



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-FIFTH LEGISLATURE

Bill 411

**An Act to amend the Act respecting the
Société de la Place des Arts de Montréal
and the Act respecting the Société du
Grand Théâtre de Québec**

Introduction

**Introduced by
Madam Louise Beaudoin
Minister of Culture and Communications**

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EXPLANATORY NOTES

This bill amends the Act respecting the Société de la Place des Arts de Montréal and the Act respecting the Société du Grand Théâtre de Québec. The same amendments are made to both Acts.

Under the bill, the mode of appointment of the members of the boards of directors of the two corporations is changed to provide for prior consultation with socio-economic and cultural bodies.

The bill confers on each corporation the mandate to operate a business for the diffusion of the performing arts and to administer the establishment under its control and any other establishment whose management is entrusted to it by the Government. The activities of each corporation shall be conducted, more specifically, so as to provide a residence for major artistic organizations, improve access to the various types of performing arts, and promote arts and culture in Québec.

The bill authorizes each corporation to produce, co-produce or present public performances of artistic works originating in Québec or elsewhere, and to organize activities designed to develop public awareness and increase attendance. Each corporation may also offer particular services to artistic organizations and producers, establish an operating policy in this regard, and acquire specialized technical equipment to meet the specific needs of artistic organizations and producers.

Under the bill, each organization will be required to seek the Minister's approval for its three-year development plan, which must take into account the guidelines and objectives indicated by the Minister.

Lastly, the bill contains a transitional provision and harmonizes vocabulary with that of the Civil Code of Québec.

Bill 411

AN ACT TO AMEND THE ACT RESPECTING THE SOCIÉTÉ DE LA PLACE DES ARTS DE MONTRÉAL AND THE ACT RESPECTING THE SOCIÉTÉ DU GRAND THÉÂTRE DE QUÉBEC

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. Section 2 of the Act respecting the Société de la Place des Arts de Montréal (R.S.Q., chapter S-11.03) is replaced by the following :

“2. The Corporation is a legal person.”

2. Section 4 of the said Act is amended by replacing “appointed by the Government; three of the members, excluding the chairman, are appointed upon the recommendation of the Communauté urbaine de Montréal” in the second, third and fourth lines by “, including a chairman, appointed by the Government after consultation with socio-economic and cultural bodies”.

3. Section 5 of the said Act is replaced by the following :

“5. The members of the board of the Corporation shall receive no remuneration, except in such cases, on such conditions and to such extent as may be determined by the Government. They shall, however, be entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.”

4. Section 10 of the said Act is amended by striking out “temporarily” in the first line.

5. Section 19 of the said Act is amended

(1) by replacing “of the Corporation or by the secretary” in the second and third lines of the first paragraph by “or by any other person so authorized by the Corporation”;

(2) by replacing “the secretary” in the second line of the second paragraph by “such a person”.

6. Section 20 of the said Act is replaced by the following :

“20. The objects of the Corporation are to operate a business for the diffusion of the performing arts, and to administer the Place des Arts de Montréal and any other establishment whose management is entrusted to it by the Government.

The activities of the Corporation shall be conducted, more specifically, so as to provide a residence for major artistic organizations, improve access to the various types of performing arts, and promote arts and culture in Québec.

“20.1. The Corporation may, in particular, in pursuing its objects,

(1) produce, co-produce or present public performances of artistic works originating in Québec or elsewhere;

(2) organize activities designed to develop public awareness and increase attendance;

(3) offer particular services to artistic organizations and producers, and establish an operating policy in this regard;

(4) acquire specialized technical equipment to meet the specific needs of artistic organizations and producers;

(5) enter into agreements and take part in joint projects with any other person or body;

(6) enter into agreements according to law with a government other than the Government of Québec, a department of such a government, an international organization or an agency of such a government or organization;

(7) receive gifts, bequests, grants and other contributions, provided that any conditions attaching thereto are compatible with the pursuit of its objects;

(8) establish advisory committees.

The members of a committee established under subparagraph 8 of the first paragraph shall receive no remuneration, except in such cases, on such conditions and to such extent as may be determined by the Government. They shall, however, be entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.”

7. Section 21 of the said Act is amended

(1) by replacing paragraph 3 by the following:

“(3) acquire or dispose of shares, stock or assets of a legal person;”;

(2) by striking out paragraph 6.

8. Section 22 of the said Act is repealed.

9. Section 26 of the said Act is replaced by the following:

“26. The Corporation must, on the date fixed by the Minister, file a three-year development plan. The plan must take into account the guidelines and objectives indicated by the Minister.

The plan must be drawn up in the form determined by the Minister, and contain the information required by the Minister.

The plan requires the approval of the Minister.”

10. Section 27 of the said Act is amended by replacing “three” in the first line of the first paragraph by “four”.

11. Section 32 of the said Act is replaced by the following:

“32. The Corporation shall finance its activities out of the amounts it receives and the appropriations granted to it annually for that purpose by Parliament. Any surplus amount shall remain with the Corporation, unless the Government decides otherwise.”

12. Section 2 of the Act respecting the Société du Grand Théâtre de Québec (R.S.Q., chapter S-14.01) is replaced by the following:

“2. The Corporation is a legal person.”

13. Section 4 of the said Act is amended by replacing “appointed by the Government; three of the members, excluding the chairman, are appointed upon the recommendation of the Communauté urbaine de Québec” in the second, third and fourth lines by “, including a chairman, appointed by the Government after consultation with socio-economic and cultural bodies”.

14. Section 5 of the said Act is replaced by the following:

“5. The members of the board of the Corporation shall receive no remuneration, except in such cases, on such conditions and to such extent as may be determined by the Government. They shall, however, be entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.”

15. Section 10 of the said Act is amended by striking out “temporarily” in the first line.

16. Section 19 of the said Act is amended

(1) by replacing “of the Corporation or by the secretary” in the second line of the first paragraph by “or by any other person so authorized by the Corporation”;

(2) by replacing “the secretary” in the second line of the second paragraph by “such a person”.

17. Section 20 of the said Act is replaced by the following :

“20. The objects of the Corporation are to operate a business for the diffusion of the performing arts, and to administer the Grand Théâtre de Québec and any other establishment whose management is entrusted to it by the Government.

The activities of the Corporation shall be conducted, more specifically, so as to provide a residence for major artistic organizations, improve access to the various types of performing arts, and promote arts and culture in Québec.

“20.1. The Corporation may, in particular, in pursuing its objects,

(1) produce, co-produce or present public performances of artistic works originating in Québec or elsewhere;

(2) organize activities designed to develop public awareness and increase attendance ;

(3) offer particular services to artistic organizations and producers, and establish an operating policy in this regard ;

(4) acquire specialized technical equipment to meet the specific needs of artistic organizations and producers ;

(5) enter into agreements and take part in joint projects with any other person or body ;

(6) enter into agreements according to law with a government other than the Government of Québec, a department of such a government, an international organization or an agency of such a government or organization ;

(7) receive gifts, bequests, grants and other contributions, provided that any conditions attaching thereto are compatible with the pursuit of its objects ;

(8) establish advisory committees.

The members of a committee established under subparagraph 8 of the first paragraph shall receive no remuneration, except in such cases, on such conditions and to such extent as may be determined by the Government. They shall, however, be entitled to the reimbursement of expenses incurred in the exercise of their functions, on the conditions and to the extent determined by the Government.”

18. Section 21 of the said Act is amended

(1) by replacing paragraph 3 by the following:

“(3) acquire or dispose of shares, stock or assets of a legal person;”;

(2) by striking out paragraph 6.

19. Section 22 of the said Act is repealed.

20. Section 26 of the said Act is replaced by the following:

“26. The Corporation must, on the date fixed by the Minister, file a three-year development plan. The plan must take into account the guidelines and objectives indicated by the Minister.

The plan must be drawn up in the form determined by the Minister, and contain the information required by the Minister.

The plan requires the approval of the Minister.”

21. Section 27 of the said Act is amended by replacing “three” in the first line of the first paragraph by “four”.

22. Section 32 of the said Act is replaced by the following:

“32. The Corporation shall finance its activities out of the amounts it receives and the appropriations granted to it annually for that purpose by Parliament. Any surplus amount shall remain with the Corporation, unless the Government decides otherwise.”

23. The members of the boards of directors of the Société de la Place des Arts de Montréal and the Société du Grand Théâtre de Québec in office on *(insert here the date of the day preceding the date of assent to this Act)* are deemed to have been appointed in accordance with the new provisions introduced by sections 2 and 13 of this Act.

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