



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 49
(1996, chapter 45)

**An Act to establish a disaster assistance fund
for certain areas affected by the torrential
rains of 19 and 20 July 1996**

**Introduced 17 October 1996
Passage in principle 13 November 1996
Passage 19 November 1996
Assented to 21 November 1996**

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EXPLANATORY NOTES

This bill provides for the establishment of a disaster assistance fund for the areas recognized as disaster areas by the Government following the torrential rains of 19 and 20 July 1996.

The fund shall be dedicated to the financing of exceptional expenditures incurred by government departments and bodies and to the financing of the reconstruction and economic recovery program consequential to the disaster.

In addition, the bill provides for rules governing the operation of the fund.

Bill 49

AN ACT TO ESTABLISH A DISASTER ASSISTANCE FUND FOR CERTAIN AREAS AFFECTED BY THE TORRENTIAL RAINS OF 19 AND 20 JULY 1996

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. A disaster assistance fund for certain areas is hereby established at the Conseil du trésor.

The fund shall be dedicated to the financing of exceptional expenditures incurred by government departments or bodies following the disaster caused by the torrential rains of 19 and 20 July 1996 that affected the areas recognized as disaster areas under section 2. The fund shall also be dedicated to the financing of the reconstruction and economic recovery program established for those areas.

A government body includes a government agency or corporation to which sections 4 and 5 of the Auditor General Act (R.S.Q., chapter V-5.01) apply.

2. The Government shall designate the territory or part of the territory of municipalities it recognizes as a disaster area for the purposes of this Act.

3. The fund shall be made up of

(1) the sums received from the federal government, in respect of the disaster, under financial assistance agreements in case of catastrophe or under any other program or agreement;

(2) the sums paid by the Minister of Finance for the purposes of the first paragraph of section 7 or section 8;

(3) the appropriations committed in the 1996-97 fiscal period for the purposes of expenditures incurred by a government department or body in relation to the disaster;

(4) the sums paid by the Chairman of the Conseil du trésor and taken out of the appropriations allocated for that purpose by Parliament;

(5) the gifts, legacies and other contributions paid to further the attainment of the objects of the fund;

(6) the revenues dedicated for that purpose by the Government or any other contribution it determines, upon a proposal of the Minister of Finance.

4. The following sums shall be paid out of the fund :

(1) the sums required for the payment of financial assistance granted by a government department or body pursuant to financial assistance programs established or approved by the Government in relation to the disaster ;

(2) the sums required for the payment of exceptional expenditures incurred by a government department or body for emergency measures during or after the disaster and for the implementation of the programs referred to in paragraph 1 ;

(3) the sums required for the implementation of the reconstruction and economic recovery program for areas recognized as disaster areas, adopted by the Government ;

(4) the sums required for the payment of remuneration and expenses relating to employment benefits and other conditions of employment of the persons who, in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), are assigned to the operation of the fund ;

(5) the sums required for any other expenditure related to the disaster and determined by the ministerial coordinating committee for reconstruction and economic recovery, established by Order in Council 936-96 dated 24 July 1996.

5. The ministerial committee shall determine the nature of the costs chargeable to the fund as well as the method to be used for the management of the fund.

6. The management of the sums paid into the fund shall be entrusted to the Minister of Finance. Those sums shall be paid to the order of the Minister and deposited with the financial institutions he designates.

Notwithstanding section 13 of the Financial Administration Act (R.S.Q., chapter A-6), the Chairman of the Conseil du trésor shall keep the books of account of the fund and record the financial commitments chargeable to it. In addition, he shall certify that the commitments and the payments arising therefrom do not exceed and are consistent with the available balances.

7. The Minister of Finance may, on the recommendation of the ministerial committee, 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.

Conversely, the Minister of Finance may 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 to a fund shall be repayable out of that fund.

8. The Chairman of the Conseil du trésor may, as manager of the fund, borrow from the Minister of Finance sums taken out of the financing fund of the Ministère des Finances.

9. Sections 22 to 27, 33, 35, 45, 47 to 49, 49.2, 49.6, 51, 57 and 70 to 72 of the Financial Administration Act, adapted as required, apply to the fund.

10. The fiscal year of the fund ends on 31 March.

11. 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*.

12. The minister designated as chairman of the ministerial committee is responsible for the administration of this Act.

13. Notwithstanding section 43 of the Financial Administration Act, Special Warrant No. 1 — 1996-97, issued on 22 July 1996 to meet the requirements of the program known as the “Fonds de suppléance” of the “Conseil du trésor, Administration et Fonction publique” portfolio is an advance of the Minister of Finance to the fund for the purposes of the first paragraph of section 7.

14. This Act has effect from 19 July 1996. It will cease to have effect on the date determined by the Government.

The surplus of the fund on the date on which this Act ceases to have effect shall be paid into the consolidated revenue fund.

15. This Act comes into force on 21 November 1996.