



MANITOBA

ORDER IN COUNCIL

DATE: **October 18, 2013**

ORDER IN COUNCIL NO.: **357/2013**

RECOMMENDED BY: **President of Executive Council**

ORDER

1. The Department of Agriculture, Food and Rural Initiatives is renamed the Department of Agriculture, Food and Rural Development.
2. The Department of Education is renamed the Department of Education and Advanced Learning.
3. The Department of Entrepreneurship, Training and Trade is renamed the Department of Jobs and the Economy.
4. The Department of Local Government is renamed the Department of Municipal Government.
5. The Department of Family Services is established.
6. The Department of Labour and Immigration is established.
7. The Department of Mineral Resources is established.
8. The Department of Multiculturalism and Literacy is established.
9. The Department of Tourism, Culture, Sport and Consumer Protection is established.
10. The Department of Advanced Education and Literacy is disestablished.
11. The Department of Culture, Heritage and Tourism is disestablished.
12. The Department of Family Services and Labour is disestablished.
13. The Department of Healthy Living, Seniors and Consumer Affairs is disestablished.
14. The Department of Immigration and Multiculturalism is disestablished.
15. The Department of Innovation, Energy and Mines is disestablished.
16. The departments of the executive government are confirmed to be:

Department of Aboriginal and Northern Affairs

Department of Agriculture, Food and Rural Development

Department of Children and Youth Opportunities

Department of Conservation and Water Stewardship

Department of Education and Advanced Learning

Department of Family Services

Department of Finance

Department of Health

Department of Housing and Community Development

Department of Infrastructure and Transportation

Department of Jobs and the Economy

Department of Justice

Department of Labour and Immigration

Department of Mineral Resources

Department of Multiculturalism and Literacy

Department of Municipal Government

Department of Tourism, Culture, Sport and Consumer Protection

17. Each department of the executive government 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 Agriculture, Food and Rural Development	Minister of Agriculture, Food and Rural Development
Department of Children and Youth Opportunities	Minister of Children and Youth Opportunities
Department of Conservation and Water Stewardship	Minister of Conservation and Water Stewardship
Department of Education and Advanced Learning	Minister of Education and Advanced Learning
Department of Family Services	Minister of Family Services
Department of Finance	Minister of Finance
Department of Health	Minister of Health
Department of Housing and Community Development	Minister of Housing and Community Development
Department of Infrastructure and Transportation	Minister of Infrastructure and Transportation
Department of Jobs and the Economy	Minister of Jobs and the Economy
Department of Justice	Minister of Justice
Department of Labour and Immigration	Minister of Labour and Immigration
Department of Mineral Resources	Minister of Mineral Resources
Department of Multiculturalism and Literacy	Minister of Multiculturalism and Literacy
Department of Municipal Government	Minister of Municipal Government
Department of Tourism, Culture, Sport and Consumer Protection	Minister of Tourism, Culture, Sport and Consumer Protection

18. With respect to the **Department of Education and Advanced Learning**:

(a) all the duties and functions of the Department of Advanced Education and Literacy, other than those that relate to Adult Learning and Literacy, are transferred to the Department of Education and Advanced Learning.

19. With respect to the **Department of Family Services**:

(a) all the duties and functions of the Department of Family Services and Labour, other than those that relate to Labour, are transferred to the Department of Family Services.

20. With respect to the **Department of Health**:

(a) the duties and functions of the Department of Healthy Living, Seniors and Consumer Affairs, other than those that relate to Consumer Affairs, are transferred to the Department of Health.

21. With respect to the **Department of Jobs and the Economy**:

(a) all the duties and functions of the Department of Innovation, Energy and Mines, other than those that relate to the Energy Division or to Mineral Resources, are transferred to the Department of Jobs and the Economy.

22. With respect to the **Department of Labour and Immigration**:

- (a) the duties and functions of the Department of Family Services and Labour that relate to Labour are transferred to the Department of Labour and Immigration;
 - (b) all the duties and functions of the Department of Immigration and Multiculturalism, other than those that relate to Multiculturalism, are transferred to the Department of Labour and Immigration.
23. With respect to the **Department of Mineral Resources**:
- (a) the duties and functions of the Department of Innovation, Energy and Mines that relate to Mineral Resources are transferred to the Department of Mineral Resources.
24. With respect to the **Department of Multiculturalism and Literacy**:
- (a) the duties and functions of the Department of Immigration and Multiculturalism that relate to Multiculturalism are transferred to the Department of Multiculturalism and Literacy;
 - (b) the duties and functions of the Department of Advanced Education and Literacy that relate to Adult Learning and Literacy are transferred to the Department of Multiculturalism and Literacy.
25. With respect to the **Department of Municipal Government**:
- (a) the duties and functions of the Department of Innovation, Energy and Mines that relate to the Energy Division are transferred to the Department of Municipal Government.
26. With respect to the **Department of Tourism, Culture, Sport and Consumer Protection**:
- (a) the duties and functions of the Department of Healthy Living, Seniors and Consumer Affairs that relate to Consumer Affairs are transferred to the Department of Tourism, Culture, Sport and Consumer Protection;
 - (b) all the duties and functions of the Department of Culture, Heritage and Tourism are transferred to the Department of Tourism, Culture, Sport and Consumer Protection;
 - (c) all the duties and functions respecting Sport, including those that relate to Sport Manitoba and the Sport Secretariat, are transferred to the Department of Tourism, Culture, Sport and Consumer Protection.
27. 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.
28. Order in Council 17/2012 is rescinded.
29. 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.