

AM 1
s. 1 (57.1.8)

Bill 1

**An Act respecting the inspector general
of Ville de Montréal**

Section 1

AMENDMENT:

In proposed section 57.1.8, replace "oversee" in the second paragraph and "oversees" in the fourth paragraph by "verify" and "shall verify" respectively.

Adopte

Bill 1

**An Act respecting the inspector general
of Ville de Montréal**

Section 1

AMENDMENT:

In proposed section 57.1.2, replace paragraph 1 by:

(1) have been a member of the Barreau du Québec or the Chambre des notaires du Québec for at least 10 years, provided that disciplinary action has not been or is not being taken against the person; and

Adopté

Bill 1

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Section 1

AMENDMENT:

In proposed section 57.1.3, replace paragraph 1 by:

(1) a member of a council of the city or the council of a reconstituted municipality, or a former member of any of those councils, in the latter case before the expiry of 12 months following the end of that member's term of office;

Adopté

Bill 1

**An Act respecting the inspector general
of Ville de Montréal**

Section 1

AMENDMENT:

Replace proposed section 57.1.4 by

"57.1.4. The inspector general is appointed for a non-renewable five-year term and shall remain in office until a successor is appointed.

Adopté

Bill 1

**An Act respecting the inspector general
of Ville de Montréal**

Section 1

AMENDMENT:

In the second paragraph of proposed section 57.1.15, replace "The demotion" by
"In particular, the demotion".

Adopté

Bill 1

**An Act respecting the inspector general
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Section 1

AMENDMENT:

In proposed section 57.1.10,

- (1) replace the second paragraph by:

The inspector general's decision must include reasons and be sent immediately to the clerk and the mayor of the city. If the decision concerns the contract of a legal person referred to in the first paragraph, it must be sent immediately to the secretary of the legal person.

- (2) insert the following paragraph after the second paragraph:

On receipt of the decision, the clerk shall immediately send it to the contracting party concerned.

Adopté
[Signature]

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Section 1

AMENDMENT:

In proposed section 57.1.18, add the following paragraph:

In addition, the inspector general shall send the Autorité des marchés financiers any information that may be relevant to its mandate under Chapter V. 2 of the Act respecting contracting by public bodies (chapter C-65.1).

Adopté


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Section 1

AMENDMENT:

In proposed section 57.1.23,

- (1) replace "August" in the first paragraph by "March";
- (2) insert "and the Autorité des marchés financiers" after "Commissioner" in the first paragraph;
- (3) insert "and the clerk" after "send the mayor" in the second paragraph.

Adopte

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Section 1

AMENDMENT:

Replace the last sentence of proposed section 57.1.14 by: "Within the scope of his or her mandate, the inspector general may nonetheless communicate the identity of such persons to the police service of the city or to the Anti-Corruption Commissioner."

Adopté

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Section 1

AMENDMENT:

Replace proposed section 57.1.19 by

"57.1.19. For the purposes of his or her mandate, the inspector general may designate, in writing, an assistant from among his or her personnel.

Only a person who meets the requirements set out in sections 57.1.2 and 57.1.3 may be designated as an assistant.

The designation is valid for a period of not more than five years and is non-renewable.

The assistant shall perform the duties of office exclusively and on a full-time basis.

The assistant has the same powers and rights as the inspector general and is subject to the same obligations.

In addition, the inspector general may designate, in writing, a person from among his or her personnel to perform the following duties:

- (1) the duties set out in the first and third paragraphs of section 57.1.8;
- (2) the verification of the implementation of the measures adopted under the second paragraph of section 57.1.8;
- (3) the duties set out in section 57.1.9.

In the performance of his or her duties, a person designated under the sixth paragraph is subject to the same obligations as the inspector general.

Adopté

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Section 1

AMENDMENT:

In proposed section 57.1.20, replace "conflict between the inspector general's personal interest and his or her duties of office" by "conflict between the inspector general's or his or her assistant's personal interest and their respective duties of office".

Adopté

Bill 1

**An Act respecting the inspector general
of Ville de Montréal**

Section 1

AMENDMENT:

In proposed section 57.1.13,

- (1) replace the first paragraph by

Adopté
"57.1.13. Any person may communicate any information to the inspector general that is relevant to the inspector general's mandate, except information regarding the health of a person or any of the following:

Adopté
(1) information regarding the existence of an order whose publication is deferred under the Executive Power Act (chapter E-18) or the order itself;

Adopté
(2) information regarding the existence of a decision resulting from the deliberations of the Conseil exécutif or the decision itself, information regarding the existence of a decision resulting from the deliberations of one of the cabinet committees of the Conseil exécutif or the decision itself, or information regarding the existence of a decision of the Conseil du trésor or the decision itself, before the expiry of 25 years from the date of the decision;

Adopté
(3) information regarding the existence of information which, if disclosed, would reveal a budget policy of the Government before it is made public by the Minister of Finance or the information itself;

Adopté
(4) a legal opinion concerning the application of the law to a particular case, or the constitutionality or validity of legislative or regulatory provisions, or a preliminary or final draft of a bill or regulation;

Adopté
(5) a study, if its disclosure might well affect the outcome of judicial proceedings, unless those proceedings concern parties other than the Government, the Conseil exécutif, the Conseil du trésor, the government departments, and the persons, agencies and bodies referred to or described in the second and third paragraphs of section 3 or in section 4 of the Act respecting Access to documents held by public bodies and the Protection of personal information (chapter A-2.1);

Adopté
(6) a communication from the Conseil exécutif to one of its members, the Conseil du trésor or a cabinet committee, before the expiry of 25 years from the date of the communication;

Adopté
(7) a communication from a member of the Conseil exécutif to another member of the Conseil exécutif, before the expiry of 25 years from the date of the communication;

Adopté
(8) a recommendation from the Conseil du trésor or a cabinet committee to the Conseil exécutif, before the expiry of 25 years from the date of the recommendation;

Adopté
(9) a recommendation from a member of the Conseil exécutif to the Conseil exécutif, the Conseil du trésor or a cabinet committee, before the expiry of 25 years from the date of the recommendation;

Adopté
(10) a study made within the Ministère du Conseil exécutif or the secretariat of the Conseil du trésor regarding a recommendation or request made by a minister, a cabinet committee or a public body, or regarding a preliminary or final draft of a bill or regulation, before the expiry of 25 years from the date of the study;

Adopté
(11) a record or report of the deliberations of the Conseil exécutif or a cabinet committee, before the expiry of 25 years from the date of the record or report;

Adopté
(12) a list of titles of documents containing recommendations to the Conseil exécutif or the Conseil du trésor, before the expiry of 25 years from the date of the list;

Adopté
(13) the agenda of a meeting of the Conseil exécutif, the Conseil du trésor or a cabinet committee, before the expiry of 25 years from the date of the agenda;

Adopté
(14) a document from the office of a Member of the National Assembly or a document produced for that Member by the services of the Assembly, unless the member deems it expedient to send the document himself or herself or request that it be sent;

Adopté
(15) a document from the office of the President of the Assembly or of a Member of the Assembly referred to in the first paragraph of section 124.1 of the Act respecting the National Assembly (chapter A-23.1) or a minister to which section 11.5 of the Executive Power Act (chapter E-18) applies;

Supprimé
(16) ~~a document from the office staff or office of a member of a school~~
body;

Adopte

(17) a preliminary or final draft of a bill or regulation, other than a draft by-law of the city or of a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 of this Act, before the expiry of 10 years from the date of the draft;

Adopte

(18) a study directly relating to a document referred to in subparagraph 16, other than a draft by-law of the city or of a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 of this Act, unless the draft bill has been tabled in the National Assembly or the draft regulation has been made public in accordance with the law;

Adopte

(19) an opinion or recommendation issued or made less than 10 years earlier by a member of a public body or of its personnel in the discharge of his or her duties, or issued or made less than 10 years earlier, at the request of a public body, by a consultant or an adviser on a matter within its jurisdiction, unless the opinion or recommendation emanates from the city or from a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 of this Act or unless it is prepared at the request of the city or the legal person;

Adopte

(20) an opinion or recommendation issued or made by an agency under the jurisdiction of a public body to a public body, or issued or made by an agency under the authority of a minister to the minister, if no final decision on the subject matter of the opinion or recommendation has been made public by the authority having jurisdiction and if the opinion or recommendation does not emanate from the city or from a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 of this Act or has not been prepared at the request of the city or the legal person;

Adopte

(21) a study prepared in connection with a recommendation made in the course of a decision-making process, until a decision is made on the recommendation or, if no decision is made, until five years have elapsed from the date the study was made, and if the study does not emanate from the city or from a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 of this Act; or

Adopte

(22) information regarding the existence of information or the information itself, if the information does not emanate from the city or from a legal person described in subparagraph 1 of the fifth paragraph of section 57.1.9 of this Act and if its disclosure would be likely to

- (a) hamper an audit in progress;
- (b) reveal an auditing program or operation plan;
- (c) reveal a confidential source of information regarding an audit; or,

(d) seriously impair the power of appraisal granted to the Auditor General pursuant to sections 38, 39, 40, 42, 43, 43.1 and 45 of the Auditor General Act (chapter V-5.01).

(2) strike out the last paragraph.

Adopt
