



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-SEVENTH LEGISLATURE

Bill 96
(2005, chapter 11)

An Act respecting the Ministère des Services gouvernementaux

Introduced 19 April 2005
Passage in principle 3 May 2005
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Assented to 8 June 2005

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EXPLANATORY NOTES

This bill creates the Ministère des Services gouvernementaux. To that end, the bill defines the mission of the department, which is to develop a variety of means to give citizens and businesses, as well as departments and government bodies, simplified access to quality services throughout Québec. The Minister is to pursue, in particular, optimal use of information and communications technologies while taking into consideration the choice of citizens regarding the mode of service delivery.

The bill also clarifies the Act respecting Services Québec, makes certain changes to the internal organization of Services Québec and transfers the functions of the chief information officer to the Minister of Government Services.

Lastly, the bill contains transitional and consequential provisions.

LEGISLATION AMENDED BY THIS BILL:

- Public Administration Act (R.S.Q., chapter A-6.01);
- Health Insurance Act (R.S.Q., chapter A-29);
- Executive Power Act (R.S.Q., chapter E-18);
- Act to secure the handicapped in the exercise of their rights with a view to achieving social, school and workplace integration (R.S.Q., chapter E-20.1);
- Government Departments Act (R.S.Q., chapter M-34);
- Act respecting Services Québec (2004, chapter 30).

Bill 96

AN ACT RESPECTING THE MINISTÈRE DES SERVICES GOUVERNEMENTAUX

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

RESPONSIBILITIES OF THE MINISTER

1. The Ministère des Services gouvernementaux is under the direction of the Minister of Government Services appointed under the Executive Power Act (R.S.Q., chapter E-18).

2. The mission of the Minister is to develop a variety of means to give citizens and businesses, as well as departments and government bodies, simplified access to quality services throughout Québec.

The Minister is to pursue optimal use of information and communications technologies in the delivery of public services while taking into consideration the choice of citizens regarding the mode of service delivery; the Minister is to support methods that foster an efficient and economical delivery of services.

In particular, the Minister is to encourage the development of leading-edge expertise giving government departments and bodies access to shared services that they would not reasonably be able to develop on their own.

3. The Minister is to develop and propose to the Government policies and guidelines designed, on the one hand, to upgrade delivery of services, making it easier for citizens and businesses to access them, and on the other, to make shared services available for government departments and bodies, thus contributing to the improvement of those services.

The Minister is to coordinate the implementation of government policies and guidelines that concern information resources or that are made under this Act, and ensure follow-up.

4. The Minister is also to ensure the development, implementation and deployment of the e-government initiative and the promotion and implementation of any measure furthering the adaptation of public services to e-government.

5. In the area of information resource management, the functions of the Minister include, more particularly, developing and proposing to the Conseil du trésor:

- (1) a global management strategy;
- (2) policies, management frameworks, standards, systems and investments to achieve optimal use of information and communications technologies with a view to information security.

The Minister is to give the Conseil du trésor advice on any question concerning information resources.

6. The functions of the Minister also include

- (1) coordinating the efforts of government departments and bodies to achieve an integrated approach to the delivery of services to citizens and businesses and a shared understanding of service quality standards;

- (2) facilitating the implementation of shared services for government departments and bodies where such an initiative answers a need for efficiency and profitability in the management of their human, financial, physical and information resources;

- (3) submitting to the Government proposals for standards applicable to the Government's signature and to the visual identification of the departments and bodies designated by the Government.

7. The functions of the Minister also include ensuring that the immovables and property required by government departments and bodies to deliver their services are made available to them.

8. In exercising the responsibilities of office, the Minister may, in particular:

- (1) enter into agreements with a person, association, partnership or body;
- (2) enter into agreements, subject to the applicable legislative provisions, with a government other than the Gouvernement du Québec, with a department or body of that government, or with an international organization or one of its agencies;
- (3) obtain from government departments and bodies the information required to prepare and follow up on policies and guidelines.

9. The Minister is also responsible for the administration of the Acts assigned to the Minister, and assumes any other responsibility conferred on the Minister by the Government.

CHAPTER II

ORGANIZATION OF THE DEPARTMENT

10. The Government appoints a person as Deputy Minister of Government Services, in accordance with the Public Service Act (R.S.Q., chapter F-3.1.1).

11. Under the direction of the Minister, the Deputy Minister administers the department.

The Deputy Minister, in addition, exercises any other function assigned by the Minister or the Government.

12. In the exercise of deputy-ministerial functions, the Deputy Minister has the authority of the Minister.

13. The Deputy Minister may, in writing and to the extent indicated, delegate the exercise of deputy-ministerial functions under this Act to a public servant or employee.

In the instrument of delegation, the Deputy Minister may authorize the subdelegation of the functions indicated. The public servant or employee to whom the functions may be subdelegated is to be identified by the Deputy Minister.

14. The personnel of the department consists of the public servants necessary to carry on the functions of the Minister; they are appointed in accordance with the Public Service Act.

The Minister is to determine the duties of the public servants to the extent that they are not determined by law or by the Government.

15. The signature of the Minister or Deputy Minister gives authority to any document emanating from the department.

A deed, document or writing is binding on the Minister or may be attributed to the Minister only if it is signed by the Minister, the Deputy Minister, a member of the personnel of the department or an employee and, in the last two cases, only so far as determined by the Government.

16. The Government may allow a signature to be affixed by an automatic device or electronic process, subject to the conditions it determines.

The Government may allow a facsimile of a signature to be engraved, lithographed or printed, subject to the conditions it determines. Except in the cases prescribed by the Government, the facsimile must be authenticated by the countersignature of a person authorized by the Minister.

17. A document or copy of a document emanating from the department or forming part of its records, signed or certified true by a person referred to in the second paragraph of section 15, is authentic.

18. An intelligible transcription of a decision or other data stored by the department on a computer or any other medium is a document of the department and is proof of its contents if certified true by a person referred to in the second paragraph of section 15.

19. The Minister must table an annual management report in the National Assembly within four months of the end of the fiscal year or, if the Assembly is not sitting, within 15 days of resumption.

CHAPTER III

AMENDING AND TRANSITIONAL PROVISIONS

20. Sections 66.1, 66.2 and 66.3 of the Public Administration Act (R.S.Q., chapter A-6.01), enacted by section 52 of chapter 30 of the statutes of 2004, are repealed.

21. Section 77 of the Act is amended

(1) by striking out paragraphs 7 and 8;

(2) by replacing “, physical and information” at the end of paragraph 12 by “and physical”.

22. Section 65 of the Health Insurance Act (R.S.Q., chapter A-29), amended by section 62 of chapter 11 of the statutes of 2004, is again amended by inserting “, Services Québec” after “travail” in the last line of the sixth paragraph.

23. Section 4 of the Executive Power Act (R.S.Q., chapter E-18), amended by section 147 of chapter 29 of the statutes of 2003, is again amended by adding the following subparagraph at the end of the first paragraph:

“(36) A Minister of Government Services.”

24. Section 6.1 of the Act to secure the handicapped in the exercise of their rights with a view to achieving social, school and workplace integration (R.S.Q., chapter E-20.1), enacted by section 6 of chapter 31 of the statutes of 2004, is amended by inserting “, the Deputy Minister of Government Services” after “Services” in the fifth line.

25. Section 1 of the Government Departments Act (R.S.Q., chapter M-34), amended by section 153 of chapter 29 of the statutes of 2003, is again amended by adding the following paragraph at the end:

“(36) The Ministère des Services gouvernementaux.”

26. Section 6 of the Act respecting Services Québec (2004, chapter 30) is amended by adding the following paragraph at the end:

“The National Assembly and persons appointed or designated by the National Assembly to exercise a function under its authority are not public bodies.”

27. Section 19 of the Act is amended

(1) by replacing subparagraph 2 of the first paragraph by the following subparagraph:

“(2) a person designated by the Minister.”;

(2) by replacing “chief information officer” in the first and second lines of the second paragraph by “person designated by the Minister”.

28. Section 20 of the Act is amended by replacing “chief information officer” in the second and third lines of the first paragraph by “person designated by the Minister”.

29. Section 23 of the Act is amended by inserting “du conseil” after “vice-président” in the first line of the second paragraph of the French text.

30. Section 24 of the Act is amended

(1) by replacing the second sentence by the following sentence: “The president and director general is assisted in the exercise of those functions by one or more vice-chairs appointed by the Government in the number it determines for a term of not more than five years.”;

(2) by adding the following paragraph:

“The president and director general and the vice-chair or vice-chairs of Services Québec exercise their functions on a full-time basis.”

31. The Act is amended by inserting the following section after section 38:

“38.1. The Government determines the remuneration, employment benefits and other conditions of employment of the vice-chair or vice-chairs of Services Québec.”

32. Section 54 of the Act is amended

(1) by inserting “and the Minister of Government Services” after “Immigration” in the second line;

(2) by striking out “par celui-ci” in the second line of the French text.

33. Section 55 of the Act is amended

(1) by replacing “on” in the third line by “or the Minister of Government Services before”;

(2) by striking out “*preceding the date*” in the fourth line.

34. Section 56 of the Act is amended by inserting “or the Minister of Government Services” after “Immigration” in the third line.

35. Section 60 of the Act is replaced by the following section:

“**60.** The Minister of Government Services is responsible for the administration of this Act.”

36. This Act comes into force on 8 June 2005.