

## Regulations and other Acts

Gouvernement du Québec

### O.C. 485-2013, 15 May 2013

An Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2)

#### Ministère de la Famille

##### — Terms and conditions of the signing of certain deeds, documents or writings

Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille

WHEREAS, under the second paragraph of section 17 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2), no deed, document or writing is binding on the Minister or may be attributed to the Minister unless 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;

WHEREAS, under the second paragraph of section 18 of the Act, the Government may also allow a facsimile of the signature to be engraved, lithographed or printed on the documents it determines if the facsimile is countersigned by a person authorized by the Minister;

WHEREAS, under section 19 of the Act, any 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 17, is authentic;

WHEREAS, under section 9.1 of the Act respecting the Centre de services partagés du Québec (chapter C-8.1.1), a public body may enter into an agreement with another public body by which it agrees to provide services to that other public body and the public body to which services are provided may, in the manner set out in its constituting Act, designate a member of the personnel of or the holder of a position within the body providing the services so that that person's signature may bind the public body to which services are provided and any document signed by that person may be attributed to the public body to which services are provided;

WHEREAS, by Order in Council 875-99 dated 4 August 1999, amended by Order in Council 425-2002 dated 10 April 2002 and by Order in Council 359-2013 dated 10 April 2013, the Government made the Terms and

conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2, r. 1);

WHEREAS, under Order in Council 890-2012 dated 20 September 2012, the Ministère de la Famille et des Aînés is now called the Ministère de la Famille and the duties and responsibilities of the Minister of Families, Seniors and the Status of Women regarding families were entrusted to the Minister of Families, except the duties regarding the youth, which are conferred on the Premier;

WHEREAS it is expedient to amend the Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2, r. 1);

WHEREAS it is expedient to make the Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille;

IT IS ORDERED, therefore, on the recommendation of the Minister of Families:

THAT the Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille, attached to this Order in Council, be made;

THAT this Order in Council come into force on the date of its publication in the *Gazette officielle du Québec*.

JEAN ST-GELAIS,  
*Clerk of the Conseil exécutif*

### SCHEDULE

#### TERMS AND CONDITIONS OF THE SIGNING OF CERTAIN DEEDS, DOCUMENTS OR WRITINGS OF THE MINISTÈRE DE LA FAMILLE

An Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2, s. 17)

#### DIVISION I INTERPRETATION

1. Subject to the other conditions of validity that may be prescribed by law, a member of the personnel of the department and the holder of a position mentioned below are authorized, insofar as they act within the limits of their duties, to sign alone, with the same authority as the Minister, any deed, document or writing listed in the following provisions.

Such a deed act, document or writing is binding on the Minister and may be attributed to the Minister as if signed by the Minister.

The foregoing also applies where the deeds, documents or writings are signed by a person authorized in writing to hold one of the positions mentioned below on an interim or provisional basis.

## DIVISION II

### §1. General

2. Assistant deputy ministers are authorized to sign, for their sector of activity,

(1) calls for tenders and supply or services contracts, except those related to telecommunications and information technologies;

(2) agreements entered into under section 10 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2);

(3) any document pertaining to the granting of subsidies or other financial contributions for which the terms of allocation, by means of a normative framework or otherwise, have been approved by the Government or the Conseil du trésor, except documents related to the granting of subsidies under the Act to facilitate the establishment of a pension plan for employees working in childcare services (chapter E-12.011) and the Educational Childcare Act (chapter S-4.1.1); and

(4) any document pertaining to the granting of subsidies not subject to standards for \$50,000 or less or, subject to the prior approval of the Conseil du trésor, for more than \$50,000, except subsidies that may be granted under the Act to facilitate the establishment of a pension plan for employees working in childcare services (chapter E-12.011) and the Educational Childcare Act (chapter S-4.1.1).

An assistant deputy minister is also authorized, for his or her sector of activity, to certify as true any document or any copy of a document originating from the department or forming part of its archives.

3. In addition to the authorizations referred to in section 2, the Assistant Deputy Minister of the Direction générale de l'administration is authorized to sign, for all the department's activities,

(1) calls for tenders and supply or services contracts, including those related to telecommunications and information technologies;

(2) agreements entered into under section 10 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2);

(3) any document pertaining to the granting of subsidies or other financial contributions for which the terms of allocation, by means of a normative framework or otherwise, have been approved by the Government or the Conseil du trésor, except documents related to the granting of subsidies under the Act to facilitate the establishment of a pension plan for employees working in childcare services (chapter E-12.011) and the Educational Childcare Act (chapter S-4.1.1);

(4) any document pertaining to the granting of subsidies not subject to standards for \$50,000 or less or, subject to the prior approval of the Conseil du trésor, for more than \$50,000, except subsidies that may be granted under the Act to facilitate the establishment of a pension plan for employees working in childcare services (chapter E-12.011) and the Educational Childcare Act (chapter S-4.1.1);

(5) agreements for the occupation and equipment of immovables with the Société immobilière du Québec; and

(6) deeds and documents related to the alienation of surplus movable property.

4. The Secretary General is authorized to sign, for his or her sector of activity,

(1) calls for tenders and supply or services contracts for \$50,000 or less, except those related to telecommunications and information technologies; and

(2) agreements for \$50,000 or less entered into under section 10 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2);

The Secretary General is also authorized, for the whole department, to certify as true any document or any copy of a document originating from the department or forming part of its archives.

5. A director, including the Director of the Direction des communications under the Secrétariat à la communication gouvernementale of the Ministère du Conseil exécutif, an assistant director and a service head are authorized to sign, for their sector of activity,

(1) calls for tenders and supply or services contracts for \$50,000 or less, except those related to telecommunications and information technologies; and

(2) agreements for \$50,000 or less entered into under section 10 of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2);

A director is also authorized, for his or her sector of activity, to certify as true any document or any copy of a document originating from the department or forming part of its archives.

**6.** In addition to the authorizations referred to in section 5, the Director of the Direction des ressources financières, matérielles et de la conformité is authorized to sign, for all the department's activities,

(1) calls for tenders and supply or services contracts for \$50,000 or less, including those related to telecommunications but excluding those related to information technologies;

(2) agreements for \$50,000 or less for the occupation and equipment with the Société immobilière du Québec; and

(3) deeds and documents related to the alienation of surplus movable property.

**7.** In addition to the authorizations referred to in section 5, the Director of the Direction des ressources informationnelles et technologiques is authorized to sign, for all the department's activities, calls for tenders and supply or services contracts for \$50,000 or less related to information technologies.

**8.** The Québec sales tax (QST), the goods and services tax (GST) or, as the case may be, the harmonized sales tax (HST) are not taken into consideration in the amounts prescribed in these Terms and conditions.

*§2. An Act to facilitate the establishment of a pension plan for employees working in childcare services*

**9.** The Assistant Deputy Minister of the Direction générale des services de garde éducatifs à l'enfance is authorized to sign

(1) any document related to the granting of subsidies pursuant to section 3 of the Act to facilitate the establishment of a pension plan for employees working in childcare services (chapter E-12.011);

(2) any document related to the designation of persons who may sit on the pension committee pursuant to section 5 of that Act; and

(3) any document related to the agreements entered into pursuant to section 7 of that Act.

**10.** The Director of the Direction des politiques de main-d'oeuvre et des relations de travail or the Director of the Direction du financement et des immobilisations des services de garde is authorized to sign any document related to the granting of subsidies for \$50,000 or less pursuant to section 3 of that Act.

*§3. An Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements*

**11.** The Assistant Deputy Minister of the Direction générale des services de garde éducatifs à l'enfance is authorized to sign

(1) any document related to the sending of the list of names and contact information of home childcare providers pursuant to section 8 of the Act respecting the representation of certain home childcare providers and the negotiation process for their group agreements (chapter R-24.0.1);

(2) any document related to a request to the Commission des relations de travail pursuant to section 24, 27 or 29 of that Act;

(3) any document related to a notice of modification of a territory pursuant to section 28 of that Act;

(4) written notices for the negotiation of a group agreement pursuant to section 36 of that Act;

(5) any document related to a request that a mediator be designated pursuant to section 38 of that Act;

(6) any document related to a request that a dispute be submitted to an arbitrator pursuant to section 42 of that Act;

(7) any document related to the cessation of payment or reduction of a subsidy granted pursuant to section 52 of that Act; and

(8) any document related to the cessation of participation in a program created under a group agreement pursuant to section 52 of that Act.

**12.** The Director of the Direction des politiques de main-d'oeuvre et des relations de travail is authorized to sign

(1) any document related to the sending of the list of names and contact information of home childcare providers pursuant to section 8 of that Act;

(2) any document related to a request to the Commission des relations de travail pursuant to section 24, 27 or 29 of that Act; and

(3) any document related to a notice of modification of a territory pursuant to section 28 of that Act.

#### §4. Educational Childcare Act

**13.** The Assistant Deputy Minister of the Direction générale des opérations régionales is authorized to sign

(1) childcare centre and day care centre permits, upon their issue or renewal pursuant to section 7, 10, 11 or 155, as the case may be, of the Educational Childcare Act (chapter S-4.1.1);

(2) any document related to the refusal to issue or renew a childcare centre or day care centre permit, its suspension or revocation, pursuant to section 10, 26, 28, 28.1 or 29, as the case may be, of that Act;

(3) any document authorizing a permit holder to provide childcare services elsewhere than at the address appearing on the permit, for a period specified pursuant to section 16 of that Act;

(4) any document related to the approval or refusal of plans pursuant to section 19 of that Act;

(5) any document related to an authorization or a refusal to increase the maximum number of children stated on a permit, to alter a facility, to add a new facility or to relocate a facility permanently pursuant to section 21 of that Act;

(6) any document authorizing the coordinating office to change the address of its head office, to dispose of or transfer assets, or to make a change in its organization pursuant to section 48 of that Act;

(7) written notices of non-compliance pursuant to section 65 of that Act;

(8) any document authorizing a person to act as an inspector and certifying the person's authority pursuant to section 72 of that Act;

(9) any document ordering such work as is necessary to make the premises or equipment comply or prohibiting access to the premises or equipment until the situation is corrected pursuant to section 74 of that Act;

(10) any document related to the suspension or cancellation of an inspector's decision pursuant to section 75 of that Act;

(11) any document authorizing access to premises or play equipment when they are no longer a hazard and the removal of any seals pursuant to section 77 of that Act;

(12) any document designating a person as an investigator and certifying the person's authority pursuant to section 80 of that Act;

(13) any document related to the granting of subsidies pursuant to section 91 of that Act;

(14) any document for entering into a subsidy agreement with a permit applicant or childcare provider pursuant to section 92 of that Act;

(15) any document related to the designation of a person responsible for imposing an administrative penalty pursuant to section 101.3 of that Act; and

(16) any document related to the evacuation or closure of a facility where activities for which a permit or recognition is required pursuant to section 120 of the Act are carried on without a permit or recognition.

A facsimile of the signature of the Assistant Deputy Minister of the Direction générale des opérations régionales may be engraved, lithographed or printed on the permit referred to in subparagraph 1 of the first paragraph, if that permit is countersigned by a person authorized by the Minister.

**14.** The Assistant Deputy Minister of the Direction générale des services de garde éducatifs à l'enfance is authorized to sign

(1) written notices of non-compliance pursuant to section 65 of that Act;

(2) any document authorizing a person to act as an inspector and certifying the person's authority pursuant to section 72 of that Act;

(3) any document designating a person as an investigator and certifying the person's authority pursuant to section 80 of that Act;

(4) any document related to the sending of a decision made following an application for review pursuant to section 88 of that Act;

(5) any document related to the granting of subsidies pursuant to section 89, 90, 91 or 96 of that Act;

(6) any document related to the cancellation or reduction of a subsidy granted or to the suspension of its payment pursuant to section 97 of that Act; and

(7) any document authorizing, pursuant to section 108 of that Act, a measure departing from a standard under paragraphs 3, 4 and 5 of section 106.

**15.** The Assistant Deputy Minister of the Direction générale de l'administration or the Director of the Direction des ressources financières, matérielles et de la conformité is authorized to sign

(1) any document related to an agreement for payment of an amount owing as an administrative penalty pursuant to section 101.14 of that Act;

(2) any document related to the issue of a recovery certificate or to a deduction from a subsidy pursuant to section 101.15 of that Act.

**16.** The Director or the Assistant Director of the Direction de l'inspection is authorized to sign

(1) written notices of non-compliance pursuant to section 65 of that Act;

(2) any document ordering such work as is necessary to make the premises or equipment comply or prohibiting access to the premises or equipment until the situation is corrected pursuant to section 74 of that Act; and

(3) any document related to the suspension or cancellation of an inspector's decision pursuant to section 75 of that Act;

(4) any document authorizing access to premises or play equipment when they are no longer a hazard and the removal of any seals pursuant to section 77 of that Act;

(5) any document related to the evacuation or closure of a facility where activities for which a permit or recognition is required pursuant to section 120 of that Act are carried on without a permit or recognition.

**17.** A director of a regional branch is authorized to sign

(1) childcare centre and day care centre permits, upon their issue or renewal pursuant to section 7, 10, 11 or 155, as the case may be, of that Act;

(2) any document authorizing a permit holder to provide childcare services elsewhere than at the address appearing on the permit, for a period specified pursuant to section 16 of that Act;

(3) any document related to the approval or refusal of plans pursuant to section 19 of that Act;

(4) any document related to an authorization or a refusal to increase the maximum number of children stated on a permit, to alter a facility, to add a new facility or to relocate a facility permanently pursuant to section 21 of that Act;

(5) any document authorizing the coordinating office to change the address of its head office, to dispose of or transfer assets, or to make a change in its organization pursuant to section 48 of that Act;

(6) written notices of non-compliance pursuant to section 65 of that Act; and

(7) any document ordering such work as is necessary to make the premises or equipment comply or prohibiting access to the premises or equipment until the situation is corrected pursuant to section 74 of that Act.

**18.** The Director of the Direction du financement et des immobilisations des services de garde is authorized to sign

(1) written notices of non-compliance pursuant to section 65 of that Act;

(2) any document related to the granting of subsidies for \$50,000 or less pursuant to section 89, 90 or 96 of that Act.

**19.** The Director of the Direction de l'accessibilité et de la qualité des services de garde, the Director of the Direction des politiques de main-d'oeuvre et des relations de travail, an investigator or an inspector from the Direction de l'inspection is authorized to sign written notices of non-compliance pursuant to section 65 of that Act.

### **DIVISION III** **AMENDING PROVISIONS**

**20.** Sections 10 to 17 of the Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2, r. 1) are revoked.

**21.** The title "Terms and conditions of the signing of certain deeds, documents or writings of the Ministère de la Famille, des Aînés et de la Condition féminine (chapter M-17.2, r. 1)" is replaced by "Terms and conditions of the signing of certain deeds, documents or writings concerning the application of the Act respecting the Ministère de la Famille, des Aînés et de la Condition féminine in respect of seniors and the status of women".