

1981, chapter 9

AN ACT RESPECTING CERTAIN DEPARTMENTS

Bill No. 6

Introduced by Mr Claude Charron

First reading: 27 May 1981

Second reading: 16 June 1981

Third reading: 18 June 1981

Assented to: 18 June 1981

Coming into force: 18 June 1981

Acts amended:

Act respecting the Ministère de l'immigration (R.S.Q., chapter M-16)

Act respecting the Ministère des affaires sociales
(R.S.Q., chapter M-23)

Act respecting the Conseil des affaires sociales et de la famille (R.S.Q., chapter C-57)

Act respecting the Ministère des consommateurs, coopératives et institutions financières (R.S.Q., chapter M-25)

Act respecting the Ministère du travail et de la main-d'oeuvre (R.S.Q., chapter M-33)

Social Aid Act (R.S.Q., chapter A-16)

Family Allowances Act (R.S.Q., chapter A-17)

Act respecting the Commission des affaires sociales (R.S.Q., chapter C-34)

Act respecting work income supplement (R.S.Q., chapter S-37.1)

Act respecting the Québec Pension Plan (R.S.Q., chapter R-9)

Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec (1979, chapter 16)

Public Charities Act (Revised Statutes, 1964, chapter 216)

Health Insurance Act (R.S.Q., chapter A-29)

Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., chapter R-5)

Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1)

Executive Power Act (R.S.Q., chapter E-18)

Government Departments Act (R.S.Q., chapter M-34)





CHAPTER 9

An Act respecting certain Departments

[Assented to 18 June 1981]

HER MAJESTY, with the advice and consent of the National Assembly of Québec, enacts as follows:

R.S.Q.,
c. M-16,
title,
replaced.

1. The title of the Act respecting the Ministère de l'immigration (R.S.Q., chapter M-16) is replaced by the following title:

“Act respecting the Ministère des Communautés culturelles et de l'Immigration”.

R.S.Q.,
c. M-16,
s. 1,
replaced.

2. Section 1 of the said Act is replaced by the following section:

Minister.

“**1.** The Minister of Cultural Communities and Immigration is entrusted with the direction and administration of the Ministère des Communautés culturelles et de l'Immigration.”

R.S.Q.,
c. M-16,
s. 2, am.

3. Section 2 of the said Act is amended by replacing the first paragraph by the following paragraph:

Duties.

“**2.** The Minister is entrusted with the carrying out of the laws respecting cultural communities, immigrants, and foreign nationals who settle temporarily in Québec otherwise than as the representative of a foreign government or as an international civil servant.”

R.S.Q.,
c. M-16,
s. 4,
replaced.

4. Section 4 of the said Act is replaced by the following section:

Duties.

“**4.** The Minister is also responsible for the planning, coordination and implementation of Government policies respecting the development of cultural communities and their full participation in Québec society.”

Special programs. He is especially responsible for programs designed to maintain and develop original cultures and to ensure that the cultural communities exchange with and draw closer to the francophone community."

R.S.Q.,
c. M-16,
s. 8, am. **5.** Section 8 of the said Act is amended by replacing the first paragraph by the following paragraphs:

Advisory board. **"8.** The Government may constitute an advisory board after consultation by the Minister with the main agencies, groups and representative associations concerned with matters relating to cultural communities and immigration.

Composition and duties. That advisory board is composed of not more than fifteen members to advise the Minister on any matter which he submits to it respecting cultural communities, immigration, the adaptation of immigrants to their new environment, and to transmit to the Minister any advice such board considers appropriate respecting the same matters."

R.S.Q.,
c. M-16,
s. 10,
replaced **6.** Section 10 of the said Act is replaced by the following section:

Deputy Minister. **"10.** The Government shall appoint a Deputy Minister of Cultural Communities and Immigration in accordance with the Civil Service Act (R.S.Q., chapter F-3.1)."

Interpretation. **7.** In any Act, proclamation, regulation, order in council, order, directive, contract or other document, the expressions "Minister of Immigration", "Deputy Minister of Immigration" and "Ministère de l'immigration" mean the "Minister of Cultural Communities and Immigration", the "Deputy Minister of Cultural Communities and Immigration", and the "Ministère des Communautés Culturelles et de l'Immigration", respectively.

Pending cases. **8.** From 1 May 1981, the Minister of Cultural Communities and Immigration becomes a party to any legal proceedings to which the Minister of Immigration was a party, without continuance of suit.

R.S.Q.,
c. M-23,
s. 2, am. **9.** The Act respecting the Ministère des affaires sociales (R.S.Q., chapter M-23) is amended by replacing the first paragraph of section 2 by the following paragraph:

Functions. **"2.** The functions of the Minister shall be to prepare and propose to the Government policies respecting social affairs for Québec in the fields of health and social services."

R.S.Q.,
c. C-57,
s. 2,
replaced.

10. Section 2 of the Act respecting the Conseil des affaires sociales et de la famille (R.S.Q., chapter C-57) is replaced by the following section:

Functions.

“2. The Council may, with the approval of the Minister of Social Affairs or the Minister of Labour, Manpower and Income Security, as the case may be, undertake the study of any matter relating to social affairs and the family in the fields of health, social services, social aid, social allowances and social insurance.”

R.S.Q.,
c. C-57,
s. 4,
replaced.

11. Section 4 of the said Act is replaced by the following section:

Communi-
cation
of find-
ings.

“4. The Council must communicate to the Minister of Social Affairs or the Minister of Labour, Manpower and Income Security, as the case may be, the findings it has made, the conclusions it has reached and such recommendations as it deems appropriate.

Studies.

The Minister is bound to make public the studies of the Council.”

R.S.Q.,
c. C-57,
s. 5,
replaced.

12. Section 5 of the said Act is replaced by the following section:

Advice to
Ministers.

“5. The Council must give its advice to the Minister of Social Affairs or the Minister of Labour, Manpower and Income Security, as the case may be, on any matter which he submits to it.

Referral
of prob-
lems.

It must also refer to the Minister of Social Affairs or the Minister of Labour, Manpower and Income Security, as the case may be, any problem or matter that it deems likely to require study or action by the department.”

R.S.Q.,
c. C-57,
s. 6, am.

13. Section 6 of the said Act is amended by replacing the second paragraph by the following paragraph:

Composi-
tion.

“The committees may, with the approval of the Minister of Social Affairs or the Minister of Labour, Manpower and Income Security, as the case may be, consist in whole or in part of persons who are not members of the Council; the attendance allowances and fees of the persons who are not members of the Council shall be determined by the Council in accordance with the standards established for such purpose by the Gouvernement.”

R.S.Q.,
c. C-57,
s. 7,
replaced.

14. Section 7 of the said Act is replaced by the following section:

Composi-
tion
of the
Council.

“7. The Council shall consist of the following members appointed by the Government upon the joint recommendation of

the Minister of Social Affairs and the Minister of Labour, Manpower and Income Security:

- (1) the chairman;
- (2) the vice-chairman, chosen from among the persons mentioned in subparagraphs 3 to 6;
- (3) three persons chosen from among those recommended by the associations and groups representative of the field of health;
- (4) three persons chosen from among those recommended by the associations and groups representative of the field of social services;
- (5) two persons chosen from among those recommended by the family associations;
- (6) two persons chosen from among those recommended by the representative socio-economic groups;
- (7) two persons chosen from among those recommended by union bodies;
- (8) three persons chosen from among those recommended by the university sector.

Members
ex officio.

The Deputy Minister of Social Affairs or his delegate, the Deputy Minister of Labour, Manpower and Income Security or his delegate, the president of the Régie des rentes du Québec or his delegate and the president of the Régie de l'assurance-maladie du Québec or his delegate also are members of the Council *ex officio*, but they do not have the right to vote."

R.S.Q.,
c. C-57,
s. 8, am.

15. Section 8 of the said Act is amended by replacing the first paragraph by the following paragraph:

Terms of
office.

"8. The members of the Council other than those mentioned in the second paragraph of section 7 shall be appointed for not more than four years and the chairman shall be appointed for not more than ten years."

R.S.Q.,
c. C-57,
s. 10,
replaced.

16. Section 10 of the said Act is replaced by the following section:

Vacancies.

"10. Every vacancy occurring during the term of office of a member of the Council other than the chairman and those mentioned in the second paragraph of section 7 shall be filled by following the mode prescribed for the appointment of the member to be replaced, for the remainder of the term of office of that member."

R.S.Q.,
c. C-57,
s. 11, am.

17. Section 11 of the said Act is amended by replacing the first paragraph by the following paragraph:

Chairman.

"11. The chairman shall direct the activities of the Council and coordinate its work; he shall ensure liaison between the

Council and the Minister of Social Affairs or the Minister of Labour, Manpower and Income Security, as the case may be.”

R.S.Q.,
c. C-57,
s. 12,
replaced.

18. Section 12 of the said Act is replaced by the following section:

Attendance
allowance.

“**12.** The members of the Council other than the chairman and those mentioned in the second paragraph of section 7 shall be indemnified for their expenses in attending the sittings of the Council or its committees; they shall receive an attendance allowance fixed by the Government.”

R.S.Q.,
c. C-57,
s. 17,
replaced.

19. Section 17 of the said Act is replaced by the following section:

Annual
report.

“**17.** The Council shall, not later than 30 June each year, send a report of its activities for the preceding fiscal period to the Minister of Social Affairs and the Minister of Labour, Manpower and Income Security.

Tabling.

The Minister of Social Affairs shall transmit the report to the National Assembly.”

R.S.Q.,
c. M-25,
title,
replaced.

20. The title of the Act respecting the Ministère des consommateurs, coopératives et institutions financières (R.S.Q., chapter M-25) is replaced by the following title:

“Act respecting the Ministère des Institutions financières et Coopératives”.

R.S.Q.,
c. M-25,
s. 1,
replaced.

21. Section 1 of the said Act is replaced by the following section:

Minister.

“**1.** The Minister of Financial Institutions and Cooperatives shall have charge of the direction and administration of the Ministère des Institutions financières et Coopératives.”

R.S.Q.,
c. M-25,
s. 2, am.

22. Section 2 of the said Act is amended by replacing the first paragraph by the following paragraph:

Duties.

“**2.** The Minister shall have charge of the carrying out of the laws respecting the incorporation, operation, inspection and winding-up of financial institutions, companies and cooperatives doing business in Québec, and of the laws respecting trading in securities, real estate brokerage and the receipt of deposits.”

R.S.Q.,
c. M-25,
s. 8, am.

23. Section 8 of the said Act is amended by replacing the first paragraph by the following paragraph:

Deputy
Minister.

“3. The Government shall appoint a Deputy Minister of Financial Institutions and Cooperatives in accordance with the Civil Service Act (R.S.Q., chapter F-3.1).”

Inter-
pretation.

24. In any Act, proclamation, regulation, order in council, order, directive, contract or other document, the expressions “Minister of Consumer Affairs, Cooperatives and Financial Institutions”, “Deputy Minister of Consumer Affairs, Cooperatives and Financial Institutions” and “Ministère des consommateurs, coopératives et institutions financières” mean the “Minister of Financial Institutions and Cooperatives”, the “Deputy Minister of Financial Institutions and Cooperatives” and the “Ministère des Institutions financières et Coopératives”, respectively.

Pending
cases.

25. From 1 May 1981, the Minister of Financial Institutions and Cooperatives becomes a party to any proceedings to which the Minister of Consumer Affairs, Cooperatives and Financial Institutions was a party as regards financial institutions and cooperatives, without continuance of suit.

R.S.Q.,
c. M-33,
title,
replaced.

26. The Act respecting the Ministère du travail et de la main-d’oeuvre (R.S.Q., chapter M-33), amended by chapter 45 of the statutes of 1979, is again amended by replacing the title by the following title:

“Act respecting the Ministère du Travail, de la Main-d’oeuvre et de la Sécurité du revenu”.

R.S.Q.,
c. M-33,
s. 1,
replaced.

Minister.

27. Section 1 of the said Act is replaced by the following section:

“1. The Minister of Labour, Manpower and Income Security shall have charge of the direction and administration of the Ministère du Travail, de la Main-d’oeuvre et de la Sécurité du revenu.”

R.S.Q.,
c. M-33,
s. 2,
replaced.

Duties.

28. Section 2 of the said Act is replaced by the following section:

“2. The Minister shall have charge of the carrying out of the laws respecting labour relations between employers and employees, conditions of employment of employees, associations of employees, manpower and safety in places of work and in public buildings.

Duties.

He shall also have charge of the carrying out of the laws respecting social aid, social allowances and income security.”

R.S.Q.,
c. M-33,
s. 3, am.

29. Section 3 of the said Act is amended by adding, after paragraph *d*, the following paragraphs:

“(e) to devise, and propose to the Government, policies respecting social aid and social allowances that will ensure a proper quality of life and standard of living for each individual and each family;

“(f) to promote the development and implementation of programs and services to ensure income security for individuals and families;

“(g) to encourage the participation of individuals and groups in the search for means of fulfilling their needs regarding income security.”

R.S.Q.,
c. M-33,
s. 4,
replaced,
s. 4.1,
added.
Agree-
ments
with other
bodies.

30. Section 4 of the said Act is replaced by the following sections:

“**4.** The Minister may, in accordance with the Act respecting the Ministère des Affaires intergouvernementales (R.S.Q., chapter M-21), make any agreement with another government or one of its departments or bodies for the carrying out of this Act or of any Act he is responsible for carrying out.

Regula-
tion.

Notwithstanding any legislative or regulatory provision, where such an agreement causes the benefits of such Acts, regulations or by-laws to be extended to a person contemplated in the agreement, the Government may, by regulation, in order to give effect to the agreement, take the measures necessary for its carrying out. The regulation shall come into force on the date of its publication in the *Gazette officielle du Québec* or on any later date fixed therein.

Non-
residents.

“**4.1** Notwithstanding any legislative or regulatory provision, the Minister may enable a person not resident in Québec, within the meaning of an Act he is responsible for carrying out, to benefit from the services provided under the said Act, on such conditions as he may determine.”

R.S.Q.,
c. M-33,
s. 6,
replaced.
Deputy
Minister.

31. Section 6 of the said Act is replaced by the following section:

“**6.** The Government shall appoint a Deputy Minister of Labour, Manpower and Income Security, and an associate deputy-minister and assistant deputy-ministers in accordance with the Civil Service Act (R.S.Q., chapter F-3.1).

Associate
deputy-
minister.

Under the direction of the Deputy Minister, the associate deputy-minister is responsible for such sector of activities as may be determined by the Government.”

R.S.Q.,
c. M-33,
s. 16,
added.

32. The said Act is amended by adding, after section 15, the following section:

Destruc-
tion of
documents.

16. For the purposes of the application of the Photographic Proof of Documents Act (R.S.Q., chapter P-22), any document, book or register emanating from the Department of forming part of its records, may, notwithstanding the delay prescribed in subparagraph *b* of the first paragraph of section 2 of the said Act, be destroyed upon being reproduced."

R.S.Q.,
c. M-33,
Sched. I,
am.

33. Schedule I to the said Act is amended by adding, at the end, the following agency:

"Régie des rentes du Québec".

Inter-
pretation.

34. In any Act, proclamation, regulation, order in council, order, directive, contract or other document, the expressions "Minister of Labour and Manpower", "Deputy Minister of Labour and Manpower" and "Ministère du travail et de la main-d'oeuvre" mean the "Minister of Labour, Manpower and Income Security", the "Deputy Minister of Labour, Manpower and Income Security" and the "Ministère du Travail, de la Main-d'oeuvre et de la Sécurité du revenu", respectively.

Inter-
pretation.

35. In the Social Aid Act (R.S.Q., chapter A-16), the Family Allowances Act (R.S.Q., chapter A-17), the Act respecting the Commission des affaires sociales (R.S.Q., chapter C-34) except section 33, the Act respecting work income supplement (R.S.Q., chapter S-37.1), the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9) and the Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec (1979, chapter 16) and in any proclamation, regulation, order in council, order, directive, contract or other document enacted under those Acts, the words "Minister of Social Affairs" and "Ministère des affaires sociales" are replaced wherever they appear by the words "Minister of Labour, Manpower and Income Security" and "Ministère du Travail, de la Main-d'oeuvre et de la Sécurité du revenu", respectively.

Inter-
pretation.

36. In the Public Charities Act (Revised Statutes, 1964, chapter 216) and in any proclamation, regulation, order in council, order, directive, contract or other document enacted under that Act, the words "Minister of Health", "Minister of Family and Social Welfare", "Health Department" and "Family and Social Welfare Department" are replaced wherever they appear by the words "Minister of Labour, Manpower and Income Security" and "Ministère du Travail, de la Main-d'oeuvre et de la Sécurité du revenu", respectively.

R.S.Q.,
c. A-29,
ss. 67, 70,
71, 71.1,
am.

37. Sections 67, 70, 71 and 71.1 of the Health Insurance Act (R.S.Q., chapter A-29) are amended by replacing the word

“Minister” by the words “Minister of Labour, Manpower and Income Security”.

R.S.Q.,
c. R-5, s.
2, am.

38. Section 2 of the Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., chapter R-5) is amended by replacing the words “Ministère des affaires sociales” in the fourth and fifth paragraphs by the words “Ministère du Travail, de la Main-d'oeuvre et de la Sécurité du revenu”.

Pending
cases.

39. From 1 May 1981, the Minister of Labour, Manpower and Income Security becomes, without continuance of suit, a party to any proceedings to which the Minister of Labour and Manpower or the Minister of Social Affairs was a party, but in this last case, only in matters connected with social aid and social allowances.

Records.

40. The records of the social aid and social allowance services of the Ministère des Affaires sociales devolve upon the Ministère du Travail, de la Main-d'oeuvre et de la Sécurité du revenu.

R.S.Q.,
c. E-20.1
s. 114,
replaced.

41. Section 114 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1) is replaced by the following section:

Minister.

“114. The Government shall charge a minister with the application of this Act.”

R.S.Q.,
c. E-18,
s. 4, am.

42. Section 4 of the Executive Power Act (R.S.Q., chapter E-18), amended by section 12 of chapter 49, by section 18 of chapter 77 and by section 18 of chapter 81 of the statutes of 1979, is again amended in the first paragraph

(1) by replacing subparagraph 12 by the following subparagraph:

“(12) A Minister of Labour, Manpower and Income Security;”;

(2) by replacing subparagraph 19 by the following subparagraph:

“(19) A Minister of Financial Institutions and Cooperatives;”;

(3) by replacing subparagraph 20 by the following subparagraph:

“(20) A Minister of Cultural Communities and Immigration;”.

R.S.Q.,
c. M-34,
s. 1, am.

43. Section 1 of the Government Departments Act (R.S.Q., chapter M-34), amended by section 14 of chapter 49, by section 19 of chapter 77 and by section 19 of chapter 81 of the statutes of 1979, is again amended

(1) by replacing paragraph 11 by the following paragraph:

“(11) The Ministère du Travail, de la Main-d’œuvre et de la Sécurité du revenu, presided over by the Minister of Labour, Manpower and Income Security;”;

(2) by replacing paragraph 18 by the following paragraph:

“(18) The Ministère des Institutions financières et Coopératives, presided over by the Minister of Financial Institutions and Cooperatives;”;

(3) by replacing paragraph 19 by the following paragraph:

“(19) The Ministère des Communautés culturelles et de l’Immigration, presided over by the Minister of Cultural Communities and Immigration;”.

Effect.

44. This Act has effect from 1 May 1981.

Coming
into force.

45. This Act comes into force on the day of its sanction.