



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 44
(2024, chapter 16)

**An Act to amend mainly the Act
respecting the Ministère de
l'Économie et de l'Innovation
with respect to research**

**Introduced 7 February 2024
Passed in principle 20 February 2024
Passed 9 May 2024
Assented to 9 May 2024**

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EXPLANATORY NOTES

This Act updates the Act respecting the Ministère de l'Économie et de l'Innovation as regards research and innovation. To that end, it integrates into that Act various provisions of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie and makes certain amendments to those provisions.

The Act confers on the Minister of Economy, Innovation and Energy the duty to develop and implement a research and innovation strategy and updates the provisions relating to the appointment and functions of the chief scientist.

The Act establishes the Fonds de recherche du Québec and provides for the amalgamation, within that fund, of Québec's three research funds established by the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie. It states that the Fund's main mission is to financially support the development of scientific research and to promote the training of the next generation in research. It specifies the functions of and confers various powers on the Fund.

The Act establishes the Fund's organizational and operational rules, including those relating to the composition of its board of directors and to the development and implementation of financial support programs. It provides for the appointment of three scientific directors whose function is to see to the proper operation of the Fund with regard to the research sector to which each of them is attached. It also sets out rules relating to the Fund's financing, accounts and reports.

The Act transfers, to the Act respecting the Ministère de l'Économie et de l'Innovation, the provisions of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie that relate to the Commission de l'éthique en science et en technologie.

Lastly, the Act contains consequential amendments and transitional measures.

LEGISLATION AMENDED BY THIS ACT:

- Financial Administration Act (chapter A-6.001);
- Health Insurance Act (chapter A-29);
- Act respecting the governance of state-owned enterprises (chapter G-1.02);
- Act respecting the Ministère de l'Économie et de l'Innovation (chapter M-14.1);
- Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1);
- Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2);
- Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001);
- Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2);
- Act respecting the Government and Public Employees Retirement Plan (chapter R-10);
- Act respecting the Civil Service Superannuation Plan (chapter R-12);
- Act respecting the Pension Plan of Management Personnel (chapter R-12.1);
- Act respecting health services and social services (chapter S-4.2);
- Act to make the health and social services system more effective (2023, chapter 34).

REGULATIONS AMENDED BY THIS ACT:

- Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5);
- Regulation respecting the Taxation Act (chapter I-3, r. 1).

Bill 44

AN ACT TO AMEND MAINLY THE ACT RESPECTING THE MINISTÈRE DE L'ÉCONOMIE ET DE L'INNOVATION WITH RESPECT TO RESEARCH

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

CHAPTER I

ACT RESPECTING THE MINISTÈRE DE L'ÉCONOMIE ET DE L'INNOVATION

1. Section 3 of the Act respecting the Ministère de l'Économie et de l'Innovation (chapter M-14.1) is amended by adding the following paragraph at the end:

“The Minister develops and proposes to the Government a research and innovation strategy. The Minister coordinates and follows up on the implementation of the strategy.”

2. The Act is amended by inserting the following chapters after section 22:

“CHAPTER II.1

“CHIEF SCIENTIST

“**22.1.** The Government appoints, for a term not exceeding five years, a person as chief scientist; the chief scientist exercises the functions conferred by section 22.2 with the independence they require.

The chief scientist is chosen from among at least three persons approved by a committee following a selection process established by the Government. The committee is to be composed of at least three members appointed by the Government, the majority of whom are from a public research institution or a higher education institution.

The selection process does not apply to a chief scientist whose term is renewed. However, within six months prior to the expiry of the chief scientist's term, the board of directors of the Fonds de recherche du Québec established under section 22.5 carries out an evaluation of the chief scientist with regard to the exercise of the latter's functions as president and chief executive officer

of the Fonds de recherche du Québec, conferred by section 22.3, and sends it to the Minister, along with the recommendations the board considers relevant as concerns the renewal of the chief scientist's term.

The Government determines the chief scientist's remuneration, employee benefits and other conditions of employment.

“22.2. The chief scientist advises the Minister on the development of research and science and on scientific diplomacy on the local, regional, national and international levels. The chief scientist also advises the other members of the Conseil exécutif on any scientific matter that could inform public policies, and gives scientific opinions. The chief scientist exercises those functions in accordance with the mandate given to him or her by the Minister.

The chief scientist promotes bringing science and society closer together as well as maintaining ethics and responsible conduct in research. The chief scientist works to ensure Québec's position and influence elsewhere in Canada and abroad.

“22.3. The chief scientist is, by virtue of office, the president and chief executive officer of the Fonds de recherche du Québec.

The office of chief scientist is a full-time position.

“22.4. If the chief scientist is absent or unable to act, the board of directors of the Fonds de recherche du Québec may designate one of the scientific directors appointed under section 22.26 or another officer of that fund to temporarily exercise the functions of the fund's president and chief executive officer.

“CHAPTER II.2

“FONDS DE RECHERCHE DU QUÉBEC

“DIVISION I

“ESTABLISHMENT AND MISSION

“22.5. The Fonds de recherche du Québec (the Fund) is established.

“22.6. The Fund is a legal person and a mandatary of the State.

The Fund's property forms part of the domain of the State, but the performance of its obligations may be levied against its property.

The Fund binds none but itself when it acts in its own name.

“22.7. The Fund's head office is at the place determined by the Government.

The Fund may establish offices at the places it determines.

“22.8. The mission of the Fund is to support the strategic and coherent development of scientific research in Québec in the following research sectors:

(1) “nature and technologies”, including, in particular, natural sciences, mathematical sciences, technologies, engineering and environmental sciences;

(2) “health”, including, in particular, medical and clinical sciences, epidemiology, public health, health services and, more generally, sustainable health; and

(3) “society and culture”, including, in particular, social and human sciences, education sciences, management sciences as well as arts and letters.

The mission of the Fund is also to promote the training of the next generation in research and excellence in research in order to contribute to the advancement of knowledge and to the development of solutions to the societal challenges that Québec faces. It contributes to society’s sustainable development and builds on the principles of social innovation. It helps increase, with regard to each of the sectors, the influence of science and its results in Québec, elsewhere in Canada and abroad.

“DIVISION II

“FUNCTIONS AND POWERS

“22.9. The functions of the Fund are

(1) to promote and provide financial support for

(a) investigator-initiated, basic or applied research in the research sectors referred to in section 22.8 within public research institutions and higher education institutions;

(b) the dissemination of knowledge in all fields; and

(c) the training of researchers through the granting of achievement bursaries to college and university students and to persons who engage in postdoctoral research, and through the granting of professional development bursaries to persons who wish to re-enter the research community;

(d) intersectoral research activities;

(2) to support the coordination of research initiatives conducted within government departments and bodies and the management of calls for projects resulting from those initiatives; and

(3) to create any necessary partnership, in particular with the universities, colleges, industry, government departments and public and private bodies concerned, both nationally and internationally.

“22.10. In exercising its functions, the Fund must contribute to supporting and enhancing research and science in French.

“22.11. At the beginning of each fiscal year and not later than the date fixed by the Minister, the Fund must send a plan setting out the actions planned for that year to the Minister for approval.

The plan must indicate separately the amounts determined for administration expenses and the amounts determined for each of the financial support programs.

The plan must also indicate separately, for the part of the budget envelope that comes from the appropriations granted to the Minister by Parliament for the Fund, the sums to be allocated to each of the research sectors referred to in section 22.8, determined based on a distribution that takes into account the specific characteristics of each of the sectors while seeking to maintain stable proportionality for each sector’s financing.

The plan must provide that preponderance is to be given to financial assistance programs in support of investigator-initiated research.

“22.12. The Fund may, within the scope of its strategic plan and on the conditions the Government determines, grant financial support by way of grants and bursaries.

“22.13. Every financial support program must determine

- (1) the form and content of financial support applications, the information they must contain and the documents that must accompany them;
- (2) the terms and conditions for granting financial support and the criteria for assessing financial support applications; and
- (3) the scales and limits of the financial support.

The elements referred to in subparagraphs 2 and 3 of the first paragraph are subject to approval by the Minister.

“22.14. The Fund may form committees responsible for assessing financial support applications addressed to it.

The members of the committees are entitled, to the extent and on the conditions determined by the Government, to remuneration in the form of an allowance for attendance at meetings of the committees and to the reimbursement of reasonable expenses incurred by them in the exercise of their functions.

However, the committee members who are from the public bodies referred to in section 3 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1) are not entitled to an attendance allowance.

“22.15. The Fund may, in accordance with the law, enter into an agreement with a government other than the Gouvernement du Québec, a department of such a government, an international organization, or a body of such a government or organization, for the purpose of carrying out its functions.

The Fund may, for the same purpose, enter into an agreement with a department or a body of the Gouvernement du Québec, as well as with any person, partnership or body, and participate in joint projects with them.

“22.16. The Fund must establish a policy for examining and dealing with complaints addressed to it about operations related to its activities.

“22.17. In addition to exercising the functions provided for in this division, the Fund implements the financial support programs entrusted to it by another Act or, with the authorization of the Government and on the conditions the Government determines, the financial support programs entrusted to it by a government department or a public body. The Fund then exercises its functions in accordance with this division, with the necessary modifications.

“22.18. The Fund gives its opinion on any matter in its area of competence that is submitted to it by the Minister, and attaches to it, if applicable, any recommendations it considers appropriate.

“22.19. Unless authorized by the Government, the Fund is prohibited

(1) from contracting a loan that increases its total outstanding borrowings to more than the amount determined by the Government; and

(2) from entering into a contract for a term or an amount exceeding that determined by the Government.

The Fund is also prohibited from acquiring an immovable.

“22.20. The Fund may receive gifts, legacies, subsidies or other contributions, provided that any conditions attached are compatible with the fulfilment of its mission.

“DIVISION III

“ORGANIZATION AND OPERATION

“§1. — *Board of directors*

“22.21. The Fund is administered by a board of directors composed of 15 to 19 members appointed by the Government, including the chair of the board and the president and chief executive officer. The members of the board, other than the chair and the president and chief executive officer, include

(1) at least three persons from each of the research sectors referred to in section 22.8; and

(2) at least one student enrolled in a higher education program of studies in an educational institution in Québec from each of the research sectors referred to in section 22.8.

A member of the personnel of the Ministère de l'Économie et de l'Innovation designated by the Minister and a member of the personnel of the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie designated by the minister responsible for that government department take part in the meetings of the board as observers but are not entitled to vote.

“22.22. Any vacancy on the board of directors is filled in accordance with the rules of appointment to the board.

Absence from a number of board meetings determined by the Fund's by-laws constitutes a vacancy, in the cases and circumstances specified in the by-laws.

“22.23. The board of directors may hold its meetings anywhere in Québec.

A quorum at meetings of the board is the majority of its members, including the chair of the board or the president and chief executive officer.

“22.24. The minutes of the meetings of the board of directors, approved by the board and certified true by the chair of the board, the president and chief executive officer or any other person authorized for that purpose by the by-laws, are authentic. The same applies to documents and copies of documents emanating from the Fund or forming part of its records, if they are so signed or certified.

“22.25. No deed, document or writing binds the Fund unless it is signed by the chair of the board of directors, the president and chief executive officer, a scientific director or a member of the Fund's personnel and, in the latter two cases, only to the extent determined by the Fund's by-laws.

The by-laws may provide for subdelegation of the power to sign documents, and determine particulars as to how it is to be exercised.

Unless otherwise provided in the by-laws, a signature may be affixed on a document by any means, including any information technology-based process.

A by-law made under this section is published in the *Gazette officielle du Québec*.

“§2.— *Scientific directors and personnel members*

“22.26. The Government appoints, on the recommendation of the board of directors, three scientific directors from a public research institution or a higher education institution, one for each of the research sectors referred to in section 22.8, to assist the president and chief executive officer.

Each scientific director sees to the proper operation of the Fund with regard to the research sector for which he or she has been appointed.

If the board of directors refuses or neglects to make the recommendations provided for in the first paragraph, the Government may appoint the scientific directors after the Minister has notified the members of the board.

The scientific directors are appointed for a renewable term of up to five years. At the expiry of their terms of office, they remain in office until they are replaced or reappointed.

Within six months prior to the expiry of a scientific director's term, the board of directors includes with the recommendation provided for in the first paragraph an evaluation of the scientific director.

The Government determines the scientific directors' remuneration, employee benefits and other conditions of employment. The office of scientific director is a full-time position.

“22.27. The members of the Fund's personnel are appointed according to the staffing plan established by the board of directors.

Subject to the provisions of a collective agreement, the Fund determines the standards and scales of remuneration, employee benefits and other conditions of employment of the members of its personnel in accordance with the conditions defined by the Government.

“§3. — Advisory scientific committees

“22.28. The Fund establishes an advisory scientific committee for each of the research sectors referred to in section 22.8.

Each committee is composed of 10 to 15 members appointed by the Fund for a non-renewable term of up to three years.

A majority of the members must be from a public research institution or a higher education institution and have experience relevant to the sector to which the committee is attached. At least one of the members must be from a college-level educational institution.

The Fund must see to it that each committee is composed of a professionally, institutionally and regionally diverse membership.

Each committee is chaired by the scientific director of the sector to which it is attached.

“22.29. The advisory scientific committees give opinions and make recommendations to the Fund on active or emerging areas of research, on financial assistance programs and on the development of its strategic planning.

The scientific committees also give opinions and make recommendations to the Fund on any specific matter related to its mission that it submits to them.

“DIVISION IV

“FINANCIAL PROVISIONS, ACCOUNTS AND REPORTS

“22.30. The Government may, on the conditions it determines,

(1) guarantee any loan contracted by the Fund as well as the performance of any of the Fund’s obligations; and

(2) authorize the Minister of Finance to advance to the Fund any amount considered necessary for the exercise of its functions.

The sums required for the purposes of this section are taken out of the Consolidated Revenue Fund.

“22.31. The Fund’s fiscal year ends on 31 March.

“22.32. Not later than 31 July each year, the Fund must transmit to the Minister an annual management report for the preceding fiscal year.

The report must, in particular and in addition to the information the Minister may prescribe, contain a progress report on the strategic plan. It must give an account of the sectoral budgets and be made public annually on the Fund’s website.

“22.33. The Minister tables the Fund’s annual report in the National Assembly within 30 days after receiving it or, if it is not sitting, within 30 days after resumption.

“22.34. The Fund’s books and accounts are audited every year by the Auditor General and whenever so ordered by the Government.

The auditor’s report must accompany the Fund’s annual management report.

“DIVISION V

“PENAL PROVISIONS

“22.35. Anyone who gives false or misleading information to obtain, or to procure for another, financial support provided for in Division II of this chapter is liable to a fine of not more than \$5,000.

Where a legal person commits an offence referred to in the first paragraph, every director or representative of the legal person who was aware of the offence is deemed to be a party to the offence and is liable to a fine of not more than \$5,000, unless the director or representative proves to the satisfaction of the court that he or she did not acquiesce to the commission of the offence.

“22.36. No one who is found guilty of an offence under section 22.35 or an offence under section 380 of the Criminal Code (Revised Statutes of Canada, 1985, chapter C-46) in connection with financial support referred to in Division II of this chapter may obtain such financial support during the two-year period after the finding of guilt.

“CHAPTER II.3

“COMMISSION DE L’ÉTHIQUE EN SCIENCE ET EN TECHNOLOGIE

“DIVISION I

“ESTABLISHMENT AND ORGANIZATION

“22.37. The Commission de l’éthique en science et en technologie is established.

“22.38. The secretariat of the Commission is located at the place determined by the Government. Notice of the location or any change of location of the secretariat is published in the *Gazette officielle du Québec*.

“22.39. The Commission is composed of 13 members, including a president, appointed by the Government. The members must possess expertise in ethics and be from the university and industrial research communities in the fields of social and human sciences, natural sciences, engineering and biomedical sciences and from the ethics community, the practice communities and civil society.

The Government may appoint an observer at the Commission; the observer participates in meetings of the Commission but is not entitled to vote.

“22.40. The members of the Commission, including the president, are appointed for not more than three years.

The term of office of the members may be renewed consecutively only once. At the expiry of their terms of office, the members remain in office until they are replaced or reappointed.

“22.41. Any vacancy occurring during the term of office of the members of the Commission is filled in accordance with the mode of appointment prescribed in section 22.39.

Absence from a number of meetings determined by the by-laws of the Commission constitutes a vacancy in the cases and circumstances specified in the by-laws.

“22.42. The president manages the Commission and supervises its personnel.

The Government determines the remuneration, employee benefits and other conditions of employment of the president.

“22.43. Members of the Commission other than the president are not remunerated, except in the cases, on the conditions and to the extent determined by the Government. They are, however, entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

“22.44. The meetings of the Commission and any committee of the Commission are held in camera. The Commission may invite other persons to take part in one of its meetings, or a meeting of any of its committees.

The Commission may hold its meetings anywhere in Québec.

Six members are a quorum at meetings of the Commission.

In the case of a tie vote, the president has a casting vote.

“22.45. The personnel members of the Commission are appointed in accordance with the Public Service Act (chapter F-3.1.1).

“DIVISION II

“FUNCTIONS AND POWERS

“22.46. The function of the Commission is to advise the Minister on any matter relating to ethical issues in the areas of science and technology. A further function of the Commission is to promote reflection on those issues.

“22.47. In performing its functions, the Commission gives the Minister its opinion on any matter the Minister submits to it relating to ethical issues in the areas of science and technology. The Commission may also take the initiative of submitting advisory opinions to the Minister or making recommendations on any matter within its purview.

Moreover, it must communicate its findings and conclusions to the Minister.

After giving the Minister reasonable notice, the Commission may make public its advisory opinions, recommendations, findings and conclusions.

“22.48. The Commission may establish committees for the proper conduct of its work. At the request of the Minister, it must form working groups to examine particular matters.

The members of committees and working groups are not remunerated, except in the cases, on the conditions and to the extent determined by the Government. They are, however, entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.

“22.49. The Commission must adopt by-laws in accordance with the principles set out in the Act respecting the governance of state-owned enterprises (chapter G-1.02).

“22.50. Not later than 31 July each year, the Commission submits to the Minister an activity report for the preceding fiscal year.

The Minister tables the report in the National Assembly within 30 days of receiving it or, if the Assembly is not sitting, within 30 days of resumption.”

CHAPTER II

OTHER AMENDING PROVISIONS

FINANCIAL ADMINISTRATION ACT

3. Schedule 2 to the Financial Administration Act (chapter A-6.001) is amended

(1) by striking out “Québec Research Fund–Health”, “Québec Research Fund–Nature and Technology” and “Québec Research Fund–Society and Culture”;

(2) by inserting “Fonds de recherche du Québec” in alphabetical order.

HEALTH INSURANCE ACT

4. Section 96 of the Health Insurance Act (chapter A-29) is amended by replacing “Québec Research Fund–Health” in the introductory clause by “Fonds de recherche du Québec”.

ACT RESPECTING THE GOVERNANCE OF STATE-OWNED ENTERPRISES

5. Schedule I to the Act respecting the governance of state-owned enterprises (chapter G-1.02) is amended

(1) by striking out “Fonds de recherche du Québec—Nature et technologies”, “Fonds de recherche du Québec—Santé” and “Fonds de recherche du Québec—Société et culture”;

(2) by inserting “Fonds de recherche du Québec” in alphabetical order.

ACT RESPECTING THE MINISTÈRE DE L'ENSEIGNEMENT
SUPÉRIEUR, DE LA RECHERCHE, DE LA SCIENCE ET DE
LA TECHNOLOGIE

- 6.** Section 3 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1) is amended by striking out the second sentence of the first paragraph.
- 7.** Division II of Chapter III of the Act, comprising sections 21 to 63, is repealed.
- 8.** Chapter IV of the Act, comprising sections 64 to 77, becomes Chapter II.3 of the Act respecting the Ministère de l'Économie et de l'Innovation (chapter M-14.1), comprising sections 22.37 to 22.50, subject to the necessary changes in numbering.

ACT RESPECTING THE MINISTÈRE DU DÉVELOPPEMENT
DURABLE, DE L'ENVIRONNEMENT ET DES PARCS

- 9.** Section 15.0.2 of the Act respecting the Ministère du Développement durable, de l'Environnement et des Parcs (chapter M-30.001) is amended by replacing “section 26 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1)” in the first paragraph by “section 22.1 of the Act respecting the Ministère de l'Économie et de l'Innovation (chapter M-14.1)”.

ACT RESPECTING THE MINISTÈRE DE LA SANTÉ ET DES
SERVICES SOCIAUX

- 10.** Section 11.1 of the Act respecting the Ministère de la Santé et des Services sociaux (chapter M-19.2) is amended by replacing “Québec Research Fund–Health” by “Fonds de recherche du Québec”.

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

- 11.** Schedule C to the Act respecting the process of negotiation of the collective agreements in the public and parapublic sectors (chapter R-8.2) is amended
- (1) by striking out “Québec Research Fund–Health”, “Québec Research Fund–Nature and Technology” and “Québec Research Fund–Society and Culture”;
- (2) by inserting “The Fonds de recherche du Québec” in alphabetical order.

ACT RESPECTING THE GOVERNMENT AND PUBLIC
EMPLOYEES RETIREMENT PLAN

12. Schedule I to the Act respecting the Government and Public Employees Retirement Plan (chapter R-10) is amended, in paragraph 1,

(1) by striking out “Québec Research Fund–Health”, “Québec Research Fund–Nature and Technology” and “Québec Research Fund–Society and Culture”;

(2) by inserting “Fonds de recherche du Québec” in alphabetical order.

ACT RESPECTING THE CIVIL SERVICE SUPERANNUATION
PLAN

13. Schedule II to the Act respecting the Civil Service Superannuation Plan (chapter R-12) is amended by replacing “the Québec Research Fund–Health” in paragraphs 1 and 4 by “the Fonds de recherche du Québec”, inserted in alphabetical order.

ACT RESPECTING THE PENSION PLAN OF MANAGEMENT
PERSONNEL

14. Schedule II to the Act respecting the Pension Plan of Management Personnel (chapter R-12.1) is amended, in paragraph 1,

(1) by striking out “Québec Research Fund–Health”, “Québec Research Fund–Nature and Technology” and “Québec Research Fund–Society and Culture”;

(2) by inserting “Fonds de recherche du Québec” in alphabetical order.

ACT RESPECTING HEALTH SERVICES AND SOCIAL SERVICES

15. Section 88 of the Act respecting health services and social services (chapter S-4.2) is amended by replacing “Québec Research Fund–Health established by the Act respecting the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1)” by “Fonds de recherche du Québec established by the Act respecting the Ministère de l’Économie et de l’Innovation (chapter M-14.1)”.

16. Sections 89, 90, 117, 436.6 and 436.8 of the Act are amended by replacing all occurrences of “Québec Research Fund–Health” by “Fonds de recherche du Québec”.

ACT TO MAKE THE HEALTH AND SOCIAL SERVICES SYSTEM MORE EFFECTIVE

17. Section 426 of the Act to make the health and social services system more effective (2023, chapter 34) is amended by replacing “Québec Research Fund–Health established by the Act respecting the Ministère de l’Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1)” in subparagraph 5 of the first paragraph by “Fonds de recherche du Québec established by the Act respecting the Ministère de l’Économie et de l’Innovation (chapter M-14.1)”.

18. Section 427 of the Act is amended by replacing subparagraph 3 of the first paragraph by the following subparagraph:

“(3) it manages a research centre or structure recognized by the Fonds de recherche du Québec;”.

19. Section 429 of the Act is amended by replacing “Québec Research Fund–Health” by “Fonds de recherche du Québec”.

REGULATION RESPECTING THE APPLICATION OF THE HEALTH INSURANCE ACT

20. Sections 50 and 53 to 55 of the Regulation respecting the application of the Health Insurance Act (chapter A-29, r. 5) are amended by replacing all occurrences of “Québec Research Fund–Health” by “Fonds de recherche du Québec”.

REGULATION RESPECTING THE TAXATION ACT

21. Section 1029.8.1R4 of the Regulation respecting the Taxation Act (chapter I-3, r. 1) is amended by replacing paragraph *e* by the following paragraph:

“(e) the Fonds de recherche du Québec;”.

CHAPTER III

TRANSITIONAL AND FINAL PROVISIONS

22. The Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture are amalgamated on the date of coming into force of section 22.5 of the Act respecting the Ministère de l’Économie et de l’Innovation (chapter M-14.1), enacted by section 2.

As of that date, those legal persons are continued within the Fonds de recherche du Québec established by section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2, and their patrimonies are joined to form that of the Fund.

23. The rights and obligations of the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture become rights and obligations of the Fonds de recherche du Québec and the latter becomes, without continuance of suit, a party to any proceedings to which any of those legal persons was a party.

24. The chief scientist in office on the date preceding the date of coming into force of section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2, continues in office on the same conditions, for the unexpired portion of the term of office, until replaced or reappointed in accordance with section 22.1 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2.

25. The decisions relating to the chief scientist made by the Minister of Economy and Innovation or by the Government under the powers and prerogatives devolved to them continue to have effect until their object is attained or until they are amended by the competent authority.

26. The terms of office of the members of the boards of directors of the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture, including those of the observers, end on the date preceding the date of coming into force of section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2, without compensation.

27. The scientific director of the Fonds de recherche du Québec–Nature et technologies, the scientific director of the Fonds de recherche du Québec–Santé and the scientific director of the Fonds de recherche du Québec–Société et culture who are in office on the date preceding the date of coming into force of section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2, continue in office on the same conditions, for the unexpired portion of their term of office, as scientific directors of the Fonds de recherche du Québec for the research sector corresponding to the sector to which they were attached, until they are replaced or reappointed in accordance with section 22.26 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2.

28. The members of the personnel of the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture who are in office on the date preceding the date of coming into force of section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2, become, without further formality, members of the personnel of the Fonds de recherche du Québec.

Their conditions of employment continue to apply until they are modified by the Fund.

29. The provisions of section 3.1 of the Act respecting the governance of state-owned enterprises (chapter G-1.02) regarding the expertise and experience profiles of the members of the board of directors of the Fonds de recherche du Québec other than the board's chair and the president and chief executive officer do not apply to the appointment of the first members of the Fund's board of directors.

However, when appointing those members, the Government must make sure that, collectively, the board members have the expertise and experience specified in the expertise and experience profiles determined by the board of directors of each of the research funds amalgamated under section 22, and that at least one of the board members is a member of the Ordre des comptables professionnels agréés du Québec.

30. The president and chief executive officer of the Fonds de recherche du Québec exercises the powers of the Fund's board of directors until the first board of directors is established.

31. The records, archives and other documents of the Fonds de recherche du Québec – Nature et technologies, the Fonds de recherche du Québec – Santé and the Fonds de recherche du Québec – Société et culture become records, archives and other documents of the Fonds de recherche du Québec.

32. The strategic plans of the Fonds de recherche du Québec – Nature et technologies, the Fonds de recherche du Québec – Santé and the Fonds de recherche du Québec – Société et culture are, with the necessary modifications, applicable to the Fonds de recherche du Québec until they are replaced by the first strategic plan of the Fonds de recherche du Québec.

33. The directives, policies or other decisions made regarding the Fonds de recherche du Québec – Nature et technologies, the Fonds de recherche du Québec – Santé and the Fonds de recherche du Québec – Société et culture by the Government or the Conseil du trésor under the powers or prerogatives devolved to them continue to have effect with regard to the Fonds de recherche du Québec until their object is attained or until they are repealed or amended by the competent authority.

34. The 2022-2027 Québec Research and Innovation Investment Strategy is deemed to be a strategy drawn up under the fourth paragraph of section 3 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 1.

35. The policy for examining and dealing with complaints established under section 48 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie (chapter M-15.1.0.1) continues to apply until it is amended or replaced by a policy established under section 22.16 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2.

36. The Règlement sur la délégation de signature de certains actes, documents et écrits du Fonds de recherche du Québec–Nature et technologies (chapter M-15.1.0.1, r. 1, French only), the Règlement numéro 5 sur la délégation de signature de certains actes, documents et écrits du Fonds de recherche du Québec–Santé (chapter M-15.1.0.1, r. 2, French only) and the Règlement sur la délégation de signature de certains actes, documents et écrits du Fonds de recherche du Québec–Société et culture (chapter M-15.1.0.1, r. 3, French only) continue to apply, with the necessary modifications, until they are replaced by a regulation made under section 22.25 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2.

37. Unless the context indicates otherwise, in any document other than an Act or a regulation, a reference to any of sections 21 to 77 of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie is a reference to the corresponding provision of the Act respecting the Ministère de l'Économie et de l'Innovation, as amended by this Act, and a reference to the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé or the Fonds de recherche du Québec–Société et culture is a reference to the Fonds de recherche du Québec.

38. The fiscal year of the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture begun on 1 April 2023 ends on the date preceding the date of coming into force of section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2.

The last audit of the books and accounts of the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture by the Auditor General covers the period determined in the first paragraph.

The Fonds de recherche du Québec produces and submits to the Minister of Economy and Innovation, not later than six months after the date of coming into force of section 22.5 of the Act respecting the Ministère de l'Économie et de l'Innovation, enacted by section 2, the last annual management report and the last financial statements of the Fonds de recherche du Québec–Nature et technologies, the Fonds de recherche du Québec–Santé and the Fonds de recherche du Québec–Société et culture provided for in sections 58 and 60, respectively, of the Act respecting the Ministère de l'Enseignement supérieur, de la Recherche, de la Science et de la Technologie.

The Minister tables the annual report of each fund in the National Assembly within 30 days after receiving it or, if the Assembly is not sitting, within 30 days of resumption.

This section has effect since 31 March 2024. It applies despite any incompatible provision.

39. This Act comes into force on 1 June 2024.

