



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 150
(1997, chapter 63)

**An Act respecting the Ministère de l'Emploi
et de la Solidarité and establishing
the Commission des partenaires
du marché du travail**

**Introduced 15 May 1997
Passage in principle 29 May 1997
Passage 12 June 1997
Assented to 25 June 1997**

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EXPLANATORY NOTES

This bill establishes a government department of employment and solidarity, to be known as the Ministère de l'Emploi et de la Solidarité, under the direction of the Minister of Employment and Solidarity.

The bill specifies the spheres of action open to the Minister, and sets out the Minister's main powers and functions in connection with manpower, employment, income security and social benefits.

A commission of labour market partners, called the Commission des partenaires du marché du travail, is established by the bill. It will take part in the development of government policies and measures in the area of manpower and employment, and will participate in decisions concerning the implementation and management of the measures and programs under the authority of the Minister. The Commission will also exercise the powers provided for in the Act to foster the development of manpower training.

The Commission will be made up of members appointed by the Government to represent Québec labour, employers' associations, community organizations working in the area of manpower and employment, and the sectors of secondary and college education. The secretary general and the chairman of the Commission will be appointed by the Government.

The bill provides that an independent unit will be established within the department of employment and solidarity, under the name of Emploi-Québec, with responsibility for implementing and supervising the manpower and employment measures and programs under the authority of the Minister, and for providing public employment services. The Minister and the Commission will enter into an agreement concerning the management of Emploi-Québec.

The secretary general of the Commission will also be the Associate Deputy Minister responsible for Emploi-Québec.

Under the bill, the Government will be authorized to establish a regional council of labour market partners for each region it determines. The functions of a regional council will include circumscribing the problems affecting the labour market in its region and defining regional strategies and objectives for manpower and employment.

Furthermore, the bill establishes a labour market development fund to finance the implementation and management of the manpower and employment measures and programs under the authority of the Minister, and public employment services. The rules governing the operation of the fund are set out in the bill.

Lastly, the bill contains provisions dealing with the internal organization of the department of employment and solidarity, and transitional and consequential provisions.

LEGISLATION AMENDED BY THIS BILL:

- Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001);
- Legal Aid Act (R.S.Q., chapter A-14);
- Act respecting family assistance allowances (R.S.Q., chapter A-17);
- Automobile Insurance Act (R.S.Q., chapter A-25);
- Health Insurance Act (R.S.Q., chapter A-29);
- Act respecting the Barreau du Québec (R.S.Q., chapter B-1);
- Code of Civil Procedure (R.S.Q., chapter C-25);
- Act respecting the Commission des affaires sociales (R.S.Q., chapter C-34);
- Act respecting the Conseil des aînés (R.S.Q., chapter C-57.01);
- Act respecting the Conseil du statut de la femme (R.S.Q., chapter C-59);
- Act respecting collective agreement decrees (R.S.Q., chapter D-2);
- Act to foster the development of manpower training (R.S.Q., chapter D-7.1);
- Executive Power Act (R.S.Q., chapter E-18);
- Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1);

- Act respecting manpower vocational training and qualification (R.S.Q., chapter F-5);
- Taxation Act (R.S.Q., chapter I-3);
- Act respecting the Ministère du Revenu (R.S.Q., chapter M-31);
- Government Departments Act (R.S.Q., chapter M-34);
- Act respecting labour standards (R.S.Q., chapter N-1.1);
- Act to facilitate the payment of support (R.S.Q., chapter P-2.2);
- Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., chapter R-5);
- Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., chapter R-8.2);
- Act respecting the Québec Pension Plan (R.S.Q., chapter R-9);
- Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10);
- Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12);
- Supplemental Pension Plans Act (R.S.Q., chapter R-15.1);
- Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20);
- Act respecting occupational health and safety (R.S.Q., chapter S-2.1);
- Act respecting income security (R.S.Q., chapter S-3.1.1);
- Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec (R.S.Q., chapter S-3.2);
- Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1);
- Act to amend the Act to foster the development of manpower training and other legislative provisions (1997, chapter 20).

LEGISLATION REPEALED BY THIS BILL:

- Act respecting the Société québécoise de développement de la main-d'oeuvre (R.S.Q., chapter S-22.001).

LEGISLATION REPLACED BY THIS BILL:

- Act respecting certain functions relating to manpower and employment (R.S.Q., chapter M-15.01);
- Act respecting the Ministère de la Sécurité du revenu (R.S.Q., chapter M-19.2.1).

Bill 150

AN ACT RESPECTING THE MINISTÈRE DE L'EMPLOI ET DE LA SOLIDARITÉ AND ESTABLISHING THE COMMISSION DES PARTENAIRES DU MARCHÉ DU TRAVAIL

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

CHAPTER I

RESPONSIBILITIES OF THE MINISTER

- 1.** The Ministère de l'Emploi et de la Solidarité shall be under the direction of the Minister of Employment and Solidarity appointed under the Executive Power Act (R.S.Q., chapter E-18).
- 2.** The Minister shall instigate and coordinate state action in the areas of manpower, employment, income security and social benefits.

The actions taken by the Minister, after consulting with the other ministers concerned, in the areas of manpower and employment shall focus, in particular, on labour market information, placement, and all aspects of active labour market policy ; such actions shall include the provision of public employment services.

- 3.** The Minister shall draw up policies and measures in the areas under his authority and propose them to the Government, primarily in order to

- (1) facilitate the employment of available manpower ;
- (2) promote the development of manpower ;
- (3) improve the supply of manpower and influence the demand for manpower, in order to facilitate a balance between manpower supply and demand in the labour market ;
- (4) ensure an acceptable standard of living for every person and every family.

The strategies and objectives in the area of manpower and employment shall be defined in collaboration with the Commission des partenaires du marché du travail.

The Minister shall see to the implementation of policies and measures and shall oversee and coordinate their application.

The Minister shall also be responsible for the administration of the Acts assigned to his responsibility, and shall exercise every other function assigned to him by the Government.

4. In designing and implementing measures in the areas under his authority to respond to the needs of the population, the Minister shall promote concerted action among, and the involvement of, the government, employers, unions, community groups, and the education and economic sectors.

The Minister shall see that action in the areas under his authority taken at the provincial, regional and local levels and in the various sectors is coordinated and harmonized.

The Minister may establish, for the territory of the census metropolitan area and for any other territory defined by the Government, a consultative committee for the consideration of issues relating to labour market policy; the Minister shall determine its membership and terms of reference.

5. In the exercise of his functions the Minister may, in particular,

(1) conduct or commission the surveys and research he considers necessary for the pursuit of the activities of the department;

(2) collect, compile, analyse and disseminate available data on manpower, employment, the labour market, income security and social benefits, and on the activities of the department and the bodies under the Minister's authority;

(3) enter into agreements in accordance with the law, with a government other than the Government of Québec, a department of such a government, an international organization, or a body under the authority of such a government or organization, including agreements with the Government of Canada concerning the implementation of manpower and employment measures;

(4) enter into agreements with any person, association, partnership or body in the areas under his authority, including the Emploi-Québec management agreement referred to in section 31.

6. An agreement entered into by the Minister may provide for the exercise of any functions assigned to the Minister by an Act assigned to his responsibility to be delegated to a body, to the extent and on the conditions stipulated in the agreement.

A member of the personnel of a body assigned to the administration of an Act under the responsibility of the Minister shall have the same obligations and powers and have access to the same information as a member of the personnel of the department with similar functions.

7. An agreement with the Government of Canada or between the Minister and a body may provide for the transfer of personnel members from that government or body to the department, and for the procedure governing the transfer. The agreement shall be subject to government approval.

8. An agreement in the area of income security and social benefits may provide for the exchange of nominative information obtained under an Act administered by the Minister and information obtained under an equivalent Act administered by another Government, government department or body, for the purpose of verifying a person's eligibility for the programs governed by those Acts or in order to prevent, detect or punish a contravention of such an Act.

The agreement shall be submitted for an opinion to the Commission d'accès à l'information in the manner specified in section 70 of the Act respecting Access to documents held by public bodies and the Protection of personal information (R.S.Q., chapter A-2.1).

9. An agreement with the Government of Canada may provide for the exchange of nominative information, by means including file matching, in order to facilitate the application of an agreement on the implementation of manpower and employment measures entered into with that government.

The exchange of such information shall be governed by the Act respecting Access to documents held by public bodies and the Protection of personal information.

10. Notwithstanding any other legislative or regulatory provision, where an agreement in the area of income security and social benefits under paragraph 3 of section 5 extends the coverage of an Act or a regulation to a person defined in the agreement, the Government may, by regulation, enact the measures required to implement the agreement in order to give effect to the agreement.

11. Notwithstanding any legislative or regulatory provision, the Minister may allow a person who is not a Québec resident, within the meaning of an Act administered by the Minister, to receive services provided under that Act on the conditions determined by the Minister.

12. A program established by the Minister in the areas under his authority may include eligibility criteria based on age.

13. The Minister may be a party to a contract to fix the price of goods or services paid for in whole or in part by the Minister pursuant to a program under the responsibility of the Minister.

A benefit or other advantage relating to types of goods or services to which such a contract applies shall be granted on the conditions prescribed in the program.

14. The Minister may, in the exercise of his functions, inquire into, or designate another person to inquire into, any matter under his authority.

15. The Minister shall table a report on the activities of the department of employment and solidarity before the National Assembly within six months of the end of each fiscal year or, if the Assembly is not sitting, within 30 days of resumption.

CHAPTER II

COMMISSION OF LABOUR MARKET PARTNERS

16. A commission of labour market partners is hereby established under the name “Commission des partenaires du marché du travail”.

17. The function of the Commission is to take part in the development of government policies and measures in the areas of manpower and employment, and to participate in decisions concerning the implementation and management of manpower and employment measures and programs under the authority of the Minister, in particular as regards programming, plans of action and related operations. In that capacity, the Commission shall

(1) define manpower development needs in light of the realities of the labour market;

(2) advise the Minister on the general objectives of labour market policy;

(3) collaborate with the Minister in defining strategies and objectives in the areas of manpower and employment;

(4) determine criteria, in accordance with section 19, governing the allocation of the overall funds made available for manpower and employment measures, programs and funds;

(5) identify target areas for public employment services;

(6) examine the regional plans of action as regards manpower and employment submitted by the regional councils of labour market partners and approve them with or without amendment, after taking the advice of those councils into consideration;

(7) examine every plan or proposal submitted to it on behalf of the construction industry in connection with manpower and employment;

(8) enter into the management agreement referred to in section 31 with the Minister, and prepare annually, jointly with the Minister, the plan of action referred to in section 32 and, during the period of application of the annual plan, monitor its application, assess periodically the results obtained and recommend corrective action so that the objectives of the plan may be achieved.

The Commission shall also have any other powers and duties assigned by the Act to foster the development of manpower training (R.S.Q., chapter D-7.1).

18. In exercising its functions, the Commission shall give priority to

(1) concerted action among its partners from employers' groups, unions, community groups, and the education and economic sectors, and the establishment of manpower committees within businesses and industries, sector-based manpower committees and other committees on which such partners may sit;

(2) the participation of public educational institutions, institutions governed by the Act respecting private education (R.S.Q., chapter E-9.1) and university-level educational institutions in manpower development activities;

(3) the development of varied initiatives in the manpower and employment sector;

(4) equity for disadvantaged individuals or groups on the labour market, within the scope of government policies.

19. The criteria governing the allocation of the overall funds made available for manpower and employment measures, programs and funds shall be determined annually by the Commission, at the time and according to the conditions determined by the Minister.

The criteria require the approval of the Government, which may amend them.

20. Every regional plan of action as regards manpower and employment shall be forwarded to the Minister by the Commission as soon as it has been approved by the Commission.

The Minister may, not later than 45 days after the plan is forwarded, disallow some or all of the plan, which shall cease to have effect from the date of the disallowance. The Minister shall advise the Commission of the disallowance forthwith.

The Minister may, before the expiry of the 45-day period, inform the Commission of his intention not to exercise his power of disallowance.

21. The Commission shall include the following members, appointed by the Government:

(1) a chairman, appointed after consultation with the Commission;

(2) six members representing Québec labour, appointed on the recommendation of the most representative associations of employees;

(3) six members representing business and industry, appointed on the recommendation of the most representative employers' associations;

(4) two members appointed after consultation with the most representative community organizations working in the areas of manpower and employment;

(5) one member from the secondary education sector and one member from the college education sector, appointed after consultation with bodies in the fields concerned.

The Deputy Minister of Employment and Solidarity and the secretary general of the Commission shall be members of the Commission.

The following persons shall also be members of the Commission but without the right to vote:

(1) the Associate Deputy Minister responsible for the Secrétariat au développement des régions or an Assistant Deputy Minister designated by the Associate Deputy Minister;

(2) the Deputy Minister of Education, or an Associate or Assistant Deputy Minister of Education designated by the Deputy Minister;

(3) the Deputy Minister of Industry, Trade, Science and Technology, or an Associate or Assistant Deputy Minister of Industry, Trade, Science and Technology designated by the Deputy Minister;

(4) the Deputy Minister for Greater Montréal or an Assistant or Associate Deputy Minister for Greater Montréal designated by the Deputy Minister.

In addition, the Minister may take part in any meeting of the Commission.

22. The Government shall, after obtaining the formal advice of the Commission, appoint the secretary general of the Commission.

The secretary general shall also be the Associate Deputy Minister responsible for Emploi-Québec.

23. The term of office of members of the Commission appointed by the Government is not more than three years.

At the expiry of their term, they remain in office until they are replaced or reappointed.

The term of a member appointed under any of subparagraphs 2 to 5 of the first paragraph of section 21 shall end upon the receipt by the secretary general of the Commission of a notice from the association or organization represented by the member stating that the member is no longer qualified to represent the association or organization.

24. The chairman of the Commission shall preside over the sittings of the Commission, be responsible for communication between the Commission and the Minister and assume any other duties that may be assigned to him by the Commission.

Where the chairman is absent or unable to act, the other members of the Commission referred to in the first paragraph of section 21 shall designate from among their number a member to replace him for the period they determine.

25. The members of the Commission appointed by the Government receive no remuneration except in the cases, on the conditions and to the extent determined by the Government. However, they are entitled to the reimbursement of expenses incurred in the performance of their duties, on the conditions and to the extent determined by the Government.

26. Any member of the Commission who has a direct or indirect interest in an enterprise that causes his personal interest to conflict with his duties of office shall, on pain of forfeiture of office, disclose it in writing to the chairman or, in the case of the chairman, to the secretary, and abstain from participating in any discussion or decision involving the enterprise in which he has the interest or in any part of a sitting of the Commission during which his interest is discussed.

27. The Commission may hold its sittings anywhere in Québec.

A majority of voting members constitute a quorum at sittings of the Commission.

The Commission may establish rules governing its operation, in particular, concerning the creation of an executive committee.

28. The minutes of the sittings of the Commission approved by the Commission and certified by the chairman or the secretary general are authentic. The same applies to documents and copies emanating from the Commission or forming part of its records when they are signed or certified by any of those persons.

29. The Commission shall send to the Minister, within the time and in the form he determines, the data, reports or other information he requires on its activities.

CHAPTER III

EMPLOI-QUÉBEC

30. Within the department, certain services grouped together in an independent unit called "Emploi-Québec" shall supervise the implementation and the management, at the provincial, regional and local levels, of the

measures and programs under the responsibility of the Minister in the areas of manpower and employment, and shall provide public employment services.

Public employment services shall include labour market information, placement, and services relating to active labour market policy.

31. The Minister and the Commission shall enter into a management agreement concerning Emploi-Québec, which shall be submitted to the Government for approval. The agreement shall, in particular, set out

(1) the respective responsibilities of the Minister, the Commission, the Deputy Minister, and the secretary general of the Commission and Associate Deputy Minister responsible for Emploi-Québec ;

(2) the functions of and services to be provided by Emploi-Québec, its management framework, in particular as regards the implementation of the administrative responsibilities conferred on the Minister by the Act to foster the development of manpower training and the manner in which the amount of the funds made available to Emploi-Québec by the Minister to achieve the objects of the Commission is to be established ;

(3) the means by which results targets, and performance indicators to measure the achievement of those targets, are to be set ;

(4) the mechanisms for program measurement and evaluation, and accountability ;

(5) the nature of the service agreements to be entered into with Emploi-Québec.

32. The Minister and the Commission shall draw up, annually, a plan of action complementing the Emploi-Québec management agreement, which plan shall be submitted to the Government for approval. The plan shall determine the results targets established for the short and medium terms, the means by which they are to be achieved, and the parameters for the allocation of the Emploi-Québec budget.

33. The secretary general of the Commission shall defer to the authority of the Commission in matters concerning

(1) the drafting of the management agreement and the preparation of the annual plan of action and of the annual report on the activities of Emploi-Québec ;

(2) the labour market orientations and policies on which the Minister is to consult the Commission ;

(3) the monitoring of the annual plan of action, in particular regarding the information that may be required by the Commission for the pursuit of its objects ;

(4) the application of the regulatory powers conferred on the Commission by the Act to foster the development of manpower training;

(5) any other responsibility of the secretary general identified accordingly in the management agreement.

In his capacity as the Associate Deputy Minister responsible for Emploi-Québec, the secretary general shall come under the authority of the Deputy Minister of Employment and Solidarity as concerns the administration and evaluation of the Emploi-Québec management agreement and the annual plan of action complementing the agreement.

34. The secretary general shall, annually, prepare a report on the activities of Emploi-Québec, containing the information determined by the Minister. He must file the report, once approved by the Commission, with the Minister at the time determined by the Minister.

35. The Minister shall ask representatives from the Commission or the regional councils of labour market partners to sit on panels to select persons to fill managerial positions within Emploi-Québec other than local director.

The Minister shall ask representatives from partners active in the area of manpower and employment at the local level to sit on panels to select persons to fill local director positions within Emploi-Québec.

36. The Commission may, in a regulation approved by the Government, determine the fees payable by any person using certain services provided by Emploi-Québec.

The Government may, 45 days after having requested that the Commission adopt or amend a regulation under the first paragraph, exercise the regulatory power itself. Such a regulation is deemed to be a regulation made by the Commission.

CHAPTER IV

REGIONAL COUNCILS OF LABOUR MARKET PARTNERS

37. A regional council of labour market partners shall be established by the Government in each region determined by the Government.

38. The functions of a regional council shall include

(1) defining labour market issues in its region on the basis of the general objectives of labour market policy, in particular by assessing manpower development needs and drawing on the expertise of advisory committees;

(2) submitting annually to the Commission, for approval, a regional plan of action as regards manpower and employment, which plan shall include, in particular, the elements dealing with public employment services appearing in the local plans of action pertaining to the economy and employment that have been drawn up for its region, together with its opinion particularly as to the consistency of such elements with provincial, sectorial and regional guidelines, strategies and objectives ;

(3) adapting manpower and employment measures, programs and funds to the realities of the region to the extent the conditions governing their implementation so allow ;

(4) defining regional manpower and employment strategies and objectives ;

(5) proposing, to the Commission, the criteria according to which the funds made available for manpower and employment measures, programs and funds at the regional level should be allocated ;

(6) defining the areas in which Emploi-Québec should enter into specific regional manpower and employment agreements with the regional development council ;

(7) encouraging the regional development council to take regional manpower and employment strategies and objectives into account.

39. In exercising its functions, a regional council shall give priority to

(1) action undertaken to assist underprivileged persons or groups in the labour market in its region, in particular through agreements in that regard with community organizations working in the manpower and employment fields ;

(2) concerted action by employers, unions and social groups and the sectors of education and the economy, in particular through the creation of advisory committees ;

(3) the implementation of employment assistance programs, manpower development programs and local development programs.

40. Each regional council shall include the following members appointed by the Minister :

(1) six members representing labour, appointed on the recommendation of representative employee associations in the region ;

(2) six members representing business and industry, appointed on the recommendation of representative employers' associations in the region ;

(3) six other members, two appointed after consultation with community organizations working in the region in the areas of manpower and employment and four from the education sector, including one from a school board and one from a college-level institution, appointed after consultation with bodies in the fields concerned.

The regional director of Emploi-Québec shall be a member of the regional council and shall act as the council's secretary.

The following persons shall also be members of the regional council, but without the right to vote :

(1) a representative from the Secrétariat au développement des régions designated by the Minister responsible for that Secretariat ;

(2) the regional director of the Ministère de l'Éducation or a regional representative from that department designated by the Deputy Minister of Education ;

(3) the regional director of the Ministère de l'Industrie, du Commerce, de la Science et de la Technologie or a regional representative from that department designated by the Deputy Minister of Industry, Trade, Science and Technology.

41. The term of office of members of the regional council appointed by the Minister is not more than three years.

At the expiry of their term, they remain in office until they are replaced or reappointed.

The term of office of a member shall terminate upon receipt by the Minister of a notice from the association or organization represented by the member stating that the member is no longer qualified to represent the association or organization.

42. The members of a regional council referred to in the first paragraph of section 40 shall elect from among their number a chairman for the period they determine.

The chairman of the regional council shall preside over the sittings of the council and assume the other functions assigned to him by the council.

Where the chairman is absent or unable to act, the members of the council referred to in the first paragraph of section 40 shall designate from among their number one member to replace him for the period they determine.

43. The members of a regional council appointed by the Minister receive no remuneration, except in the cases, on the conditions and to the extent determined by the Government. They are, however, entitled to the

reimbursement of expenses incurred in the performance of their duties, on the conditions and to the extent determined by the Government.

44. A member of a regional council who has a direct or indirect interest in an enterprise that causes his personal interest to conflict with his duties of office shall, on pain of forfeiture of office, disclose it in writing to the chairman or, in the case of the chairman, to the secretary, and abstain from participating in any discussion or decision involving the enterprise in which he has the interest or in any part of a sitting of the regional council during which his interest is discussed.

45. The regional council may hold its sittings anywhere in its region.

A majority of members constitute a quorum at sittings of the regional council.

The regional council shall establish rules for its operation.

46. The regional council shall send to the Minister, within the time and in the form he determines, the data, reports or other information he requires on its activities.

CHAPTER V

ORGANIZATION OF THE DEPARTMENT

47. The Government shall appoint, in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), a person as Deputy Minister of Employment and Solidarity.

48. Under the direction of the Minister, the Deputy Minister shall administer the department.

In addition, he shall exercise any other function assigned to him by the Government or the Minister.

49. In the exercise of his functions, the Deputy Minister shall have the authority of the Minister.

50. The Deputy Minister may, in writing and to the extent he indicates, delegate to a public servant or the holder of a position the exercise of his functions under this Act.

He may, in the instrument of delegation, authorize the subdelegation of the functions he indicates and in that case shall specify the title of the public servant or holder of a position to whom they may be delegated.

51. The personnel of the department shall consist of the public servants required for the exercise of the functions of the Minister; the public servants shall be appointed and remunerated in accordance with the Public Service Act.

The Minister shall determine the duties of the public servants where the law or the Government does not provide therefor.

52. The signature of the Minister or the Deputy Minister shall give effect to any document emanating from the department.

A deed, document or writing may bind the Minister or be attributed to him only if it is signed by him, the Deputy Minister, a member of the personnel of the department or the holder of a position, and, in the latter two cases, only to the extent determined by the Government.

A member of the personnel of an organization is, to the extent that he is assigned to the administration of a program that the Minister has delegated by agreement to that organization, considered to be a member of the personnel of the department for the purposes of the second paragraph.

53. The Government may, on the conditions it determines, allow that the signature of the Minister or Deputy Minister be affixed by means of an automatic device to the documents it determines.

The Government may also allow a facsimile of a signature to be engraved, lithographed or printed on the documents it determines. In such a case, the facsimile shall be authenticated by the countersignature of a person authorized by the Minister.

54. A decision made or certificate issued pursuant to an Act under the responsibility of the Minister need not be signed, but it must contain the name of the person who made or issued it.

55. Any document or copy of a document emanating from the department or forming part of its records and signed or certified by a person referred to in the second paragraph of section 52 is authentic.

56. An intelligible written transcription of a decision, certificate or any other data stored by the department in a computer or on any other magnetic medium is a document of the department and is proof of its contents where such transcription is certified by a person referred to in the second paragraph of section 52.

57. A decision made or certificate issued pursuant to an Act administered by the Minister is presumed to have been made or issued and sent out on the date indicated therein.

CHAPTER VI

LABOUR MARKET DEVELOPMENT FUND

58. A labour market development fund shall be established at the Ministère de l'Emploi et de la Solidarité.

The fund shall be dedicated to financing the implementation and management of the measures and programs under the responsibility of the Minister in the areas of manpower and employment, and to the financing of public employment services.

59. The Government shall determine the date on which the fund begins to operate, its assets and liabilities and the nature of the costs that may be charged to the fund.

The manner in which the fund is to be managed shall be determined by the Conseil du trésor.

60. The fund shall be made up of the following sums :

(1) the sums paid into the fund by the Minister out of the appropriations granted for that purpose by Parliament ;

(2) the sums collected in respect of public employment services, except the sums relating to the administration of the Act to foster the development of manpower training ;

(3) the sums paid into the fund by the Minister of Finance pursuant to the first paragraph of section 62 and section 63 ;

(4) the gifts, legacies and other contributions paid into the fund to further the achievement of the objects of the fund.

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

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

62. 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.

The Minister 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 constituting the fund that is not required for its operation.

Any advance paid into a fund shall be repayable out of that fund.

63. The Minister of Employment and Solidarity may, as manager of the fund, borrow from the Minister of Finance sums taken out of the financing fund established under section 69.1 of the Financial Administration Act.

64. The sums required for the remuneration and expenses related to social benefits and other conditions of employment of the persons assigned, in accordance with the Public Service Act, to activities related to the fund shall be paid out of the fund.

65. The surpluses accumulated into the fund which exceed \$20,000,000 shall be paid into the consolidated revenue fund on the dates and to the extent determined by the Government.

66. Sections 22 to 27, 33, 35, 45, 46, 47 to 49, 49.2, 49.6, 51, 56, 57 and 70 to 72 of the Financial Administration Act, adapted as required, apply to the fund.

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

68. 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 financing fund the sums required for the execution of a judgment against the Crown that has become *res judicata*.

CHAPTER VII

AMENDING PROVISIONS

ACT TO FOSTER THE DEVELOPMENT OF MANPOWER TRAINING

69. Section 4 of the Act to foster the development of manpower training (R.S.Q., chapter D-7.1) is amended by replacing the words “Société québécoise de développement de la main-d’oeuvre” in the second paragraph by the words “Commission des partenaires du marché du travail”.

70. Section 5 of the said Act is amended by replacing the word “Société” in the first paragraph by the word “Commission”.

71. Section 6 of the said Act is amended

(1) by replacing the word “Société” in subparagraph 2 of the first paragraph by the words “Minister of Employment and Solidarity”;

(2) by replacing the word “Société” in subparagraph 4 of the first paragraph by the word “Commission”.

72. Section 8 of the said Act, amended by section 1 of chapter 20 of the statutes of 1997, is again amended

(1) by replacing the word “Société” in the fifth line by the word “Commission”;

(2) by replacing the word “Société” in the third line by the word “Minister”;

(3) by replacing the word “Société” in the fourth line by the word “Minister”.

73. Section 10 of the said Act is amended by replacing the word “Société” wherever it appears by the word “Commission”.

74. Section 12 of the said Act is amended by inserting the words “de la construction du Québec” after the word “Commission” in the sixth line of the first paragraph.

75. Section 17 of the said Act is amended by replacing the word “Société” by the word “Minister”.

76. Section 18 of the said Act is amended by replacing the word “Société” by the word “Minister”.

77. Section 20 of the said Act, amended by section 3 of chapter 20 of the statutes of 1997, is again amended by replacing the word “Société” by the words “Commission des partenaires du marché du travail”.

78. Section 21 of the said Act, amended by section 4 of chapter 20 of the statutes of 1997, is again amended

(1) by replacing the word “Société” in paragraphs 1 and 2 by the word “Minister”;

(2) by replacing the word “Société” in paragraphs 3 and 5 by the word “Minister”.

79. Section 22 of the said Act, amended by section 39 of chapter 29 of the statutes of 1996 and by section 6 of chapter 20 of the statutes of 1997, is again amended

(1) by replacing the word “Société” by the word “Commission”;

(2) by replacing the words “minister designated by the Government” by the words “Minister of Employment and Solidarity”.

80. Section 22.1 of the said Act, enacted by section 7 of chapter 20 of the statutes of 1997, is repealed.

81. Section 23 of the said Act is amended

(1) by replacing the word “Société” in the first line by the word “Minister”;

(2) by replacing the word “Société” in the second line by the word “Commission”.

82. The heading of Division III.1 of Chapter II of the said Act, enacted by section 8 of chapter 20 of the statutes of 1997, is amended by striking out the words “AND IMMUNITY”.

83. Section 23.2 of the said Act, enacted by section 8 of chapter 20 of the statutes of 1997, is repealed.

84. Section 24 of the said Act, amended by section 40 of chapter 29 of the statutes of 1996, is replaced by the following section :

“**24.** In the annual report to be produced by the Minister under section 15 of the Act respecting the Ministère de l’Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, chapter 63), the Minister shall report on the participation of employers in the development of manpower training for the preceding year.”

85. Section 25 of the said Act is repealed.

86. Section 27 of the said Act is amended by adding, after paragraph 2, the following paragraph :

“(3) the revenue from the costs and fees collected pursuant to Chapter II.”

87. Section 28 of the said Act, amended by section 9 of chapter 20 of the statutes of 1997, is again amended

(1) by replacing the word “Société” in the first paragraph by the words “Minister of Employment and Solidarity”;

(2) by replacing the word “Société” in the third paragraph by the word “Commission”;

(3) by striking out the fourth paragraph.

88. Section 29 of the said Act is replaced by the following section :

“**29.** The Minister is responsible for the administration of the Fund and may take any measure to allocate the assets of the Fund.

The assets of the Fund shall be held in the name of the Minister and shall not be mingled with those of the State.”

89. Section 30 of the said Act, amended by section 41 of chapter 29 of the statutes of 1996, is again amended by replacing the first paragraph by the following paragraph:

“**30.** The Commission shall, each year, submit a plan for the allocation of the assets of the Fund to the Minister, on the date he determines.”

90. Section 31 of the said Act is amended

(1) by replacing the words “of the regional manpower development corporations” by the words “of labour market partners established under section 37 of the Act respecting the Ministère de l’Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail”;

(2) by replacing the word “Société” by the word “Commission”.

91. Section 32 of the said Act is replaced by the following section:

“**32.** The Minister may, on the conditions he determines, entrust any employers’ association or other body accredited by him for that purpose with the implementation of any part of the asset allocation plan.”

92. Section 33 of the said Act is amended

(1) by replacing the word “Société” in the first line by the word “Minister”;

(2) by replacing the words “related programs of the Société, and on the conditions it” in the second and third lines by the words “programs referred to in section 34, and on the conditions he or it”.

93. Section 34 of the said Act is amended by replacing the words “A subsidy program” in the first paragraph by the words “The Commission may establish subsidy programs which”.

94. Section 35 of the said Act is amended by replacing, in the first paragraph, the word “Société” by the word “Minister” and the words “it determines by regulation” by the words “determined by regulation of the Commission”.

95. Section 36 of the said Act is amended by replacing the word “Société” by the word “Minister”.

96. Section 39 of the said Act, amended by section 42 of chapter 29 of the statutes of 1996, is repealed.

97. Section 41 of the said Act, amended by section 42 of chapter 29 of the statutes of 1996, is again amended

(1) by replacing the words “minister designated by the Government” in the first paragraph by the word “Minister”;

(2) by replacing, in the first paragraph, the words “Société shall file with the Minister” by the words “Minister shall file” and the words “the activities of the Société” by the words “its activities”;

(3) by striking out the fourth paragraph.

98. Section 43 of the said Act is amended by striking out the words “and for that purpose shall hear the chairman of the Société”.

99. Section 44.1 of the said Act, enacted by section 11 of chapter 20 of the statutes of 1997, is amended

(1) by replacing the word “Société” in the first paragraph by the word “Commission”;

(2) by replacing the words “To that end, the Société” in the fourth paragraph by the words “In administering the apprenticeship scheme, the Minister”.

100. Section 44.2 of the said Act, enacted by section 11 of chapter 20 of the statutes of 1997, is amended

(1) by replacing the first paragraph by the following paragraphs:

“**44.2.** The Commission is responsible for planning the apprenticeship scheme and shall decide how it is to be applied to a trade or profession, to a sector of economic activity or to a region.

The Minister is responsible for the development, promotion, implementation, follow-up and assessment of the apprenticeship scheme.”;

(2) by replacing the words “The Société” in the second paragraph by the words “The Minister and the Commission”.

101. Section 44.3 of the said Act, enacted by section 11 of chapter 20 of the statutes of 1997, is amended

(1) by replacing, in paragraph 6, the word “Société” by the word “Commission”;

(2) by replacing, in paragraph 10, the word “Société” by the word “Commission”.

102. Section 44.4 of the said Act, enacted by section 11 of chapter 20 of the statutes of 1997, is amended by replacing the word “Société” by the word “Commission”.

103. Section 44.5 of the said Act, enacted by section 11 of chapter 20 of the statutes of 1997, is amended by replacing the word “Société” in the first paragraph by the word “Commission”.

104. Section 44.6 of the said Act, enacted by section 11 of chapter 20 of the statutes of 1997, is amended by replacing the word “Société” in the first paragraph by the word “Commission”.

105. Section 66 of the said Act is amended by striking out the words “of the Société”.

106. Section 67 of the said Act, amended by section 42 of chapter 29 of the statutes of 1996, is again amended by replacing the words “minister designated by the Government” by the words “Minister of Employment and Solidarity”.

ACT RESPECTING MANPOWER VOCATIONAL TRAINING AND QUALIFICATION

107. Section 1 of the Act respecting manpower vocational training and qualification (R.S.Q., chapter F-5), amended by section 23 of chapter 29 of the statutes of 1996, is again amended

(1) by replacing the words “an office of the Société québécoise de développement de la main-d’oeuvre established under section 1 of the Act respecting the Société québécoise de développement de la main-d’oeuvre (chapter S-22.001)” in paragraph *b* by the words “the Ministère de l’Emploi et de la Solidarité”;

(2) by striking out the words “or by the Société québécoise de développement de la main-d’oeuvre, as the case may be,” in paragraph *f*;

(3) by replacing the words “minister designated by the Government” in paragraph *p* by the words “Minister of Employment and Solidarity”;

(4) by replacing paragraph *r* by the following paragraph:

“(r) “region”: the region covered by a regional council of labour market partners established under section 37 of the Act respecting the Ministère de l’Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, chapter 63);”.

108. Section 45 of the said Act, amended by section 26 of chapter 29 of the statutes of 1996, is again amended

(1) by replacing the words “Société québécoise de développement de la main-d’oeuvre” in the third paragraph of paragraph *a* by the word “Minister”;

(2) by replacing the words “Société and in consultation with it” in paragraph *b* by the words “Minister and in consultation with him”;

(3) by replacing the words “Société and on such conditions as it determines” in the first paragraph of paragraph *c* by the words “Minister and on such conditions as he determines”.

109. Section 53 of the said Act, amended by section 28 of chapter 29 of the statutes of 1996, is again amended by replacing the words “minister designated by the Government” by the words “Minister of Employment and Solidarity”.

TAXATION ACT

110. Section 336 of the Taxation Act (R.S.Q., chapter I-3), amended by section 38 of chapter 1 of the statutes of 1995, by section 91 of chapter 18 of the statutes of 1995, by section 79 of chapter 49 of the statutes of 1995, by section 36 of chapter 63 of the statutes of 1995, by section 63 of chapter 14 of the statutes of 1997 and by section 45 of chapter 31 of the statutes of 1997, is again amended by replacing the words “Income Security” wherever they appear in subsection 2.2 by the words “Employment and Solidarity”.

111. Section 1029.8.22 of the said Act, amended by section 457 of chapter 40 of the statutes of 1994, by section 146 of chapter 1 of the statutes of 1995, by sections 154 and 261 of chapter 63 of the statutes of 1995, by section 59 of chapter 3 of the statutes of 1997, by section 211 of chapter 14 of the statutes of 1997 and by section 109 of chapter 31 of the statutes of 1997, is again amended, in the first paragraph,

(1) by replacing the words “Société québécoise de développement de la main-d’oeuvre” in the portion of the definition of “qualified training activity” before paragraph *a* by the words “Minister of Employment and Solidarity”;

(2) by replacing the words “Société québécoise de développement de la main-d’oeuvre” wherever they appear in the portion of paragraph *g* of the definition of “qualified training costs” before subparagraph *i* by the words “Minister of Employment and Solidarity”;

(3) by replacing the definition of “registered private training company” by the following definition:

““registered private training company” at a particular time means an instructor who, at that time, is accredited by the Minister of Employment and Solidarity, or a corporation, or a partnership all the members of which are corporations, that is, at that particular time, registered as a private training company with the Minister of Employment and Solidarity;”;

(4) by striking out the definition of “Société québécoise de développement de la main-d’oeuvre”.

112. Section 1029.8.22.1 of the said Act, enacted by section 147 of chapter 1 of the statutes of 1995 and amended by sections 155 and 261 of chapter 63 of

the statutes of 1995, by section 71 of chapter 3 of the statutes of 1997 and by section 212 of chapter 14 of the statutes of 1997, is again amended

(1) by replacing the words “Société québécoise de développement de la main-d’oeuvre” in subparagraph *i* of the first paragraph by the words “Minister of Employment and Solidarity”;

(2) by replacing the words “Société québécoise de développement de la main-d’oeuvre” in the second paragraph by the words “Minister of Employment and Solidarity”.

113. Section 1029.8.23 of the said Act, amended by section 148 of chapter 1 of the statutes of 1995, by section 156 of chapter 63 of the statutes of 1995, by section 71 of chapter 3 of the statutes of 1997 and by section 213 of chapter 14 of the statutes of 1997, is again amended, in the first paragraph,

(1) by replacing the words “Société québécoise de développement de la main-d’oeuvre” in subparagraph *i* of subparagraphs *d*, *d.1* and *d.2* by the words “Minister of Employment and Solidarity”;

(2) by replacing the words “Société québécoise de développement de la main-d’oeuvre” in subparagraph *ii* of subparagraphs *d*, *d.1* and *d.2* by the words “Minister of Employment and Solidarity”.

114. Section 1029.8.25 of the said Act, amended by section 154 of chapter 1 of the statutes of 1995, by section 157 of chapter 63 of the statutes of 1995, by section 71 of chapter 3 of the statutes of 1997, by section 214 of chapter 14 of the statutes of 1997 and by section 143 of chapter 31 of the statutes of 1997, is again amended by replacing the words “Société québécoise de développement de la main-d’oeuvre” in the third paragraph by the words “Minister of Employment and Solidarity”.

115. Section 1029.8.25.1 of the said Act, amended by section 155 of chapter 1 of the statutes of 1995, by section 158 of chapter 63 of the statutes of 1995, by section 71 of chapter 3 of the statutes of 1997, by section 215 of chapter 14 of the statutes of 1997 and by section 143 of chapter 31 of the statutes of 1997, is again amended by replacing the words “Société québécoise de développement de la main-d’oeuvre” in the fifth paragraph by the words “Minister of Employment and Solidarity”.

116. Section 1029.8.33.1 of the said Act, amended by section 71 of chapter 3 of the statutes of 1997, is again amended by replacing the words “Société québécoise de développement de la main-d’oeuvre” wherever they appear by the words “Minister of Employment and Solidarity”.

117. Section 1029.8.33.2 of the said Act, enacted by section 156 of chapter 1 of the statutes of 1995 and amended by section 163 of chapter 63 of the

statutes of 1995, by section 60 of chapter 3 of the statutes of 1997 and by section 216 of chapter 14 of the statutes of 1997, is again amended, in the first paragraph,

(1) by striking out the definition of “Société québécoise de développement de la main-d’oeuvre”;

(2) by replacing the words “Société québécoise de développement de la main-d’oeuvre” in paragraph *a* of the definition of “eligible trainee” by the words “Minister of Employment and Solidarity”.

118. Section 1029.8.33.10 of the said Act, enacted by section 156 of chapter 1 of the statutes of 1995 and amended by section 172 of chapter 63 of the statutes of 1995, by section 71 of chapter 3 of the statutes of 1997 and by section 218 of chapter 14 of the statutes of 1997, is again amended by replacing the words “Société québécoise de développement de la main-d’oeuvre” in subparagraph *a* of the first paragraph by the words “Minister of Employment and Solidarity”.

ACT RESPECTING THE MINISTÈRE DU REVENU

119. Section 69.1 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31), amended by section 13 of chapter 46 of the statutes of 1994, by section 213 of chapter 1 of the statutes of 1995, by section 14 of chapter 36 of the statutes of 1995, by section 50 of chapter 43 of the statutes of 1995, by section 277 of chapter 63 of the statutes of 1995, by section 22 of chapter 69 of the statutes of 1995, by section 18 of chapter 12 of the statutes of 1996, by section 4 of chapter 33 of the statutes of 1996, by section 104 of chapter 3 of the statutes of 1997, by section 312 of chapter 14 of the statutes of 1997 and by section 14 of chapter 20 of the statutes of 1997, is again amended

(1) by replacing the words “Société québécoise de développement de la main-d’oeuvre” and the word “Société” in subparagraph *h* of the second paragraph respectively by the words “Minister of Employment and Solidarity” and the words “Commission des partenaires du marché du travail”;

(2) by replacing the words “Minister of Income Security” in subparagraph *j* of the second paragraph by the words “Minister of Employment and Solidarity”.

ACT RESPECTING THE PROCESS OF NEGOTIATION OF THE COLLECTIVE AGREEMENTS IN THE PUBLIC AND PARAPUBLIC SECTORS

120. Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (R.S.Q., chapter R-8.2), amended by section 130 of chapter 61 of the statutes of 1996, is again amended by striking out the words “The Société québécoise de développement de la main-d’oeuvre”.

ACT RESPECTING THE GOVERNMENT AND PUBLIC EMPLOYEES
RETIREMENT PLAN

121. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., chapter R-10) is amended by striking out the words “the Société québécoise de développement de la main-d’oeuvre” in paragraph 1.

122. Schedule III to the said Act is amended by striking out the words “the Société québécoise de développement de la main-d’oeuvre” in paragraph 1.

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION PLAN

123. Schedule IV to the Act respecting the Civil Service Superannuation Plan (R.S.Q., chapter R-12) is amended by striking out the words “the Société québécoise de développement de la main-d’oeuvre”.

ACT RESPECTING INCOME SECURITY

124. Section 25 of the Act respecting income security (R.S.Q., chapter S-3.1.1) is amended by replacing the words “5 of the Act respecting the Ministère de la Sécurité du revenu (chapter M-19.2.1)” in the third paragraph by the words “15 of the Act respecting the Ministère de l’Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (1997, chapter 63)”.

ACT RESPECTING THE SOCIÉTÉ QUÉBÉCOISE DE
DÉVELOPPEMENT DE LA MAIN-D’OEUVRE

125. The Act respecting the Société québécoise de développement de la main-d’oeuvre (R.S.Q., chapter S-22.001) is repealed.

ACT RESPECTING NORTHERN VILLAGES AND THE KATIVIK
REGIONAL GOVERNMENT

126. Section 379 of the Act respecting Northern villages and the Kativik Regional Government (R.S.Q., chapter V-6.1), amended by section 38 of chapter 29 of the statutes of 1996, is again amended by replacing the words “minister designated by the Government” by the words “Minister of Employment and Solidarity”.

ACT TO AMEND THE ACT TO FOSTER THE DEVELOPMENT OF
MANPOWER TRAINING AND OTHER LEGISLATIVE PROVISIONS

127. Section 17 of the Act to amend the Act to foster the development of manpower training and other legislative provisions (1997, chapter 20) is repealed.

OTHER LEGISLATIVE PROVISIONS

128. The words “Minister of Income Security”, “Deputy Minister of Income Security” and “Ministère de la Sécurité du revenu” are replaced by the words “Minister of Employment and Solidarity”, “Deputy Minister of Employment and Solidarity” and “Ministère de l’Emploi et de la Solidarité”, respectively, wherever they appear in the following provisions:

(1) section 144 of the Act respecting industrial accidents and occupational diseases (R.S.Q., chapter A-3.001);

(2) section 12 of the Legal Aid Act (R.S.Q., chapter A-14);

(3) sections 22, 23, 30 and 32 of the Act respecting family assistance allowances (R.S.Q., chapter A-17);

(4) section 83.28 of the Automobile Insurance Act (R.S.Q., chapter A-25);

(5) sections 65, 67, 70, 71 and 71.1 of the Health Insurance Act (R.S.Q., chapter A-29);

(6) section 128 of the Act respecting the Barreau du Québec (R.S.Q., chapter B-1);

(7) section 38 of the Act respecting the Commission des affaires sociales (R.S.Q., chapter C-34);

(8) section 3 of the Act respecting the Conseil des aînés (R.S.Q., chapter C-57.01);

(9) section 7 of the Act respecting the Conseil du statut de la femme (R.S.Q., chapter C-59);

(10) section 46 of the Act respecting collective agreement decrees (R.S.Q., chapter D-2);

(11) subparagraph 12 of the first paragraph of section 4 of the Executive Power Act (R.S.Q., chapter E-18);

(12) section 7 of the Act to secure the handicapped in the exercise of their rights (R.S.Q., chapter E-20.1);

(13) paragraph 11 of section 1 of the Government Departments Act (R.S.Q., chapter M-34);

(14) section 121 of the Act respecting labour standards (R.S.Q., chapter N-1.1);

(15) section 76 of the Act to facilitate the payment of support (R.S.Q., chapter P-2.2);

(16) section 22.2 of the Act respecting the Régie de l'assurance-maladie du Québec (R.S.Q., chapter R-5);

(17) sections 12, 37, 39, 40.3, 145, 218, 228, 229 and 230 of the Act respecting the Québec Pension Plan (R.S.Q., chapter R-9);

(18) sections 243.7 and 321 of the Supplemental Pension Plans Act (R.S.Q., chapter R-15.1);

(19) section 122 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., chapter R-20);

(20) section 174 of the Act respecting occupational health and safety (R.S.Q., chapter S-2.1);

(21) sections 10, 52, 58, 65.2, 69 and 141 of the Act respecting income security (R.S.Q., chapter S-3.1.1);

(22) paragraph *n* of section 1 and sections 29 and 60 of the Act respecting income security for Cree hunters and trappers who are beneficiaries under the Agreement concerning James Bay and Northern Québec (R.S.Q., chapter S-3.2).

CHAPTER VIII

TRANSITIONAL AND MISCELLANEOUS PROVISIONS

129. The Government shall acquire the rights and assume the obligations of the Société québécoise de développement de la main-d'oeuvre.

130. The programs managed by the Société on (*insert here the date preceding the date of coming into force of this section*) shall continue under the management of the Minister. The Government or the Minister, depending on which approved the programs, may amend or terminate them.

131. The records and other documents of the Société shall become the records and documents of the Ministère de l'Emploi et de la Solidarité.

132. Matters before the Société shall be continued by the Minister, without further formality.

133. The Attorney General shall become, without continuance of suit, party to any proceedings to which the Société is a party on (*insert here the date preceding the date of coming into force of this section*).

134. The term of office of the members of the board of directors of the Société, including the term of the chairman and vice-chairmen of the Société, shall end on (*insert here the date of coming into force of this section*).

The term of office of the members of the regional councils established under section 36 of the Act respecting the Société québécoise de développement de la main-d'oeuvre shall end on (*insert here the date of coming into force of this section*).

135. The employees of the Société in office on (*insert here the date preceding the date of coming into force of this section*) and identified in an order of the Government shall become the employees of the department or of another department, subject to the terms and conditions provided for in such an order. The employees transferred are deemed to have been appointed in accordance with the Public Service Act and shall be remunerated accordingly.

The Conseil du trésor may determine any rule, standard or policy relating to the classification, the determination of the pay scale, permanent tenure or any other condition of employment applicable to the employees referred to in the first paragraph.

136. Subject to section 137, the procedure for integrating the employees covered by an agreement entered into under section 7 may depart from the provisions of the Public Service Act except sections 64 to 69. The employees become employees of the Government and public servants within the meaning of that Act as of the date of their integration.

The Conseil du trésor may, for the implementation of such an agreement, establish any rule, standard or policy relating to classification, the determination of the pay scale, permanent tenure or any other condition of employment applicable to the employees.

The Government may, as regards the integration of the employees, make any agreement relating to pension plans with the Government of Canada or the agency concerned.

137. Where the employees integrated into the public service pursuant to an agreement under section 7 or pursuant to section 135 were represented by a certified association within the meaning of the Labour Code (R.S.Q., chapter C-27) or by a bargaining agent within the meaning of the Public Service Staff Relations Act (R.S.C., 1985, chapter P-35), the Government, to facilitate the employees' integration, may, on the conditions and to the extent it determines, recognize for a period it fixes, the certified association or bargaining agent as the sole representative of the employees for the interpretation or application of a collective agreement referred to in the second paragraph of this section or for the purposes of any measure pursuant to the second paragraph of section 135 or the second paragraph of section 136. The recognition may include provisions concerning the payment of union dues.

Those employees shall be governed by the collective agreements and other conditions of employment applicable to employees governed by the Public Service Act, subject to any rule, standard or policy established under the second paragraph of section 135 or the second paragraph of section 136 and to the provisions of the first paragraph of this section.

138. Unless the context indicates otherwise, in any Act not referred to in sections 69 to 128 and in any regulation, by-law, order in council, ministerial order, proclamation, order, contract, agreement, accord or other document,

(1) a reference to the Minister of State for Employment and Solidarity or to the Minister of Income Security is a reference to the Minister of Employment and Solidarity;

(2) a reference to the Deputy Minister of Income Security or the Ministère de la Sécurité du revenu is a reference to the Deputy Minister of Employment and Solidarity or the Ministère de l'Emploi et de la Solidarité;

(3) a reference to the minister designated by the Government for the purposes of section 13 of the Act respecting certain functions relating to manpower and employment (R.S.Q., chapter M-15.01 amended by sections 29 to 35 of chapter 29 of the statutes of 1996), is a reference to the Minister of Employment and Solidarity;

(4) a reference to the Société québécoise de développement de la main-d'oeuvre is a reference to the Minister of Employment and Solidarity or the Commission des partenaires du marché du travail, according to their respective functions;

(5) a reference to the Act respecting the Ministère de la Sécurité du revenu or to the Act respecting certain functions relating to manpower and employment is a reference to the Act respecting the Ministère de l'Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail or to any corresponding provision of that Act.

139. Any regulation, ministerial order or order made under the Act respecting the Ministère de la Sécurité du revenu or the Act respecting certain functions relating to manpower and employment remains in force until it is replaced or repealed.

140. A regulation of the Société québécoise de développement de la main-d'oeuvre made under section 24 of the Act respecting the Société québécoise de développement de la main-d'oeuvre is deemed to be a regulation made by the Commission des partenaires du marché du travail under section 36.

141. The regulations of the Société québécoise de développement de la main-d'oeuvre made under the Act to foster the development of manpower training and the regulations of the Government made under section 65 of that Act are deemed to be regulations of the Commission des partenaires du marché du travail.

142. Financial assistance and subsidies granted by the Société québécoise de développement de la main-d'oeuvre are deemed to be financial assistance and subsidies granted by the Minister.

143. Recognitions or accreditations issued by the Société québécoise de développement de la main-d'oeuvre pursuant to the Act to foster the development of manpower training are deemed to be recognitions or accreditations issued by the Minister.

144. This Act replaces the Act respecting the Ministère de la Sécurité du revenu (R.S.Q., chapter M-19.2.1) and the Act respecting certain functions relating to manpower and employment (R.S.Q., chapter M-15.01 amended by sections 29 to 35 of chapter 29 of the statutes of 1996).

145. During the fiscal year (*insert here the fiscal year in which this section comes into force*), the Minister shall pay to the Commission administrative des régimes de retraite et d'assurances, with the approval of the Conseil du trésor, the sums necessary to make up for certain costs arising out of an agreement relating to the pension plans of employees of the Government of Canada transferred to the department within the framework of the Canada-Québec Labour Market Agreement in Principle. Such sums shall be taken out of the labour market development fund. The Commission shall use those sums in the manner determined by the Minister.

146. The appropriations granted for the fiscal year (*insert here the fiscal year in which this section comes into force*) to the Société québécoise de développement de la main-d'oeuvre and the sums in a fund managed by the Société on (*insert here the date preceding the date of coming into force of section 130*) shall be transferred to the labour market development fund.

147. The appropriations granted for the fiscal year (*insert here the fiscal year in which this section comes into force*) to the Ministère de la Sécurité du revenu for employment assistance measures and for internal management and support shall be transferred to the labour market development fund to the extent determined by the Government.

148. The Minister of Employment and Solidarity is responsible for the administration of this Act.

149. Section 7 shall cease to have effect on 1 January 2000.

150. The provisions of this Act come into force on 25 June 1997, except the provisions of sections 16 to 46, 58 to 96, paragraphs 2 and 3 of section 97, sections 98 to 105, paragraphs 1, 2 and 4 of section 107, section 108, sections 110 to 123, 125, 127, 129 to 137, paragraph 4 of section 138, sections 140 to 143 and 145 to 147 which come into force on the date or dates to be fixed by the Government.