



MANITOBA

ORDER IN COUNCIL

DATE: **November 3, 2009**

ORDER IN COUNCIL No.: **348/2009**

RECOMMENDED BY: **President of Executive Council**

ORDER

1. The Department of Culture, Heritage, Tourism and Sport is renamed the Department of Culture, Heritage and Tourism.
2. The Department of Education, Citizenship and Youth is renamed the Department of Education.
3. The Department of Intergovernmental Affairs is renamed the Department of Local Government.
4. The Department of Science, Technology, Energy and Mines is renamed the Department of Innovation, Energy and Mines.
5. The Department of Competitiveness, Training and Trade is renamed the Department of Entrepreneurship, Training and Trade.
6. The Department of Family Services and Consumer Affairs is established.
7. The Department of Healthy Living, Citizenship and Youth is established.
8. The Department of Housing and Community Development is established.
9. The Department of Family Services and Housing is disestablished.
10. The departments of the executive government are confirmed to be:

Department of Aboriginal and Northern Affairs

Department of Advanced Education and Literacy

Department of Agriculture, Food and Rural Initiatives

Department of Conservation

Department of Culture, Heritage and Tourism

Department of Education

Department of Entrepreneurship, Training and Trade

Department of Family Services and Consumer Affairs

Department of Finance

Department of Health

Department of Healthy Living, Citizenship and Youth

Department of Housing and Community Development

Department of Infrastructure and Transportation

Department of Innovation, Energy and Mines

Department of Justice

Department of Labour and Immigration

Department of Local Government

Department of Water Stewardship

11. Each department of the executive government of the province is to be presided over by the member of the Executive Council from time to time known by the title set out opposite the name of that department in the following table:

DEPARTMENT	TITLE OF MINISTER
Department of Aboriginal and Northern Affairs	Minister of Aboriginal and Northern Affairs
Department of Advanced Education and Literacy	Minister of Advanced Education and Literacy
Department of Agriculture, Food and Rural Initiatives	Minister of Agriculture, Food and Rural Initiatives
Department of Conservation	Minister of Conservation
Department of Culture, Heritage and Tourism	Minister of Culture, Heritage and Tourism
Department of Education	Minister of Education
Department of Entrepreneurship, Training and Trade	Minister of Entrepreneurship, Training and Trade
Department of Family Services and Consumer Affairs	Minister of Family Services and Consumer Affairs
Department of Finance	Minister of Finance
Department of Health	Minister of Health
Department of Healthy Living, Citizenship and Youth	Minister of Healthy Living, Citizenship and Youth
Department of Housing and Community Development	Minister of Housing and Community Development
Department of Infrastructure and Transportation	Minister of Infrastructure and Transportation
Department of Innovation, Energy and Mines	Minister of Innovation, Energy and Mines
Department of Justice	Minister of Justice
Department of Labour and Immigration	Minister of Labour and Immigration
Department of Local Government	Minister of Local Government
Department of Water Stewardship	Minister of Water Stewardship

12. With respect to the **Department of Advanced Education and Literacy**:
- (a) the duties and functions of the Department of Entrepreneurship, Training and Trade (formerly the Department of Competitiveness, Training and Trade) that relate to International Education are transferred to the Department of Advanced Education and Literacy.
13. With respect to the **Department of Conservation**:
- (a) the duties and functions of the Department of Innovation, Energy and Mines (formerly the Department of Science, Technology, Energy and Mines) that relate to Climate Change and Green Initiatives are transferred to the Department of Conservation.
14. With respect to the **Department of Entrepreneurship, Training and Trade**:
- (a) the duties and functions of the Department of Infrastructure and Transportation, the Department of Agriculture, Food and Rural Initiatives, and the Department of Finance, that relate to Manitoba's trade relations with other jurisdictions are transferred to the Department of Entrepreneurship, Training and Trade.
15. With respect to the **Department of Family Services and Consumer Affairs**:

- (a) the duties and functions of the former Department of Family Services and Housing that relate to Family Services are transferred to the Department of Family Services and Consumer Affairs;
- (b) the duties and functions of the Department of Finance that relate to Consumer and Corporate Affairs are transferred to the Department of Family Services and Consumer Affairs;
- (c) the duties and functions of the Department of Local Government (formerly the Department of Intergovernmental Affairs) that relate to the Public Utilities Board are transferred to the Department of Family Services and Consumer Affairs.

16. With respect to the **Department of Healthy Living, Citizenship and Youth:**

- (a) the duties and functions of the Department of Health that relate to Healthy Living Prevention and Promotion Programs and Addictions are transferred to the Department of Healthy Living, Citizenship and Youth;
- (b) the duties and functions of the Department of Education (formerly the Department of Education, Citizenship and Youth) that relate to Citizenship and Youth are transferred to the Department of Healthy Living, Citizenship and Youth;
- (c) the duties and functions of the Department of Culture, Heritage and Tourism (formerly the Department of Culture, Heritage, Tourism and Sport) that relate to the delivery of Recreation Programs are transferred to the Department of Healthy Living, Citizenship and Youth.

17. With respect to the **Department of Housing and Community Development:**

- (a) the duties and functions of the former Department of Family Services and Housing that relate to Housing are transferred to the Department of Housing and Community Development;
- (b) the duties and functions of the Department of Local Government (formerly the Department of Intergovernmental Affairs) that relate to Neighbourhoods Alive are transferred to the Department of Housing and Community Development;
- (c) the duties and functions of the former Minister responsible for Co-operative Development that relate to Co-operative Development are transferred to the Department of Housing and Community Development;
- (d) the duties and functions of the Department of Culture, Heritage and Tourism (formerly the Department of Culture, Heritage, Tourism and Sport) that relate to the delivery of the Community Places Program are transferred to the Department of Housing and Community Development.

18. The duties and functions of the Department of Culture, Heritage and Tourism (formerly the Department of Culture, Heritage, Tourism and Sport) that relate to Sport are transferred to the Minister responsible for Sport.

19. Where a duty or function is transferred to a department under this Order, the administrative functions that relate to the transferred duty or function are also transferred.

20. Order in Council 416/2006, as amended, is rescinded.

21. This Order is effective immediately.

AUTHORITY

The Executive Government Organization Act, C.C.S.M. c. E170, states:

Presiding over departments

3(1) The Lieutenant Governor in Council may appoint, under the Great Seal of the province, from among the ministers, to hold office during pleasure, a President of the executive council and ministers to preside over the several departments and to discharge such duties, exercise such powers and perform such functions as he may prescribe; and the Lieutenant Governor in Council may determine the titles by which those ministers shall be known.

...

Transfer of minister's duties, etc.

5(1) The Lieutenant Governor in Council may transfer and assign to any minister, by name, title or otherwise, any or all of the powers, duties and functions given or imposed by law to or on any other minister.

Exercise of transferred powers, etc.

5(2) Where any or all of the powers, duties and functions of a minister are transferred to another minister under subsection(1), the minister to whom the powers, duties and functions are transferred may exercise the powers and perform the duties and functions under his title or the title of the minister from whom they are transferred.

References to ministers

5(3) Where, in any Act of the Legislature or any regulation, order or document, there is reference to a minister by title, the Lieutenant Governor in Council may designate another minister by name, title or otherwise, who shall be deemed to be the minister to whom reference is made in the Act, regulation, order or document.

...

Organization of the executive government

8 Notwithstanding any Act of the Legislature, the Lieutenant Governor in Council may determine the organization of the executive government and of the various departments thereof, and for that purpose may

- (a) establish, vary or disestablish any department;
- (b) determine or vary the duties and functions of any department and transfer any duties and functions from one department to another; and
- (c) determine or change the name of any department.

...

Transferred duties and functions

9(2) Where under section 8, duties and functions of a department are transferred to another department, the Lieutenant Governor in Council may order that all or part of the moneys authorized by an Act of the Legislature to be paid and applied for the purposes of those duties and functions and remaining unexpended, as he deems appropriate shall be expended through that other department to which those duties and functions are transferred and thereupon those moneys may be expended for those duties and functions as though they had been authorized by the Act of the Legislature to be paid and applied for the purposes of those duties and functions being performed by that other department.