

Regulations and other acts

Gouvernement du Québec

O.C. 454-2003, 31 March 2003

Public Administration Act
(R.S.Q., c. A-6.01)

Terms and conditions for the signing of certain acts, documents or writings

Terms and conditions for the signing of certain acts, documents or writings emanating from the secretariat of the Conseil du trésor

WHEREAS, under the second paragraph of section 88 of the Public Administration Act (R.S.Q., c. A-6.01), an act, document or writing is binding on or may be attributed to the chair of the Conseil du trésor only if it is signed by the chair, the secretary, the clerk, a member of the personnel of the secretariat or the holder of a position, and in the latter two cases, only to the extent determined by the Government;

WHEREAS the Terms and conditions governing the signing of certain acts, documents or writings emanating from the secretariat of the Conseil du trésor were made by Order in Council 1210-2000 dated 18 October 2000;

WHEREAS it is expedient to replace the Terms and conditions governing the signing of certain acts, documents or writings emanating from the secretariat of the Conseil du trésor to reflect a change in the administrative structure of the secretariat of the Conseil du trésor;

IT IS ORDERED, therefore, upon the recommendation of the Minister responsible for Administration and the Public Service and Chair of the Conseil du trésor:

THAT the Terms and conditions for the signing of certain acts, documents or writings emanating from the secretariat of the Conseil du trésor, attached to this Order in Council, be made;

THAT these Terms and conditions replace the Terms and conditions governing the signing of certain acts, documents or writings emanating from the secretariat of the Conseil du trésor made by Order in Council 1210-2000 dated 18 October 2000;

THAT this Order come into force on the date it is published in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,
Clerk of the Conseil exécutif

Terms and conditions for the signing of certain acts, documents or writings emanating from the secretariat of the Conseil du trésor

Public Administration Act
(R.S.Q., c. A-6.01, s. 88, par. 2)

DIVISION I GENERAL

1. An associate secretary, an assistant secretary or a member of the personnel of the secretariat of the Conseil du trésor who holds, on a permanent or provisional basis, by interim or by temporary designation, a position referred to in these Terms and conditions is authorized to sign the acts, documents or writings listed after his or her position.

DIVISION II ASSOCIATE SECRETARIES AND ASSISTANT SECRETARIES OF THE SECRETARIAT OF THE CONSEIL DU TRÉSOR

2. Associate secretaries or assistant secretaries are authorized, in the exercise of their respective powers, duties and functions, to sign

(1) supply contracts for less than \$25,000;

(2) shipping orders;

(3) services contracts, other than insurance contracts entered into, as the case may be,

(a) with a partnership or a legal person established for a private interest, other than a non-profit partnership or legal person;

(b) with a public body or a non-profit organization, for an amount of less than \$250,000;

(c) with a natural person, for an amount of less than \$100,000; and

(d) for the supply of personnel, for an amount of less than \$100,000; and

(4) authorizations for out-of-court settlements, with or without consideration, discharges from any personal right, and any act, document or writing relating to those discharges.

The secretary of the Conseil du trésor is authorized to sign endorsements or amending contracts for the purpose of adding a supplement to a services contract signed by the delegates referred to in the first paragraph.

DIVISION III MANAGEMENT PERSONNEL WITHIN THE SECRETARIAT OF THE CONSEIL DU TRÉSOR

3. Directors general are authorized, in the exercise of their respective powers, duties and functions, to sign

(1) supply contracts for less than \$25,000;

(2) shipping orders for less than \$250,000;

(3) services contracts for a total amount of less than \$100,000, or of less than \$25,000, when, in the latter case, the contract is entered into with a natural person or is for the supply of personnel or travel services, except insurance contracts, financial services contracts or banking services contracts; and

(4) authorizations for out-of-court settlements, with or without consideration, discharges from any personal right, and any act, document or writing relating to those discharges.

The secretary of the Conseil du trésor, an associate secretary or an assistant secretary is authorized to sign endorsements or amending contracts for the purpose of adding a supplement to a services contract signed by the delegates referred to in the first paragraph.

4. Directors are authorized, in the exercise of their respective powers, duties and functions, to sign

(1) supply contracts for less than \$20,000;

(2) shipping orders for less than \$25,000; and

(3) services contracts for a total amount of less than \$25,000, or of less than \$10,000, when, in the latter case, the contract is entered into with a natural person or is for the supply of personnel, except insurance contracts, financial services contracts or banking services contracts.

The secretary of the Conseil du trésor, an associate secretary, an assistant secretary or a director general is authorized to sign endorsements or amending contracts for the purpose of adding a supplement to a services contract signed by the delegates referred to in the first paragraph.

5. Assistant directors are authorized, in the exercise of their respective powers, duties and functions, to sign

(1) supply contracts for less than \$20,000;

(2) shipping orders for less than \$25,000;

(3) services contracts for a total amount of less than \$25,000, except

(a) insurance contracts, financial services contracts, banking services contracts or legal services contracts;

(b) services contracts entered into with, as the case may be, a public body, a non-profit organization or a natural person; and

(c) services contracts for the supply of personnel; and

(4) authorizations for out-of-court settlements, with or without consideration, discharges from any personal right, and any act, document or writing relating to those discharges.

The secretary of the Conseil du trésor, an associate secretary, an assistant secretary, a director general or a director is authorized to sign endorsements or amending contracts for the purpose of adding a supplement to a services contract signed by the delegates referred to in the first paragraph.

6. Service heads are authorized, in the exercise of their respective powers, duties and functions, to sign

(1) supply contracts for less than \$10,000;

(2) shipping orders for less than \$10,000; and

(3) services contracts for less than \$10,000, except

(a) services contracts entered into with, as the case may be, a natural person, a public body or a non-profit organization;

(b) insurance contracts, financial services contracts, banking services contracts or legal services contracts; and

(c) services contracts for the supply of personnel.

The secretary of the Conseil du trésor, an associate secretary, an assistant secretary, a director general, a director or an assistant director is authorized to sign endorsements or amending contracts for the purpose of adding a supplement to a services contract signed by the delegates referred to in the first paragraph.

DIVISION IV MANAGEMENT PERSONNEL WITHIN THE DIRECTION GÉNÉRALE DE L'ADMINISTRATION

7. The administrative director general is authorized, in the exercise of the director general's powers, duties and functions, to sign

(1) the acts and documents referred to in section 2, to the extent provided for in that section;

(2) acts or contracts of alienation of surplus movable property, subject to the Act respecting the Service des achats du Gouvernement (R.S.Q., c. S-4) and the Règlement sur la disposition des biens meubles excédentaires made by Decision 186095 of the Conseil du trésor dated 6 September 1994;

(3) construction contracts;

(4) insurance contracts;

(5) documents relating to the management of a special fund established under an Act;

(6) authorizations for out-of-court settlements, with or without consideration, discharges from any personal right, and any act, document or writing relating to those discharges; and

(7) any declaration required when salary or wages are seized by garnishment under the Code of Civil Procedure (R.S.Q., c. C-25) or any other Act.

The secretary of the Conseil du trésor is authorized to sign endorsements or amending contracts for the purpose of adding a supplement to a services contract signed by the delegatee referred to in the first paragraph.

8. The director of financial resources is authorized, in the exercise of the director's powers, duties and functions, to sign

(1) supply contracts for less than \$20,000;

(2) shipping orders for less than \$25,000;

(3) services contracts for less than \$25,000, or for less than \$10,000, when, in the latter case, the contract is entered into with a natural person or is for the supply of personnel, except

(a) services contracts relating to the hiring of a labour relations negotiator or arbitrator, of an expert witness before the court or of a physician or a dentist in matters of medical assessment;

(b) services contract entered into with, as the case may be, a public body or a non-profit organization; and

(c) insurance contracts;

(4) sales contracts, leasing contracts for movable property or services contracts for less than \$250,000 provided to the client groups of a special fund established under an Act;

(5) financial services contracts or banking services contracts for less than \$25,000;

(6) documents relating to the management of a special fund established under an Act; and

(7) authorizations for out-of-court settlements, with or without consideration, discharges from any personal right, and any act, document or writing relating to those discharges.

The secretary of the Conseil du trésor or the administrative director general is authorized to sign endorsements or amending contracts for the purpose of adding a supplement to a services contract signed by the delegatee referred to in the first paragraph.

9. The director of human resources is authorized, in the exercise of the director's powers, duties and functions, to sign

(1) supply contracts for less than \$20,000;

(2) shipping orders for less than \$25,000;

(3) services contracts for less than \$25,000, except

(a) insurance contracts, financial services contracts, banking services contracts or legal services contracts; and

(b) services contracts, entered into with, as the case may be, a public body or a non-profit organization;

(4) authorizations for out-of-court settlements, with or without consideration, discharges from any personal right, and any act, document or writing relating to those discharges; and

(5) any declaration required when salary or wages are seized by garnishment under the Code of Civil Procedure (R.S.Q., c. C-25) or any other Act.

The secretary of the Conseil du trésor or the administrative director general is authorized to sign endorsements or amending contracts for the purpose of adding a supplement to a services contract signed by the delegatee referred to in the first paragraph.

10. The director of information resources is authorized, in the exercise of the director's powers, duties and functions, to sign

- (1) supply contracts for less than \$25,000;
- (2) shipping orders for less than \$250,000;
- (3) services contracts for less than \$100,000, or for less than \$10,000, when, in the latter case, the contract is entered into with a natural person or is for the supply of personnel, except

(a) services contracts relating to the hiring of a labour relations negotiator or arbitrator, of an expert witness before the court or of a physician or a dentist in matters of medical assessment; and

(b) insurance contracts, financial services contracts, banking services contracts or legal services contracts; and

(4) authorizations for out-of-court settlements, with or without consideration, discharges from any personal right, and any act, document or writing relating to those discharges.

The secretary of the Conseil du trésor or the administrative director general is authorized to sign endorsements or amending contracts for the purpose of adding a supplement to a services contract signed by the delegatee referred to in the first paragraph.

11. The director of material resources is authorized, in the exercise of the director's powers, duties and functions, to sign

- (1) supply contracts for less than \$25,000;
- (2) shipping orders for less than \$250,000;
- (3) construction contracts for less than \$75,000;
- (4) insurance contracts;
- (5) services contracts for less than \$100,000, or for less than \$10,000, when, in the latter case, the contract is entered into with a natural person or is for the supply of personnel, except

(a) services contracts relating to the hiring of a labour relations negotiator or arbitrator, of an expert witness before the court or of a physician or a dentist in matters of medical assessment; and

(b) financial services contracts, banking services contracts or legal services contracts;

(6) acts or contracts of alienation of surplus movable property, subject to the Act respecting the Service des achats du Gouvernement and the Règlement sur la disposition des biens meubles excédentaires; and

(7) authorizations for out-of-court settlements, with or without consideration, discharges from any personal right, and any act, document or writing relating to those discharges.

The secretary of the Conseil du trésor or the administrative director general is authorized to sign endorsements or amending contracts for the purpose of adding a supplement to a services contract signed by the delegatee referred to in the first paragraph.

12. The head of contract services is authorized, in the exercise of his or her powers, duties and functions, to sign

(1) supply contracts for less than \$10,000;

(2) shipping orders for less than \$25,000; and

(3) services contracts for less than \$10,000, except

(a) services contracts relating to the hiring of a labour relations negotiator or arbitrator, of an expert witness before the court or of a physician or a dentist in matters of medical assessment;

(b) services contract entered into with, as the case may be, a natural person, a public body or a non-profit organization; and

(c) insurance contracts, financial services contracts, banking services contracts or legal services contracts.

The secretary of the Conseil du trésor, the administrative director general or the director of material resources is authorized to sign endorsements or amending contracts for the purpose of adding a supplement to a services contract signed by the delegatee referred to in the first paragraph.

DIVISION V**OTHER MEMBERS OF THE PERSONNEL OF THE SECRETARIAT OF THE CONSEIL DU TRÉSOR**

13. A member of the personnel of the secretariat of the Conseil du trésor to whom the secretary of the Conseil du trésor has delegated the exercise of the functions of secretary under section 86 of the Public Administration Act (R.S.Q., c. A-6.01) to act as a property management officer is authorized, in the exercise of his or her powers, duties and functions, to sign

(1) acts or contracts of alienation of surplus movable property, subject to the Act respecting the Service des achats du Gouvernement and the Règlement sur la disposition des biens meubles excédentaires;

(2) construction contracts for less than \$10,000; and

(3) auxiliary services contracts for the transportation and handling of goods for less than \$10,000.

14. A member of the personnel of the secretariat of the Conseil du trésor to whom the secretary of the Conseil du trésor has delegated the exercise of the functions of secretary under section 86 of the Public Administration Act to act as a procurement officer is authorized, in the exercise of his or her powers, duties and functions, to sign shipping orders for less than \$1,000.

15. The associate secretary for public contracts is authorized to sign attestations issued to the secretary of a selection committee responsible for evaluating tenders for services, as prescribed by section 68 of the Regulation respecting supply contracts, construction contracts and service contracts of government departments and public bodies made by Order in Council 961-2000 dated 16 August 2000.

16. The associate secretary for public contracts and the head of the Service du fichier des fournisseurs are authorized, in the exercise of their respective powers, duties and functions, to sign

(1) attestations relating to the commitment to implement an equal opportunity program, issued to a Québec contractor or sub-contractor, pursuant to section 5 of the Regulation respecting supply contracts, construction contracts and service contracts of government departments and public bodies; and

(2) any decision made under section 176 of the Regulation respecting supply contracts, construction contracts and service contracts of government departments and public bodies, relating to the upholding or cancellation of a penalty imposed on a Québec supplier.

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Gouvernement du Québec

O.C. 457-2003, 31 March 2003

An Act respecting government services to departments and public bodies
(R.S.Q., c. S-6.1)

Signing of certain acts, documents or writings

Regulation respecting the signing of certain acts, documents or writings by the personnel assigned to government services

WHEREAS, under section 30 of the Act respecting government services to departments and public bodies (R.S.Q., c. S-6.1), the Government shall designate the minister responsible for the administration of that Act;

WHEREAS, under Order in Council 58-2002 dated 30 January 2002, the Minister responsible for Administration and the Public Service is designated Minister responsible for the administration of that Act, subject to the application of Order in Council 1127-96 dated 11 September 1996, and responsible for the personnel, activities and programs devoted to its implementation and for the related appropriations;

WHEREAS, under Order in Council 1127-96 dated 11 September 1996, the Government has entrusted the positions relating to government information referred to in the Act and the responsibility for the appropriations granted to the Minister of Relations with the Citizens and Immigration;

WHEREAS, under section 6 of that Act, the Government shall designate the department or public body that shall put members of its personnel at the disposal of the Minister responsible for the application of the Act;