



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SIXTH LEGISLATURE

Bill 94
(2000, chapter 15)

Financial Administration Act

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EXPLANATORY NOTES

This bill replaces the current Financial Administration Act with a new Act that will complete the reform of government accounting practices announced in the Budget Speech of 31 March 1998.

The bill establishes a new management framework for the financial resources of all government departments, bodies and enterprises. It specifies the responsibilities of ministers and chief executive officers of budget-funded bodies with regard to the use of the resources allocated to them, and fixes the rules governing their financial operations.

The functions and powers of the Minister of Finance relating to the management of the consolidated revenue fund, the public debt and the sinking funds assigned by law to the management of the Minister are determined in the bill.

In addition, the bill assigns new responsibilities to the Minister of Finance in connection with contracts for financial and banking services entered into by government departments and bodies.

Lastly, the bill indicates how the Government is to account for its financial management, and specifies the information that must be provided to the National Assembly.

LEGISLATION REPLACED BY THIS BILL :

- Financial Administration Act (R.S.Q., chapter A-6).

LEGISLATION AMENDED BY THIS BILL :

- Act respecting assistance for victims of crime (R.S.Q., chapter A-13.2);
- Act respecting the National Assembly (R.S.Q., chapter A-23.1);
- Crop Insurance Act (R.S.Q., chapter A-30);
- Act respecting farm income stabilization insurance (R.S.Q., chapter A-31);
- Public Curator Act (R.S.Q., chapter C-81);

- Election Act (R.S.Q., chapter E-3.3);
- Act respecting the elimination of the deficit and a balanced budget (R.S.Q., chapter E-4.01);
- Act to establish a fund to combat poverty through reintegration into the labour market (R.S.Q., chapter F-3.2.0.3);
- Act to establish the special local activities financing fund (R.S.Q., chapter F-4.01);
- Forest Act (R.S.Q., chapter F-4.1);
- Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (R.S.Q., chapter M-14);
- Act respecting the Ministère de l’Éducation (R.S.Q., chapter M-15);
- Act respecting the Ministère de l’Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (R.S.Q., chapter M-15.001);
- Act respecting the Ministère de l’Industrie et du Commerce (R.S.Q., chapter M-17);
- Act respecting the Ministère de la Justice (R.S.Q., chapter M-19);
- Act respecting the Ministère de la Sécurité publique (R.S.Q., chapter M-19.3);
- Act respecting the Ministère des Régions (R.S.Q., chapter M-25.001);
- Act respecting the Ministère des Relations avec les citoyens et de l’Immigration (R.S.Q., chapter M-25.01);
- Act respecting the Ministère des Relations internationales (R.S.Q., chapter M-25.1.1);
- Act respecting the Ministère des Ressources naturelles (R.S.Q., chapter M-25.2);
- Act respecting the Ministère des Transports (R.S.Q., chapter M-28);
- Act respecting the Ministère du Conseil exécutif (R.S.Q., chapter M-30);

- Act respecting the Ministère du Revenu (R.S.Q., chapter M-31);
- 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);
- Public Protector Act (R.S.Q., chapter P-32);
- Act to promote the reform of the cadastre in Québec (R.S.Q., chapter R-3.1);
- Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1);
- Courts of Justice Act (R.S.Q., chapter T-16);
- Auditor General Act (R.S.Q., chapter V-5.01);
- Act respecting assistance and compensation for victims of crime (1993, chapter 54);
- Act to establish a disaster assistance fund for certain areas affected by the torrential rains of 19 and 20 July 1996 (1996, chapter 45);
- Act to establish a fund in respect of the ice storm of 5 to 9 January 1998 (1998, chapter 9);
- Act respecting the Ministère des Finances (1999, chapter 77);
- Act respecting international financial centres (1999, chapter 86);
- Act to establish the Québec Youth Fund (2000, chapter 14).

Bill 94

FINANCIAL ADMINISTRATION ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

CHAPTER I

OBJECT AND SCOPE

1. The object of this Act is to establish a management framework for the financial resources of government departments, bodies and enterprises. This Act specifies the means by which the Government is to account for its management and the information that must be provided for that purpose to the National Assembly.

2. For the purposes of this Act, the following bodies are government bodies :

(1) the budget-funded bodies listed in Schedule 1 ; and

(2) the bodies other than budget-funded bodies listed in Schedule 2.

Persons designated or appointed by the Government or a minister and listed in Schedules 1 and 2, respectively, together with the personnel directed by them, are considered to be budget-funded bodies or bodies other than budget-funded bodies, in the exercise of the functions assigned to them by law or by the Government or the minister.

The enterprises listed in Schedule 3 are government enterprises.

3. The Government may amend a schedule to this Act following the establishment or abolition of a body or enterprise or the amendment of the Act constituting a body or enterprise, or where a body or enterprise no longer possesses the characteristics of the category in which it is classified according to the Government's accounting policies.

The Government may also amend a schedule to this Act to add a body or enterprise that has acquired the characteristics of a government body or enterprise according to the Government's accounting policies.

4. Subject to the second paragraph of section 110 of the Act respecting the National Assembly (R.S.Q., chapter A-23.1), the provisions applicable to budget-funded bodies also apply to the management of the financial resources of the National Assembly, except the provisions of sections 30 and 31.

As well, the provisions applicable to budget-funded bodies apply to the management of the financial resources of persons designated or appointed by the National Assembly to exercise a function coming under the authority of the Assembly to the extent provided in the Act under which they are designated or appointed and to the management of the financial resources of the Commission de la représentation established under the Election Act (R.S.Q., chapter E-3.3) to the extent provided in that Act.

CHAPTER II

CONSOLIDATED REVENUE FUND

5. The consolidated revenue fund consists of all money received or collected from any source over which Parliament has the power of appropriation.

6. Money received under a contract or agreement that provides for the money to be allocated to a specific purpose may be accounted for in a specified purpose account.

Money received on the condition that it be allocated to a specific purpose may also be accounted for in a specified purpose account.

Every disbursement chargeable to a specified purpose account constitutes a charge against the consolidated revenue fund up to the amount determined by the Government at the time the specified purpose account is established.

No money derived from levies, taxes and duties, or from transfer payments by the Government of Canada under the Federal-Provincial Fiscal Arrangements Act (Revised Statutes of Canada (1985), chapter F-8) or the Canada Assistance Plan (Revised Statutes of Canada (1985), chapter C-1), may be accounted for in a specified purpose account.

7. A specified purpose account is established by the Government on the joint proposal of the chair of the Conseil du trésor and the Minister. The Government shall determine the nature of the activities and the costs chargeable to the account and the limits on the disbursements that may be made from the account. The manner in which the account is to be managed shall be determined by the Conseil du trésor.

An order in council under this section may have effect from the beginning of the fiscal year during which it is made.

8. The Minister may deposit money from the consolidated revenue fund with the Caisse de dépôt et placement du Québec, up to the amount recorded in the non-budgetary pension plans account shown in the financial statements of the Government, in order to establish a pension plans sinking fund to provide for the payment of some or all of the benefits under the pension plans. Any benefit payment affecting that account may be reimbursed to the consolidated revenue fund out of the sinking fund.

The Caisse de dépôt et placement du Québec shall administer deposits under the first paragraph in accordance with the investment policy determined by the Minister.

9. All charges, expenses and costs attributable to the management of the fund and the collection of money paid into the fund constitute a permanent charge against the consolidated revenue fund.

10. All loans and other debts contracted by the Government through the issue of bonds, debt securities or otherwise, the interest and fees payable in connection with such bonds, loans or debts and the sinking funds established to repay them also constitute a charge against the consolidated revenue fund.

11. Money collected and received by departments and budget-funded bodies is paid to the credit of the Minister and deposited with the financial institutions designated by the Minister, in accordance with the rules established by the Conseil du trésor.

12. Every person who collects or receives money for or on behalf of a department or budget-funded body must, until the money is remitted to the Minister, deposit it with a financial institution designated by the Minister, in accordance with the rules established by the Conseil du trésor.

13. Money paid into the consolidated revenue fund over which Parliament does not have the power of appropriation must be returned to the person having a right to that money, in accordance with the rules established by the Conseil du trésor.

14. Each minister and chief executive officer of a budget-funded body shall keep a record of money collected and received and of financial claims administered and shall make the proper entries in the government accounting system, in accordance with the rules established by the Conseil du trésor.

15. The Minister may invest money from the consolidated revenue fund or from a sinking fund entrusted by law to the management of the Minister, and may dispose of or terminate such investments according to their terms.

16. The Minister may, where the Minister deems it advisable for the sound and efficient management of the consolidated revenue fund, the public debt, including the pension plans account, and the sinking funds entrusted by law to the management of the Minister, acquire, hold, invest in or make

- (1) currency exchange or interest rate exchange agreements ;
- (2) futures contracts ;
- (3) purchase contracts or contracts for the purchase or sale of options ;

(4) contracts for the short sale of investments, financial contracts and instruments that the Minister is authorized to acquire, hold, invest in or make under section 15 or this section; or

(5) any other financial instrument or contract determined by the Minister.

The Minister may assume any obligation related to a transaction effected pursuant to the first paragraph.

The Minister may effect a transaction referred to in the first paragraph with any special fund.

The Minister may dispose of or terminate such instruments, contracts and agreements, according to their terms.

17. The transactions referred to in section 15 or 16 may be effected by any person and by any means authorized for that purpose by the Minister.

18. The charges, expenses and other costs relating to a transaction effected under section 15 or 16 are management charges, expenses and costs attributable to the management of the consolidated revenue fund within the meaning of section 9, with the exception of those relating to a sinking fund that are payable out of that fund.

19. A transaction effected under section 16 is valid, and its validity cannot be contested if it was effected in accordance with section 17, except where the cause of invalidity is set out in the terms of the transaction.

Payments arising from such a transaction are also valid, and their validity cannot be contested, except to the extent provided for in the first paragraph.

CHAPTER III

FINANCIAL COMMITMENTS AND PAYMENTS

20. Ministers and chief executive officers of budget-funded bodies are responsible for the financial resources allocated to them and accountable for the financial commitments they make, for the expenditures and capital costs arising from those commitments, and for the payment thereof.

21. No financial commitment may be made or is valid unless there is a sufficient balance available out of an appropriation against which the expenditure arising from the commitment may be charged in the fiscal year during which the commitment is made.

The performance of obligations arising from a financial commitment in a fiscal year subsequent to the year in which the commitment is made is subject to there being a sufficient balance available out of an appropriation against which the expenditures arising from the performance of the obligations may be charged.

These provisions also apply to a financial commitment relating to a capital expenditure and the charging thereof against an appropriation.

22. Section 21 does not apply to borrowings made under this Act, or where it is provided by law that an expenditure or cost is to be charged against or an obligation is to be discharged out of the consolidated revenue fund.

Section 21 does not apply to the payment of charges, expenses and costs that constitute a charge against the consolidated revenue fund.

23. Expenditures and costs arising from financial commitments pertaining to the remuneration, employee benefits and other conditions of employment of public servants shall be charged against the appropriations granted by Parliament or, where applicable, in accordance with the Act constituting the body concerned.

24. Ministers and chief executive officers of budget-funded bodies shall keep a record of financial commitments and of the expenditures and costs chargeable against each appropriation, in accordance with the prescribed division into allotments. They shall make the proper entries in the government accounting system in accordance with the rules established by the Conseil du trésor.

25. The amount by which an expenditure recorded in the accounts for a given fiscal year exceeds the appropriation for that year shall be charged against the appropriation granted for the same purpose by Parliament for the following fiscal year.

The same applies to excess capital costs.

26. Every payment out of the consolidated revenue fund shall be made by means of a cheque signed by the Minister, the Deputy Minister or any member of the personnel of the Ministère des Finances authorized for that purpose by the Minister.

The Minister may allow the use of another means of payment, on the conditions determined by the Minister.

27. No payment out of the consolidated revenue fund may be made except on the requisition of a minister, a deputy minister, a chief executive officer, or a member of the personnel of or a holder of a position within the department or body concerned who has been authorized for that purpose. The requisition must be made in the form prescribed by the Conseil du trésor and be submitted with the documents determined by the Conseil du trésor.

28. No requisition for payment may be made unless the person making the requisition certifies that there is legislative authority for making the payment and that

- (1) the amount claimed is a lawful charge against an appropriation ;
- (2) the amount claimed is due for the discharge of an obligation that has been validly assumed or in return for the performance of an obligation that has been performed in accordance with the conditions attached to it ; and
- (3) the requisition for payment and the applicable terms and conditions are consistent with the rules established by the Conseil du trésor.

29. The Minister may, in the cases and on the conditions determined by the Minister, delegate the power to issue an instruction for payment out of the consolidated revenue fund to another minister, a deputy minister, a chief executive officer or any other person designated by the Minister.

The Minister may, on the conditions determined by the Minister, allow a signature to be affixed on the negotiable instruments determined by the Minister by a person authorized by a financial institution with which the Minister does business.

30. The Minister may refuse to issue an instruction for payment. In such a case, the Minister shall advise the person who made the requisition without delay of the reasons for the refusal.

The person who made the requisition may request that the Conseil du trésor, after consulting the Minister, rule on the refusal. The Minister shall, where warranted, issue the instruction for payment.

31. The Minister may order that all or part of a payment be suspended for the time fixed by the Minister. The decision must be notified to the minister or chief executive officer concerned and to the Conseil du trésor.

32. Sections 30 and 31 do not apply to transactions or borrowings made under this Act or where it is provided by law that the sums necessary for the payment of an expenditure, expense or cost or for the performance of an obligation are to be taken out of the consolidated revenue fund.

Nor do those sections apply to charges, expenses and costs that constitute a charge against the consolidated revenue fund.

CHAPTER IV

GOVERNMENTAL COMPENSATION

33. Any payment to be made by or on behalf of a body determined by the Minister and referred to in the second paragraph of section 36 to a person who is indebted to a department or body referred to in the first paragraph of section 36 is subject to governmental compensation.

This section applies notwithstanding section 33 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31).

34. The Minister, in accordance with the rules prescribed by the Minister, shall advise the body which is to make the payment of the amount in respect of which governmental compensation is to be applied and direct the body to forward such amount to the Minister for payment into the consolidated revenue fund or, where applicable, into a special fund. The Minister shall also advise the person entitled to the payment of the compensation to be applied.

35. Compensation shall not be applied, or shall be suspended, in respect of the payments and debts determined by the Government.

36. A minister or chief executive officer of a budget-funded body must provide the Minister, on request, with any information necessary for the purposes of section 33.

A body referred to in section 31.1.4 of the Act respecting the Ministère du Revenu must provide to the Minister, on request, any information relating to payments referred to in section 33 to be made by the body.

37. The information referred to in section 36 may be provided by the transfer of information files to be compared, coupled or cross-matched with any other file held by the Minister.

Any transfer of an information file under the first paragraph must be authorized by the Minister. The Minister shall record the name of the department or body having transferred a file in accordance with the first paragraph. Any person who applies therefor shall be given access to such record.

38. The Minister shall prescribe the information transfer procedure and the form of cross-matching codes.

39. The minister or chief executive officer concerned shall advise the debtor of the existence and nature of the claim against the debtor, of the time allotted for payment and of the cross-matching code which will be used in the application of governmental compensation.

40. Compensation shall not be applied before the claim and the payment have been cross-matched by means of the cross-matching code and at least one other piece of information obtained by the Minister.

41. The Minister may not communicate information provided in accordance with section 36 to anyone other than the Minister of Revenue for the purposes of the powers conferred by Division IV of Chapter III of the Act respecting the Ministère du Revenu, except with the authorization of the person to whom the information relates or of the person authorized by law to give such authorization on behalf of that person.

42. For the purposes of this chapter, the Minister shall establish a management procedure framework for the exchange of information. The framework shall specify, among other things, the departments and bodies concerned, the purpose of the exchange of information, the information transfer techniques and means to be employed, the information involved and the confidentiality safeguards and security measures to be applied.

The framework shall be submitted to the Commission d'accès à l'information, which shall give its opinion within 30 days. The framework, once approved by the Government, shall apply to all departments and bodies named therein.

The framework, the opinion of the Commission and the instrument evidencing the approval of the Government shall be tabled in the National Assembly within 30 days of the date of approval or, if the Assembly is not in session, within 30 days of resumption.

The framework shall be published in the *Gazette officielle du Québec* within 30 days of its tabling in the National Assembly.

43. Sections 36 and 38 shall prevail over any provision of a special Act.

44. Section 36 applies notwithstanding sections 68, 68.1 and 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).

45. The Minister may, in writing and to the extent specified, delegate to a minister, a chief executive officer or any other person the exercise of the Minister's functions under this chapter.

CHAPTER V

SPECIAL FUNDS

46. The Government may, on the recommendation of the chair of the Conseil du trésor and of the Minister, establish special funds for the financing of activities relating to the sale of goods or services and for the financing of information technologies used in a department or budget-funded body.

A special fund may not, however, be established by the Government where the goods or services in question are offered to the departments or bodies on an exclusive basis or where the latter alone offer the goods or services in question.

47. An order in council under section 46 may have effect from the beginning of the fiscal year during which it is made.

48. The Government shall determine the name of each special fund, the date of the beginning of its activities and its assets and liabilities. It shall also determine the nature of the goods, services and assets financed by the special fund and the nature of the costs chargeable to it. The Government shall designate the minister responsible for the special fund.

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

49. A special fund shall be made up of the following, exclusive of the interest earned :

(1) the money collected from the sale of goods or services financed by the special fund ;

(2) the money paid into it by the minister responsible for the special fund out of the appropriations granted for that purpose by Parliament ;

(3) gifts, legacies and other contributions paid into it to further the achievement of the objects of the special fund ; and

(4) the money paid into it by the Minister pursuant to the first paragraph of section 51 and the first paragraph of section 52.

50. The management of the money making up a special fund is entrusted to the Minister. The money shall be paid to the order of the Minister and deposited with the financial institutions designated by the Minister.

The minister responsible for the special fund shall keep the books of account of the special fund and record the financial commitments chargeable to it. The minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.

51. The minister responsible for a special fund may, as the manager of the special fund, borrow from the Minister out of the financing fund established under the Act respecting the Ministère des Finances (1999, chapter 77).

Any amount paid into a special fund pursuant to such a loan shall be repayable out of the special fund.

52. The Minister may, with the authorization of the Government and on the conditions it determines, make advances to a special fund out of the consolidated revenue fund.

The Minister may, conversely, make advances to the consolidated revenue fund, on a short-term basis and on the conditions the Minister determines, out of any money paid into a special fund that is not required for its operation.

Any advance made to a fund shall be repayable out of that fund.

53. The remuneration and expenses pertaining to the employee benefits and other conditions of employment of the persons assigned, in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1), to activities related to a special fund shall be paid out of the special fund.

54. The surpluses accumulated by a special fund shall be paid into the consolidated revenue fund on the date and to the extent determined by the Government.

55. The provisions of sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 apply to a special fund, with the necessary modifications.

56. The fiscal year of a special fund ends on 31 March.

57. Notwithstanding any provision to the contrary, the Minister shall, in the event of a deficiency in the consolidated revenue fund, pay out of the special funds any amount required for the execution of a judgment against the State that has become *res judicata*.

CHAPTER VI

FINANCIAL CONTRACTS

58. The Government may, by regulation and on the recommendation of the Minister,

(1) determine the terms of banking and financial services contracts made in the name of the Government by a minister or by a government body ;

(2) determine the cases in which such contracts are subject to authorization by the Government or the Minister.

The terms of a contract and the cases in which the contract is subject to authorization may vary in respect of all contracts, certain categories of contracts or certain contracts made by a minister or body designated in the regulation.

59. A minister or a body, with the authorization of the Government upon the recommendation of the Minister, in the case of a contract that cannot be concluded without authorization by the Government, or with the authorization of the Minister in any other case, may enter into a contract whose terms differ from those applicable to it pursuant to a regulation made under section 58. The Government or the Minister, as the case may be, may determine the terms applicable to the contract.

60. The powers conferred on the Government or the Minister by section 59 shall be exercised, with respect to persons designated by the National Assembly to exercise a function under the authority of the Assembly and with respect to the Commission de la représentation, by the Office of the National Assembly.

CHAPTER VII

PUBLIC DEBT

DIVISION I

BORROWINGS

61. Borrowings shall be effected by the Minister with the authorization of the Government.

62. The Government shall determine such amounts, characteristics, terms and conditions as it considers necessary with respect to borrowings effected pursuant to this division.

63. Borrowings may also be effected under a borrowing plan authorized by the Government; the maximum amount of the borrowings effected under the plan and such characteristics and limits as are deemed necessary by the Government in relation to such borrowings shall be established by the Government.

The Government may authorize the Minister generally to effect any borrowing under the plan, to establish the amounts and other characteristics thereof, and to agree to the applicable terms and conditions, including those relating to the currency of payment and the registration of the securities.

64. The Government may authorize the Minister to withdraw from the consolidated revenue fund any money up to the amount required to create an adequate sinking-fund to provide for the repayment of any borrowing effected under this division.

Whenever a borrowing for which a sinking-fund has been created is redeemed before maturity or renewed or paid off at maturity, the Government may authorize the Minister to transfer such sinking-fund or any part thereof and apply it to another borrowing effected or to be effected, in whole or in part, for the purpose of redeeming before maturity or renewing or paying off at maturity the borrowing for which such sinking-fund was created, or funding any temporary borrowings effected for the purpose of such redemption, renewal or payment, or funding any renewal of such temporary loans.

The management of the money making up such sinking-funds and the revenues derived therefrom shall be entrusted to the Minister.

65. Section 17 applies to borrowings referred to in this division.

66. The Government may provide for registration as to both principal and interest, in such manner and upon such terms and conditions as it determines, of bonds or other debt securities issued for borrowing purposes.

67. The Government may make regulations providing for

(1) the transfer, transmission, exchange, purchase by agreement or redemption of any bond or other debt security ;

(2) the replacement of bonds or other debt securities which have been damaged, lost, stolen or destroyed, the payment of interest or capital to their holders or the guarantees they must furnish ;

(3) the correction of errors in the registration of bonds or other debt securities ; and

(4) the examination and cancellation procedure for bonds and other debt securities issued by Québec that are redeemed before maturity.

68. The Government may modify any part of the public debt by replacing any bonds or other debt securities by any other bonds or debt securities.

The first paragraph shall not be construed as allowing a bond or other debt security to be replaced unless the right to do so has been stipulated or the consent of the holder of the bond or security or of the creditor has been obtained.

69. Where bonds or other debt securities are redeemed before maturity or purchased by agreement, the Minister may maintain them in force in order to reissue them, provided that the characteristics, terms and conditions of the issue do not expressly provide otherwise. The Minister may then reissue the bonds or other debt securities, either by reissuing the same bonds or debt securities or by issuing other bonds or debt securities in their place ; with regard to the new issue, the person holding rights in the bonds or other debt securities has the same rights and privileges as if the bonds or other debt securities had not been previously issued.

The reissue of a bond or other debt security, or the issue of another bond or debt security in its place, shall not be considered as the issue of a new bond or new debt security for the purposes of any provision of an order in council limiting the amount or the number of bonds or other debt securities to be issued.

DIVISION II

SAVINGS PRODUCTS

70. The Government may authorize the issue and sale of savings products under a borrowing plan the maximum amount, characteristics and limits of which shall be established by the Government to the extent it deems necessary.

The borrowing plan may provide that the issue, sale and management of a savings product are to be effected by means of a book based system.

The borrowing plan may also provide for the sale of fixed-term annuities.

71. The Minister shall determine the amounts and characteristics of and the other terms and conditions applicable to each issue and sale of savings products under a borrowing plan established in accordance with this division.

72. The Minister may effect any transaction under a borrowing plan established in accordance with this division. The Minister may also, if so authorized by the borrowing plan, enter into contracts for the payment of fixed-term annuities. The funds earmarked for the payment of an annuity shall be regarded as the principal of a loan.

Such funds are exempt from seizure in the hands of the Minister as though they were fixed-term annuities transacted by insurers, provided that a beneficiary in the event of death is designated in the manner set out in the provisions of the Civil Code concerning insurance.

73. For the purposes of this division, the Government may, by regulation,

(1) define the book based system and determine its mode of operation and characteristics as well as ownership and evidentiary rules concerning entries made in the system ;

(2) determine conditions for participation and classes of qualifying clients and purchasers ;

(3) determine the terms and conditions of assignment, transfer and payment of securities ;

(4) determine prohibitions or restrictions concerning the assignment of and the right to dispose of securities ;

(5) determine prohibitions or restrictions concerning the granting of movable hypothecs on securities and determine terms and conditions for the granting of such hypothecs as well as conditions for the exercise of related rights or remedies ; and

(6) determine administration fees and other fees payable by clients of the book based system and by purchasers of savings products and fixed-term annuities.

74. A regulation under section 73 may specify which of its provisions may be made applicable, by decision of the Minister, to the different savings products authorized and issued under this division.

75. The information to be furnished by clients of the book based system shall be determined by the Minister and requested in the forms prescribed by the Minister.

76. Sections 63 to 67 apply to any borrowing effected under this division, with the necessary modifications.

CHAPTER VIII

BORROWING PLANS AND FINANCIAL INSTRUMENTS AND CONTRACTS

77. For the purposes of this chapter,

(1) “financial instrument or contract” means any financial instrument or contract whose object is the management of financial risks, in particular currency exchange agreements, interest rate exchange agreements, contracts for the purchase or sale of options and futures contracts ;

(2) “body” means

(a) a body referred to in any of subparagraphs 1 to 5 of the first paragraph of section 24 of the Act respecting the Ministère des Finances ;

(b) a government agency or government enterprise referred to in section 4 or paragraph 1 of section 5 of the Auditor General Act (R.S.Q., chapter V-5.01) ; or

(c) joint stock companies all the voting shares of which form part of the domain of the State.

78. Bodies which have the power to borrow may, within the scope of a borrowing plan established by the body which sets the maximum amount and characteristics of borrowings and the applicable limits, and with the authorizations or approvals required by law for the exercise of their power to borrow, conclude without further authorization or approval any borrowing transaction under the borrowing plan and establish the amounts and other characteristics of, and fix or accept the terms and conditions relating to, each such transaction.

79. Bodies which have the power to borrow may, with the authorizations and approvals required by law for the exercise of that power, conclude currency exchange agreements or interest rate exchange agreements, or terminate such agreements according to their terms.

This section does not apply to a body in respect of an agreement referred to in this section, insofar as the body is expressly empowered to conclude such an agreement by law or by the Act constituting the body.

80. In addition to the powers granted to them by section 79, bodies which have the power to borrow may, with the authorizations and approvals required by law for the exercise of that power, and if they deem it advisable for sound and efficient financial management, acquire, hold, invest in, conclude, dispose of or terminate, according to their terms, such financial instruments or contracts as the Government may determine for one or more bodies or for a category of bodies.

This section does not apply to a body in respect of a financial instrument or contract, insofar as the power to acquire, hold, invest in or conclude such an instrument or contract is expressly provided by law or by the Act constituting the body.

81. Transactions carried out within the framework of a program established by a body and approved by the Government are not subject to the authorizations and approvals referred to in the first paragraph of sections 79 and 80 where the program establishes the principal mandatory characteristics of the transactions and limits the financial commitments which may arise from them.

82. The Government may, in respect of those financial instruments and contracts which it determines and in respect of currency or interest rate exchange agreements, exempt one or more bodies or a category of bodies, conditionally or unconditionally, from the obligation to obtain the authorizations and approvals required by the first paragraph of sections 79 and 80.

83. A body may, notwithstanding any provision of any other Act applicable to it, determine, within the scope of a borrowing plan referred to in section 78 or of a program referred to in section 81, that the power to borrow or to effect transactions under sections 79 and 80, or the power to approve the terms and conditions thereof, may be exercised by two or more of its officers authorized by the body for that purpose.

CHAPTER IX

PUBLIC ACCOUNTS AND OTHER FINANCIAL REPORTS

84. The fiscal year of the Government shall begin on 1 April in one year and end on 31 March in the next year.

85. The public accounts shall be prepared for each fiscal year by the comptroller of finance on behalf of the Minister in the form determined by the Minister.

86. The public accounts shall comprise

- (1) the consolidated financial statements of the Government ;
- (2) information on the revenues, expenditures and other costs of government departments and budget-funded bodies ;
- (3) a statement of the statutory and annual appropriations and of the special warrants for the fiscal year, and of the expenditures and other costs charged against each appropriation or special warrant ;
- (4) a report of the excess of the expenditures and other costs of the departments and budget-funded bodies entered in the accounts for a fiscal year over the appropriations for the same year ; and

(5) any other information needed to account for the financial position of the Government.

87. The Minister shall table the public accounts in the National Assembly not later than 31 December following the close of the fiscal year or, if the National Assembly is not in session, not later than the fifteenth day after resumption.

88. The Minister shall prepare the other financial reports of the Government in the form, with the content and at the intervals determined by the Minister.

89. The minister responsible for a body other than a budget-funded body or for a government enterprise shall forward, to the comptroller of finance, in the form, with the content and at the intervals determined by the Minister, the financial information needed to prepare the public accounts and the other financial reports of the Government.

This section also applies to the chief executive officer of a public body and to the chief executive officer of a government agency or a government enterprise referred to in any of sections 3 to 5 of the Auditor General Act as regards financial information relating to property held in trust that is administered by the chief executive officer.

90. The minister shall also forward to the Minister, where so required by the Minister, the operating budget, capital budget and financing budget, as approved, of each body other than a budget-funded body or government enterprise for which the minister is responsible.

Any amendment made to such a budget in the course of a fiscal year that may affect the Government's financial forecasts must be forwarded immediately to the Minister.

91. The accumulated surplus of a body other than a budget-funded body shall be paid into the consolidated revenue fund on the dates and to the extent determined by the Government on the recommendation of the Minister.

The same applies to the dividends payable by a government enterprise where it is provided by law that the dividends are determined by the Government.

92. The comptroller of finance shall prepare a statement of any report and special warrant issued pursuant to section 51 of the Public Administration Act (2000, chapter 8) and the corresponding expenditures and other costs.

The statement shall be tabled in the National Assembly by the minister who reported the urgency of the situation not later than the third day after resumption.

CHAPTER X

AMENDING PROVISIONS

93. Section 14 of the Act respecting assistance for victims of crime (R.S.Q., chapter A-13.2) is amended by replacing the second paragraph by the following paragraph :

“The Minister of Justice shall keep the books of account and record the financial commitments chargeable to the assistance fund. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

94. Section 19 of the said Act, amended by section 100 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“**19.** Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the assistance fund, with the necessary modifications.”

95. Section 112 of the Act respecting the National Assembly (R.S.Q., chapter A-23.1) is repealed.

96. Sections 71.2 and 71.3 of the Crop Insurance Act (R.S.Q., chapter A-30) are amended by replacing “Division VIII.1 of the Financial Administration Act (chapter A-6)” by “Chapter VIII of the Financial Administration Act (2000, chapter 15)”.

97. Section 10.3 and section 10.4 of the Act respecting farm income stabilization insurance (R.S.Q., chapter A-31) are amended by replacing “Division VIII.1 of the Financial Administration Act (chapter A-6)” by “Chapter VIII of the Financial Administration Act (2000, chapter 15)”.

98. Section 26.9 of the Public Curator Act (R.S.Q., chapter C-81), enacted by section 11 of chapter 80 of the statutes of 1997, is amended by replacing “The departments and bodies referred to in the first paragraph of section 14 of the Financial Administration Act (chapter A-6)” in the second paragraph by “The departments and budget-funded bodies referred to in section 2 of the Financial Administration Act (2000, chapter 15)”.

99. Section 65 of the said Act is amended by replacing “section 49 of the Financial Administration Act (chapter A-6)” by “Chapter VI of the Financial Administration Act”.

100. The Election Act (R.S.Q., chapter E-3.3) is amended by inserting the following section :

“**488.3.** The provisions of the Financial Administration Act (2000, chapter 15) applicable to budget-funded bodies, except sections 30 and 31,

apply to the management of the financial resources of the Commission de la représentation and of the Chief Electoral Officer.”

101. Section 15 of the Act respecting the elimination of the deficit and a balanced budget (R.S.Q., chapter E-4.01) is amended by replacing “fiscal year 1996-97” in the second paragraph by “preceding fiscal year”.

102. Section 4 of the Act to establish a fund to combat poverty through reintegration into the labour market (R.S.Q., chapter F-3.2.0.3) is amended by replacing the second paragraph by the following paragraph:

“The Minister shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

103. Section 8 of the said Act, amended by section 147 of the Public Administration Act (2000, chapter 8), is replaced by the following section:

“**8.** Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

104. Section 12 of the Act to establish the special local activities financing fund (R.S.Q., chapter F-4.01) is amended by replacing the second paragraph by the following paragraph:

“The Minister shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

105. Section 16 of the said Act, amended by section 148 of the Public Administration Act (2000, chapter 8), is replaced by the following section:

“**16.** Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

106. Section 170.5 of the Forest Act (R.S.Q., chapter F-4.1) is amended by replacing the second paragraph by the following paragraph:

“The Minister shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

107. Section 170.9 of the said Act, amended by section 149 of the Public Administration Act (2000, chapter 8), is replaced by the following section:

“170.9. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

108. Section 21.4 of the Act respecting the Ministère de l’Agriculture, des Pêcheries et de l’Alimentation (R.S.Q., chapter M-14) is amended by replacing the second paragraph by the following paragraph :

“The Minister shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

109. Section 21.10 of the said Act, amended by section 158 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“21.10. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

110. Section 13.4 of the Act respecting the Ministère de l’Éducation (R.S.Q., chapter M-15) is amended by replacing the second paragraph by the following paragraph :

“The Minister of Education shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

111. Section 13.8 of the said Act, amended by section 159 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“13.8. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

112. Section 61 of the Act respecting the Ministère de l’Emploi et de la Solidarité and establishing the Commission des partenaires du marché du travail (R.S.Q., chapter M-15.001) is amended by replacing the second paragraph by the following paragraph :

“The Minister of Employment and Solidarity shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

113. Section 66 of the said Act, amended by section 160 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

66. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

114. Section 17.4 of the Act respecting the Ministère de l’Industrie et du Commerce (R.S.Q., chapter M-17) is amended by replacing the second paragraph by the following paragraph :

“The Minister shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

115. Section 17.10 of the said Act, amended by section 161 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

17.10. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

116. Section 32.4 of the Act respecting the Ministère de la Justice (R.S.Q., chapter M-19) is amended by replacing the second paragraph by the following paragraph :

“The Minister of Justice shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

117. Section 32. 9 of the said Act, amended by section 163 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

32.9. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

118. Section 14.4 of the Act respecting the Ministère de la Sécurité publique (R.S.Q., chapter M-19.3) is amended by replacing the second paragraph by the following paragraph :

“The Minister of Public Security shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

119. Section 14.9 of the said Act, amended by section 164 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“14.9. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

120. Section 27 of the Act respecting the Ministère des Régions (R.S.Q., chapter M-25.001) is amended by replacing the second paragraph by the following paragraph :

“The Minister of Regions shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

121. Section 32 of the said Act, amended by section 165 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“32. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

122. Section 20 of the Act respecting the Ministère des Relations avec les citoyens et de l’Immigration (R.S.Q., chapter M-25.01) is amended by replacing the second paragraph by the following paragraph :

“The Minister of Relations with the Citizens and Immigration shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

123. Section 25 of the said Act, amended by section 166 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“25. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

124. Section 35.4 of the Act respecting the Ministère des Relations internationales (R.S.Q., chapter M-25.1.1) is amended by replacing the second paragraph by the following paragraph :

“The Minister of International Relations shall keep the books of account of the funds and record the financial commitments chargeable to them. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

125. Section 35.8 of the said Act, amended by section 167 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“35.8. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the special funds, with the necessary modifications.”

126. Section 17.5 of the Act respecting the Ministère des Ressources naturelles (R.S.Q., chapter M-25.2) is amended by replacing the second paragraph by the following paragraph :

“The Minister of Natural Resources shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

127. Section 17.8 of the said Act, amended by section 168 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“17.8. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

128. Section 12.25 of the Act respecting the Ministère des Transports (R.S.Q., chapter M-28) is amended by replacing the second paragraph by the following paragraph :

“The Minister of Transport shall keep the books of account of the fund. The Minister shall also ensure that payments do not exceed the available balances.”

129. Section 12.27 of the said Act, amended by section 169 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“12.27. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

130. Section 12.33 of the said Act is amended by replacing the second paragraph by the following paragraph :

“The Minister of Transport shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

131. Section 12.37 of the said Act, amended by section 170 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“12.37. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

132. Section 3.34 of the Act respecting the Ministère du Conseil exécutif (R.S.Q., chapter M-30) is amended by replacing the second paragraph by the following paragraph :

“The Minister shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

133. Section 3.38 of the said Act, amended by section 171 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“**3.38.** Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

134. Section 31.1.3 of the Act respecting the Ministère du Revenu (R.S.Q., chapter M-31) is amended by replacing “under the fourth paragraph of section 13.1 of the Financial Administration Act (chapter A-6)” by “under section 35 of the Financial Administration Act (2000, chapter 15)”.

135. Section 69.1 of the said Act is amended

(1) by replacing subparagraph *a* of the second paragraph by the following subparagraph :

“(a) the Comptroller of Finance, in respect of the exercise of the powers referred to in sections 18 and 22 of the Act respecting the Ministère des Finances;”;

(2) by adding “and in respect of the exercise of the functions referred to in sections 26 and 33 to 36 of the Financial Administration Act” at the end of subparagraph *d* of the second paragraph.

136. Section 97.4 of the said Act is amended by replacing the second paragraph by the following paragraph :

“The Minister shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

137. Section 97.9 of the said Act, amended by section 173 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“**97.9.** Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the Fund, with the necessary modifications.”

138. Section 6.2 of the Act respecting labour standards (R.S.Q., chapter N-1.1) is amended by replacing “the provisions of section 29.1 of the Financial Administration Act (R.S.Q., chapter A-6)” in the second paragraph by “the provisions of sections 6 and 7 of the Financial Administration Act (2000, chapter 15)”.

139. Section 43 of the Act to facilitate the payment of support (R.S.Q., chapter P-2.2) is replaced by the following section :

“**43.** The sums making up the Fund shall be managed by the Minister. The Minister shall keep the books of account of the Fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

140. Section 44 of the said Act, amended by section 178 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“**44.** Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the Fund, with the necessary modifications.”

141. The Public Protector Act (R.S.Q., chapter P-32) is amended by inserting the following section before section 36 :

“**35.3.** The provisions of the Financial Administration Act (2000, chapter 15) applicable to budget-funded bodies, except sections 30 and 31, apply to the management of the financial resources of the Public Protector.”

142. Section 2.1 of the Act to promote the reform of the cadastre in Québec (R.S.Q., chapter R-3.1), amended by section 181 of the Public Administration Act (2000, chapter 8), is again amended by replacing the first paragraph by the following paragraph :

“**2.1.** The sums paid into the fund are subject to the provisions of sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) with the necessary modifications.”

143. Section 15 of the Act respecting government services to departments and public bodies (R.S.Q., chapter S-6.1) is amended by replacing the second paragraph by the following paragraph :

“The minister responsible for the administration of this Act shall keep the books of account of the funds and record the financial commitments chargeable to them. The minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

144. Section 19 of the said Act, amended by section 191 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“**19.** Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the funds, with the necessary modifications.”

145. Section 21.2 of the said Act is replaced by the following section :

“**21.2.** The minister responsible for the administration of this Act may, for the purpose of managing a special fund established under section 11, effect a transaction referred to in section 16 of the Financial Administration Act between the special fund and the consolidated revenue fund.

Sections 16 to 19 of that Act apply to such a transaction, with the necessary modifications.”

146. Section 246.37 of the Courts of Justice Act (R.S.Q., chapter T-16), amended by section 222 of the Public Administration Act (2000, chapter 8), is again amended by adding the following paragraph :

“Sections 30 and 31 of the said Act do not apply to the committee.”

147. Section 37 of the Auditor General Act (R.S.Q., chapter V-5.01) is amended by replacing “in accordance with Division VIII of the Financial Administration Act (chapter A-6)” by “in accordance with Chapter IX of the Financial Administration Act (2000, chapter 15)”.

148. Section 62 of the said Act is repealed.

149. The said Act is amended by inserting the following section after section 66 :

“**66.1.** The provisions of the Financial Administration Act (2000, chapter 15) applicable to budget-funded bodies, except sections 30 and 31, apply to the management of the financial resources of the Auditor General.”

150. Section 68 of the said Act is repealed.

151. Section 176 of the Act respecting assistance and compensation for victims of crime (1993, chapter 54) is amended by replacing the second paragraph by the following paragraph :

“The Minister of Justice shall keep the books of account of the fund and record the financial commitments chargeable to it. The Minister shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

152. Section 177 of the said Act, amended by section 228 of the Public Administration Act (2000, chapter 8), is replaced by the following section:

“**177.** Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the Fonds, with the necessary modifications.”

153. Section 6 of the Act to establish a disaster assistance fund for certain areas affected by the torrential rains of 19 and 20 July 1996 (1996, chapter 45) is amended by replacing the second paragraph by the following paragraph:

“The chair of the Conseil du trésor shall keep the books of account of the fund and record the financial commitments chargeable to it. The chair shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

154. Section 9 of the said Act, amended by section 230 of the Public Administration Act (2000, chapter 8), is replaced by the following section:

“**9.** Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

155. Section 6 of the Act to establish a fund in respect of the ice storm of 5 to 9 January 1998 (1998, chapter 9) is amended by replacing the second paragraph by the following paragraph:

“The chair of the Conseil du trésor shall keep the books of account of the fund and record the financial commitments chargeable to it. The chair shall also ensure that such commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

156. Section 9 of the said Act, amended by section 231 of the Public Administration Act (2000, chapter 8), is replaced by the following section:

“**9.** Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

157. Section 36 of the Act respecting the Ministère des Finances (1999, chapter 77) is amended by replacing “88 and 89” in the first line by “89 and 90”.

158. Section 40 of the Act respecting international financial centres (1999, chapter 86) is amended by replacing the second paragraph by the following paragraph:

“The Minister shall keep the books of account for and record the financial commitments chargeable against the fund. The Minister shall also ensure that the commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

159. Section 41 of the said Act is amended by replacing “established under section 69.1 of the Financial Administration Act (R.S.Q., chapter A-6)” by “established under the Act respecting the Ministère des Finances (1999, chapter 77)”.

160. Section 46 of the said Act, amended by section 238 of the Public Administration Act (2000, chapter 8), is replaced by the following section :

“**46.** The provisions of sections 20, 21, 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

161. Section 4 of the Act to establish the Québec Youth Fund (2000, chapter 14) is amended by replacing the second paragraph by the following paragraph :

“The minister responsible for the administration of this Act shall keep the books of account for and record the financial commitments chargeable against the fund. The minister shall also ensure that the commitments and the payments arising therefrom do not exceed and are consistent with the available balances.”

162. Section 8 of the said Act is replaced by the following section :

“**8.** Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (2000, chapter 15) apply to the fund, with the necessary modifications.”

CHAPTER XI

TRANSITIONAL AND FINAL PROVISIONS

163. Unless otherwise indicated by the context, a reference in any text or document, regardless of its form or medium, to the Financial Administration Act (R.S.Q., chapter A-6) is a reference to this Act.

164. Orders in council under sections 36.1 and 64 of the Financial Administration Act (R.S.Q., chapter A-6) that are in force on 15 June 2000 shall remain in force until they are replaced pursuant to this Act.

165. The financing fund established by section 24 of the Act respecting the Ministère des Finances (1999, chapter 77) shall continue the financing fund established by section 69.1 of the Financial Administration Act (R.S.Q., chapter A-6).

166. This Act replaces the Financial Administration Act.

167. The Minister of Finance is responsible for the administration of this Act.

168. The provisions of this Act come into force on the date or dates fixed by the Government.

SCHEDULE 1

BUDGET-FUNDED BODIES

Bureau d'audiences publiques sur l'environnement
Comité de déontologie policière
Comité de la rémunération des juges de la Cour du Québec et des cours municipales
Commission consultative de l'enseignement privé
Commission d'accès à l'information
Commission de la fonction publique
Commission de l'équité salariale
Commission de protection de la langue française
Commission de protection du territoire agricole du Québec
Commission de toponymie
Commission des biens culturels du Québec
Commission des droits de la personne et des droits de la jeunesse
Commission des transports du Québec
Commission d'évaluation de l'enseignement collégial
Commission municipale du Québec
Commission québécoise des libérations conditionnelles
Conseil consultatif du travail et de la main-d'œuvre
Conseil de la famille et de l'enfance
Conseil de la justice administrative
Conseil de la langue française
Conseil de la magistrature
Conseil de la santé et du bien-être
Conseil de la science et de la technologie
Conseil des aînés
Conseil des relations interculturelles
Conseil des services essentiels
Conseil du statut de la femme
Conseil médical du Québec
Conseil permanent de la jeunesse
Conseil supérieur de l'éducation
Coroners office
Health and Social Services Complaints Commissioner
Human Rights Tribunal
Inspector General of Financial Institutions
Office de la langue française
Office de la protection du consommateur
Office des personnes handicapées du Québec
Police Ethics Commissioner
Public Curator
Régie des alcools, des courses et des jeux
Régie des assurances agricoles du Québec
Régie des marchés agricoles et alimentaires du Québec
Régie du bâtiment du Québec
Régie du cinéma
Régie du logement
Société de la faune et des parcs du Québec

SCHEDULE 2

BODIES OTHER THAN BUDGET-FUNDED BODIES

Administrative Tribunal of Québec
Agence de l'efficacité énergétique
Agence métropolitaine de transport
Bibliothèque nationale du Québec
Bureau d'accréditation des pêcheurs et des aides-pêcheurs du Québec
Building Commissioner
Commission de la capitale nationale du Québec
Commission de reconnaissance des associations d'artistes et des associations de producteurs
Commission des lésions professionnelles
Commission des normes du travail
Commission des services juridiques
Commission des valeurs mobilières du Québec
Conseil des arts et des lettres du Québec
Corporation d'urgences-santé de la région de Montréal métropolitain
Fondation de la faune du Québec
Fonds d'aide aux recours collectifs
Fonds d'assurance-prêts agricoles et forestiers
Fonds de la recherche en santé du Québec
Fonds pour la formation de chercheurs et l'aide à la recherche
Grande bibliothèque du Québec
Héma-Québec
Institut de la statistique du Québec
Institut de police du Québec
Institut de tourisme et d'hôtellerie du Québec
Institut national de santé publique du Québec
Investissement-Québec
Kativik Environmental Advisory Committee
Kativik Environmental Quality Commission
Musée d'art contemporain de Montréal
Musée de la civilisation
Musée du Québec
Office de la sécurité du revenu des chasseurs et piégeurs cris
Office des professions du Québec
Parc technologique du Québec métropolitain
Régie de l'assurance-maladie du Québec
Régie de l'énergie
Régie des installations olympiques
Sidbec
Société d'habitation du Québec
Société de développement des entreprises culturelles
Société de financement agricole
Société de la Place des Arts de Montréal
Société de télédiffusion du Québec
Société des traversiers du Québec
Société d'investissement Jeunesse

Société du Centre des congrès de Québec
Société du Grand Théâtre de Québec
Société du Palais des congrès de Montréal
Société du parc industriel et portuaire de Bécancour
Société du parc industriel et portuaire Québec-Sud
Société immobilière du Québec
Société nationale de l'amiante
Société québécoise d'assainissement des eaux
Société québécoise de récupération et de recyclage
Société québécoise d'information juridique

SCHEDULE 3

GOVERNMENT ENTERPRISES

Centre de recherche industrielle du Québec
Commission de la santé et de la sécurité du travail
Corporation d'hébergement du Québec
Financement-Québec
Fonds d'indemnisation du courtage immobilier
Hydro-Québec
Immobilière SHQ
Loto-Québec
Régie de l'assurance-dépôt du Québec
Société de développement de la Baie James
Société de l'assurance automobile du Québec
Société des alcools du Québec
Société des établissements de plein air du Québec
Société générale de financement du Québec
Société Innovatech du Grand Montréal
Société Innovatech du Sud du Québec
Société Innovatech Québec et Chaudière - Appalaches
Société Innovatech Régions ressources