

Gouvernement du Québec

O.C. 537-96, 8 May 1996

An Act respecting financial assistance for students
(R.S.Q., c. A-13.3)

**Financial assistance for students
— Amendments**

Regulation to amend the Regulation respecting financial assistance for students

WHEREAS under section 57 of the Act respecting financial assistance for students (R.S.Q., c. A-13.3), the Government may make regulations for the application of the Act;

WHEREAS by Order in Council 844-90 dated 20 June 1990, the Government made the Regulation respecting financial assistance for students;

WHEREAS that Regulation was amended by the Regulations made by Orders in Council 767-91 dated 5 June 1991, 647-92 dated 29 April 1992, 761-93 dated 2 June 1993, 831-94 dated 8 June 1994, 1071-94 dated 13 July 1994 and 1103-95 dated 16 August 1995;

WHEREAS it is expedient to further amend the Regulation respecting financial assistance for students;

WHEREAS in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 20 March 1996, with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education:

THAT the Regulation to amend the Regulation respecting financial assistance for students, attached hereto, be made.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting financial assistance for
students**

An Act respecting financial assistance for students
(R.S.Q., c. A-13.1, s. 57)

1. The Regulation respecting financial assistance for students, made by Order in Council 844-90 dated 20 June 1990 and amended by the Regulations made by Orders in Council 767-91 dated 5 June 1991, 647-92 dated 29 April 1992, 761-93 dated 2 June 1993, 831-94 dated 8 June 1994, 1071-94 dated 13 July 1994 and 1103-95 dated 16 August 1995, is further amended by adding the following after subparagraph 4 of the first paragraph of section 2:

“(5) notwithstanding the preceding subparagraphs, for students referred to in paragraph 1, 2, 3 or 4 of section 5: none.”.

2. The following is substituted for subparagraph 3 of the first paragraph of section 3:

“(3) he receives benefits under the Unemployment Insurance Act (R.S.C. (1985) c. U-1) and is participating in a program of training offered to him and paid in accordance with that Act.”.

3. The following is substituted for subparagraph 2 of the first paragraph of section 4:

“(2) 60 % of his actual employment income referred to in Schedule II, for the calendar year or, in the case of income referred to in paragraph 11 of that Schedule, for the fiscal year ending during the current year of allocation, except income provided for in paragraph 7 of that Schedule where the student is participating in a program of training offered to him and paid in accordance with the Unemployment Insurance Act (R.S.C. (1985) c. U-1);”.

4. The following is added at the end of section 21:

“For the purposes of the computation provided for in subparagraph 1, the actual employment income referred to in paragraph 11 of Schedule II is the income for the fiscal year ending the current year of allocation.”.

5. The following is substituted for subparagraph 3 of the second paragraph of section 24:

“(3) he receives benefits under the Unemployment Insurance Act (R.S.C. (1985) c. U-1) and is participating in a program of training offered to him and paid in accordance with that Act.”.

6. The following is substituted for that part preceding subparagraph 1 of the first paragraph of section 38:

“**38.** A student who, under his course of study, must take a compulsory training period shorter than one trimester shall be allocated, upon request, the following amounts:”.

7. The following paragraph is added at the end of section 47:

“Where a student may receive financial assistance in the form of a loan only, the maximum amount of the authorized loan shall correspond to the amount of financial assistance in the form of loans and bursaries to which he would have been otherwise entitled.”.

8. The following is substituted for paragraph 2 of section 53:

“(2) shows that he is in a situation which, within the meaning of section 25 of the Act respecting income security (R.S.Q., c. S-3.1.1), could lead him to complete destitution; or

(3) suffers from a major functional deficiency within the meaning of section 54.”.

9. The following is substituted for section 55:

“**55.** A major functional deficiency must be attested to in a medical certificate issued by a physician.

An evaluation of the disabilities related to the major functional deficiency shall be made by a therapist specialized in the area of the deficiency. In the absence of specialized therapist or where the care of such therapist is not required, the evaluation shall be made by a physician.”.

10. The following paragraph is inserted after the first paragraph of section 56:

“Where a student cannot complete his studies within the time periods prescribed in the first paragraph by reason of a disability lasting longer than one month and attested to in a medical certificate issued by a physician, those periods shall be extended to cover the duration of the disability.”.

11. The second sentence of section 64 is struck out.

12. The following is substituted for paragraph 6 of section 76:

“(6) he is a permanent resident or a naturalized Canadian citizen and his parents or sponsor do not have their residence elsewhere in Canada, if he has a selection certificate issued under section 3.1 of the Act respecting immigration to Québec (R.S.Q., c. I-0.2) or if he has

been residing in Québec for at least 3 months without having resided in another province for more than 3 months;”.

13. Schedule IV is amended by striking out paragraphs 1, 2 and 7.

14. The following is substituted for Schedule VII:

“SCHEDULE VII
(s. 45)

ELIGIBILITY PERIOD
Secondary level in vocational training
College level or the equivalent

	Loan and bursary	Loan only	
		Number of trimesters	from to
(1) secondary level in vocational training:	5	6 th trim.	7 th trim.;
(2) general college level:	5	6 th	7 th ;
(3) general college level, under a program of study lasting 6 trimesters or more:	7	8 th	9 th ;
(4) vocational college level:	7	8 th	9 th ;
(5) the naval engineering program at the Institut maritime du Québec, Cégep de Rimouski:	9	10 th	11 th ;
(6) the navigation program at the Institut maritime du Québec, Cégep de Rimouski:	9	10 th	11 th ;
(7) Conservatoire de musique et d'art dramatique de la province de Québec (program of college study):	7	8 th	9 th ;
(8) the National Theater School of Canada:	11	12 th	13 th ;
(9) vocational college level, program of college study under a cooperative plan:	9	10 th	11 th .

In order to determine the eligibility period for financial assistance for a student at the college level in accordance with subparagraphs 2 to 9 of the first paragraph, deduction shall be made, from the number of trimesters authorized by the subparagraph in question, of the number of trimesters for which the student has already received financial assistance under one or more of subparagraphs 2 to 9 of the first paragraph.”.

15. The following is substituted for the table in Schedule VIII:

“ELIGIBILITY PERIOD
University level or the equivalent

	Loan and bursary	
	Number of trimesters	Loan only from to
(1) undergraduate level or the equivalent:	7	8 th trim. 9 th trim.;
(2) master's level:	5	6 th 7 th ;
(3) doctoral level:	9	10 th 11 th ;
(4) doctoral level, without having obtained a master's degree:	11	12 th 13 th ;
(5) undergraduate level, in Québec, under a program whose normal duration is 8 trimesters or more, or, outside Québec, 10 trimesters or more:	9	10 th 11 th ;
(6) undergraduate level, in medicine:	11	12 th 13 th ;
(7) undergraduate level, program of university studies under a cooperative plan:	11	12 th 13 th ;
(8) Conservatoire de musique et d'art dramatique de la province de Québec (graduate program of study):	7	8 th 9 th ;
(9) master's level, in the program “diplôme d'études spécialisées en médecine vétérinaire” offered by the Faculté de médecine vétérinaire of the Université de Montréal:	10	11 th 12 th ;
(10) Conservatoire de musique et d'art dramatique de la province de Québec, “programme de fin d'études après l'obtention d'un diplôme d'études supérieures”:	5	6 th 7 th . ”.

16. This Regulation applies from the 1996 summer trimester of the 1996-1997 year of allocation.

17. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

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Gouvernement du Québec

Decision CCQ-962072, 24 April 1996

An Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20)

Complementary social benefit plans in the construction industry — Amendment

Please take note that by decision CCQ-962072 of 24 April 1996, the Commission de la construction du Québec has enacted the Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry.

Please take note that the regulation is enacted under the authority of section 92 of the Act respecting labour relations, vocational training and manpower management in the construction industry (R.S.Q., c. R-20); it puts into effect sections 28.01 to 28.07 of the Construction Decree enacted by Order in Council 172-87 of 4 February 1987. The provisions of sections 28.01 to 28.07 of this decree are deemed to be common clauses applicable to collective agreements of each sector of the construction industry, under section 84 of the Act amending the Act respecting labour relations, vocational training and manpower management in the construction industry and amending other legal provisions (1993, c. 61).

Please take note that the Commission as submitted the draft regulation, prior to its adoption, to the Joint Committee on Construction, for the purposes of consultation, in accordance with section 123.3 of the Act respecting labour relations, vocational training and manpower management in the construction industry. This committee is composed of representatives from parties representing employers and salaried employees of the construction industry who are affected by this regulation. According to section 18 of that Act, the Commission is bound to the committee's decisions as regards to the use of social security funds. The Joint Committee of Construction has issued a notice stating that it was in favour of adopting the Regulation respecting complementary social benefit plans in the construction industry.

Please take note, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the text of the Regulation to amend the Regulation respecting complementary social benefit plans in the construction industry was published in Part 2 of the *Gazette officielle du Québec* of 21 February 1996 with a notice that it could be enacted to the Commission de la construction du Québec upon the expiry of 45 days following that publication.