



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 63
(1999, chapter 7)

**An Act respecting certain contracts
entered into by the Ministère du Revenu**

**Introduced 27 May 1999
Passage in principle 4 June 1999
Passage 4 June 1999
Assented to 4 June 1999**

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EXPLANATORY NOTES

This bill amends the Act respecting the Ministère du Revenu to subject service contracts awarded by the Minister or Deputy Minister of Revenue for the maintenance or development of computer systems, for electronic data processing or for document destruction and involving access to confidential information or the communication of confidential information to certain requirements concerning the protection of confidential information. Under the bill, the contracts will be submitted to the Commission d'accès à l'information for an opinion on whether they satisfy the requirements of the bill.

The bill specifies that where such contracts are currently in effect, they are deemed to satisfy the requirements. However, they must be submitted to the Commission d'accès à l'information for an opinion as to their compliance, and the Minister of Revenue must submit a report on the actions to be taken in response to the opinion of the Commission and table the report in the National Assembly.

Bill 63

AN ACT RESPECTING CERTAIN CONTRACTS ENTERED INTO BY THE MINISTÈRE DU REVENU

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Act respecting the Ministère du Revenu (R.S.Q., chapter M-31) is amended by inserting, after section 69, the following section :

“69.0.0.1. Where the Minister or Deputy Minister, to obtain assistance in pursuing the objects of a fiscal law or in performing any other task that may be incumbent upon the Minister or Deputy Minister in the exercise of their functions, awards a service contract for the maintenance or development of computer systems, for electronic data processing or for document destruction, and where the contract involves access to confidential information or the communication of confidential information, the Minister or Deputy Minister, as the case may be, must establish the contract in writing and see that it specifies the measures to be taken to ensure that the confidential information involved is used solely for the purposes of the contract and is retained only by the Minister once the contract has expired.

The Minister must submit the contract to the Commission d'accès à l'information in order to obtain, within 60 days, the Commission's opinion on whether the contract satisfies the requirements of the first paragraph.

Where the opinion of the Commission is not favourable, the contract must, to be valid, be submitted to the Government for approval. The contract, together with the opinion of the Commission and the document evidencing the approval of the Government, shall be tabled in the National Assembly within 30 days after the approval if the Assembly is sitting or, if the Assembly is not sitting, within 30 days of resumption.”

2. Every contract in effect on 4 June 1999 to which section 69.0.0.1 of the Act respecting the Ministère du Revenu applies and that does not satisfy the requirements of that section is deemed to satisfy those requirements.

3. Every contract in effect on 4 June 1999 to which section 69.0.0.1 of the Act respecting the Ministère du Revenu applies must, within 30 days of that date, be submitted to the Commission d'accès à l'information for an opinion in accordance with that section. No failure to satisfy a requirement noted in the opinion of the Commission shall, however, invalidate such a contract.

The Minister must, within 60 days of receiving the opinion of the Commission, submit a report to the Government on the measures taken or to be taken by the Minister in response to the opinion. The Minister shall table the report in the National Assembly within 15 days or, if the Assembly is not sitting, with 15 days of resumption.

4. This Act comes into force on 4 June 1999.