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# NATIONAL ASSEMBLY

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FIRST SESSION

THIRTY-FOURTH LEGISLATURE

Bill 26

## **An Act to amend the Act respecting the Ministère des Transports**

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**Introduction**

**Introduced by  
Mr Sam L. Elkas  
Minister of Transport**



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## EXPLANATORY NOTES

*This bill gives the Minister of Transport the responsibility for supplying air transport services, on request and for a consideration, within the framework of Government duties or missions. For this purpose, the bill establishes the Government air service fund, the aim of which is to finance the cost of the specialized goods and services pertaining to air transport supplied by the Minister.*

*This bill also provides for the management, financing and operation of the fund.*

## Bill 26

### An Act to amend the Act respecting the Ministère des Transports

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** The Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is amended by replacing paragraph *d* of section 3 by the following paragraph:

“(d) on request and for a consideration, supply air transport services within the framework of Government duties or missions;”.

[[**2.** The said Act is amended by inserting, after section 12.10, the following sections:

“**12.11** A special fund called the “Government air service fund” is hereby established.

“**12.12** The fund shall serve to finance the cost of specialized goods and services pertaining to air transport supplied by the Minister in accordance with paragraph *d* of section 3.

“**12.13** The Government shall determine the assets and liabilities of the fund and the date on which it begins to operate. It shall also determine the nature of the goods and services to be financed by and the costs to be charged to the fund.

“**12.14** The fund shall be constituted of the following sums, except interest:

(1) the sums collected for the goods and services financed by the fund;

(2) the advances granted by the Minister of Finance under the first paragraph of section 12.16;

(3) the sums paid by the Minister of Transport and taken out of the appropriations allocated for that purpose by Parliament.

**“12.15** The management of the sums paid into the fund shall be entrusted to the Minister of Finance. Such sums shall be paid to his order and deposited with the financial institutions he determines.

Notwithstanding section 13 of the Financial Administration Act (R.S.Q., chapter A-6), the Minister of Transport shall keep the books of account for and record the financial commitments chargeable to the fund. He shall also certify that such commitments and the payments arising therefrom do not exceed the available balances and are consistent with them.

**“12.16** 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.

He may conversely advance to the consolidated revenue fund, on a short-term basis and subject to the conditions he determines, any part of the sums paid into the fund that is not required for its operation.

Any advance paid into the special fund or the consolidated revenue fund shall be repayable by the fund which received it.

**“12.17** The fund shall pay the remuneration and expenses pertaining to social 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 activities related to the fund.

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

**“12.19** Sections 22 to 27, 33, 35, 45, 47 to 49, 51, 57 and 70 to 72 of the Financial Administration Act, adapted as required, apply to the fund.

**“12.20** The fiscal year of the fund ends on 31 March.

**“12.21** 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 Crown that has become *res judicata.*”]]

**3.** For the first fiscal year of the fund, the appropriations allocated to the Ministère des Transports for the financing of the goods and services mentioned in paragraph *d* of section 3 of the Act respecting the Ministère des Transports, enacted by section 1 of this Act, shall be transferred, on the date on which the fund begins to operate, to the departments and public bodies which are the recipients of the goods and services, to the extent determined by the Government.

The same rule applies in respect of the appropriations allocated to the Office des ressources humaines for the payment of the employer’s contributions for the first fiscal year of the fund.

**4.** This Act comes into force on (*insert here the date of assent to this Act*).