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Summary

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Coming into force of Acts

Gouvernement du Québec

O.C. 384-2005, 20 April 2005

An Act respecting Services Québec (2004, c. 30) — Coming into force of certain provisions

COMING INTO FORCE of certain provisions of the Act respecting Services Québec

WHEREAS the Act respecting Services Québec (2004, c. 30) was assented to on 17 December 2004;

WHEREAS section 61 of the Act provides that the provisions of the Act come into force on the date or dates to be set by the Government;

WHEREAS it is expedient to set the date of coming into force of the Act, except sections 4 to 18, 37, 45 to 49, 51 to 57 and 59;

IT IS ORDERED, therefore, on the recommendation of the Minister of Government Services:

THAT the provisions of the Act respecting Services Québec, except sections 4 to 18, 37, 45 to 49, 51 to 57 and 59, come into force on 2 May 2005.

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

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Regulations and other acts

Gouvernement du Québec

O.C. 368-2005, 20 April 2005

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10)

Composition of the comité de retraite of the Government and Public Employees Retirement Plan concerning non-unionizable employees — Amendments

Regulation to amend the Regulation respecting the composition of the Comité de retraite of the Government and Public Employees Retirement Plan concerning non-unionizable employees

WHEREAS, under section 173.1 of the Act respecting the Government and Public Employees Retirement Plan (R.S.Q., c. R-10), the Government may determine, by regulation, after consulting the associations representing the employees to whom the Pension Plan of Management Personnel applies, the composition of the Comité de retraite of the plan and the manner in which the committee members are appointed. However, one of the members representing the employees must be a pensioner under that plan, elected after consultation with the associations representing both the employees and pensioners under the plan;

WHEREAS by Order in Council 194-97 dated 19 February 1997, the Government made the Regulation respecting the composition of the Comité de retraite of the Government and Public Employees Retirement Plan concerning non-unionizable employees;

WHEREAS the associations involved have been consulted and it is expedient to amend the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister responsible for Government Administration and Chair of the Conseil du trésor:

THAT the Regulation to amend the Regulation respecting the composition of the Comité de retraite of the Government and Public Employees Retirement Plan concerning non-unionizable employees, attached to this Order in Council, be made

ANDRÉ DICAIRE,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting the composition of the Comité de retraite of the Government and Public Employees Retirement Plan concerning non-unionizable employees *

An Act respecting the Government and Public Employees Retirement Plan
(R.S.Q., c. R-10, s. 173.1)

1. The title of the Regulation respecting the composition of the Comité de retraite of the Government and Public Employees Retirement Plan concerning non-unionizable employees is replaced by the following: “Regulation respecting the composition of the Comité de retraite of the Pension Plan of Management Personnel”.

2. Section 1 is amended

(1) by replacing “Government and Public Employees Retirement Plan concerning non-unionizable employees” in the first sentence by “Pension Plan of Management Personnel”;

(2) by striking out “representing non-unionizable employees referred to in Title IV.0.1 of the Act,” in paragraphs 1, 2 and 3;

* The Regulation respecting the composition of the Comité de retraite of the Government and Public Employees Retirement Plan concerning non-unionizable employees, made by Order in Council 194-97 dated 19 February 1997 (1997, G.O. 2, 945), was amended by the regulation made by Order in Council 718-99 dated 23 June 1999 (1999, G.O. 2, 1817).

(3) by replacing paragraph 4 by the following :

“(4) a pensioner under the Pension Plan of Management Personnel, chosen after consultation with the associations representing both the employees to whom the Plan applies and the pensioners under the Plan.”.

3. This Regulation comes into force on the date it is made by the Government.

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Draft Regulations

Draft Regulation

An Act respecting health services and social services
(R.S.Q., c. S-4.2)

Classification of services offered by family-type resources and the rates of compensation applicable to each type of service

— Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Amendments to the Classification of services offered by family-type resources and the rates of compensation applicable to each type of service, appearing below, may be made by the Minister of Health and Social Services on the expiry of 45 days following this publication.

The purpose of those amendments is to increase the amount paid to foster families to cover the personal expenses of children in foster care. They will have a positive impact on the amounts paid to foster families to cover the needs of those children.

Further information may be obtained by contacting :

Annik Paris
1075, chemin Sainte-Foy, 6^e étage
Québec (Québec)
G1S 2M1

Telephone: (418) 266-6869
Fax: (418) 266-6854

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15^e étage, Québec (Québec) G1S 2M1.

PHILIPPE COUILLARD,
Minister of Health and Social Services

Amendments to the Classification of services offered by family-type resources and the rates of compensation applicable to each type of service*

An Act respecting health services and social services
(R.S.Q., c. S-4.2, ss. 303 and 314)

1. The Classification of services offered by family-type resources and the rates of compensation applicable to each type of service is amended by replacing the amount of “\$3” in section 20.1 by “\$4”.

2. These Amendments come into force on the fifteenth day following the date of their publication in the *Gazette officielle du Québec*.

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Draft By-law

An Act respecting the Société d’habitation du Québec
(R.S.Q., c. S-8)

Low-rental housing in Nunavik — Conditions for the leasing of dwelling

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik, adopted by the board of directors of the Société d’habitation du Québec and the text of which appears below, may be approved by the Government on the expiry of 45 days following this publication.

The purpose of the draft By-law is to establish new conditions for the leasing of the low-rental housing units managed by the Kativik Municipal Housing Bureau in the fourteen Nordic villages of Nunavik.

* The Classification of services offered by family-type resources and the rates of compensation applicable to each type of service, made by Order 93-04 of the Minister of Health and Social Services on 30 November 1993 (1993, *G.O.* 2, 6781), was last amended by the Amendments made by Order 2004-001 of the Minister of Health and Social Services on 15 January 2004 (2004, *G.O.* 2, 827).

The By-law provides for a new rent scale that takes into consideration each household's capacity to pay. More specifically, the By-law establishes a maximum basic rent that will be increased each year, and a mechanism whereby lessees may request that their rent be fixed according to the household's income, subject to a minimum rent. Lessees may avail themselves of the mechanism by applying to the Kativik Municipal Housing Bureau. The draft By-law also provides for an annual review of the rents fixed according to the lessees' income and authorizes a rent review before the end of the lease if the financial situation of a lessee worsens. A special calculation method will be applied to determine the rent of a household with a needy person 60 years of age or older. Lastly, the draft By-law prescribes an indexing mechanism for the various items used to establish rents.

The draft By-law will replace the Programme de construction et de reconstruction de logements à loyer modique en milieu inuit, made by Order in Council 891-82 dated 8 April 1982.

Further information may be obtained by contacting Nathalie Campeau, 1054, rue Louis-Alexandre-Taschereau, aile Saint-Amable, 3^e étage, Québec (Québec) G1R 5E7; telephone: (418) 644-1380, fax: (418) 646-5560).

Any person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Secretary of the Société d'habitation du Québec, at the above-mentioned address.

PIERRE CLICHE,
President and Chief Executive Officer

By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik

An Act respecting the Société d'habitation du Québec (R.S.Q., c. S-8, s. 86, 1st par., subpar. g, and 2nd par.)

DIVISION I PURPOSE

1. The purpose of this By-law is to establish conditions for the leasing of dwellings in low-rental housing in the villages of Akulivik, Aupaluk, Inukjuak, Ivujivik, Kangiqsujuaq, Kangirsuk, Kangiqsualujuaq, Kuujuaq, Kuujuarapik, Puvirnituq, Quaqtac, Salluit, Tasiujaq and Umiujaq.

DIVISION II MONTHLY RENT AND MAXIMUM AND MINIMUM RENT

2. The monthly rent is the maximum rent established in accordance with Schedule I. A lessee may request the lessor to establish the rent on the basis of his or her income, in accordance with Division III. If the rent thus obtained is less than the minimum rent established in accordance with Schedule II, the latter rent prevails.

The lessee must give the lessor the documents required in support of his or her request.

3. The monthly rent is adjusted on 1 July of each year as of 1 July 2006. For 2005, the monthly rent is adjusted within 3 months of the date of coming into force of this By-law.

If a permanent change occurs in the situation of the lessee or the lessee's spouse and results in a decrease in total income calculated as provided in section 5, the lessee may request in the course of the year that the monthly rent be adjusted. The lessee may make a similar request if, in the year, the lessee or the lessee's spouse attains 60 years of age, in which case the rent is adjusted pursuant to section 6.

4. The minimum rents established in accordance with Schedule II are indexed on 1 July of each year according to the rate of change in the general Consumer Price Index, for Québec, as determined by Statistics Canada under the Statistics Act (R.S.C. 1985, c. S-19), calculated on the basis of the average of the indices for the 12 months of the preceding year.

The amount of the indexed rent is reduced to the nearest dollar if it contains a fraction of a dollar less than \$0.50; it is increased to the nearest dollar if it contains a fraction of a dollar equal to or greater than \$0.50.

The Société d'habitation du Québec informs the public of the annual indexing under this section through the *Gazette officielle du Québec* or by such other means as the Société considers appropriate.

DIVISION III CALCULATION OF RENT ACCORDING TO LESSEE'S INCOME

5. The rent is obtained using the following formula: $25\% [A - (B + C + D)]$, where

(1) “A” is the total income of the lessee and the lessee’s spouse for the taxation year preceding the year for which the rent is calculated. The total income is the income calculated using the fiscal return prescribed under section 1000 of the Taxation Act (R.S.Q., c. I-3) and confirmed by the notice of assessment for that return;

(2) “B” is the annual total of the amounts to be paid monthly by the lessee as support under an order or a judgment of a competent court, as rent for the lodging of a person in a private nursing home or in a facility maintained by a private institution not under agreement within the meaning of the Act respecting health services and social services (R.S.Q., c. S-4.2), and as the contribution required under section 512 of that Act of a user lodged in a facility maintained by a public or private institution under agreement or taken in charge by an intermediate resource of a public institution or by a family-type resource;

(3) “C” is an amount of \$5,000 for each person residing with the lessee and who is

(a) a child of the lessee or of the lessee’s spouse, is under 18 years of age and is not on the labour market or receiving last resort financial assistance;

(b) a child of the lessee or of the lessee’s spouse, is 18 years of age or older and is pursuing full-time studies; if the child is not residing with the lessee, the lessee or the lessee’s spouse assumes expenses for the child’s subsistence;

(c) 60 years of age or older, is receiving last resort financial assistance and is the father or mother of the lessee or of the lessee’s spouse; or

(d) a handicapped person.

(4) “D” is the total of the following amounts:

(a) 41% of $[A - (B + C)]$ for the portion of $[A - (B + C)]$ that is less than \$20,000;

(b) 35% of $[A - (B + C)]$ for the portion of $[A - (B + C)]$ that is equal to or greater than \$20,000 but less than \$40,000;

(c) 20% of $[A - (B + C)]$ for the portion of $[A - (B + C)]$ that is equal to or greater than \$40,000.

For the purposes of subparagraph 1, if the lessee or the lessee’s spouse earns an income from a business, that income is the net income from the business within the meaning of the Taxation Act without, however, subtracting the deductions under sections 130 and 130.1 of that Act.

6. If the lessee or the lessee’s spouse is 60 years of age or older and if the lessee so requests, the monthly rent is established according to the lowest of

(1) the maximum rent established in accordance with Schedule I;

(2) the rent established in accordance with section 5; and

(3) a rent of \$100, plus 2% of the income in excess of the first \$20,000 of income resulting from the application of the formula $[A - (B + C)]$ having the parameters defined in section 5; despite section 2, the rent may be lower than the minimum rent established in accordance with Schedule II.

DIVISION IV MISCELLANEOUS AND FINAL

7. As of 1 July 2010 and each year thereafter, the maximum rent corresponds to the maximum rent of the preceding year increased by 8%.

The amount of the rent thus increased is reduced to the nearest dollar if it contains a fraction of a dollar less than \$0.50; it is increased to the nearest dollar if it contains a fraction of a dollar equal to or greater than \$0.50.

8. The Programme de construction et de reconstruction de logements à loyer modique en milieu inuit, made by Order in Council 891-82 dated 8 April 1982, is revoked.

9. This By-law comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE I

(ss. 2 and 6)

MAXIMUM RENT

Rent scale in force on 1 July 2004			Maximum rent				
Household	Type	Rent	2005	1 July 2006	1 July 2007	1 July 2008	1 July 2009
Recipient of last resort financial assistance	studio 1 bedroom	\$122	\$129	\$138	\$148	\$158	\$170
	large studio	\$147	\$154	\$161	\$168	\$175	\$182
	2 bedrooms	\$177	\$187	\$199	\$212	\$226	\$241
		\$210	\$220	\$230	\$241	\$253	\$265
	3 bedrooms	\$211	\$223	\$235	\$248	\$262	\$276
		\$213	\$223	\$235	\$248	\$262	\$276
	4 bedrooms	\$214	\$228	\$241	\$254	\$270	\$286
		\$217	\$228	\$241	\$254	\$270	\$286
	5 bedrooms	\$220	\$235	\$249	\$264	\$281	\$300
	6 bedrooms	\$229	\$250	\$271	\$293	\$316	\$340
Other	studio 1 bedroom	\$160	\$172	\$186	\$203	\$222	\$245
	large studio	\$194	\$204	\$214	\$224	\$234	\$245
	2 bedrooms	\$231	\$244	\$261	\$281	\$303	\$330
		\$238	\$251	\$267	\$285	\$307	\$330
		\$271	\$283	\$298	\$316	\$337	\$359
	3 bedrooms	\$256	\$274	\$297	\$322	\$348	\$375
		\$312	\$328	\$348	\$369	\$391	\$415
	4 bedrooms	\$299	\$319	\$342	\$367	\$395	\$426
		\$353	\$371	\$392	\$415	\$441	\$470
	5 bedrooms	\$389	\$411	\$436	\$463	\$494	\$526
6 bedrooms	\$415	\$440	\$471	\$505	\$541	\$579	

SCHEDULE II

(ss. 2 and 4)

MINIMUM RENT

Type of dwelling	Category of household	
	Recipient of last resort financial assistance	Other
studio and 1 bedroom	\$125	\$145
2 bedrooms	\$160	\$210
3 bedrooms	\$185	\$230
4 bedrooms	\$210	\$270
5 bedrooms	\$235	\$350
6 bedrooms	\$250	\$375

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Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

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