he performs his duties must obtain the prior permission of the deputy minister or agency director.

9. A public servant shall only be permitted to hold a position outside the public service if:

(1) he ensures that the holding of that position does not hinder his performance as a public servant;

(2) he avoids all conflicts between the exercise of that position and the exercise of the position he holds as a public servant;

(3) he avoids all other breaches of the standards of ethics applicable to him as a public servant that may be caused by the exercise of that position.

In case of doubt, the public servant may ask the opinion of the deputy minister of his department or the director of the agency for which he works, who may seek the opinion of the Deputy Minister of Justice and shall advise the public servant of the proper attitude to take.

10. A public servant who ceases to perform his duties shall conduct himself so as not to obtain undue benefit from his prior position in the public service.

11. A public servant who ceases to perform his duties shall not disclose confidential information, nor shall he give advice to any person based on information not available to the public concerning the State or a third party with which he had significant direct contact during the year preceding the end of his employment.

12. A public servant who acted in connection with a proceeding, negotiation or other transaction shall not act for or on behalf of anyone else in the same proceeding, negotiation or other transaction after ceasing to perform his duties.

13. A public servant who holds an office referred to in section 55 of the Public Service Act shall not, in the year after he ceases to perform his duties,

(1) accept any appointment to a board of directors or as a member of a non-government agency, enterprise or entity with which that public servant had official, direct and significant dealings, in the year preceding the end of employment or agree to take up duties or employment within such an agency, enterprise or entity;

(2) intervene on behalf of another person in dealings with a department where he worked in the year preceding the end of his employment, or with a government department, agency, enterprise or entity with which he had official, direct and significant dealings in that year.

14. A public servant, upon discovering that another public servant is violating a provision of section 12 or paragraph 2 of section 13 in connection with a proceeding, negotiation or other transaction, must abstain from dealing with that public servant within the context of that proceeding, negotiation or other transaction.

DIVISION III PROVISIONAL SUSPENSION

15. A writing indicating the decision to suspend a public servant provisionally from his duties must be sent or given to the public servant within two working days following the day on which the decision was made.

The writing must indicate any appeal available to the public servant and the procedure for lodging such an appeal.

16. Subject to the applicable conditions of employment, the salary of a public servant shall be continued while he is on provisional suspension.

17. The decision to suspend a State administrator provisionally from his duties shall be made by the minister or deputy minister to whom he reports, as the case may be.

However, if the proposed sanction for a State administrator is dismissal, the Secretary General of the Conseil exécutif may immediately, for a period not exceeding 30 days, either suspend the administrator provisionally from his duties without pay, or modify a provisional suspension that has already been imposed so that it is subsequently without pay.

DIVISION IV DISCIPLINARY MEASURES

18. A disciplinary measure may consist in a reprimand, suspension or dismissal, depending on the nature and gravity of the fault.

19. A public servant must be notified in writing of any disciplinary measure imposed upon him.

The written notice shall briefly describe the nature of the alleged fault, and the time and place at which it was committed.

The notice shall also indicate any appeal available to the public servant and the procedure for lodging such an appeal.

DIVISION V MISCELLANEOUS AND FINAL PROVISIONS

20. The deputy minister or agency director shall ensure that the public servants of the department or agency comply with the standards of ethics and discipline.

21. This regulation replaces the Standards of Ethics and Discipline and Provisional Suspension (Public Service) Regulation enacted by Order-in-Council 577-85 dated 27 March 1985.

22. This regulation comes into force on the fifteenth day following its publication in the *Gazette officielle du Québec*.

5074

Draft Regulation

Cinema Act
(R.S.Q., c. C-18.1)

Régie du cinéma — Reduction of certain duties payable

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) and with section 170 of the Cinema Act (R.S.Q., c. C-18.1), that the Regulation to amend the Regulation respecting the fees for examination and duties payable under the Cinema Act made by the Régie du cinéma on 21 December 2001, the text of which appears below, may be submitted for approval by the Government upon the expiry of 60 days following this publication.

Any interested person having comments to make on the draft Regulation is asked to send them in writing, before the expiry of the 60-day period, to Mtre. France Dionne, Secretary of the Régie, 455, rue Sainte-Hélène, Montréal (Québec) H2Y 2L3, by telephone at (514) 873-2371, extension 229 or by fax at (514) 873-2142.

JEANNE L. BLACKBURN,
President of the Régie du cinéma
