

been and are in force as law in this province ; and no act or provision of the legislature in any way affects any article of either of the said codes, unless such article is expressly designated for that purpose. not to be affected unless article is expressly mentioned.

11. When any provisions of law are repealed and other provisions are substituted therefor, the provisions repealed remain in operation until the provisions substituted come into operation under the repealing law. Effect of repealing clauses.

12. All acts, proceedings or things, done or begun, and all rights accrued in virtue of any provision of law may be continued, completed, carried into execution and exercised under such provision, notwithstanding any repeal thereof, unless the repealing law provides otherwise. Things begun may be continued notwithstanding repeal.

13. This act may be cited as "The Quebec Interpretation Act." Short title.

CAP. VIII.

An act respecting the organization of the Civil Service.

[Assented to 24th February, 1868.]

HER MAJESTY, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. It is declared that chapter eleven of the consolidated statutes of Canada does not apply to the civil service of this province, and every part of that statute which might be deemed to apply thereto is repealed. Con. stat. Can., ch. 11, partially repealed.

2. The departments hereinafter named shall compose the civil service of this province : What departments compose civil service.

1. The department of the executive council ;
2. The department of the secretary and registrar of the province ;
3. The department of the law officers of the crown ;
4. The department of the treasury of the province ;
5. The department of crown lands ;
6. The department of agriculture and public works ;
7. The department of public instruction.

3. The lieutenant-governor in council shall appoint from time to time from among the functionaries whose duties are hereinafter specified not less than five who shall form a board of examiners for the civil service ; and the functionaries hereinafter named shall be hereafter known by the name of "deputy heads" of their respective departments, and they shall not be included in this act nor in any other act under the name of "employees," and whenever there are two deputy heads in the same department, they shall be designated joint deputy heads or first or second deputy head as the case may be, that is to say : Appointment of board of examiners.

1. The clerk of the executive council ; Who are deputy heads of departments.

2. The assistant secretary of the province ;
3. The assistant of the law officers of the crown ;
4. The assistant treasurer of the province ;
5. The auditor of accounts of the province ;
6. The assistant commissioner of crown lands ;
7. The assistant commissioner of agriculture and public works ;
8. The secretary of the department of public instruction ;
9. The assistant secretary of the department of public instruction ;
10. The deputy registrar of the province.

When there is no minister of public instruction, department of education may or may not form part of civil service.

4. When there is no minister of public instruction but a superintendent of education, the department of public instruction or board of education may or may not form part of the civil service, and the lieutenant-governor in council, if he deems it expedient that it should form part thereof, on the recommendation of the superintendent of education, shall declare what functionaries in such department shall be deemed to be included in the preceding section of this act.

Who shall preside at board of examiners.

5. The senior in virtue of the date of his commission, or in virtue of the date of another commission of the same or superior rank held previously to his actual office, or in the event of equality in these respects, the senior in age of the two officers whose commissions bear the same date, shall preside at the board of examiners.

Duties of the board.

6. It shall be the duty of the said board :

1. To frame and publish regulations to be observed by candidates for employment in the civil service of the province of Quebec, such regulations being first approved by the lieutenant-governor in council ;

2. To examine all candidates who present themselves in accordance with the regulations of the board or such other regulations as may be made by the lieutenant-governor in council ;

3. To keep a register of the candidates for examination, such register shewing the name, age, place of birth, and residence of each candidate, and the result of his examination, mentioning the particular branch of the civil service, if any, for which any candidate passing the examination has, in the opinion of the examiners, shown any special aptitude ;

4. To grant certificates of qualification to candidates whose examination as to fitness and whose testimonials as to moral character have been found satisfactory ;

5. To cause to be transmitted to the clerk of the executive council with all convenient speed, copies of the minutes of the proceedings of the board at each sitting thereof, and such copies shall be certified by the chairman.

Time and place of sittings of board.

7. The lieutenant-governor in council shall fix the time and place at which the sittings of the board for examination shall be held, and notice thereof shall be given in the official gazette.

8. Each candidate shall, at least eight days before the examination, transmit an application to be admitted to examination, and the candidates shall be examined in the order of the dates of their applications; but those who are holders of a diploma from any of the incorporated universities of this province, or of any of the normal schools of this province, shall have precedence over the other candidates.

Candidates to apply for examination—order in which they shall be examined.

9. The lieutenant-governor in council shall frame a regulation dividing the employees of the civil service into several classes, fixing the maximum and minimum of the salaries of each class, and the rules respecting the increase of salaries in proportion to the number of years service in each class, and the promotion of employees from one class to another; and he may also fix a corresponding division of the certificates to be granted by the board of examiners.

Regulation to be made dividing employees into classes and fixing rules as to salaries and promotions.

10. After the passing of this act no person shall be appointed to any permanent employment in the civil service, unless he holds a certificate from the board of examiners; but it shall not be absolutely necessary that the class of the certificate correspond with the class of the service.

None but holders of certificates to be appointed in civil service.

11. Within six months after the passing of this act, all the employees of the civil service, with the exception of those already provided with a certificate from the board of examiners of the civil service of the late province of Canada, or who were employed for more than a year in any of the departments of the civil service of the said province, or of the board of education, shall undergo an examination in virtue of this act.

Employees to undergo examination.

12. Immediately after the passing of this act, the deputy heads of departments and all the employees in the civil service shall before the clerk of the executive council, take the oath of allegiance and the oath contained in schedule A of this act, and the clerk of the executive council shall keep a record of such oaths; and every deputy head or employee, who shall be appointed for the future, shall before entering upon his duties take the same oaths, and the same oaths may be exacted by any head of a department from any employee temporarily employed.

Oaths to be taken by deputy heads and employees.

13. Every deputy head of a department or employee who shall fail to take or shall violate the said oaths shall be immediately dismissed.

Dismissal for refusal or violation of oaths.

14. The board of examiners shall be also a council of discipline for the civil service, and may report to the secretary of the province rules proposed for the internal government of the departments, and the secretary of the province shall submit the said rules, if he deems it expedient for the approval of the lieutenant-governor in council, and when they shall have been approved, they shall have the force of law.

Board may make rules for discipline of civil service.

15. The lieutenant-governor in council may from time to time fix the amount and nature of the security to be given by the deputy heads and employees in the civil service over and above that already prescribed by law.

Additional security may be required from deputy heads and employees.

Proceedings of board upon complaint against employees.

16. When the board of examiners acting as a council of discipline shall receive a copy of an order in council, commanding them to enquire into the conduct of an employee in the civil service, they shall make an enquiry into the conduct of such employee and into all the complaints which shall have been preferred against him, and they shall have power to examine witnesses, and to appoint one or more commissioners to examine such employees or witnesses, and in urgent cases such enquiry may take place on a reference from the member of the executive council presiding over the department to which such employee belongs.

Nothing to prevent lieut.-gov. from dismissing.

17. Nothing herein contained shall prevent the lieutenant-governor from dismissing any employee when he sees fit so to do.

Designation of board.

18. The board of examiners and council of discipline shall be known and designated by the name of "the civil service board."

Allowance for expenses of the board.

19. A sufficient sum for the contingent expenses of the said board shall be from time to time allowed by the lieutenant-governor in council, and the chairman of the said board shall account for the same to the treasurer of the province.

Employees in one department may be required to assist in another.

20. When the employees of a department cannot perform the duties entrusted to them with sufficient despatch for the public service, the deputy head of the department may confer with any of the deputy heads of the other departments for the purpose of obtaining the temporary services of such number of employees as he may require, and such employees shall give their services without additional remuneration.

Short title.

21. This act shall be known as "The Civil Service Act."

FORM A.

Oath.

"I, A. B., do swear that I will be faithful in the execution of the trust committed to my charge by my appointment as _____, and that I will not ask or receive any money, service, value or thing whatever, directly or indirectly, for anything done or to be done in the execution of any of the duties of my said office, other than my salary, or what shall be allowed me by law, or by order of the lieutenant-governor in council.—So help me God."