

chapter C-8

ACT RESPECTING THE CENTRE DE RECHERCHE INDUSTRIELLE DU QUÉBEC

*Chapter C-8 is replaced by the Act respecting the Centre de recherche industrielle du Québec (chapter C-8.1).
(1997, c. 29, s. 41).
1997, c. 29, s. 41.*

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REPEAL SCHEDULE

DIVISION I

CONSTITUTION AND COMPOSITION OF THE CENTRE

1. A body, hereinafter called “the Centre”, is constituted under the name of “Centre de recherche industrielle du Québec”.

1969, c. 62, s. 1.

2. The Centre shall be a corporation within the meaning of the Civil Code of Lower Canada and shall have the general powers of such a corporation, with such special powers as are assigned to it by this Act.

1969, c. 62, s. 2.

3. The corporate seat of the Centre shall be in the territory of Ville de Québec or in the immediate vicinity.

The Centre may hold its sittings at any place in Québec.

1969, c. 62, s. 3; 1996, c. 2, s. 105.

4. The Centre shall consist of a general manager and fourteen other members appointed by the Government after consultation with the most representative bodies in the fields of science and industry. Except in the case of the first appointments, the members shall also be consulted.

1969, c. 62, s. 4; 1983, c. 23, s. 103; 1985, c. 21, s. 97; 1988, c. 41, s. 44.

5. The salary of the general manager shall be fixed by the Government. The other members shall receive no salary but shall be indemnified, in accordance with the standards determined for such purpose by the Government, for their expenses in attending the meetings of the members of the Centre and of the executive committee.

The members, except for the general manager and those governed by the Public Service Act (chapter F-3.1.1), shall also receive an attendance allowance fixed by the Government.

1969, c. 62, s. 5; 1978, c. 15, s. 140; 1983, c. 55, s. 161.

6. The term of office of the general manager is not over five years, and that of the other members is not over three years.

1969, c. 62, s. 6; 1982, c. 7, s. 1.

7. The term of office of the members other than the general manager shall not be renewed consecutively more than once.

1969, c. 62, s. 7.

8. The members of the Centre shall remain in office, notwithstanding the expiry of their term of office, until reappointed or replaced.

Except in the case of the general manager, any vacancy occurring during a term of office shall be filled for the unexpired portion of the term of the member to be replaced.

1969, c. 62, s. 8.

9. If the general manager is unable to act by reason of absence or illness, he may be replaced by a person appointed to perform his duties while he is unable to act, by the Government which shall fix his fees.

1969, c. 62, s. 9.

10. *The president of the Centre shall be appointed from among its members by the Government.*

1969, c. 62, s. 10.

11. *The secretary and the other functionaries and employees of the Centre shall be appointed and remunerated in accordance with the staff requirements, standards and scales established by regulation of the Centre. The regulation comes into force only after being approved by the Government.*

The secretary and the functionaries and employees of the Centre who are not employees within the meaning of the Labour Code shall not be dismissed except in accordance with section 33 of the Public Service Act (chapter F-3.1.1).

1969, c. 62, s. 11; 1978, c. 15, s. 140; 1982, c. 7, s. 2; 1983, c. 55, s. 161.

12. *Under pain of forfeiture of his office, the general manager of the Centre shall not have any direct or indirect interest in an undertaking that puts his personal interest in conflict with that of the Centre.*

Such forfeiture shall not be incurred, however, if such interest devolves to him by succession or gift and he renounces or disposes of it with all possible dispatch.

Any other member of the Centre who has, directly or indirectly, any interest in a contract or draft contract with the Centre must, under pain of forfeiture of his office, reveal his interest to the other members forthwith, and he shall not vote on such contract or draft contract.

1969, c. 62, s. 12.

13. *The general manager shall devote his time exclusively to the work of the Centre and the duties of his office.*

1969, c. 62, s. 13.

14. *The general manager shall be responsible for the administration of the Centre within the scope of the regulations of the Centre.*

1969, c. 62, s. 14.

15. *The Centre may make regulations for*

- (a) its internal management;*
- (b) the establishment and powers of an executive committee;*
- (c) defining the duties and powers of its employees;*
- (d) the purposes of section 14.*

1969, c. 62, s. 15; 1982, c. 7, s. 3.

16. *The minutes of the sittings of the Centre, approved by it and certified by the secretary or by any other functionary of the Centre designated by the regulations made for such purpose by the Centre, shall be authentic; the same shall apply to documents and copies emanating from the Centre or forming part of its records, when so certified.*

1969, c. 62, s. 16.

DIVISION II

FUNCTIONS AND POWERS OF THE CENTRE

17. The objects of the Centre shall be:

- (a) research in applied science carried out either in its own laboratories or in those of other research centres;*
- (b) the perfecting of industrial or scientific products, processes and equipment;*
- (c) the gathering and diffusion of technological and industrial information and data.*

1969, c. 62, s. 17.

18. In addition to the other powers assigned to it under this Act, the Centre may:

- (a) borrow money on its credit by any method recognized by law, and especially by bills of exchange, notes or other negotiable instruments;*
- (b) hypothecate its movable and immovable property or encumber it with another charge to secure the payment of its loans or the carrying out of its obligations;*
- (c) issue bonds or other titles of indebtedness or securities and sell, exchange or hypothecate the same;*
- (d) (paragraph repealed);*
- (e) acquire, possess, lease, hold, administer and alienate movable and immovable property by all legal methods and under any title;*
- (f) invest its funds in any manner deemed suitable, either in its own name or in the name of trustees;*
- (g) enter according to law into an agreement with any government, governmental department or governmental agency;*
- (h) enter into a contract with any person to participate in research;*
- (i) dispose of patents which it has acquired or permit them to be used.*

1969, c. 62, s. 18; 1982, c. 7, s. 4; 1992, c. 57, s. 462.

18.1. The Centre shall not, without the authorization of the Minister of Industry, Trade, Science and Technology, enter into any purchase contract or contract for services entailing an obligation for the Centre to pay an amount in excess of the amount determined by the Government.

1982, c. 7, s. 5; 1984, c. 36, s. 44; 1988, c. 41, s. 45; 1990, c. 25, s. 1; 1994, c. 16, s. 51.

19. The Centre shall not, without the authorization of the Government,

- (a) contract a loan which would raise the total of the amounts borrowed by it and not yet repaid to an amount in excess of the amount determined by the Government;*
- (b) acquire stocks or shares of any corporation.*

1969, c. 62, s. 19; 1982, c. 7, s. 6; 1990, c. 25, s. 2.

20. *The Centre shall not acquire a majority interest in the shares of any other corporation, or carry on commercial undertakings.*

1969, c. 62, s. 20.

21. *The expenditures of the Centre shall, in a proportion of not less than 90 % of its revenues, be made solely for scientific research carried out directly by it or carried out on its behalf, except in the case of payments made for scientific research to any association, university, college or research institution with which it has entered into a contract in accordance with paragraph h of section 18.*

1969, c. 62, s. 21; 1990, c. 25, s. 3.

22. *The Centre may receive and accept any grant, gift, legacy or contribution.*

Without the authorization of the Government, it shall not however accept any grant, gift or contribution to which charges or conditions are attached, except from the Gouvernement du Québec.

1969, c. 62, s. 22; 1977, c. 5, s. 14.

23. *The inventions, discoveries, improvements, processes and equipment made by a person within the scope of a contract of lease and hire of services which binds such person with the Centre shall be the property of the Centre, unless the contract otherwise provides.*

1969, c. 62, s. 23.

24. *With the approval of the Government, the Centre may pay the members of its scientific staff or its technicians an additional remuneration established according to the results of their research.*

1969, c. 62, s. 24.

DIVISION III

FINAL PROVISIONS

25. *The Government shall pay to the Centre a sum not in excess of \$155 000 000 during the period from 1 April 1990 to 31 March 1995.*

The sum shall be paid in several payments in the amounts and on the conditions determined by the Government. The total amount of the payments for the whole period shall not be less than \$100 000 000, excluding the debt service.

1969, c. 62, s. 25; 1970, c. 52, s. 1; 1976, c. 34, s. 1; 1982, c. 7, s. 7; 1985, c. 33, s. 1; 1990, c. 25, s. 4.

25.1. *The Government, on the conditions it determines, may guarantee the payment in capital and interest of any borrowing by the Centre as well as the performance of any other obligation thereof.*

The sums which the Government may be required to pay to the Centre pursuant to such guarantees are taken out of the consolidated revenue fund.

1985, c. 33, s. 1.

26. *The fiscal year of the Centre shall end on the 31st of March each year.*

1969, c. 62, s. 26.

26.1. *The Minister of Industry, Trade, Science and Technology may within the scope of the powers and responsibilities vested in him issue directives on the objectives and goals of the Centre in carrying out its statutory powers.*

The directives must be submitted to the Government for approval. If it approves them, they bind the Centre and it must observe them.

Every directive issued pursuant to this section must be tabled before the National Assembly, if it is in session, within 15 days of its approval by the Government. If the directive is issued while the National Assembly is not sitting, the directive must be tabled before it within 15 days of the opening of the next session or, as the case may be, within 15 days of resumption.

1982, c. 7, s. 8; 1982, c. 62, s. 143; 1983, c. 23, s. 104; 1984, c. 36, s. 44; 1985, c. 21, s. 97; 1988, c. 41, s. 46; 1994, c. 16, s. 51.

27. *Not later than 30 June in each year, the Centre shall submit to the Minister of Industry, Trade, Science and Technology a report on its activities for its previous fiscal year. Such report shall also contain all the information which such Minister may prescribe.*

The Centre shall also furnish the Minister with any information on its operations which he shall require.

1969, c. 62, s. 27; 1979, c. 77, s. 27; 1984, c. 36, s. 44; 1988, c. 41, s. 47; 1994, c. 16, s. 51.

28. *The books and accounts of the Centre shall be audited by the Auditor General each year and also whenever so ordered by the Government. His reports shall accompany the annual report of the Centre.*

1969, c. 62, s. 28; 1970, c. 17, s. 102.

29. *The Minister of Industry, Trade, Science and Technology shall have charge of the carrying out of this Act.*

1969, c. 62, s. 29; 1979, c. 77, s. 27; 1984, c. 36, s. 44; 1988, c. 41, s. 48; 1994, c. 16, s. 51.



The Minister for Industry and Trade exercises, under the authority of the Minister of State for the Economy and Finance, the functions with respect to the administration of this Act. O.C. 119-96 of 96.01.29 (1996) 128 G.O. 2, 1508.

30. *(This section ceased to have effect on 17 April 1987).*

1982, c. 21, s. 1; U. K., 1982, c. 11, Sch. B, Part I, s. 33.

REPEAL SCHEDULE

In accordance with section 17 of the Act respecting the consolidation of the statutes (chapter R-3), chapter 62 of the statutes of 1969, in force on 31 December 1977, is repealed, except section 31, effective from the coming into force of chapter C-8 of the Revised Statutes.

