

SUSTAINABLE DEVELOPMENT ACT A fundamental law for Québec

The *Sustainable Development Act*, assented to on April 19, 2006, establishes a **new management framework** for all ministries, agencies and enterprises of the Government of Québec. This common framework will enable them to integrate sustainable development more fully into the exercise of their powers and responsibilities.

The *Act* provides a **definition** of “sustainable development” for Québec and identifies **16 principles** to be taken into account by the public administration in its actions. It also entrusts the Minister of Sustainable Development, Environment and Parks with the responsibility of **coordinating government action** and **promoting sustainable development** within the government and Québec society.

The law maps out how the **Government’s results-oriented sustainable development strategy** is to be carried out and identifies **rigorous mechanisms for monitoring** the actions taken to achieve the objectives of this strategy.

WHAT IS “SUSTAINABLE DEVELOPMENT”?

Sustainable development is a kind of “development that meets the needs of the present without compromising the ability of future generations to meet their own needs. It is based on a long-term approach which takes into account the inextricable nature of the environmental, social and economic dimensions of development activities.¹”

WHO IS TARGETED?

The *Act* applies to the entire public administration, which means all 150 or more ministries, agencies and enterprises of the Government of Québec.

Municipalities, school boards, and health and social services agencies are invited to frame their actions in line with the sustainable development approach outlined in the *Act*. The Government may determine by Order in Council when the provisions of the *Act* will apply to these institutions and agencies, after having consulted them in that regard.

THE PRINCIPLES

In its *Act*, Québec sets out 16 principles² for sustainable development. All government ministries and agencies must take all the principles into account in their actions.

¹ *Sustainable Development Act*, Chapter 1, Section 2.

² The appendix provides the definition of each of these principles, which are at the heart of the *Act*, the government’s strategy, and the actions carried out under the strategy.

The 16 principles are described in Section 6 of the *Act*. Their titles are:

“Health and quality of life,” “Social equity and solidarity,” “Environmental protection,” “Economic efficiency,” “Participation and commitment,” “Access to knowledge,” “Subsidiarity,” “Inter-governmental partnership and cooperation,” “Prevention,” “Precaution,” “Protection of cultural heritage,” “Biodiversity preservation,” “Respect for ecosystem support capacity,” “Responsible production and consumption,” “Polluter pays,” and “Internalization of costs.”

RESPONSIBILITIES AND FUNCTIONS OF THE MINISTER

The *Act* gives the Minister of Sustainable Development, Environment and Parks new responsibilities:

- **Promote sustainable development** among the ministries, agencies and general public while fostering joint and cohesive action;
- **Coordinate** the efforts of the ministries and agencies to develop, and later revise, a **sustainable development strategy**;
- Propose **sustainable development indicators** suitable for measuring Québec’s progress;
- **Coordinate the preparation of periodic assessments** of the implementation of the Government’s strategy and, with input from the other ministries, draft reports for submission to the Government;
- **Enhance knowledge, advise** the Government and third parties on sustainable development, and provide expertise and assistance to help achieve strategy objectives.

A GOVERNMENT-WIDE STRATEGY

The Government is to adopt a sustainable development strategy designed to ensure that government actions are coherent. The strategy is to be published and made accessible to the public. It must also be reviewed every five years.

THE KEY PURPOSES OF THE STRATEGY

The government’s strategy must indicate the direction it intends to take, its objectives, and how it expects to go about it. The strategy will therefore serve to:

- Set out the approach, issues, directions, areas of intervention and objectives to be pursued by the public administration;
- Specify the mechanisms and methods for monitoring the actions taken and assessing progress.

The content of the strategy must reflect the concerns of citizens, communities and living conditions in Québec and take into consideration the differences between the rural and urban areas and the situation of Native communities.

TWO ACTIONS TO BE TAKEN IN THE SHORT TERM

ADOPT THE FIRST VERSION OF THE STRATEGY

The first version of the strategy must be adopted by the Government in the year following the year of assent to the *Act*.

The *Act* also indicates that the first version of the strategy, in addition to setting out the Government's main objectives and intentions, must address:

- The information and education measures to be implemented for personnel of the public administration;
- The development of tools that ensure that the principles of sustainable development are taken into account in decision-making processes and actions;
- The mechanisms to be implemented to encourage the participation of Québec society;
- The means selected to foster an integrated approach and the coherence of the actions undertaken in the area of sustainable development by local and regional authorities and by Native communities.

DEVELOP SUSTAINABLE DEVELOPMENT INDICATORS

Not later than one year after the end of the year in which the strategy is adopted, the Minister of Sustainable Development, Environment and Parks is to submit to the Government a first list of sustainable development indicators. These indicators will be used to periodically measure Québec's progress in the area of sustainable development.

ACTION PLANS AND ACTIVITY REPORTS

In order to progressively sharpen its focus on sustainable development, every ministry and agency must identify, in a document to be made public, the actions it intends to pursue in order to help achieve the objectives of the strategy. This document may take the form of an action plan.

ACCOUNTABILITY

Each ministry and agency must devote a special section of its Annual Report to explaining its choice of strategy objectives and presenting the results of its achievements in the area of sustainable development.

In this regard, it must indicate:

- The specific objectives it had set;
- The activities or interventions that could or could not be carried out during the year and the results obtained based on the selected indicators; and

- If applicable, the measures taken following comments or recommendations by the Sustainable Development Commissioner.

A NEW KEY POSITION: SUSTAINABLE DEVELOPMENT COMMISSIONER

Under the *Sustainable Development Act*, the Government is to appoint a Sustainable Development Commissioner who reports directly to the Auditor General of Québec. The main duty of the commissioner will be to audit, observe and issue comments and recommendations to the Government of Québec on the Government's sustainable development activity.

ONE REPORT EVERY TEN YEARS

Lastly, the *Act* provides that the Minister must present a report on the carrying out of the *Sustainable Development Act*, first in April 2013, and every ten years thereafter.

The *Sustainable Development Act* may be consulted at:

www.mddep.gouv.qc.ca

www.publicationsduquebec.gouv.qc.ca

APPENDIX

SUSTAINABLE DEVELOPMENT ACT

THE PRINCIPLES:

- a. “Health and quality of life”: People, human health and improved quality of life are at the centre of sustainable development concerns. People are entitled to a healthy and productive life in harmony with nature;
- b. “Social equity and solidarity”: Development must be undertaken in a spirit of intra- and inter-generational equity and social ethics and solidarity;
- c. “Environmental protection”: To achieve sustainable development, environmental protection must constitute an integral part of the development process;
- d. “Economic efficiency”: The economy of Québec and its regions must be effective, geared toward innovation and economic prosperity that is conducive to social progress and respectful of the environment;
- e. “Participation and commitment”: The participation and commitment of citizens and citizens' groups are needed to define a concerted vision of development and to ensure its environmental, social and economic sustainability;
- f. “Access to knowledge”: Measures favourable to education, access to information and research must be encouraged in order to stimulate innovation, raise awareness and ensure effective participation of the public in the implementation of sustainable development;
- g. “Subsidiarity”: Powers and responsibilities must be delegated to the appropriate level of authority. Decision-making centres should be adequately distributed and as close as possible to the citizens and communities concerned;
- h. “Inter-governmental partnership and cooperation”: Governments must collaborate to ensure that development is sustainable from an environmental, social and economic standpoint. The external impact of actions in a given territory must be taken into consideration;
- i. “Prevention”: In the presence of a known risk, preventive, mitigating and corrective actions must be taken, with priority given to actions at the source;
- j. “Precaution”: When there are threats of serious or irreversible damage, lack of full scientific certainty must not be used as a reason for postponing the adoption of effective measures to prevent environmental degradation;
- k. “Protection of cultural heritage”: The cultural heritage, made up of property, sites, landscapes, traditions and knowledge, reflects the identity of a society. It passes on the values of a society from generation to generation, and the preservation of this heritage fosters the sustainability of development. Cultural heritage

components must be identified, protected and enhanced, taking their intrinsic rarity and fragility into account;

- l. “Biodiversity preservation”: Biological diversity offers incalculable advantages and must be preserved for the benefit of present and future generations. The protection of species, ecosystems and the natural processes that maintain life is essential if quality of human life is to be maintained;
- m. “Respect for ecosystem support capacity”: Human activities must be respectful of the support capacity of ecosystems and ensure the perennality of ecosystems;
- n. “Responsible production and consumption”: Production and consumption patterns must be changed in order to make production and consumption more viable and more socially and environmentally responsible, in particular through an ecoefficient approach that avoids waste and optimizes the use of resources;
- o. “Polluter pays”: Those who generate pollution or whose actions otherwise degrade the environment must bear their share of the cost of measures to prevent, reduce, control and mitigate environmental damage;
- p. “Internalization of costs”: The value of goods and services must reflect all the costs they generate for society during their whole life cycle, from their design to their final consumption and their disposal.