



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 153

**An Act to amend the Act respecting
the Ministère du Conseil exécutif as
regards ethics**

Introduction

**Introduced by
Mr Joseph Facal
Minister responsible for Administration and the Public
Service, Chair of the Conseil du trésor**

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EXPLANATORY NOTE

This bill requires government agencies and government corporations to establish a code of ethics and professional conduct for their employees who are not public servants. If no such code is established, the standards of ethics and discipline established under the Public Service Act will apply.

Bill 153

AN ACT TO AMEND THE ACT RESPECTING THE MINISTÈRE DU CONSEIL EXÉCUTIF AS REGARDS ETHICS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS :

1. The Act respecting the Ministère du Conseil exécutif (R.S.Q., chapter M-30) is amended by inserting the following section after the heading of subdivision 4 of Division I.1 :

“3.0.4.1. The members of the board of directors of, or members of, a government agency or government corporation referred to in subparagraph 1 of the second paragraph of section 3.0.1 must, in respect of the members of their personnel not referred to in that subparagraph and not appointed in accordance with the Public Service Act (chapter F-3.1.1), adopt a code of ethics and professional conduct applicable to them.

If an agency fails to adopt such a code, the members of the personnel shall be governed by the standards of ethics and discipline prescribed in sections 4 to 12 of the Public Service Act and in the regulations under that Act, with the necessary modifications and subject to any inconsistent legislative provision.

The provisions of subparagraphs 1 to 3, 5 and 6 of the first paragraph of section 3.0.2 apply, with the necessary modifications, to the codes adopted under this section.”

2. In the case of a government agency or government corporation constituted after (*insert here the date of assent to this Act*) and to which section 3.0.4.1 of the Act respecting the Ministère du Conseil exécutif, enacted by section 1, applies, the second paragraph of that section 3.0.4.1 applies only on the expiry of one year following the constitution of the agency or corporation.

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

However, the second paragraph of section 3.0.4.1 of the Act respecting the Ministère du Conseil exécutif, enacted by section 1, comes into force on (*insert here the date that is one year after the date of assent to this Act*).