



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 125
(2002, chapter 64)

**An Act to amend the National Museums
Act**

Introduced 6 November 2002
Passage in principle 27 November 2002
Passage 17 December 2002
Assented to 18 December 2002

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EXPLANATORY NOTES

This bill changes the current designation “Musée du Québec” to that of “Musée national des beaux-arts du Québec”. The bill changes the rules governing the appointment of the members of the board of directors of a museum and provides that socio-economic and cultural organizations must be consulted.

The bill reduces governmental control over national museums, particularly by eliminating the provisions requiring that the internal by-laws of a museum be approved by the Government. In addition, a museum will be authorized to lease an immovable for a period of up to two years without having to obtain the authorization of the Government.

The bill also provides that museums will be required to submit a three-year plan of activities to the Minister that must be consistent with the orientations and objectives established by the Minister.

LEGISLATION AMENDED BY THIS BILL :

- Financial Administration Act (R.S.Q., chapter A-6.001) ;
- National Museums Act (R.S.Q., chapter M-44).

Bill 125

AN ACT TO AMEND THE NATIONAL MUSEUMS ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 2 of the National Museums Act (R.S.Q., chapter M-44) is amended by replacing “du Québec” by “national des beaux-arts du Québec”.

2. Section 7 of the said Act is amended

(1) by striking out the third paragraph ;

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

“The remaining members are appointed after consultation with socio-economic and cultural organizations, in particular organizations interested in museology.”

3. The said Act is amended by inserting the following section after section 10:

“**10.1.** The members of the board of directors shall designate a vice-chairman from among their number.

If the chairman is absent or unable to act, the vice-chairman shall act as chairman of the board of directors.”

4. Section 20 of the said Act is replaced by the following section :

“**20.** A museum may make by-laws to provide for its internal management.

The by-laws may, in particular,

(1) establish internal management standards and surveillance and security measures for the property found in its establishment ;

(2) determine conditions for the acquisition, alienation, leasing, lending, donation, exchange, preservation or restoration of objects that are the works of man or the products of nature ;

(3) establish classes of non-voting members and determine their duties, powers and obligations ;

(4) establish an executive committee composed of not fewer than three members of the board of directors, including the chairman, determine its functions and powers and fix the term of office of its members ;

(5) establish committees to advise the museum on the acquisition of property and any other matter within the scope of its functions, determine their functions and powers and fix the term of office of their members.

The members of the committees formed under subparagraph 5 of the second paragraph shall receive no remuneration except in such cases, on such conditions and to such extent as the Government may determine. The members are entitled, however, to the reimbursement of the expenses they incur in the exercise of their functions, on the conditions and to the extent determined by the Government.”

5. Section 22 of the said Act is amended by replacing “the secretary” in the second line of the first paragraph by “any person authorized to do so by a museum”.

6. Section 23 of the said Act is amended by replacing “du Québec” in the first line by “national des beaux-arts du Québec”.

7. Section 25 of the said Act is amended

(1) by inserting the following subparagraphs after subparagraph 1 of the first paragraph :

“(1.1) enter into agreements or participate in joint projects with any person or body ;

“(1.2) enter into an agreement authorized by law with a government other than the government of Québec, with a department of such a government, with an international organization or with a body or agency of such a government or organization ;” ;

(2) by replacing “and dispose thereof” in the first and second lines of subparagraph 2 of the first paragraph by “, provided that any attached conditions are consistent with the exercise of its functions” ;

(3) by striking out the second and third paragraphs.

8. Section 26 of the said Act is amended

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

“(1) acquire, alienate or hypothecate an immovable ;

“(1.1) lease an immovable for more than two years ;” ;

(2) by striking out paragraph 2.

9. Section 27 of the said Act is repealed.

10. Section 31 of the said Act is replaced by the following section :

“31. A museum shall, on the date fixed by the Minister, submit a three-year plan of its activities to the Minister. The plan must be consistent with the orientations and objectives given to the museum by the Minister.

The plan shall be established in the form determined by the Minister and contain the information the Minister requires.

The plan must be submitted to the Minister for approval.”

11. Section 32 of the said Act is repealed.

12. Section 38 of the said Act is amended by adding the following sentence at the end : “Any surplus shall be retained by the museum unless the Government decides otherwise.”

13. Chapter VII of the said Act, comprising sections 39 and 40, is repealed.

14. Section 41 of the said Act is amended by replacing “du Québec” in the first line by “national des beaux-arts du Québec”.

15. Section 44 of the said Act is amended

(1) by replacing “du Québec” in the first line of the first paragraph by “national des beaux-arts du Québec”;

(2) by replacing “du Québec” at the end of the second paragraph by “national des beaux-arts du Québec”.

16. Section 47 of the said Act is amended by replacing “du Québec” in the seventh line of the first paragraph by “national des beaux-arts du Québec”.

17. Section 48 of the said Act is amended by replacing “du Québec” in the first line of the first paragraph by “national des beaux-arts du Québec”.

18. Section 49 of the said Act is amended by replacing “du Québec” in the second line by “national des beaux-arts du Québec”.

OTHER AMENDMENT

19. Schedule 2 to the Financial Administration Act (R.S.Q., chapter A-6.001) is amended by replacing “Musée du Québec” by “Musée national des beaux-arts du Québec”.

TRANSITIONAL AND FINAL PROVISIONS

20. Unless the context indicates otherwise, in any text or document, a reference to the Musée du Québec is a reference to the Musée national des beaux-arts du Québec.

21. This Act comes into force on 18 December 2002.