



CHAPTER 29

An Act providing for the organization of a Department of Health

[Assented to, the 12th of November, 1936]

HIS MAJESTY, with the advice and consent of the Legislative Council and of the Legislative Assembly of Quebec, enacts as follows :

1. Section 3 of the Civil Service Act (Revised R. S., c. 10, Statutes, 1925, chapter 10), as amended by the acts ^{s. 3, am.} 20 George V, chapter 19, section 2, and 25-26 George V, chapter 45, section 3, and as replaced by the act 1 Edward VIII (2nd Session), chapter 20, section 3, is again amended by adding thereto, after paragraph 5 thereof, the following paragraph:

“5a. The Deputy Minister of Health”.

Deputy
Minister.

2. Section 9 of the said act, as amended by the act ^{R. S., c. 10,} 16 George V, chapter 14, section 5, is again amended ^{s. 9, am.} by adding thereto, after the figure: “5”, in the second line of the first paragraph thereof, the figure and letter: “5a,”.

3. Section 2 of the Public Department Act (Revised R. S., c. 13, Statutes, 1925, chapter 13), as amended by the acts ^{s. 2, am.} 20 George V, chapter 19, section 3; 21 George V, chapter 19, section 3; 25-26 George V, chapter 11, section 3, and 25-26 George V, chapter 45, section 4, and as replaced by the act 1 Edward VIII (2nd Session), chapter 20, section 5, is again amended by adding thereto, after paragraph 10 thereof, the following paragraph:

Department of Health. "10a. The Department of Health, presided over by that one of the above Ministers who is entrusted by the Lieutenant-Governor in Council with the supervising of the administration and the putting into operation of the laws respecting the matters contemplated by the Department of Health Act (Chap. 185A);".

R.S., c. 185A, added. 4. The Revised Statutes, 1925, are amended by inserting therein, after chapter 185 thereof, the following chapter:

"CHAPTER 185A

"AN ACT RESPECTING THE DEPARTMENT OF HEALTH

Short title. "1. This act may be cited as the *Department of Health Act*.

"DIVISION I

"THE MINISTER AND HIS FUNCTIONS

Administration by Minister. "2. The Minister entrusted by the Lieutenant-Governor in Council with the supervising of the administration and the putting into operation of the laws respecting the matters contemplated under this act, designated as "Minister of Health", shall have the administration of the Department of Health.

Powers, etc., of Minister. "3. The functions, powers and duties of the Minister of Health shall be to supervise the administration or carrying out, as the case may be, of the laws connected with the following objects:

- a. Hygiene and public health;
- b. Public charities;
- c. The insane;
- d. Inspection of hospitals and other charitable institutions;

The Minister shall further be charged with:

- a. Promoting, by all means and measures which he may deem adequate, the advancement and development of public health in the Province;
- b. Coöperating with the Government of Canada to facilitate the carrying out in the Province of Quebec of the acts of the Parliament of Canada relating to public health;
- c. Promoting scientific studies on public health and suggesting practical measures to ward off disease and death;

d. Compiling yearly statistics of the births, marriages and deaths in the Province and of the causes of deaths.

"4. The Minister of Health may himself hold an inquiry or grant an authorization in writing to any competent person to hold an inquiry, in his stead, into the conduct of any employee under his control and into any matter connected with the administration and management of his Department. ^{Holding of inquiry.}

The Minister or the person whom he delegates shall, in such case, and for the purposes of such inquiry, have all the powers mentioned in sections 9, 10 and 11 of the Public Inquiry Commission Act (Chap. 8). ^{Powers in relation thereto.}

"DIVISION II

"STAFF OF THE DEPARTMENT

"5. 1. The Lieutenant-Governor in Council shall appoint a Deputy Minister of Health. ^{Deputy Minister.}

Under the direction and control of the Minister, the Deputy Minister shall supervise the other officers, employees, messengers or servants, and have the general control of the affairs of the Department and exercise the other powers and duties assigned to him by the Lieutenant-Governor in Council. ^{His duties.}

The orders of the Deputy Minister shall be executed in the same manner as those of the Minister, and his authority shall be that of the head of the Department, and his official signature shall give force and authority to any document whatsoever which is or may be within the jurisdiction of the Department. ^{Orders.}

He may suspend any employee of the Department who refuses or neglects to obey his orders or whose conduct he deems to be reprehensible; he shall report same to the Minister. ^{Suspending of employees.}

2. The Lieutenant-Governor in Council shall further appoint a secretary and all the other officers, clerks and messengers necessary for the proper administration of the Department, in accordance with the Civil Service Act or the Outside Service Act (Chaps. 10 and 10A), as the case may be. ^{Appointing of secretary, etc.}

Such employees, to each of whom the Lieutenant-Governor in Council shall assign his duties, shall hold office during pleasure. ^{Term of office.}

"6. The duties of the officers and clerks of the Department, not expressly regulated by law or by the ^{Assigning of duties.}

Lieutenant-Governor in Council, shall be assigned to them by the Minister.

"DIVISION III

"MISCELLANEOUS PROVISIONS

Binding
signatures.

"7. No deed, contract, document or writing shall be binding upon the Department, nor be held to be the act of the Minister of Health, unless signed by him or by the Deputy Minister.

Authenti-
city of copies
of docu-
ments.

"8. A copy of any document forming part of the archives of the Department, certified by the Minister or the Deputy Minister as a true copy, shall be authentic and shall have the same legal effect as the original in any court of justice.

Entering,
etc., upon
private
property.

"9. The Minister, or any officer of the Department of Health, and every person accompanying them, or who is duly authorized by the Minister, may enter and pass over any private property, if necessary to do so in the performance of any duty resulting from any law, the carrying out of which is under the Minister's control."

Continuing
in employ-
ment of cer-
tain officers,
etc.

5. The officers and employees of the branches of the Department of the Provincial Secretary respecting the matters contemplated by section 3 of the Department of Health Act (Revised Statutes, 1925, chapter 185A, as enacted by section 4 of this act), may, without any further appointment, continue their employment in the Department of Health.

Interpreta-
tion.

6. In any act, proclamation, order-in-council, contract or document whatsoever respecting the matters contemplated by section 3 of the Department of Health Act (Revised Statutes, 1925, chapter 185A, as enacted by section 4 of this act), wherever the same occur:

a. The words "Secretary of the Province" or "Provincial Secretary" or "Director of the Provincial Bureau of Health" or "Director of the Quebec Bureau of Public Charities" mean the Minister of Health;

b. The words "Assistant Provincial Secretary" mean the Deputy Minister of Health.

Coming into
force.

7. This act shall come into force on the day of its sanction.