



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 51
(1999, chapter 58)

**An Act to amend the Public Service Act
and the Act respecting the accountability
of deputy ministers and chief executive
officers of public bodies**

**Introduced 13 May 1999
Passage in principle 28 May 1999
Passage 11 November 1999
Assented to 11 November 1999**

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EXPLANATORY NOTES

This bill amends the Public Service Act to allow the appointment of a public servant from among all the candidates declared qualified following a competition, thereby eliminating the grouping of candidates into levels.

The bill also amends the Public Service Act to compel government departments and bodies to give an account, under a special heading in their annual reports, of the results achieved in relation to the objectives of applicable affirmative action programs and programs designed to ensure the hiring of handicapped persons and in relation to the hiring objectives determined by the Conseil du trésor as regards the various components of Québec society.

Lastly, the bill amends the Act respecting the accountability of deputy ministers and chief executive officers of public bodies to specify that the results achieved in relation to such objectives are among the subjects that may be discussed in parliamentary committee pursuant to that Act.

LEGISLATION AMENDED BY THIS BILL :

- Public Service Act (R.S.Q., chapter F-3.1.1);
- Act respecting the accountability of deputy ministers and chief executive officers of public bodies (R.S.Q., chapter I-4.1).

Bill 51

AN ACT TO AMEND THE PUBLIC SERVICE ACT AND THE ACT RESPECTING THE ACCOUNTABILITY OF DEPUTY MINISTERS AND CHIEF EXECUTIVE OFFICERS OF PUBLIC BODIES

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

PUBLIC SERVICE ACT

1. Section 50 of the Public Service Act (R.S.Q., chapter F-3.1.1) is replaced by the following section :

“50. A competition leads to the preparation of a list of the candidates declared qualified.”

2. Section 50.1 of the said Act is amended by striking out “candidates declared qualified in a competition may be grouped into levels and” in subparagraph 5 of the first paragraph.

3. Section 53 of the said Act is replaced by the following section :

“53. Following a competition, the appointment of a public servant is made by selecting a person from among the persons included in the list of candidates declared qualified.

Where a list of candidates declared qualified includes a candidate to whom an affirmative action program or a program designed to ensure the hiring of handicapped persons applies, the Deputy Minister or the chief executive officer of the public body must take the objectives of the program into consideration. The hiring objectives determined by the Conseil du trésor as regards the various components of Québec society must also be taken into consideration.”

4. The said Act is amended by inserting the following section after section 53 :

“53.1. The annual report of a department or body must include, under a special heading, an account of the results achieved in relation to the objectives of any affirmative action program or program designed to ensure the hiring of handicapped persons applicable to the department or body and in relation to the hiring objectives as regards the various components of Québec society.”

ACT RESPECTING THE ACCOUNTABILITY OF DEPUTY MINISTERS
AND CHIEF EXECUTIVE OFFICERS OF PUBLIC BODIES

5. Section 8 of the Act respecting the accountability of deputy ministers and chief executive officers of public bodies (R.S.Q., chapter I-4.1) is amended by inserting “, including the results achieved in relation to the objectives of any affirmative action program or program designed to ensure the hiring of handicapped persons applicable to the department or body and in relation to the hiring objectives determined by the Conseil du trésor as regards the various components of Québec society,” after “management” in the fourth line of the second paragraph.

TRANSITIONAL AND FINAL PROVISIONS

6. Section 53 of the Public Service Act, as it read before its replacement by section 3, shall continue to apply with respect to appointments made from a list of candidates declared qualified having taken effect before 11 November 1999.

7. Section 53.1 of the Public Service Act, enacted by section 4, has effect in respect of annual reports covering a period that begins after 31 March 1999.

8. This Act comes into force on 11 November 1999.