

Draft Regulation

An Act respecting income security
(R.S.Q., c. S-3.1.1)

Regulation — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. S-3.1.1), that the Regulation to amend the Regulation respecting income security, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft regulation is to eliminate the increase in the scale of needs paid as reimbursement of real estate taxes for persons eligible for the work and employment incentives program. On the other hand, it increases the amounts prescribed as work income excluded for the purposes of computing the benefits of persons eligible for that program in order to take into account the elimination of the increase in the scale of needs paid as reimbursement of real estate taxes. The draft regulation also provides for the requisition of a certificate in writing attesting to the need for transportation by ambulance to cover related expenses and to reduce coverage for medical transportation by taxi. Finally, the draft regulation provides, in the case of false statements, for a fee for opening the record, the charging of continuous interest and certain terms and conditions governing recovery.

To date, study of the matter reveals an impact in the form of an increase in amounts owed or of a reduction in the monthly benefits of persons eligible for the work and employment incentives program.

Further information may be obtained by contacting Mrs. Geneviève Bouchard, Director of income security policies and programs development, 425, rue Saint-Amable, 4^e étage, Québec (Québec), G1R 4Z1, tel.: 646-2566.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of State for Employment and Solidarity and Minister of Income Security, 425, rue Saint-Amable, 4^e étage, Québec (Québec), G1R 4Z1.

LOUISE HAREL,
*Minister of State for Employment and Solidarity
and Minister of Income Security*

Regulation to amend the Regulation respecting income security

An Act respecting income security
(R.S.Q., c. S-3.1.1, s. 91, 1st par., subpars. 4, 5, 8, 23 to 24.1, 25 and 2nd par.; 1995, c. 69, s. 20, pars. 4, 7 and 9)

1. The Regulation respecting income security, made by Order in Council 922-89 dated 14 June 1989 and amended by the Regulations made by Orders in Council 1917-89 dated 13 December 1989, 1051-90 dated 18 July 1990, 1733-90 and 1734-90 dated 12 December 1990, 1793-90 dated 19 December 1990, 567-91 dated 24 April 1991, 1721-91 dated 11 December 1991, 285-92 dated 26 February 1992, 379-92 and 380-92 dated 18 March 1992, 868-92 dated 10 June 1992, 1155-92 dated 5 August 1992, 1798-92 and 1799-92 dated 9 December 1992, 123-93 dated 3 February 1993, 825-93 dated 9 June 1993, 1287-93 dated 8 September 1993, 1780-93 dated 8 December 1993, 159-94 dated 19 January 1994, 249-94 dated 9 February 1994, 827-94 dated 8 June 1994, 1160-94 dated 20 July 1994, 260-95 dated 1 March 1995, 1354-95 dated 11 October 1995, 202-96 dated 14 February 1996, 266-96 dated 28 February 1996, 761-96 dated 19 June 1996, 926-96 dated 17 July 1996, 1290-96 dated 9 October 1996 and 1480-96 dated 27 November 1996, is further amended in section 13:

(1) by substituting the following for subparagraph 1:

“(1) Scale based on unavailability:

Adult(s)	Dependent children	Scale of needs	Work income excluded
1	0	\$577	\$84
1	1	822	71
1	2 or more	943	80
2	0	913	79
2	1	1 034	68
2	2 or more	1 130	73”;

(2) by substituting the following for subparagraphs 3 to 5:

“(3) Scale based on participation:

Adult(s)	Dependent children	Scale of needs	Work income excluded
1	0	\$597	\$110
1	1	842	97
1	2 or more	963	107
2	0	933	130
2	1	1 054	141
2	2 or more	1 150	147;

(4) Scale based on non-participation:

Adult(s)	Dependent children	Scale of needs	Work income excluded
1	0	\$477	\$184
1	1	722	170
1	2 or more	843	180
2	0	738	231
2	1	859	242
2	2 or more	955	247;

(5) Mixed scale:

Adult(s)	Dependent children	Scale of needs	Work income excluded
1 non-participant and 1 participant	0	\$836	\$181
	1	957	192
	2 or more	1 053	197
1 non-participant and 1 unavailable	0	826	155
	1	947	155
	2 or more	1 043	160
1 unavailable and 1 participant	0	923	105
	1	1 044	105
	2 or more	1 140	110.”.

2. The following is substituted for the table in section 14.1

“Category of scales	Scale of needs	Work income excluded
Unavailability	\$231	\$84
Participation	251	110
Non-participation	131	184”.

3. Section 18 is revoked.

4. The fourth paragraph of section 25 is deleted.

5. Section 35 is amended

(1) by inserting the following paragraphs after the second paragraph:

“Where such transportation is by ambulance, the benefits shall be granted, in the case of an adult, if the need for transportation is attested to by a certificate signed by a physician or a person authorized for that purpose by the hospital centre where the beneficiary is taken to.

An application for payment for transportation by ambulance may be made by the carrier. It shall be accompanied by the certificate or by a document establishing

that such transportation was not needed. For payment purposes only, the Minister shall then pay the carrier whether or not such transportation was needed. That payment is not deemed to be an acknowledgment by the Minister of the need for such transportation. Where the need is not attested to, the benefit thus granted is deemed to have been received without entitlement by the adult.”;

(2) by adding the following paragraph at the end after the words “must be used”: “In respect of a beneficiary of the Work and Employment Incentives program, the special benefits for the expenses of each transportation of an adult by taxi shall be granted minus the lesser of \$20 or 20 % of the transportation cost. Notwithstanding the foregoing, the amounts so deducted may not exceed \$100 a year per adult.”.

6. The following paragraph is added at the end of section 119:

“(3) if the recoverable amount results from a statement containing false information or from a document containing such information, made or sent more than once by a person with a view to making himself or his family eligible for a last resort assistance program, or with a view to receiving or causing his family to receive more benefits than would otherwise have been granted, the payments may not be less than \$224 per month.”.

7. The following paragraph is added in section 123:

“(3) a recoverable amount resulting from a statement containing false information or from a document containing such information, made or sent more than once by a person with a view to making himself or his family eligible for a last resort assistance program, or with a view to receiving or causing his family to receive more benefits than would otherwise have been granted, in which case the maximum shall be \$224; notwithstanding the foregoing, all the reductions applied to the benefits and the compensation shall not exceed 50 % of the total benefits, in which case the amount of compensation shall be reduced but may not be lower than \$112.”.

8. The words “except if the recoverable amount is due by a person who made a statement containing false information or who sent a document containing such information with a view to making himself or his family eligible for a last resort assistance program, or with a view to receiving or causing his family to receive more benefits than would otherwise have been granted, subparagraph 2 of the first paragraph ceases to apply in respect of a recoverable amount” are substituted for “subparagraph 2 of the first paragraph ceases to apply in respect of that amount” in the second paragraph of section 124.

9. The following is inserted before subparagraph 1 of section 124.1:

“(0.1) \$100 for any formal notice sent under section 41 of the Act if the recoverable amount is due by a person who made a statement containing false information or who sent a document containing such information with a view to making himself or his family eligible for a last resort assistance program, or with a view to receiving or causing his family to receive more benefits than would otherwise have been granted;”

10. This Regulation will come into force on 1 April 1997.

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Draft Regulation

An Act respecting income security
(R.S.Q., c. S-3.1.1)

Regulation

— 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 Regulation to amend the Regulation respecting income security, the text of which appears below, may be made by the Government upon the expiry of 45 days following this publication.

The purpose of the draft Regulation is to give effect to the provisions of Bill 84, entitled “An Act to amend the Act respecting income security”. It provides that a person who has the care of a dependent child may qualify, from 1 September 1997, for the scale based on unavailability of the work and employment incentives program if, on 30 September 1997, the child is less than 5 years of age or cannot attend a kindergarten class on a full-time basis. The draft Regulation prescribes certain provisions pertaining to the recovery of the interest received by a beneficiary of a last resort assistance program who was waiting for the realization of a right and to subrogation costs to be charged to a debtor who has failed to pay support.

To date, study of the matter has revealed an impact on beneficiaries of the work and employment incentives program and those waiting for the realization of a right. In addition, it should have an impact on debtors who have failed to pay support.

Further information may be obtained by contacting Mrs. Geneviève Bouchard, Director of income security

policies and programs development, 425, rue Saint-Amable, 4^e étage, Québec (Québec), G1R 4Z1, tél.: 646-2566.

Any interested person having comments to make is asked to send them in writing, before the expiry of the 45-day period, to the Minister of State for Employment and Solidarity and Minister of Income Security, 425, rue Saint-Amable, 4^e étage, Québec (Québec), G1R 4Z1.

LOUISE HAREL,
*Minister of State for Employment and Solidarity
and Minister of Income Security*

Regulation to amend the Regulation respecting income security

An Act respecting income security
(R.S.Q., c. S-3.1.1, s. 91, 1st par., subpars, 16.01 and 22.1, and 2nd par.)

1. The Regulation respecting income security, made by Order in Council 922-89 dated 14 June 1989 and amended by the Regulations made by Orders in Council 1917-89 dated 13 December 1989, 1051-90 dated 18 July 1990, 1733-90 and 1734-90 dated 12 December 1990, 1793-90 dated 19 December 1990, 567-91 dated 24 April 1991, 1721-91 dated 11 December 1991, 285-92 dated 26 February 1992, 379-92 and 380-92 dated 18 March 1992, 868-92 dated 10 June 1992, 1155-92 dated 5 August 1992, 1798-92 and 1799-92 dated 9 December 1992, 123-93 dated 3 February 1993, 825-93 dated 9 June 1993, 1287-93 dated 8 September 1993, 1780-93 dated 8 December 1993, 159-94 dated 19 January 1994, 249-94 dated 9 February 1994, 827-94 dated 8 June 1994, 1160-94 dated 20 July 1994, 260-95 dated 1 March 1995, 1354-95 dated 11 October 1995, 202-96 dated 14 February 1996, 266-96 dated 28 February 1996, 761-96 dated 19 June 1996, 929-96 dated 17 July 1996, 1290-96 dated 9 October 1996, 1480-96 dated 27 November 1996 and 1566-96 dated 11 December 1996, is further amended in section 13.1 by inserting the following before paragraph 1:

“(0.1) for the purposes of subparagraph 3 of the first paragraph of section 16 of the Act, an adult member of a family who has the care of a dependent child less than 5 years of age on 30 September or, if he is 5 years of age on that date, who cannot attend a kindergarten class on a full-time basis;”

2. The following is inserted after section 120.1: