

Draft Regulations

Draft Regulation

Automobile Insurance Act
(R.S.Q., c. A-25)

Determination of income and employment and the payment of the indemnity in section 83.30 of the Act

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 respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act”, the text of which appears below, may be approved by the Government after 45 days have elapsed from the date of this publication.

The purpose of the draft regulation is to replace Schedule III “Table of Employment Categories and Corresponding Gross Incomes” with a reference grid comprised of elements contained in the “Professions” file of the computerized data listing on educational and occupational training “Répertoire informatisé des données en information scolaire et professionnelle” (Repères) by the Société de gestion du réseau informatique des commissions scolaires (Société GRICS).

This regularly updated tool, which better reflects the reality of the labour market, will make for fairer and more equitable compensation of road accident victims.

Additional information is available from Mr. Pierre Langlois, Société de l’assurance automobile du Québec, Direction des politiques et des programmes pour les accidentés, 333, boulevard Jean-Lesage, S-4-21, P.O. Box 19600, Québec, QC, G1K 8J6; tel. (418) 528-3932, fax: (418) 528-1223.

Any person wishing to make comments on the matter must forward them in written form, before expiry of the 45-day period, to the Chairman and CEO of the Société de l’assurance automobile du Québec, 333, boulevard Jean-Lesage, N-6-2, P.O. Box 19600, Québec, QC, G1K 8J6; tel. (418) 528-3100, fax: (418) 644-0339.

JEAN-YVES GAGNON,
*Chairman and CEO of the
Société d’assurance automobile du Québec*

Regulation to amend the Regulation respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act*

Automobile Insurance Act
(R.S.Q., c. A-25, s. 195, pars. 6 to 11)

1. Section 3 of the Regulation respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act is amended by adding the following to section 3:

“However, notwithstanding section 6, the gross income indicated in Schedule III is that in force on the day of the accident.”.

2. The following is substituted for section 6:

“6. The gross income of a victim who, at the time of the accident, does not hold employment corresponding to employment determined for him or her by the Société and who, in the five years preceding the day of the accident, never held such employment is that indicated in Schedule III in force on the day when the Société determines employment and readjusted using all the adjustment factors provided for in Schedule I.”.

3. The following is substituted for section 7:

“7. For the purposes of sections 15, 20 and 31 of the Act, the employment categories and corresponding gross incomes are those prescribed in Schedule III. Gross income is that in force on the day of the accident.

For the purposes of sections 45 and 48 of the Act, the employment categories and corresponding gross incomes are those prescribed in Schedule III. Gross income is that in force on the day when the Société determines employment.”.

4. The following is substituted for Schedule III:

* The Regulation respecting the determination of income and employment and the payment of the indemnity in section 83.30 of the Act, approved by Order in Council 1923-89 dated 13 December 1989 (1989, G.O. 2, 4652), has not been amended since it was made.

“SCHEDULE III

(ss. 3, 6 and 7)

**EMPLOYMENT CATEGORIES AND
CORRESPONDING GROSS INCOMES**

1. The employment categories are the occupational titles contained in the “Professions” file of the computerized data listing on educational and occupational training “Répertoire informatisé des données en information scolaire et professionnelle» (Repères) by the Société de gestion du réseau informatique des commissions scolaires (Société GRICS).

2. Gross income corresponding to each employment category is the amount that represents the median on the scale of the annual average minimum earnings indicated in the listing for each occupation. Where the lower limit on the scale is absent or equal to zero, gross income is the amount that represents the upper limit of the average minimum earnings.

Where the average minimum earnings shown is the hourly wage, it shall be calculated on an annual basis by multiplying it by 2000.

3. Changes made to the listing during a year become an integral part of the Regulation from the next January first.

4. Notwithstanding section 2, the gross income of a victim for whom the Société determines employment under section 48 of the Act cannot be lower than gross income determined on the basis of the minimum wage as defined in section 3 of the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r. 3), as it reads on the day when it must be applied, calculated on an annual basis by multiplying it by 2000.

Where employment determined under this section is part-time employment, gross income is established on the basis of the minimum wage prescribed in the preceding paragraph and calculated on an annual basis by multiplying it by the number of hours for which the victim is considered fit to hold employment.

5. Notwithstanding section 2, gross income cannot be higher than the Maximum Yearly Insurable Earnings set by section 54 of the Automobile Insurance Act (R.S.Q., c. A-25).”.

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

1924

Draft RegulationConsumer Protection Act
(R.S.Q., c. P-40.1)**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 the application of the Consumer Protection Act, 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 delete a provision relating to the calculation of credit charges in a contract extending variable credit.

The proposed amendment will have a positive impact on businesses in the credit sector, since it eliminates a constraint in the calculation of credit charges and harmonizes the Regulation with the provisions applicable elsewhere in Canada.

Further information may be obtained by contacting Mr. Luis Curras, Office de la protection du consommateur, 5199, rue Sherbrooke Est, bureau 3721, Montréal, H1T 3X2; tel.: (514) 873-8601, fax: (514) 864-2400.

Any person having comments to make is asked to send them, before the expiry of the 45-day period, to the Minister of Relations with the Citizens and Immigration, 360, rue McGill, 4^e étage, Montréal, H2Y 2E9.

MICHEL CARPENTIER,
Clerk of the Conseil exécutif

**Regulation to amend the Regulation
respecting the application of the
Consumer Protection Act(*)**Consumer Protection Act
(R.S.Q., c. P-40.1, s. 350, par. e)

1. Section 56 of the Regulation respecting the application of the Consumer Protection Act is revoked.

* The Regulation respecting the application of the Consumer Protection Act (R.R.Q., 1981, c. P-40.1, r. 1) was last amended by Order in Council 712-95 dated 24 May 1995 (1995, *G.O.* 2, 1663). For previous amendments, refer to the Tableau des modifications et Index sommaire, Éditeur officiel du Québec, 1997, updated to 1 September 1997.