



NATIONAL ASSEMBLY

FIRST SESSION

THIRTY-NINTH LEGISLATURE

Bill 6

An Act to establish a seniors caregiver support fund

Introduction

**Introduced by
Madam Marguerite Blais
Minister responsible for Seniors**

**Québec Official Publisher
2009**

EXPLANATORY NOTES

This bill provides for the establishment of a seniors caregiver support fund. The purpose of the fund is to give support to caregivers who provide unpaid in-home care and regular assistance to seniors with a significant or persistent disability that may compromise their ability to continue living at home.

The fund will be dedicated to the financing of activities, projects and initiatives designed to help provide, increase and diversify respite services for caregivers, provide assistance and individual, community or social support services for caregivers, give effective and continuous support to persons or local communities that work with caregivers and provide caregiver training and education services. The fund will also be used to support innovation and the acquisition and transfer of knowledge in the area of caregiver support.

The bill also contains measures governing the constitution and management of the fund.

Bill 6

AN ACT TO ESTABLISH A SENIORS CAREGIVER SUPPORT FUND

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. A seniors caregiver support fund is established at the Ministère de la Famille et des Aînés.

The purpose of the fund is to give support to caregivers who provide unpaid in-home care and regular assistance to seniors with a significant or persistent disability that may compromise their ability to continue living at home.

2. The fund is dedicated to the financing of activities, projects and initiatives to help

- (1) provide, increase and diversify respite services for caregivers;
- (2) provide assistance and individual, community or social support services for caregivers;
- (3) give effective and continuous support to persons or local communities who work with caregivers;
- (4) provide caregiver training and education services; and
- (5) support innovation and the acquisition and transfer of knowledge in the area of caregiver support.

Only activities, projects and initiatives that do not come under regular programs established or approved by the Government may be financed by the fund.

3. The Government sets the date on which the fund begins to operate and determines its assets and liabilities and the nature of the costs that may be charged to it.

4. The fund is made up of

- (1) the sums paid into it by the Minister of Revenue under section 6;
- (2) the sums paid into it by a minister out of the appropriations granted for that purpose by Parliament;
- (3) the gifts, legacies and other contributions paid into it to further the achievement of the purpose of the fund;
- (4) the sums paid into it by the Minister of Finance under sections 7 and 8; and
- (5) the interest earned on bank balances in proportion to the sums referred to in paragraphs 1 and 3.

5. The management of the sums making up the fund is entrusted to the Minister of Finance. The sums are paid to the order of the Minister of Finance and deposited with the financial institutions designated by the Minister of Finance.

The Minister responsible for Seniors keeps the books of account of the fund and records the financial commitments chargeable to it. The Minister also ensures that the commitments and the payments arising from them do not exceed the available balances and are consistent with them.

The particulars of the management of the fund are determined by the Conseil du trésor.

6. On the dates and in the manner determined by the Government, the Minister of Revenue pays into the fund part of the proceeds of the tobacco tax collected under the Tobacco Tax Act (R.S.Q., chapter I-2) for a total amount of \$15,000,000 per year.

7. The Minister of Finance may, with the authorization of the Government and subject to the conditions it determines, advance to the fund sums taken out of the consolidated revenue fund.

Conversely, subject to the conditions determined by the Minister of Finance, that minister may advance to the consolidated revenue fund on a short-term basis any part of the sums making up the fund that is not required for its operation.

Any sum advanced to a fund is repayable out of that fund.

8. The Minister responsible for Seniors, as manager of the fund, may borrow sums from the Minister of Finance out of the financing fund of the Ministère des Finances.

9. The sums required for the following purposes are taken out of the fund:

(1) the payment of subsidies or contributions by the Minister responsible for Seniors to the Société de gestion pour le soutien aux proches aidants des aînés or to any other body for the purposes set out in sections 1 and 2;

(2) the payment of 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 the activities related to the fund; and

(3) the payment of any expense necessary for carrying out the functions entrusted to the Minister responsible for Seniors by this Act.

10. Sections 20, 21 and 26 to 28, Chapters IV and VI and sections 89 and 90 of the Financial Administration Act (R.S.Q., chapter A-6.001) apply to the fund, with the necessary modifications.

11. Despite any provision to the contrary, the Minister of Finance must, in the event of a deficiency in the consolidated revenue fund, pay out of the seniors caregiver support fund the sums required for the execution of a judgment against the State that has become *res judicata*.

12. The fiscal year of the fund ends on 31 March.

13. For every fiscal year, the Minister responsible for Seniors tables a report on the activities of the fund in the National Assembly.

14. The Minister responsible for Seniors is responsible for the administration of this Act.

15. The provisions of this Act cease to have effect on the date or dates to be set by the Government, which may not be prior to 1 April 2019.

Any sum remaining in the fund on the date section 1 ceases to have effect is paid into the consolidated revenue fund and appropriated, in the manner established by the Government, to the funding of such complementary measures consistent with the purpose of the seniors caregiver support fund as are determined by the Government.

16. This Act comes into force on (*insert the date of assent to this Act*).

