

Where the percentage applicable to the costs of electricity and fuel is not representative for the building concerned, the tribunal, where it has the necessary information, shall take those costs into account by proceeding, in their respect, in the manner provided for in the second paragraph of section 4.”

2. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

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Draft Regulation

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

Financial assistance for students — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act, that the Regulation to amend the Regulation respecting financial assistance for students, the text of which appears below, may be made by the Government upon the expiry of 45 days from this publication.

The purpose of the draft Regulation is to amend, for the purposes of computing the financial assistance granted to a student, the amounts of his foreseeable employment income, the amounts of the expenses allowable as school fees, living expenses, transportation expenses, child day-care expenses and chiropractic and medication expenses, as well as the maximum amounts of loans in certain cases. Other amendments are made to clarify certain measures and to simplify certain administrative requirements.

The draft Regulation also prescribes the amounts of advance financial assistance that may be granted by the Minister of Education in the form of loans. Finally, it prescribes the maximum level of indebtedness that a person must not exceed in order to be eligible for a loan.

To date, study of the matter has revealed no impact on businesses.

Further information may be obtained by contacting Mr. Pierre-Paul Allaire, Director, Direction de l'aide financière aux étudiants, ministère de l'Éducation, 1035, rue de La Chevrotière, 20^e étage, Québec (Québec), G1R 5A5; tel.: (418) 646-5313.

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 Education, 1035, rue de La Chevrotière, 16^e étage, Québec (Québec), G1R 5A5.

PAULINE MAROIS
Minister of Education

Regulation to amend the Regulation respecting financial assistance for students

An Act respecting financial assistance for students (R.S.Q., c. A-13.3, s. 57; 1996, c. 79, s. 11)

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, 1103-95 dated 16 August 1995 and 537-96 dated 8 May 1996, is further amended in section 2 by substituting the following for the amounts appearing respectively in subparagraphs 1 to 4 of the first paragraph:

- (1) “\$1 175”;
- (2) “\$2 805”;
- (3) “\$4 425”;
- (4) “\$4 425”.

2. Section 3 is amended

(1) by substituting the following for subparagraph 3 of the first paragraph:

“(3) he receives benefits under the Employment Insurance Act (S.C., 1996, c. 23) and is participating in a program of training offered to him and paid in accordance with that Act;”;

(2) by adding the following subparagraph in the first paragraph after subparagraph 3:

“(4) he is incarcerated.”.

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 ending during the current year of allocation or, in the case of income referred to in paragraph 11 of that Schedule, for the

fiscal year that comes to an end during the calendar 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 Employment Insurance Act (S.C., 1996, c. 23);”.

4. The following is substituted for the second paragraph of section 21:

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

5. Section 24 is amended

(a) by substituting the following for subparagraph 3 of the second paragraph:

“(3) he receives benefits under the Employment Insurance Act (S.C., 1996, c. 23) and is participating in a program of training offered to him and paid in accordance with that Act;”;

(b) by adding the following subparagraph after subparagraph 3 of the second paragraph:

“(4) he is incarcerated.”.

6. The following paragraphs are inserted after the first paragraph of section 25:

“The compulsory tuition and registration fees and the compulsory related fees allocated to a student pursuing studies in Québec may not exceed \$6 000 per trimester.

For each trimester of full-time studies, the amounts allocated to a student for the purchase of educational materials are the following:

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| (1) for the secondary level, in vocational training: | \$125.00; |
| (2) for the college level, in general education: | \$125.00; |
| (3) for the college level, in vocational training: | \$150.00; |
| (4) for the university level: | \$325.00; |

(5) for the university level, for the following programs: architecture, visual (plastic) arts, chiropractic, physical education, ergotherapy, medicine, veterinary medicine, music, speech therapy and audiology, optometry, pharmacy, physiotherapy and engineering:	\$375.00;
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(6) for the graduate level of university, where the trimester is devoted to drafting a thesis or dissertation:	\$150.00.
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Notwithstanding the third paragraph, no amount shall be allocated for the purchase of educational materials in respect of a trimester during which a student takes a training period that covers a full trimester.”.

7. The second paragraph of section 27 is deleted.

8. The following words are added at the end of the second paragraph of section 32:

“and except where that trimester is the winter trimester and the student enrolls in vocational training at the secondary level”.

9. Section 33 is amended

(a) by substituting the amount “\$50” for the amount “\$39” in the first paragraph; and

(b) by adding the following paragraph at the end:

“The total amount resulting from the application of this section may not exceed \$1 045 per year of allocation.”.

10. Section 38 is revoked.

11. The following is substituted for the first paragraph of section 41:

“**41.** A student who pursues studies shall be allocated day-care expenses for the child living with him, for the number of weeks determined according to sections 31 and 32 less 2 weeks, on the following conditions:

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| (1) where the child is less than 6 years of age: | \$50; |
| (2) where the child is 6 years or more but less than 12 years of age: | \$25; |

(3) where the child is 12 years of age or more and suffers from a major functional deficiency as defined in section 54 or from mental disorders described in a medical certificate issued by a physician: \$25.”.

12. The amount “\$200” is substituted for the amount “\$100” in the first paragraph of section 44.

13. Section 47 is amended

(1) by substituting the following for subparagraph 3 of the first paragraph:

“(3) for the undergraduate level of university, after obtaining an undergraduate degree in Québec or such a degree or the equivalent outside Québec: \$4 255;”;

(2) by substituting the following for the second paragraph:

“Notwithstanding the first paragraph, where a student begins his studies at the secondary level in vocational training in the winter trimester and where he was not pursuing post-secondary studies during the preceding trimester, the maximum amount of a loan, for that year of allocation and for the subsequent year of allocation, shall be reduced by one-half.

The maximum amount of an authorized loan shall be increased by the compulsory tuition and registration fees, up to the amount of the expenses allowable as such under section 25, where the student attends an educational institution at the secondary level in vocational training or at the college level for a program not subsidized under the Act governing the institution or where the student attends an educational institution outside Québec.”.

14. The following is inserted after section 49:

“**49.1** The total of all authorized loans, at every level of education and cycle, may not exceed the following maximum levels of indebtedness:

(1) where the student is at the secondary level, in vocational training: \$21 000;

(2) where the student is at the college level, in general education: \$15 000;

(3) where the student is at the college level, in vocational training: \$21 000;

(4) where the student is at the undergraduate level of university, for a program of study of less than 8 trimesters: \$25 000;

(5) where the student is at the undergraduate level of university, for a program of 8 trimesters or more: \$30 000;

(6) where the student is at the master’s level of university: \$35 000;

(7) where the student is at the doctoral level of university: \$45 000.”.

15. Division X of Chapter I is revoked.

16. The following is substituted for section 62:

“**62.** Unless he has been recognized as a borrower in a precarious financial situation under section 71, the borrower shall, at the end of his period of exemption, sign a repayment agreement for all loans granted to him under the Act with the financial institution that is the creditor of those loans.”.

17. The following is substituted for section 69:

“**69.** A borrower is considered to be in a precarious financial situation where his average gross monthly income, within the meaning of section 70, does not exceed \$980 for a period of 6 months.”.

18. The following is substituted for the second paragraph of section 71:

“Recognition by the Minister that the borrower is in a precarious financial situation terminates the repayment agreement.

During the period prescribed in the first paragraph, the Minister shall pay to the financial institution the interest on the balance of all loans granted under the Act at the rate fixed following the method provided for in section 67.”.

19. The following is substituted for section 74:

“**74.** A borrower who ceases to be a borrower in a precarious financial situation shall sign a repayment agreement in accordance with sections 62 to 64.

The rate of interest stipulated in the repayment agreement shall, however, be determined on the date the borrower ceases to be in such a situation and shall thereafter be fixed every 5 years from the date on which his period of exemption ends.”.

20. The following is substituted for paragraph 4 of section 76:

“(4) he has kept his residence in Québec although his parents or sponsor have ceased to reside in Québec;”.

21. The following is inserted after section 81:

**“DIVISION IV
ADVANCE FINANCIAL ASSISTANCE**

81.1 The Minister may grant advance financial assistance in the form of a loan to a student who made an application for financial assistance and who is in a situation that, 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.

The amount of an advance loan shall be \$500, except if the student is covered by section 39, in which case the amount shall be \$775.”.

22. The following is substituted for paragraph 7 of Schedule II:

“(7) benefits received under the Employment Insurance Act (S.C., 1996, c. 23);”.

23. 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) secondary level in vocational training, program of study covered by the apprenticeship system:	8	9 th	10 th ;	
(3) general college level:	5	6 th	7 th ;	
(4) general college level, under a program of study lasting 6 trimesters or more:	7	8 th	9 th ;	
(5) vocational college level:	7	8 th	9 th ;	
(6) the naval engineering program at the Institut maritime du Québec, Cégep de Rimouski:	9	10 th	11 th ;	

Number of trimesters	Loan only	
	from	to

(7) the navigation program at the Institut maritime du Québec, Cégep de Rimouski:

9 10th 11th;

(8) Conservatoire de musique et d’art dramatique de la province de Québec (program of college study):

7 8th 9th;

(9) the National Theater School of Canada:

(10) vocational college level, program of college study under a cooperative plan:

11 12th 13th;

In order to determine the eligibility period for financial assistance for a student at the secondary level in accordance with subparagraph 1 or 2 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 subparagraph 1 or 2 of the first paragraph.

9 10th 11th.

In order to determine the eligibility period for financial assistance for a student at the college level in accordance with subparagraphs 3 to 10 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 3 to 10 of the first paragraph.”.

24. Schedule VIII is amended

(1) by substituting the following for the table:

“ELIGIBILITY PERIOD

University level or the equivalent

	Loan and bursary	Loan only	
	Number of trimesters	from	to
(1) undergraduate level:	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) undergraduate level, in a chiropractic program:	12	13 th	14 th ;
(9) Conservatoire de musique et d'art dramatique de la province de Québec (graduate program of study):	7	8 th	9 th ;
(10) master's level, dentistry program with the “orthodontics” or “prostodontic rehabilitation” option:	10	11 th	12 th ;
(11) 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 ;
(12) 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 .”

(2) by substituting the figures “1, 5, 6, 7, 8 and 9” for the figures “1, 5, 6, 7 and 8” wherever they appear in the third paragraph;

(3) by substituting the figures “2, 10, 11 and 12” for the figures “2, 9 and 10” wherever they appear in the fifth paragraph.

25. This Regulation applies from the 1997 summer trimester of the 1997-1998 year of allocation.

Notwithstanding the foregoing, for the 1997-1998 year of allocation, the maximum amount of a loan shall be increased by taking into account, for the summer trimester, all the compulsory tuition fees and registration fees where the student was studying during the fall of 1996 in the same program of study.

In addition, for that same year of allocation, a reference to the Employment Insurance Act (S.C., 1996, c. 23) includes the Unemployment Insurance Act (R.S.C., 1985, c. U-1).

26. The second paragraph of section 71 and section 74 of the Regulation respecting financial assistance for students, as they read before being replaced, remain applicable, in respect of a borrower who was recognized as being in a precarious financial situation before 1 July 1997, until the period for which he was so recognized expires.

27. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*, except sections 16 to 19, which come into force on 1 July 1997.

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