



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-EIGHTH LEGISLATURE

Bill 1

(2007, chapter 1)

An Act to establish the Fund for the promotion of a healthy lifestyle

Introduced 15 May 2007
Passed in principle 24 May 2007
Passed 5 June 2007
Assented to 8 June 2007

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EXPLANATORY NOTES

This bill establishes the Fund for the promotion of a healthy lifestyle. The purpose of the Fund is to fund activities, programs and projects that foster healthy eating and physical activity, to promote social norms that encourage a healthy lifestyle, to improve services to persons with a weight problem, and to support innovation and the acquisition and transfer of knowledge in those areas. The bill also provides for the constitution and management of the Fund.

Bill 1

AN ACT TO ESTABLISH THE FUND FOR THE PROMOTION OF A HEALTHY LIFESTYLE

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The Fund for the promotion of a healthy lifestyle is established at the Ministère de la Santé et des Services sociaux.

The purpose of the Fund is to fund activities, programs and projects that foster healthy eating and physical activity, to promote social norms that encourage a healthy lifestyle, to improve services to persons with a weight problem, and to support innovation and the acquisition and transfer of knowledge in those areas. Only activities, programs and projects that do not come under regular programs established or approved by the Government may be so funded.

2. The Government sets the date on which the Fund begins to operate and determines its assets and liabilities and the nature of the costs that may be charged to it.

3. The Fund is made up of

- (1) the sums paid into the Fund by the Minister of Revenue under section 5;
- (2) the sums paid into the Fund by a minister 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 purpose of the Fund;
- (4) the sums paid into the Fund by the Minister of Finance under sections 6 and 7; and
- (5) the interest earned on bank balances in proportion to the sums referred to in paragraphs 1 and 3.

4. The management of the sums making up the Fund is entrusted to the Minister of Finance. The sums are paid to the order of the Minister of Finance and deposited with the financial institutions designated by the Minister of Finance.

The Minister of Health and Social Services keeps the books of account of the Fund and records the financial commitments chargeable to it. The Minister also ensures that such commitments and the payments arising from them do not exceed and are consistent with the available balances.

The particulars of the management of the Fund are determined by the Conseil du trésor.

5. On the dates and in the manner determined by the Government, the Minister of Revenue pays into the Fund part of the proceeds of the tobacco tax collected under the Tobacco Tax Act (R.S.Q., chapter I-2) for a total amount of \$20,000,000 per year.

6. The Minister of Finance may, with the authorization of the Government and subject to the conditions it determines, advance to the Fund sums taken out of the consolidated revenue fund.

Conversely, the Minister of Finance may, subject to the conditions determined by that minister, 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.

7. The Minister of Health and Social Services, as manager of the Fund, may borrow sums from the Minister of Finance out of the financing fund of the Ministère des Finances.

8. The sums required for the following purposes are taken out of the Fund:

(1) the payment of subsidies or contributions by the Minister to the Société de gestion du Fonds pour la promotion des saines habitudes de vie or any other body for the purposes set out in section 1;

(2) the payment of the remuneration and expenses pertaining to the employee benefits and other conditions of employment of the persons assigned, in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), to the activities related to the Fund;

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

The Government determines the terms of those payments and the conditions subject to which payments are to be made to the Société de gestion du Fonds pour la promotion des saines habitudes de vie or to any other body.

9. 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.

10. Despite any provision to the contrary, the Minister of Finance must, 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*.

11. The fiscal year of the Fund ends on 31 March.

12. For every fiscal year, the Minister of Health and Social Services tables a report on the activities of the Fund in the National Assembly.

13. The Minister of Health and Social Services is responsible for the administration of this Act.

14. The provisions of this Act cease to have effect on the date or dates to be set by the Government, which may not be prior to 1 April 2017.

Any sum remaining in the Fund on the date section 1 ceases to have effect is paid into the consolidated revenue fund and is appropriated to the funding of such complementary measures consistent with the objects of the Fund as are determined by the Government, in the manner determined by the Government.

15. This Act comes into force on 8 June 2007.