

53 litres and no more than 3 cylinders are transported by the vehicle;

(5) with a road vehicle equipped with a functioning accessory that produces a naked flame.

This section does not apply where dangerous substances intended for the operation of the vehicle transporting them or for its air-conditioning are contained in the tank provided exclusively for that purpose by the manufacturer of the vehicle or accessory, and it does not apply to emergency vehicles in the situations referred to in section 378 of the Highway Safety Code.”.

9. The following is substituted for sections 12.1 to 12.4:

“**12.1** Any violation of any of the provisions of sections 7 to 10, 10.3 and 10.4 of this Regulation, concerning the application of sections 4.6 and 4.7, of paragraphs *a*, *b*, *c* and *m* of subsection 1 of section 4.8, of sections 4.12, 4.19 and 4.24, of subsection 2 of section 5.5, of sections 5.6, 5.8, 5.25, 5.29, 7.1, 8.1 and 9.2 of the Transportation of Dangerous Goods Regulations, constitutes an offence punishable by a fine of \$200 to \$300.

12.2 Any violation of any of the provisions of section 7 of this Regulation, concerning the application of paragraph *o* of subsection 1 of section 4.8 of the Transportation of Dangerous Goods Regulations, constitutes an offence punishable by a fine of \$300 to \$600.

12.3 Any violation of any of the provisions of sections 2, 4, 7 to 10 and 10.2 to 10.5 of this Regulation, concerning the application of sections 2.33 to 2.35, 3.1.1, 4.1, 4.4, of paragraphs *e* and *h* to *l* of subsection 1 of section 4.8, of sections 4.15, 4.20 and 4.23, of subsection 1 of section 5.5, of sections 5.7, 5.16, 5.23, 5.24, 5.32, 5.37, 7.16, 7.21, 7.34 to 7.39, 8.7, 9.11, 9.13 or the prohibitions referred to in Schedules II and III of the Transportation of Dangerous Goods Regulations, constitutes an offence punishable by a fine of \$600 to \$6 000.

12.4 Any violation of any of the provisions of section 11 of this Regulation constitutes an offence punishable by a fine of \$600 to \$6 000.”.

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

1405

Gouvernement du Québec

O.C. 558-97, 30 April 1997

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), as amended by section 11 of Chapter 79 of the Statutes of 1996, the Government may make regulations for the purposes 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 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), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 22 January 1997 with a notice that it could be made by the Government upon the expiry of 45 days following that publication;

WHEREAS following that publication, comments were made;

WHEREAS under section 18 of the Regulations Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it or where the regulation amends norms of a fiscal nature;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies such coming into force:

— the amendments made to the Regulation respecting financial assistance for students by the Regulation attached to this Order in Council must apply for the 1997-1998 year of allocation, that is from the 1997 summer term;

— applications for financial assistance for the 1997-1998 year of allocation may not be processed as long as the amendments are not in force;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, upon 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-13.3, 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 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;

(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 in come 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 paragraph 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 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;

(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:

- | | |
|---|-----------|
| (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; |

(6) for the graduate level of university, where the trimester is devoted to drafting a thesis or dissertation: \$150.00.

Notwithstanding the third paragraph, no amount shall be allocated for the purchase of educational materials in respect of a trimester during which a student serves 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:

(1) where the child is less than 6 years of age: \$50;

(2) where the child is 6 years of age 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. Section 44 is amended

a) by substituting “\$66 per trimester” for “\$100” in the first paragraph; and

b) by substituting the following for the second paragraph:

“Only the medications comprised in the list established and updated in accordance with sections 60 and 61 of the Act respecting prescription drug insurance and amending various legislative provisions (1996, c. 32) shall be considered in the application of the first paragraph.”.

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 with the winter trimester at the secondary level in vocational training or at the college level in a program leading to an attestation of college studies and where he was not pursuing secondary studies in vocational training or 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 located outside Québec or where he attends an educational institution at the secondary level in vocational training for a program not subsidized under the Act governing the institution. Such is also the case where the student attends an educational institution at the college level for such a program; the amount prescribed in subparagraph 1 of the first paragraph is, however, increased to \$3 605 for such student.”.

14. The following is inserted after section 49:

“**49.1** The balance 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.

Notwithstanding the first paragraph, the maximum level of indebtedness is increased to \$25 000 where the student is at the college level for a program not subsidized under the Act governing the institution.”

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 gross monthly income, within the meaning of section 70, does not exceed \$980 and where he does not foresee that he will have an average gross monthly income higher than that amount during the following three-month period.”

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 suspends execution of the repayment agreement as of the month specified by the Minister.

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. Section 74 is amended by inserting the following after the first paragraph:

“A borrower who was not required to sign a repayment agreement at the end of his period of exemption shall sign such an agreement, in accordance with sections 62 to 64, as soon as he ceases to be a borrower in a precarious financial situation. The rate of interest stipulated in the repayment agreement shall, however, be determined on the date the borrower ceases to be in a precarious 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 ;
(7) the navigation program at the Institut maritime du Québec, Cégep de Rimouski:	9	10 th	11 th ;
(8) Conservatoire de musique et d'art dramatique de la province de Québec (program of college study):	7	8 th	9 th ;
(9) the National Theater School of Canada:	11	12 th	13 th ;
(10) 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 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.

	Loan and bursary	Loan only	
	Number of trimesters	from	to
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 ;

	Loan and bursary	Loan only	
	Number of trimesters	from	to
(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; and

(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 trimestre 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 in the cases referred to in the third paragraph of section 47 of the Regulation respecting financial assistance for students, by taking into account all the compulsory tuition fees and registration fees. Moreover, that increase shall be made by taking into account, for the summer trimestre, all the compulsory tuition fees and registration fees regardless of the maximum level of indebtedness, if the student was studying during the fall trimestre 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 date of its publication in the Gazette officielle du Québec, except sections 16 to 19, which come into force on 1 July 1997.

1407

Gouvernement du Québec

O.C. 587-97, 30 April 1997

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

**Income security
— Regulation**

Regulation to amend the Regulation respecting income security

WHEREAS in accordance with section 91 of the Act respecting income security (R.S.Q., c. S-3.1.1), the Government, by Order in Council 922-89 dated 14 June 1989, made the Regulation respecting income security.

WHEREAS it is expedient to amend that Regulation further;

WHEREAS under section 12 of the Regulations Act (R.S.Q., c. R-18.1), a proposed regulation may be made without having been published pursuant to section 8 of that Act, if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS under sections 13 and 18 of that Act, the reason justifying the absence of prior publication and such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances justifies the absence of prior publication and such coming into force:

— the amendments provided for in the Regulation attached to this Order in Council must come into force