



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 34

(2003, chapter 29)

An Act respecting the Ministère du Développement économique et régional et de la Recherche

**Introduced 12 November 2003
Passage in principle 12 December 2003
Passage 17 December 2003
Assented to 18 December 2003**

**Québec Official Publisher
2003**

EXPLANATORY NOTES

This bill creates the Ministère du Développement économique et régional et de la Recherche. To that end, the bill defines the mission of the new department as including the functions formerly exercised by the Minister of Industry and Trade, the Minister of Research, Science and Technology and the Minister of Regions.

Besides establishing new local and regional authorities, including regional conferences of elected officers, the bill maintains the provisions relating to the Conseil de la science et de la technologie and to the different funds established under the Act respecting the Ministère de l'Industrie et du Commerce, the Act respecting the Ministère de la Recherche, de la Science et de la Technologie and the Act respecting the Ministère des Régions, which are incorporated into the Act respecting the Ministère du Développement économique et régional et de la Recherche.

As well, the bill contains transitional provisions and provisions for concordance.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting assistance for the development of cooperatives and non-profit legal persons (R.S.Q., chapter A-12.1);
- Act respecting assistance for tourist development (R.S.Q., chapter A-13.1);
- Act respecting land use planning and development (R.S.Q., chapter A-19.1);
- Health Insurance Act (R.S.Q., chapter A-29);
- Act to promote the capitalization of small and medium-sized businesses (R.S.Q., chapter A-33.01);
- Savings and Credit Unions Act (R.S.Q., chapter C-4);
- Act respecting the Centre de recherche industrielle du Québec (R.S.Q., chapter C-8.1);
- Charter of Ville de Longueuil (R.S.Q., chapter C-11.3);

- Charter of Ville de Montréal (R.S.Q., chapter C-11.4);
- Cities and Towns Act (R.S.Q., chapter C-19);
- Fish and Game Clubs Act (R.S.Q., chapter C-22);
- Amusement Clubs Act (R.S.Q., chapter C-23);
- Municipal Code of Québec (R.S.Q., chapter C-27.1);
- General and Vocational Colleges Act (R.S.Q., chapter C-29);
- Companies Act (R.S.Q., chapter C-38);
- Cemetery Companies Act (R.S.Q., chapter C-40);
- Act respecting Roman Catholic cemetery companies (R.S.Q., chapter C-40.1);
- Gas, Water and Electricity Companies Act (R.S.Q., chapter C-44);
- Telegraph and Telephone Companies Act (R.S.Q., chapter C-45);
- Mining Companies Act (R.S.Q., chapter C-47);
- Act respecting artistic, literary and scientific competitions (R.S.Q., chapter C-51);
- Natural Heritage Conservation Act (R.S.Q., chapter C-61.01);
- Act respecting the constitution of certain Churches (R.S.Q., chapter C-63);
- Religious Corporations Act (R.S.Q., chapter C-71);
- Real Estate Brokerage Act (R.S.Q., chapter C-73.1);
- Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1);
- Act respecting the establishment of a steel complex by Sidbec (R.S.Q., chapter E-14);
- Roman Catholic Bishops Act (R.S.Q., chapter E-17);
- Executive Power Act (R.S.Q., chapter E-18);

- Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1);
- Act respecting fabriques (R.S.Q., chapter F-1);
- Act respecting hours and days of admission to commercial establishments (R.S.Q., chapter H-2.1);
- Taxation Act (R.S.Q., chapter I-3);
- Act respecting the Inspector General of Financial Institutions (R.S.Q., chapter I-11.1);
- Winding-up Act (R.S.Q., chapter L-4);
- Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6);
- Act respecting stuffing and upholstered and stuffed articles (R.S.Q., chapter M-5);
- Act respecting the Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail (R.S.Q., chapter M-15.001);
- Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., chapter M-19.2);
- Act respecting the Ministère de la Sécurité publique (R.S.Q., chapter M-19.3);
- Government Departments Act (R.S.Q., chapter M-34);
- Act respecting the implementation of international trade agreements (R.S.Q., chapter M-35.2);
- Act respecting the special powers of legal persons (R.S.Q., chapter P-16);
- Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., chapter P-41.1);
- Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., chapter P-45);
- Act respecting the Régie des installations olympiques (R.S.Q., chapter R-7);

- Act respecting health services and social services (R.S.Q., chapter S-4.2);
- Act respecting the Société de développement de la Zone de commerce international de Montréal à Mirabel (R.S.Q., chapter S-10.0001);
- Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13);
- Act respecting the Société du Palais des congrès de Montréal (R.S.Q., chapter S-14.1);
- Act respecting the Société du parc industriel et portuaire de Bécancour (R.S.Q., chapter S-16.001);
- Act respecting the Société du parc industriel et portuaire Québec-Sud (R.S.Q., chapter S-16.01);
- Act respecting the Société générale de financement du Québec (R.S.Q., chapter S-17);
- Act respecting Société Innovatech du Grand Montréal (R.S.Q., chapter S-17.2.0.1);
- Act respecting Société Innovatech du sud du Québec (R.S.Q., chapter S-17.2.2);
- Act respecting Société Innovatech Québec et Chaudière-Appalaches (R.S.Q., chapter S-17.4);
- Act respecting Société Innovatech Régions ressources (R.S.Q., chapter S-17.5);
- National Benefit Societies Act (R.S.Q., chapter S-31);
- Act respecting societies for the prevention of cruelty to animals (R.S.Q., chapter S-32);
- Professional Syndicates Act (R.S.Q., chapter S-40).

LEGISLATION REPLACED BY THIS BILL:

- Act respecting the Ministère de l'Industrie et du Commerce (R.S.Q., chapter M-17);

- Act respecting the Ministère de la Recherche, de la Science et de la Technologie (R.S.Q., chapter M-19.1.2);
- Act respecting the Ministère des Régions (R.S.Q., chapter M-25.001).

LEGISLATION REPEALED BY THIS BILL:

- Act respecting the Société du tourisme du Québec (1994, chapter 27);
- Act respecting the Ministère des Finances, de l'Économie et de la Recherche (2002, chapter 72).

Bill 34

AN ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT ÉCONOMIQUE ET RÉGIONAL ET DE LA RECHERCHE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

MINISTER'S RESPONSIBILITIES

1. The Ministère du Développement économique et régional et de la Recherche shall be under the direction of the Minister of Economic and Regional Development and Research, appointed under the Executive Power Act (R.S.Q., chapter E-18).

2. The mission of the Minister shall be to support economic and regional development, as well as research, particularly by encouraging coordinated and concerted action among the various players in the economic, scientific, social and cultural arenas in order to promote job creation, economic prosperity, scientific development and sustainable development, and enable local and regional communities to take responsibility for their own economic and regional development in partnership with the State.

3. The Minister shall formulate policies in the areas under the Minister's authority and propose them to the Government with a view to fostering the development of industry, particularly tourism, trade and cooperatives, promoting research, science, technology and innovation, and encouraging local and regional development.

The Minister shall implement these policies and oversee and coordinate their application in collaboration with any government departments and bodies concerned.

4. The Minister shall also be responsible for the administration of the Acts assigned to the Minister, and shall assume any other responsibility conferred on the Minister by the Government.

5. The functions and powers of the Minister shall be, more particularly, to

(1) frame and implement development strategies and assistance programs in collaboration with any government departments and bodies concerned;

(2) provide a main gateway, on-line or otherwise, to such business start-up and development services as the Minister deems necessary and provide ready access to the forms and procedures needed to complete registration, modification, declaration and other formalities;

(3) seek new investments, expand existing markets and ensure that activities resulting from these investment prospecting and market expansion efforts are realized within the scope of the policy on Canadian intergovernmental affairs and the policy on international affairs;

(4) promote Québec as a tourism destination and further the development and promotion of Québec's tourism products;

(5) ensure the coherence of government action in the fields of research, science, technology and innovation, and promote Québec's influence in those fields both within Canada and abroad;

(6) increase the effectiveness of initiatives aimed at stimulating local and regional development by promoting the harmonization, simplification and accessibility of entrepreneurial support services;

(7) ensure that government action to support local and regional development is coherent and concordant by taking part in the development of related measures and ministerial decisions and giving an opinion whenever appropriate;

(8) be responsible, in conjunction with recognized local and regional authorities, for the funds made available to such authorities and administer the other sums entrusted to the Minister for the carrying out of local or regional development projects;

(9) make agreements with government departments and bodies on cooperative arrangements to facilitate the exercise of the Minister's responsibilities; and

(10) advise the Government and government departments and bodies and make recommendations, where warranted.

6. In the exercise of ministerial responsibilities, the Minister may

(1) obtain the necessary information from government departments and bodies;

(2) enter into agreements with a person, association, partnership or body;

(3) facilitate the development and signing of agreements, particularly between bodies and government departments and bodies;

(4) enter into agreements in accordance with the applicable legislative provisions with a government other than that of Québec, a department of such

a government, an international organization, or a body under the authority of such a government or organization; and

(5) conduct or commission research, studies and analyses and make the findings public.

7. The Minister may take all appropriate measures in the pursuit of the Minister's mission. In particular, the Minister shall provide financial and technical support for the realization of actions or projects, subject to the conditions determined by the Minister under government guidelines and policies and, in certain cases, with the authorization of the Government.

8. The Minister may make regulations to

(1) prescribe the fees payable for any act performed or document issued by the Minister; and

(2) prescribe the fees, costs or other compensation payable for the services provided by the Minister.

9. The Minister shall lay before the National Assembly an activity report for each fiscal year of the Government within six months of the end of the fiscal year or, if the Assembly is not sitting, within 30 days of resumption. The report shall reflect the contents of the activity reports sent to the Minister by the regional conferences of elected officers pursuant to section 104.

CHAPTER II

DEPARTMENTAL ORGANIZATION

10. The Government, in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), shall appoint a person as Deputy Minister of the Ministère du Développement économique et régional et de la Recherche.

11. Under the direction of the Minister, the Deputy Minister shall administer the department.

The Deputy Minister shall, in addition, perform any other function assigned by the Government or the Minister.

12. In the performance of deputy-ministerial functions, the Deputy Minister has the authority of the Minister.

13. The Deputy Minister may, in writing and to the extent indicated, delegate the exercise of deputy-ministerial functions under this Act to a public servant or the holder of a position.

The Deputy Minister may, in the instrument of delegation, authorize the subdelegation of the functions indicated, and in that case shall specify the

public servant or holder of a position to whom the functions may be subdelegated.

14. The personnel of the department shall consist of the public servants required for the carrying out of the functions of the Minister; they shall be appointed in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

The Minister shall determine the duties of the public servants to the extent that they are not determined by law or by the Government.

15. The signature of the Minister or Deputy Minister gives authority to any document emanating from the department.

A deed, document or writing is binding on the Minister or may be attributed to the Minister only if it is signed by the Minister, the Deputy Minister, a member of the personnel of the department or the holder of a position and, in the latter two cases, only so far as determined by the Government.

16. The Government may, subject to the conditions it determines, allow that a signature be affixed by an automatic device or electronic process.

The Government may, subject to the conditions it determines, allow that a facsimile of such a signature be engraved, lithographed or printed. The facsimile must be authenticated by the countersignature of a person authorized by the Minister.

17. A document or copy of a document emanating from the department or forming part of its records, signed or certified true by a person referred to in the second paragraph of section 15, is authentic.

18. An intelligible transcription of a decision or other data stored by the department on a computer or any other computer storage medium is a document of the department and is proof of its contents where certified true by a person referred to in the second paragraph of section 15.

CHAPTER III

TOURISM PARTNERSHIP FUND

19. A tourism partnership fund is hereby established for the promotion and development of tourism.

20. The Government shall fix the date on which the fund begins to operate and determine its assets and liabilities. The Government shall also determine the nature of the activities that may be financed by the fund and the nature of the costs and expenses that may be charged to the fund. Moreover, the Government may change the name of the fund.

21. The fund shall be made up of

(1) the proceeds from the sale of the goods and services financed by the fund;

(2) the sums paid into the fund by the Minister and taken out of the appropriations granted for that purpose by Parliament;

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

(4) the sums paid into the fund by the Minister of Finance pursuant to section 23 and the first paragraph of section 24;

(5) the sums paid into the fund by the Minister of Revenue as the proceeds from the specific accommodation tax collected pursuant to the Act respecting the Québec sales tax (R.S.Q., chapter T-0.1);

(6) the sums paid into the fund by the Minister of Revenue, out of the proceeds of the Québec sales tax collected pursuant to the Act respecting the Québec sales tax, on the dates and to the extent determined by the Government; and

(7) the interest earned on bank balances proportionate to the sums referred to in paragraphs 3 and 5.

22. 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 him.

The Minister shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.

23. The Minister, as manager of the fund, may borrow from the Minister of Finance sums taken out of the financing fund established under the Act respecting the Ministère des Finances (R.S.Q., chapter M-24.01).

24. The Minister of Finance may, with the authorization of and subject to the conditions determined by the Government, advance to the fund sums taken out of the consolidated revenue fund.

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

Any sum advanced to a fund is repayable out of that fund.

25. The sums referred to in paragraph 5 of section 21 and the interest earned thereon shall be paid out to the regional tourism associations representing the tourism regions where the specific accommodation tax is applicable.

The Minister shall determine the dates on which and the conditions subject to which the payments are to be made as well as the terms and conditions of payment.

26. The sums required to pay the remuneration of and expenditures relating to the employment 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 fund-related activities shall be taken out of the fund.

27. The surpluses accumulated in the fund shall be paid into the consolidated revenue fund on the dates and to the extent determined by the Government.

28. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (R.S.Q., chapter A-6.001) apply to the fund, with the necessary modifications.

29. The fiscal year of the fund shall end on 31 March.

30. 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 State that has become *res judicata*.

CHAPTER IV

THE CONSEIL DE LA SCIENCE ET DE LA TECHNOLOGIE

DIVISION I

ESTABLISHMENT AND ORGANIZATION

31. The “Conseil de la Science et de la Technologie” is hereby established.

32. The secretariat of the Conseil is located at the place determined by the Government. Notice of the location or of any transfer of the secretariat is published in the *Gazette officielle du Québec*.

33. The Conseil is composed of 15 members, including a president, appointed by the Government and representing the research, college and university education, business and labour communities, the field of scientific and technical information and the public and parapublic sectors.

The Government may appoint not more than three observers to the Conseil; they participate in the meetings of the Conseil but have no vote.

34. The president of the Conseil is appointed for not over five years; the other members are appointed for not over three years.

The term of office of the members may be renewed consecutively only once. At the expiry of their terms of office, the members remain in office until they are replaced or reappointed.

35. Any vacancy occurring during the term of office of the members of the Conseil is filled in accordance with the mode of appointment prescribed in section 33.

Absence from a number of meetings determined by the internal management by-laws of the Conseil constitutes a vacancy in the cases and circumstances indicated therein.

36. The president, who shall exercise his duties full time, has supervision and direction of the Conseil and its personnel.

The Government shall fix the remuneration, social benefits and other conditions of employment of the president.

37. Members of the Conseil other than the president are not remunerated. They are, however, entitled, to the extent provided by regulation of the Government and on presentation of vouchers, to an attendance allowance and to the reimbursement of reasonable expenses incurred by them in the performance of their duties.

38. The sittings of the Conseil and, as the case may be, of its committees are public, except those dealing with matters of internal management.

The Conseil may hold its sittings anywhere in Québec.

Seven members are a quorum at sittings of the Conseil.

In case of a tie-vote, the president has a casting vote.

39. The secretary and the other members of the personnel of the Conseil are appointed in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

DIVISION II

FUNCTIONS AND POWERS

40. The function of the Conseil is to advise the Minister on any matter relating generally to the advancement of science and technology in Québec.

For that purpose, the Conseil must make periodic reports to the Minister on the progress and needs of scientific research and technological development.

41. In performing its function, the Conseil may

(1) advise or make recommendations to the Minister on any matter relating to the advancement of science and technology in Québec;

(2) solicit or receive petitions, opinions and suggestions from interested agencies or groups and from the general public on any matter relating to the advancement of science and technology in Québec;

(3) conduct studies and investigations that it considers useful or necessary for the performance of its function, or cause them to be effected.

42. The Conseil shall advise the Minister on any question submitted by him in connection with the advancement of science and technology.

It may also communicate its findings and conclusions to the Minister.

43. The Conseil may form committees for the proper conduct of its work. It must also, at the request of the Minister, form subcommittees to investigate particular matters.

The members of committees and subcommittees are not remunerated; they are, however, entitled, to the extent provided by regulation of the Government and on presentation of vouchers, to an attendance allowance and to the reimbursement of reasonable expenses incurred by them in the performance of their duties.

44. The Conseil may adopt internal management by-laws.

DIVISION III

REPORT

45. The Conseil, not later than 31 July each year, shall transmit to the Minister a report of its activities for the preceding fiscal year.

The Minister shall table the report in the National Assembly within 30 days of receiving it if the Assembly is in session or, if it is not sitting, within 30 days after the opening of the next session or resumption.

CHAPTER V**RESEARCH SUPPORT FUNDS****DIVISION I****ESTABLISHMENT AND ORGANIZATION**

46. The following bodies are hereby established:

- (1) the “Fonds québécois de la recherche sur la nature et les technologies”;
- (2) the “Fonds de la recherche en santé du Québec”;
- (3) the “Fonds québécois de la recherche sur la société et la culture”.

47. Each Fonds is a legal person.

48. Each Fonds is a mandatary of the State.

The property of each Fonds is part of the domain of the State but the performance of its obligations may be levied against its property.

Each Fonds binds only itself when it acts in its own name.

49. Each Fonds has its head office at the place determined by the Government. Notice of the location or of any transfer of the head office is published in the *Gazette officielle du Québec*.

50. Each Fonds is administered by a board of directors composed of not more than 14 members, including a chairman and managing director, appointed by the Government.

The Government may appoint observers to each Fonds. The observers participate in the meetings of the Fonds but have no vote.

51. The members of the board of directors shall appoint a vice-chairman from among themselves. If the chairman and managing director is temporarily absent or unable to act, the vice-chairman shall exercise the functions of the chairman and managing director.

52. The chairman and managing director is appointed for not over five years.

The other members are appointed for not over three years.

53. At the end of their terms the members of the board of directors remain in office until they are replaced or reappointed.

The appointment of the chairman and managing director may be renewed more than once; the appointment of the other members may be renewed only once.

54. Every vacancy occurring during a term of office is filled in accordance with the mode of appointment prescribed in section 50.

Absence from a number of meetings determined by the internal by-laws of each Fonds constitutes a vacancy.

55. The chairman and managing director shall preside at meetings of the board of directors and exercise such other functions as are assigned to him by the by-laws of internal management of the Fonds.

The chairman and managing director shall administer the Fonds and have the direction of its personnel.

The chairman and managing director shall devote his full time to his official duties.

The Government shall fix the remuneration, social benefits and the other conditions of employment of the chairman and managing director.

56. Members other than the chairman and managing director are not remunerated. However, they are entitled, to the extent provided by regulation of the Government and on presentation of vouchers, to the reimbursement of reasonable expenses incurred by them in the performance of their duties, and to an attendance allowance.

57. In no case may the chairman and managing director, under pain of forfeiture of office, have any direct or indirect interest in an undertaking causing his personal interest to conflict with that of the Fonds. However, such forfeiture is not incurred if such an interest devolves to him by succession or gift, provided that he renounces or disposes of it with all possible dispatch.

Any other member of the board of directors who has any interest in such an undertaking must, under pain of forfeiture of office, disclose it in writing to the chairman and managing director and abstain from participating in any deliberation and any decision concerning the undertaking.

58. Each Fonds may establish offices at places it determines and may hold its sittings anywhere in Québec.

The quorum at meetings of the board of directors is over one half of the members of the board of directors of the Fonds.

In case of a tie-vote, the chairman and managing director has a casting vote.

59. Every decision signed by all the members of the board of directors has the same force as if it had been taken at a regular sitting.

60. The members of the personnel of a Fonds shall be appointed in accordance with the staffing plan established by by-law of the Fonds.

Subject to the provisions of a collective agreement, a Fonds shall determine, by by-law, the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government. The by-law may also make them subject to the second paragraph of section 57.

DIVISION II

FUNCTIONS AND POWERS

61. The functions of the Fonds québécois de la recherche sur la nature et les technologies are

(1) to promote and provide financial support for research in the fields of natural sciences, mathematical sciences and engineering;

(2) to promote and provide financial support for the dissemination of scientific knowledge in fields of research related to natural sciences, mathematical sciences and engineering;

(3) to promote and provide financial support for the training of researchers through achievement scholarships to graduate and postgraduate students and to persons who engage in postdoctoral research, and through professional development scholarships to persons who wish to re-enter the research community and through grants that allow the teaching duties of college level professors engaging in research activities to be reduced;

(4) to manage scholarship programs for graduate and postgraduate students, on its own behalf and on behalf of the Fonds de la recherche en santé du Québec or the Fonds québécois de la recherche sur la société et la culture and through grant programs for teaching duties reduction;

(5) to create any necessary partnership, in particular with universities, colleges and the industry, and the government departments and public and private bodies concerned.

62. The functions of the Fonds de la recherche en santé du Québec are

(1) to promote and provide financial support for all areas of research in the field of health, including basic, clinical and epidemiological research, research in the field of public health and research in the field of health services;

(2) to promote and provide financial support for the dissemination of scientific knowledge in fields of health research;

(3) to promote and provide financial support for the training of researchers through achievement scholarships to graduate and postgraduate students and to persons who engage in postdoctoral research, and through professional development scholarships to persons who wish to re-enter the research community and through grants that allow the teaching duties of college level professors engaging in research activities to be reduced;

(4) to create any necessary partnership, in particular with universities, colleges and health care institutions, and the government departments and public and private bodies concerned.

63. The functions of the Fonds québécois de la recherche sur la société et la culture are

(1) to promote and provide financial support for the development of research in the fields of social and human sciences and the field of education, management, arts and letters;

(2) to promote and provide financial support for the dissemination of knowledge in fields of research related to social and human sciences and to education, management, arts and letters;

(3) to promote and provide financial support for the training of researchers through achievement scholarships to graduate and postgraduate students and to persons who engage in postdoctoral research, and through professional development scholarships to persons who wish to re-enter the research community and through grants that allow the teaching duties of college level professors engaging in research activities to be reduced;

(4) to create any necessary partnership, in particular with universities, colleges and cultural institutions, and the government departments and public and private bodies concerned.

64. Each Fonds shall, every three years on the date fixed by the Minister, transmit to the Minister a three-year plan of activities describing

(1) the context in which the Fonds operates and the main issues it is concerned with;

(2) the chosen strategic orientations, objectives and courses of action;

(3) the results to be achieved at the end of the period covered by the plan;

(4) the performance indicators used to measure the achievement of results.

The plan shall indicate separately, for the first year covered, the amounts estimated for the management expenditures of the Fonds and the amounts estimated for each of the financial support programs.

The plan shall be submitted to the Government for approval and must take into account the directives that the Minister may give to the Fonds on its objectives and orientations.

The plan shall be tabled in the National Assembly within 15 days of its approval by the Government if the Assembly is in session or, if it is not sitting, within 15 days of the opening of the next session or resumption.

65. At the beginning of each fiscal year on the date fixed by the Minister, a Fonds shall send the budgetary estimates for the year concerned, along with the list of the activities planned for that year, to the Minister for approval.

66. Every Fonds may, within the scope of its plan of activities approved by the Government and on the conditions it determines, grant financial support by way of subsidies and grants.

Every Fonds may also grant financial support in any other manner approved by the Government.

67. A financial support program must determine

(1) the form and content of applications for financial support, the information they must contain and the documents which must accompany them;

(2) the terms and conditions subject to which financial support may be granted and the criteria for the assessment of applications for financial support;

(3) the scales and limits of the financial support.

The elements mentioned in subparagraphs 2 and 3 are subject to approval by the Minister.

68. Every Fonds may form committees responsible for the assessment of the applications for financial support that are addressed to it.

The members of such committees are not remunerated; they are, however, entitled, to the extent provided by regulation of the Government and on presentation of vouchers, to an attendance allowance and to the reimbursement of reasonable expenses incurred by them in the performance of their duties.

However, committee members delegated by departments and public agencies are not entitled to an attendance allowance.

69. Every Fonds may, according to law, enter into any agreement with any government other than that of Québec, any department of such a government, any international organization, or any agency of such a government or organization, in order to carry out its functions.

70. Every Fonds may adopt internal management by-laws.

71. In addition to its functions provided for under this division, every Fonds shall implement the financial support programs that are under its authority pursuant to another Act or, with the authorization of the Government and on the conditions it determines, the financial support programs under the authority of a department or a public agency. The Fonds shall then carry out its functions in accordance with this subdivision, wherever practicable.

72. In no case may a Fonds, unless authorized by the Government,

(1) contract a loan that increases its total outstanding borrowings to more than the amount determined by the Government;

(2) make a contract for a term or amount exceeding that determined by the Government.

No Fonds may acquire immovables.

73. In the pursuit of its objectives, a Fonds may, with the authorization of the Minister, enter into agreements or conventions with any person, partnership or organized body for the purpose of receiving or accepting gifts, legacies, grants or other contributions.

DIVISION III

FINANCIAL PROVISIONS

74. The Government may, on the conditions it determines,

(1) guarantee any loan contracted by a Fonds as well as the execution of any of its obligations;

(2) authorize the Minister of Finance to advance to a Fonds any amount deemed necessary for the carrying out of its functions.

Any sum that the Government may be called to pay under the guarantees or to advance to a Fonds is taken out of the consolidated revenue fund.

DIVISION IV**DOCUMENTS, ACCOUNTS AND REPORTS**

75. No deed, document or writing binds a Fonds unless it is signed by its chairman and managing director or by a member of its personnel and, in the case of such a member, only to the extent determined by regulation of the Fonds.

A Fonds may, by by-law and on the conditions it determines, allow a signature to be affixed by means of an automatic device to the documents it determines or a facsimile of a signature to be engraved, lithographed or printed on them. However, the facsimile has the same force as the signature itself only if the document is countersigned by a person authorized by the chairman and managing director of the Fonds.

Every by-law made by virtue of this section comes into force 10 days after the date of its publication in the *Gazette officielle du Québec* or on any later date indicated in it.

76. A document or a copy of a document emanating from a Fonds or forming part of its records and signed or certified true by a person referred to in section 75 is authentic.

77. The fiscal year of each Fonds ends on 31 March.

78. Not later than 31 July each year, each Fonds shall transmit to the Minister a report of its activities for the preceding fiscal year.

The report shall, in addition to the information the Minister may prescribe, contain a progress report on the three-year plan approved under section 64.

79. The Minister shall table the annual report of a Fonds in the National Assembly within 30 days of receiving it if the Assembly is in session or, if it is not sitting, within 30 days after the opening of the next session or resumption.

80. The books and accounts of the Fonds shall be audited every year by the Auditor General and also whenever so ordered by the Government.

The auditor's report must accompany the annual report of every Fonds.

DIVISION V**PENAL PROVISIONS**

81. Every person who gives false or misleading information in view of obtaining or procuring financial support provided for by this Chapter is guilty of an offence and liable to a fine of not more than \$5,000.

82. Where a legal person commits an offence against section 81, every director or representative of that legal person who was aware of the offence is deemed to be a party to the offence and is liable to a fine of not more than \$5,000 unless he proves to the satisfaction of the court that he did not acquiesce to the commission of the offence.

83. No person found guilty of an offence against section 81 or 82 or against section 380 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) in connection with financial support contemplated under this Chapter may, unless he has been pardoned, obtain financial support under this Chapter for a period of two years from the conviction.

DIVISION VI

COMITÉ PERMANENT DES PRÉSIDENTS-DIRECTEURS GÉNÉRAUX DES FONDS DE RECHERCHE DU QUÉBEC

84. The “Comité permanent des présidents-directeurs généraux des Fonds de recherche du Québec” hereinafter called the “committee” is hereby established.

The functions of the committee are

(1) to harmonize the strategic programs of the different Fonds and ensure the coherence and complementarity of their action;

(2) to integrate, so far as possible, the management services of the different Fonds;

(3) to simplify the research financing procedure;

(4) to advise the Minister on the development of the research support programs of the different Fonds.

85. The committee is composed of the chairmen and managing directors of the Fonds established under section 46.

Any member who is absent or unable to act may be replaced by the vice-chairman of the Fonds of which the member is chairman and managing director.

86. The committee may adopt internal management by-laws.

87. The committee shall have no equity resources; its operating costs shall be paid out of the budgets of the Fonds.

88. Each year, the committee shall, on the date fixed by the Minister, transmit to the Minister a report of its activities. The report must contain all the information the Minister may prescribe.

The report shall be tabled in the National Assembly within 15 days of its receipt by the Minister if the Assembly is in session or, if it is not sitting, within 15 days of the opening of the next session or resumption.

CHAPTER VI

LOCAL AND REGIONAL AUTHORITIES

DIVISION I

LOCAL DEVELOPMENT CENTRES

89. The Minister shall enter into an agreement with the regional county municipality concerning its role and responsibilities in local development and the conditions under which they are to be exercised.

This agreement must take into account the powers and obligations of the regional county municipality under sections 90 and 91.

The regional county municipality shall administer the funds entrusted to it under this agreement and holds all the necessary powers to carry out the agreement.

90. A regional county municipality may take any measure to promote local development and entrepreneurial support within its territory.

To that end, it may more particularly

(1) offer a full range of front-line services to businesses, possibly in partnership with persons or bodies including those from the private sector, by grouping or coordinating those services and providing funding for them;

(2) develop a local plan of action to stimulate the economy and create employment taking into account the five-year development plan established by the regional conference of elected officers in its territory and, if applicable, the metropolitan land use and development plan as well as the general economic development plan adopted by the metropolitan community in its territory, and see to the implementation of the local plan of action;

(3) formulate, in keeping with provincial and regional orientations, strategies and objectives, a strategy for the development of entrepreneurship, including social economy entrepreneurship; and

(4) act as an advisory body for the benefit of the local employment centre serving its territory.

This section applies despite the Municipal Aid Prohibition Act (R.S.Q., chapter I-15).

91. The regional county municipality shall entrust the exercise of its powers under section 90 to a body it shall constitute under the name “local development centre”. It may also designate an existing body as a local development centre.

The regional county municipality may also assign the local development centre a mandate stemming from a power conferred to it by law or from an agreement with the Government or one of its Ministers or bodies.

92. A local development centre must be a non-profit body constituted under Part III of the Companies Act (R.S.Q., chapter C-38).

A local development centre may also be designated by the initialism “LDC”. No person or body may use a name that includes the words “local development centre” or the initialism “LDC” unless designated as such under this Act.

A local development centre shall carry out its activities in compliance with the agreement made under section 89 and in keeping with the expectations expressed by the regional county municipality.

93. Local development centres shall be distributed as follows:

(1) the territory of a regional county municipality may be served by one local centre only; and

(2) the territories of two or more regional county municipalities may be served by the same local centre.

The territory of Ville de Montréal may be served by more than one local development centre, in which case the city shall identify their respective territories.

94. The regional county municipality shall appoint the members of the board of directors of a local development centre it constitutes. In the case of an existing body, the body must make any changes required to the composition of its board of directors and voting rights to bring them into conformity with the second and third paragraphs.

The board of directors of a local development centre must include elected municipal officers, representatives of the business community and the social economy, and the Member of the National Assembly for any electoral division in the territory served by the local development centre, as a non-voting member. The board of directors shall also include the following persons as non-voting members:

(1) the head of the local development centre; and

(2) the director of the local employment centre.

Each voting member has one vote only.

95. A local development centre must file an annual activity report with the regional county municipality on the date and in the manner determined by the regional county municipality, together with its financial statements for the preceding fiscal year.

The report shall contain any other information required by the regional county municipality. The financial statements shall be filed together with the auditor's report.

96. For the purposes of this division, a local municipality whose territory is not comprised in that of a regional county municipality is considered a regional county municipality.

DIVISION II

REGIONAL CONFERENCES OF ELECTED OFFICERS

97. A regional conference of elected officers is hereby established for each administrative region of Québec.

However, for the Montérégie administrative region, three regional conferences of elected officers are hereby established, more specifically, one for the territory of Ville de Longueuil, one for the territories of the regional county municipalities of Beauharnois-Salaberry, Haut-Saint-Laurent, Jardins-de-Napierville, Roussillon and Vaudreuil-Soulanges, and one for the territories of the regional county municipalities of Acton, Brome-Missisquoi, La Haute-Yamaska, La Vallée-du-Richelieu, Lajemmerais, Bas-Richelieu, Haut-Richelieu, Maskoutains and Rouville.

For the Nord-du-Québec administrative region, a regional conference of elected officers is hereby established for the territory of the Municipalité de Baie-James and the territories of the cities of Chapais, Chibougamau, Lebel-sur-Quévillon and Matagami, while the Kativik Regional Government and the Cree Regional Authority are deemed to act as the regional conference of elected officers for their respective communities.

A regional conference of elected officers is a legal person.

98. A regional conference of elected officers is the primary interlocutor of the Government for the territory or community it represents as regards regional development.

The Minister shall enter into an agreement with the regional conference of elected officers determining the conditions that the regional conference undertakes to fulfill and the role and responsibilities of each of the parties.

99. The mandate of a regional conference of elected officers consists primarily in evaluating local and regional planning and development bodies funded in whole or in part by the Government, promoting concerted action

among partners in the region and, where warranted, giving advice to the Minister on regional development matters.

The regional conference of elected officers shall establish a five-year development plan that identifies general and specific development objectives for the region in keeping with sustainable development and taking foremost account of young people's participation and, in accordance with the principles of equality and parity, women's participation, in the democratic life of the region.

The five-year development plan must also take into account regional manpower and employment strategies and objectives defined by the regional council of labour market partners in its territory and, if applicable, the metropolitan land use and development plan as well as the general economic development plan adopted by the metropolitan community in its territory.

The regional conference of elected officers may enter into specific agreements with government departments or bodies and, where warranted, other partners, to exercise the powers and responsibilities stemming from the agreement referred to in section 98.

The regional conference of elected officers shall carry out any other mandate received from the Minister.

100. The board of directors of a regional conference of elected officers shall be composed of the following members from its territory:

- (1) the wardens of the regional county municipalities;
- (2) the mayors of local municipalities with a population of 5,000 or more; and
- (3) the mayors of the local municipalities listed in the schedule.

In the case of the Capitale-Nationale administrative region, in addition to the persons mentioned in the first paragraph, the board of directors of the regional conference of elected officers shall include the borough chairs and two members of the executive committee of Ville de Québec designated by that executive committee.

In the case of the Côte-Nord administrative region, in addition to the persons mentioned in the first paragraph, the board of directors of the regional conference of elected officers shall include two mayors designated by and from among the mayors of the local municipalities in that administrative region whose territories are not comprised in the territory of a regional county municipality. For the purpose of that designation, the administrator of the Municipalité de Côte-Nord-du-Golfe-du-Saint-Laurent is considered a mayor. The two mayors shall be designated at a meeting convened and held by the secretary-treasurer of the municipality with the largest population among those local municipalities except the Municipalité de Côte-Nord-du-Golfe-

du-Saint-Laurent. The meeting may be held as provided by article 164.1 of the Municipal Code of Québec (R.S.Q., chapter C-27.1), with the necessary modifications. At the beginning of the meeting, the mayors may decide the procedure to be followed in case of a tie-vote. The secretary-treasurer shall draw up the minutes of the meeting.

The cities of Gatineau, La Tuque, Lévis, Mirabel, Rouyn-Noranda, Saguenay, Shawinigan, Sherbrooke and Trois-Rivières shall designate, among the members of their respective councils, an additional member to sit on the board of directors of the regional conference of elected officers in their respective territories.

If the warden of a regional county municipality is also the mayor of a local municipality referred to in the first paragraph, the council of the regional county municipality shall appoint one additional member to the board of directors of the regional conference from among its members. The same applies if the territory of a regional county municipality does not include a local municipality referred to in the first paragraph.

The board of directors of the regional conference of elected officers of the administrative region of Laval, the territory of Ville de Longueuil and the administrative region of Montréal shall be composed of all the members of the municipal council of Ville de Laval, Ville de Longueuil and Ville de Montréal respectively.

The board of directors of the regional conference of elected officers of the Nord-du-Québec administrative region shall be composed of the members of the council of the Municipalité de Baie-James referred to in section 36 of the James Bay Region Development and Municipal Organization Act (R.S.Q., chapter D-8.2).

If the territory of a regional conference of elected officers includes at least one Native community represented by a band council, the board of directors of the regional conference shall include a representative of the Native nation to which the Native community belongs.

On the request of a regional conference of elected officers, the Government may, by order, allow the regional conference to appoint to its board of directors one or more additional representatives of a local municipality, chosen by the council of the local municipality from among its members.

On the request of a regional conference of elected officers, the Government may, by order, amend the schedule to add one or more rural local municipalities.

101. A regional conference of elected officers shall appoint to its board of directors additional members whose number may not exceed one third of all council members except those referred to in the eighth paragraph of section 100. The conference shall choose these additional members after consulting the bodies it considers representative of the various sectors of the community it serves, particularly those in the economic, education, cultural and scientific

sectors. The regional conference shall determine the term of office of additional members.

Instead of appointing additional members as provided in the first paragraph, the regional conferences of elected officers for the administrative region of Laval, the territory of Ville de Longueuil and the administrative region of Montréal may establish a sector-based, theme-based or territory-based consultation mechanism with the socioeconomic groups in their respective territories. The agreement referred to in section 98 shall specify how the consultation mechanism is to operate.

The Member of the National Assembly for an electoral division over whose territory a regional conference of elected officers has authority is entitled to take part in the proceedings of the board of directors of the regional conference but is not entitled to vote.

102. The meetings of the board of directors of a regional conference of elected officers are public.

103. A regional conference of elected officers shall administer the funds entrusted to it by the Government under an agreement for the carrying out of any regional development project under the authority of the Minister who has signed the agreement.

104. A regional conference of elected officers must file an annual activity report with the Minister on the date and in the manner determined by the Minister, together with its financial statements for the preceding fiscal year.

The report shall contain any other information required by the Minister. The financial statements shall be filed together with the auditor's report.

105. The Minister shall lay the activity report of a regional conference of elected officers before the National Assembly within 30 days of its receipt or, if the Assembly is not sitting, within 30 days of resumption.

106. The Communauté métropolitaine de Montréal and the Communauté métropolitaine de Québec shall establish, with the regional conferences of elected officers for their respective territories, a mechanism to harmonize the exercise of their powers and responsibilities.

107. The harmonization mechanism referred to in section 106 shall be approved jointly by the Minister of Economic and Regional Development and Research and the Minister of Municipal Affairs, Sports and Recreation.

108. The Kativik Regional Government and the Cree Regional Authority acting as a regional conference of elected officers and the regional conference of elected officers established for the territory of the Municipalité de Baie-James and the territories of the cities of Chapais, Chibougamau, Lebel-sur-Quévillon and Matagami shall establish a mechanism to harmonize the exercise of their powers and responsibilities.

DIVISION III**TABLE QUÉBEC-RÉGIONS**

109. A consultative committee known as the “Table Québec-régions” is hereby established.

The consultative committee shall advise the Minister on any matter within its purview which is submitted to it by the Minister.

110. The composition of the consultative committee shall be determined jointly by the Minister of Economic and Regional Development and Research and the Minister of Municipal Affairs, Sports and Recreation.

CHAPTER VII**REGIONAL DEVELOPMENT FUND**

111. A regional development fund is hereby established.

The fund shall be dedicated to the financing of the measures provided for in the specific agreements entered into between a regional conference of elected officers, a government department or body and, where applicable, any other partner.

The fund may also be dedicated to the financing of any other activity pursued by a regional conference of elected officers.

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

The particulars of the management of the fund shall be determined by the Conseil du trésor.

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

(1) the sums paid into the fund by the Minister out of the appropriations granted for that purpose by Parliament;

(2) the sums paid into the fund by the Minister of Finance as advances taken out of the consolidated revenue fund;

(3) the sums paid into the fund by the Minister of Finance as borrowings from the financing fund established under the Act respecting the Ministère des Finances (R.S.Q., chapter M-24.01);

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

114. 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, and deposited with the financial institutions determined by, the Minister of Finance.

The Minister of Economic and Regional Development and Research shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.

115. The Minister of Finance may, with the authorization of and subject to the conditions determined by the Government, 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 of Finance, any part of the sums making up the fund that is not required for its operation.

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

116. The Minister of Economic and Regional Development and Research may, as the manager of the fund, borrow from the Minister of Finance sums taken out of the financing fund established under the Act respecting the Ministère des Finances (R.S.Q., chapter M-24.01).

117. The sums required for the payment of the remuneration and expenses relating to employment benefits and other conditions of employment of the persons who, in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), are assigned to the operation of the fund shall be taken out of the fund.

118. Any surplus accumulated by the fund shall be paid into the consolidated revenue fund on the dates and to the extent determined by the Government.

119. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (R.S.Q., chapter A-6.001) apply to the fund, with the necessary modifications.

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

121. 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 State that has become *res judicata*.

122. The Minister shall, not later than (*insert the date occurring five years after the date of coming into force of this section*), submit to the Government an assessment report stating whether or not it is advisable to maintain the fund.

The Minister shall lay the report before the National Assembly within 30 days of its submission or, if the Assembly is not sitting, within 30 days of resumption.

CHAPTER VIII

AGREEMENT FOR THE IMPLEMENTATION OF CERTAIN POLICIES

123. The Minister, with the authorization of the Government, may enter into any agreement with a regional county municipality or local municipality whose territory is not comprised within the territory of a regional county municipality where such an agreement is needed to implement any local or regional development policy of the Government in the territory of that municipality. The authorization of the Government may emanate from the content of the policy.

124. An agreement under section 123 shall specify, among other things, any responsibility that is delegated to the regional county municipality or local municipality, and determine the conditions governing the delegation.

125. The regional county municipality or local municipality that is party to an agreement under section 123 shall have the necessary powers to meet its commitments and exercise its responsibilities under the agreement for the purposes of the implementation of the policy.

The municipality may, among other things, institute any proceeding and exercise any power required to settle any dispute or disagreement resulting from the carrying out of the agreement.

126. The Municipal Aid Prohibition Act (R.S.Q., chapter I-15) does not apply to assistance granted pursuant to an agreement under section 123.

127. The third paragraph of section 188 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) does not apply in respect of a decision whereby the council of a regional county municipality enters into an agreement under section 123.

128. The council of a regional county municipality may, by by-law, for the purposes of an agreement under section 123 and in respect of a local municipality whose territory is not covered by the agreement or only a part of whose territory is covered by the agreement, prescribe criteria for the determination of the number of votes and the number of the population attributed to any representative of the local municipality for the purpose of decision making by the regional county municipality in relation to the carrying out of the agreement. The by-law may also establish criteria for the determination of the proportion of the local municipality's contribution to the payment of the expenses of the regional county municipality relating to the agreement.

CHAPTER IX

AMENDING PROVISIONS

DIVISION I

INTEGRATION OF CERTAIN PROVISIONS OF OTHER ACTS INTO THIS ACT

129. Division II.2 of the Act respecting the Ministère de l'Industrie et du Commerce (R.S.Q., chapter M-17), comprising sections 17.1 to 17.12, becomes, under the same heading, Chapter III of this Act, comprising sections 19 to 30, subject to the following amendments:

(1) the reference to section 17.5 and the first paragraph of section 17.6 in paragraph 4 of section 17.3 becomes a reference to section 23 and the first paragraph of section 24;

(2) the reference to paragraph 5 of section 17.3 in the first paragraph of section 17.7 becomes a reference to paragraph 5 of section 21.

130. Chapter II of the Act respecting the Ministère de la Recherche, de la Science et de la Technologie (R.S.Q., chapter M-19.1.2), comprising sections 7 to 15, becomes, under the same heading, Chapter II of this Act, comprising sections 10 to 18, subject to “de la Recherche, de la Science et de la Technologie” in section 7 being replaced by “du Développement économique et régional et de la Recherche”.

131. Chapter II.1 of the said Act and Divisions I, II and III of that Chapter, comprising sections 15.1 to 15.15, become, under the same headings, Chapter IV of this Act and Divisions I, II and III of that Chapter, comprising sections 31 to 45, subject to the reference to section 15.3 in the first paragraph of section 15.5 becoming a reference to section 33.

132. Chapter II.2 of the said Act, Divisions I, II, III, IV and V of that Chapter and Chapter II.3 of that Act, comprising sections 15.16 to 15.56, become, under the same headings, Chapter V of this Act and Divisions I, II, III, IV, V and VI of that Chapter, comprising sections 46 to 88, subject to the following amendments:

(1) the reference to section 15.20 in the first paragraph of section 15.24 becomes a reference to section 50;

(2) the reference to section 15.27 in the second paragraph of section 15.30 becomes a reference to section 57;

(3) “, and shall be accompanied with the budgetary estimates for the two following years” at the end of the second paragraph of section 15.33 is struck out;

(4) section 15.33.1 is replaced by the following section:

“15.33.1. At the beginning of each fiscal year on the date fixed by the Minister, a Fonds shall send the budgetary estimates for the year concerned, along with the list of the activities planned for that year, to the Minister for approval.”;

(5) “Government” in the second paragraph of section 15.35 is replaced by “Minister”;

(6) the reference to section 15.43 in section 15.44 becomes a reference to section 75;

(7) the third paragraph of section 15.46 is struck out;

(8) the reference to section 15.33 in the second paragraph of section 15.46 becomes a reference to section 64;

(9) “by this Act” is replaced in section 15.49 by “by this Chapter”;

(10) the reference to section 15.49 in section 15.50 becomes a reference to section 81;

(11) the reference to section 15.49 or 15.50 in section 15.51 becomes a reference to section 81 or 82 and “under this Act” is replaced by “under this Chapter”;

(12) the reference to section 15.16 in section 15.53 becomes a reference to section 46.

133. Chapter III of the Act respecting the Ministère des Régions (R.S.Q., chapter M-25.001), comprising sections 24 to 35, becomes, under the same heading, Chapter VII of this Act, comprising sections 111 to 122, subject to the following amendments:

(1) “a regional development council” in the second and third paragraphs of section 24 is replaced by “a regional conference of elected officers”;

(2) “des Régions” in section 29 is replaced by “du Développement économique et régional et de la Recherche”;

(3) “not later than 1 April 2003” in section 35 is replaced by “not later than *(insert the date occurring five years after the date of coming into force of this section)*”.

134. Chapter III.1 of the said Act, comprising sections 35.1 to 35.6, becomes, under the same heading, Chapter VIII of this Act, comprising sections 123 to 128, subject to the reference to section 35.1 in sections 35.2 to 35.6 becoming a reference to section 123.

DIVISION II**OTHER AMENDMENTS**§1. — *General amendments*

135. The words “of Industry and Trade” are replaced by the words “of Economic and Regional Development and Research” and the words “de l’Industrie et du Commerce” are replaced by the words “du Développement économique et régional et de la Recherche” in the following provisions:

(1) section 25 of the Act respecting assistance for the development of cooperatives and non-profit legal persons (R.S.Q., chapter A-12.1);

(2) sections 11, 37 and 39 of the Act respecting assistance for tourist development (R.S.Q., chapter A-13.1);

(3) section 21 of the Act to promote the capitalization of small and medium-sized businesses (R.S.Q., chapter A-33.01);

(4) section 50 of the Savings and Credit Unions Act (R.S.Q., chapter C-4);

(5) section 46 of Schedule C to the Charter of Ville de Longueuil (R.S.Q., chapter C-11.3);

(6) section 239 of Schedule C to the Charter of Ville de Montréal (R.S.Q., chapter C-11.4);

(7) section 8 of the Fish and Game Clubs Act (R.S.Q., chapter C-22), enacted by section 264 of chapter 45 of the statutes of 2002;

(8) section 12 of the Amusement Clubs Act (R.S.Q., chapter C-23), enacted by section 266 of chapter 45 of the statutes of 2002;

(9) section 1 of the Companies Act (R.S.Q., chapter C-38), amended by section 275 of chapter 45 of the statutes of 2002;

(10) section 15 of the Cemetery Companies Act (R.S.Q., chapter C-40), enacted by section 280 of chapter 45 of the statutes of 2002;

(11) section 53 of the Act respecting Roman Catholic cemetery corporations (R.S.Q., chapter C-40.1), enacted by section 282 of chapter 45 of the statutes of 2002;

(12) section 99 of the Gas, Water and Electricity Companies Act (R.S.Q., chapter C-44), enacted by section 285 of chapter 45 of the statutes of 2002;

(13) section 26 of the Telegraph and Telephone Companies Act (R.S.Q., chapter C-45), amended by section 287 of chapter 45 of the statutes of 2002;

(14) section 24 of the Mining Companies Act (R.S.Q., chapter C-47), amended by section 290 of chapter 45 of the statutes of 2002;

(15) section 16 of the Act respecting the constitution of certain Churches (R.S.Q., chapter C-63), enacted by section 294 of chapter 45 of the statutes of 2002;

(16) section 20 of the Religious Corporations Act (R.S.Q., chapter C-71), enacted by section 340 of chapter 45 of the statutes of 2002;

(17) section 190 of the Real Estate Brokerage Act (R.S.Q., chapter C-73.1), replaced by section 347 of chapter 45 of the statutes of 2002;

(18) section 17 of the Act respecting duties on transfers of immovables (R.S.Q., chapter D-15.1);

(19) sections 9.3 and 17.1 of the Act respecting the establishment of a steel complex by Sidbec (R.S.Q., chapter E-14);

(20) section 23 of the Roman Catholic Bishops Act (R.S.Q., chapter E-17), enacted by section 502 of chapter 45 of the statutes of 2002;

(21) section 76 of the Act respecting fabriques (R.S.Q., chapter F-1), enacted by section 509 of chapter 45 of the statutes of 2002;

(22) section 38 of the Act respecting hours and days of admission to commercial establishments (R.S.Q., chapter H-2.1);

(23) sections 965.11.7.1, 965.36.1, 1029.8.36.5, 1029.8.36.6, 1029.8.36.7, 1029.8.36.16, 1029.8.36.20, 1029.8.36.21, 1029.8.36.22, 1029.8.36.23, 1029.8.36.54, 1029.8.36.55, 1029.8.36.55.1, 1029.8.36.56, 1029.8.36.72.1, 1029.8.36.72.14, 1130 and 1137.1 of the Taxation Act (R.S.Q., chapter I-3);

(24) section 275 of the Act respecting the Inspector General of Financial Institutions (R.S.Q., chapter I-11.1), amended by section 539 of chapter 45 of the statutes of 2002;

(25) sections 17 and 18 of the Winding-up Act (R.S.Q., chapter L-4) and section 35 of that Act, enacted by section 544 of chapter 45 of the statutes of 2002;

(26) section 20.1.1 of the Act respecting lotteries, publicity contests and amusement machines (R.S.Q., chapter L-6);

(27) sections 21 and 38 of the Act respecting stuffing and upholstered and stuffed articles (R.S.Q., chapter M-5);

(28) section 9 of the Act respecting the Ministère de la Sécurité publique (R.S.Q., chapter M-19.3);

(29) section 7 of the Act respecting the implementation of international trade agreements (R.S.Q., chapter M-35.2);

(30) section 54 of the Act respecting the special powers of legal persons (R.S.Q., chapter P-16), amended by section 548 of chapter 45 of the statutes of 2002;

(31) section 539 of the Act respecting the legal publicity of sole proprietorships, partnerships and legal persons (R.S.Q., chapter P-45), replaced by section 552 of chapter 45 of the statutes of 2002;

(32) section 63 of the Act respecting the Société du parc industriel et portuaire de Bécancour (R.S.Q., chapter S-16.001);

(33) sections 1 and 20 of the Act respecting the Société du parc industriel et portuaire Québec-Sud (R.S.Q., chapter S-16.01);

(34) sections 15, 15.1 and 17 of the Act respecting the Société générale de financement du Québec (R.S.Q., chapter S-17);

(35) section 8 of the National Benefit Societies Act (R.S.Q., chapter S-31), enacted by section 614 of chapter 45 of the statutes of 2002;

(36) section 5 of the Act respecting societies for the prevention of cruelty to animals (R.S.Q., chapter S-32), enacted by section 616 of chapter 45 of the statutes of 2002;

(37) section 31 of the Professional Syndicates Act (R.S.Q., chapter S-40), enacted by section 620 of chapter 45 of the statutes of 2002.

136. The words “of Industry and Trade” are replaced by the words “of Finance” in sections 20.2, 30, 34.1, 37, 59 and 61 of the Act respecting the Société des alcools du Québec (R.S.Q., chapter S-13).

137. The words “of Research, Science and Technology” are replaced by the words “of Economic and Regional Development and Research” and the words “de la Recherche, de la Science et de la Technologie” are replaced by the words “du Développement économique et régional et de la Recherche” in the following provisions:

(1) section 42 of the Act respecting the Centre de recherche industrielle du Québec (R.S.Q., chapter C-8.1);

(2) section 17.2 of the General and Vocational Colleges Act (R.S.Q., chapter C-29);

(3) section 1 of the Act respecting artistic, literary and scientific competitions (R.S.Q., chapter C-51);

(4) sections 227, 737.19, 737.22.0.0.5 and 1029.8.1 of the Taxation Act (R.S.Q., chapter I-3);

(5) sections 89, 90 and 91 of the Act respecting health services and social services (R.S.Q., chapter S-4.2).

138. The words “of Regions” in section 27 of the Natural Heritage Conservation Act (R.S.Q., chapter C-61.01) are replaced by the words “of Economic and Regional Development and Research”.

139. The words “Act respecting the Ministère de l’Industrie et du Commerce (chapter M-17)” are replaced by the words “Act respecting the Ministère du Développement économique et régional et de la Recherche (2003, chapter 29)” in sections 965.35, 1049.12, 1049.13 and 1049.14 of the Taxation Act (R.S.Q., chapter I-3).

140. The words “Act respecting the Ministère de la Recherche, de la Science et de la Technologie (chapter M-19.1.2)” are replaced by the words “Act respecting the Ministère du Développement économique et régional et de la Recherche (2003, chapter 29)” in the following provisions:

(1) section 96 of the Health Insurance Act (R.S.Q., chapter A-29);

(2) section 11.1 of the Act respecting the Ministère de la Santé et des Services sociaux (R.S.Q., chapter M-19.2);

(3) section 88 of the Act respecting health services and social services (R.S.Q., chapter S-4.2).

141. The words “of Municipal Affairs and Greater Montréal” are replaced by the words “of Economic and Regional Development and Research” in the following provisions:

(1) paragraph *c* of section 1 of the Act respecting the Régie des installations olympiques (R.S.Q., chapter R-7);

(2) section 30 of the Act respecting the Société du Palais des congrès de Montréal (R.S.Q., chapter S-14.1);

(3) section 45 of the Act respecting Société Innovatech du Grand Montréal (R.S.Q., chapter S-17.2.0.1).

§2. — *Specific amendments*

ACT RESPECTING LAND USE PLANNING AND DEVELOPMENT

142. Section 79.20 of the Act respecting land use planning and development (R.S.Q., chapter A-19.1) is amended by replacing subparagraphs 2, 3 and 4 of the second paragraph by the following subparagraphs:

“(2) the local action plan developed under section 90 of the Act respecting the Ministère du Développement économique et régional et de la Recherche (2003, chapter 29) by the local development centre serving the territory of the regional county municipality;

“(3) the five-year development plan established under section 99 of the Act respecting the Ministère du Développement économique et régional et de la Recherche by the regional conference of elected officers for the administrative region in which the territory of the regional county municipality is situated;

“(4) any agreement entered into under section 98 of the Act respecting the Ministère du Développement économique et régional et de la Recherche by the regional conference of elected officers referred to in paragraph 3;”.

CHARTER OF VILLE DE LONGUEUIL

143. Section 60.2 of the Charter of Ville de Longueuil (R.S.Q., chapter C-11.3) is amended by replacing “12 of the Act respecting the Ministère des Régions (chapter M-25.001)” at the end of the first paragraph by “89 of the Act respecting the Ministère du Développement économique et régional et de la Recherche (2003, chapter 29)”.

CITIES AND TOWNS ACT

144. Section 466.2 of the Cities and Towns Act (R.S.Q., chapter C-19) is amended by replacing “accredited under the Act respecting the Ministère des Régions (chapter M-25.001)” in the fourth and fifth lines by “referred to in section 91 of the Act respecting the Ministère du Développement économique et régional et de la Recherche (2003, chapter 29)”.

MUNICIPAL CODE OF QUÉBEC

145. Article 627.2 of the Municipal Code of Québec (R.S.Q., chapter C-27.1) is amended by replacing “accredited under the Act respecting the Ministère des Régions (chapter M-25.001)” in the fourth and fifth lines by “referred to in section 91 of the Act respecting the Ministère du Développement économique et régional et de la Recherche (2003, chapter 29)”.

146. Article 688.10 of the said Code is amended by replacing “accredited under the Act respecting the Ministère des Régions (chapter M-25.001)” in the third and fourth lines by “referred to in section 91 of the Act respecting the Ministère du Développement économique et régional et de la Recherche (2003, chapter 29)”.

EXECUTIVE POWER ACT

147. Section 4 of the Executive Power Act (R.S.Q., chapter E-18) is amended

(1) by replacing subparagraph 16 of the first paragraph by the following subparagraph:

“(16) A Minister of Economic and Regional Development and Research;”;

(2) by striking out subparagraphs 34 and 35 of the first paragraph.

ACT TO SECURE THE HANDICAPPED IN THE EXERCISE OF THEIR RIGHTS

148. Section 7 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1) is amended by replacing “of Industry and Trade, the Deputy Minister of Research, Science and Technology” in the second and third lines by “of Economic and Regional Development and Research”.

TAXATION ACT

149. Section 1029.8.21.17 of the Taxation Act (R.S.Q., chapter I-3) is amended by replacing “of Industry and Trade and the Minister of Research, Science and Technology” in the third paragraph by “of Economic and Regional Development and Research”.

ACT RESPECTING THE MINISTÈRE DE L'EMPLOI ET DE LA SOLIDARITÉ SOCIALE AND ESTABLISHING THE COMMISSION DES PARTENAIRES DU MARCHÉ DU TRAVAIL

150. Section 21 of the Act respecting the Ministère de l'Emploi et de la Solidarité sociale and establishing the Commission des partenaires du marché du travail (R.S.Q., chapter M-15.001) is amended

(1) by striking out subparagraph 1 of the third paragraph;

(2) by replacing subparagraph 3 of the third paragraph by the following subparagraph:

“(3) the Deputy Minister of Economic and Regional Development and Research or an Associate or Assistant Deputy Minister of Economic and Regional Development and Research designated by the Deputy Minister;”.

151. Section 38 of the said Act is amended

(1) by replacing “the regional development council” in the second and third lines of paragraph 6 by “the regional conference of elected officers referred to in section 97 of the Act respecting the Ministère du Développement économique et régional et de la Recherche (2003, chapter 29)”;

(2) by replacing “the regional development council” in the first line of paragraph 7 by “the regional conference of elected officers referred to in section 97 of the Act respecting the Ministère du Développement économique et régional et de la Recherche”.

152. Section 40 of the said Act is amended

(1) by striking out subparagraph 1 of the third paragraph;

(2) by replacing subparagraph 3 of the third paragraph by the following subparagraph:

“(3) the regional director of the Ministère du Développement économique et régional et de la Recherche or a regional representative from that department designated by the Deputy Minister of the Ministère du Développement économique et régional et de la Recherche.”

GOVERNMENT DEPARTMENTS ACT

153. Section 1 of the Government Departments Act (R.S.Q., chapter M-34) is amended

(1) by replacing paragraph 15 by the following paragraph:

“(15) The Ministère du Développement économique et régional et de la Recherche, presided over by the Minister of Economic and Regional Development and Research;”;

(2) by striking out paragraphs 34 and 35.

ACT RESPECTING THE PRESERVATION OF AGRICULTURAL LAND AND AGRICULTURAL ACTIVITIES

154. Section 47 of the Act respecting the preservation of agricultural land and agricultural activities (R.S.Q., chapter P-41.1) is amended by replacing “to the regional development council” at the end of the first paragraph by “to the regional conference of elected officers referred to in section 97 of the Act respecting the Ministère du Développement économique et régional et de la Recherche (2003, chapter 29)”.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

155. Section 343.1 of the Act respecting health services and social services (R.S.Q., chapter S-4.2) is amended by replacing “the regional development council” in the second line of the third paragraph by “the regional conference of elected officers referred to in section 97 of the Act respecting the Ministère du Développement économique et régional et de la Recherche (2003, chapter 29)”.

ACT RESPECTING THE SOCIÉTÉ DE DÉVELOPPEMENT DE LA
ZONE DE COMMERCE INTERNATIONAL DE MONTRÉAL À
MIRABEL

156. Section 50 of the Act respecting the Société de développement de la Zone de commerce international de Montréal à Mirabel (R.S.Q., chapter S-10.0001) is replaced by the following section:

“**50.** The Minister of Economic and Regional Development and Research is responsible for the administration of this Act, except section 38, which is under the administration of the Minister of Finance.”

ACT RESPECTING SOCIÉTÉ INNOVATECH DU GRAND MONTRÉAL

157. Section 5 of the Act respecting Société Innovatech du Grand Montréal (R.S.Q., chapter S-17.2.0.1) is amended by replacing “Three” in the first line by “Two” and by replacing “of Industry and Trade, one by the Minister of Research, Science and Technology and the other” in the second and third lines by “of Economic and Regional Development and Research and one”.

158. Section 33 of the said Act is amended by replacing “of Research, Science and Technology” in the second line by “of Economic and Regional Development and Research”.

ACT RESPECTING SOCIÉTÉ INNOVATECH DU SUD DU QUÉBEC

159. Section 5 of the Act respecting Société Innovatech du sud du Québec (R.S.Q., chapter S-17.2.2) is replaced by the following section:

“**5.** One person shall be delegated to the board of directors by the Minister of Economic and Regional Development and Research from among the personnel members of the Minister’s department.”

160. Section 33 of the said Act is amended by replacing “of the Minister of Industry and Trade, the Minister of Research, Science and Technology” in the first and second lines by “of the Minister of Economic and Regional Development and Research”.

161. Section 45 of the said Act is replaced by the following section:

“**45.** The Minister of Economic and Regional Development and Research is responsible for the administration of this Act.”

ACT RESPECTING SOCIÉTÉ INNOVATECH QUÉBEC ET
CHAUDIÈRE-APPALACHES

162. Section 5 of the Act respecting Société Innovatech Québec et Chaudière-Appalaches (R.S.Q., chapter S-17.4) is replaced by the following section:

“5. One person shall be delegated to the board of directors by the Minister of Economic and Regional Development and Research from among the personnel members of the Minister’s department.”

163. Section 33 of the said Act is amended by replacing “of the Minister of Industry and Trade, the Minister of Research, Science and Technology” in the first and second lines by “of the Minister of Economic and Regional Development and Research”.

164. Section 45 of the said Act is replaced by the following section:

“45. The Minister of Economic and Regional Development and Research is responsible for the administration of this Act.”

ACT RESPECTING SOCIÉTÉ INNOVATECH RÉGIONS RESSOURCES

165. Section 5 of the Act respecting Société Innovatech Régions ressources (R.S.Q., chapter S-17.5) is replaced by the following section:

“5. A person shall be delegated to the board of directors by the Minister of Economic and Regional Development and Research from among the personnel members of the Minister’s department.”

166. Section 33 of the said Act is amended by replacing “of the Minister of Industry and Trade, the Minister of Research, Science and Technology” in the first and second lines by “of the Minister of Economic and Regional Development and Research”.

167. Section 42 of the said Act is replaced by the following section:

“42. The Minister of Economic and Regional Development and Research is responsible for the administration of this Act.”

CHAPTER X

TRANSITIONAL AND FINAL PROVISIONS

168. This Act replaces the Act respecting the Ministère de l’Industrie et du Commerce (R.S.Q., chapter M-17), the Act respecting the Ministère de la Recherche, de la Science et de la Technologie (R.S.Q., chapter M-19.1.2) and the Act respecting the Ministère des Régions (R.S.Q., chapter M-25.001).

169. The Act respecting the Société du tourisme du Québec (1994, chapter 27) and the Act respecting the Ministère des Finances, de l’Économie et de la Recherche (2002, chapter 72) are repealed.

170. In any agreement, regulation, by-law, order in council, ministerial order, agreement, contract or other document, regardless of its nature or form, unless the context indicates otherwise and with the necessary modifications,

(1) a reference to the Minister or Deputy Minister of Industry and Trade is a reference to the Minister or Deputy Minister of Economic and Regional Development and Research and a reference to the Ministère de l'Industrie et du Commerce is a reference to the Ministère du Développement économique et régional et de la Recherche;

(2) a reference to the Minister or Deputy Minister of Research, Science and Technology is a reference to the Minister or Deputy Minister of Economic and Regional Development and Research and a reference to the Ministère de la Recherche, de la Science et de la Technologie is a reference to the Ministère du Développement économique et régional et de la Recherche;

(3) a reference to the Minister or Deputy Minister of Regions is a reference to the Minister or Deputy Minister of Economic and Regional Development and Research and a reference to the Ministère des Régions is a reference to the Ministère du Développement économique et régional et de la Recherche;

(4) a reference to the Act respecting the Ministère de l'Industrie et du Commerce or to any of its provisions is a reference to the Act respecting the Ministère du Développement économique et régional et de la Recherche or to the corresponding provision of that Act;

(5) a reference to the Act respecting the Ministère de la Recherche, de la Science et de la Technologie or to any of its provisions is a reference to the Act respecting the Ministère du Développement économique et régional et de la Recherche or to the corresponding provision of that Act;

(6) a reference to the Act respecting the Ministère des Régions or to any of its provisions is a reference to the Act respecting the Ministère du Développement économique et régional et de la Recherche or to the corresponding provision of that Act.

171. The community economic development corporations and other bodies referred to in Schedule A to the Act respecting the Ministère des Régions (R.S.Q., chapter M-25.001), as it read on (*insert the date preceding the date of coming into force of section 91*) and a body which, on that date, was accredited in accordance with section 8 of the said Act, are deemed to be designated as local development centres under section 91 until the regional county municipality establishes or designates a new one. They shall continue to act under the name they were using on (*insert the date preceding the date of coming into force of section 91*).

Within the six months following (*insert the date of coming into force of this section*), such deemed designated local development centres shall make any changes required to the composition of their board of directors and voting rights to bring them into conformity with section 94.

172. Agreements entered into under section 12 of the Act respecting the Ministère des Régions shall remain effective until they expire or until an agreement is signed in accordance with section 89, whichever occurs first.

However, the provisions of those agreements that relate to the discontinuance of the activities of a local development centre or to the non-renewal of the agreement shall continue to apply, with the necessary modifications, after that occurrence.

173. Subject to the provisions of the agreement entered into under section 89, if applicable, the rights and obligations of a local development centre existing on (*insert the date preceding the date of coming into force of this section*) under an agreement entered into under section 12 of the Act respecting the Ministère des Régions, except rights and obligations relating to the operating expenses of that local development centre, or under agreements entered into with government departments, bodies or local or regional groups, shall be transferred, where applicable, from that local development centre to the new local development centre established or designated by the regional county municipality as of the date of its establishment or designation.

174. The accreditation granted by the Minister under section 16 of the Act respecting the Ministère des Régions shall cease, for each administrative region, when an agreement is entered into in accordance with section 98.

175. Agreements entered into under section 19 or 20 of the Act respecting the Ministère des Régions shall remain effective until they expire or until an agreement is signed in accordance with section 98, whichever occurs first.

However, the provisions of those agreements that relate to the discontinuance of the activities of a regional development council or to the non-renewal of the agreement shall continue to apply, with the necessary modifications, after that occurrence.

176. Subject to the provisions of the agreement entered into under section 98, if applicable, the rights and obligations of a regional development council under an agreement entered into under section 19 or 20 of the Act respecting the Ministère des Régions, except rights and obligations relating to the operating expenses of that regional council, or under agreements entered into with government departments, bodies or regional groups, shall be transferred to the regional conference of elected officers, as of the date specified in the agreement entered into under section 98.

177. The property and assets of a regional development council acquired under an agreement entered into under section 19 or 20 of the Act respecting the Ministère des Régions shall be transferred, after the payment of debts and the extinction of liabilities, to the regional conference of elected officers that entered into an agreement under section 98.

178. The Government may determine to what extent and on which territory a Minister shall exercise the responsibilities set out in Chapters VI, VII and VIII of this Act.

179. The provisions of this Act come into force on the date or dates to be fixed by the Government.

SCHEDULE

(section 100)

Ville de Beaupré
Ville de Berthierville
Ville de Cabano
Ville de Carleton-Saint-Omer
Ville de Disraeli
Ville d'East Angus
Ville de Fermont
Ville de Forestville
Municipalité de Havre-Saint-Pierre
Ville de Huntingdon
Ville de La Pocatière
Municipalité de Lac-Etchemin
Ville de Malartic
Ville de Maniwaki
Village de Napierville
Ville de New Richmond
Ville de Richmond
Ville de Saint-Césaire
Ville de Saint-Gabriel
Municipalité de Saint-Jean-Port-Joli
Ville de Saint-Joseph-de-Beauce
Ville de Saint-Pascal
Ville de Saint-Tite
Ville de Senneterre
Ville de Témiscaming
Ville de Trois-Pistoles
Ville de Valcourt
Ville de Ville-Marie
Ville de Warwick
Ville de Waterloo