



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 17

(2009, chapter 7)

An Act to establish the Office Québec-Monde pour la jeunesse and to amend various legislative provisions

**Introduced 12 March 2009
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Passed 21 May 2009
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EXPLANATORY NOTES

This Act creates an agency to be known as the Office Québec-Monde pour la jeunesse whose mission is to develop relations between the young people of Québec and those of other jurisdictions and countries identified by the Minister of International Relations that are not under the purview of the Office franco-québécois pour la jeunesse, the Office Québec/Wallonie-Bruxelles pour la jeunesse or the Office Québec-Amériques pour la jeunesse.

The new agency is also to be responsible for providing financial, human, physical and technical resource management services to those agencies, to the extent and subject to the conditions determined by each. In addition, it will carry out any mandate assigned to it by the Minister of International Relations.

The Act determines the rules and mode of operation of the Office Québec-Monde pour la jeunesse.

In addition, it changes the name of the Agence Québec/Wallonie-Bruxelles pour la jeunesse to Office Québec/Wallonie-Bruxelles pour la jeunesse, in accordance with an agreement between the Gouvernement du Québec and the Gouvernement de la Communauté française de Belgique.

LEGISLATION AMENDED BY THIS ACT:

- Financial Administration Act (R.S.Q., chapter A-6.001);
- Act to recognize bodies promoting international exchanges for young people (R.S.Q., chapter O-10);
- Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);
- Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1).

Bill 17

AN ACT TO ESTABLISH THE OFFICE QUÉBEC-MONDE POUR LA JEUNESSE AND TO AMEND VARIOUS LEGISLATIVE PROVISIONS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

ESTABLISHMENT AND NATURE

- 1.** An agency to be known as the “Office Québec-Monde pour la jeunesse” is hereby established.
- 2.** The agency is a legal person and a mandatary of the State.

The property of the agency forms part of the domain of the State, but the execution of the obligations of the agency may be levied against its property. The agency binds none but itself when it acts in its own name.

CHAPTER II

MISSION AND POWERS

- 3.** The mission of the agency, to the extent and subject to the conditions determined by the Minister, is to develop relations between the young people of Québec and those of other jurisdictions and countries identified by the Minister that are not under the purview of the Office franco-québécois pour la jeunesse, the Office Québec/Wallonie-Bruxelles pour la jeunesse or the Office Québec-Amériques pour la jeunesse. The goal of developing such relations between young people is to promote understanding of their respective cultures, increase exchanges between individuals and groups and encourage the development of cooperation networks.

More specifically, the agency is to establish contacts with public or private organizations in those jurisdictions and countries for the purpose of developing, in partnership with those organizations, exchange and cooperation programs that include financial assistance measures making them accessible to young people from all backgrounds.

Such programs must include activities that are conducive to personal, academic or professional development such as seminars, internships and cultural productions.

The agency may provide funding or technical support for the development and implementation of cooperation projects that originate in the community.

4. The agency carries out any mandate given to it by the Minister.

5. The agency, possibly in cooperation with the Centre de services partagés du Québec, provides financial, human, physical and technical resource management services to the Office franco-québécois pour la jeunesse, the Office Québec/Wallonie-Bruxelles pour la jeunesse and the Office Québec-Amériques pour la jeunesse, to the extent and subject to the conditions determined by each of those agencies.

6. The agency may, subject to the applicable legislative provisions, enter into an agreement with a government other than that of Québec, a department of such a government, an international organization or a body of such a government or organization.

CHAPTER III

ORGANIZATION

7. The head office of the agency is to be located in the territory of Ville de Québec. Notice of the location of the head office must be published in the *Gazette officielle du Québec*.

8. The affairs of the agency are to be administered by a board of directors composed of at least five members appointed by the Government, including the chair of the board and the president and chief executive officer of the agency, and a representative from each of the Office franco-québécois pour la jeunesse, the Office Québec/Wallonie-Bruxelles pour la jeunesse and the Office Québec-Amériques pour la jeunesse.

9. The offices of chair of the board of directors and president and chief executive officer may not be held concurrently.

The chair and members of the board who are not representatives of the Office franco-québécois pour la jeunesse, the Office Québec/Wallonie-Bruxelles pour la jeunesse or the Office Québec-Amériques pour la jeunesse may not hold a position, office or employment with those agencies.

However, the offices of president and chief executive officer of the agency, president and chief executive officer of the Office Québec-Amériques pour la jeunesse, Secretary General of the Office franco-québécois pour la jeunesse and Secretary General of the Office Québec/Wallonie-Bruxelles pour la jeunesse may be held concurrently.

10. The chair of the board of directors and the president and chief executive officer are appointed for a term of not more than five years, and the other members of the board for a term of not more than four years.

On the expiry of their term, the members remain in office until replaced or reappointed.

A vacancy occurring before the expiry of a member's term is filled in the manner specified in section 8.

Absence from the number of board meetings determined in the internal by-laws of the agency, in the cases and circumstances specified, constitutes a vacancy.

11. The chair of the board of directors presides at meetings of the board and sees to its smooth operation.

The chair also assumes any other responsibility assigned by the board.

12. The board of directors designates a vice-chair from among its members.

If the chair of the board is absent or unable to act, the vice-chair acts as chair.

13. The president and chief executive officer is responsible for the direction and management of the agency within the framework of its by-laws and policies. The president and chief executive officer proposes strategic directions to the board of directors, as well as general development policies. The office of president and chief executive officer is a full-time position.

The president and chief executive officer also assumes any other responsibility assigned by the board or the Minister.

14. If the president and chief executive officer is absent or unable to act, the Minister may designate a person to exercise the functions of that office.

15. The Government determines the remuneration, employee benefits and other conditions of employment of the president and chief executive officer.

16. The other members of the board of directors receive no remuneration except in the cases, subject to the conditions and to the extent the Government may determine. They are, however, entitled to the reimbursement of expenses incurred in the exercise of their functions, subject to the conditions and to the extent determined by the Government.

17. The quorum at meetings of the board of directors is the majority of its members, including the chair of the board and the president and chief executive officer.

Decisions of the board are made by a majority vote of the members present. In the case of a tie vote, the person chairing the meeting has a casting vote.

18. The minutes of the meetings of the board of directors, approved by the board and certified by the chair or another duly authorized member of the board, are authentic. The same applies to documents and copies emanating from the agency or forming part of its records, if they are so certified.

19. An intelligible transcription of a decision or other data stored by the agency on a computer or any other computer storage medium is a document of the agency and is proof of its contents if it is certified by a person referred to in section 18.

20. No document binds the agency or may be attributed to it unless it is signed by the chair of the board of directors, by the president and chief executive officer or, to the extent determined in the internal by-laws of the agency, by another member of the board or of the agency's personnel.

21. The agency may allow, subject to the conditions and on the documents it determines in its internal by-laws, that a signature be affixed by means of an automatic device, that a signature be electronic, or that a facsimile of a signature be engraved, lithographed or printed. However, the facsimile has the same force as the signature itself only if the document is countersigned by a person referred to in section 18.

22. The members of the board of directors may waive notice of a meeting. The attendance of a member at a meeting of the board constitutes a waiver of notice, unless the member is present to contest the legality of the calling of the meeting.

23. The members of the board may, if they all agree, take part in a meeting using means which allow them to communicate with each other orally, such as the telephone. The participants are, in such a case, deemed to have attended the meeting.

24. A written resolution, signed by all the members entitled to vote, has the same value as a resolution adopted during a meeting of the board of directors.

A copy of all such resolutions must be kept with the minutes of the proceedings or any other equivalent record book.

25. The agency may make by-laws concerning the exercise of its powers and its internal management.

26. The members of the personnel of the agency are appointed in accordance with the staffing plan established by by-law of the agency.

Subject to the provisions of a collective agreement, the agency determines by by-law the pay scales and rates, employee benefits and other conditions of employment of its personnel, in accordance with the conditions defined by the Government.

27. The ethical and professional standards defined in sections 4 to 12 of the Public Service Act (R.S.Q., chapter F-3.1.1) and the regulations apply to the members of the agency's personnel.

CHAPTER IV

FINANCIAL PROVISIONS AND REPORTS

28. The agency may charge administrative and professional fees or require any other remuneration for the services it provides.

29. The agency may not, without the authorization of the Government,

(1) contract a loan that causes the total of its current outstanding loans to exceed the amount determined by the Government;

(2) make a financial commitment in excess of the limits or in contravention of the terms and conditions determined by the Government;

(3) acquire or hold shares in a legal person or an interest in a partnership in excess of the limits or in contravention of the terms and conditions determined by the Government;

(4) dispose of shares in a legal person or an interest in a partnership in excess of the limits or in contravention of the terms and conditions determined by the Government;

(5) acquire or dispose of other assets in excess of the limits or in contravention of the terms and conditions determined by the Government; or

(6) accept a gift or legacy to which a charge or condition is attached.

30. The monies received by the agency are allocated to the payment of its activities and the performance of its obligations. Any surplus is retained by the agency unless the Government decides otherwise.

31. The Government may, subject to the terms and conditions it determines,

(1) guarantee the payment of the principal of and interest on any loan contracted by the agency and the performance of its obligations; and

(2) authorize the Minister of Finance to advance to the agency any amount considered necessary for the fulfilment of its obligations or the pursuit of its mission.

The sums required for the purposes of this section are taken out of the consolidated revenue fund.

32. The fiscal year of the agency ends on 31 March.

33. The books and accounts of the agency are audited by the Auditor General each year and whenever so ordered by the Government.

The audit report must be submitted with the activity report and the financial statements of the agency.

34. The agency must, not later than 31 July each year, file with the Minister its financial statements and an activity report for the preceding fiscal year.

The financial statements and the activity report must contain all the information required by the Minister.

The Minister tables the financial statements and the activity report in the National Assembly within 30 days of receiving them or, if the Assembly is not sitting, within 30 days of resumption.

35. Each year the agency must file with the Minister, according to the form and tenor determined by the Minister, its budgetary estimates and a business plan consistent with the policies of the Minister for the following fiscal year.

36. The agency must communicate to the Minister any information required by the Minister concerning its activities.

CHAPTER V

MISCELLANEOUS PROVISIONS

37. The Minister of International Relations is responsible for the administration of this Act.

38. The heading of Chapter II of the Act to recognize bodies promoting international exchanges for young people (R.S.Q., chapter O-10) is amended by replacing “AGENCE” by “OFFICE”.

39. Section 8 of the Act is amended

(1) by inserting “and whose name was changed to Office Québec/Wallonic-Bruxelles pour la jeunesse under the Agreement signed on 29 March 2007 between the Gouvernement du Québec and the Gouvernement

de la Communauté française de Belgique concerning the Office Québec/Wallonie-Bruxelles pour la jeunesse,” after “November 1982” in the fifth line of the first paragraph;

(2) by replacing “Agence” in the first line of the second paragraph by “Office”.

40. Section 9 of the Act is amended by replacing “Agence” by “Office, which shall also be governed by the provisions of the said Agreement, of the amendments thereto and of this Act; such provisions shall prevail over any inconsistent provision of any other law applicable to the Office”.

41. Section 10 of the Act is amended by replacing “Agence” by “Office”.

42. Section 11 of the Act is amended by replacing “Agence” by “Office”.

43. Section 12 of the Act is amended

(1) by replacing “Associate Executive Secretaries” in the second line by “Secretaries General”;

(2) by replacing “Agence” wherever it appears by “Office”.

44. The name “Office Québec-Monde pour la jeunesse” is to be added, in alphabetical order, to Schedule 2 to the Financial Administration Act (R.S.Q., chapter A-6.001).

45. The words “the Office Québec-Monde pour la jeunesse” are to be added, in alphabetical order,

(1) to paragraph 1 of Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10); and

(2) to paragraph 1 of Schedule II to the Act respecting the Pension Plan of Management Personnel (R.S.Q., chapter R-12.1).

46. This Act comes into force on 26 May 2009.